HOUSE OF ASSEMBLY

Thursday 23 September 2004

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

AUSTRALIAN CITIZENSHIP DAY

Mrs HALL (Morialta): I move:

> That this house notes the importance of Australian Citizenship Day on 17 September and supports the initiative of the Hon. Gary Hardgrave, the federal Minister for Citizenship and Multicultural Affairs, to provide and encourage more than 72 000 eligible South Australians to take up full Australian citizenship.

I quote from an information pack prepared by Multicultural Australia called 'United through Diversity' as follows:

> Australian multiculturalism means that as a nation we recognise, accept, respect and celebrate our cultural diversity. It is about and for all Australians and embraces the heritage of Indigenous Australians, early European settlement, our Australian-grown customs and those of the diverse range of migrants now coming to this country.

I have no doubt that each member of this chamber would possibly have a different perspective and probably would define it with a different set of words. But multiculturalism and Australian citizenship have combined to make Australia the dynamic nation that we enjoy today.

We rightly claim that our nation is one of the most successful multicultural countries in the world, and we make that claim with great pride. A historical snapshot shows that more than 6 million immigrants from some 200 countries have made Australia their home since 1945. Nearly one in four Australians were born overseas; approximately 18 per cent of Australians born here had at least one parent born overseas, and there are more than 200 languages other than English that are spoken throughout Australia. The decision to formalise an Australian Citizenship Day on 17 September was made in 2001 and, since that time, special celebrations and activities to mark the importance of the day take place across our nation. Members of this chamber participate in and welcome people at citizenship ceremonies throughout the year and each of them, I have no doubt, is quite different.

The electorate of Morialta, for example, embraces three local council areas—Adelaide Hills, Burnside and Campbelltown—and each of these traditionally conducts citizenship ceremonies on Australia Day, complete with the good Aussie barbecue and pretty interesting and diverse entertainment. All councils also hold additional ceremonies throughout the entire year. This year the Adelaide Hills council had a very special ceremony on the actual day—17 September. The ceremony was relatively informal, friendly and particularly significant for some as it commenced at exactly the same time as Port Power kicked off at AAMI Stadium in the preliminary final. Speeches were therefore kept to a minimum and there was a shortness of time. However, we did have the speeches, the meaning and the rights and responsibilities of Australian citizenship. We had the oaths, the affirmations and the presentation of personalised certificates; and detailed information packs on the value of citizenship were distributed to those recipients.

There were some 25 new citizens. They came from a diverse group of countries, ranging from England, South Africa and India. The Burnside council, apart from its traditional Aussie barbecue on Australia Day, holds a more formal ceremony, often for more than 60 new citizens from a different range of countries from those in the Adelaide Hills. That ceremony includes people from Asia, India, Sri Lanka, Central Europe, the Middle East, New Zealand and the United States; but, quite often (and I know that other members would find this), it includes individuals who have lived in Australia for more than 30 or 40 years but who have now decided that the time is right to become official Aussies.

The Campbelltown council's citizenship ceremony is always different, because there is always a large and diverse range of new citizens from numerous countries. Its Australia Day ceremony is particularly impressive. The commencement of the ceremony is marked with a presentation of flags from each nation of origin. The flags are ushered in and presented to the lady mayoress. Obviously, we start by singing the national anthem. This flag ceremony not only provides colour but also causes all of us to reflect on the nations from which these new citizens have come. Often some of the stories are sad and often some of them are just magnificent.

The range of countries of origin always surprises, particularly at the Campbelltown ceremonies. Often people come from Italy, El Salvador, Guatemala, Sri Lanka, India, the Middle East, many parts of Africa, the Americas, a range of African nations and a very diverse range of Asian nations. At that ceremony this year 51 nations were represented. Mayor Steve Woodcock dresses in his colourful mayoral robes and always encourages photographs. I must say that those new citizens of Australia always seem to take advantage of that opportunity.

One similarity, though, across all these ceremonies is the pride and enjoyment of not only our new citizens but also their families and friends who never cease to be amazed at the symbolism and importance of the occasion for so many people. There is always talk of what it means to be an Australian, talk about our freedom of speech and religion, our stable democracy, our space, the colour of our sky, our easy relaxed lifestyle, our acceptance and respect for the rights of individuals and, in particular, the common theme of how lucky we are to share in the prosperity, the potential and the opportunities provided in the 'land down under'.

From a personal perspective, I look forward to the day when more members from a multicultural background are elected to take their place in this and other parliaments throughout Australia. We have heard these sentiments expressed on a number of occasions but, thus far, that percentage does not seem to increase dramatically. I believe that it would be very important for this parliament, because there is no question that people from a multicultural background bring a different perspective—often based on personal experience—to any environment in which they participate.

The issue that I find important and equally surprising (and many people do when it is raised with them) is the extraordinarily high number of eligible South Australians who have not yet taken up their right to become full Australian citizens, and it is in this regard that I want to thank and congratulate the Hon. Gary Hardgrave, the federal Minister for Citizenship and Multicultural Affairs, who has so enthusiastically and passionately promoted the case for taking up full citizenship. The breakdown of figures shows that more than 72 000 South Australians could become official Aussies. Not surprisingly, there are more than 41 000 from the United Kingdom. However, the listing of the top 10 birth places of those eligible includes: from Italy 5 904; from New Zealand 5 895; from Germany 2 207; from the Netherlands 1 528; from Malaysia 1 464; from Ireland 1 116; from the United States 1 067; from other north-western European nations 830; from

India 710; and 'other' is listed as 10 026. I believe that members in this chamber would probably be very surprised if we looked at the composition of that 'other'. I suspect that they are from Africa, South America, Central America and new parts of Asia.

There is no doubt that each of us would define differently why we are proud of our Australian citizenship and why our successful migration programs, supported by governments of all persuasions over many decades, have played such a vital role in the growth and development of this state and our nation. The influence of these migration programs and the people involved in them has been very important in moulding the character and providing the catalyst for a distinctive Aussie character. We only need think about the skills; the expertise; the energy; the business and entrepreneurial qualities; the trade opportunities; the sporting prowess; the culinary diversity; the multicultural festivals, which are now such a significant part of mainstream Australian celebrations which we all enjoy during Chinese New Year, Glendi and Carnevale, to mention just three in particular; our own state's history and the importance that the migration programs have played; and the early pioneers of our now internationally acclaimed wine and food industry, which is so often paraded with pride.

History records the importance of our humanitarian program for refugees. When reading about some of the background for this motion, I was interested to discover that it commenced in 1947, when 843 Latvians, Lithuanians and Estonians arrived in Australia, unable to return to their homeland following the devastation of World War II. Each decade since has seen Australia welcome people from Europe, Asia, the Americas, the Middle East and Africa. Again, I refer to constituents within my own electorate of Morialta, where a language other than English is spoken in nearly 30 per cent of the homes. You only have to move around the electorate of Morialta to note the extraordinarily diverse multicultural people and the way in which they participate in our local community activities.

We have so much to be proud of and to celebrate in this state and our country. We have an extraordinary diversity of language, culture and people, along with all the other advantages that accompany the rights and responsibilities enjoyed with our Australian citizenship. I urge members to support the motion.

Mr SCALZI (Hartley): I also rise to support this very important motion to celebrate Australian citizenship on 17 September. I commend the member for Morialta for moving this motion in the house. I also commend the Hon. Gary Hargrave, the federal Minister for Citizenship and Multicultural Affairs, whom I met a few weeks ago. I know of his enthusiasm and his commitment to citizenship, to encourage the 72 000 eligible South Australians to take up full citizenship and be part of the great Australian family. Members would be aware of my continuous support for citizenship. I believe that the celebration of Australian citizenship is one of the most important things that should be promoted in our society. As the member for Morialta has outlined, all members attend citizenship ceremonies. I particularly make a point of attending all the ones I can—and I thank members on both sides for their understanding when, at times, I have been given a pair to enable me to attend citizenship ceremonies—because I think it is one of the most important roles of a member of parliament to congratulate and celebrate people making that ultimate commitment to Australia.

The citizenship ceremonies of the Norwood Payneham and St Peters council in my area, the Burnside council and the Campbelltown council, I believe, are excellent. The councils and the mayors should be commended and congratulated for the importance they place on those citizenship ceremonies. Often young people and schools are involved as part of the ceremony, and it is very much appreciated. The last citizenship ceremony in Burnside had the new citizens giving a short speech on why they felt it was so important to become an Australian citizen. It is a pity that the local paper, the Messenger Press, does not report citizenship ceremonies. I certainly do, and in my last newsletter I made a list of the new citizens because I feel it is important that the community is aware of those who make that ultimate commitment. Much is said of multiculturalism, and multiculturalism is a great success story in Australia. We are very proud of our multicultural society, and it is supported by all political parties. As I said, it is a success story.

However, multiculturalism, as we know it and as we celebrate it, will not survive in the future unless we give equal attention to citizenship—the thing that binds us together as Australians. Unless we make an effort to encourage more permanent residents to become citizens, we will not succeed in the future because multiculturalism and citizenship are two sides of the one coin. To promote one without the other is to devalue us as Australians—and that is not often understood. It is the thing that binds us together as a people. Citizenship helps us to celebrate and embrace our diversity. In celebrating citizenship, you are saying that this is what Australia is all about, this is what it means to be an Australian citizen. It means that we accept diversity.

Australia and diversity are the same thing. When we celebrate citizenship and attend our ceremonies we are renewing, as it were, our vows to a commitment to multiculturalism. That is why it is important. In recent years permanent residents, who have not taken out citizenship, have seen the value of taking out citizenship when difficulties have arisen when they have gone back to their homeland. Some have not renewed their visa and have had to apply to join the migrant queue to come to Australia. Just because a person has lived here 20 or 30 years does not give them the rights of an Australian citizen. People are finding that out. There are important things to consider if you do not take out Australian citizenship.

I also believe that it is a pity that we do not celebrate young people turning 18, when they become eligible to vote as adult citizens. I believe governments should congratulate young people when they turn 18; 'Now you are a full citizen, you are able to vote and participate in our democratic process as a full citizen. You are not only able to participate but also contribute to our great democracy.' I welcome changes whereby there is a letter from the prime minister and the premier, and indeed a ceremony, for young people when they turn 18, to say, 'You are now a full citizen.' I think that would be a good thing, and it should be considered.

Members opposite will be aware of the importance that I place on citizenship, and for members of parliament to set an example. That is why in the past I have insisted that members of parliament in South Australia should have only Australian citizenship (as is the case at the federal level). I still believe that matter should be considered for the future. We cannot have a law in South Australia, when it comes to citizenship and the responsibilities of members of parliament, different

from what is expected at a federal level. It sends the wrong message. As I have said in the past, this would apply only to members of parliament, not the general community, as some members opposite suggest. I urge all members to support the importance of citizenship, which binds our society and supports multiculturalism.

Time expired.

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

That the debate be adjourned.

The house divided on the motion:

AYES (24)

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

NOES (19)

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

PAIR(S)

Weatherill, J. W.	Buckby, M. R.

Majority of 5 for the ayes.

Motion thus carried; debate adjourned.

OLYMPIC GAMES

Mr SNELLING (Playford): I move:

That this house congratulates the South Australian coaches and officials who represented Australia at the 2004 Athens Olympics and so magnificently supported our Olympic athletes.

The South Australian Sports Institute (SASI) was also strongly represented on the Olympic team by other coaches and officials. SASI women's soccer head coach, Kevin McCormack, was an assistant coach of the Matildas, the women's soccer team, which finished fifth. Local volleyball legend, Steve Tutton, was again head coach of the Olympic beach volleyball team that achieved fourth placings for both the top men's and women's pairs. SASI head volleyball coach, Craig Marshall, coached local Andrew Schaat and Josh Slack to a ninth place finish in the beach volleyball at the Athens games. SASI sports scientist, Tim Rawlins, also earned Olympic team selection to the beach volleyball team performing the role of games scout and video analyst. Pre-eminent local and Crows sports physician, Dr Brian Sando, returned for another Olympic sojourn as a team doctor to the highly successful swimming team.

I would now like to acknowledge and congratulate the coaches, officials, managers, assistants and medical staff who supported South Australia's athletes as part of the Athens 2004 Australian Olympic team. In relation to baseball, the officials were Tony Harris and David Nagy. For women's basketball, the coach was Jan Stirling, and the technical assistant, Chris Lucas. For canoeing, the coach was David Foureur. In the cycling, the head coach was Shayne Bannan; the coaches, Martin Barras and Ian McKenzie; medical doctor, Dr Peter Barnes; and manager, Michael Flynn. The officials for the equestrian team were James Dunn and Denis Golding. In the rowing, the coach was Adrian David, and the physiotherapist, Susan Everett; In the women's soccer, the assistant coach, Kevin McCormack; official, Dr James Illic; and manager, Berthy May. The officials for the softball were Sue Tomlinson and Neville Lawrance. In swimming, we had Glenn Beringen as a coach. In the beach volleyball, we had coaches Steve Tutton, Craig Marshall and Simon Naismith; manager, Adam Sachs; and performance analyst, Tim Rawlins.

