

## HOUSE OF ASSEMBLY

Thursday 1 July 2004

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

**CROUCH, Mr B.**

Adjourned debate on motion of Hon. W.A. Matthew:

That this house congratulates *Sunday Mail* journalist, Brad Crouch, on his SA Media Award for his exclusive report, 'A door snake and two light bulbs' published on 16 November 2003,

which Mr Snelling had moved to amend by adding the words:

and the Social Development Committee on the Poverty Inquiry recommendation of an energy audit program for low income households.

(Continued from 3 June. Page 2456.)

**Ms THOMPSON (Reynell):** On the last occasion I had almost completed my remarks, enhancing in particular the wonderful low income energy audit service that has been provided in my electorate and in many others. The people who have received these audits have been very pleased with them. I look forward to the next stage of this plan, which is to enable people on low incomes to be able to purchase energy-efficient machines. I think we all know when we are buying appliances that the items with the highest energy rating are often the most expensive. The cheaper items cost more to run, but for people on low incomes coming up with that initial purchase price is a major obstacle. So, very wisely, the Minister for Infrastructure is putting together a further plan which will enable people who have been assisted by an audit to take out either a low interest or a no interest loan in order to purchase energy-efficient machines.

There is also a plan to work with various suppliers of white goods in this state who are coming to the party and looking at special discounts for people in this position. So, overall this is an excellent plan, but it has been much degraded by people who do not seem to understand the difficulties faced by people on low incomes in being able to be energy-efficient. They think that what the taxpayer should do is simply pay more money to subsidise the private firms that now own our electricity organisations instead of enabling people to both save money and save our environment with support for low income energy audit schemes. I commend this scheme to the house, and I ask all members to take it seriously instead of using it as an item of ridicule.

**Mr HANNA (Mitchell):** The government and opposition have made their points in relation to this debate. I suggest that the motion now be put.

Amendment carried; motion as amended carried.

**ADELAIDE UNITED SOCCER CLUB**

Adjourned debate on motion of Hon. D.C. Kotz:

That this House notes the outstanding success of the Adelaide United Soccer Club throughout the season and congratulates the team on their recent semi final victory over South Melbourne and extends our good wishes and luck for the preliminary final against Perth.

(Continued from 1 April. Page 1889.)

**Dr McFETRIDGE (Morphett):** I rise as the shadow minister for recreation and sport and also as the proud member for Morphett, where the other night I presented prizes to the Southern Districts Junior Soccer Club—the largest soccer club in the Southern Hemisphere, with 3 300 primary schoolchildren every week going there. Indeed, many of the products of that club have gone on to play for not only Adelaide soccer clubs but also the Australian Socceroos.

The facts about soccer in Australia are outstanding. About 300 000 people play rugby, and there will be a fantastic rugby match here on Saturday night between Australia and the Pacific Island nations. About 600 000 play Aussie Rules. Most people think Aussie Rules is the most popular team sport played here, but it is not—that is very wrong. Cricket has a little over one million players, and is a popular team sport, but at the very top is soccer, with 1 169 000 participants playing in soccer teams every week. It is the most popular team sport and it is becoming more popular, because spectators are going along to that fantastic venue, Hindmarsh Stadium, and watching top-class teams playing.

We recently had the overseas teams from the Pacific Islands playing in a round robin competition, and it was fantastic. I note that the government is maintaining the cafeteria down there. It is selling pies and pasties down there and making small business lose out on an opportunity. However, it is doing that only because it knows that the venue will be well attended. Why? Because we have teams like Adelaide United Soccer that will draw the crowd by the thousands.

The AFL is very worried about soccer, and so it should be, because soccer will go ahead in South Australia and in Australia. It will not be long before we see the Socceroos not only at the Olympics (and I wish them well) but also in the World Cup, and I guarantee that once Australia is in the World Cup we will see soccer boom; Aussie rules should be shaking in its boots.

The Police and Fire Games are coming up in 2007, the third biggest sporting event in the world and second only to the Soccer World Cup. First is the Olympics in Athens in August this year, and many South Australians will be representing Australia there. In fact, tonight I will go to Government House for a reception for the paralympians. While I am not sure whether they play soccer, I will make it my business to find out tonight. I think they play all sports, and I wish them well.

It is through the message, the example and the community involvement of teams such as Adelaide United Soccer Club that South Australia is a better community. It is because of organisers such as Mick Hargreaves down at Southern Districts Junior Soccer Club, where they have 3 300 kids each and every week playing, and I understand that they are about to expand that to high schools. Nearly 5 000 young people will be playing soccer every week at Balco Street, Paringa Park. Soccer is booming, and I congratulate the Adelaide United Soccer Club on its achievements and certainly wish them well in future.

**Mrs GERAGHTY (Torrens):** I will make some brief comments. The success of Adelaide United getting into the top three of the NSL during its first season is something of which we can be very proud. It is now a matter of history that Perth Glory defeated Adelaide United in its final 5-0 and went on to win the national league. However, it has been an outstanding season for the Adelaide United team from the

very first game against the Brisbane Strikers, in front of a debut crowd of 15 200, I understand, last October.

Congratulations must go to the administrators and support staff and all the fans who packed Hindmarsh Stadium for each home game. Congratulations especially must also go to all the team members for their outstanding efforts and to coach John Kosmina, a former international player for Australia who achieved over 100 caps for his country. John assembled a team in a very short period of time and, with the on-field assistance of Aurelio Vidmar as captain, they were a formidable combination from the beginning.

The interest in soccer as a spectator sport and one that is played in schools and clubs all over the state is continuing to grow, as the member for Morphett has said. Adelaide United's successful first season has added to the positive impact on this growth. It is appropriate to acknowledge the people who had the vision to create this new soccer club, in particular Gordon Pickard, Basil Scarsella, the South Australian Soccer Federation and all the other soccer bodies who worked together with such speed to bring us a new team and a new era for soccer in South Australia.

The first match at Hindmarsh Stadium showed what a great atmosphere a full house of supportive South Australians could do to help the home team to victory. The total attendance for the 14 home matches played was over 185 000 people. These attendances made Adelaide United the top of the table in attracting local support. I am sure members present will be as pleased as is the government that the Australian Soccer Association has chosen Hindmarsh Stadium for stage 2 of the Oceania Football Confederation World Cup qualifying series. It is absolutely wonderful to see it actually being used now. This is an extremely important tournament, and I am sure that all South Australians will enjoy this wonderful spectacle and support our Australian team.

Hindmarsh Stadium will play host to the six nation tournament, which will feature Australia's Socceroos and New Zealand as seeded teams. The stadium is finally operating as a world-class venue, thank goodness, and it is widely recognised that there is no better place in Australia to watch quality teams play than a Hindmarsh Stadium that is packed—which is very good for us now. The government has supported Adelaide United to play at Hindmarsh in its inaugural season and continues to manage the stadium effectively, and it will work with the Australian Soccer Federation and, hopefully, Adelaide United as Adelaide's NSL team for the next season, to continue the great success of this season.

Motion carried.

**The SPEAKER:** I would say that it is very fortunate for soccer in this state that Ms Coralie Cheney came into association in public relations and management work with Mr Gordon Pickard and the Pickard family, through the Pickard Foundation, which rescued the sport and in a very short time made it possible for the club, Adelaide United, to come into existence with sound financial backing and without the rancour and political point scoring that had occurred in soccer at the highest level, which was really more about responses to gonads than it was to grey matter in the way in which it was being conducted in South Australia. So, my congratulations go to the players and team officials who accepted the challenge to put Adelaide United Soccer Club together and make it work. Also, my thanks go to Ms Cheney and Mr Gor-

don Pickard for what they, too, have contributed to make it possible.

### MOTOR VEHICLES, THEFT

Adjourned debate on motion of Hon. D.C. Kotz:

That this house calls on the government to consider implementing the National Motor Vehicle Theft Reduction Council's 'Immobilise Now!' program to reduce car theft in South Australia by offering a subsidy to car owners as an incentive to install an Australian standard immobiliser in an effort to reduce car theft, youth crime and cost to government and community.

(Continued from 1 April. Page 1894.)

The house divided on the motion:

#### AYES (20)

Brindal, M. K.	Brown, D. C.
Buckby, M. R.	Chapman, V. A.
Evans, I. F.	Goldsworthy, R. M.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hanna, K.
Kerin, R. G.	Maywald, K. A.
McFetridge, D.	Meier, E. J. (teller)
Penfold, E. M.	Redmond, I. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.

#### NOES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K. (teller)
Hill, J. D.	Key, S. W.
Koutsantonis, T.	McEwen, R. J.
O'Brien, M. F.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	Weatherill, J. W.

#### PAIR(S)

Kotz, D. C.	White, P. L.
Matthew, W. A.	Wright, M. J.
Brokenshire, R. L.	Lomax-Smith, J. D.

**The SPEAKER:** There being 20 ayes and 20 noes, it falls to my lot to decide whether or not the motion will pass. The first point that needs to be made is that the motion does not affect supply. Of course, the house would not have accepted the motion—more particularly, the chair would have rejected the motion—had it been a motion which has an effect on supply.

The next point which the chair needs to make in its deliberation as to whether or not this proposition should stand is the fashion in which the proposition has been put. The words 'to consider' rather than 'directing' the government to do something, to my mind, at least calls on the government to give consideration to it. For that reason, it strikes me that there can be nothing wrong with the government's considering implementing the National Motor Vehicle Theft Reduction Council's 'Immobilise Now!' program. By whatever means, the motion suggests offering a subsidy to car owners. That would be a matter for the government in its consideration to determine should it decide to go ahead with the program. There are other ways in which it might choose to do it or, for that matter, it could simply tell the public that it will not do it after having given due consideration to it. I give my vote for the ayes. The motion passes.

Motion thus carried.

### STANDING ORDERS SUSPENSION

**The Hon. R.B. SUCH (Fisher):** I move:

That standing orders be so far suspended as to enable me to proceed with the Parliamentary Remuneration (Non-Monetary Benefits) Amendment Bill 2004 standing in my name.

**The SPEAKER:** There being in excess of a majority of the whole number of members of the house present, I accept the motion. Does the member for Fisher wish to be heard in support of the proposition to suspend?

**The Hon. R.B. SUCH:** No, sir.

The house divided on the motion:

**The SPEAKER:** There being only one member for the noes, I declare that the motion for suspension passes.

### PARLIAMENTARY REMUNERATION (NON-MONETARY BENEFITS) AMENDMENT BILL

**The Hon. R.B. SUCH (Fisher)** obtained leave and introduced a bill for an act to amend the Parliamentary Remuneration Act 1990 and to make a related amendment to the Parliamentary Superannuation Act 1974.

**The Hon. R.B. SUCH:** Sir, I indicate that on the *Notice Paper* there was originally reference to 'a related amendment to the Parliamentary Superannuation Act 1974'. The bill, as drafted by Parliamentary Counsel, now provides 'a bill for an act to amend the Parliamentary Remuneration Act 1990'.

**The SPEAKER:** Is the member seeking leave to move it in the amended form by deleting those words 'and to make a related amendment to the Parliamentary Superannuation Act 1974'?

**The Hon. R.B. SUCH:** It is titled now as 'a bill for an act to amend the Parliamentary Remuneration Act 1990', and I seek leave to move it in that amended form.

Leave granted.

Bill read a first time.

**The Hon. R.B. SUCH:** I move:

That this bill be now read a second time.

In relation to the second reading, I make some brief comments. This is, in effect, a reworking of the bill that I introduced last year, and it is designed to clarify some of the issues and concerns which have been expressed by the tribunal and by some members. It does not substantially modify the original proposal but it does clarify the intent of the parliament. It provides that, in respect of changes to any provision that members currently get, the tribunal must, in modifying the terms and conditions, have regard to what applies at the commonwealth level. That is an appropriate guide, because the commonwealth provisions are based on consideration of what exists throughout the rest of Australia. You need a benchmark, and this new bill provides that, as far as reasonably possible, the tribunal must, in determining the terms and conditions, apply:

the same terms and conditions as are applicable to the same or a similar non-monetary benefit provided under the law of the Commonwealth to senators and members of the House of Representatives of the Parliament of the Commonwealth.

That guide is necessary because the tribunal in Western Australia altered the electorate allowance of members to such a point that they then had to come back and revisit the whole issue. So this provides the tribunal with guidance in terms of how they go about requiring members to make a contribution for private use and related matters. I think the public would welcome the fact that MPs make a contribution for private

use, and it is up to the tribunal to make that determination, taking into account the law of the commonwealth.

It also says that a standard vehicle be provided, and the tribunal must make that determination. But this bill provides that (and this was an idea raised, I believe, by the Hon. Nick Xenophon in another place) instead of a car or instead of staying in the current system, members are able to claim a conveyance allowance (the technical term), have a logbook and claim the actual mileage. That has been drafted in this bill. So, there are three options: members can stay as they are; they can seek a car, which is optional under the terms and conditions set by the tribunal; or a member can elect to have a conveyance allowance to offset motor vehicle expenses, which, I understand, is the format currently applied to some of the senior officers of the government of South Australia including, I think, some of the members of the judiciary and some magistrates.

The other clarification is that this requires the tribunal to meet at least once a year, and I think that is appropriate. The other provision is that the tribunal must make a determination within four months after this bill is enacted.

This matter needs to be addressed, and I believe that I am the appropriate person to put this matter before the parliament because I am not seeking this particular benefit for myself—as members know, I have a car provided through the parliamentary system in my role as Deputy Speaker. I trust that other members of parliament look at this as a mechanism to make open and accountable the provision of non-monetary benefits, remembering that this provision is not simply in relation to motor vehicles. For example, if a member wanted a piece of equipment or furniture in their office, the tribunal could look at that. It could also look at the question of whether a member who resides in the country and who seeks to serve a particular part of the state could be provided with assistance to establish that office and be provided with some furniture, and so on.

It is not simply about motor vehicles which, as we all know, are an essential tool of trade for most MPs. Some members may be able to get around their electorate on a pushbike—and I mean no disrespect to anyone who uses a pushbike—but I challenge MPs who have a large electorate to service it on a pushbike. I wish I could—I would be a lot fitter and a lot thinner. The reality is that nearly every member of parliament needs a motor vehicle, and when I put the comparison with a commercial traveller to the tribunal, I think it is fair to say that they saw the merit in that. The point I made was that we use a vehicle seven days a week while most commercial travellers probably use a vehicle five or 5½ days a week.

This issue needs to be resolved. We are one of the few parliaments that has this vague arrangement where we get an electorate allowance in which it is not specified that it is for a vehicle, and that needs to be clarified. There should be openness and accountability. It has taken a long time even to redraft this because of the need to negotiate with people and to look at what happens elsewhere, and I do not want to be in the situation once again (and it was not a deliberate attempt) of dealing with this on the last sitting day of parliament.

*Members interjecting:*

**The Hon. R.B. SUCH:** I know. I am saying that I do not want to be dealing with it on the last day when people will say that we are doing this at the midnight hour, rushing it through, and trying to hide something. There is nothing to hide. Every member of the public who is aware of what is

being done with this bill, I believe, would support it. They want openness and accountability, so I am being quite up front. The provisions will ensure that, in effect, there is no double dipping, and I think that is what the community wants.

So, with those words I commend this bill to the house and ask members both here and in another place to deal with this issue in a mature, sensible way so that the public of South Australia have confidence that we, who have the privilege of serving them, are provided with the necessary tools of trade to do that job, but in a way which is completely transparent, fully accountable to the Auditor-General and other authorities, and that the independent tribunal adjudicates on this, not MPs.

The criticism that has been put in the past is, 'Why don't you do it yourself?' The very point of this is to put it in the hands of an independent body to make the decision. I do not think anyone could ask for any more than that. We are not doing it ourselves. We could put something through here and give ourselves a car today if we wanted to, but we are not doing it that way. We are saying, 'Put it in the hands of the independent tribunal which comprises people who are not MPs, let them look at the situation and deal with this matter openly and in a transparent way.' I commend the bill to the house.

**The Hon. I.F. EVANS (Davenport):** The provision of non-monetary benefits to members of parliament is a difficult issue for all parliaments to handle because of the interest that the matter raises. My understanding is that virtually every other parliament in the nation at state level has dealt with this issue one way or another, as has the commonwealth. This is the member for Fisher's attempt to have this parliament deal with a similar issue. The provision of non-monetary benefits to members of parliament has evolved, as has the job of a member of parliament. The equipment and services needed by members of parliament today are different to when my father entered the parliament in the 1960s, and the job in 30 years' time will be different to what the job is today. This bill gives some flexibility into the system for the provision of non-monetary benefits so that, as the job changes, representations can be made to the independent panel and they can make some judgement about it.

I note that the member for Fisher has adopted the commonwealth model, or the bill gives some guidance to the Remuneration Tribunal to look at the commonwealth model of provision of non-monetary benefits. The reason the member for Fisher gives for that is that the commonwealth has had a system of providing non-monetary benefits to members of parliament for many years and that system seems to have worked well. There is very rarely a matter of controversy that arises out of that system; so there is a model that works well. There is some sense in guiding the Remuneration Tribunal towards that particular model. I think it is important that the bill has some debate and I commend the member for Fisher for putting it before the house.

**Mr HANNA (Mitchell):** I am speaking to the Parliamentary Remuneration (Non-Monetary Benefits) Amendment Bill 2004, brought into this place by the member for Fisher. This bill opens up the possibility of MPs receiving non-monetary benefits, that is apart from their monthly payment from the Crown, and any other benefits are to be determined by the Remuneration Tribunal. The possible non-monetary benefits are not specified but presumably the Remuneration Tribunal would consider matters which are relevant to the work of an

MP. It might extend to catering for a home office, for example, since most of us, I suspect, do a certain amount of work at home.

The issue that the member for Fisher has brought into the place is motor vehicles, and a couple of questions arise in the way in which the bill has been framed. I see from the draft of the bill that, where the Remuneration Tribunal provides for the provision of a motor vehicle, it must specify a motor vehicle or a range of motor vehicles that constitute a standard motor vehicle. In light of recent developments at Mitsubishi, I would be concerned if a particular brand of vehicle was specified and I would be especially concerned if it were not a Mitsubishi vehicle. However, if it is a range of vehicles that is to be specified, I presume that members would have some degree of choice in the matter.

The Remuneration Tribunal, as far as I can see, has always carried out its functions in an objective and independent manner, and tying our payment and conditions to those of the members of the national parliament is a system which seems to have worked well. The bill also insists that the Remuneration Tribunal must, within four months after the commencement of the relevant clause in the bill, make a decision about providing cars to each MP at the option of each member. So, it brings about a fairly rapid decision about the provision of cars to MP.

The one thing that I do not understand about the proposal brought in by the member for Fisher is the relative pros and cons of providing for cars for MPs in this way, as opposed to the situation we have currently. Some members of the public may find it difficult to understand as well. The fact is that out of our electoral allowances at present we may quite properly and reasonably pay for car expenses. As the member for Fisher has quite rightly pointed out, you need a vehicle to get around just about every electorate in this state to do your job properly, and that is certainly the case in my electorate.

Given that most members (at least those who are not ministers) would currently pay for the work-related use of a motor vehicle through their electoral allowance, there is a real question whether this can give scope for a car to be provided on top of their current electoral allowance or whether it would replace the payments that members currently make out of their electoral allowance for vehicle expenses. In other words, if a car is added to members' benefits on top of their electoral allowance, we could be accused of double dipping should the Parliamentary Remuneration Tribunal come to the conclusion that that is appropriate. Those are some of the issues that arise from the bill. I look forward to exploring the details in committee.

**Dr McFETRIDGE (Morphett):** I can see the headlines tomorrow. We will be criticised for having our snout in the trough—for double dipping. This is just an opportunity for the cheap populist press to have a go at us. I was voted into this place to do a job. I gave up a profession where I was earning more than twice what I get in here. I do not need a motor car in my electorate—I am happy to walk around my electorate—but do people expect members such as the member for Stuart and the member for Giles, whose electorates cover hundreds of thousands of square kilometres of this state, to walk around their electorate?

Name for me any position of responsibility out there—nowhere near the responsibility that we have—which does not get a car and other benefits as part of a salary package. Later this month they will get onto our travel reports. I will be up there. I do not give a toss what the press says, because

the electors of Morphett who put me here know how hard I work. The people at Glenelg know that I was up at six in the morning helping them to clean up their houses after the flood. Paringa Park Primary School knows that I have got \$2.5 million for its redevelopment. The Jetty Road main street board knows that I am working on getting police down there. They know how hard I work in my electorate.

I just hope that, for once in their lives, Melvin Mansell (they tell me that Des Ryan is leaving for Tasmania, and good luck to him), Bevan, Abraham and all the others are truly honest and portray politicians in the way in which they should be portrayed: that is, as decent hard-working people. I know of not one person in this place who rorts the system.

Yesterday, we debated the Fire and Emergency Services Bill. I said that fireys are right up the top in terms of respect, and they are, but where are polities? Down the bottom. Why? Because they think we come in here and carry on with a bit of argy-bargy, that we lie about and travel overseas, and that we all get a white car. Some people even think we all get free meals in this place. That is what the population thinks. Why? Because the press want to make cheap shots all the time. It is about time that the people of South Australia were told the truth about what goes on in here. If you pay peanuts, you will get monkeys.

As for the superannuation changes, no-one with any credibility, with half a brain in their head, will give up a career where they can earn a lot of money, work a third of the hours that we work in here, and have a family life, a real life. My life has changed dramatically since I came in here, particularly since taking on the shadow ministry. I know how hard the Premier and the ministers work, because I have seen their diaries. They work their backsides off. They give up so much for this place.

**The Hon. S.W. Key:** You used to have black hair.

**Dr McFETRIDGE:** The minister is right. I did have much darker hair than I have now. I welcome the onslaught from the popular press in the next few days. I will be happy to go on the radio and talk to journos. They can come with me any time and see how hard members in here work. I hope that, for once in their lives, they pay this parliament the respect it is due and give the people in here, who are the hardest working people in South Australia, the respect they are due—and give us a little bit of money so that we can do our jobs even better. I do not need a bike or a car, because I can walk around my electorate, and I will get on the tram to come into town. However, I would like the opportunity to be able to spend some more money in my electorate to inform my electors of what I am doing and what is going on in the parliament and in South Australia.

Those members who do need a car, who do need more money to do other things in their electorate, I know will spend it not on themselves or for their own benefit, as we are always accused of doing. I can see it tomorrow: we will be accused of that. Those people who get that money will spend it for the good of their electorate and the good of South Australia. Anyone who dares to continue with those cheap shots through the media should hang their head in shame. It is about time that they started acting like the professionals that the people in this place are. The people in this place have had to suffer this for years, and it will keep going, I am sure, but it is about time that we stood up for ourselves. I wear my heart on my sleeve far too often, and this is one of those times, but I do not really give a stuff what the press say. I know that I work hard, and I know that all of you do, too.

**Ms CHAPMAN (Bragg):** I rise to indicate that I will support the bill, and I thank the member for Fisher for his consideration of this matter and for presenting it today. Whilst I support the bill, it really is just another stopgap. I would like to say briefly that early in the two years that I have been here I received an invitation from the Parliamentary Remuneration Tribunal to outline details of the services I provide to my electorate. As I had only been a member for a few months, it was difficult to present any considered or comprehensive composition of what those expenses might be, so at the end of the first full financial year I made a detailed documentary presentation to the tribunal to outline those expenses.

What I find extraordinary about this job is that we have a situation where we have a salary and the provision of an electorate office and expenses provided by the Department of Treasury and Finance, which employs our staff and covers that direct expense. Then we have a global allowance that covers expenses ancillary to the operation of the office and position there and expenses related to that, and we have an electorate allowance, which is for expenses to service and undertake our duties as members of parliament.

We have this absurd situation where, to give one example, the telephone accounts I operate, whether at my home, as a mobile, in the electorate office or through access to a phone I have provided here in the parliament, are claimed through four different sources: in a global allowance, some by Treasury and Finance direct, some by me personally (for which there is a claimable entitlement through a taxation claim), and some of which is a direct payment to the electorate office by the Department of Treasury and Finance—and some expenses related to that communication are through the electorate allowance. This is quite an absurd situation.

I do not know of any other profession, business or employment where this sort of complication occurs. There are a lot of historical reasons why we have it. It is appropriate when you hold such parliamentary office that we have an independent remuneration tribunal and, in relation to the current system, I support this bill because it seems that it would be of assistance to the tribunal to have some clarity for guidelines for the purposes of a particular benefit, namely, motor vehicle transport.