In particular, I would like to offer thanks and congratulations to five key individuals who supported our athletes to an exceptionally high degree. First, Jan Stirling, the women's basketball coach. Jan Stirling is the coach of the Australian women's basketball team, the Opals. She was appointed two years ago. Jan was the coach of Adelaide Quit Lightning for over 10 years, during which time the team won four premierships. She is one of the most respected coaches in the Women's National Basketball League. She coached the Opals to a silver medal in Athens. Jan Stirling is a South Australian icon in women's basketball coaching, keeping the Adelaide Quit Lightning team as the most competitive in the competition over her 10-year reign.

Ian Mckenzie has been the SASI cycling coach for over 10 years, coaching numerous world junior champions over the past decade. He was appointed as the national track endurance coach three years ago. Ian coached the team pursuit team to world championship gold medals in 2002, 2003 and 2004. Ian also coached the pursuit team to a gold medal and world record at the Manchester 2002 Commonwealth Games. The team—with South Australia's Luke Roberts on board—broke the world record in the semifinal in Athens and easily took out the gold medal in the final. Ian also coached Stuart O'Grady, a former constituent of mine, and Graeme Brown to a gold medal in the track Madison event in Athens. National track coach, Martin Barras, praised Ian in Athens by stating, 'Not only is he the best track cycling coach in the world but he is the best coach in history.'

Adrian David, rowing coach, was appointed as the SASI head rowing coach in 1997, coming to Australia from Romania with excellent coaching credentials. Adrian was the coach of the Australian lightweight women's double in Athens. Adrian coached this team to world championship gold and silver medals in 2002 and 2003 respectively, and the team finished fourth in Athens. Adrian is the former national head coach of the Romanian Olympic rowing team for Atlanta in 1996. Dr Peter Barnes was the medical doctor for the cycling team. He has been a highly regarded South Australian Sports Institute doctor for over 10 years. Dr Barnes played a critical role as the doctor for the Australian cycling team in Athens—the most successful cycling team ever—where he was required to look after the road, track and mountain bike cyclists. Dr Barnes has now returned from that demanding role to continue his work with SASI athletes. Dr Barnes has also thrown himself back into work as the Port

Power Football Club team doctor and is getting the team ready for the grand final.

Finally, Ms Berthy May, the manager of the women's soccer team, typifies the many generous volunteers that we have in South Australia. Berthy's involvement in soccer began when her daughter started playing the game prior to her selection on the SASI women's soccer squad. Eager to contribute whenever possible, Berthy undertook managerial roles with the SASI squad as well as undertaking studies to qualify as sports trainer, assisting the girls on field with injuries during training and matches. With her exceptional managerial and organisational skills, along with her experience with the SASI teams, Berthy was asked to assist with the national program and was appointed team manager. To all the coaches, officials, managers, assistants and medical staff, you supported our athletes in the most competitive of events and have done yourself, your families, the South Australian team members and your state proud. Congratulations.

Dr McFETRIDGE (Morphett): I rise to support this motion. I am very delighted to stand in this place because of the proud history that South Australians and Australians have had in performing in the Olympics. I think that there was one tiny island that, if you work it out per head of population, actually beat Australia in its performance at the Athens Olympics. As a general rule, if we look at it per head of population, we were far ahead of any other country in the world. That is something to be proud of not only as South Australians but also as Australians. It is unique to Australia. We have a sporting history and this weekend we hope that there is another group of South Australians who will achieve a high degree of success.

The welcome home parade that was put on by the government and the City of Adelaide was something that I was happy to attend. I was a little concerned about some of the music that was being played at the start; in fact, I got a complaint about some of the obscenities in the lyrics. I ask the Premier to re-examine the music score for future similar occasions.

I attended a number of functions to raise money for the athletes prior to the Olympic Games commencing. Certainly, they do get a lot of money from both industry and the commonwealth government. However, the South Australian Olympic Council provides enormous support, and with its new Executive Director, Robyn Granger, that council is going ahead. I would like to thank some people who have contributed towards the success of our South Australian athletes, and I will name some of the companies. Hamilton Laboratories, which has its head office in Adelaide, is one of the major sponsors, and assistance was given by David Dart and Richard Blake.

Rob Gerard has been a terrific sponsor and supporter of many sporting organisations in South Australia. Of course, Rob was one of the people who attended a big fundraiser held by the Olympic council and who bought items at the silent auction. The Olympic council executive, especially David Prince, has been working very hard. These are the behind the scenes people who help make the athletes' training and participation a little easier by providing some extra funding. The Quarter Club, which comprises 95 South Australian businesses, assisted in fundraising for the Olympics. A bill is before this place which talks about penalising some of the sporting clubs.

We need to support in every possible way sporting clubs in this state. It is good to see businesses—95 companies in this case—supporting the Quarter Club, which supports our Olympic athletes. We must remember the Games Appeal Committee, which raises funds for our Olympic, Paralympic and Commonwealth Games athletes. Certainly, our paralympians are performing exceptionally well in Athens. One should never forget that they do start a little behind our able-bodied Olympians. They do not get the funding or the media coverage but, certainly, they are performing exceptionally well.

I want to mention two particular athletes. Brett Young of Young Marine Services gave up a lot of his time to go to Athens as a boat technician. I have met Brett a number of times, although I have not had the pleasure of sailing with him. He has participated in many Sydney to Hobart yacht races. Brett went to Athens to provide some wonderful technical support to our sailors. Certainly, the member for Kavel will say a lot more about his personal assistant, young Airlie, who went over to Athens to referee the soccer. She is a local girl who refereed two games of soccer. I spoke to her recently, and she did an absolutely fabulous job.

I will quickly run through some of the results that we achieved in Athens. Who can forget our gold medals in diving and cycling, as well as Sarah Ryan in the swimming? I also mention Brice Thomas and Adrian Burnside in baseball; Shane Kelly won a bronze medal in cycling; and Alicia Molik won a bronze medal in tennis. Tennis stars earn a lot of money playing on the circuit, but it is nice to see them give up their time to compete in the Olympic arena. Tracey Mosley competed in softball and won a silver medal, and Chantelle Newberry won gold in the 10 metre platform diving event and bronze in the three metre springboard event.

Chantelle's husband, Robert Newberry, won bronze in the 10 metre platform diving event and bronze in the three metre springboard event. It is fantastic to see such a young couple showcasing South Australia with their fantastic performances. Stuart O'Grady won gold in the madison. I do not understand quite how the madison works, but it is pretty exciting to watch. Stuart won gold and, obviously, his team has that event down pat. Mark Ormrod won silver in athletics. Who would have expected that our 4x400 metre men's relay team would win silver? No-one did, apart from the member for Davenport. Certainly, listening to Mark speak at the reception, they gave themselves a good chance, and they won a silver medal.

Luke Roberts won gold in the 4 000 metre team pursuit in cycling. Sarah Ryan won gold in the 4x100 metre freestyle event, which was a fantastic race. Grant Schubert won gold in hockey. Our Hockeyroos have always done exceptionally well. Rachael Sporn and Laura Summerton won silver in basketball, and Ben Wigmore won silver in baseball. They were just absolutely fantastic performances by all those people. In many cases they are the people who get all the glory in a lot of cases, but one just has to look down the list of the 40-plus South Australian athletes and the range of sports in which they competed, which includes swimming, women's soccer, tennis, hockey, canoe/kayak, archery, baseball, volleyball, diving, rowing, table tennis, track cycling, athletics, volleyball, swimming and the list goes on.

Beach volleyball is another one. Andrew Schacht spoke at a football club luncheon the other day, and he was obviously very proud of his performance in beach volleyball. Many of these competitors, including Andrew, hope to attend the Beijing Olympics in 2008. We must not forget that, between now and the Beijing Olympics, we have the Commonwealth Games in Melbourne in 2006. I do not know

whether any of these people will qualify for another event that is to take place here in South Australia in 2007, the World Police and Fire Games, which is the third largest sporting event in the world. We should be very proud of that. I hope the government is doing everything it can to make sure that it goes off as well as we hope. I am sure that it is.

I should not forget Katie Wilson-Smith, who competed in badminton. There is a whole range of sports. Water polo is another one. Sterk Rafael was in the water polo team. She is living in Queensland at the moment, but she is originally from South Australia. This was a fantastic team that consisted of 40-plus, and there were 11 coaches.

There were also many volunteers. I was lucky enough to attend the Sydney Olympics. The volunteers there did a sterling job; they were always smiling and happy. The reports I have had from Athens are that the volunteers did a fantastic job. I am not sure of the numbers, but I know that there were many from Australia and some from South Australia, and they did a wonderful job. The member for West Torrens was there. I am not sure whether he was involved in any way, but I am sure that he would have been had he been able to do so. The performance of the South Australians and the Australians, as I said, was way above anything else in the world: per head, we performed beyond all others. I would like to extend my most sincere congratulations to all the athletes, officials, coaches, supporters and volunteers.

An honourable member: Can you name them all?

Dr McFETRIDGE: I've got two minutes. We must never forget the volunteers. All these people have done a fantastic job. I wish them well. I hope that those who aim for Beijing are able to achieve their goals and also to achieve some gold.

The Hon. I.F. EVANS (Davenport): I also add my congratulations to the South Australian coaches and officials who represented Australia at the 2004 Athens Olympics. I will not repeat the congratulatory remarks of the member for Playford or the member for Morphett, but I add my sincere congratulations to all the athletes and coaches who participated in the Athens Olympics.

One of the reasons why I want to make some short comments in this debate is that during the Athens Olympics—and, indeed, in the lead-up to all modern Olympics of recent times—there has been a debate about athletes using drugs. This time, of course, there was more focus on some of the Australian athletes, given the events that occurred in the sport of cycling. It occurred to me that maybe it is time for governments of all colours to become far tougher on the elite athletes who drug cheat in sport. It appeared to me during the Olympics that there is now an opportunity for governments to reform the law so that elite athletes who drug cheat attract a HECS style debt for the amount of taxpayer-funded investment in that elite athlete.

The system could work quite simply. The athlete could be given a statement from the Australian Institute of Sport—or, indeed, their state institute—indicating that the taxpayer has spent X amount of dollars getting that athlete up to the elite level. When competing or training at a future event representing Australia, if that athlete is found to have drug cheated, the money that the taxpayer has spent on developing that elite athlete can then attach to their social security or tax regime and be repaid to the Australian taxpayer. It seems to me an unusual system that says that our doctors, nurses and brain surgeons who educate themselves to save our lives ultimately pay a HECS debt, but those athletes who are trained to the elite level and then drug cheat do not really repay anything. I think it is time for the system to be changed so that athletes can repay to the Australian taxpayer money invested in them.

I make these comments in the knowledge that I have a niece and a nephew who have each attended the Australian Institute of Sport in various sports, one in volleyball and one in basketball. Hopefully, there is a chance for the basketballer to play at the Olympics in Beijing, if his skills are good enough. I make these comments in the knowledge that members of my broader family are involved at elite levels of sport. However, I think it is unfair on the Australian taxpayer if the elite athletes drug cheat to try to improve their performance, then ultimately not compete. I think the Australian taxpayer deserves to have some, if not all, of the money invested in them repaid to the Australian taxpayer over a number of years.

Mr GOLDSWORTHY (Kavel): I, too, have pleasure in supporting the motion of the member for Playford in congratulating the coaches and officials who represented our country at the Athens Olympics. I would like to specifically speak about a young lady who went to Athens as a soccer referee as part of the FIFA organisation. That young lady is Ms Airlie Keen, who happens to be my full-time personal assistant.

The Hon. M.J. Atkinson: Hear, hear! A fine personal assistant, too.

Mr GOLDSWORTHY: She certainly is. She is an extremely proficient personal assistant, and I am quite fortunate to have someone who possesses the level of skills that Ms Keen does in assisting me in my electorate duties. Airlie travelled to Athens with other FIFA soccer referee body representatives. As the member for Morphett stated, together with two other referees, she officiated over two quite major games. From memory, one particular game was between Spain and Germany, a semifinal, and she was very proud and honoured to be one of the referees. I have a fairly clear understanding of what sacrifices Airlie made in her personal life to attain the level of an international soccer referee. She has obviously fulfilled her commitment as a very good PA, but she has also committed a significant amount of her private personal time to achieving this goal. She trained on a very regular basis. She certainly undertook a strict dietary regime to maximise her fitness potential.

There is a little history to Airlie's achieving this tremendous goal. As a younger person, she actually played women's soccer—and I understand that she was quite a good soccer player in her day. When she decided to retire as a player, to maintain her level of fitness she decided to take up the role of a referee. As we see sometimes in other sports, particularly perhaps Australian Rules Football, a lot of amateur football umpires certainly have been players. I know the referees and umpires are helped in carrying out their duties in those roles as a result of being past players, because they actually understand the game. It is one thing to understand the rules and how to apply the rules, but it is also important to understand how the game is played and the particular influences, nuances and pressures players are under when playing the game.

Airlie had been a soccer player and she moved on to be a referee. She has reached what she regards, and many of her soccer colleagues regard, as the pinnacle of her career. Only three women from the Oceania region were chosen to officiate at women's soccer games. Airlie was the only one from the southern states, and I understand two ladies from Queensland were also chosen, to represent the Oceania region

at the Olympic Games. I congratulate Airlie and her colleagues on their tremendous achievement, and, obviously, all the coaches and athletes. The media focuses on the athletes—and that is understandable—but we do not see much said or written about, or much television coverage of, the officials. I understand the game in which Airlie was the referee was broadcast on SBS at 3 o'clock in the morning. I was not up at 3 o'clock in the morning watching SBS, but I heard from people who are keen soccer fans that they saw Airlie on television that night.

Australia, as it has done for a number of Olympic Games, achieved outstanding results. Australia came No. 3 or No. 4 in its tally of medals; and no doubt the establishment of the Australian Institute of Sport by the previous Fraser Liberal government has played a very important role in improving the performance of our sportspeople. I commend the member for Playford for bringing this motion to the house and I have pleasure in supporting it.

Motion carried.

The SPEAKER: Without rising (so that members may still go about their business in an orderly manner in the chamber), I, too, support the sentiments expressed and, in particular, note the things which have been said by the member for Kavel, since Ms Airlie Keen is the daughter of a very close friend of mine, who went to school with me from the time I was at primary school until I matriculated. Her mother has been an outstanding example in the community through her work with the National Trust and other matters related to heritage. She has always been someone who is determined to achieve, to contribute and to inspire others, in cooperation with them. I make the point, in addition to what other members have said, that I believe it is equally important for us to acknowledge the efforts of those athletes who have represented Australia at the Paralympics in more recent times. Their achievements are no less outstanding.

Whilst I could be facetious, in some people's opinions, by referring to the fact that I have some understanding of how difficult it is from personal experience, I am not being facetious: I am being quite sincere. Those achievements are no less amazing because of the accomplishment in spite of the disability. I thank the house.

HELPMANN AWARDS

Mr HAMILTON-SMITH (Waite): I move:

> That this house congratulate the State Opera of South Australia on its success at the national 2004 Helpmann Awards in Sydney with its production *Dead Man Walking*, and for winning best opera; best direction, by Joe Mantello and Brad Dalton; best male in an opera, by Teddy Tahu Rhodes; and best supporting female, by Elizabeth Campbell.

I draw to the attention of the house the outstanding performance by the State Opera of South Australia in recent years, most recently with its splendid award at the 2004 Helpmann Awards in Sydney. The State Opera has indeed had a brilliant three years past. In 2002, its productions of *El Nino*, *Akhnaten*, *Sweeney Todd*, *Don Giovanni* and *La Boheme* were well received and applauded. In 2003, *Cavalleria Rusticana* and *I Pagliacci* were splendid in May, with *Dead Man Walking* performing in August. Of course, it was *Dead Man Walking* that received a most outstanding award during the recent Helpmann celebrations. We have *Der Ring des Niebelungen* coming up later this year, a world premier and a brilliant event. It really demonstrates to us all that in this state we have an opera company of international status and ability.

But it is the Helpmann Awards and *Dead Man Walking* upon which I seek to focus. Members may ask: what are the Helpmann Awards? They are an annual recognition of distinguished artistic achievement and excellence in the many disciplines of Australia's vibrant, live, performing arts sectors, including musical theatre, contemporary music, opera, classical music, dance and physical theatre. The Helpmann Awards also incorporate the James Cassius Award for outstanding contribution to the Australian entertainment industry. The awards are named after that famous South Australian Sir Robert Helpmann, and commemorate his memory and achievements. They were established by the Australian Entertainment Industry (AEIA) to recognise, celebrate and promote our entertainment industry, similar to the Aria, the AFI and the Logie Awards for music, film and television in Australia, the Tony Awards on Broadway and the Olivier Awards in London.

The Helpmann Awards, presented annually, were inaugurated in 2001, and I had great pleasure in being at the 2003 awards. Unfortunately, I was not able to go this year. Windmill Theatre, of course, received an award last year. It is not the first time that South Australia has been recognised, but this year was a particular achievement. The objectives of the award are to nationally and internationally serve and promote Australian live performing arts, and particularly the industry which sustains them. The awards recognise distinguished artistic achievement. They are administered and made with integrity that is ensured, and they also ensure that the awards are celebrated by the industry and by the Australian community.

They are the most prestigious awards that exist in this country. The ceremony is attended by up to 800 people and usually has been in Sydney at Star City. This year the awards were held on 9 August in the Lyric Theatre of Star City, and by all accounts it was an outstanding event. *Dead Man Walking* is an amazing production. Originally created by Jake Heggie, the State Opera of South Australia in association with San Francisco Opera presented the Australian premier and the exclusive Adelaide season of *Dead Man Walking* in the Festival Theatre, that great South Australian institution, from 7 to 16 August 2003.

The curtain rises to reveal the edge of a lake in Louisiana, USA, late at night. A carefree teenage couple emerge from the water, turn on the car radio and spread a blanket on the ground, engrossed in the pleasure of each other's company. The radio suddenly goes quiet. The couple sit up and look around in the dark—they are no longer alone.

The bestselling novel, *Dead Man Walking* (by Sister Helen Prejean), which became an Academy Award-winning film in 1996, is now a brilliant new opera, which tells the story of capital punishment. In 1982, when Sister Helen was the spiritual adviser to the convicted murderer of a teenage couple, *Dead Man Walking* subsequently became her moving account of his moral and spiritual journey while preparing for his execution. It explores the opposing desires for vengeance and forgiveness in this extreme situation, and the commitment required to love or to hate a fellow human being. Beginning with a murder and ending with the execution of the murderer, the opera does not take sides in the debate about capital punishment: the audience must decide for themselves who has the right to end another's life.

Few operas burst onto the scene as dramatically as did *Dead Man Walking* at its San Francisco world premiere in October 2000. The season was so successful that extra performances were added in response to the demand for

tickets. With music by Jake Heggie, one of America's most gifted young composers, and a libretto by acclaimed playwright, Terrence McNally (of *Kiss of the Spider Woman* 1993 and *Masterclass* 1996 fame), *Dead Man Walking* effortlessly combines this challenging contemporary drama with the lyricism of classical opera and superb theatrical staging.

The Australian premiere of this remarkable new work was conducted by eminent American conductor, John DeMain, and featured rising star, New Zealand's baritone, Teddy Tahu Rhodes, as the inmate on death row, the role he performed to great acclaim in the premiere season in San Francisco. Also starring Australian favourites Kirsti Harms as Sister Helen and Elizabeth Campbell as the inmate's mother, *Dead Man Walking* proved to be a compelling and memorable night at the theatre.

How this came about we must acknowledge is to the great credit of State Opera's wonderful and creative Stephen Phillips, who went to the states to discuss this opera with its director. He immediately saw that this was a dynamic and amazing opportunity for South Australia and decided to bring it here. He felt that it would provide something new and innovative for opera in this state, that it would attract new audiences, and that it would broaden the appeal of opera to a larger group of South Australians. Indeed, that was found to be so. It brought new people to the Festival Theatre, tickets sold extremely well and, as Stephen Phillips understood, it was about leadership in the arts. I congratulate Stephen and all those involved in State Opera for this innovation, because it again demonstrates that South Australia can be out front, innovative, creative and set the benchmark.

Many people who were involved in this wonderful production deserve to be mentioned. Of course, as I mentioned, there is the conductor, John DeMain, and the producer, Joe Mantello, and it was principally rehearsed by Brad Dalton. The scenery designer was Michael Yeargan; the costume designer, Sam Fleming; and so the list goes on. Many of the people involved were South Australians. The assistant conductor and chorus master was Timothy Sexton; the repetiteur was Nerissa Pearce; the stage manager, Karen Frost; and the assistant stage managers, Marie Docking and Daniel Van Nek. I cannot name everyone involved in the State Opera chorus, but to name a few there were Alistair Brasted, Heather Brooks, Matthew Byrne, and Catherine Campbell. The chorus consisted solely of South Australians, and they brought this opera alive and made it an event of great account, which we will long remember.

Also recognised by the Helpmann awards was principal, Teddy Tahu Rhodes, who played Joseph de Rocher, the murderer. Teddy was born in New Zealand, a student with Mary Adams Taylor at Guildhall School of Music and Rudolf Piernay and David Harper in London. He won the Dame Sister Mary Leo Scholarship in 1986 and the Mobil Song Quest in 1991. He was a finalist in the Kathleen Ferrier Award, London Opera, Dom Perignon Award in 2001. His repertoire includes an extensive array of performances and he is indeed an up and coming rising talent in this region, being a Kiwi, but, performing so extensively in Australia and so international in his experience, Teddy is a name to watch.

Brad Dalton, the director, has directed productions at the Metropolitan Opera (*Il Barbiere di Siviglia*), San Francisco Opera (*Il Trovatore, Le Nozze di Figaro, Il Barbiere di Siviglia* and so on). He has performed in San Diego Opera (*A Streetcar Named Desire*), Austin Lyric Opera (Streetcar) and with the London Symphony Orchestra. Brad is a brilliant director and has something of great significance to add to this art form in Australia in the years ahead. He again is a talent to watch. He is a graduate of Harvard University and the National Shakespeare Conservatory and shows just what can be achieved with the right nurturing and encouragement in this country.

Elizabeth Campbell, who played the murderer's mother, Mrs Patrick de Rocher, is a graduate from Sydney Conservatorium of Music, and was awarded a music student overseas study foundation scholarship and an Australian Musical Foundation grant for study in London and Europe. She is a winner of the Elly Ameling Lieder Prize in the Hertogenbosch Singing Competition, and in 1985 she represented Australia in the Singer of the World Competition, another great talent who I understand is a constituent of my good colleague the member for Heysen.

I note Patrick McDonald's recognition of this triumph with the Helpmann Awards in the *Advertiser* on 11 August and I congratulate Patrick for picking it up. I wrote to Stephen Phillips on 11 August 2004 congratulating the company and all who were involved. The State Opera of South Australia is one of South Australia's great arts institutions. It deservedly receives a considerable amount of state government funding. It also receives federal government funding through the Australia Council. It also enjoys the support of a range of sponsors too numerous to mention but including such great South Australian companies as Santos, Clipsal, Arthur Andersen, Adelaide Bank, Finlaysons, the Australian Submarine Corporation, Channel 9, Multiplex, Faulding, Urban Construct, and so it goes on. These companies who sponsor the State Opera are as much deserving of this award, as are all the artists and others involved in its creation, for without that sponsorship the State Opera would struggle to survive.

I make particular mention of the Friends of the Opera, that august group of people who, throughout the year, run functions, are always seeking opportunities to raise money for the opera and who are there supporting the opera at all its performances and seeking new members. They are truly a dedicated group of South Australians whom this house should note for their service to the community. With that great production the *Ring* cycle about to commence in November-December, which I look forward to attending—and I know others on this side will be attending, particularly the member for Heysen—and with us at the cusp of that great event, it is appropriate that the house acknowledges the achievement in 2003 by the State Opera of these awards for *Dead Man Walking*.

I hope that in the years ahead the opera continues to receive from the state government the support that it has in the past, and that we do not punish the opera as a consequence of funding overruns for *The Ring*. The fact is that it has happened and what we have to do now is ensure that the State Opera continues to thrive and prosper. This is not the last award that this company will win. This is an internationally recognised company in the hands of internationally recognised stewards in the form of Stephen Phillips and the other artists I have mentioned. I commend the motion to the house.

Time expired.

Ms THOMPSON (Reynell): I rise to support the motion, which has been explained at great length by the member for Waite with the help of some very copious notes, and I do not think there is any need for me to add anything about the performance of the State Opera of South Australia. We

always celebrate South Australians excelling, we celebrate Australians excelling, and it is indeed pleasing to see that the State Opera Company has been successful in the Helpmann Awards in Sydney.

Given the great help that the member opposite has had in writing his speech, I will just commend a few others at the same time. I recently attended a reception to celebrate the success of the Brighton Secondary School, with its five choirs winning national competitions—the only time that a school choir has won an open competition in the open choral category of the National Choral Awards. Every one of the choirs that Brighton entered won their category, and that is truly an outstanding achievement and shows that there is excellence in our public schools. It is demonstrated in different ways in different schools, but it typifies the excellence of our public schools.

I also want to commend STARS, the Southern Theatre and Arts Supporters group, and in particular Olive Reader—

The SPEAKER: Order! The honourable member will come back to the motion before the chair.

Ms THOMPSON: Yes, sir. It is very relevant—

The SPEAKER: The chair will determine the relevance of the remarks.

Ms THOMPSON: Fine, sir. Perhaps if I may continue a little you may see the connection—would that be okay?

The SPEAKER: The motion as it appears on the *Notice Paper* is the motion the house is debating.

Ms THOMPSON: Yes, sir. The STARS group has been very active in bringing opera to the southern suburbs and in allowing people in the south to benefit from the outstanding operatic performances of the artists of South Australia. To date, we have not been able to directly benefit from the State Opera but STARS has been very active in bringing co-opera to the South—as I said, thus making opera accessible to a far wider range of people than is able to attend State Opera performances.

The engagement of all South Australians in the arts is very important. It is also very important that we have a wide base of support for, and engagement and involvement in, the arts by students like those from Brighton Secondary School (and many others), so that we are able to maintain a record of excellence in opera. This is something I wish to commend, and in congratulating the State Opera I urge that all sides of this house recognise the need to support the arts not only at the top level but also at a broader range, so that our whole community can benefit from the uplifting experience of attending opera and good theatre, and so that the broad base of talent needed to achieve excellence is developed.