However, the system we have at the moment is absurd. I hope the house in due course will look at how we could reform this situation. It seems that we need to look at our receiving a salary for the services we provide, the expenses being met either by the Department of Treasury and Finance or such other budget line that would cover it to ensure that we have proper payment, according to an independent tribunal, for the services we provide. Accordingly, I ask that we review it at that time and look at proper deductions, as everyone else in South Australia has. If we have proper expenses related to our service in our employment we should claim them, have the argument with the Income Tax Commissioner, if appropriate or necessary, and get on with it.

**The Hon. R.B. SUCH (Fisher):** I thank members for their contributions. I have considerable respect for the member for Mitchell, whose concern was the fact that he had some issues he wanted to address during private members' time. I took his comments to be in support of the bill generally. The honourable member made a point about double dipping, but this bill is designed so that does not occur. The tribunal that determines the electorate allowance will be the same one as determines the non-monetary

benefits. They are capable, intelligent people and are not silly, and they will take into account what is provided through their tribunal for all the allowances. I do not think the member for Mitchell needs to fear that. This is a step forward and clarifies the provisions. It allows the tribunal to do its job. My understanding of what it had to say was that the act did not let it get on with the job in a way that it needed to, and this bill will allow it to act properly as an independent tribunal. I commend the bill to the house.

Bill read a second time.

**Mr HANNA:** On a point of order, I am not sure whether the member for Fisher has moved to allow the bill to pass through its remaining stages. Otherwise, standing order 238 would apply, would it not?

**The SPEAKER:** The remark being made by the member for Mitchell refreshes my memory: it passes through all stages.

**Mr HANNA:** I seek for the matter to go into committee.

**The SPEAKER:** Before the bill goes into committee, I tell the house that my own view of this matter is to support it. It needs to be remembered that there are public servants who are paid far less than members of parliament but who have far better or, to use a word less pejorative and less descriptive, far more appropriate tools and equipment, including motor vehicles, provided for them than do members of parliament. The bill clearly covers the mechanism by which cost recovery will be undertaken to ensure that it is fair, both according to commonwealth law, especially tax law, as well as the administrative process and subordinate legislation in the state jurisdiction. It will be comparable. That is, the cost will be deducted from the allowance before the residue is paid to the member of parliament who chooses it.

I am a bit disturbed by the introduction to the debate by the member for Mitchell about the necessity for it to be of a particular brand and advocating, as I would expect him to do in a parochial context, for the people he believes most likely to benefit being his own constituents, in saying that it ought to be a Mitsubishi. May I remind him and all members and, indeed, members of the general public, that there are several Mitsubishi models that are regarded as useful and standard in their production, none of which is made in Australia. Even the air in the tyres is Japanese!

Equally, it is ridiculous to argue on a parochial basis of that kind that that should mean that we should not stock Heineken beer or any other kind of refreshment in the parliamentary cellar unless it is made here, so that anything from elsewhere cannot be used; that all of us ought to take a close look at the clothing we are wearing to see whether it was made in China, Korea or Australia; that equally we should look to see whether the hand phone we are carrying is a Nokia, which is a Korean/Finnish and not Australian product; or that the umbrella we use when, not using our car, we choose in winter to go doorknocking is not made in China or Ireland, for that matter.

If the press have a concern with what I commend as a sensible proposition brought here by the Deputy Speaker—and it has taken a great deal of courage to do that—he is, like me and a couple of others, including the member for Mitchell, independent and therefore cannot be accused by one or other of the major parties, were he to be a member of either of them, of doing something less appropriate than was desirable. I make the point to the press in support of those others who have made this remark, particularly the member for Morphet, that some things that seem to be done by government and

accepted by the public out of whimsy, indeed, are pure idiocy in terms of rational contemplation of the cost consequences to the taxpayer.

Let me make it plain: putting an opening bridge across the Port River is an extravagance of \$16 million. You could put folding gold plated masts on all the ruddy yachts that will be able to cause the bridge to open for less than a tenth of the cost, or build a new marina for each yacht downstream from where the ruddy bridge goes, yet no cost consideration was given to that, merely the sentimentality of the moment, which drove us to make such a stupid decision as would meet the cost of every MP's car for ever, if that was a sunk fund generating revenue as interest on the money. Equally, a tram to Glenelg is no more or less a nostalgic indulgence. It contributes nothing to an amelioration of greenhouse gas. It is worse and, indeed, will cost a hell of a lot more than if the tram line were ripped up and buses use that as a dedicated bus way.

Trams can go nowhere else but where tram tracks are laid, whereas buses can, as the O-Bahn proves, go through the streets of the suburbs to pick up people then come into the busway for quick commutation in and out of the city. I see those sorts of idiocies as far more extreme and more worthy of comment by the press as a waste of money than a remark of the kind about a motion such as this from the member for Fisher to make it possible for us to do what we know must be done, and for those other people in society who might be attracted to public office to be so attracted in spite of the cost disadvantages of being attracted. The member for Morphet has been very accurate in his remark in that respect. I thank the house for its attention to my views about the matter.

In committee.

Clauses 1 and 2 passed.

Clause 3.

**Mr HANNA:** To enable us and the public to consider what exactly the potential additional benefits are, can the honourable member specify what the terms and conditions for non-monetary benefits are in respect of the commonwealth parliament? Quite clearly, the clause in the bill ties our terms and conditions to those of the commonwealth, so it is really quite an essential part of the debate.

**The Hon. R.B. SUCH:** It is an important question. The commonwealth provisions allow for a Holden, Ford or Mitsubishi. The complete details of the commonwealth provision are available in a document entitled 'Remuneration Tribunal Determination 14 of 2003', which is available on the web. Essentially, members of parliament under the federal scheme have to make a contribution for private use. That changes over time. I am trying to find the precise amount, but I believe it is something of the order of \$1 000 as a nominal contribution towards private use.

The point I made when I introduced the bill, for the benefit of the member for Mitchell, is that the tribunal that determines the car allowance is the same tribunal that determines the electorate allowance. Clearly, it would be well aware of the issue which I think he is alluding to, that is, that there could be double dipping. As I understand the commonwealth provisions, they do not allow a member to double dip, in effect. I do not know whether that answer is specific enough for the member.

**Mr HANNA:** When we talk about double dipping, the question is whether members potentially will receive a benefit additional to what they currently enjoy. If we were to take an average suburban MP as an example and the figures that the RAA could provide about the cost of running a car, it would

have to be at least \$10 000 per annum, to take a round figure, for a fairly average new sedan which is insured, etc. If such a member used their car 50 per cent of the time for private use and 50 per cent of the time for public use—again, to take a round figure—that would mean that the member, quite properly, could take \$5 000 out of their electorate allowance.

From the answer of the member for Fisher, I take it that members might be asked to pay about \$1 000 to account for any amount of private use of the car; then they would have a car and what is currently their electorate allowance (in the suburbs it is about \$15 000 a year). Most members are probably like myself and expend more than that on electorate matters, but the point is that, if members are to retain their current electorate allowance and have a car in addition (even if they have to pay \$1 000 a year) they will have substantially more in their electorate allowance. Is that what the member envisages?

**The Hon. R.B. SUCH:** I think a couple of points need to be made. First, every MP has a different vehicle usage profile. I do not expect the member for Stuart would mind my saying so, but I understand he travels somewhere between 70 000 and 100 000 kilometres per year, and that is different to a city member. The tribunal has the flexibility to look at those particular aspects, and it will change from year to year.

In terms of the member for Mitchell's concerns about, in effect, getting an additional electorate allowance 'by the back door', the member needs to appreciate that that allowance would be subject to full taxation. If a car is provided as well as what is currently provided through an electorate allowance, the electorate allowance still would be subject to full taxation. So, that will offset, to some extent anyway, any potential benefit if you do not use it for electorate purposes.

At the moment, most members can use some (or a significant proportion, depending on their electorate) of their electorate allowance to offset the cost of the vehicle but, under this proposal, if you take a car the tax commissioner will not say, 'We will just forget about what else you are getting.' You will be taxed if you cannot justify that other expenditure for electorate purposes.

**Mr HANNA:** My final question in relation to this clause is in respect of the options which might be provided should the remuneration tribunal go ahead and permit members to take a non-monetary benefit in the form of a car. Sub-clause (3)(b) provides that the tribunal must allow a member of parliament who elects not to be provided with a car to instead have a conveyance allowance or some other form of monetary reimbursement with respect to motor vehicle expenses. I understood from the second reading explanation of the member for Fisher that the arrangement is purely optional as far as the member is concerned, even assuming that the remuneration tribunal makes the relevant determination.

So, there seem to be three possibilities: first, the member stays entirely with the current system whereby they pay for their car expenses out of their electorate allowance; secondly, that the member takes a car in the range of vehicles permitted by the tribunal; or, thirdly, that a member says, 'I will not take the car but I will take a conveyance allowance.' Presumably, that is an amount additional to the current electorate allowance. Is it correct that there are those three possibilities?

**The Hon. R.B. SUCH:** In general terms, yes, there are three options. You can stay as you are or elect to take a standard vehicle. When I introduced the original bill a year or so ago, I referred to the fact (and I am going on memory) that members might be able to use an environmentally

compatible car such as the little electric car that is available. So, when we talk about a standard vehicle it is clearly envisaged that that could be one of the new hybrid electric vehicles.

In terms of the third option, as I understand it, I am informed that elements within the Public Service, and magistrates and judges, can have a conveyance allowance, and it is expressed in particular terminology for taxation purposes. However, you would still be subject to the taxation regime that applies to any other citizen. As I indicated in my second reading speech, the reason why this was inserted is because, as I understand it, the Hon. Nick Xenophon has argued that you should be able to have a logbook or something similar that the tribunal will accept, where you sign that you have travelled these particular distances in pursuit of your parliamentary duties, and you can be reimbursed accordingly. It could be that you receive an allowance, or it could be that you submit a logbook, which would have to be acceptable to the Taxation Commissioner, as well. However, you do not escape the taxation provisions which apply to any citizen.

Clause passed.

Clause 4.

**Mr HANNA:** I ask the member for Fisher why in this proposal there is an insistence that the Remuneration Tribunal sit at least once each year.

**The Hon. R.B. SUCH:** For the member for Mitchell's benefit, I think it is appropriate that you do not have what I call 'the big bang' provision, where you wait three years or so and then you have a big hit. It is more sensible to have what is not quite a CPI but is something that takes account of recent changes. Therefore, you do not get to a point where the tribunal has to look at something going back over two or three years and then try to make a determination. Once the tribunal has worked out the formula—the contribution from members and so on—for private use, it will be fairly simple for the tribunal to adjust its determination accordingly. This bill provides that the tribunal can review previous determinations as well as make a new determination.

Another aspect is that, if the federal provisions change, it is important that the provisions here are congruent with those provisions. This gives some clarity to the tribunal. One of the problems the tribunal has had is that, in effect, it has been unable to finalise a decision. What this clause and the schedule attempts to do is to give some clarity to that issue, rather than have this ongoing uncertainty, no action and no determination. This clause tries to ensure that the tribunal does sit and that it brings this matter to a conclusion within a reasonable period of time. Since the current act was passed, the tribunal has been unable to make a determination, and I am trying to assist the tribunal in its work.

Clause passed.

Schedule and title passed.

Bill taken through committee without amendment.

Bill read a third time and passed.

## BARLEY SINGLE DESK

Adjourned debate on motion of Mr Rau:

That this house calls upon the federal Treasurer to support the Barley Single Desk rather than penalising South Australia through the withdrawal of national competition payments,

which Mr Meier has moved to amend by inserting after 'payments' the words:

and calls on the state Labor government not to abolish the single desk and to become far more pro-active in arguing the case for its retention to the National Competition Council.

(Continued from 25 March. Page 1670.)

**Mrs REDMOND (Heysen):** I note that the matter was moved originally by the member for Enfield and is now subject to an amendment. I want to speak to both parts of the motion, and I do so for the following reason, and the member for Enfield, of course, would know my views quite clearly on this issue. I absolutely support the idea that we need to keep the barley single desk. I think it is arrant nonsense that we have established in this country a National Competition Council, which comes into this state and every other state and asserts some power that overrides the power of this parliament or any other organisation and tells us that we have to do something to increase competition. Most of the barley in this state—and I think 90 per cent of the barley in this state is high quality export malting barley—goes overseas via a single desk which buys all the barley from the growers and then has the benefit of being able to negotiate the best prices because it is such a high quality product.

In 20 years, the single desk has garnered a fair bit of expertise in selling barley overseas in a manner which pleases barley growers and which gets a very good price for that barley. At the end of the day, it is a nonsense that we are looking to insert into the system more than the single desk simply because the National Competition Council says that we have to. The council says that that is its brief, but blind Freddy could see that the beneficiaries of competition are the consumers, and the consumers in this case are people who are overseas. So, the National Competition Council is telling this state that we have to insert a new provider into the system rather than having the single desk for the apparent purpose of getting better prices for the barley buyers in Japan and Europe to which our barley is exported, and that makes no sense whatsoever. Where I come to a difference with the member for Enfield is in how we approach that issue.

In his original motion he calls upon the federal Treasurer to support the barley single desk rather than penalising South Australia through the withdrawal of the national competition payments. I accept that that is what normally happens—the National Competition Council recommends to the Treasurer, and the Treasurer withdraws the competition payments on the basis of that recommendation—but it seems to me that the member for Goyder has moved an eminently sensible amendment, and calls on the state Labor government not to abolish the single desk and to become far more proactive in arguing the case for its retention to the National Competition Council.

It has always been the case that matters before the National Competition Council are arguable on the basis that there is a public interest element and that that interest is best served by not taking the path they might be recommending. I think that argument needs to be put more profoundly, and that we need to stand up to the National Competition Council, and decline to accede to their idea that we get rid of our single desk just in the name of this great god competition that they want us all to bow down to.

Personally, I am not at all enamoured of the idea that competition is such a fantastic thing in all circumstances and, certainly, not in the case for the barley single desk, where the whole thrust of the effort is going to do nothing but improve the situation for the purchasers, who are almost exclusively overseas. We are installing a system that will benefit people

overseas and not our own growers—in fact, at the end of the day it will be a disbenefit to the people of South Australia because, once you get that competition installed into the situation in South Australia, as I said, the prices will be better for the consumers, who are overseas. If the prices are better for the consumers they are going down, not up, for the growers in this state.

It does not make any sense to me that we should simply accede to what the National Competition Council is saying on the basis that the Treasurer will not make the payments to us if we do not. Instead, we should mount a strong, long and continuous argument about the nonsense that is being put to us as being in the best interests of the country or the state. It is clearly not in the best interests of this state to get rid of the barley single desk, and nothing that I have heard from any of the grain exporters associations—who are based, of course, in the eastern states and who come over here to try to persuade us otherwise—has yet managed to persuade me that we will do anything other than sell out our own barley producers in favour of overseas purchasers if we go along with this idea that we have to get rid of our single desk and allow the National Competition Council to control what we do in this state.

It is not the only area where I am at odds with the National Competition Council. In fact, I hate the organisation and I would gladly see its demise generally. I am not persuaded that it has been the great god that we should all think has improved our lives. I think there are any number of areas where it is a big mistake for us to go into a competitive market, and that sometimes social issues, economic issues in small communities, environmental issues, and a whole range of other issues should take precedence over this national group that comes in here and tells us that we have to move away from a barley single desk marketing system which has been of great benefit to the barley growers. It is anticipated that something like 80 000 people in the state—when you take into account all the regional communities who will be adversely affected—will all feel a negative effect from this move.

For that reason I strongly support the amendment moved by the member for Goyder to call on the government to not simply abolish the single desk on the basis that we are having a big stick waved at us by the National Competition Council, but rather to put a very strong argument. I am sure we would get support from a number of the other states as well because, not necessarily on the issue of barley but on a number of other issues, they are facing similar dilemmas. I think it is time that we stood up to this National Competition Council. I do not know who invented this organisation that is so far above the law that no-one can touch them and we all have to bow down to them but I, for one, strongly resent it. For those reasons I will be supporting the amendment and, indeed, the motion when it becomes the amended motion.

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

#### ARTS INDUSTRY COUNCIL

Adjourned debate on motion of Mr Hamilton-Smith:

That this house—

(a) calls on the Premier as Minister for the Arts, to respond to the campaign launched by the Arts Industry Council (SA) Incorporated during the 2004 Adelaide Fringe for the allocation of an extra \$2 million towards the commissioning and development of new work by South Australian artists;



(b) notes the council's concern that arts industry development programs have been reduced by \$1.24 million in the last two budgets; and

(c) supports the letter, media and email campaign conducted by the council alerting the South Australian public of the paucity of current arts funding.

(Continued from 25 March. Page 1675.)

**Dr McFETRIDGE (Morphett):** The house is probably very aware of the important role of the arts in South Australia, right back to Don Dunstan who was, supposedly, the doyen of the arts—and he certainly did raise the profile of the arts. The Festival Centre, just off to the north of us, is a symbol of the arts in South Australia and was certainly a very good initiative of one of the previous Liberal governments under Premier Steele Hall. The arts should be held in the very high regard that they are.

Unfortunately, the economic rationalists in the Labor Party do not seem to hold the arts in as high regard as their forebears did and as Don Dunstan did. We have seen cut after cut after cut. The other night I learnt that there are four operas in the *Ring* cycle. I am not an opera aficionado—in fact, I am a rank outsider when it comes to appreciation of the opera—but I do appreciate the talent that opera singers have. In fact, on the Day of Volunteers presentation at the Festival Centre we had some presentations from opera singers to the volunteers who were there, and it was a fantastic performance that was backed up by some of the members of the Adelaide Symphony Orchestra (and what a wonderful job they do).

We should be supporting the arts with every endeavour because we all know that leisure and pleasure are going to be the big industries for South Australia—tourism, sport and the arts, the service industries, provision of infrastructure—allowing those industries to develop is something that both sides of this house would support. It is disappointing to see that in this year's budget there has been a cut in real terms from last year. I think that we are only getting about \$3.1 million. I am not perfectly sure on these figures, but it is not good enough.

I was lucky enough to be appointed a member of the Aboriginal Lands Standing Committee and a few weeks ago the committee went up to the APY lands and we went through the art centres there. What a fabulous set-up they have got up there at Ernabella, Umuwa, Pukatja, Fregon, and Mimili. The artists up there are doing a wonderful job. From the ceramics we saw at Pukatja and Ernabella, I can say that the talent there is unbelievable. We know that the exhibitions at Tandanya attract many visitors and we know what that is worth to South Australia. The visual arts are being promoted, certainly by indigenous groups, and they should be given as much support as possible by this government.

I turn now to the film industry. When friends came from China to South Australia, I remember their first reaction when they got off the plane. They took their time walking across the tarmac and we wondered where they had got to. They could not get over our blue sky, and that, apparently, is one of the reasons that film-makers love South Australia. We have fantastic scenery and venues, and we should have a fantastic film industry here. I understand that the Premier is a film buff and I hope that he achieves his wish of 'Norrywood', I think he called it. It would be good to see that support of the arts.

*Ms Ciccarello interjecting:*

**Dr McFETRIDGE:** I am informed by the member for Norwood that most of the film companies are already in

Norwood. It really is 'Norrywood'. Let us hope that they do not have the disasters that they have in—

**Ms Ciccarello:** There are more than 50.

**Dr McFETRIDGE:** More than 50? That is amazing. I learn every day that there are so many secrets in South Australia. We should be very proud of what is going on. That is why we have to spend the \$3 million a day in property taxes that are coming in, the \$1 million a day in gambling taxes, the \$200 million-plus coming in every year in stamp duty, but not just on health, education, and law and order, which are vitally important. Because the economy in South Australia is going well, thanks to the last eight years of Liberal government, the arts deserve a lot more than they are getting now. We must not have any more cuts.

The performing arts in South Australia are the tip of the iceberg. For the visual arts, the wonderful refurbishment of the Art Gallery up the road here on North Terrace is absolutely brilliant. The need to encourage young artists and established artists is something that we must never miss an opportunity with. If it means that the Treasurer has to wait a little bit longer for his AAA rating, he will still get there. He knows he will get that because the economy in South Australia is going well. If it means that the Treasurer has to spend a bit of extra money on the arts then he should do so. He should really be putting his money where the Premier's mouth is and support the arts.

The arts are not just for left wing pinkos, which is something that you hear people talk about. They say, 'The arts, don't worry about that, let's get down to some real business and spend money in other places.' We all know that that is not the case and that is a very cheap shot, similar to the cheap shots that we talked about before about politicians and how hard we work. We work very hard in this place and, just as we work very hard, I know how hard the performing artists work to bring us magnificent productions in South Australia. The arts in South Australia have had support, they deserve every bit of support, and they should get more support than they are receiving at the moment from the Treasurer with his cuts.

**Mr SNELLING (Playford):** I move to amend the motion as follows:

Replace all the words after 'This house' with 'acknowledges the increased funding to the arts in the last budget and the government's support for the Festival events by South Australian arts companies performing in the highly successful 2004 Adelaide Festival of Arts.'

Funding to the arts increased in the last budget by 5.1 per cent. That is a significant funding boost at a time when the government has had to make savings to balance the books. South Australia's reputation as an internationally renowned arts city has been given a boost by the stunningly successful 2004 Festival. Adelaide staged the very best in dance, theatre, music and the visual arts from around the world. South Australia's arts companies starred in this international program. The government increased Festival funding to almost \$5.5 million to re-establish Adelaide as among the very best arts festivals in the world.

The Festival contribution to projects with local companies and artists was approximately \$700 000, about 12 per cent of the program budget. A further \$100 000 was put into projects involving local community and education groups. The local companies include Windmill, the Adelaide Symphony Orchestra, (of which I am a great fan), the State Theatre's new work, *Night Letters*, the State Opera's *Undertow*, the Australian Dance Theatre's *Held*, and South Australian art

galleries that held exhibitions as part of Visual Arts Week. For the last month Adelaide has been a mecca for the arts; it has been a feast for the senses. From Writer's Week to Artist's Week, to the Fringe and WOMAD, there was something for everyone. The month of festivals has helped to establish Adelaide as a creative city and a tourist destination. That is why the government has made WOMAD an annual event and increased Festival funding. With that I commend my amendment to the house.

**Mrs REDMOND:** I rise on a point of order, Madam Acting Speaker. It is my submission that the amendment moved by the member for Playford negates the original motion and thus is out of order. The amendment should not be accepted.

**The ACTING SPEAKER (Ms Thompson):** I uphold the point of order.

**Mrs REDMOND (Heysen):** I rise to support the unamended motion and to address a couple of comments to this matter, because in the current budget there has not been not an increase but a significant cut in funding, particularly to the arts development program. As the member for Morphett indicated, the arts is an important part of our community. Without the arts we lack any substance as a society. I am sure that I am not alone in hearing constituents make comments about why we do not pour more money into health. In my view, we need to balance the budget, not in the sense of never having any deficit but in a sense of balancing the interests of the various sectors of the community because, without funding for the arts and sport and other areas, there will never be a viable community to pay taxes, run the state and put money into important areas such as health and education on an ongoing basis.

I think it is self-evident that we should spend money on the arts, but it is a matter of how much. The question at the moment is whether this government is giving the arts the funding it deserves. Clearly, the government and the Premier, in particular, are very clever in asserting that they are putting more money into certain areas. The Premier (as the arts minister) announced that he was providing for the arts \$700 000 in grants and subsidies over the next four years. That sounded terrific until you looked behind the scenes and discovered that last year he slashed those grants and subsidies by \$3.8 million and then put back \$700 000 this year, leaving the arts \$3.1 million short.

The Premier says that he is making a great contribution to the arts through grants and subsidies, but in reality he has slashed arts funding. In particular, it is the development of and access to artistic product which has suffered a significant number of cuts under this government. In 2000-01 the Liberal government spent \$47.4 million on arts, industry development and access to artistic product. That has now been reduced by the Premier to \$43.4 million. So, that is a reduction of \$4 million in what is being put into this area. It is this area that needs money. This is the area where new young talent can get a start. It is meant to provide opportunities for young people in South Australia who wish to pursue a career in the arts, to get more work opportunities and to get some financial rewards, thus making more financially viable those small and medium companies who are providing the artistic endeavours for our community.

I know there is a recurrent budget of something like \$99 million, but only 1 per cent of that is available for project work, for independent self-initiated work, and only 3.5 per cent goes to those smaller organisations in the community.

So, we are not getting the money where we need it. We are all aware that there has been a significant budget blowout in relation to the production of the *Ring* cycle. I think at least part of that has come about because the original budget allowed for the quite complex sets that will be involved in that production to be produced in Adelaide, but the production of those sets has gone interstate. Not only has that lost work for that aspect of the arts community in South Australia but also it has been at considerable expense.