I think that is quite sufficient for me to indicate my support and the support of members on my side for the motion to congratulate the State Opera of South Australia on its success. I wish the company continued success and continued benefits to this state.

Mrs REDMOND (Heysen): I, too, rise to support the motion and to make a very brief contribution in relation to it. I do not profess to be a very knowledgeable person when it comes to opera, although what I have seen I have thoroughly enjoyed. I particularly wanted to participate in this debate because, as the member for Waite mentioned, Elizabeth Campbell, who won a Helpmann Award, is a constituent of mine at Wistow. She and her husband Thomas Edmunds are both very well-known in the operatic community. Certainly, in their organisation of Co-Opera, of which I am a member, they manage to bring opera more out into the suburbs and, indeed, into the country.

I have not had the pleasure of seeing this production, although I hope to see it at the first opportunity. I know that its Australian debut was in Adelaide and that its international premier was in San Francisco in October 2000. I understand that the Australian production was most well received. It is based on a book by Sister Helen Prejean, and it is something which, in many ways, would have been very difficult to bring to the operatic stage. Sister Helen wrote the book some 20 years ago, and it is based on her experience as the spiritual adviser to a young man who was convicted of having murdered a teenage couple. It is about the spiritual journey of those two people, and, obviously, a number of other people, as they approached his execution for the murders. Of course, that book became a very well-known film, which, if I recollect correctly, was nominated and perhaps even won Academy Awards.

The book, film and opera do not pretend to take sides, but they do bring the issue to the attention of the community. If the opera is successful, it will make the audience think about ideas of retribution, vengeance and justice. Certainly, the film made me think about whether anything is ever achieved by society killing perpetrators, even when their crimes have been quite vicious. A lot of people, including members of this house, would say that they are not interested in opera and that they do not understand it. Certainly, a lot of operas have been written in other languages and are somewhat less accessible. Of course, these days the opera, because of modern technology, is able to put the translation onto a screen so that people can understand the libretto, even though they are not able to translate it.

This opera in particular, anyway, having been written by Americans, is in English and relates to modern themes and is a modern opera, and I think it is one of the ways in which we make opera far more accessible. If people become motivated enough to attend an opera, one like this would be worth having as a first taste if they were not going to attend one of the better-known operas with the well-known librettos. It does open up a new world in terms of people's attitude towards opera and the arts. The South Australian State Opera does a marvellous job in trying to make its operas far more accessible to the general community.

As I have said, one of the performers in the opera, Elizabeth Campbell, who plays the part of the inmate's mother, received an award for Best Female Supporting Artist. As she is a constituent of mine, I run across Elizabeth fairly regularly at the Wistow Hall where we have an annual dinner known as the Winter Solstice dinner. In fact, both Elizabeth and her husband, Thomas Edmonds, were present at this year's dinner. In the middle of June, we sat in a tiny hall and sang some Christmas carols to a piano accompaniment. Because the pianist who usually provides the accompaniment had an injured arm, we had the privilege of Elizabeth, accompanied by her husband, leading our singing of some very ordinary Christmas carols. They are very fine people, and they do a lot to encourage the arts in South Australia. As I said, I wanted to make only a brief contribution to add my congratulations to the State Opera of South Australia on its success in these awards for the best opera, the best direction by Joe Mantello and Brad Dalton, the best male in an opera by Teddy Tahu Rhodes and the best supporting female by Elizabeth Campbell.

Ms CICCARELLO (Norwood): I add my congratulations to the State Opera and commend the member for Waite for moving this motion. We are certainly very proud of the State Opera, which has in the past brought enormous enjoyment to the people of South Australia—and will continue to do so. In this day and age, it is good that people have the ability to enjoy opera. My father first took me when I was six years of age, and the first opera I saw was Puccini's *Tosca*. Thereafter, I saw many more, and one of my biggest thrills was seeing *Aida* in Caracalla in Rome in the open air. It was really fantastic. The Festival of Arts, the Opera in the Park and the Symphony in the Park are great opportunities for all members of our community to enjoy performances, and that is when tens of thousands of people realise that opera can be enjoyable for the masses and is not an elite activity.

We must remember that, when opera was first written, it was the popular music of the day. Many operas now are translated and performed in modern settings, rather than in period costume, which again makes them more accessible. I urge the community of South Australia to take a greater interest in opera. Of course, that would be great for the State Opera, because the more people who go to the opera the more performances it can give and, therefore, the more accessible opera will become for members of the public. I commend the member for Waite for moving this motion in the house, and I extend my congratulations to the State Opera and all those involved.

Mr HAMILTON-SMITH (Waite): I thank the members for Heysen, Reynell and Norwood for their contributions which I think demonstrate that the State Opera enjoys support across the parliament. I am sure that there is not one of us who is not proud of its achievements. Today, I particularly congratulate the government on its being prepared to deal with this motion on the day it was scheduled. I commend the manager of government business, the Government Whip and the Opposition Whip for ensuring that this matter was dealt with, rather than hang around on the *Notice Paper*. I think it is good that such congratulatory motions be dealt with expeditiously so that the good word can get to the people to whom it applies.

It would be nice to hear the minister speak to such a motion, or at least to provide some detailed notes for members to use, because that would add value to the debate in future, noting that a similar motion on the Australian Dance Theatre, which has also received awards, will be debated in a couple of weeks.

The State Opera is, indeed, an institution of which we should all be proud, as I said. I think this motion now goes out to the State Opera and all the supporters and lovers of opera as a message that we appreciate what it has achieved and what it is about to achieve with the *Ring* and that the parliament does not see the State Opera as an elite art form but, rather, as very much part of the South Australian community and the fabric of the arts within this state and something that deserves our ongoing support and admiration. I commend the motion to the house and thank members for their support.

Motion carried.

OLYMPIC ATHLETES, SOUTH AUSTRALIA

Mr CAICA (Colton): I move:

That this house congratulates the outstanding efforts of our South Australian Olympic athletes who contributed to the most successful Australian Olympic team of all time and especially recognises the contribution of Sarah Ryan and Rachael Sporn who have recently announced their retirement from international competition.

From the outset, it is good to see that a hard-nosed warrior like the member for Waite is able, over a period of time, to learn about and be so knowledgeable about opera.

An honourable member interjecting:

Mr CAICA: Yes; he even got those right. I will be fairly brief, because a lot of the speech which I have prepared has already been said. South Australia was represented by 37 athletes at the Athens Olympic Games, and 13 South Australians won a total of 14 Olympic medals in 11 different medal events. The athletes brought home four gold medals, seven silver medals and three bronze medals. Interestingly, another nine athletes gained a top eight placing in their particular event. Anyone who has been involved in individual sport over a period of time realises, of course, that quite often you are competing against yourself. That is, you do not necessarily have to be first, second or third; if you achieve a personal best, there cannot be anything better than that, from a personal perspective.

I will not go through those who won gold medals, because the member for Morphett already did that in his speedy fashion. I would like to comment upon Australia's performance in winning 17 gold, 16 silver and 16 bronze medals, and the team was Australia's most successful ever in Olympic Games. I would like to pay tribute to the South Australian Sports Institute (SASI), which has played a critical role in the development and support of most of the South Australian athletes who represented Australia in Athens.

These athletes are a combination of current SASI scholarship holders and SASI graduates and associates. SASI has provided the daily training environment, coaching support and sports science assistance through its high-quality facilities, coaching and technical staff. Whilst people are very pleased to congratulate medal winners, I would like to acknowledge and congratulate the athletes representing South Australia as part of the Athens 2004 Australian Olympic Team: archery: David Barnes, Simon Fairweather; athletics: Brooke Krueger, Mark Ormrod; badminton: Kate Wilson-Smith; baseball: Thomas Brice, Adrian Burnside; men's basketball: Brett Maher, Paul Rogers, Martin Cattalini; women's basketball: Laura Summerton, Rachael Sporn; boxing: Peter Wakefield; canoeing: Kate Barclay; cycling: Luke Roberts, Jobie Dajka, Stuart O'Grady; diving: Robert Newbery, Lynda Folauhola; men's hockey: Grant Schubert; women's hockey: Carmel Bakurski; rowing: Amber Halliday, Sally Newmarch; men's soccer: John Aloisi; women's soccer: Di Aligich; softball: Tracey Mosley; swimming: Melissa Morgan, Fran Adcock, Sarah Ryan; table tennis: William Henzell; tennis: Alicia Molik; men's indoor volleyball: Andrew Earl, Travis Moranbeach; volleyball: Josh Slack, Andrew Schacht; and men's water polo: Rafael Sterk.

In particular, I would like to offer congratulations to Sarah Ryan and Rachael Sporn, who have recently announced their retirement from international competition, for their outstanding performances. I started watching Rachael Sporn when she was a skinny little girl playing basketball and, today, at the time of her retirement she is a skinny young woman. She is an outstanding basketballer, who has brought great credit to herself, her family, our state, and the country region from which she moved to Adelaide. She comes from an outstanding sporting family, and she is a great credit and a great ambassador to South Australia, and will continue to be so

despite the fact that she is now no longer playing competitive basketball.

Sarah Ryan has competed at three world championships, three Commonwealth Games, and was one of only three swimmers in the team at Athens contesting her third Olympic Games. She has made every single major international Australian team since her debut almost a decade ago. She won a silver medal in 1996 and at the 2000 Olympics in the 4x100 metre medley relay, and a gold in 2004 as a member of the 4x100 metre relay in the heats. Sarah qualified for the 2003 world championship team but retired before the competition to take up a career in radio. She then came out of retirement for the 2004 Athens Olympics. Sarah also won gold at both the 1998 and 2002 Commonwealth Games.

Rachael Sporn has played for the Opals at three Olympic games, winning bronze in 1996 and silver in both 2000 and 2004. She recently played her 300th international game for Australia in Athens, and her team-mates chaired her off the court in respect at the conclusion of that game when Australia played Greece. Rachael was named as the most valuable player in 1996 and 1997 and was inducted into the Sporting Hall of Fame. This year Rachael equalled the record for the most women's National Basketball League games played—375 games. Rachael has long been a stalwart of the Adelaide Quit Lightning, playing now under national coach, Jan Stirling. She started basketball a long time ago; she first started playing basketball when she was nine. She has cited her retirement as a way by which it will enable her to focus on motherhood and her two-year-old daughter Teja. We hope that Teja will be as outstanding a basketballer as Rachael has been over the years.

Other key notable performances included Grant Schubert, who won a gold medal in the men's hockey and Stuart O'Grady, who won gold in the Madison cycling event. Grant made his debut for the senior Australian team, the Kookaburras, in 2003, joining the team to contest the Champions Trophy. He was named the most promising player of the tournament with nine goals in six matches. It was great to see the Australian hockey team eventually shake the monkey off its back, just as I expect Port Power will do this weekend in the grand final. In 2003, Grant was also awarded the International Hockey Federation's best young player of the year for men. He was a valuable member of the gold medal Australian team, breaking a gold medal drought for the Kookaburras lasting 48 years, and over 11 Olympic Games. Grant is a proud country South Australian hailing from Loxton. He started playing hockey when he was nine years of age.

Stuart O'Grady won gold in the Madison in Athens with team-mate Graeme Brown and, like the member for Morphett, I found the Madison quite confusing but it was, indeed, quite an exciting event. Stuart had not raced at a major international track event since 2000 prior to taking to the track in Athens. Based in France, Stuart had already returned to Toulouse a week earlier until he was recalled to line up for the Madison. A veteran of four Olympic Games, Stuart had previously won silver and two bronze Olympic medals. Other career highlights included wearing the leader's yellow jersey in the Tour de France in 1998 and 2001, and placed first in stage five of the 2004 Tour de France. He was quoted as saying, 'This is the victory I have wanted all my life,' after winning his Athens gold medal. Both Sarah Ryan and Stuart O'Grady were previously SASI scholarship holders, and Grant Schubert is a current scholarship holder.

I think one of the interesting things about the Olympic Games is that it gives Australians the opportunity to celebrate sports other than those that are thrust into our faces all the time. So, we see a variety of sports and it brings home how talented Australians are in those sports that would, I guess, be described as not the most popular and not the most well-known. That augurs well for the future because it means that the schools will celebrate the fact that Australians are doing well in these sports and students will be encouraged not to necessarily work their way into the more high profile sports. That is, people will be encouraged to have a go at other sports, and eventually, as is the case with these Australian athletes, they will excel in those sports.

To all the athletes: you represented South Australia in the most competitive of events and have done yourselves, your families, and your state proud. Congratulations on your performances.

Dr McFETRIDGE (Morphett): I rise to support this motion. As the member for Colton said, a lot has been said in the previous motion moved by the member for Playford, and we all concur with the comments made then. The two athletes mentioned in this motion—Sarah Ryan and Rachael Sporn—have gone above and beyond to become Olympians. It is something that not many people can do; it is almost like being a member of parliament—it is a real privilege but something that should never be taken for granted. To become a medal-winning Olympian is absolutely fantastic. All Australians, 100 per cent of us, support the efforts and abilities that have been displayed by our athletes at the Athens Olympics, particularly Sarah Ryan and Rachael Sporn. They have had fantastic careers; we wish them well in their retirement. Now with sponsorship and the media playing such a prominent role in sport, I hope that both of these ladies are able to continue on and offer advice, support and development for their sports.