The point I make is that we need to spend money on the arts in this state. Instead of increasing funding, the Arts Industry Council (which is independent and has no affiliation to either side of this house or any other political organisation; it is simply an independent body representing the arts community) asserts that the overall budget cut from their point of view is \$1.24 million. Whilst that is not a huge amount in terms of the overall state budget, for every little arts organisation, every little theatre around the place, it is a huge amount of money.

On Saturday night I am going to see a David Williamson play. It is sad that David Williamson is putting down his pen and not going to pursue his theatrical writing career to the same extent that he has previously. It is a wonderful play called *Soul Mates* at a theatre in Hindmarsh. I highly recommend that people go along and have a look at it. Regarding amateur performers, there are costs involved in production. My 18-year-old daughter has recently been involved in a highly successful amateur production in the hills with the Hills Musical Company. Basically, the performers meet the costs to put on those shows because so little funding is available to provide the sorts of necessities that you would expect little theatre groups to be able to get.

So, more power to the arts community in South Australia, particularly those small to medium size, the independents, the people who are trying to get started in the area. This state has always been famous for backing its artists and the arts community generally and, surprisingly, it is under a Labor government that we are now finding that we are facing massive funding cuts and we are not giving them the support they need and deserve.

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

#### TUITION ASSISTANCE

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

That this house recognises the belated decision and media announcement by the federal government to—

(a) include South Australian parents in its offer for tuition assistance worth \$700;

(b) guarantee that parents will have the ability to allocate the money to their child's school if they wish to enable the school to target programs in the context of the child's broader learning to get the most benefit; and

(c) guarantee that parents living in rural and regional South Australia will be able to have access to this funding.

With the current Liberal Government in Canberra we have been faced with device after device for sending more money away from the majority of our children in state schools towards the private sector. This is just another device to take away credit from the work done in our state schools.

The latest device employed by Dr Brendan Nelson is that state schools report to parents in a specific framework which he decided was appropriate and which was reluctantly agreed to by the ministers at ministerial council last year to com-

mence in 2004; he then changed the rules because he had a bright idea. I am not sure whether this was a dinner party bright idea or a recollection from his youth bright idea, but he decided that a \$700 voucher could be given to the parents of children who were not succeeding in meeting national benchmarks. The further complication was that this was to be benchmarked for last year, the ministers having agreed that this new system would start from this year. This was the first barrier, so we wonder how sincere he was in his desire to give struggling children assistance.

However, our minister and other ministers agreed that they would somehow meet his little barrier, and that is a bit strange. These are children who undertook this test in August last year. Of those who are having difficulty in reading and meeting the benchmark, many have moved schools. One of the reasons children struggle to meet literacy and numeracy standards is that they do not have stable family backgrounds. Their families move about a lot and they are often struggling to meet their daily living requirements.

We know about the housing crisis. We know that we have lost so much public housing under the Liberals, both state and federal, and those of us who care about our schools and the children in them know that there is a huge impact on children's learning from the transience of their family. So, here we have another stupid way that Dr Brendan Nelson thinks he can fix up problems without talking to people who know most about it.

We have this problem where the kids who were around in August last year, if we can find them and advise their parents that they were struggling and not meeting the benchmark, a \$700 voucher will go to their parents to enable them to get private tuition. We do not know too much about that system. We are not sure how it will be brokered or how much of it will be wasted in administrative costs. We do not know how the parents, who are often finding it difficult dealing with some of the issues of life, will sort out a suitable provider for their child. We do not know how these parents will be supported to work with the tutor.

We do know, however, that they are often already having difficulties working with their school, so instead of providing more money to the schools to enable them to work with the child and their family to improve their literacy skills we put another barrier in front of the parents and ask them to find a tutor, and be able to negotiate some sort of arrangement with the tutor. Unfortunately, I expect that for some people in areas where there are problems with literacy, which is often a family problem, this will be too hard, so the \$700 will be lost somewhere with some private provider.

We do not know what sort of scrutiny or examination of outcomes there will be to see whether the \$700 has been used properly. We do know that, if children's literacy difficulties are addressed in reception and year 1, they are unlikely to proceed. We are here dealing with children who are in year 3, so we let them struggle for a few years and then provide this voucher, which helps them struggle a bit more perhaps, although that will not be the case for all children.

Some families will be able to use the \$700 voucher well, but most children in the situation of struggling with literacy come from families that are having difficulty coping with life's exigencies. They will not benefit from that. What they would benefit from is this money being given to schools where we know that there are high barriers to children's learning; the money being provided to extra literacy teaching and resources in reception and year 1; and there being the provision of one-to-one services at that time, so that those

children who come to school and do not know how to turn the pages of a book can get extra support at that time and not experience three years of failure before any extra support is provided. That is the Brendan Nelson system. The system of the South Australian state government is to look in cupboards, nooks and crannies, anywhere we can find extra money, and devote it to early literacy programs.

Young children in our schools are already experiencing the benefit of extra staffing allocations to disadvantaged schools in the junior primary years. They are already experiencing the benefit of extra school counsellor allocations to children at disadvantaged schools. I know that in my area this is already having an impact. So, instead of going with what is being demonstrated to work, in comes Brendan Nelson and invents another way of throwing more valuable money at the private sector rather than at state schools. If Brendan Nelson really cared about the children in our schools and their families who are struggling, he would have consulted with the ministers who were closer to the problem about the best way of addressing this issue; he would have consulted with the teachers; and he would have consulted with the principals' organisations.

But we have no evidence that any of this happened, and I have this horrible recollection that I think I was awake to hear that he had some constituent who said that he had sent his child to a tutor and that this had been very successful, so Brendan Nelson thought: wouldn't it be nice if everyone could do that? This just shows goes to show again his lack of understanding of the barriers faced by families who are most in need. So, we have this problem that we welcome extra money into the system but we see that \$6.85 million could have been spent in a much more effective way with outcomes that could be measured at the point of intervention that is most important, in a way that is transparent, instead of going off to organisations we do not know.

We already know that there are problems with the new apprenticeship system, with money going off to a vast range of private providers, many of whom are fine and reputable, and many of whom produce 'tick a box' study guides. How do we know that these children who are struggling are not going to be given 'tick a box' study guides and that their parents will be in a position to contest this 'tick a box' form of help? We have recently been through the estimates process, as we all know and, during that process, saw some more evidence of the desire of Liberal members, whether state or federal, to take money away from state schools and give it to private schools.

We saw question after question after question from the member for Bragg about what money the state government is going to give to private schools. The only place that can come from is the budget currently allocated to state schools: the schools in which we have the majority of families that are struggling.

I certainly acknowledge that there is a needs issue in private schools. The Catholic school, the Lutheran school, the Baptist school in my area and other small church schools all draw on the same community as our state school, and they certainly take their fair share of students who come from needy backgrounds and students with disabilities. But we are not getting that sort of needs-based emphasis on funding from the federal government, and it does not appear that we are ever likely to get it from the current education shadow minister.

We saw questions during estimates about what the state government might be doing to support independent schools

getting access to broad band facilities. I am not sure how many schools in my area have any access to broad band facilities. I would have thought that our obligation was to those schools and children. We also saw questions about whether we would be training teachers in private schools in literacy teaching. I would have thought that the responsibility for training teachers in private schools was that of the private school system.

We had questions about capital funding for children in private schools. I would have thought that that was the responsibility of those who chose to use private schools and the federal government. But no: members opposite think that we should take money from state schools, with all the difficulties that they face, and give it to private schools. They do not seem to understand that there are two systems and that in Australia we provide support to private education through the federal government—we had that debate many years ago—but we have to do it in a way that is directed towards need, not supporting networks for the rich.

To get back to the issue of the vouchers, I know that many parents in my area will struggle to be able to use a \$700 tuition assistance voucher effectively. But I wonder what will happen in the rural and regional communities. Do they have anyone who could possibly provide those services? Will all the money be wasted while somebody tries to register as a business to provide the service?

You will probably have to have a teacher set themselves up and go through all sorts of hoops in order to qualify for the assistance, in order to provide to the children the help that they teach during the day. If the money went directly to the school, the school would be able to work out how best to use it, particularly if several children are having difficulties in the same area. They would be able to pool the money, get extra resources, and use it to the benefit of all the children.

So, while we always welcome extra money from the federal government for education, I counsel it strongly that it ought to learn how to spend it usefully. It should not be worried about another funny little headline for the forthcoming election, and it should focus on the learning of our children. It should focus on children who experience disadvantage in many aspects of their lives, and be prepared to put in resources up front to support the children, their families and the schools, which do an admirable job trying to address the disadvantages that those children experience. The schools try to solve problems that they might have in their early years that make it more difficult for them to take to reading like a duck takes to water, and they do an admirable job; but they need more resources to enable them to give literacy skills to all children in their very early years.

Time expired.

**Ms CHAPMAN (Bragg):** I am pleased that the member has brought this matter to the attention of the house, and I note that the motion suggests that there be a call on the federal government to include South Australian parents in the offer for tuition assistance. This is the \$700 voucher affair which has been brought to the attention of this house.

The position is this. In South Australia, literacy and numeracy are acknowledged to be very important to our children. The previous government introduced a basic skills test to ensure that our children reached a certain standard. There was much disquiet about this procedure for the purposes of testing children at years 3, 5 and 7 to ensure that when they left primary school and entered the next phase of their education they could read and write. Notwithstanding

complaints, particularly by those in both the Labor Party and the Australian Education Union (AEU) at the time, it was introduced, and it became an important tool to ensure that standards were achieved and improved.

When the new government came to office in 2002, it introduced a new set of rules for skill testing in literacy and numeracy. It said, 'We are not going to use the New South Wales formula anymore: we will rewrite our own. That might cost \$1 million, but we will do it. We will attend to literacy and numeracy of our children because we think this is a priority.' So they paid the money and introduced the new test. And what do we find? At the end of 2003, the literacy level of the children of South Australia has gone down. Some 3 400 children failed to reach the national benchmark for literacy. So, with all the talk and hoo-ha about education being a priority and literacy being right up the top of the list, the outcome for South Australian children was that the level went down.

In the meantime, the federal government (the Hon. Brendan Nelson, in particular) said that the standard of literacy and numeracy, among other things, is not up to speed and there must be an improvement. The federal government called upon the state governments to act in a manner that would arrest the damage in this area and start to turn it around. To the credit of this government, it announced before the federal budget that it would put \$35 million into a program for literacy. That sounded great, of course, but the first \$5 million will not even start to be spent until January-February 2005, and only \$5 million will be spent in this financial year. Nevertheless, at least it is a commitment, and we hope that we will see some application of that in the time frame that has been identified. So, it is a little bit late but, nevertheless, that is what the government says it will do.

Subsequently, Brendan Nelson said to the states, 'We have an expectation that in the future you will reach a certain benchmark and you will have a reporting process to parents which ensures that they know the progress of their child and they have an understanding relative to the national benchmark as to where their child sits.' The state governments undertook to implement that and, in the case of South Australia, to comply by 2005.

Subsequently, Brendan Nelson said, 'We will offer a voucher opportunity for parents in some trial states.' It did not include South Australia, but it included the Northern Territory, which has a shockingly high failure rate in complying with benchmarks, and it was given the opportunity to utilise this system straightaway. South Australia, amongst other states, said, 'That is not fair. We should be able to come in on this.' The federal minister said, 'That is fine. If you want to get your results in (that is, notify the parents as to what their entitlement may be and what the benchmark for their child is), you, too, can be eligible.'

There were more complaints by the state government at that stage. It said, 'We should not be imposed upon; we should not be obliged to do this; you should give us the money and we will apply it,' and this is what the real debate was about. The state government said, 'We do not want the parents to get the \$700: we want it.' The argument was that it is necessary to provide remedial programs to address the literacy problem, and the government needs the money so that it can identify and provide the service 'because we are the experts and we know best'. There was much complaint, again from the AEU, about the money going directly to parents. Why it has this obsession that parents are incapable of making a decision about their children is beyond me.

Another thing is that this \$700 voucher is to secure and pay for services that are selected by the parents. No school site or education department across Australia, for the whole 3 400, provides those services itself, and it means that the parent can either approach the school and, if the school has a suitable person who can provide assistance to this child after hours, they can pay for that service. Alternatively, they can seek within their own town, district or suburb someone who might be available and suitable in assisting with the child's special disadvantage. Thirdly, they can travel to a larger metropolitan area if it is not available in the community, especially in the remote areas of South Australia. That is the flexibility that is necessary to properly serve these children.

For the member to be critical of the federal government's initiative in relation to this is beyond all belief. The primary objective is to make provision for these children now. The earliest opportunity for any relief from the state government for these children is February 2005. The federal government is providing help now, which means that these children who were below the benchmark in 2003 can at least start getting some services in 2004 before their difficulty is perpetuated and restricts their learning opportunities in the forthcoming years.

During estimates a couple of weeks ago, given the background of the situation, I asked the minister whether she had ensured that her department had advised parents about the 3 400, and her answer was quite interesting. We went through a number of questions to identify what the actual position was. To paraphrase the minister, without referring to *Hansard*, and I hope that I am accurately indicating her response, she started by saying, 'Yes, we have been under pressure,' and 'We weren't happy with the arrangement but we have acted on it. There are some rules and an application that need to be dealt with by the federal government. We have done our bit, and we have notified them.' About four or five questions later, it became clear that the notification to 'them' was, in fact, not to the parents at all. All that had happened is that the minister, through her department, had caused notice to be given to the schools that these children had been attending school during 2003.

I suggest that there was no real attempt prior to yesterday (which is the cut-off time) by the minister to ensure that parents would not be prejudiced in any way in receiving this voucher to assist their children. I do not doubt for one minute that some parents have identified that their child is not progressing as well as they should in this area and have acted upon it themselves. They may have met the cost themselves for the extra support to meet their child's needs, and that will be remedied. However, I expect they would be in the minority.

It is totally unacceptable for the state government to be critical of the federal government for acting on something that, quite frankly, the state government should have done in the first place. It is also unacceptable for the state government to be critical when its only commitment is to start a program in February 2005 when these children will be up to failing the year 5 benchmark tests, and then to have the hide to turn around in this parliament and be critical of the federal government. The federal government is helping the children of South Australia, not dragging them down with a literacy regime in this state that is totally unacceptable. I ask the minister to get on with the job of ensuring that that situation is remedied.

Time expired.

**The Hon. R.B. SUCH (Fisher):** I want to make some comments in relation to the amended motion. One of the key aspects that has become part of the common wisdom is that you need early intervention in respect of not only learning and the specific skills that go with that but also the wider aspects of behaviour. It has taken us as a community quite a while to come to that realisation. All the evidence now is that the earlier you intervene and help a child—whether it be in literacy, numeracy or behavioural aspects—the better. I am pleased that at both the federal and state level that message seems to have been recognised and some action at the various levels will result from that realisation.

Another aspect is that, before you intervene appropriately, you have to have proper assessment. There is currently not enough assessment, programs, facilities or resources—whatever you want to call them—available for those who need extra help. I am not a great supporter of voucher schemes because, whilst it might appear to be supporting freedom of choice, and that is no doubt the intention, I do not believe it is the most effective way in which to spend scarce resources. I use the example of the East-West Transcontinental Railway. The prime minister at the time made the point that, if people put in a shilling, one shilling does not do much but, if a million people put in a shilling, you can do something. That is the point, and the principle should apply in this situation as well.

To many people an amount of \$700 for a family or a child might sound a lot but it will not achieve anywhere near as much as if you put it together and resourced the schools to do the skills development, or for them to engage in a coordinated way professionals who can do that extra skills development. As with the East-West Railway, working together and pooling resources can obviously do a lot more than individuals doing their own thing.

That might seem strange to people who know my basic philosophy, but I think it is a commonsense measure. That is why I am not a great supporter of giving people mini tax cuts rather than putting the money into extra resources and services. Giving \$10 back to an individual in Australia (and I use that hypothetically) does not mean much to most people—it might if you are absolutely on the poverty line, but to most people it does not mean much. However, that is a lot of money if it is multiplied by several million Australians. You can do something with \$10 million or \$100 million, but for each person or family to have an extra \$10 does not achieve much at all.

In terms of education, I do not believe that there are enough free agents out there who could professionally deliver what is needed for children who have deficiencies in literacy and numeracy. I do not believe that they exist. There are various private organisations—and I do not want reflect on them—but I went to a 'graduation' where the children were about three or four years old and half of them were nearly asleep as they tried to walk across stage, but this was an organisation operating on a fee-for-service basis where children were going to be assisted in their early learning and development. It all sounds fine in theory but, when the children are barely able to cope because of their age and physiology, one would have to question the merits of that.

In the private education and training area we have seen a lot of good establishments—and there are a lot of wonderful organisations out there—but there have also been a few fly-by-night operators; people who have not delivered in terms of high-quality services. I am not suggesting that every private tutor out there is going to do the wrong thing, but

realistically I am saying that it is better to have it done under the umbrella of a school, to fund the school to do the skills development, and do it in a format that is consistent with what the child is already doing at school.

We have seen this over time, and governments of all persuasions have done this—you get a science laboratory donated, and then you get a library, and so on. It is not about taking an holistic approach: it is about trying to get a political benefit when the outcome is not necessarily going to be in the best interests of the recipients as far as educational outcomes or other issues are concerned.

I support the money, which is needed, going to schools. We have many examples of children with dyslexia and other types of learning difficulties who are not getting the help they need. Our system tends to help those who have a serious disability—and I do not have a problem with that—but we do not seem to do much for those who are on the margin, those who, with little bit of help, could reap the benefit not only in terms of their learning outcomes but also in the related aspects of behaviour and all that goes with it. On the issue of assessment, at the state level I have been urging (and, in fact, I am meeting with the minister this afternoon accompanied by a professional who is involved in assessing children in the state) that those with learning difficulties are provided with some modest assistance through the system to ensure that any deficiency they have is picked up early and, importantly, is dealt with early.

I reiterate my point: if one is going to provide \$700 it would be better done collectively through the school system. I am also concerned that people in rural and regional areas get the benefit, because we know that there are not many private tutors in some of those areas. Therefore, a collective approach for rural and regional children would be the preferred way to go. I think this is an important issue, but as a general principle I reject the notion of a voucher, whether it is for university, high school, primary school or kindergarten. I think that vouchers should be limited to Hungry Jacks and McDonalds.

**Mr WILLIAMS (MacKillop):** I do not have much time left, so I will try to emulate my colleague from down the Bay. There are number of points I would like to make, but I will make one up front: that is, that the member for Fisher has missed the point. We have failure in the system. We have people who are not performing within the school system, and who are not meeting the standards. In its wisdom, the federal government has said that it will try something different to give these kids a go. That is what this is about: trying something different to give them a go. I totally reject the notion that putting more money into a system that is already failing the students will solve the problem. I think the parents should be given the opportunity to make the decision.

The motion before the house misrepresents the facts. Paragraph (b) states, 'guarantee that the parents will have the ability to allocate the money to their child's school'. There is no impediment to the parents doing that if that is what they want to. This gives choice to the parents, and that is what the government does not want—it does not want the parents having choice. On another occasion I may have time to complete my remarks and cover some ground, but I urge people to read the contribution by my colleague the shadow minister.

*Members interjecting:*

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

**Mr WILLIAMS:** Thank you, sir. They are a noisy rabble. I will certainly take the opportunity at another time to speak at length on the nonsense that has been put before the house through this motion, but I wanted to make the point that we are trying to address a system that is failing, and you do not address a failing system by throwing more money at it and having it fail even more.

Debate adjourned.

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

## 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 281, 329, 380, 387, and 403.

### AUSTRALIAN NATIONAL CHILD OFFENDER REGISTER

**The Hon. K.O. FOLEY (Minister for Police):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. K.O. FOLEY:** Yesterday I attended the 46th Australasian Police Ministers' Council meeting in Hobart. The council agreed to a model bill to be used for the Australian National Child Offender Register legislation. It was agreed that, in order for the national scheme to be effective, there should be as little variation as possible between the states in the operation of their reporting regimes. However, I have stressed to the council that ultimately the South Australian government and the parliament will decide what is best for our state. Following the council's adoption of the model bill, legislation will now be urgently drafted to ensure South Australia participates in the scheme as early as possible. Other resolutions of the council included:

- The establishment of an international deployment group, managed by the Australian Federal Police, but with personnel drawn largely from state agencies including South Australia Police. This is to be used to meet our nation's policing commitment, for example in East Timor and the Solomon Islands.
- A national supply reduction strategy for illicit drugs, which seeks to prevent and reduce the uptake of harmful drug use in our community.
- The consideration of a national scheme for the control of illegal hand guns and the further regulation of firearms in the security industry.
- The endorsement of an Australian policing strategy to combat trafficking in women for sexual servitude.

Further discussions took place on the issue of identity crime and eBay fraud. I intend to keep the house updated on various matters as and when they develop.

### PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

- Emergency Services Funding Act—  
Section 10 Notice declaring the levy, the area factors,  
the land use factors—2004-05
- Section 24 Notice declaring the levy in respect of  
vehicles and vessels—2004-05

By the Minister for Families and Communities (Hon. J.W. Weatherill)—

Ministerial Response to Social Development Committee  
Inquiry into Supported Accommodation.

### CHILD ABUSE

A petition signed by 148 residents of South Australia, requesting the house to establish a Royal Commission to investigate the extent to which Police, Family and Youth Services, the Police Prosecution's Office, Correctional Services and the public sector have properly investigated allegations of child abuse; the extent to which policies have been implemented to eliminate adverse practices and activities and to investigate allegations of wrongful convictions and denial of rights, was presented by Mr Brindal.

Petition received.

### CONSTITUTIONAL CONVENTION

Petitions signed by 75 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, were presented by Ms Breuer and Mrs Hall.

Petitions received.

### QUESTION TIME

#### MINISTER'S REMARKS

**Mr BROKENSHIRE (Mawson):** My question is directed to the Minister for Police. Will the minister now apologise to the Leader of the Opposition and the house for accusing the leader of raising 'uninformed and reckless allegations' on 3 June?

**The SPEAKER:** Order! The question is out of order. The Deputy Premier has already apologised and withdrawn for making that statement.

*The Hon. K.O. Foley interjecting:*

**The SPEAKER:** Order! The Deputy Premier might do well to consider the implications of interjections of the kind he just made. They may be equally serious.

#### STRUCTURAL ADJUSTMENT FUNDS

**Ms THOMPSON (Reynell):** My question is directed to the Deputy Premier. What progress has been made on the delivery of structural adjustment funds to the southern suburbs following Mitsubishi's decision to close its Lonsdale plant and reduce the work force at its Tonsley plant?

**The Hon. K.O. FOLEY (Deputy Premier):** Today, I was delighted to join with the federal Minister for Industry, Tourism and Resources, Ian Macfarlane, to sign a memorandum of understanding between our two governments detailing the operation and delivery of structural adjustment funds to South Australia. This follows intensive work by both the state and the federal government to give practical application to the significant funding which was allocated immediately following the Mitsubishi announcement as it related to Lonsdale.

As we know, the federal government has provided \$40 million to the fund, and our government will provide \$5 million. Applications are now sought for investment projects which will establish new industries and create sustainable new jobs in South Australia, particularly in the

southern suburbs. We are already starting to see significant levels of inquiry. Projects will need to meet a minimum threshold capacity of \$1 million, with up to 50 per cent of the required funding potentially available from the federal-state fund. We have also announced the make-up of a high-level task force representing both the private and public sectors to provide advice on the merit of funding applications.

South Australia is well represented on the task force, which is headed by South Australian of the Year, prominent business person, Mr Malcolm Kinnaird AO. Other members are Mr Ray Grigg, the former president of General Motors Asia-Pacific (Japan); Ms Amanda Wood, Managing Director of A Class Metal Finishers Pty Limited—

*Ms Thompson interjecting:*

**The Hon. K.O. FOLEY:**—thank you; to be honest, I think she was the federal government's nominee; Mr John Ryan, the Deputy Secretary, Department of Industry, Tourism Resources; and Mr Len Piro, Director of Business Development Services, Department of Trade and Economic Development.

Decisions on project funding rest jointly with Ian Macfarlane and me. As members are aware, both governments worked tirelessly with the management of Mitsubishi locally to save the Mitsubishi plants. This experience has taught us that industry in the south needs to be far more diverse. We need to help industry deliver more jobs within a much broader base. The warning has now been issued that we need to have a broader, more sustainable industry sector in the south other than the heavy reliance, as has been the case, on the automotive industry.

A number of companies have already expressed strong interest in establishing in Adelaide, and the fund announced today will go a long way to encouraging these companies to move from interest to action. We will continue to work towards three main priorities for the south: to find new jobs for those Mitsubishi workers who will lose their jobs; to find a new operator or industry for the Lonsdale plant; and, to find a new industry or major new businesses to establish in the southern suburbs.

I congratulate the federal government on its rapid response to the Mitsubishi announcement, the work of the federal minister Ian Macfarlane, its significant injection of funds, and the continued willingness to work in partnership with our government on these critical issues. It almost goes unsaid that we congratulate the work of Tom Phillips in his personal crusade to maintain the operation here in South Australia.

#### SCHRAMM REPORT

**Mr BROKENSHIRE (Mawson):** My question is to the Minister for Police. Will he explain what additional material of substance has been provided to initiate this third inquiry by Superintendent Paul Schramm? On 3 June 2004 in a ministerial statement the minister stated, 'Further inquiries may be made at a future date if material of substance is provided.'

**The Hon. K.O. FOLEY (Minister for Police):** I thank the member for his question. I advise the house and media that at the end of question time today I will be giving a statement on the Schramm report and indeed tabling it, as it was provided to me just prior to question time. We have not had the opportunity to properly format it for presentation to the house at the beginning of question time and will do so at the end of question time.

*Mr Brokenshire interjecting:*

**The Hon. K.O. FOLEY:** I thought it might be useful to advise the house. Indeed, I advised the Leader of the Opposition of that just a short while ago. One thing needs to be repeated because the member for Mawson in my view tends to blur this a little. The issue at hand is an operational matter of the South Australia Police Force. The information I have provided to this house is the briefing and advice provided to me by the Commissioner of Police. I have not involved myself—nor should I have—in this investigation. I act on the advice of the Police Commissioner. I have been very thorough and rigorous in ensuring that I bring to this house the advice of the Commissioner on these matters. The words that you attribute to me, from memory, would have been the advice given by the Commissioner.

If the Commissioner is the one who decides whether this matter is reviewed—the Deputy Leader of the Opposition shakes his head. I make the point that the investigations are the responsibility of the police. My responsibility as police minister is to bring to the house the advice of the Police Commissioner, which I have done consistently, and the last advice I recall was that the Commissioner of Police was considering a further investigation, which was the Schramm review, which he has done and completed. I am more than happy to share it with the house, as I should, and bring to the house the advice of the Police Commissioner, which is exactly what I have done all the way through.

**Mr BROKENSHIRE:** By way of supplementary question, given that the police minister just said that it would be properly formatted, can he assure the house that the full details given in that briefing will be given to the parliament?

**The Hon. K.O. FOLEY:** I just said that we will table the full report. I thought you would not have liked me to have not walked in and read from a statement from the Minister for Police. We have a format for ministerial statements, which is a courtesy to the house. What a silly, inane, dumb question.

#### ANGUS, Mr S.A.

**Mr SNELLING (Playford):** Has the Premier received advice that an appeal would be lodged against a sentence handed down to Steven Alan Angus by the South Australian Supreme Court?

**The Hon. M.D. RANN (Premier):** On Friday 25 June 2004, Steven Alan Angus was sentenced in the South Australian Supreme Court to 10 years imprisonment with a non-parole period of six years six months, following his plea of guilty to the manslaughter of Mr Nicholas Furniss and the assault of Mr Furniss's 15-year old son, Ben. Mr Furniss was killed on 20 January 2003 when he and his son Ben attempted to prevent the theft of their boat, which was moored at the river at Renmark. At around 9.30 p.m. on 20 January 2003, the accused attempted to take the boat of the deceased, Mr Nicholas Furniss, aged 59. The boat was moored on a river bank of the Murray at the Riverside Caravan Park. He was seen by the deceased, who called to his 15-year old son Ben for help. Ben entered the water first to try to stop the accused taking the boat.

Justice Duggan found that Mr Furniss was struck by Angus, using an oar from the boat, three times to the head and body and, tragically, he subsequently drowned. This was a tragic and senseless crime committed by a repeat offender during the commission of an offence. I repeat: this was a senseless crime committed by a repeat offender. Mrs Furniss has written to me expressing her profound sense of loss and

anguish at the death of her husband and at the sentence imposed on Angus. Following the sentence, the Attorney-General called for an urgent report from the acting Director of Public Prosecutions about the circumstances of the case, the plea arrangements, and whether the acting director intended to lodge an appeal against the sentence. I have been advised that the acting Director of Public Prosecutions has today lodged an appeal against the sentence on the ground that the sentence was manifestly inadequate. She has lodged it on that ground because:

- the sentence fails to maintain adequate standards of punishment and fails to provide adequate levels of punishment;
- it fails to reflect the criminality of the totality of the accused's conduct;
- it fails to adequately reflect the need for deterrence, both general and personal;
- the reduction of the sentence by 25 per cent for the pleas of guilty was, in the circumstances, excessive; and
- the non-parole period was, in the circumstances, an inadequate proportion of the head sentence.

I want to place on record to this parliament today that I applaud this action by the acting Director of Public Prosecutions (Wendy Abraham) in lodging this appeal.

#### HOMICIDE, INFANT

**Mr BROKENSHIRE (Mawson):** Given the Minister for Police's statement to the house on Monday that the Police Commissioner had decided to review the case about an alleged homicide in an Adelaide orphanage in the 1960s due to ongoing interest in this matter, will the minister inform the house if he had any communication with the Police Commissioner in relation to the *Today Tonight* program relating to this case either prior to or after it was aired on Monday, Tuesday and Wednesday night?

**The Hon. K.O. FOLEY (Minister for Police):** Absolutely I did, because I kept seeing my face splattered all over Channel 7 on the Sunday, and I was lucky to get such free publicity. I did ring the Police Commissioner, and I said, 'I think they're doing a program on me and you, perhaps, or on the police. Have they contacted you?' I think from memory the Commissioner said no. I did not recall getting any contact from *Today Tonight* either, but we would not want courtesy to get in the way of a story and someone speak to either me or the Police Commissioner.

They may well have tried to get in touch with the Commissioner, I do not know. But I was amused to see the story portrayed in the way it was on the Sunday. They had particular fun in dealing with me, and that is the lot of a politician. But again, I am somewhat bewildered at the question, to be honest.

#### MEDICAL INDEMNITY

**Ms BREUER (Giles):** My question is to the Minister for Health. Will new options for medical indemnity insurance apply from 1 July 2004 to ensure the retention of the country resident medical work force?

**The SPEAKER:** The minister, of course, is responsible to the chamber for state government policy and, within the framework of that aspect of the delivery of health care, the question is in order, so I call the Minister for Health.

**The Hon. L. STEVENS (Minister for Health):** Thank you, sir. I am very pleased to answer this question, because



the state government has been working for a long time on this matter with a whole range of rural doctor interests. My department wrote to rural doctors on 11 June 2004 advising them of the indemnity package available to eligible fee-for-service rural doctors for 2004-05. The Rural Medical Indemnity Working Party, which comprised my department, the Medical Insurance Australia Group (MDASA), the Rural Doctors Workforce Agency, the Rural Doctors Association of South Australia, SAICORP and the AMA, has been working to address medical insurance issues for doctors who provide services in rural South Australia.

Under the new package, doctors will be able to obtain all their medical indemnity cover with a medical indemnity insurer and receive premium support grants. From 1 July (today), rural fee-for-service doctors in South Australia will have the option of arranging their public and private indemnity direct with their preferred insurer, or arranging their public cover with the Department of Human Services and their private cover direct with an insurer of their choice. The cover provided by the government is on a claims occurrence basis, and this means that, under the government's insurance arrangements, there are no tail issues to consider when a doctor ceases public practice.

The focus of the working party was to develop cover options to ensure the retention of the country medical resident work force and to maximise the range of services, particularly obstetrics. While significant changes have occurred in the indemnity insurance marketplace over the past three years, I believe that this package, at last, will bring stability.

#### APY LANDS

**Dr McFETRIDGE (Morphett):** My question is to the Premier. Given Bob Collins' indisposition, what steps is the government taking to ensure effective coordination of services on APY lands?

**The Hon. K.O. FOLEY (Deputy Premier):** I intended making a statement at the end of question time today. The Police Commissioner advised me yesterday that a matter involving former Senator Collins was likely to be made public, and it was, indeed, made public in the press today. I will be seeking advice from the Northern Territory government on the matter, given that former Senator Collins had been appointed to undertake work on behalf of the South Australian government. I will seek that advice from the Northern Territory government at the earliest opportunity. I have only today flown in from Hobart. That work will be undertaken, and it is not appropriate for us to comment further given the seriousness of the issues in question.

The point raised by the member for Morphett is well made. Senator Collins was involved in a motor vehicle accident, and the issue of the coordinator is clearly something that we were considering in terms of going forward. The important point to make is that a lot of very good work is being done by a lot of people, and we are seeing significant programs being developed and rolled out, and they will certainly continue: there is no question of that.

#### FAMILIES AND COMMUNITIES, DEPARTMENT FOR

**Ms CICCARELLO (Norwood):** My question is to the Minister for Families and Communities. How will the new Department for Families and Communities assist the people

of South Australia, in particular survivors of or those at risk of child abuse?

**The Hon. J.W. WEATHERILL (Minister for Families and Communities):** Yesterday, questions were raised about the announcement of the state government's helpline, and the Leader of the Opposition raised, on behalf of people who have raised concerns with him, the question of how independent this helpline would be, and he sought assurances to that effect. I accept that people have expressed genuine concerns to him about any arrangement that may have been set up by the state government and how arm's length that will be and whether their interests will be protected. In a spirit of bipartisanship, can I say that all members opposite and any members on this side who are dealing with adult survivors of child sexual abuse, especially those associated with state care, should have the utmost confidence in this helpline and in Relationships Australia carrying out their task.

To assist members to communicate that information to these people I give the following information. Relationships Australia is a secular, non-government agency with a 50-year history of providing confidential support and counselling. All client files and information will be owned by Relationships Australia. All staff have been required to sign a confidentiality pledge in the presence of a justice of the peace. They will follow a system of following non-identifiable names and, other than the requirement to report a case of child at immediate risk, Relationships Australia will not make a report unless the client makes the decision to proceed. People using this service are entitled to remain anonymous.

Community leaders, such as members of parliament, must assure survivors of child sex abuse that the helpline is not part of any cover-up and that their concerns or reports will be taken seriously and followed up, using appropriately independent methods. It would be a tragedy if victims are discouraged from accessing a service which has the capacity to not only help them in dealing with their own claims but assist them on the path to healing.

**Ms CHAPMAN (Bragg):** I have a supplementary question. How does that arrangement sit with the legal obligation of the members of the staff of Relationships Australia who are required under the Child Protection Act to report a suspicion of a child at risk? How does it fit in with that—which could contradict it?

**The Hon. J.W. WEATHERILL:** It is a pity that the member for Bragg started listening half way through my answer. What I did say was that they will follow a system of using non-identifiable names, and other than the requirement to report a case of a child in immediate risk; that is, the mandatory reporting of crime that exists under the legislation.

*Members interjecting:*

**The SPEAKER:** Order! Further clarification is not sought of the chair or any other member on the front bench of the government, or the member for Bragg.

#### BARTON ROAD, NORTH ADELAIDE

**Ms CHAPMAN (Bragg):** Will the Attorney-General indicate whether he will still introduce a bill to open Barton Road, North Adelaide? There was the election promise of the Labor government, and the Attorney's letter published on 19 March 2003 in the *Weekly Times Messenger* stated that the state Labor government was still committed to re-opening Barton Road and the legislation will be before cabinet soon. Further, it was reported on 17 August 2001 that the Attorney

was looking forward to fulfilling a 14 year promise to his western suburbs constituents, and then on 5AA on 29 June 2004 the Attorney stated in relation to Barton Road:

I do not think I've got the numbers on Barton Road. I had to wait for Labor to win an absolute majority in the lower house.

**The Hon. M.J. ATKINSON (Attorney-General):** Well, that's right, it's all about the numbers. I remain committed to making it lawful for bicycles to go through Barton Road. I know members opposite want to continue the ban on bicycles travelling through Barton Road up to North Adelaide, because the sound of my bicycle hitting the asphalt at Mills Terrace would keep Mr Legh Davis and his consort awake at night up there at Mills Terrace. It is Liberal Party policy to keep Barton Road closed to bicycles and all private vehicles.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr SCALZI:** On a point of order, under standing order 98: the Attorney is off the road; he's not relevant.

*Members interjecting:*

**The SPEAKER:** Order! There is no point of order.

**The Hon. M.J. ATKINSON:** Even in the last parliament I had the numbers to get a bill reopening Barton Road through the other place—and I did! And I still would have the numbers!

**Mr BRINDAL:** I rise on a point of order. Is it not disorderly to pre-empt what the house may decide? If the minister wants the numbers, I will vote for him.

*Members interjecting:*

**The SPEAKER:** Order! The honourable minister has the call.

**The Hon. M.J. ATKINSON:** It is my assessment that I do not have the numbers to get a bill to reopen Barton Road through the House of Assembly. I am sorry about that, but that is just the way it is—and, like Equity, Michael Atkinson does nothing in vain. But if the Liberal Party would like to change its position and support a bill for reopening Barton Road, I am all ears.

## LIQUOR LICENCES

**Mr RAU (Enfield):** My question is also to the Attorney-General, although not on the topic of Barton Road.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr RAU:** Is the government prepared to make it an offence for a liquor licensee to allow people who are under the influence of drugs to be on licensed premises and, if not, why not?

**The Hon. M.J. ATKINSON (Attorney-General):** That is a very good question from the member for Enfield. I am advised by the Liquor and Gambling Commissioner that he has concerns about the member for Enfield's proposal, from both a safety and an enforcement aspect. The removal of patrons who are drunk or who are under the influence of drugs has the potential to put patrons at risk. At risk patrons, such as vulnerable young women, could be removed from licensed premises and exposed to risk from others simply because of their intoxicated state. The commissioner believes that the member for Enfield's proposal would put an unfair obligation on the licensee and staff who, in most cases, would have no idea whether someone has concealed drugs on his or her person.

I am advised by the commissioner that, if section 6 of the act is amended as suggested by the member for Enfield, licensees and their agents would need to be given the power

to search and detain drug dealers or users. This would be a dangerous precedent that would give people in the liquor trade responsibility for something that is, quite rightly, the responsibility of the police.

Abiding by the code of practice under section 42 of the Liquor Licensing Act is a condition on all liquor licences held in South Australia. Among other things, the code requires licensees to maintain appropriate practices to guard against the pub, club or hotel being used for drug dealing. The current law says that licensees found to have breached this condition can be fined, have their licence suspended or lose their licence altogether.

The commissioner further advises me that the law would be easier to enforce, and safer for patrons, if the government were instead to make it an offence, or grounds for disciplinary action, if the licensee: was negligent or condoned the use, possession, sale or supply of illicit drugs and did not take every reasonable step to prevent it; did not have practices specified in either the regulations or the code in place to guard against the possession, use, sale and supply of drugs; and did not cooperate with the police and comply with every reasonable direction by the police on any drug-related matter. I have therefore asked officers in my department to look at including these measures, along with a raft of other radical reformist changes to the Liquor Licensing Act, aimed at tackling the presence of underage kids in pubs and clubs. I hope to introduce legislation in the House of Assembly in the coming months.

## EDUCONNECT

**Ms BEDFORD (Florey):** Can the Minister for Education and Children's Services provide details about how the new EduConnect telecommunications service will benefit South Australian schools?

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I thank the member for Florey for her interest in this new service which will revolutionise the access capacity to preschools and schools across South Australia. Yesterday I launched a program, which has cost \$20.9 million, to provide broadband internet connections across South Australia. The new EduConnect service will deliver fast and more reliable internet access for schools and preschools, bringing a new era of learning to our students and teachers. The internet bandwidth will increase from 128 to 256, which is the current range across the state, up to two megabytes as a right for larger schools in South Australia. In addition, it will be possible for schools to purchase extra bandwidth, should they require, up to 10 megabytes.

The system has the capability for every student and teacher in the state to have an email address, high quality filtering of emails and internet sites, and new tools to build web sites. EduConnect will open up a whole new range of learning options—

**Ms BEDFORD:** Mr, Speaker, I cannot hear the answer.

**The SPEAKER:** What is the member for Florey trying to say?

**Ms BEDFORD:** I cannot hear what is going on.

**The SPEAKER:** I am sorry, I cannot hear the member for Florey, either. I wish that other people who believe that they have better knowledge of the portfolio than the minister herself would privately give her some tuition or otherwise, in here, shut up and let the minister answer.

**The Hon. J.D. LOMAX-SMITH:** Thank you, sir. The EduConnect system will allow virtual schools and virtual

classrooms to occur throughout the state with students in places such as Ceduna and Mount Gambier, or Coober Pedy and Parafield Gardens, being able to access physics classes provided by a teacher in Unley, in situations where there otherwise would not be enough students to justify a specialist teacher. There are, in addition, new video conferencing capacities which will allow conversations with a near face-to-face capacity to occur in real time and allow students, for instance, to be playing in an orchestra where there is only one music student in a class by being online, seeing the face and the hands of the conductor, and listening to the overall orchestra through headphones and reading the music on the screen.

In addition, there is the capacity to be involved with computer-aided design or manufacturing of devices at a distance, and being involved in extraordinary capacities. There is also the opportunity for small business start-ups to be involved in developing programs, and the virtual orchestra that I discussed was designed by Digital Monkey. This same technology has been in the School of the Air Open Access College for about 12 months and has been trialled and found to be extraordinarily effective.

The members opposite, who are perhaps still in the Terraflop era, might well remember that the capacity from a single phone line is about 18.6 kilohertz, and that is insufficient to do online banking, let alone be involved in cartoons or CAMCAD design projects.

**Mr BRINDAL:** On a point of order, Mr Speaker, I am not sure whether the minister is using unparliamentary language.

**The Hon. J.D. LOMAX-SMITH:** I am referring to the capacity for online professional development so that staff can do various mentoring projects and be involved in workshops and conferences without having to drive to Adelaide. It will also allow teachers to be upskilled and it will be particularly useful for regional teachers. The capacity to have online learning is essential. I am pleased to say that there is some federal funding for this project, but it is only \$5.3 million with, I think, \$600 000 or \$700 000 going to support TAFE institutes, and an amount of \$15.6 million came from the state government, which recognises the need for this service. This is truly a partnership entered into by both the state and federal governments. It would not have been possible without a new procurement regime that allowed us to have not a one size fits all internet provider but services provided by AAPT, Centra, CSM Technologies, Electroboard, Internode, Soul Pattinson Telecommunications (SPT), Telstra and Vectra. This has meant that each site has an internet provider that best suits their circumstances.

#### MEDICAL INDEMNITY

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** My question is to the Minister for Health. Given the answer provided by the minister earlier this afternoon concerning medical indemnity in country public hospitals, will the new package remove all medical indemnity exposure, including what they call 'blue sky' exposure, for visiting medical specialists in country public hospitals treating public patients? Dr John Miller, a visiting urologist to country areas, has written letters saying that, as of today, 1 July, he will no longer operate on public patients at the Naracoorte Hospital due to his exposure to medical indemnity claims. In his letter to the Minister for Health, Dr Miller states:

I am not willing to have my family and their futures exposed by such blatantly inadequate cover by the State Government and Department of Human Services.

Earlier this afternoon, the minister gave an answer but did not touch on 'blue sky' exposure from medical indemnity.

**The Hon. L. STEVENS (Minister for Health):** This is an important question. We are dealing with this matter. The issue has been sent to the Treasurer, and I believe there will be a positive outcome.

#### HOSPITALS, MODBURY

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** My question is again to the Minister for Health. What is the reason for the 5.6 per cent reduction in theatre operations at the Modbury Hospital in 2003 compared with 2001 and the almost 2 000 fewer attendances at the emergency department in 2003 compared with 2001? Each time I have raised the issue of the cancellation of surgery at the Modbury Hospital, the minister has issued a statement saying that there would be no reduction in surgery.

**The Hon. L. STEVENS (Minister for Health):** This is an operational matter. I do not have the answer for what happened in 2003 or those comparisons with me at this moment, but I will have that matter looked into and obtain an answer for the deputy leader.

#### HOSPITALS, MOUNT GAMBIER

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** Does the minister agree with the CEO of the Mount Gambier Hospital that the use of locum medical specialists rather than resident medical specialists has pushed up costs and could impact on the hospital's overall debt level and that the hospital is not funded to provide the services that the community is entitled to receive? The CEO of the Mount Gambier Hospital made these statements when speaking to the Grant District Council last week.

**The SPEAKER:** I presume that the question is not about whether she agrees with the person who made the remark but rather—

**The Hon. Dean Brown:** With the nature of the statements.

**The Hon. L. STEVENS (Minister for Health):** I thank the deputy leader for the question. I certainly do agree with all the people I spoke with when I went down to Mount Gambier a couple of weeks ago with my colleague, the Hon. Rory McEwen, that there has been a great improvement across a whole range of areas at the hospital, in a whole range of services, in the board and in terms of dealing with long-standing issues that the deputy leader left to fester and grow and did nothing constructive to fix during his time as minister.

#### YOUTH, PROGRAMS

**Mr O'BRIEN (Napier):** My question is to the Minister for Youth. What has the government done to make sure that rural and regional youth do not miss out on opportunities to participate in Office for Youth programs or have access to grants?

**The Hon. S.W. KEY (Minister for Youth):** I thank the member for Napier for his question and acknowledge the fact that he is always willing to assist me with the many duties I have as the Minister for Youth. One of the priorities of this government was to make sure that young people have access

to programs and funding through the Office for Youth, wherever they are. There has been recent and continuing examples through the Active8 Premier's Youth Challenge. More than 25 per cent of the 42 programs will commence in 2004-05, and 37 of the participants come from regional areas. Of the \$100 000 provided for National Youth Week activities, 41 per cent went to rural and regional councils.

Fifty per cent of all youth advisory committees are based in rural and regional areas, and up to 50 per cent in grants have been allocated to establish and strengthen youth networks across the state. Of the 22 networks funded, 59 per cent were from rural and regional areas. Twenty-three per cent of the Duke of Edinburgh awards come from the country region, which illustrates that not only are young people in rural and regional areas active and determined to make sure they participate but also that they are reciprocally represented through the Office for Youth programs.

I take this opportunity to congratulate the young people, particularly in this case in the rural and regional areas, and to say that the level of the submissions they are writing, and the ideas and activities they come up with, ensure that they get funding through the Office for Youth for the many different programs we have.

#### ARTS FUNDING

**Ms BREUER (Giles):** My question is to the Minister Assisting the Premier in the Arts. What new arts initiatives will the government support in 2004-05 that will benefit country South Australians?

**The Hon. J.D. HILL (Minister Assisting the Premier in the Arts):** I thank the member for Giles for her question and acknowledge her great interest in matters artistic in rural areas. The government has responded to the many calls made by the member for new cultural and recreational activities and opportunities with a range of regional arts initiatives for the year 2004-05, and this includes the extra \$100 000 for regional festivals. Youth arts groups in the regions will receive an immediate boost, with an extra \$12 500 each for D'Faces in Whyalla, an excellent youth company, the Riverland Youth Theatre, another excellent youth company and an extra \$15 000 for Mainstreet in Mount Gambier, a third youth company.

In the longer term these companies will share in the government's new youth arts funding program of an extra \$200 000 each year. Meanwhile in the AP lands, the Ananguku organisation will receive an additional \$20 000. Similarly, Country Arts SA will receive an extra \$20 000 for its touring exhibition program to regional South Australia. I know that is well appreciated in rural areas. The government is increasing funding for the making of art in regional South Australia and also boosting funding for arts facilities. In Whyalla, the new Twin Cinemas operated by Country Arts opened just recently. I think the opening program was *Shrek 2*: I do not know whether the member for Whyalla was there.

*Ms Breuer interjecting:*

**The Hon. J.D. HILL:** She assures me that it was *Shrek 2*! For the first time, residents in Whyalla now have access to first release blockbuster films just as soon as people in Adelaide. It is remarkable to think that Whyalla has not had access to films because there has been no commercial cinema in the town. The Whyalla Twin Cinemas are part of the Middleback Theatre, one of the four regional theatres that are being upgraded by this government. An extra \$2 million over four years will upgrade the four theatres, at Whyalla,

Renmark, Port Pirie and Mount Gambier. That follows the funding of \$500 000 in last year's budget. This is the first time the four theatres, which were constructed about 20 years ago, will get any significant funding.

Despite the bleats and the statements made by the member opposite, this is real money that is in a real budget put in place by a real government, unlike the phantom budgets that were promised but never delivered upon by the former government.