In his speech, the member for Colton supported the Olympic athletes, but I am surprised that he did not mention the World Police and Fire Games, because I know what a great supporter he will be of those games. I have said before in this place, and I will say it again, the World Police and Fire Games to be held in Adelaide in 2007 is the third-largest sporting event in the world. It is one for which this government needs to make sure facilities are in place. We still have concerns about the ice sports. We still have concerns about the rifle range and the boggy road out there. I understand that the grandstand at The Pines hockey stadium leaks when it rains. There is some work to be done and some money to be spent, and it cannot all be done after the next election. However, this is a good news motion though and I intend to stick to it. The World Police and Fire Games is a huge event for South Australia—a huge plus. I know that many of our Olympic athletes will be involved in some way—coaching or promoting, for example.

I support the member for Colton's motion. It is a bit unusual that, during the Olympics and Paralympics and some of these other large sporting events, we watch sports and support competitors who we would not normally support. I admit that, for the last couple of weeks, and again on Saturday, I will be supporting a team that I would not usually support. I wish all members of the Port Power Football Club the absolute best on Saturday, and I will be very disappointed for them, their families, supporters and many volunteers who make up football clubs if they are unable to achieve a premiership because there are no prizes for second in a grand

final. One of the footballers said this morning that it is the ultimate in adulation, exultation and exhilaration or the ultimate in despair. I hope that, on Saturday, the Port Power Football Club is able to experience that exultation and adulation. I will be supporting them; I may not support them all the time but, like the Olympics, there are many sports that I do not normally follow, but I will be following the fortunes of the Port Adelaide Football Club this weekend. I wish them well. I support the motion.

Motion carried.

AFL 2004 ALL AUSTRALIAN TEAM

Ms CICCARELLO (Norwood): I move:

That this house congratulates Mark Ricciuto, Warren Tredrea and Chad Cornes on their selection to the AFL 2004 All Australian Team and particularly congratulates Mark and Warren on being named captain and vice-captain respectively.

It is an honour for three South Australians to have been chosen in the 2004 All Australian football team. For Adelaide Crows captain, Mark Ricciuto, this makes it his seventh selection. It is the fourth in succession for Port Adelaide acting captain, Warren Tredrea. For Chad Cornes, also of Port Adelaide, this is his first selection. For the first time a South Australian in Mark Ricciuto was named captain; in addition, Tredrea was named vice-captain, which is an amazing double for this state. In team football, Ricciuto was disappointed that the Adelaide Crows failed to make the finals but, individually, he had another impressive season to follow 2003 when he was one of three players who tied for the Brownlow Medal. He was again successful at this year's Brownlow Medal count when he came second to Chris Judd from the West Coast Eagles.

Tredrea assumed the mantle as Port Adelaide's acting captain earlier this season following the unfortunate injury to ruck star and former Norwood great Matthew Primus, but the added responsibility did not affect Warren's football. Not only was he dominant at centre half forward but he also headed Port's goal kicking for the season. He can also be proud that he was recently chosen as Player of the Year by the AFL coaches; and, certainly, this is another great honour for him.

This year Chad Cornes appreciated the move from attack to centre half back where he excelled after watching pre-season tapes of some of the outstanding AFL defenders. Again, Ricciuto led by example and provided the inspiration to team mates, particularly newcomers to the AFL. Mark was rugged and skilful, offering an image of energy and confidence. He possessed a positive attitude to back his judgment and he excelled because he was such a dedicated player. He was among the most fearless and faced many situations that called for more than ordinary resolve.

Not only did Tredrea fill centre half forward for Port with distinction but he was also a prolific goal getter—a tribute to his ability, unremitting perseverance and dedication. He has reached the highest peak of his profession due to such a positive attitude backing his judgment. His work ethic at Alberton is legendary. About seven years ago, when he was a trainee at the Office for Recreation and Sport, keen football judges predicted a bright football future when he was chosen in the All Australian under 17 team. Certainly, that judgment has been vindicated.

It does not necessarily follow that having an outstanding football father the son will excel, but in the case of Chad Cornes it has. His father, as everyone knows, is Graham Cornes who played for Glenelg, South Adelaide and North Melbourne, but he is probably best remembered as a former coach of the Crows. His loyalties at the moment must be severely tested when, every week, his two sons, Chad and Kane, play for Port Power. However, I am sure that, like most South Australians, he will be cheering for his sons and Port Power on Saturday.

Chad's conversion this year from a key forward to the most accomplished centre half back in the AFL is a tribute to his judgment in the air and on the ground, his strong marking and his clearing dashes. He has been cool and controlled and, like father Graham and brother (Port team mate) Kane, pride and bearing have been evident in his performance. At 24 (a young veteran of more than 120 games) Chad has a bright and long future in the AFL. Before concluding, I also pay tribute to Mark Williams, the coach of Port Adelaide Power, not only for bringing the team to the grand final but also for finishing top of the AFL ladder for the past three years.

He was recently honoured when he was chosen as Coach of the Year, which was decided by all the AFL coaches. I think that when one receives an award from one's peers it is to be valued. On Saturday the Brisbane Lions will be playing in the grand final against Port Power. I have been accused by many people of being a closet Power supporter, but I do not think that I am quite ready to out myself at this stage.

Ms Bedford interjecting:

Ms CICCARELLO: Well, I did mention Matthew Primus, who has been an outstanding captain for Port Power and, of course, he is a former Norwood player. I must not forget Roger James who, in my opinion, was the best player last Friday night. I think that, if he had not played as well as he did, Port Adelaide Power might not be playing in the grand final on Saturday. Another great Norwood player will be playing on Saturday but for the Brisbane Lions, that is, Martin Pike. Martin is a former Norwood player, and he has now received medals as a result of playing in at least four winning grand final teams; and, I think, that is a great accolade for Norwood.

I must not forget the new coach of the Crows, Neil Craig; so, the Norwood connection in the AFL is very strong. Returning to my motion, I congratulate the three fine young athletes on their selection, and I wish them all the best for their achievements. Also, I join in wishing Port Adelaide Power all the best on Saturday. I am not sure whether I can get it right, but I will say 'carn the Power'.

Dr McFETRIDGE (Morphett): I rise to support this motion. I congratulate the member for Norwood on bringing this motion to the house and for giving a detailed history of the performance of these three great AFL footballers: Mark Ricciuto, Warren Tredrea and Chad Cornes. It is amazing to have been named in one All Australian Team (that is Chad Cornes' first, I guarantee), but to have been named in seven, as in Mark Ricciuto's case, or four, as in Warren Tredrea's case, and to be named captain and vice captain is an absolutely amazing performance. We talked a while ago in another motion about becoming an Olympian. Once an Olympian, always an Olympian; and once an All Australian, always an All Australian. They will go down in history, whether it is winning a Brownlow Medal, a Magarey Medal or, in this case, becoming a member of the All Australian Team.

It is an absolutely amazing effort to dedicate one's life to football in the way in which these people do. I listened to Mick Malthouse speak at a recent breakfast meeting that was

held by the Department of Recreation and Sport. It was a 'thanks coach, thanks officials' breakfast, and I thank the minister and his department for putting it on. Mick Malthouse came along and spoke about the high wages that some of these footballers receive. But he emphasised the fact that he is given a young bloke, 18 or 19 years old, and he has them in his hands: he dictates when they breathe, sleep or eat; whatever they do. They are just 100 per cent his possession. They put in everything, and to see the rewards they receive, both financially and, in this case, being named in the All Australian Team, is something that I have no problems with at all. In fact, I congratulate them on the rewards they receive because of the pleasure that these footy players provide to the millions of people around Australia, their supporters and their clubs, who watch AFL or SANFL football, or even just the amateur leagues.

Mark Ricciuto has played in an AFL Grand Final, and he knows the pleasure of winning one. I just hope that this weekend Tredrea and Cornes also are able to experience that feeling—that perhaps two or three times in a lifetime experience of adulation and exhilaration. I congratulate the member for Norwood for moving this motion, and I wish Mark Ricciuto well in his career with the Crows. However, in particular, I wish Warren Tredrea and young Chad Cornes well this weekend. I hesitated there, because I know Graham and I know the Cornes family reasonably well. They are a terrific family, and to see one of them—Chad—in this position is great. His father, Graham, is also a terrific footballer. He lives near me down at the bay. It is terrific to have a role model like him for Chad to follow. I wish Warren Tredrea and Chad Cornes the very best this weekend.

Ms RANKINE (Wright): I commend the member for Norwood for moving this motion. I also would like to congratulate these three outstanding young men in our community: Mark Ricciuto, Warren Tredrea and Chad Cornes. Their selection certainly is an outstanding achievement and, I think, a great encouragement to all the young people who are involved in football here in South Australia and in sport generally. We consistently show that we produce wonderful young sportsmen and sportswomen here in South Australia in a whole range of sporting activities. To be selected as part of the All Australian Team, and particularly for Mark and Warren to be named captain and vice captain, as stated in the member's motion, is quite an outstanding achievement.

As a longstanding season ticket holder of the Crows, I was particularly delighted with Mark Ricciuto's recognition again. I know that I am in the minority in my Labor Party caucus in supporting the Crows. Nevertheless, they were the first South Australian team in the AFL, and it is a bit difficult to change my support base now. However, first and foremost, I am a very passionate South Australian, and I am absolutely delighted to see Port Power in the grand final on Saturday. I really do wish all those players the very best, and I hope that we bring another grand final flag home to South Australia.

I think the selection of these young people in the All Australian Team is an indication of the very strong support we have at the local level for young people playing sports, that grassroot development that is so important in getting young people involved in the first place. We know how important sport is in developing a young person's self-esteem, giving them a sense of belonging, teaching them how to work together and support one another, and how to be proud ambassadors of their clubs and the particular areas in which they live. We see football clubs and sporting clubs around our state doing this consistently, and the effort that is put in by our community in sustaining these clubs and organisations is magnificent. We often talk in here about the contribution of volunteers, and certainly within the sporting area our young people just simply could not be involved at all if not for the people who are prepared to give enormous amounts of time to developing our young people.

I know in my electorate we have the South Australian District Netball Association, for example, and three or four times a week the 24 courts are full of young people playing netball. We have the Golden Grove Football Club, which has experienced enormous growth over the past 10 years, with over 300 juniors playing. A couple of weeks ago they played in their third grand final, which is not too bad for such a young club. Unfortunately, this is the first time they have not won a final in which they were playing, but they did magnificently well to reach the finals. Although they were disappointed, I think they were very proud of their achievements—and so they should be. They are also backed up by a really strong contingent of volunteers who support them day in and day out. Their coaching team led by Jamie Sloan and certainly the president of the club, Adrian Case, are magnificent examples for any young person to emulate. Again, I congratulate these people on their selection and commend the member for Norwood for bringing this motion to the house.

Motion carried.

The SPEAKER: I add my congratulations to those of other members, and express my adulation and admiration for the outstanding efforts of those three young men.

EDUCATION, FUNDING

Ms CHAPMAN (Bragg): I move:

That the house condemns the Australian Labor Party and federal Leader of the Opposition for refusing to disclose which independent schools will have their funding cut and by how much, under its proposal to redistribute commonwealth funding from the non-government sector.

At the time of drafting this motion, we had not seen the full picture of what the Australian Labor Party proposed for the funding of children in our independent school system. We now have a little more detail. We certainly do not have a clear picture in relation to what will be affected. What we did receive in the Australian Labor Party's campaign 2004 policy document was a schedule of schools across Australia which would be guaranteed to lose funding. These are somewhat colloquially known as the 67 schools to have their funding axed. For South Australia, the published disclosed schools which were in that category and which, according to the Australian Labor Party, deserve no funding are Scotch College (which has school fees of $13 700 annually) and St Peters College ($12 760 annually). They are the two schools disclosed in South Australia.

What the Labor Party has since said is that there are 111 other schools which are to have their funding frozen. All this is precipitated on the basis that it is the Australian Labor Party's view that every child in Australia should have a similar standard in relation to the annual funds provided to them. I should say that aspect is that there be a national standard, namely, $9 000 for primary school students.

An honourable member interjecting:

Ms CHAPMAN: It is a moving beast, let me tell you. It is $9 000 for primary school students and $12 000 for

secondary school students. Three things immediately come to mind in relation to this proposal. First, what happens to the students in the Northern Territory who currently receive $17 000 per student towards their public education costs? Obviously, they need it. Some of the children in the Northern Territory are living in isolated, poorer communities that have a high indigenous ratio in relation to children who have an education, and they need those funds. There is no protection under the Australian Labor Party's proposal that their share, which is above the national standard, will not be axed as well.