#### TEACHERS, REGISTRATION

**Mrs PENFOLD (Flinders):** Will the Minister for Education and Children's Services advise if it is possible for provisional teacher registration to be given to university students graduating mid-year to ensure that they can take up contracts in schools in regional areas? I am advised that there are several schools in rural areas that want to offer teaching contracts to graduating students. However, as university and DECS staffing time lines do not dovetail, full registration will not be possible for some two to three weeks into term 3, thereby disrupting classes. I understand that precedents have been in place in some schools previously, and schools and the new teachers would appreciate it if provisional registration could be implemented immediately where required.

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I thank the member for Flinders, because she often has creative solutions to problems. I am not sure when their graduation point is in the calendar and how much time there is for police checks and necessary credentialling to take place, but I will certainly ask the Teachers Registration Board whether there is any way that the process can be speeded up, because I can understand the honourable member's point. It would be a pity if there were suitable teachers who were qualified and about to get registration but who were unable to teach until two weeks into the term. I will certainly look into that and get back to her as soon as possible.

#### ADELAIDE AIRPORT, PASSENGER LEVY

**Mr HAMILTON-SMITH (Waite):** My question is to the Premier. When renegotiating the final arrangements for the new multi-user passenger terminal at Adelaide Airport, did the Premier ensure that the \$5 passenger levy would not be open ended, and can he confirm the date upon which the levy will cease?

**The Hon. M.D. RANN (Premier):** I am more than happy to get a report for the honourable member so that we can make sure that everything is spelt out clearly, and to clarify the honourable member's concerns.

#### INDEPENDENT GAMBLING AUTHORITY WEB SITE

**Mrs HALL (Morialta):** My question is to the minister representing the Minister for Gambling. Will the minister take immediate action to ensure that those who log on to the internet web site of the Independent Gambling Authority are not confronted with advertisements promoting online gambling? On three separate occasions yesterday when researching information on the Independent Gambling Authority web site, an online advertisement appeared on my screen. On the first occasion a site by the name of www.888.com offered slots, craps, baccarat, poker, blackjack

and roulette, as well as a \$200 bonus; on the second occasion, an advertisement for www.gamingclub.com appeared; and on the third occasion an advertisement for www.32red.com appeared and invited me to take advantage of a \$125 welcome bonus.

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I pass my condolences to the member for Morialta: I think she has been 'cyber squatted'. Certainly, we will look into this matter and get back to her when we can assess a way to help her out of this difficulty.

**The SPEAKER:** The proceedings of the last 60 seconds or more clearly demonstrate the desire honourable members have for more grievance debate time and fewer questions, I would suggest. To my mind, there was a measure of repartee exchanged across the chamber in such volume as was clearly audible without amplification to people in the chamber and galleries. The honourable member for Morialta.

### TOURISM COMMISSION, INQUIRIES

**Mrs HALL (Morialta):** My question is to the Minister for Tourism. Will the minister inform the house whether statistics of inquiries provided by the South Australian Tourism Commission are an accurate reflection of the number of customers who contact or visit the South Australian Visitor and Travel Centre? The government has announced that the visitor and travel centre received 212 500 visitors, 72 000 telephone calls and 22 500 internet inquiries from July 2003 to March 2004. A constituent from within the electorate of Morialta has contacted me and informed me that, upon calling the South Australian Tourism Commission and requesting two brochures, she was told it had to be treated as two separate inquiries and they would be sent to her in two separate envelopes.

**The Hon. J.D. LOMAX-SMITH (Minister for Tourism):** I thank the member for Morialta for her question. I loathe wasting postage stamps and envelopes, and I will certainly look into it.

### SEASONS FOR GROWTH

**Mrs PENFOLD (Flinders):** My question is to the Minister for Health. What action, if any, has the minister decided to take to fund the continuation of the Seasons for Growth program, whose funding concluded yesterday? On Monday, the minister advised that she was working on a solution and hoped to make an announcement soon, and she said, 'I am well aware of when the funding runs out.'

**The Hon. L. STEVENS (Minister for Health):** I thank the member for Flinders for her question. As I said on Monday—

*An honourable member interjecting:*

**The Hon. L. STEVENS:** Yes, I am well aware when the funding ran out, and there have been meetings this week between my officers, officers of my colleague the Minister for Education, and the organisation. Those discussions are going very well. We believe we have solved the issue. As members know, the next two weeks are school holidays, and my understanding is that there will be no interruption to services. I am sure that a very successful conclusion will be reached within less than a week.

### MOVING ON PROGRAM

**Mrs REDMOND (Heysen):** Does the Minister for Disability agree that the Moving On program remains seriously under-funded, despite the \$1.2 million provided in this budget, and does he agree that this under-funding is in the order of \$2 million? Moving On is a program for post-school people who have a disability generally so severe that they are unable to work even in a sheltered workshop. Three hundred and sixteen of the 447 people in the program currently require additional support. There are also 74 people on the waiting list who receive no funding, and 90 school leavers will be joining the program this year.

**The SPEAKER:** Can I say to the honourable member for Heysen that the question could be ruled out of order. Rather than seeking the minister's agreement, it could be better asked simply as: why is it that the program continues to be under-funded, and with the explanation that was provided. The honourable minister.

**The Hon. J.W. WEATHERILL (Minister for Disability):** It is an important question. It could be said that many areas of the disability sector are under-funded, if one wants to make that formulation. Another way of looking at it is to say that there is an extraordinary number of demands for additional services, which grow at a very rapid rate. This program commenced some years ago, during the period of the previous government, and there was not also an acknowledgment that there was a need to put in additional funding to meet the new entrants into this program each year. Essentially, it is an area of respite funding for people who are coming out of school and need to go into a day option program so that there is something valuable for them to do. Many parents find that they have children in their schooling for five days a week and after that process they find that there is not sufficient room on the waiting list to provide them with that full five-day funding. Many people have three, four or five days funding, which is allocated on the extent of the disability and other factors that bear on how we allocate this money.

There is never enough money to do what we would like to do for disabled people in our community. We had to make some choices in the last budget, and we chose to clear off the waiting list for equipment for crippled children. I would have thought that that was an important priority. We put \$800 000 into assisting children who had been on a waiting list and who need therapeutic equipment; and \$1.2 million into the Moving On program, which is an 18 per cent increase. We also went further and, instead of trying to spread the funding more thinly—which is something that began under the previous government, so that its real value eroded over time—we have committed to indexing that funding so that the funding for these purposes is not continually being eroded.

We know there are real demands in this area, and I am working on ways in which we can expand the range of services to people who are making these demands for these programs. I am working with my agency in relation to that question as we speak. I acknowledge that the people who make demands for additional services have very legitimate points of view to raise. My officers have met with them, and they have communicated to me their stories. I know that they will seek to raise their points publicly, as they have done in the past. We are doing as much as we can in this important area.

### B-DOUBLES

**Mr VENNING (Schubert):** My question is directed to the minister representing the Minister for Transport, in her absence. What action will the minister take to ensure that this year's grain harvest is not disrupted by disallowing B-doubles to operate on some key roads where the existing approval expires in December?

**The SPEAKER:** Before I call the Minister for Health, I advise the Premier, or more particularly the leader of the house, that it is courteous for the leader to advise the chair, so that the chair can in turn advise the house, who will take questions for those ministers who may be absent from the chamber, for such good reasons as are necessary from time to time.

**The Hon. L. STEVENS (Minister for Health):** Thank you, sir. My colleagues have made sure that I do not come up with a bandaid solution to your question. I thank the honourable member for Schubert for the question—he is an assiduous advocate for his electorate. I will pass the question on to the Minister for Transport and ensure that she brings an answer back as soon as possible.

### BOLIVAR WATER REUSE SCHEME

**The Hon. M.R. BUCKBY (Light):** Will the Minister for Agriculture, Food and Fisheries ensure that cabinet is made aware of the export potential that would be created by extending the Bolivar water reuse scheme to the Angle Vale area, and of the urgency to address the serious drop-off of exports in South Australia, which is currently down from \$9.16 billion to \$7.5 billion annually?

**The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries):** I am happy to throw further light on this subject with my colleagues in cabinet. It is important that all of us appreciate the wealth that is created in the northern plains through horticulture and, obviously, water is a key input into that value adding. It is important that all of us appreciate that, and I will ensure that my cabinet colleagues are well aware of any implications of change in policy in that regard.

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### SCHRAMM REPORT

**The Hon. K.O. FOLEY (Minister for Police):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. K.O. FOLEY:** The Commissioner of Police, Mal Hyde, has today provided me with a copy of the report by Superintendent Paul Schramm. In full, the Commissioner's minute attached to the report reads:

As advised on 28 June 2004, Superintendent Paul Schramm was tasked to review the complaint made to police that a state ward had been killed in an orphanage in Adelaide during the 1960s. He has now provided me with his report.

Given the public debate on this case I believe it is appropriate to provide you—

that is the Commissioner speaking to me—

with a copy of this report (attached), rather than provide you with an abridged or summarised version. The report has been altered to:

- Omit identifying details of the complainant, possible witnesses and suspects, and the officer receiving the complaint.
- Omit attachments, as some information is confidential and relevant material is included in the report.
- Omit detail on the recommended investigations.

An investigation will now be conducted and I have arranged for the investigation to be oversighted by Superintendent Paul Schramm. With the above omissions the report can be tabled in Parliament should you choose to do so. However, I request that I receive some prior advice if you intend taking this action so that the complainant and other relevant parties can be advised.

This is the verbatim advice of the Police Commissioner.

Mr Speaker, I will table the report by Superintendent Schramm. However, for the benefit of the house, the findings of the report are the following:

1. That under all of the circumstances, the Senate submission and subsequent account of the allegations as provided by Mr V to Detective Sergeant P was open to the interpretation that was placed on them by the respective parties.
2. The dissatisfaction with the police investigation that is now being asserted by Mr V is a direct consequence of the variance in the interpretation of the events by both parties.
3. On the basis of the police interpretation of events, there was insufficient evidence on which to launch a homicide investigation. However, the investigational undertakings provided to Mr V by Detective Sergeant P as evidenced in the exchange of emails could have, and should have, been exhausted, clarified or negotiated prior to June 2004 with appropriate feedback to enable closure.
4. The information as provided in the Commissioner's ministerial response was an accurate assessment as known to police at that time.
5. The circumstances since clarified to police, namely that Mr V was an eyewitness to this serious assault, is material and warrants further investigation.
6. There is no evidence of any interference by the Catholic Church or any other persons to attempt to influence the investigations of these allegations.

I table the report.

## GRIEVANCE DEBATE

### EDUCATION FUNDING

**Ms CHAPMAN (Bragg):** Today I would like to draw the attention of the house to the federal Labor Party's commitment and uncosted promises for school funding, which will cost taxpayers \$3 billion. South Australia, and this government, have a very important role to play in relation to public education and I want the house to be very clear about what is happening with the government's Labor colleagues at the commonwealth level.

Let me begin with higher education, where Labor's unfunded policy is also evident. Yesterday the Australian Vice Chancellor's Committee agreed with the universities that Labor's policies will mean a savage cut to university revenue. The vice chancellors from three of Australia's largest universities signalled the warning that the cut would be made should Mark Latham win government. The comments are in response to Labor's promise that it will compensate universities for revenue lost to changes it would impose in government.

Universities are now varying the HECS contributions up and down. A basic three-year science degree, which costs \$16 100 now, will require a student contribution at the very most of \$20 500. HECS is an interest-free loan which students only need to start to repay when earning more than \$35 000. Every HECS dollar stays in the university to improve quality. Across the sector, these increases mean at least an extra \$700 million in revenue for universities over four years, but if Labor is to fully compensate universities, which is what they want to do, for the lost revenue for rolling back the HECS increases, and abolishing the full fee-paying Australian places, it would need to find an extra \$700 million plus at least \$350 million over the next four years. In other words, if Labor's compensation promises are to be believed, Labor's university package is gutted by more than \$1 billion.

Previously, Labor identified the fees that schools charge as the main criterion for determining which schools are to be considered to be over or under resourced, and this highlights the important role that the commonwealth government has in relation to funding of non-government schools. Labor has indicated that, where a school has fees of over \$9 112 per year, that would be a threshold at which school funding would be cut, and I quote Mr Latham in relation to needs-based school funding on 26 March this year. He stated:

Labor's policy is for funding reductions for over-resourced schools.

However, this week it has been identified that Labor will cut a minimum to \$400 million to Catholic and independent schools, affecting families of 188 000 students attending 278 schools nationally. That will now be targeted under that program. Let us look at who will be affected in South Australia. Schools from category 1 to category 8 facing cuts under the Labor proposal include: Annesley College, Eynesbury College Years 11 & 12, Immanuel College, Marbury College, Massada College, Pembroke College, Prince Alfred College, Pulteney Grammar School, Scotch College, Seymour College, St Andrew's School, St Peter's College, St Peter's Collegiate Girls' School, St Peter's Woodlands Grammar School, Walford Anglican School for Girls, Westminster School and Wilderness School. Watch out for the Labor government that comes near you because you are in for a cut and it is time that Mr Latham released the full details of his school policy, because the cuts are here to come.

The state governments have principal responsibility for state government schools. Let us remember that 68 per cent of our children attend state government schools and it is important to remember that they receive 76 per cent of all government funding. I know that the state government continues to run the line of inadequate provision but let us just remember the facts and consider capital expenditure. On 21 June this year, Mr Latham claimed that capital expenditure in state government schools by the federal government was \$336 per student compared to \$1 664 per student in independent schools.

This is actually wrong. This year, the federal government will provide \$265 million to state government schools and \$108 million to catholic and independent schools. This is about \$105.80 per student in government schools compared with \$95.70 per student in independent schools. Clearly, Mr Latham needs to go back to school and study mathematics, because those are the figures.

Time expired.

## JOSEPH, Mr G.

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I rise to inform the house that today I represented the government at a mass and thanksgiving service for the life of George Joseph. George Joseph was a well-respected Lord Mayor of the City of Adelaide, an extraordinary individual who lived to the age of 92 but no-one ever spoke ill of him. He was well-recognised and loved throughout the city. He was born on 18 June 1912 in Waymouth Street of Lebanese parents, and he spent his entire life in and around and supporting the city of Adelaide. He was a well known figure in local coffee shops. In many ways, he led cafe society before it was designated as such.

George Joseph was the oldest living scholar from the Flinders Street school. He went on to attend CBC and obtained a scholarship to Rostrevor, which he left as dux of the school in 1930. Coming from a very poor family, although he always aspired to study law, it was not until some eight years later that his brother, who rose to be manager of the Adelaide Produce Market, was able to financially support him through his studies until he was articled in 1938.

In 1948, having served in the army and subsequently the Air Force (which service was distinguished by his untidiness, I am told), George had his greatest achievement, which was probably marrying his wife, Mary, who was a great support throughout their married life.

In the 1960s, George was a councillor on the west side of the city of Adelaide. He spent his whole career in practice on the west side of the city. George was a lifelong supporter of, and lawyer for, the West Adelaide Football Club, and he was a well known figure, becoming both a magistrate and an alderman and eventually lord mayor during the years 1977 to 1979. During that period he was appointed by the state government as a member of a variety of boards, including the Metropolitan Taxicab Board.

George was also involved with gambling authorities, and he rose to be a board member of the SAJC. His whole family were interested in horses and, to some extent, gambling. His major weakness was perhaps that he was overly generous. He was generous to everyone; he always supported the underdog. He was said to be slow to criticise and quick to forgive. He was an extraordinary figure. He spent the whole of his life in the city, as I said. On Thursday mornings, he would sit in Gouger Street discussing politics, debating with his friends and buying coffee for anyone who wandered past. He was rewarded by the government with a Queen's honour in the 1980s. He was an extraordinary individual who was important for the city and loved by many.

I have here a list of George's appointments. In addition to his services to the City of Adelaide, George represented the council on the South Australian Symphony Orchestra Advisory Committee and, as I said, the Metropolitan Taxicab Board. He was Chairman of the South Australian Betting Control Board, the South Australian Fire Brigades Board and the Metropolitan Abattoirs Board and he was the Commissioner of Charitable Funds. He will be greatly missed. He was well loved and respected by all who knew him, and I admired him greatly. I offer my condolences to his wife of more than 60 years, Mary; his children, Kathryn, John, Harold and Leo; and his grandchildren, Claire, Georgia, Elizabeth, Jaime, Naish and Billy. It was a privilege to have known this great and generous South Australian.

### GAWLER POLICE STATION

**The Hon. M.R. BUCKBY (Light):** I rise today to speak on a serious concern that I have raised before in the house regarding the resourcing of the Gawler Police Station. Members might recall that some time ago I drew attention to the fact that, if police officers are on sick leave or are required for training (I note this is not peculiar to the Gawler Police Station; this happens across all police stations, I am advised), they are not replaced.

The folly of this policy was illustrated in Gawler last week when a male entered the Woolworths premises, stole money from a charity operating at the site, fled on foot and was chased by security guards from Woolworths. He then found his way into business premises in the area. Unfortunately for them they were in the process of transferring cash from the till to the safe and about \$1 300 was in a bag. This person who entered their premises via the rear entry grabbed hold of the bag containing the cash. He then ran out of the premises, chased by four members of the public and the security guard, but unfortunately he escaped being apprehended by getting in through a couple of buildings and over a fence.

I do not expect that the Gawler police, who do a fantastic job, would be on the scene within a minute, even though they are probably only about a minute away from the scene of the crime. The concerning thing is that, as soon as this crime occurred, the owner of the business who had the \$1 300 stolen rang the police station at about 5.05 p.m. last Thursday, advised them what had happened and was told that, because one of their officers was away on sick leave, nobody could attend to take any statement. I am advised that it would not have been until Tuesday or Wednesday of this week that a police officer could attend. This was not acceptable to my constituents and I agree with their thoughts on that. They continued to contact the police station and were told that they still could not do anything. Finally by Friday afternoon, in the words of the constituents, after almost harassing the police, somebody came out on Saturday afternoon at 4.30 to take some evidence from the proprietor, 48 hours after the event. It was no fault of the Gawler police officers, but there are not sufficient resources available when somebody goes on sick leave as that person is not replaced and the numbers within the police stations are not maintained.

So, 48 hours went past. By that time it was too late for any fingerprints to be taken and as a result evidence that could have been gathered to identify that person, if they had a previous criminal record, was lost. The result is that the proprietor has now decided not to open after 5 o'clock on a Thursday night, which will have an impact on their business as there is passing trade and they will not be able to take advantage of that. They believe that there is not adequate protection if something goes wrong and they are extremely disappointed that this government is not supplying sufficient resources to be able to replace those officers who, through no fault of their own, have to be on sick leave at times. I have raised this matter before in this house and I will continue to raise it on behalf of my constituents.

### TUTORIAL CREDITS SCHEME

**Ms BREUER (Giles):** I will speak today on the impact of the federal government's tutorial credits scheme, following on from some debates held this morning. Federal education minister Dr Brendan Nelson announced on 19 May 2004 that he plans to provide \$700 vouchers to parents to provide after-

school tuition for year 3 children who failed to achieve the national benchmarks in reading.

I cannot wait to go to Cooper Pedy, to Andamooka or to Mintabie to tell the parents up there about this wonderful scheme that will benefit their children, because once again the federal government has failed to recognise the unique needs of regional families in this tutorial credit scheme. This is a scheme that relies on private tutors to offer outside school hours tutoring to children, and it needs tutors to be available to be successful. I would be very interested to find how many after hours school tutors there are available in places such as Mintabie, Coober Pedy and some of those remote communities in my electorate. The government fails to realise that in country regions this is a ridiculous scheme that will not benefit many parents or students at all.

The scheme has been extended to South Australia thanks to some successful lobbying by our minister, but how many parents will be able to access these private tutors? I was interested to hear the member for Bragg speaking earlier about funding to schools and the fact that something like 68 per cent of our children go to state schools but they receive 74 per cent of the funding, were the figures she quoted. She quoted a whole range of schools that would miss out on some funding if a Labor government were to get in. I would be very interested to compare the quality of the schools. One of the colleges that the honourable member mentioned was Annesley College, and I would love her to compare that with one of my little Outback schools and also my schools in Whyalla, and point out to me why Annesley should get a huge slug of funding when these smaller schools are struggling to survive and desperately need resources and money put into them.

Why cannot the federal government look at providing that equivalent funding to local schools or for parents to pass on that \$700 resource to get extra help for children in those schools? It could make a huge difference in some of these small country schools which, as I said, are struggling to survive on the resources available to them. Because the children are so isolated, they need extra help, extra resources. This federal government continuously overlooks these schools, continuously overlooks country regions and what is happening in them. With a lot of these communities, it is not a matter of finding tutors for after hours school work but of finding teachers for those schools. Country schools have major problems, and I was pleased to see the member for Flinders acknowledge this today. Getting teachers to go to these schools is an ongoing issue for her and for me, with our schools in country regions.

I am impressed by the individual efforts of various schools to get teachers there, the efforts by the department to attract teachers into country regions, and also the role that the union (the AEU) has played in this. They have recognised that it is very difficult to get teachers into these schools and our children miss out accordingly. So, very often we are not looking for tutors but actually looking for teachers in the schools. It would make such a difference. I get back to one of my real hobby horses, which is the issue of putting teaching into the Whyalla campus of Uni SA. That would be essential, because if you can train teachers in the country it would be like the nurses: thanks to our Minister for Health, we were able to attract some extra places on the Whyalla campus of Uni SA to train some more nurses in the country. That was a very successful scheme.

They are doing a wonderful job in our country hospitals and we are able to fill many of the vacancies there because



the nurses are trained in the country and are prepared to stay. If we could train teachers in the country, we could have a similar situation. They could do their placements out in country schools and realise that you are really not getting your throat cut if you have to leave the city; that you can survive in country regions. You can do a great job out there and have a wonderful lifestyle, and the benefits for everyone would be incredible. Once again, I urge that Uni SA looks at the issue of putting teaching onto the Whyalla campus.

The other issue for us as country parents is the cost of educating our kids in Adelaide. The cost of putting them in university in Adelaide is phenomenal. While it has always been an issue for me, I really realised this this year, because you have to do things like buying computers, arranging transport etc., apart from the living costs in the city. Living in the country, in Whyalla, would be much easier and much better for all.

Time expired.

### BAROSSA VALLEY

**Mr VENNING (Schubert):** I rise to congratulate two large Barossa Valley companies on the expansion of their operations in my electorate of Schubert. Earlier yesterday, Southcorp announced a major upgrade of its operations at Nuriootpa which will bring new jobs and economic activity to the region and, indeed, to South Australia. Under Southcorp's new blueprint for its operations across Australia, Nuriootpa will now serve as one of only two packaging and distribution centres for the company in Australia—and I remind members that that is huge. Southcorp has already decided to make greater use of its winemaking capacity at Nuriootpa. This means that the company will significantly upgrade its presence at Nuriootpa with the hiring of an extra 40 employees and capital investment of approximately \$10 million to boost existing packaging and distribution operations at the winery.

The capital works at the Nuriootpa winery will include increasing packaging and warehousing facilities and expansion of vintage capacity to about 50 000 tonnes. These works fit within the existing site development and will be managed using the site's current environmental infrastructure. This upgrade will be done by the end of the 2006 financial year, with new vintage capacity anticipated for the 2008 financial year.

This is a major investment in the Barossa Valley wine industry and demonstrates Southcorp's confidence in the local economy and, more particularly, its confidence in all things Barossa. The Nuriootpa winery is also one of Australia's largest and best-run wine facilities and, with its multimillion dollar upgrade, will now become one of only two centralised hubs for the company's logistics functions in Australia.

Forty new positions will be created. Some of the new positions may be filled by current Southcorp employees relocating from other areas. However, I understand that there is scope for local people to participate in the new employment opportunities. The company is totally committed to working with the community of the Barossa Valley region to achieve what it believes is an important and positive development of the local wine industry.

The other major expansion that I raise is that of Wolf Blass's winery, Beringer Blass. Earlier this month a \$50 million expansion project of Beringer Blass Wine Estates was announced. This expansion builds on the bottling facility development announced earlier this year and will see all the company's Australian wine bottled and packaged in the

Barossa Valley. That is a massive operation, sir, as you would know. The expansion of the Barossa operation will involve the closure of the company's Yellowglen winery and the sale of the packaging plant at Merbein in Victoria, along with the closure of one of its four United States packaging centres.

I understand that the restructure is the most practical course of action for the company, which is aiming to drastically cut overheads. Beringer Blass, I remind the house, makes 70 per cent of its wines in the Barossa Valley, so it is logical to expand its operations here. The current arrangement is to tanker the wine all the way to Mildura, take the glass bottles, the labels, the cardboard and the corks to Mildura to pack, and truck it all back to either Port Melbourne or Port Adelaide. Of course, after this operation, it will be all going out through Port Adelaide. That is a win for the state! But what about the roads?