Secondly, in relation to the 111 schools that have had their funds frozen, I will highlight the problem. Their funding is to be frozen, but sitting behind them are hundreds of other independent schools which are not currently on the list but which, by the very dint of inflation, in particular the major cost in relation to schooling covered by staff costs (which are increasing at 3 per cent to 6 per cent annually), will be shoved up into the next category as soon as they pay their teachers more. The problem we then face is that they, too, will have their funding frozen. They do not have a choice to say, 'We will keep our fees down,' because someone out there—obviously not the Australian Labor Party if it is elected—has to pay these fees. The only other resource these schools have is the parents. They will have to increase the student fees to recover the funds to pay their teachers. Does that really disclose to us the real objective of the Australian Labor Party; that is, to crush and diminish the independent school system? This short-sighted proposal will have the effect of actually destroying and interfering with the livelihood of the low-fee independent schools in this country.

The third aspect I raise is that it seems quite extraordinary that on this list there are no schools in certain places in Australia. For example, in Western Australia there are no schools on the hit list of 67. Originally, Mr Latham and Ms Macklin could not explain why, but a spokesman later acknowledged that Christ Church (which is a school in Western Australia) was just over the threshold but that it had received Australian Labor Party dispensation for its scholarship and fee-remission programs. What about all the other independent schools around the country that provide scholarships and fee-remission programs to enable the children in Australia, who are not in a position to afford independent education, to have that opportunity and choice which is currently offered? It has been highly selective. When one looks at the high fee-paying schools in Australia which have not been included—

An honourable member interjecting:

Ms CHAPMAN: Here we go! The list of those omitted particularly appear to be in marginal federal seats. Should that be any surprise to us? Probably not. There is the other point—not just the geographical exclusion that is convenient to the Australian Labor Party—in relation to the proposal that for some reason the Catholic denomination receives a large capital payment. I will come back to that in a moment. Of course, they are pleased to receive that, but they themselves are concerned about the exclusion of other independent schools. Also, there are no Jewish schools on this list.

Why would that be? I ask this house to note that this program is highly denominationally selective. When we look at the program in relation to the $520 million that is to come out of the high fee paying schools ostensible to pay the low fee paying schools, we find that over $300 million of that is directly handed to the Catholic education system and the balance, some $170-odd million, is available then purportedly to be distributed amongst the other schools. We have done some calculations, and let me tell members that what the low fee independent schools can expect to receive as they await further challenge themselves to being placed on the list will ultimately result in an average payment between the schools to the low fee paying students of $2.40 a week. That is the great bonus that the Australian Labor Party, if it is elected, proposes to transfer to the low fee paying schools in this country.

In South Australia that is an appalling contribution to be made, irrespective of the fiasco that the Labor Party is proposing in relation to the funding redistribution, when we appreciate that the real effect of the Australian Labor Party in relation to its professed commitment to children in government schools is to offer them the equivalent of some $850 million over four years. That is the effective reality of the proposal. The Coalition has provided a record per student funding to every school in every year since 1966. Its funding to state schools has increased by 74 per cent and will increase by a further $1.9 billion over the next four years. So, its credentials are on record and they are fair in relation to its commitment to ensure that public school children deserve and are not prejudiced by the extraordinary proposal that has been outlined by the Australian Labor Party.

The other concern I wish to raise is that what parents are really interested in is making sure their children have the highest possible standard of education, and not by this 'pretend' $12 000:$9 000 ratio. Parents want to know that their children are meeting the national literacy and numeracy standards. They want to receive plain English reports for their children's progress and to be assured that they are being taught in accordance with the values that they teach at home. It is little wonder that the AEU does not tell parents that it rejects any form of assessment based on set year level standards of achievement; calls on its members to boycott statewide tests that assess children against national standards; and is committed to a High Court case to stop all federal government funding for religious schools.

Mrs GERAGHTY: On a point of order, I am listening very closely to the member for Bragg, and I think she has strayed well away from the content of the motion.

The SPEAKER: I do not uphold the point of order. The phrase under which I believe the remarks are being dealt with is the last phrase in the proposition: 'under its proposal to redistribute commonwealth funding from the non-government sector.' So, what the member for Bragg sees as being a redistribution is what the member for Bragg is now addressing. That is subjective, but not to the extent that she is discussing lobsters and oysters. She is most certainly discussing redistribution of funding in the education system in Australia as proposed by the Australian Labor Party. The member for Bragg.

Ms CHAPMAN: The Australian Labor Party, on the other hand, refused to tell parents what its school standards would be if it were to be win the election. On 5 September, the Hon. Jenny Macklin announced that Labor would keep the Coalition's tough accountability requirements, which of course directly relate to the entitlement on funding, for one year only, and that the Labor standards from 2006 will only be decided after the election. Parents have every reason to ask why Labor refuses to be up-front about its school standards should Mr Latham become the Prime Minister.

What we have at the moment is a funding proposal with no commitment to accountability past one year. Let me list for members what would be lost from what is guaranteed by the Howard government: national testing in numeracy and

literacy; civics and citizenship; science and technology against national standards (all of which funding has been provided for); the plain English school report cards to parents (including reporting on their child's progress against the national standards of literacy and numeracy); values education as a core part of schooling (including the dangers of drug use); public information available to parents about the school's performance so that parents can make meaningful choices for their children; greater national consistency in education (including a common school starting age) by 2010; consistency in curriculum; and more power given to school principals over the use of their budgets and teacher appointments.

The Australian Labor Party wants to take away funding from a group of schools which in their view should not have any; they want to freeze funding for another group, the low fee-paying ones, the most deserving amongst the independent sector, who were forced by bracket creep to go up to the next level and have their funding frozen; and they then have the cheek to say to Australians that they are going to cut out some of the denominations. They are going to give a huge packet to one group, namely, the Catholic community, and they are going to quarantine private schools in marginal seats in this country, particularly in Western Australia where there are none on the list; and they are going to quarantine Jewish schools and try to create a disgusting and despicable denominational debate amongst parents at their schools.

That is their disgraceful position in relation to that funding proposal. They are going to leave all of those who are vulnerable in the public system and give them a confused message in relation to that funding: not only in respect of how much they are going to get but when they are going to get it and what the accountability requirements are going to be. My last point is that the amount of funding they are going to give us to pay for this shambles that is going to happen in the independent sector—the number of children who will fall out of that system and back into the public system is estimated to be 600 in this state and we will all have to pay for them—is $5 million a year.

Time expired.

Ms THOMPSON (Reynell): What an interesting ramble we have been exposed to by the member opposite. I am glad that the standards of teaching in our state schools and our low-cost independent schools is higher than the standard of research that was applied to the member's remarks. The member seems to wish to support the greatest social engineering experiment to which this country has ever been exposed: the experiment that Prime Minister John Howard (the member for Bennelong) has entered into with his support for the establishment of a wide range of independent schools and religious schools and the increasing affluence of Australia's most elite schools.

Many schools now owe their existence to the peculiar capital works funding program of the Howard government. According to the principal of one of these schools in my electorate, their church was encouraged to establish a school. They built a beautiful school with a good library, good play equipment and good grounds—it is far superior to anything that is available in any of the state schools in my electorate—but the school advises me that they are now having trouble making ends meet because the recurrent funding provided by the Howard government to this school, which has a high proportion of School Card families, is simply not adequate to keep up the standard of facilities that have been provided. Meanwhile, another small religious school, with 45 per cent School Card in my electorate, came to me recently asking for support getting play equipment. It is a long established school so it did not benefit from the capital grants and it cannot get enough money to make ends meet and to provide the religious education the school and its denomination has long provided. It cannot get the school play equipment it needs. Meanwhile, every state school in my electorate is in need of support, capital upgrades and extra funding that many students who experience disadvantage need.

The member opposite could not manage to get her facts right once again. Her motion provides, 'under its proposal to redistribute commonwealth funding from the non-government sector.' If she reads and pays attention to 'Great Australian Schools', an Australian Labor Party policy document by Mark Latham, federal Labor and Jenny Macklin, MP, she will see that it states quite clearly for anyone who chooses to read it that the $520 million currently provided to non-government sector schools will be redistributed to schools with the greatest need, including a $378 million boost for Catholic systemic schools. An agreement has been signed with the Catholic system about the way in which their funding needs will be addressed.

Catholic schools also have a long tradition. There has been a general principle in the Catholic church of sending Catholic children to Catholic schools, and many of those schools have been small, struggling schools with large classes, receiving some aid from the commonwealth and some fees which, in the local Catholic school in my area, are charged according to ability to pay. These schools, like their neighbouring state schools, struggle to provide the sort of education they would like to provide, especially for families that face many difficulties in their lives and need extra support within the school to address the educational disadvantage which so often follows locational disadvantage, poor health, unemployment and various problems within the family.

People who choose to send their children to the few elite schools that will have their fees cut do so for different reasons. However, I was recently very interested to engage in a conversation with some friends of mine, young professionals in their 30s who recently had their second child. They were talking about the fact that they had always had a commitment to the state school system, despite the fact that he went to a low cost Catholic school and she went to an elite independent school, not in this state. They had always thought that they wanted to send their children to the local state school as they thought this would provide them with better exposure to a wide range of people. They wanted them to mix with students from advantaged and disadvantaged families and to develop social competencies in a school that genuinely reflects our community.

However, they are discovering that in their professional lives so much of their work comes from people that she went to school with, or their brothers, husbands and so on. They are receiving extreme business benefit from the people she went to school with. So they think that, perhaps, they do need to send their children to those sorts of schools. But they will do so in the knowledge that this is an investment in the future earning potential of their children, not because they will learn anything different in these schools—in fact, they recognise that they will not learn as much because they will not have the same social skills. They are simply doing it as an investment in their child's future business opportunities, and they are quite prepared to pay for that.

They do not think that the taxpayer down the road, whose children will struggle at whatever school they go to and who need extra help, should be paying for their education. They will make a conscious decision, and I think that all parents who send their children to schools where the major benefit is the business and professional links their children will have in the future need to think about whether the struggling taxpayer down the road should be supporting them.

Labor thinks that those people can fund their own elite activities, and that the local religious, independent and government schools that the majority of the community send their children to need help. There are many families in our community now who experience disadvantage at a rate that they never have in the past, and how has the Howard government responded to that? We have heard talk about the fact that the federal government does provides more funding to private schools, but the state provides more to government schools. Against that statement, we should consider the fact that a decade ago the commonwealth provided 50 per cent of funds to public schools in South Australia—this has fallen to 32 per cent of funds. The next argument will be the number of children at those schools, and I can assure everyone that the number of children in state schools over the last 10 years has not plummeted to this extent. What has plummeted is the commonwealth's funding of those children—the commonwealth's funding of the great mass of children and their families in this state.

Most independent schools in this state will receive an income. Every religious and independent school in the electorate of Reynell will receive an increase in their commonwealth funding under the Labor proposals. The Southern Vales Christian College, which is struggling to establish a new library, Calvary, which is struggling to establish a new playground, and Antonio School, which is trying to provide new classrooms, are just some of the private schools in my area that will benefit from this funding—together with every child attending every state school.

Time expired.

Mr WILLIAMS (MacKillop): I am delighted to be able to support the motion that has been put forward by the member for Bragg, to counter some of the nonsense we have just heard from the member for Reynell, and to talk about some of the nonsense we have heard over a period of time now on this particular subject. I am always suspicious when members start to get into personal attack because—

Members interjecting:

Mr WILLIAMS: There we go! I think it shows a paucity of argument when you have to get into personal attack and suggest that someone putting a proposal before the house has not read the relevant documentation. That is what we have just heard—a fair bit of personal attack, illustrating that there was a paucity of argument.

This whole argument is about the politics of envy. It is about the old class war. It is about going before the masses and finding a scapegoat for all their problems and picking on someone else—someone who is small in number, because they are not going to affect the overall vote, or someone who lives and votes in an area where you do not expect to get much support anyway. That is what this is about. This is about the politics of envy.

As a parent of four children, and having got them through the education system beyond the tertiary level of education, I know what it costs a parent to educate their children.

Ms Rankine: What school did you send your kids to?

Mr WILLIAMS: My children have been to a small public primary school, just down the road from where we live, to a middle size country high school, and then they spent a couple of years away at boarding school (both Catholic schools), because they wanted to go to university and I thought it was important that they have the experience of living away from home before they got to university. That is one of the things that country people face, but Mr Latham and those opposite do not know much about people who live in the country. They do not understand the difficulties that people living in the country face in getting their children educated.

However, I digress, and I should not have taken any notice of the interjections. The point I want to make is that every parent who ever bore a child and set out to raise that child wants to do the best for that child. That is what every parent tries to do for their children. They endeavour, as best they can, to ensure that their child will have a better go in the world than they had. That is what we all try to do with our children. Some parents put a lot of effort, money and time into achieving those ends. Some parents choose to do that through the system of education. They choose to work a second job, or for both parents to work two jobs each; they choose to go without; they choose to drive the motor car for another 100 000 kilometres; or they choose to live in a house their family might have, in reality, grown out of. They do that so that they can put that money into giving their children the best start they can possibly give them, and that is the parent's choice. Some parents choose to do that by putting that money—that resource they have saved, worked hard for, and scrimped and saved—into the education of their children.

Mr Scalzi: After tax.