**The Hon. Dean Brown:** Do you think this justifies a new hospital?

**Mr VENNING:** It certainly does justify a new hospital: this is the very reason I raise this matter. The company uses two wine glass plants—AMCOR and ICI—which are both located here, and the main label printers are also based in Adelaide. Most of the cork is treated in Adelaide and, of course, Visyboard's main wine box manufacturing operation is also here. What a great success story this is! It is great for South Australia. They are all South Australian companies.

The company has estimated that bringing its operations together will take 100 truck trips a week off the highway, which will provide big freight savings and save 7 900 tonnes of greenhouse gases. But it will also intensify the truck movements in the Barossa Valley, which is of great concern.

Once the state government has signed off on the project, the first stage is scheduled for completion in November 2005 and will create more than 200 new jobs in the region. Stage two will follow in September 2006, bringing further employment opportunities. Also, obviously, many jobs will be available during the construction of the facility.

Both these major projects for the area show the confidence of the wine industry in the Barossa Valley's economy and that of the state. It is fantastic that 240 new jobs will be created, as this will not only give employment opportunities to locals but will also bring new residents from interstate. I hope that the government's lack of confidence in delaying the new Barossa area health service does not detract from the excitement of new residents relocating from interstate.

### STRUCTURAL ADJUSTMENT FUNDS

**Ms THOMPSON (Reynell):** I was very pleased to hear today the response from the Deputy Premier when I asked him about progress in the economic restructure of the southern suburbs. Mr Speaker, you may recall that his response was that he had attended a ceremony today to sign a memorandum of understanding between the state and federal governments, detailing the operation and delivery of the Structural Adjustment Fund for South Australia. This fund has an allocation of \$45 million, made up of \$40 million from the federal government and \$5 million from the state government.

Applications are now being sought for investment projects which will establish new industries and create sustainable new jobs in South Australia, particularly in the southern suburbs. Among those administering the fund is Amanda Wood, Managing Director of A Class Metal Finishes Pty Ltd. Ms Wood has been a leader in business in the southern community for many years now. She was one of the founding

members of what is now the Southern Success Business Enterprise Centre and also the important Women in Business network in the south.

It is important that people in the south know that both governments are working together to ensure their economic prosperity and the associated social prosperity into the future. It has been a pretty hard time for the people in the south over the last few years with the closure of Mobil, then the closure of the Mitsubishi Lonsdale plant and the reduction of jobs at the Tonsley centre.

There is a need to ensure not only that the people who are displaced from working in those companies have jobs but also that those in downstream jobs are able to continue in their jobs and, indeed, in their businesses, as many of them are small business operators supplying the large companies. It is also necessary for us to ensure that young people in the south who are now at school know that there will be jobs for them. They might not be the jobs their parents had or the jobs they had previously thought they would have but, with the efforts of this government working with the federal government of whichever colour, there will be jobs for the south.

This government recognises the importance of focusing on regions and addressing the problems and the advantages that occur in those regions. The response to the closure of Mitsubishi was to immediately fund a number of projects, including a green business incubator; 125 new apprenticeships and traineeships over two years; \$25 000 to help attract business migrants to the region; \$25 000 to undertake a feasibility study into the establishment of a community telco; \$30 000 to help the Fleurieu Peninsula food group to expand and export; and \$474 000 over two years for the regional export, investment and extension service to work with local businesses to increase their exports.

During estimates, I heard some good news about business in the south, namely, that the Lonsdale Industrial Estate has now sold all its premises, that stage 2 is to be commenced shortly, and that there is great optimism that that will also be taken up.

I want the people of the southern suburbs to know that many of us are working to ensure their safety and that the problems we have had in the past can and will be turned into opportunities. We now have a wonderful industrial operation available, and I am sure that people from all sorts of industries will be interested in looking at what can be done and the current sites available. We have a deep sea port, a refinery, a foundry and an assembly plant, and there is space available for many businesses to develop, whether at the current Lonsdale Industrial Estate or in new premises to be released. I urge Mobil to make its decision fairly quickly about where its future is so that we know exactly how we can offer opportunities to worldwide businesses to come to the south.

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## SITTINGS AND BUSINESS

**The Hon. J.W. WEATHERILL (Minister for Families and Communities):** I move:

That the house at its rising adjourn until Monday 19 July at 2 p.m.

Motion carried.

## COMMISSION OF INQUIRY (CHILDREN IN STATE CARE) BILL

**The Hon. J.W. WEATHERILL (Minister for Families and Communities)** obtained leave and introduced a bill for an act to provide for a commission of inquiry into allegations of failure on the part of government agencies, employees or other relevant persons to investigate or appropriately deal with allegations concerning sexual offences against children under the guardianship, custody, care or control of the minister responsible for the protection of children; to provide evidentiary powers and immunities in connection with the inquiry; and for other purposes. Read a first time.

**The Hon. J.W. WEATHERILL:** I move:

That this bill be now read a second time.

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

Leave granted.

The care and protection of children is a fundamental responsibility of any society. The Government recognises and accepts that responsibility and has made child protection a very clear priority.

This Bill is the latest part of the State Government's comprehensive child protection policy which the Government has been developing and implementing since first coming to office.

The Bill proposes the establishment of a Commission of Inquiry into whether there was a failure on the part of the State to deal with sexual abuse involving children while under the care, control or guardianship of the Minister.

The Commission's terms of reference will enable the inquiry to examine whether there were any cover-ups or mishandling of allegations or reports or evidence of sex abuse involving children under the Minister's care.

Individuals can come forward to the Commission whether or not any allegations were previously made or reported.

Before I turn to the Bill, it is worthwhile to consider the comprehensive program of action and reform the Government has initiated.

Within three weeks of coming to Government, Robyn Layton QC was commissioned to undertake a far reaching inquiry into child protection in this State.

Ms Layton's report provides a plan for the protection and advancement of children in this State.

The Government is putting this plan into effect.

In the 2003-2004 Budget the Government allocated over \$58 million for child protection related services and provided an additional 73 new child protection positions in the Department of Families and Communities.

The Government has also announced as part of the 2004-2005 Budget an additional \$148 million to be injected into child protection across Government over the next four years. This means an extra 186 jobs in child protection.

We have also established the Child and Youth Death and Serious Injury Committee.

Just recently the Government established a Guardian for Children and Young People to advocate for and monitor children under the guardianship of the Minister.

On 9 June 2004 the Government announced a new independent Helpline designed to assist adult survivors of child sexual abuse.

The Helpline will enable adult survivors to tell their story, to make a complaint or to have an opportunity to seek advice and make an informed decision about action they might take.

The Government will fund the service and has been working with Relationships Australia to deliver the assistance program.

Specifically the program will:

- Establish a helpline which will operate from 9am to 5pm on weekdays to respond to the immediate needs of adult survivors and their families (information, counselling, referral to appropriate legal avenues to pursue civil and/or criminal action).
- Provide face to face counselling and case management.
- Link survivors to specialist counselling.
- Establish a group work program for survivors.
- Provide training to increase the skills of professionals who assist survivors of sexual abuse, and

· Provide training to organisations and institutions to develop appropriate policies and procedures to prevent sexual abuse and to respond appropriately when sexual abuse is reported.

The Government believes it is crucial that adult survivors are given a chance to break the silence of their own abuse and are able to speak about their experience with a qualified specialist with an understanding of the experience of survivors.

It is important that survivors are listened to, are able to explore legal remedies and are given access to longer-term therapeutic treatment.

The Government also strongly believes that paedophiles are brought to justice and prosecuted for their predatory behaviour against children.

A major positive development has been the removal of the statutory limitation against prosecutions for sexual offences occurring prior to 1 December 1982.

Until this Government came to office in 2002 paedophiles and other sexual offenders were immune from prosecution for their pre 1982 offences.

The Rann Government was the first Government to support the removal of this protection.

There must be no safe haven, no protection for any paedophile who preys on our children.

Additional resources have been made available to allow the police to investigate the many hundreds of complaints about offences which date before 1982.

Recent events involving the arrest of a number of persons to face charges for alleged sexual offences committed against children many years ago vindicates the abolition of the immunity.

On 10 June 2004, the Premier together with the Attorney-General, announced comprehensive changes to the criminal sentencing law to protect children from sex offenders, in particular repeat offenders.

The Government will introduce into Parliament amendments to the *Criminal Law (Sentencing) Act 1988* to make child protection the paramount consideration when the Court sentences child sex offenders.

All other considerations will be completely subordinated to the need to protect children from the offenders.

The law will also be changed under the Government's proposals so that any person who commits a second offence against a child will be liable to be declared a serious repeat offender.

These offenders may, at the discretion of the court, be sentenced to a particularly severe sentence beyond the usual penalty that would apply in the circumstances of the case.

In addition, the Court would be required to impose a longer non parole period than would usually apply. A minimum non parole period of 4/5ths of the head sentence would be mandatory.

In other changes to the sentencing law already introduced by the Government to Parliament sex offenders who are sentenced to less than five years' imprisonment will no longer be eligible for automatic parole.

The proposed changes will mean that all sex offenders will have to come before the Parole Board which must take into account community protection when it decides whether or not to release a prisoner on parole.

Under the proposed changes announced on 10 June 2004, the Court will be given more power to order the detention of habitual sexual offenders.

The law currently allows the Supreme Court to order the indefinite detention of persons who the Court finds on psychiatric evidence are incapable of controlling their sexual instincts.

That power will be extended to offenders who are unwilling to control their sexual instincts.

The Supreme Court will also have the power to declare a person as unwilling to control their sexual instincts and therefore liable to indefinite detention if that person does not permit a Court ordered psychiatric examination.

At the moment the criminal law sets higher maximum penalties for certain sexual offences committed against children under 12 years of age.

The Government proposes to change the law so that the higher maximum penalties apply to offences against children under 14 years of age.

For example, the offence of Unlawful Sexual Intercourse attracts a maximum penalty of life imprisonment where the victim is under 12 years of age and 7 years imprisonment for those aged 12 to 17.

Under the Government's proposal the maximum penalty for having sex with a 12-14 year old child will increase from 7 years to life imprisonment.

Of course the maximum penalty for rape is life imprisonment irrespective of the age of the victim.

The Bill presently before the House complements the Government's previous initiatives. It also complements the Senate Community Affairs Reference Committee Inquiry into children in institutional care which took evidence in Adelaide in November 2003.

The Government believes that it has an ongoing duty to persons who as children were under the care of the State and were sexually abused.

The Terms of Reference of the inquiry are similar to those established by the Anglican Church when it commissioned the Hon Trevor Olsson to undertake an inquiry into the handling of allegations of sexual abuse and misconduct in the Adelaide Diocese of the Anglican Church.

Significantly the Commission will have the power to consider allegations whether or not an allegation was previously made.

The Commissioner will be either a former Judge or an eminent Queens Counsel who will be independent of Government.

The Commissioner will be supported by a person with appropriate qualifications in social work or social administration.

The Commissioner will also be supported by legal and administrative staff.

It will have the power to summons witnesses to give evidence on oath, or to produce documents and can require witnesses to answer questions.

The Commissioner must take evidence in private but may in exceptional circumstances and in the public interest conduct any part of the inquiry in public.

The Commissioner will have all the protections, privileges and immunities as a Judge of the Supreme Court.

The Commissioner in the conduct of the inquiry will be required to take all reasonable steps to avoid prejudicing any criminal investigation or prosecution.

The Commission may refer individuals to any agency or service so that he or she may obtain counselling services.

The Bill provides for information relating to the Commission of a sexual offence against the child to be referred to the police or the Director of Public Prosecutions.

The Commissioner will be required to complete and present the report of the inquiry to the Governor within six months of the commencement of the legislation or such longer period as the Governor allows.

The Minister responsible will be required to table the report in Parliament within 12 sitting days after report by the Governor.

In conclusion, the proposed Commission of Inquiry will inquire into any allegations of sexual abuse by any person who and the time of the alleged abuse was a child in State care.

The Commission will be required to report on whether the matters alleged were properly handled by the State.

I commend the Bill to Members.

#### EXPLANATION OF CLAUSES

##### 1—Short title

This clause is formal.

##### 2—Commencement

The measure will be brought into operation by proclamation.

##### 3—Interpretation

This clause sets out the defined terms used for the purposes of the measure.

##### 4—Constitution of commission

A commission of inquiry is to be established with the terms of reference set out in Schedule 1. The commission is to be constituted by a person appointed by the Governor.

##### 5—Procedure

This clause sets out various matters relevant to the proceedings to be conducted for the purposes of the Inquiry. The Commissioner will not be bound by any rules or practices as to procedure or evidence, and may inform himself or herself in such manner as the Commissioner thinks fit. The Commissioner will be required to seek to adopt procedures that will facilitate a prompt, cost-effective and thorough investigation of any matter relevant to the Inquiry. The Commissioner will be required to take all reasonable steps to avoid prejudicing any criminal investigation or prosecution. Hearings will be conducted in private, other than where the Commissioner, in exceptional cases and in the public interest, determines to conduct a part of the Inquiry in public.

**6—Power to require attendance of witnesses etc**

An authorised person will be able to issue a summons requiring the person to appear to give evidence, or to produce evidentiary material, or both.

**7—Obligation to give evidence**

The Supreme Court will be able, on application by an authorised person, to require a person to give evidence or to produce evidentiary material for the purposes of the Inquiry.

**8—Provision of support**

The Minister will, after consultation with the Commissioner, engage a person with appropriate qualifications in social work or social administration to assist in the conduct of the Inquiry. The Minister will also be able to appoint other persons to assist in the conduct of the Inquiry.

**9—Confidentiality and disclosure of information**

This clause relates to the production of confidential information and to the mechanisms that are to apply to avoid the disclosure of the identity of certain persons. However, the Commissioner will be able to provide any relevant information to the Minister or another public official, and will, under an arrangement with the Commissioner of Police, be required to furnish any information concerning the commission (or alleged commission) of a sexual offence against a child arising during the course of the Inquiry, to the Commissioner of Police, other than where the material is thought to already be in the possession of a police officer, or where the Commissioner has determined to provide the relevant information to the Director of Public Prosecutions.

**10—Completion of inquiry and presentation of report**

The Inquiry is to be completed within 6 months from the commencement of the Act, or within such longer period as the Governor may allow. A report is to be delivered to the Governor on the completion of the Inquiry and the report will be tabled in Parliament.

**11—Protection from proceedings**

The proceedings will not be subject to review proceedings in a court.

**12—Privileges and immunities**

This clause provides for the protection of authorised persons, witnesses and other persons participating in the Inquiry.

**Schedule 1—Terms of reference**

This Schedule provides for the terms of reference for the Inquiry.

**The Hon. DEAN BROWN** secured the adjournment of the debate.

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

*A quorum having been formed:*

**TRANS-TASMAN MUTUAL RECOGNITION  
(SOUTH AUSTRALIA) (REMOVAL OF SUNSET  
CLAUSE) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 2 June. Page 2422.)

**Mr MEIER (Goyder):** I am pleased to have the opportunity to speak to this bill. It displays a lot of common sense and it is one that the Opposition supports. I also advise that the member for Bragg will be the lead speaker for the opposition. Members will be aware that the shared objective of the Mutual Recognition Agreement and the Trans-Tasman Mutual Recognition Arrangement are to reduce trade-related restrictions on the sale of goods and the recognition of equivalent occupations between jurisdictions and thereby facilitate trade between Australia and New Zealand. It is very topical that we are considering this because it comes at the same time that the issue of free trade between Australia and America is being considered too. I am surprised at the federal opposition having questions about that given that I think that we have free trade with many of our Asian neighbours and with New Zealand.

**The SPEAKER:** We don't mind the trade but we don't want their diseases.

**Mr MEIER:** Exactly. Mr Speaker, I am pleased that you have brought that point up. My honourable colleague the member for Kavel made an excellent speech in this house earlier this week on the dangers of fire blight and I was very pleased that he has alerted not only members of this house but also the South Australian people to those dangers, as has the industry itself. I give my support to this bill and I hope that it will have a speedy passage through the house.

**Ms CHAPMAN (Bragg):** This bill was introduced by the Attorney on 2 June. The Trans-Tasman Mutual Recognition (South Australia) Act came into operation on 29 September 1999. The act had a five-year sunset clause and will accordingly expire on 29 September this year unless we attend to the removal of the sunset clause. The act is part of a national scheme involving the legislation in the commonwealth and all states, which has been previously outlined by the excellent speaker in his contribution to this debate. It is important to point out that Western Australia has not yet passed this legislation, notwithstanding that a bill was introduced by the Court Liberal government in 1999, it was then reintroduced by Labor in November 2002, and it received a positive recommendation from the parliamentary committees. I have had a lot to say about Western Australia over the years, and I will not address them today, but I note with some concern that they have not attended to the passage of that legislation.

However, when the legislation was enacted it was known that the Productivity Commission would undertake an evaluation of the scheme within five years and it was envisaged that, based on the report of the Productivity Commission, the schemes would either be continued, amended or abandoned. In South Australia alone, of all the states, the 1999 act included a sunset clause. I am not sure what the merits of that were but no doubt the record will identify that. In any event, that was included and sometimes it is a very important initiative that there be some accountability to review programs before they are set in concrete.

In May 1992 a Mutual Recognition Agreement was signed between the commonwealth, state and territory leaders. Greatly simplified, the argument was that just as each state recognises the driver's licence issued in every other state, and states do not require every interstate driver to therefore undergo a test to obtain an extra licence, similarly rules should apply to other occupations and for the sale of goods. The scheme was embodied in a Mutual Recognition Act which provided, firstly, that a person who was registered to practice an occupation in one state could pursue the equivalent occupation in another, upon giving notice and providing evidence of home registration; and secondly, that goods could be legally sold in participating jurisdictions as long as they meet the requirements in their place of manufacture.

The Arnold Labor government introduced the MRA in 1993. The bill was initially blocked by the Liberal opposition and it lapsed. However, following the extensive pressures brought from business, the policy was revisited, and the Liberal Party supported the legislation. So, it has quite a significant history. In 1996, COAG agreed to extend the concept of mutual recognition to New Zealand. The New Zealanders agreed and the Trans-Tasman Mutual Recognition Act accordingly was introduced in 1998 by the Olsen Liberal government. The basis of the New Zealand scheme was the same as the MRA.

I think it is important to note that the Trans-Tasman Mutual Recognition Act does not do a number of things. It does not affect the state's capacity to regulate trades and professions; it does not affect the right of the state to regulate the manner in which goods are sold, for example, liquor to minors, container deposit legislation; it does not affect quarantine, firearms, chemicals, gaming machines, inappropriate literature requirements; it does not prevent the state requiring entering tradesmen and professions to notify and to comply with indemnity and insurance requirements. These are important issues that have been raised over the time and history of this legislation.

In October 2003 the review produced the report which deals with both the MRA and the TTMRA. The report concludes that both schemes are working well and achieve their intended outcomes. Although quantitative evidence for this conclusion is sparse, South Australia does not appear to have suffered any negative effects as a consequence of the TTMRA. The fear of some that New Zealand would provide an easy entry port for some professionals has not materialised, and it is important to note that the practising rights of medical doctors are not covered by the TTMRA. This is a point of principle in schemes of this kind. They do not involve referring part of the legislative powers of the states to the commonwealth. They are difficult to vary because the agreement of all jurisdictions is necessary. I suggest that this bill will provide some protection to our state by empowering the Governor to issue a proclamation to terminate the TTMRA. These are important protections and exclusions which I ask members to note and which the opposition has taken into account in supporting the passage of this bill.

Bill read a second time.

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

That this bill be now read a third time.

**The SPEAKER:** My grave concern about the legislation does not arise from what it seeks to do in principle; that is laudable. However, what it may do is result in commonwealth public servants feeling even more inclined to pressure the states in particular to forgo their prerogative rights to exclude imports of goods which have a very serious, statistically valid, risk of containing diseases which we do not have. They are by definition exotic diseases. The member for Kavel mentioned them in the course of remarks to the house recently, and they were the subject of comments by the member for Goyder in his contribution to this measure.

I was involved in quarantine measures professionally at an earlier time and as a primary producer, and I have seen the idiocy of the attitude of a significant proportion of bureaucrats when it comes to handling these matters. They believe that their salaries will continue regardless and, if they are inclined to be more cordial and friendly to their opposite numbers in the other jurisdictions from which the goods are sought to be exported to our jurisdiction, then we often end up wearing it.

White fly is a classic example in fruit and sired wood wasp in the pine forest industry, and there are many others which could have been avoided if only bureaucrats had listened to scientists and producers. I trust that this legislation will not be used as the thin end of the wedge or a Trojan horse by those people seeking to gratify their narrow professional career goals at the expense of industries and the

freedom from disease that those industries enjoy in South Australia.

Bill read a third time and passed.

### FIRE AND EMERGENCY SERVICES BILL

Adjourned debate on second reading.

(Continued from 30 June. Page 2658.)

**The Hon. DEAN BROWN (Deputy Leader of the Opposition):** This bill relates to how the CFS will operate, and it also covers the SES. I say at the outset that I have the highest admiration for the work done by volunteers in the emergency fields in South Australia. They have served our state extremely well over many years. I take a particular interest in both the CFS and the SES in my own electorate. Along with thousands of other residents in that area, I appreciate the work that they do in protecting life and property and dealing with emergencies. Let our appreciation as a broader community for the work that they do be well and truly recorded.

However, I have severe reservations about the bill in its present form. Those reservations deal specifically with the abolition of the CFS board, and I want to touch on that. CFS and SES personnel are volunteers. They put in an enormous effort. My view is that when you are dealing with volunteers you need to have a board that is closely affiliated with and understands the nature of what volunteers are about. You need to have CFS volunteers as a part of decision-making and part of the selection process for the CEO to ensure compatibility between the CEO and volunteers.

I think it is a significant retrograde step to abolish the CFS board. I think there are 16 CFS brigades in my electorate, which covers both the Fleurieu Peninsula and Kangaroo Island, involving literally hundreds of personnel across the state, and I have a strong and active SES brigade at Port Elliot, which I visited recently. The CFS board currently consists of two volunteers who clearly understand the needs of the volunteers. It also includes two representatives of the Local Government Association who invariably are volunteer CFS personnel nominated by that association. It has two ministerial appointees, one with financial expertise and one with legal expertise, and the CEO of the CFS is included. It has operated in this state extremely well and has served the volunteers very well and there have been very few occasions where one would say that the board has not appropriately reflected the needs of the volunteers. The board has also given tremendous leadership over the years.

The proposal to abolish that board will be a significantly retrograde step as far as appropriate encouragement and fostering of the volunteers within the CFS is concerned. To have a board where the CEO is appointed by the minister is inappropriate. At present the CFS board appoints the CEO, so you therefore effectively have a majority of the people selecting the CEO being CFS volunteers themselves.

Then you have the Essential Services Commission, which consists of three people, one being the CEO of the CFS or appointed by the minister. That is inappropriate. I have seen the Labor Party attempt to do this previously. I saw it in 1992 when there was a proposal to abolish the CFS Board and we opposed it then. I was leader of the opposition at that time and we opposed it very strongly and I was delighted to see that the government of the day abandoned its proposal. I have always very strongly supported the retention of the CFS Board and will continue to do so. Therefore, I will oppose

any move to abolish the CFS Board. It will not be in the interests of CFS volunteers and I am surprised that anyone from a country area would want to move in that sort of direction.

*Members interjecting:*

**The Hon. DEAN BROWN:** I didn't. I have never supported the abolition of the CFS Board and I make that very clear. Again I will fight for the retention of the CFS Board and to ensure that the CEO of the CFS reflects the volunteers and is appointed by them. We will then have a CFS service that reflects the community. It is not there to represent the government but to reflect the communities that these volunteers come from, the communities they are fighting to protect from fire in this state. With those severe reservations, I will not proceed further, except to say that it is my intention to vote according to what I have just indicated.

**Mr HAMILTON-SMITH (Waite):** I rise as a concerned local member, representing as I do a Hills Face constituency that includes within its boundaries the Belair CFS and the Mitcham SES, both organisations providing vital local services to a needy and thankful local community. Recently I had the privilege and honour of opening the new Mitcham SES depot up near Sleeps Hill beside the Belair line in the foothills of Mitcham, it having moved from the Mitcham Village location where it had effectively been operating for many years. The new depot is an outstanding facility. It is a former Mitcham council roadworks and maintenance depot. It is providing fabulous training areas running off to the south of the depot and I commend the SES and Mitcham council for their teamwork in bringing this outcome together, as it saved a valuable piece of infrastructure for the community. There are kitchens, vehicle maintenance facilities, plenty of car parking and a lot of open space. It is a fabulous site and I am sure the SES, even the CFS, will make use of the site.

That is one of the points I make: that there is already quite a bit of goodwill and cooperation between the emergency services. I am sure there are ways to achieve cooperation and interoperability without the requirement to introduce the measures contained in this bill. I am sure the SES and CFS can cooperate with the MFS and use each other's facilities, resources and logistics, whilst still maintaining their own separate identities.

Apart from the SES at Mitcham, the Belair CFS provides a valuable service. It also has a very good location near the railway lines and it is a good facility. Often you hear the siren being tested and they are regularly called out over summer. These are terrific local emergency services support units available to local communities. That is the whole point missed in this bill and it is at the heart of my concern. This bill seeks to centralise command, control and administration of emergency services under one single board or commission.

That is a very good bit of Labor Party thinking, by the government of which the member for Mount Gambier is now a minister. He loves the Labor Party and this centralist thinking that comes out of a party that does not like the federation, that believes that all powers should be centrally focused in Canberra. It would be happy to see big government, big bureaucracy and centralised systems of management. This is the socialist thinking that comes from a Labor Party and it is not surprising. As has been pointed out by my colleagues, we have had these proposals before: 'Let's amalgamate. Let's do away with boards. Let's combine groups. Let's simplify things. We will combine them into one

big bureaucracy and then things will be better.' But the logic is fundamentally flawed. Of course, there is always a need and should always be a need to look for efficiencies and economies of scale. There should always be a drive to make better use of scant resources, to cut down on excess administration and to cut down on duplication. There are ways to do that.

But centralising organisations into large bureaucracies is not always the best way to do that, particularly when you look at the nature of the organisations with which we are dealing: volunteer organisations. The member for Colton shakes his head. The member for Colton is very proud of the fact—and should be, too—that he is a fireman who has served this country well. He belonged to the MFS. The MFS is a professional force: a highly trained, highly capable and professional group of firefighters, well resourced, with a very active and energetic union movement which funds the Labor Party, as we have heard from my colleagues before, and which provides a professional service to a very thankful public. One wonders whether the MFS and the member for Colton envisage a greater network of emergency services that is fully professional, that is controlled by an award, with a reducing demand and requirement for volunteer services but a greater demand for professionals.

Is this simply another form of empire building? I ask this quite genuinely. I have had some experience with these things. I have actually had 23 years in the biggest bureaucracy in this country, the defence force, and it is striking. The empire building initiatives that you see conceived of within the defence force are to be marvelled at. Every general, every commander, all want around them a larger number of troops, a larger number of headquarters, a larger number of vehicles, tanks and communications people. They all want to create their own little empire, and diffusing this empire building has been the subject of considerable creative tension and effort from within the defence force.

We have had these proposals in the defence force before: 'Let's do away with the army, the navy and the air force. We'll have one defence force. We'll put everyone in one uniform: we'll have the same rank symbols, the same shared administration and everything. And won't it all be sweet?' The Canadians actually tried it—and it was a catastrophe. I think the Canadians would like to turn back the clock. Somehow or other it has bumbled forward. What they did after a few years was unscramble the egg—something this government does not seem to get its mind around very well when it comes to utilities—and go back to a separate service structure. Why did they need to do that? Lo and behold, they found that the army liked to be the army, the navy liked to be the navy, and the air force—guess what—liked to be the air force.

The organisational cultures of those three organisations were quite unique, and by trying to pressure can them into uniformity what was happening was that they were undermining the very objective they were trying to achieve. They found that sailors were less inclined to be good, professional, solid, team working sailors. They wanted to stray off and dabble in being members of the air force or dabble in being members of the army. This was happening right across the defence force structure, and it started to break down quite seriously. They stepped back from it and had to radically modify their plans. Those who conceived this bill ought to go and look at what happened in the Canadian defence force and ask themselves whether we are going to go forward or backwards here.

I put to members that this bill is largely a debate about organisational culture. The fact as I see it is that the SES, the CFS and the MFS are all very professional, very capable, very well organised and efficient structures that perform a valued service. But they are all very different. When I go to SES meetings—and I have been to quite a few—and I meet people there and mix with them, and I see the equipment they use, the organisational focus they have, and I look at their structures, their uniforms, their equipment, the way they do things, the team work they use and all the things that go into an organisational culture, the many members opposite who have had positions of senior management in large corporate entities, who have very well advanced qualifications in business management and vast amounts of experience in running large organisations both public and private—and I say that a bit tongue in cheek, because I do not think a single one opposite has had any one of those—would understand that the study of organisational culture—

*Mr Rau interjecting:*

**Mr HAMILTON-SMITH:** Excuse me: the honourable member is quite right. The member for Napier is a notable exception. I would actually urge members opposite to listen to the member for Napier in caucus, because they have a couple of people on the front bench who really should be on the backbench, and the member for Napier and probably the member for Enfield should be down here. But that is a separate issue. Organisational culture and its study is a well refined art in our universities here, in our own corporate entities and in our sporting teams. It is about building a focus within an organisation. It is about traditions. It is about uniforms, about rituals, about hierarchies and about building a history. We see this all the time. We see it on the footy field with football clubs. We see it in corporate entities; we see it in our motor car companies, our miners. Everyone wants to develop a spirit of the team, a focus, an identity, something that makes that organisation and that system unique. The MFS, CFS and SES all do that quite well.

This bill threatens those organisational cultures, and it threatens them quite clearly. Under clause 7 of the bill, ministerial control, this new commission that is to combine the three entities will be subject to one simple imperative. Subclause (1) provides:

The commission is subject to the control and direction of the minister

full stop. Subclause (3) provides:

If the minister gives a direction under this section, the commission must cause a statement of the fact that the direction was given to be published in the next annual report.

And so it goes on.

I move to clause 8, functions and powers of the commission, and I will just read a few. Subclause (1) provides that the commission has the following functions:

- (e) to provide for the effective allocation of resources within the emergency services sector;
- (f) to ensure that the emergency services organisations have appropriate systems and practices in place—
  - (i) to provide for effective management and planning; and
  - (ii) to monitor management performance against plans and targets,

and so on. Paragraph (i) provides:

to ensure that the emergency services organisations meet their statutory responsibilities and comply with the provisions of this or any other relevant act;

and so it goes on. The commission will drive, run and command the three emergency services organisations, full stop. I know what will follow: why do we have three separate sets of uniforms; why do we have three different sets of vehicles; why do we have a concentration of emergency services depots in the Hills Face Zone; why do we not spread them around? We will close the CFS site in Belair and we will open one in Oodnawopwop. Well, the reality is—

**The Hon. M.J. Atkinson:** Excuse me, Oodnawoopwoop.

**Mr HAMILTON-SMITH:** I challenge the Attorney to provide me with a dictionary definition or another authoritative description of the location he just described. If he will allow me a little bit of licence, I will allow him some on this particular occasion. The government may be astonished to find that there will not be enough volunteers in Oodnawoopwop, but they will be in Belair. They will not necessarily rush off and join the SES.

I have been through it all in the defence force. I have seen all this rationalisation, 'Let us have efficiency and combine everyone together,' and it is a recipe for disaster and will not work. It risks undermining the spirit of voluntarism that is evident but unique in each of the organisations that are to be thrown together under the auspices of this bill. It will effectively finish up providing another tier of bureaucracy, which I note in the bill is to be funded using the emergency services levy—another cost. More money will be tied up in the head shed instead of the emergency services shed. We need less head shed and more workers in the shed in these organisations. We need fewer chiefs and more Indians. These structures are made up of volunteers, and they are locals.

In relation to the emergency services levy, yes, we introduced a bill to adequately fund emergency services and, yes, we introduced ESAU to provide coordination of resources, but this bill goes a full step further. One of the concerns I had about the emergency services bill is that, by making the state government the funding authority, by taking away local government's responsibility as a part funder of emergency services, by diminishing the need for the chook raffles and the sausage sizzles and all the other little events that went into raising money for the emergency services, and by making sure that all financial roads led to the Treasury office in Adelaide, I wonder whether we may have taken away some of the local community spirit that was, in fact, at the heart of these volunteer organisations.

I ask that question and I suspect the answer is probably yes. I expect the answer is that, despite all its inefficiencies, it was better that local government sat down each year and provided some money for its local emergency services unit, and got repair people out to put a lick of paint on the wall and help with the vehicle. By providing a culture in which emergency service volunteers feel that it is now the state government's responsibility to raise money and they do not have to raise funds as they used to, have we undermined that culture? Is this bill another step in that direction? I put to the house that it is. Taking away the CFS Board risks taking away part of their identity and sense of self-ownership. It risks taking away from these volunteers their volunteer board. It risks having them swallowed up in a greater bureaucracy.

There was a time when the ambulance service was a volunteer service, and perhaps it is best that it is now a professional service, but I do not like the world into which the government is taking us with this bill. It is a world in which the MFS is the senior, best-resourced body of the entities that are being brought together here and will probably end up being the dominant entity. It is a world in which the

unions will have a shoe-in to all these volunteer groups, and in will come the occupational health and safety bodies with this regulation and that regulation. When I visit the volunteers in the depots in my electorate, the last thing in the world they want to do when they have been out all night patching people's roofs and fighting fires is filling out paperwork. The last thing in the world they want is to get tied up in a lot of mumbo jumbo that might be very good in a professional organisation but which does not work in a volunteer organisation.

Sure, you need to have these measures, but I see in this bill big bureaucracy, big government, big expense and, at the end of the day, what tangible benefit will we have? Will we really save money by the time we have paid for the new commission? Will we really make any economies that could not have otherwise been achieved by another means? Could we not achieve these economies by saying to the boards of the separate emergency services, 'Look, let's create a structure that enables you guys and girls to get together and come up with some more efficient training processes, more efficient logistics, more efficient communications and more efficient ways of doing business so that we share our resources and where we are pulling on the same rope instead of in opposite directions?' I think the answer is that we could.

What the government is doing with this bill is threatening people's identity. When you threaten people's identity, you make them worried and defensive. I doubt that this bill has been adequately consulted at the grassroots level as thoroughly as it should have been. I am in favour of local management and local control, listening to the volunteers and asking them what they want, but I am not favour of the centralisation of power unless I can see a tangible benefit. I am in favour of a CFS, an MFS and an SES that have their own identity and organisational culture. It has served us well, and it will serve us well in the future. I urge the government to consider the opposition's amendments and see whether we can achieve the objects that this bill seeks to achieve without creating the negatives that it will inevitably create should it proceed as the government presently envisages it.

**Mr BROKENSHIRE (Mawson):** I will provide a bit of background before speaking directly to the bill, because I think it is important to put it into context. When I had the privilege of becoming the Minister for Emergency Services, the CFS had a debt of \$13 million and there was a huge backlog of capital works. Quite frankly, it was a totally under-funded organisation. However, not only did we pay off that debt but also we were serious about delivering the capital works and ensuring that the budgets were adequate.

Sadly, in the last couple of years since this government has been in office, apart from a couple of vehicles, the little bit of additional equipment the CFS has received was from the last budget on which I signed off when we were still in government. I know that 28 vehicles are coming, but there has been a huge vacuum in the delivery of equipment. There is no doubt whatsoever that the SES was the poorest of cousins when it came to the three emergency services. In fact, I will never forget the old SES fire truck coming down King William Street from Mount Barker, and it was nice to be able to commission a new vehicle for them. The dilemma was that in Mount Barker the focus was on CFS and not the SES.

At the time I became minister, ESAU came into existence, and it was something that was transitionally put across to me when I was first sworn in as a minister of the Crown. I purposely never looked at the cabinet submission, because I

was advised that there was an intention within the bureaucracy for the potential to take ESAU to another step. I said, 'I do not want to know about another step, because, as far as I am concerned, the absolute autonomy of the CFS, MFS and the SES will be retained. It will be difficult enough, bringing in change for the better, to get through administrative change, streamlining risk management, occupational health and safety and procurement, and a general overarching umbrella strategy for emergency services.' I also said, 'If we do not have legislative change, I am prepared to work with it because, at the end of the day, the organisations are protected.' Indeed, no legislation was brought in for that reason.

I note that the minister is not present in the chamber; he may be doing other things. However, I hope the minister reads my speech, because I am trying to be constructive in what I have to say. The fact is that any government of the day has the right to bring in change, but change for the sake of change—

**The Hon. M.J. ATKINSON:** I rise on a point of order, Mr Speaker. I understand that it is etiquette in the House of Assembly that all members are here at all times. The member for Mawson has just drawn attention to the absence of only one of the members who is absent at the moment, and I believe that breaches the understandings and etiquette of the house that all members are present at all times.

**The SPEAKER:** The underlying assumption may have been true in the proceedings of the Commons about 80 years ago. However, since the installation of rebroadcasting technology, the assumption is valid in the sense that all members are paying attention to the proceedings of the house at all times, in consequence of their being able to do so, even though their physical presence may be in a place other than the seat on the bench to which they have been allocated space. The member for Mawson.

**Mr BROKENSHIRE:** Thank you, Mr Speaker. The fact is that change for the sake of change is not what we want. Change for the better and change on the basis that the evolution of life clearly brings about the need for change. I for one will not attempt to block this bill, but I will express my concerns about a few things. My hand prints are not on this legislation at all. However, as someone who is passionate about the emergency services and has been tied up with the CFS since I was a young person, I do not want to sit in my rocking chair, when I am a grandparent, and have volunteers of the day—if they are still around, and I trust that they will—coming to me and saying, 'You were one of those members of parliament who did not even speak up for us and did not foresee the potential risks of this legislation.'

One of the problems with ESAU when it came in was that a lot of people expected delivery very rapidly. In hindsight, I know for a fact that personalities can have a huge bearing on whether or not you get change—or, indeed, the right change—through. Primarily, the problem with ESAU was that a few personalities either did not understand the culture and the opportunity of the changes or, indeed, were prepared to work against those changes to try to strengthen their own position. That was sad because that worked against the 22 000 volunteers and the 1 200 paid MFS staff and auxiliary. I raise that point because, just before we lost office, I asked a man I have enormous respect for, Mr Vincent Monterola, to have a look at assessing ESAU and where it was up to, and evaluating it. A report was put out just before we lost office. I have seen that report, and the fact is that, if that had been adopted, that was all that was needed to further streamline



opportunities for improved change—that was all that was needed.

This government, when it was in opposition, worked hard against the emergency services levy, to oppose it and to make it a political thing rather than support what for years had been screamed and called for in the emergency services arena and by the Insurance Council of Australia. That is sad. Also, a few volunteers who either wanted to go a different way to the bulk of the volunteers or who were keen to get everything happening at once went public on it as well. The bottom line of that was—and it is all on public record—that between the Labor Party and some of those volunteers we have now seen cuts in some areas of budget to groups and units, we have seen a lack of roll-out of capital works equipment, and we are now seeing the government going against the recommendations of the Coroner's inquest into Ash Wednesday and rolling the fire trucks of the CFS out from 20 to 25 years. So we have seen a reversal of where we should be going. We will not see growth in the emergency services levy in the future because governments are now scared to raise the fund, so we have to hope that the money comes out of general coffers. Things were not set properly in the beginning as a result of that. The fact is that the Labor Party worked against the levy.

I now come to a couple of other points, and I want to talk about the board. The Country Fire Service Board has absolute independence at this time. The CFS Board can tell the minister of the day where to go—that is how powerful the Country Fire Service Act is—and in my opinion that autonomy is absolutely paramount for the best interests of all the services. When the McKay Baker Dawkins report was handed down, I told the minister that I was very concerned that it was not recommended that the SES be part of the commission. His response was something like, 'Why would they want to be on the commission board?' That rang alarm bells to me, and I reported it to some members of the State Emergency Service. Yes, there have been changes, but I can see how this bill can work and we can keep the Country Fire Service Board going.

If the board structure that was in place when I was minister was still here today, we would not have seen a letter such as the one the shadow minister for emergency services showed the parliament yesterday. They would not have let it go. In fact, even though volunteers do not like the board sometimes (they do not like the ivory tower and all the rest of it), those who know believe that we must always keep that autonomy. I know some people have worked hard to try to communicate with volunteers but the simple fact is that most of the volunteers in our electorates are not even aware that we are debating this bill today.

The captains receive nice, glossy, well-presented material but they are busy trying to run their CFS and trying to get more volunteers—it is hard enough at the moment anyway. They said to me, 'Robert, we pinned it up on the noticeboard and that is about as much as we did, because there is enough pressure on the volunteers now.' The volunteers are tired, and they are finding it difficult enough to do what they are doing.

The report that brought this bill to where it is today identified savings of stations and units. It clearly said—and remember, these three people do not have an emergency services background; they are expert economists—that they have identified savings through consolidations, amalgamations and other initiatives that you would have to read between the lines to understand. I say to the parliament that an advisory committee is not worth the paper it is written on,

because the minister does not have to take any notice of that committee. I know that Mr Monterola, Grant Lupton, Brian Lancaster, Nat Cooke and Euan Ferguson have worked hard to try to find some middle ground, but they had to do that within the parameters in which the government put the report.

Again, I was concerned about things for the volunteers. For example, when I had a meeting at the Willunga emergency centre some volunteers suggested that the CFS and the SES should put a joint submission to the report of McKay and his colleagues. Because this is true I will put it on the public record, members of the VFBA, who were present that night, said that they did not want to do that, and some of the CFS members were surprised by that. Later we were advised that the VFBA and the UFU put a joint submission together, and I still cannot understand why they went down that track instead of working with the SES. I also understand why some of the SES members feel more comfortable at the moment because, as it was explained to me this week, they see a more level playing field if the CFS loses its board because it brings them all to one common level.

The dilemma is that, without the autonomy of the CFS Board, under this legislation too many things can occur—possibly not while this government is in office. The fact is that this government is only here by the grace of the independents. It is a minority government. But one day when a big majority government is elected, rapid changes will be made to this legislation (if we support it as it is now) early in its term of office. It will be amended to the extent that the egg will never be unscrambled. Three or four years down the track, the political pain of that will have gone, and we will see an enormous problem for these organisations. Our policy is to always bring the CFS board back in any case.

I am concerned that there still was not enough communication with the rank and file volunteers, as hard as some people may have tried. Mark my words, there will be no savings as a result of this. If people thought that ESAU was bureaucratic, this becomes even more bureaucratic, but dangerously this gives the minister ultimate power over the board because it says in subclause (1), in relation to ministerial control, that 'the commission is subject to the control and direction of the minister.' That is a massive change for all the services, including the Metropolitan Fire Service.

This stuff is just being let run through, and it will be all right, and we will trust and have faith in people. You may have trust and faith in this government on this, but this government will not be in office, hopefully after March 2006, and no-one knows what the future holds once you have changed the legislation. You must have these concerns when you are looking at the long-term best interests of these services. These volunteers deserve the best possible protection that they can get, and so do the paid professionals, whether they are professional volunteers or paid professionals: they all need some protection. I want to see the autonomy of the MFS, the CFS and the SES maintained.

I put on the public record that many times when I was minister people from the bureaucracy tried to pressure me into doing away with, or downsizing, the SES. I had to fight against people who said that the SES had gone from being poor cousins to getting too much in their budgets, and that the CFS was not getting as much as the SES. It was amazing to experience the pressure that was put on me at times to try to look at how we could encourage the SES to come in with the CFS. That concerns me, because they play different roles. In certain sectors where the two brigades and the units are together (or it is one doing both, or they have got both

overalls that belong to them), that works. Overall, however, it will never work because there are different roles, there are different people commitments and there are different geographical and demographic requirements within the state that require us to keep the three services.

I would feel much more comfortable about this if Vince Monterola was to be the presiding member and the chief executive for the next 10 years, because that is how long you would need to have some stability and people knowing who was at the helm. They feel comfortable about the fact that Vince Monterola has done his best to try to negotiate between the government needs and what he knows in his heart and in his mind needs to be done for all sectors.

However, there had to be compromises to get to where this is now. I have confidence in Mr Monterola, Mr Lupton and Mr Ferguson, because I was privileged to appoint the three of them to their positions but they still, in the CFS case, had to come through the board with Euan Ferguson as an example. This all changes now, and what worries me with this is that you could get a situation in the future where the minister of the day (and it may not be this minister; he may have no idea of who he wants to put in to head things up, and where that CEO and presiding member could have power of veto over all the others) or the government could one day come up with a direction, or with a favour they might need to pay back to a union—whatever it might be—and appoint a certain person. And, whammo, you have got a situation where you see the demise of a culture within CFS, SES, and MFS which has stood proud for South Australia since their inception. They are delivering well, and could have continued to deliver well; they were growing where needed into providing better enhanced mutual aid support, with more commonality when it comes to capital works requirements, and so on.

I am sad to say that there are some people who have been hoodwinked over this. As I said, the government of the day, ultimately, has its fingerprints on this legislation, not the Liberal Party. We do not have our fingerprints on this and, if it all goes well, that will be good. I wish it well, but I do not believe that it will be okay in the future. It will be all right up until 2006, I can tell you that. After March 2006, this legislation could allow the services to go any which way. No one can argue against that, because the way that this legislation is drafted (and I have had a close look at this; I kept very quiet when I was shadow minister because I did not want it to be said that I was being political on the matter), I know that this is not a good day, long-term, for these emergency services. However, if the CFS board goes back, you can rest assured that the opposition will support this.

I challenge the government to say why the CFS board should not stay there to protect the organisation. In my final minute, I flag and foreshadow therefore to the minister and the government that I will be moving two further amendments in committee that will protect and guarantee the autonomy and security of both the Country Fire Service and the State Emergency Service.

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

**MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) (OVERSEAS TRAVEL) AMENDMENT BILL**

Received from the Legislative Council and read a first time.

**ADJOURNMENT DEBATE**

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

That the house do now adjourn.

**Mr SCALZI (Hartley):** I wish to bring to the attention of the house an important matter regarding an excellent organisation, Trees for Life. Members might have seen in *The Advertiser* of Saturday 26 June an article headed 'Trees for Life in a fight for its identity', which states:

The SA-based organisation is a revegetation support group and also offers seedlings for milestone events. It works with landholders across the state to promote revegetation and to protect bushland. Members grow and supply about 1.5 million native seedlings to rural landowners each year.

Trees for Life is having difficulties in New South Wales, where a private for-profit organisation is trying to use the name Trees for Life. The best way to outline the problem is by referring to a letter dated 15 June from Trees for Life, which I received as a member and a supporter on 17 June. It states:

Dear Supporter

As you may be aware, a company in NSW has started trading under the name Trees for Life. Trees for Life Pacific Pty Ltd, trading as Trees for Life, is a private For Profit company selling and planting seedlings to mark significant life events at a cost of \$68.20 per seedling. This is very similar to both our Gift of Trees (whereby \$25 sponsors the planting of 50 seedlings) and our Memory Trees (whereby Alfred James plant a seedling in memory of a person who has passed away).

Trees for Life Pacific Pty Ltd has also applied to register the trademark 'Trees for Life' which means we could lose the right to use our name; we are contesting that application. Understandably, we are very concerned that their use of our name will impact on our reputation and the goodwill we have worked hard to establish over the past 22 years. We have already received queries from our members, concerned and confused about which organisation is which. To strengthen our case in contesting this application, we hope you will consider writing a letter of support for us.

Unfortunately, that letter had to be sent by 28 June, but I am sure that, if members want to support Trees for Life now, they would still be able to help their case to retain the name. So, I encourage members to do so. The letter continues:

Previous rulings in similar cases indicate that we have a good chance of succeeding if we can establish that confusion may arise as a result of the substantial similarities between the applied for trademark of Trees for Life Pacific Pty Ltd and the well-known and long established mark of Trees for Life Inc. There is a real risk of confusion over the source of the products and services being offered, which is increased by the similarity of the nature of the products and services offered by the two organisations. Time is of the essence as we need to have all supporting documentation ready by the end of June. Thank you for considering this request and for your continued support.

The letter is signed by David Mitchell, President, Trees for Life. I urge members to support Trees for Life. Trees for Life initially had an office on South Terrace, but until December 1999 it was located at Brookway Park, which, as members would be aware, is now known as Lochiel Park. I have been a member of Trees for Life since January 1994, before it moved to its current premises at 5 Fitzgerald Road, Pasadena in 1999, and I have seen first-hand what Trees for Life does. It provides native seedlings which are nurtured by volunteers. As explained in the letter, these seedlings are sent to various organisations and they do excellent work.