Mr WILLIAMS: After paying tax on it, as the member for Hartley rightly points out. But the Labor Party is saying that you should not have the right to do that. However, if you want to take that same money and put it into giving your children specialist sports coaching—and we have had a number of motions here this morning about the role of sports people and how much we look up to them—or travelling your children all over the country or around the world to compete in sport at a high level to ensure that that was where their future lies, the Labor Party is silent. The Labor Party would say, 'The taxpayer will pay for children's academic education,' and the parents can pour as much money as they like into other things to give their children that leg up. However, if you dare to use your hard earned savings to try to give your child a leg up, that is unfair. That is what the Labor Party is saying. This is nothing more than the politics of envy—the old class war politics. Every time the Labor Party is bereft of decent policies to put before the Australian people it gets down into the gutter with the old politics of envy, and that is what we have here.

The government is not even honest enough to say that most of the tax dollars that go into education in Australia—into our public schools—is via the state government. The government chooses to concentrate only on those tax dollars which are spent by the federal government, ignoring the bulk of the taxpayers' money that goes into education via the state government. If this government in South Australia was honest about these policies, it would be on the back of its own Treasurer and saying, 'Put some of those hundreds of millions of dollars which are flowing into the Treasury of this state into our public schools in South Australia,' to overcome the problems I fully acknowledge we have within our public school system in South Australia, both with regard to the

infrastructure and the number of teachers we have available for our schools. That is where this government should be directing its energies.

Debate adjourned.

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

PODIATRY PRACTICE BILL

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

TRANSPORT SERVICES, UPGRADING

A petition signed by 425 members of the South Australian community, requesting the house to urge the Minister for Transport to urgently upgrade transport services in the Aldinga, McLaren Vale and Willunga areas, was presented by Mr Brokenshire.

Petition received.

ROADS, UPGRADING

A petition signed by 499 members of the South Australian community, requesting the house to urge the Minister for Transport to make funds immediately available for the upgrade of the Main South Road, Victor Harbor Road intersection, was presented by Mr Brokenshire.

Petition received.

MOTORCYCLE GANGS

A petition signed by 218 members of the South Australian community, requesting the house to urge the government to exercise its authority to prevent outlawed motorcycle gangs from developing premises on Eric Road at Old Noarlunga, was presented by Mr Brokenshire.

Petition received.

BERINGER BLASS BOTTLING FACILITY

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

Leave granted.

The Hon. M.D. RANN: Today I want to tell the house about yet another vote of investor confidence in the South Australian wine industry. Today, Her Excellency the Governor, granted provisional development authorisation to the proposal by Beringer Blass to establish a wine bottling and storage facility at Nuriootpa, on a site adjacent to the Wolf Blass Winery, which is located on the Sturt Highway.

The approval follows the preparation of an assessment report on the proposed development by the Minister for Urban Development and Planning. The development will be undertaken in several stages over a 10-year period, with some five to six million cases of bottled wine packaged at the site in stage 1, growing to 20 million cases of wine at the completion of stage 2, on or about 2014. The company has decided on South Australia as the location for its consolidated bottling and storage facilities, with the winding down of its Victorian facilities.

This development will benefit the region with an initial investment boost of $14 million, with an additional 155 direct jobs and 52 indirect jobs, and additional income of $20 million in the region after 10 years with some 300 new jobs. There will also be flow-on effects to the state in terms of investment and jobs through the provision of materials for bottling, and packaging for the wine products. South Australian suppliers of glass, packaging corks and capsules are very well placed to benefit. This is good news for the future viability of the port of Adelaide, as the company has indicated that it will use the port for its exports.

Approval for this major development is consistent with the government's State Strategic Plan, Creating Opportunity, released in March 2004. This includes promoting sustained economic growth resulting in rising living standards; making South Australia world renowned for being clean, green and sustainable; and promoting South Australia as Australia's premier wine producer and exporter.

I draw attention to the environmental benefits of this development. The relocation of the bottling facility to Nuriootpa from Victoria will result in an estimated net saving of greenhouse emissions in the order of 3 600 tonnes per annum. In addition, Beringer Blass has indicated that it would maximise opportunities to recover and recycle water within the bottling process activities. In addition, stormwater and roof water run-off will be stored on site to minimise the risk of downstream flooding, to have a sustainable release of environmental flows and, if appropriate, to reuse some of the water on site, either in process or for irrigation. These water management measures are consistent with principles of environmental sustainability and will reduce the need for water from outside sources, including the River Murray.

I commend this statement and this good news for the Barossa Valley to the house. Whilst there might have been a Guy Fawkes in the British parliament those hundreds of years ago, I cannot believe that there are Brisbane supporters here today.

CRIMINAL LAW (UNDERCOVER OPERATIONS) ACT

The Hon. M.J. ATKINSON (Attorney-General): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: In April 1995, after the High Court decided an appeal called Ridgeway in favour of the accused, the parliament passed the Criminal Law (Undercover Operations) Act 1995 with the support of all sides of politics. The objective of the legislation was to place the law of police undercover operations on a legislative footing and to ensure certainty in the law. The High Court ruling on entrapment by police of drug dealers and other criminals had created uncertainty for the police and the courts.

As honourable members may be aware, one of the safeguards that was built into the legislation, which significantly extended police powers, was that there should be notification of authorised undercover operations to the Attorney-General and an annual report to parliament. I am pleased to assure the house that the system is meticulously adhered to, both by police and by my office. The details of these notifications form the basis of the report that the statute requires me to give to parliament. I now seek to table the report.

The legislation is working well. There have not been any South Australian court decisions on the legislation in the preceding 12 months, or on the specific aspect of Ridgeway,

of which am aware. I am in a position to assure honourable members that the legislation is working as it was intended to, and that no difficulties have appeared in its effective operation.

The law in this area appears to be well settled now. Honourable members should be made aware that, as a result of the agreement of the Council of Australian Governments' decision on terrorism and trans-border crime in April 2002, work was done on a national model for controlled operations legislation. The aim of this work is to make a nationally uniform law that would allow controlled operations across jurisdictional boundaries. Serious criminals do not respect state and territory borders, nor should the law. State laws should be capable of dealing with trans-border crime. A report has been presented to the Standing Committee of Attorneys-General on this and other trans-border matters of criminal investigation. I would be happy to provide any honourable member with a copy should he or she want one.

PAPERS TABLED

The following papers were laid on the table:

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

Response to the Social Development Committee Inquiry into Obesity, August 2004

By the Minister for Employment, Training and Further Education (Hon. S.W. Key)—

The University of Adelaide—2003
Parts One and Two, Annual Review

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

Australian Standard—Amusement rides and devices—
Part 1: Design and construction
Part 1: Design and construction. Supplement 1: Intrinsic safety (Supplement to AS 3533.1—1997)
Part 2: Operation and maintenance
Part 2: Operation and maintenance. Supplement 1: Logbook (Supplement to AS 3533.2—1997)
Part 3: In-service inspection
Australian/New Zealand Standard—Electrical installations—Constructions and demolition sites
National Code of Practice for the Preparation of Material Safety Data Sheets 2nd Edition—April 2003.

BLACK, Mr G.

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.W. KEY: Mr Greg Black will cease duties as Chief Executive of the Department of Further Education, Employment, Science and Technology effective from Friday 24 September 2004. Under terms agreed between Mr Black and the government, Mr Black's contract as Chief Executive has been terminated. The contract was otherwise due to conclude in September 2004. The terms of separation are the same as those that apply to the termination of executive contracts in the public sector. Mr Black will receive a payment equivalent to three months' salary in lieu of notice, and an additional payment equivalent to three months' salary for every year of the balance of the contract. The total separation cost is $242 414 plus $56 958 in outstanding leave entitlements.

Mr Black has provided loyal service to the state. He leaves the Public Service with a creditable list of achievements. The government has decided that the further education, employment, science and technology sectors require invigoration that can only come with a change of leadership. The government will now move quickly to make a new appointment. In the mean time, Mr Ian Procter will act as Chief Executive.

The Hon. DEAN BROWN: Point of order, Mr Speaker. Three of us on this side thought that the minister, in reading that second paragraph of the ministerial statement, said that his contract was otherwise due to conclude in September 2004. There were three of us at least who heard that, and I think that that ought to be corrected, because it is 2007.

The Hon. S.W. KEY: With your leave, sir, I seek to clarify that. I should have said September 2007, and I apologise to the house.

QUESTION TIME

PAROLE BOARD

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Attorney-General.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: Is it the case that offenders who have been charged with murder and found not guilty on the grounds of mental impairment are being prematurely moved from James Nash House to the less secure Glenside Hospital? The Attorney-General has failed to respond to a serious letter from the Chair of the Parole Board, Frances Nelson QC, on 24 May 2004 four months ago. In that letter Ms Nelson states:

> I have serious issues with the current mental impairment provisions. . . people who have the advantage of those provisions are dealt with extremely leniently.

Ms Nelson further states:

> My. . . concern is that we fail to manage and supervise these people adequately once they are released. Very few of them spend very much time in James Nash House at all. The bed shortage is such that they are pushed through to Glenside, where the bed shortage is also acute and then there is a lot of agitation to have them released into the community. . . If anyone suggests to you that these people are appropriately monitored and supervised then all I say is that from my perspective and experience such a statement is wrong.

Ms Nelson continues:

> It seems to me, given the government's present stand in relation to law and order, that the manner in which these people are dealt with introduces an inappropriate double standard in terms of expectations of supervision and management.

Ms Nelson further states:

> I emphasise, of course, that if these people are to be managed appropriately and in particular in the community then both mental health and Community Corrections would require significant resources, which resources are presently not available.

The Hon. M.J. ATKINSON (Attorney-General): It is a fair question. I recall reading the letter. I will check whether or not a reply has been sent. There is a struggle among those who work in this area for control over these decisions. The question is should it be a matter for the Parole Board or should these decisions be a matter for psychiatrists' assessment? People of goodwill will reach different conclusions about who should control this matter. Frances Nelson clearly has the view that she and her board should control this matter and, as I say, a struggle has been going on.

This struggle occurred under the previous Liberal administration, and the previous Liberal administration had an opportunity to rule in favour of Frances Nelson and the Parole Board on this matter because the issues were just as

vivid and alive then as they are now. I have taken advice on this from the Policy and Legislation section of my department and I will let the house know in due course what my opinion is about that matter. I will certainly respond to Frances Nelson if I have not already done so; but, as I say, I will check that matter. It is fair to say that there is a need for extensions at James Nash House. There is no doubt that we need more accommodation at James Nash House. That did not occur under the previous government although it was much needed—it is now on the capital works program, and that was announced in the budget.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: I have a supplementary question. Given the Attorney's statement of a difference of opinion with the Chair of the Parole Board, does the Attorney retain confidence in the Chair of the Parole Board?

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

AIR-RIDE WIND PTY LTD

Mr CAICA (Colton): My question is to the Minister for Energy who is quite happy, finally, to get a question, sir. Will the minister advise of any significant milestones in the local manufacturing industry for wind power; and did the minister attend any such celebrations to mark such milestones?

The Hon. P.F. CONLON (Minister for Energy): I thank the member for Colton for his question—it is indeed good. This is more good news after the Premier's—

The Hon. K.O. Foley: More!

The Hon. P.F. CONLON: More good news; so I have no doubt those on the other side will be very disappointed, but, sir,—

Members interjecting:

The Hon. P.F. CONLON: There they go.

The SPEAKER: About wind power and not Port Power!

The Hon. P.F. CONLON: About wind power and not Port Power, sir. Air-Ride Wind, a South Australian firm located at Kilburn, this week completes its 200th wind tower section, which equates to 67 completed wind towers. This is an extraordinary piece of good news in light of where we have come. When we came to government, there were no wind generators in South Australia. Since that time, Air-Ride Wind has completed 67 towers and they are going full steam ahead because in South Australia we have more wind generation being installed over the next four years than anywhere else in Australia. We expect something like 400 megawatts—many, many more towers over the next two years. In this time, Air-Ride Wind has employed 60 people directly, another 15 on its partnership program and, at times in the last two years, has employed up to 100 people. That has continued for two years: it will continue into the future.

I accompanied Mike Lewis from Air-Ride Wind on a trade mission to Spain, and I can say it was a case of a trade mission that did reap fruit. Today I was invited to celebrate with the management and staff what is I think a terrific milestone in the emerging wind energy unit. I thought it was an appropriate thing to do. Of course, they invited me at 12 o'clock today, and if I were to go at that time without an arrangement with the opposition, of course I could expose the government to the danger of votes. Unfortunately, the opposition did not believe this was something appropriate for a minister to do, so I was unable to do that, but I will take the opportunity in here to congratulate the people which I cannot do in person. I regret that I was not there in person, but I will congratulate them in this chamber for what they do.

I do think it is extraordinary that two years ago I was being criticised by the member for Bright for not going with the same company to Denmark. He wanted me to go to Denmark with them but now he does not want me to go to Kilburn to see them. I am a bit confused about that but, no doubt, the member for Bright has some logic behind it. I could understand why they would be jealous about it, sir, because we have created the wind energy industry in this state. This government, the Rann Labor government—I am sorry, I should not refer to it—has created the wind energy industry in this state, and I can understand why those on the other side would not feel very good about that. This is a tremendous outcome for a local company—more to come. I wish them every strength.