It would be a pity if this private organisation were to adopt the name and make a profit out of something which has been so successful in South Australia and which has done so much

for the environment. I urge all members to do what they can to support Trees for Life because of the excellent work it does. They need our support now that they face this unjustified attack. I am sure that if it were the other way around, and a community organisation with thousands of volunteers were to take up a trade mark of a private company, even if it was not for profit, the private companies would bring in their best lawyers and make sure that it was not done. This is something in which we should all have an interest if we care about the environment and about revegetation.

I know of the excellent work that Trees for Life did in collecting seedlings from specific areas so that we have the best chance of revegetating the species specific to those areas in which the seeds were collected. Volunteers have been involved, and a wide range of private organisations have supported this great organisation, Trees for Life, as outlined in the letter about trees that are planted in people's memory. I urge all members to support this worthwhile cause: Trees for Life.

**Mrs GERAGHTY (Torrens):** I will be very brief, but will follow on from the member for Hartley. I, too, support his call for members to make contact with Trees for Life and support it in its cause. It is an exceptionally worthy group. Thousands of people around South Australia work with Trees for Life. My husband and I and our children have planted many trees for Trees for Life over the years—possibly up to 5 000. We are now assisting one of our sons to plant the seeds in the little black tubes, which is an incredibly time-consuming job until you get the hang of it and unless

somebody gives you a little tool, which is very helpful. We have tended the trees that we have grown from seed and planted them, and they have made an incredible difference to a property which we have and which was completely denuded over the years by people who used it for grazing land. We are now in the process of planting all these trees and getting back lots of native birds. None of that would have happened had it not been for Trees for Life. They are an absolutely wonderful organisation.

**Mr Scalzi:** They use recycled paper.

**Mrs GERAGHTY:** Yes, and they have fundraising activities in which we participate. They do an exceptional job for our environment and for children because they encourage them to become environmentally aware, and to take care of our native vegetation and our bird life because we know that it relies on the trees planted for protection and for their nests so that they can tend their young safely.

I certainly support what the member for Hartley has said and commend him for bringing the matter to the house. I was not aware of it until he spoke, and my family certainly will take his advice and make contact with Trees for Life to support it.

Motion carried.

At 4.57 p.m. the house adjourned until Monday 19 July at 2 p.m.

#### *Corrigenda*

Page 223, column 1, line 46—For '\$122 million' read '\$1.22 million'.

## HOUSE OF ASSEMBLY

Thursday 24 June 2004

### QUESTIONS ON NOTICE

#### TRANSIT POLICE

238. **The Hon. G.M. GUNN:** How many Police Transit Officers were on duty at Port Augusta on 1 February for the arrival of the Ghan, who was the officer-in-charge, what instructions were given and why were they overly assertive when dealing with members of the public?

**The Hon. K.O. FOLEY:** The Commissioner of Police has advised that there were 10 Transit Police Officers on duty at the Port Augusta Railway Station on 1 February 2004, to provide security and crowd control during the Ghan Train arrival. They were under the command of Superintendent Wayne Bristow, Officer in Charge, Far North Local Service Area, who was the police Forward Commander for the event.

Instructions given to all personnel included specific directions relative to security and the admission of persons to the Railway Station and Platform area. Due to the presence of numerous VIPs, including the American Ambassador, security was required to be enforced to ensure the safety of those in attendance. The American Ambassador was provided with close personal protection during the event. As part of the security arrangements, only persons issued with and wearing authorised approved passes were permitted entry into the railway station and onto the platform area. Police officers were briefed that there were to be no exceptions to this rule, to ensure security was not breached.

Police officers were further instructed that a failure to enforce the security arrangements, would be a major breach of the security arrangements and could result in disciplinary action. Failure to enforce security could have resulted in a major incident, leading to embarrassment for both the South Australian and Australian Governments and the exposure of people to serious risk.

The honourable Graham Gunn attended the Railway Station, but did not have the approved security pass and was therefore refused entry to the platform area. This refusal was in accordance with instructions given to police and in accordance with security arrangements in place.

#### GOVERNMENT LEASES

253. **The Hon. M.R. BUCKBY:** How many times has the Committee examining Government leases met, how many leases and outsourcing contracts have been examined and which contracts will not be renewed?

**The Hon. P.L. WHITE:** The Attorney-General has provided this advice:

The Contract Review Cabinet Committee has met five times:

- 13 June 2002
- 24 February 2003
- 17 September 2003
- 3 November 2003
- 12 February 2004

So far two reports have been presented to the Committee. Two more are in the final stages.

The decisions as to which contracts will not be renewed have not yet been made.

#### SAND MANAGEMENT

279. **Dr McFETRIDGE:**

1. What is the total tonnage of sand carted to and from South Australian metropolitan beaches since 1973?
2. For each year since 1973:
  - (a) How much sand was carted between these beaches by the Department of Transport and local councils and in each instance, how much sand was carted, where was the sand transferred to and from, who was the carter and what were the associated costs?
  - (b) How much dredged sand was used by the Department and local councils to replenish these beaches and in each instance,

which beaches were replenished and what were the associated costs?

- (c) How much land based sand was transported by the Department and local councils to replenish these beaches and what were the associated costs?
  - (d) What was the Department's annual recurrent budget and expenditure to undertake sand-bypassing at the Glenelg and West Beach harbours?
  - (e) What were the details and associated costs of each sand management project undertaken by the Department?
3. What was the actual or estimated cost of periodic sand carting from the harbour to the dunes at West Beach and the removal of sand from the northern end of Glenelg beach to south of the channel breakwater, respectively, in each year since 1994?
4. What are the anticipated costs and details of any future plan to replenish metropolitan beach sand with dredged and land based sand, respectively?

**The Hon. J.D. HILL:** I am advised that the member was briefed by Department for Environment and Heritage officers on this issue, and was satisfied that the questions had been answered in sufficient detail.

#### PATAWALONGA

281. **Dr McFETRIDGE:** What costs are associated with silt from the Patawalonga Lake clean up being stored on Adelaide Airport land at West Beach and when will it be removed?

**The Hon. M.J. WRIGHT:** Silt material dredged from the Patawalonga and Glenelg harbor is stockpiled at the corner of West Beach and Tapleys Hill Road, West Beach. The material is stored on land under the control of Adelaide Airport Limited (AAL) and AAL has been very cooperative in accommodating the stockpiles at no cost.

The Office for Infrastructure Development is currently discussing the removal and reuse of the material with two parties who have expressed interest in using it to support rehabilitation programs for other sites. The aim is to have the silt material removed by the end of 2004.

#### SAND MANAGEMENT

300. **Dr McFETRIDGE:**

1. For each year since 1973:
  - (a) What Departmental resources have been allocated to sand management projects other than sand carting and dredging; and
  - (b) What was the Department's annual recurrent budget and expenditure to sand manage the Adelaide metropolitan area?
2. What efforts has the Department undertaken to locate suitable replenishment offshore and onshore sand?

**The Hon. J.D. HILL:** I am advised that the member was briefed by Department for Environment and Heritage Officers on this issue, and was satisfied that the questions had been answered in sufficient detail.

301. **Dr McFETRIDGE:** For each year since 1973:

- (a) What Departmental resources have been allocated to sand management projects other than sand carting and dredging; and
- (b) What was the Department's annual expenditure towards Adelaide metropolitan beaches coastal management and revegetation, respectively?

**The Hon. J.D. HILL:** I am advised that the member was briefed by Department for Environment and Heritage Officers on this issue, and was satisfied that the questions had been answered in sufficient detail.

#### GULF ST. VINCENT

302. **Dr McFETRIDGE:**

1. What are the details of any inquiry into seagrass and sediment dynamics in the Gulf of St Vincent?
2. What staff is allocated to monitor beach profiles and near-shore surveys?
3. What are the details of any inquiry into near-shore deepening along the Adelaide coastline?
4. What initiatives have been implemented by the Coastal Protection Board in each since 1999-2000?

**The Hon. J.D. HILL:** I am advised that the member was briefed by Department for Environment and Heritage Officers on this issue, and was satisfied that the questions had been answered in sufficient detail.

#### ELECTRICITY, KANGAROO ISLAND

309. **Mr HAMILTON-SMITH:** How will the proposed electrical infrastructure upgrade on Kangaroo Island be funded?

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

The Essential Services Commission is proposing a change to the Distribution code for Kangaroo Island that will enable the Commission to assess Kangaroo Island service standards in isolation to the rest of South Australia. This is seen as necessary because of the recognised unsatisfactory service being experienced by Kangaroo Island residents.

As the new service standards under the Distribution Code will be applied during a regulatory period, ETSA Utilities will be able to pass on any necessary costs incurred in meeting the Code to all consumers across the State. For example, a capital project costing \$5 million required to meet the new standard would lead to an increase in network charges able to be levied by ETSA Utilities in the order of 0.1 per cent. However until the details of the new Code are known, and measures to reach the new standards are assessed, no firm costs can be given.

To minimise the costs to electricity consumers Statewide, the Government is providing an injection of \$2 million into the project. This \$2 million is a reallocation of unused funds from the Department for Business, Manufacturing and Trade's, 2002-03 Regional Development Infrastructure Fund, currently held by Treasury.

The Government through OFID and ESCOSA, in conjunction with the Kangaroo Island Council and Kangaroo Island Development Board, will ensure the work undertaken is the most efficient in improving the reliability of the electricity supply to Kangaroo Island customers while minimising the impact on consumers across that State.

#### McLEOD'S DAUGHTERS

320. **Mr HAMILTON-SMITH:** Will the \$1 million Government commitment to ensure that the television drama *McLeod's Daughters* will continue being filmed in South Australia be funded from the existing Arts Budget and if not, from where, and is this financial commitment consistent with the Government's industry assistance criteria?

**The Hon. M.D. RANN:** I have been advised:

In April this year, I endorsed the decision of the Board of the SA Film Corporation to provide funds totalling \$1 026 000 from its existing Production Investment Fund for Series 5 of the television drama series *McLeod's Daughters*.

The SA Film Corporation's Production Investment Fund is used to attract film production activity to the state.

*McLeod's Daughters* has established a fine reputation as the top rating Australian drama on free to air television, and has been sold internationally. It reaches a regular estimated audience of more than 65 million people in 104 countries including the United Kingdom, New Zealand and many Asian countries.

The SA Film Corporation estimates that more than 60 percent of the total \$20 million production budget for the 38 episodes of Series 5 will be spent in South Australia.

Since there will be almost a full year of filming for this television drama series, this represents an important opportunity to secure and maintain substantial activity in the film industry sector in South Australia.

Previous series of this production have to date generated more than \$30 million in economic benefits to the State, in addition to providing considerable tourism spin-offs, since it showcases some of the most beautiful countryside in our State to the world.

The Economic Development Board identified film as a strategic priority for South Australia, and the State Government therefore supports the decision of the SA Film Corporation to invest in the fifth series of *McLeod's Daughters*.

#### HOUSING TRUST, RAINWATER TANKS

327. **Mr BRINDAL:** When will the program to install rainwater tanks in South Australian Housing Trust properties commence?

**The Hon. J.W. WEATHERILL:** In response to the State's first 'Thinker in Residence', Herbert Girardet and recommendations

contained in the draft strategy 'Water Proofing Adelaide', the Premier has made a commitment to the introduction of a range of sustainability initiatives including the introduction of mandatory plumbed rainwater tanks on all new homes from July 2006.

The South Australian Housing Trust (SAHT) will therefore require plumbed rainwater tanks in all its new homes consistent with Government requirements from July 2006.

Specifications for the type, size and configuration of rainwater tanks have yet to be determined, however the SAHT is investigating the most efficient and cost effective options for different house types and housing configurations associated with the construction of new public housing.

Accordingly, the SAHT has included plumbed rainwater tanks in its design requirements and guidelines for the Gilles Plains Urban Renewal Project where 200 houses in total (including 67 SAHT houses) will be fitted with plumbed rainwater tanks.

It is intended that future implementation practices of the SAHT will be guided by the outcomes of the pilot project at Gilles Plains and be in accordance with Government requirements from July 2006.

#### GOVERNMENT HOUSE, FOOD AND CATERING

329. **Mr HAMILTON-SMITH:**

1. What are the details of the tendering process for food and catering services at Government House and when does this occur?

2. How many major contracts for food and catering services have been posted on the Government's SA Tenders & Contracts website since March 2002?

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

1. I am advised that catering at Government House is provided in-house by the Governor's employees and food provisions are sourced by staff on an as required basis from local supermarkets/retailers. There is no tender process undertaken for the supply of provisions due to the low volumes and variable nature of requirements. When events are staged in the grounds of Government House, food and catering arrangements are made independently by the event organisers.

2. Two contracts related to food and catering have been posted on the website in accordance with the Government's contract disclosure requirements during that time.

#### BRESAGEN LTD, LEASE

331. **Mr HAMILTON-SMITH:** Why did the Government not renegotiate the terms of Bresagen's lease at Thebarton and what is the Government's financial risk resulting from Bresagen being placed into administration?

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

The administrator (Ferrier Hodgson) of BresaGen Ltd was appointed on 20 January 2004. After assessing the business situation Ferrier Hodgson decided to call for expressions of interest to take over the business of BresaGen or purchase individual assets.

A number of expressions of interest were received. None of the firms inquiring were prepared to buy out the BresaGen Deferred Purchase Agreement. Only one firm, Cbio, was prepared to take over the Deferred Purchase Agreement on the same terms and conditions as BresaGen. After considering all of the options the administrator decided to recommend to the creditors the Cbio proposal. The creditors of the company supported this recommendation at their meeting on 3 May 2004.

It is anticipated that under CBIO proposal all of the creditors including the Government will be paid in full, the majority of the staff will be retained and the company will be handed back to the shareholders and re-listed on the stock exchange by July 2004. The scheme has yet to be approved by shareholders at a meeting to be held soon.

#### CONSUMER REGULATIONS

365. **Dr McFETRIDGE:**

1. Have there been any recent changes to consumer contracts, guarantees, notices and labelling regulations and if so, what are the details and implications of these changes?

2. Have there been any recent changes to standards and codes relevant to product safety and if so, what are the details and implications of these changes?

3. What changes have occurred over the last three years to the testing of potentially hazardous products and the ability to ban, recall or identify faulty or dangerous goods, appliances or substances?

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

1. The Land and Business (Sale and Conveyancing) Regulations have been amended several times in the past three years to ensure that the disclosure notices given by owners to buyers of properties are adequate.

The Government has announced its intention to carry out recommendations of recent reviews of the regulation of the real estate trade in this State. These changes will include changes to the sales agency agreements entered into between agents and their vendor clients, including requirements to state the agent's estimate of the selling price of the property, details of services to be provided by the agent and the charges payable for those services and to disclose the nature, source and amount of any commission, rebate or discount expected to be received by the agent for services provided by the agent.

Consumer protection terms that are implied into general consumer contracts are enshrined in the Consumer Transactions Act, 1972. The goods and services covered by that Act were extended to include hair-dressing last year. A national working party has been established to investigate options to deal with unfair terms in consumer contracts. In recent times standard form contracts have become the focus of allegations of unfairness. These contracts:

- are impractical for consumers to read before signing owing to lengthy legalistic wording;
- are difficult to understand, and

It is unlikely that the supplier would be prepared to alter the contract.

The working party has produced a discussion paper that aims to elicit feedback from consumers and business about the need for regulation of unfair contract terms. The discussion paper examines ways of dealing with unfair terms in contracts. The submissions received from the public consultation are being analysed by the project's lead state, Queensland.

There have been recent amendments to the Consumer Credit (South Australia) Code and Regulations. They have been amended to bring pay-day lenders within the scope of the Credit Code and its requirements on credit contracts. Requirements for credit providers to disclose comparison rates (i.e. interest rates incorporating fees) in advertising and credit contracts have recently been introduced.

In May, 2003, a discussion paper was released seeking the public's views on a proposal to introduce cooling-off periods for the sale of used cars. A Bill containing this proposal will shortly be introduced into Parliament.

I have initiated a review of the Residential Tenancies Act, 1995. Under consideration are changes to the contractual terms about:

- The minimum age at which a person can enter into a tenancy agreement
- The requirements about the exchange of personal contact details between landlords and tenants
- An agent's authority to approve urgent repairs to a property
- The landlord's right of entry to the property, and
- The subletting and assignment and termination provisions.

There are no new labelling requirements for product safety. The Trade Standards Act has several information standards, none of which has required change in recent times. In March of this year I met Ministers of Consumer Affairs from all States and agreed that product safety would be treated as a consumer affairs priority. As a result, South Australia is participating in a national project to harmonise product safety laws with a view to ensuring that dangerous products are regulated similarly across the country. Last year Fair Trading agencies across Australia agreed to set up a confidential rapid-alert web-based information system to ensure that descriptions of goods suspected of being dangerous were communicated immediately throughout the regulatory realm. South Australia has been active in establishing and promoting this system.

I expect that a discussion paper on the review of Australian product safety laws will be published very soon.

2. There have been various alterations to Australian information and product safety standards introduced recently.

- Vehicle Jacks

The Commonwealth has modified its regulations to allow for hi-lift jacks, used by 4wd owners, to be covered by a newly revised Australian Standard. There are no major changes from the existing 1993 Standard.

- Sunglasses

An updated Australian Standard will be taking effect from next year. The current Information Standard exists concurrently alongside new one. Standards Australia developed the new standard to align Australia with international requirements for sunglasses. The same performance criteria on ultra violet radiation protection is continued in this standard.

- Bunk Beds

Changes have been made to the Australian Standard for Bunk Beds, offering improved protection for consumers. The main aim of the standard is to provide protection for children using bunk beds. This occurs by reducing entrapment areas on the bunk beds and by providing labelling for parents.

- Toy Standard

The Commonwealth Government has introduced a new mandatory requirement for children's toys designed for children aged three years and younger, to protect them from small parts being inhaled or ingested. This is based on the new International /Australian Standard. The requirements are the same as existing safety standards for small parts in toys.

The Office of Consumer and Business Affairs is assessing two regulations introduced by New South Wales, namely the requirement for blind cords to be labelled, and for candles to be marked with warning labels.

We do not expect these changes to have any significant impact on South Australia businesses, as many of the products on sale here already comply with these requirements. Companies tend to develop their products against the strictest requirements found in Australia.

3. There have been no significant changes in the way that the Office of Consumer and Business Affairs (OCBA) conducts its testing program for consumer products in recent times.

OCBA has an active monitoring campaign throughout the year, but with a heightened focus on peak trading periods such as Christmas and Easter, events such as the Royal Adelaide Show and a range of regulated products tested at various times.

The ability of OCBA to be able to conduct meaningful and practical testing has led to South Australia having had a number of faulty and substandard products recalled from the Australian marketplace. On advice from the Commissioner, I have banned some consumer items from sale, in circumstances where no other action was appropriate to protect consumers.

South Australia has led the reintroduction of the Alleged Hazardous Products System by Australia Product Safety authorities. This allows any authority to make other jurisdictions aware of emerging issues.

The Office of Consumer and Business Affairs has monthly teleconferences with Australian product safety authorities.

#### LICENSED PREMISES

371. **Dr McFETRIDGE:** In each year since 1999:

1. How many licensed premises were there in South Australia, Metropolitan Adelaide and the Central Business District, respectively?

2. How many Safety Aware Venues operated in licensed premises?

3. How many noise complaints and neighbourhood disturbances were recorded against licensed premises and how were they resolved?

**The Hon. M.J. ATKINSON:** The Attorney-General has received this advice:

This table provides details of the distribution of licensed premises since 1999.

	City licences	Metro licences	Country licences	Total
In the year 2004	413	1730	2479	4622
In the year 2003	394	1657	2355	4406
In the Year 2002	373	1568	2212	4153
In the Year 2001	358	1486	2119	3963
In the Year 2000	336	1416	2016	3768
In the Year 1999	316	1348	1918	3582

Of the 96 noise complaints received during this six year period, 24 were successfully conciliated, eight were withdrawn, five were dismissed by the Licensing Court, six were dismissed by the Commissioner, 10 were resolved by the Licensing Court with conditions imposed, seven were resolved by the Commissioner with conditions imposed, four did not proceed as the licensee had left the premises, one has been adjourned by the Licensing Court, 22 have been adjourned by the Commissioner, eight are currently unresolved and one complaint is yet to be dealt with.

Although there is no formal 'Safety Aware Venues' program, licensees have a responsibility to maintain licensed premises in a satisfactory condition so as not to endanger the safety, health or welfare of patrons. Failure to do so may result in disciplinary action being taken against the licensee by the Liquor and Gambling Commissioner

Licensees are also bound by the mandatory Code of Practice under the Liquor Licensing Act 1997 requiring them to engage in practices that minimise the harmful and hazardous use of liquor and to promote responsible attitudes to the promotion, sale, supply and consumption of liquor.

#### KANGAROO ISLAND EDUCATION MODEL

380. **Ms CHAPMAN:** Is a reduction in the total number of classes proposed under the new 'Kangaroo Island Education' schooling model and if so, will this be the subject of a review under s14A of the Education Act 1972?

**The Hon. J.D. LOMAX-SMITH:** There is no proposal to reduce the number of classes as a result of the new 'Kangaroo Island Education' model.

Kangaroo Island Education will be funded as it would have been had the schools remained separate.

#### SCHOOLS, PARAFIELD GARDENS HIGH

387. **Ms CHAPMAN:** What disciplinary action has been taken in relation to the incidents at the Parafield Gardens High School on 13 and 20 November 2003 and has anyone been prosecuted?

**The Hon. J.D. LOMAX-SMITH:** As a result of two incidents that occurred near Parafield Gardens High School on 13 and 20 November 2003, a police investigation occurred. No prosecutions occurred.

Parafield Gardens High School excluded one student for the remainder of the school year and suspended a number of others in relation to these incidents. The excluded and suspended students were counselled and student development plans negotiated with them and their families.

#### HOSPITALS, GLENSIDE

391. **Ms CHAPMAN:** Has the patient who absconded from Glenside Hospital on 14 December 2003 been located and if not, are police still pursuing this matter?

**The Hon. L. STEVENS:** The patient who absconded on 14 December 2003 has not returned to Glenside Campus, and Glenside are not aware of any subsequent contact between him and any other mental health facility.

The detention order made under the Mental Health Act 1993 for this person expired at midnight on 3 January 2004, which placed him onto a voluntary status. SAPOL were advised of this. He is no longer listed with them as a missing person, but it is understood that he is listed for other warrants and charges, and so police are still involved.

#### CONSUMER REPRESENTATIVES

396. **Dr McFETRIDGE:** In each year since 2000, which government tribunals, committees and advisory forums included consumer representatives as members and in each case, what are their names and the organisation they represent and who else is represented on these bodies?

**The Hon. M.J. ATKINSON:** The Minister for Consumer Affairs has received this advice:

Consumer assessors are appointed to the Magistrates and District Courts.

Assessors are appointed under legislation requiring the licensing or registration of occupations. Assessors are appointed to represent the interests of specific industry bodies or consumers.

Industry assessors are nominated by particular industries for their expertise within that industry and are appointed by the Minister for Consumer Affairs. Assessors can be called by the Court to sit with the magistrate or the judge hearing a matter and provide information about the particular industry they represent. The Minister appoints a separate panel of industry assessors for each specific industry, such as, building, plumbing, electricians, security or travel.

The Minister for Consumer Affairs also appoints a panel of consumer assessors to represent the interests of consumers for each jurisdiction. However, the same panel of consumer assessors is common to all jurisdictions.

Consumer assessors may be called to sit with the magistrate or judge to provide information and give a consumer perspective in a matter before the Court. Consumer assessors are selected for appointment by the Minister for their understanding of consumer topics or for their advocacy in consumer matters.

Unlike industry assessors, consumer assessors are selected to represent the interests of all consumers and do not represent the interests of a particular consumer body or organisation.

In each year since 2000 the consumer assessors have been:

- Marjorie Hewitt
- Jean Carin Hutchinson
- Janet Maughan
- Margaret Steuart; and
- Ian McDonald.

#### NATIONAL WINE CENTRE

403. **Mr HAMILTON-SMITH:**

1. When will the Ferrier Hodgson Report into the National Wine Centre dated 16 October 2002 be released?

2. Will the minutes or records of the 'numerous discussions and meetings' between the Treasurer, his staff and Ferrier Hodgson subsequent to the issues of the report, dated 31 October 2002 be released?

3. What reports from Ferrier Hodgson to the Treasurer on the National Wine Centre are there, other than those dated 16 October 2002, 31 October 2002 and 10 February 2003?

**The Hon. K.O. FOLEY:** Mr Hamilton-Smith has recently sought documents regarding the National Wine Centre via a Freedom of Information request.

I am advised that the documents sought by Mr Hamilton-Smith are currently subject to discovery under the Freedom of Information Act.