I am more than happy to stay here because I know that they on the other side are muscling up. Their idea of muscling up is to ensure they do not allow us to go to things such as that, because they say, 'We do not get any questions'. If they do not muscle up by asking questions, they will muscle up by not letting us go to celebrate great events with great South Australian companies. But we can deal with it because we like being here because we are in government. It is fun to be here. It is good to be on this side. We like being in here; we enjoy it. Congratulations to a great company.

Mr BRINDAL: Mr Speaker, I rise on a point of order. Yesterday you pointed out to the house that whatever arrangements exist in this place are private arrangements—and this place is a grouping of 47 individuals—yet we have listened to an answer that brooks defiance of your ruling yesterday, sir.

The SPEAKER: It does, and I uphold the point of order.

OUTLAW MOTORCYCLE GANGS

Mr BROKENSHIRE (Mawson): My question is to the Minister for Urban Development and Planning. Why is the minister refusing to get involved in preventing the construction of an outlaw motorcycle gang facility in Old Noarlunga after requests from the Onkaparinga council to intervene, when the minister readily assisted the Charles Sturt council in preventing a similar facility being built in Brompton?

The Hon. P.L. WHITE (Minister for Urban Development and Planning): I am not sure whether I have actually written to the honourable member, although I think I have, in response to this very same question. So, I am surprised that he asks it, because I suspect that he knows the answer. The answer is quite simple. When the government introduced its new anti-fortification legislation, it put in place a process to deal with this sort of incident. The case of the government intervening with another council area was because that particular development application had been lodged before the new legislation came into effect. What the new legislation requires is that a development authority (in this case a local council) that receives an application for a development that it suspects may be a fortification is required to write to the Police Commissioner.

The Police Commissioner will then, one would assume, give his expert advice on behalf of the South Australian police force as to the status of the proposed development. In the case where I as planning minister took the step of intervening in the western suburbs case of a proposed development that the council believed was a fortification, because the legislation had not been assented to at that time

(so was not in force), I took the step of writing to the Police Commissioner to ask his advice as to the South Australia Police view of the proposed development. His advice back to the government was that this was indeed a fortification and, on the Police Commissioner's advice, cabinet took the decision to decline the application.

That process was not necessary in the southern suburbs case because the new anti-fortification legislation is in force. I understand that the council, on advice from me, has written to the Police Commissioner and I understand that, unless some advice has come in in recent days, the Commissioner is considering that development proposal in order to determine whether it is classed as a fortification.

Mr BROKENSHIRE: As a supplementary question, in the event of the Police Commissioner not having the power to prevent the construction of the outlawed motor cycle gang facility in Old Noarlunga, City of Onkaparinga, will the minister then intervene?

The Hon. P.L. WHITE: I suggest that the honourable member reads the legislation. He has had one hint, when he was told that the anti-fortification legislation applied. One would have thought that he would go and read the legislation—

Members interjecting:

The SPEAKER: Order!

The Hon. P.L. WHITE: —because, contrary to the assertion by the honourable member, the Police Commissioner does have the power under the legislation. He does have the power.

Mr Brokenshire interjecting:

The SPEAKER: Order! We are not into hypotheticals. The honourable member for Mawson can relax. The member for Enfield.

HOSPITALS, FUNDING

Mr RAU (Enfield): My question without notice is to the Minister for Health. Following representations by all state premiers to the Prime Minister in June 2004 on funding and reform measures for the public health system, has the government received any indication from the Prime Minister that the commonwealth government will revisit the Australian Health Care Agreement and provide additional funding for public hospitals?

The Hon. L. STEVENS (Minister for Health): I thank the honourable member for this question, because it is very important.

The Hon. R.G. Kerin interjecting:

The Hon. L. STEVENS: Immediately, the Leader of the Opposition interjects that the states were offered a good deal by Prime Minister John Howard. Unfortunately, nothing could be further from the truth. Members may recall that in June 2004 all state and territory premiers and chief ministers urged the Prime Minister to put health reform and health funding on the national agenda after the new health care agreement cut $917 million off commonwealth funding for public hospitals. Under the new health care agreement South Australia lost $75 million of commonwealth funding compared with rolling over the old agreement.

The commonwealth refused to negotiate with the states on their offer under the health care agreement. The position of the Howard government was made clear during the election debate two weeks ago when (on 12 September) the Prime Minister claimed that cuts to state funding were a figment of the Labor Party's imagination. In comparison, Mark Latham has announced that a federal Labor government will implement a package of measures to support public hospitals at a cost of $998 million over four years. That is more than the Howard government took out. This package includes commitments of $340 million for outpatient specialist services at public hospitals; $30 million for new specialist training places for registrars at public hospitals; $17.5 million for the Medical Specialist Outreach Assistance Program to rural and remote areas; $17.5 million for isolated and interstate patient travel; and $472 million for four years for more outpatient GP services and improved facilities and equipment at public hospitals.

This funding will address priorities such as upgrading emergency departments, and it will also invest in better cancer services. Federal Labor's commitment to public hospitals is in stark contrast with the Prime Minister's lack of support—

Members interjecting:

The SPEAKER: Order!

The Hon. L. STEVENS: —which was supported in this house and in the media in this state by the Leader of the Opposition and his deputy.

KARZIS, Mr G.

The Hon. I.F. EVANS (Davenport): My question is to the Attorney-General. If there was nothing improper happening at any of the SDA union meetings that the Attorney-General's staffer, George Karzis, attended, why did he stop him attending any more meetings? In answer to a question yesterday the Attorney said:

> When I became aware that Mr Karzis had attended two meetings, I can tell members he did not attend any more.

Members interjecting:

The Hon. I.F. Evans: Why did you stop him?

The SPEAKER: It is not up to me to answer, but I don't know that the Attorney-General did stop him. The honourable Attorney.

The Hon. M.J. ATKINSON (Attorney-General): My view is that members of my ministerial staff ought to devote as much of their time as possible to ministerial duties. Indeed, I think I work my staff pretty hard.

SPORT AND RECREATION ORGANISATIONS

Mrs GERAGHTY (Torrens): My question is to the Minister for Recreation, Sport and Racing. How is the government supporting local sport and recreation organisations?

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): The government is committed to providing resources to assist local clubs to create opportunities for all members of our community to be involved in physical activity. The Active Club program is designed to assist non-profit sporting and recreation clubs and organisations provide opportunities for participation at the local level by providing assistance for such things as minor capital works, equipment and youth sporting initiatives. This funding makes an important difference at the local level and significantly improves outcomes for these community clubs and associations.

The Active Club program works positively in conjunction with local members to provide resources at a grassroots level. To ensure that these resources are applied effectively, I asked

the Office for Recreation and Sport to work with members' electorate offices to assist local clubs with the application process. I have been advised that, for the most recent round of the Active Club program, the Office for Recreation and Sport conducted 12 funding workshops in the metropolitan area and two in country regions. In addition, it increased the number of officers available to directly assist clubs with their applications in the weeks leading up to the closing date.

Funding is allocated to community clubs throughout the state on a fair and equitable basis, and this is reflected in the criteria against which clubs apply. For example, successful applications need to demonstrate that the funding will, amongst other things, address criteria such as increasing participation levels, addressing community needs, improving the quality or standard of services or facilities, or increasing the safety for participants.

I can inform members that I have now approved the latest round of Active Club program funding, which will see an annual allocation of $2.35 million go towards enhancing sport and active recreation outcomes across our state's metropolitan and regional clubs and associations, and 258 clubs and associations will be offered assistance under this latest round. This will go a long way towards assisting community participation in active recreation and sporting activities, ranging from tennis to bushwalking. Funds will go towards a wide range of projects, including training programs, facility development and equipment purchase.

I thank members for their assistance in promoting the Active Club program to their constituents and demonstrating their commitment in allowing recreation and sporting organisations to develop and expand their services in our community.

Dr McFETRIDGE (Morphett): I have a supplementary question. Will the minister indicate whether he agrees that he has a conflict of interest in being the Minister for Recreation, Sport and Racing and the minister responsible for pokie reform legislation?

Ms Breuer: That's not a supplementary question: that's a new question.

The SPEAKER: Order! The honourable member for Giles of course has the opportunity to take a point of order, as does any other member, without regaling the house with her insight into the standing orders in a disorderly manner. Notwithstanding my observation in that respect, the question is not supplementary and is out of order. As the subject of another inquiry, it is quite orderly, but it does not go to the subject upon which the member for Torrens focused our attention in making her inquiry.

SHOP DISTRIBUTIVE AND ALLIED EMPLOYEES ASSOCIATION

The Hon. I.F. EVANS (Davenport): My question is again to the Attorney-General. During the recent SDA union elections, did the Attorney lobby SDA employees and staff, encouraging them to support the Farrell-Finnigan ticket?

The Hon. M.J. ATKINSON (Attorney-General): As I have disclosed to the house, and on my pecuniary interests register, I am a member of the Shop Distributive and Allied Employees Association. How I vote, or the vote I advocate, in my union election has absolutely nothing to do with my ministerial duties.

Members interjecting:

The SPEAKER: Order!

The Hon. I.F. EVANS: I have a supplementary question.

Members interjecting:

The SPEAKER: Order! Let's get our guns back in our holsters. There are some political hammers and some political nails. Those of you who regard yourselves as political hammers, should probably use the hammers in a more constructive way in joinery, rather than smashing things up. May I, therefore, invite the member for Davenport to put the supplementary question.

The Hon. I.F. EVANS: Given the fact that the Attorney-General stopped his staff member from attending union meetings because he wanted Mr Karzis to concentrate on government business, does the Attorney think that it is an appropriate role for the Attorney-General, the most senior law officer in the state, to spend his time becoming directly involved in lobbying for union elections?

Members interjecting:

The SPEAKER: Order! The question is out of order. The honourable Attorney has been at pain to point out that it is a private and personal participation in an organisation in which he is lawfully entitled to join, and that the activities in which he engaged were not undertaken in the name of his office as Attorney-General but, rather, in the capacity as a private citizen and as a member of that organisation, the trade union. He is not responsible to this house for what he does in his private capacity in any other respect than he has declared on his register of pecuniary interests. If there is any evidence of inappropriate conduct on the part of the Attorney-General which is known to the member for Davenport, or any other member of the parliament, about not only the Attorney-General or any other minister for that matter, that must be the subject and substance of a motion to that effect. It cannot be the substance of inquiry in question time in the manner in which I suspect the honourable member for Davenport and others might like it to be.

ROAD SAFETY

Ms CICCARELLO (Norwood): My question is to the Minister for Transport: how is the state government working with councils to improve road safety?

The Hon. P.L. WHITE (Minister for Transport): There are many opportunities that state and local governments have to work closely together on a number of issues. Today, I would like to advise the house of another collaboration between our two spheres of government. Elected members of council and parliament, I know, are committed to doing all that they can to reduce road trauma, and I would like to acknowledge, in that vein, the work of the Road Safety Advisory Council. Acting on one of its recommendations, I am pleased to advise that joint funding from councils through the Local Government Association and the state government has occurred to develop stronger road safety links.

The South Australian government aims to reduce the road toll by 40 per cent by 2010. If we are going to achieve that target, we need the support of all the parties involved in making our roads safe. Councils across South Australia which, obviously, have a real and genuine interest in ensuring the safety of their communities on the local road network, will be working with the state government to promote road safety in their communities, and to try and change road user behaviour on a local level.

I would like to acknowledge the community leadership of the Local Government Association in road safety. We are pleased that joint funding between councils and state

government has made possible the allocation of a special officer who is being employed for six months, with shared expenses between state government and the Local Government Association, to develop strategies to improve road safety. Councils are anticipating increased public education strategies that will emerge along with suggestions for road design changes. Consultation is currently occurring with all councils to identify areas where there are current and future opportunities to address those concerns. As this work is progressed, new strategies and ideas will emerge that can be put in place, along with recommendations via the Road Safety Advisory Council.

HOSPITALS, RIVERLAND

The Hon. DEAN BROWN (Deputy Leader of the Opposition): In light of a memo from the Regional General Manager of the Riverland Health Authority saying that the true increase of the regional budget for 2004-05 is 2.56 per cent, will the minister acknowledge that the inflated figure of a 6 per cent increase, given by the minister to this house, only occurred because there are 27 pays for the year rather than the usual 26 pays? An internal memo from the Regional General Manager of the Riverland Health Authority dated 26 August 2004 states:

> After adjusting for once-off funding 27 pays for the year, funds that were previously allocated during the year changed in the carryover figure from the previous year and the additional HACC and mental health funding, the real increase in overall regional net allocation for 2004-05 is 2.56 per cent.

Once the adjustment for 27 pay periods is done, the actual increase is 2.56 per cent, about 3 per cent less than the increase in wages and inflation costs.

The Hon. L. STEVENS (Minister for Health): I am amazed that the deputy leader would have the gall to stand up in this house and ask me a question about health funding when he was pleased that the Howard government offered an Australian health care agreement that saw $75 million being cut from South Australia. However, in relation to this particular matter in the Riverland, quite clearly the deputy leader was not listening or did not choose to listen to an answer that I gave earlier this week. The Riverland Health Service has received an increase of about 6 per cent in its budget and I might add—

The Hon. DEAN BROWN: Point of order, Mr Speaker. The minister seems to be ignoring the question, which was about the 27 pays during the year.

The SPEAKER: The honourable minister.

The Hon. L. STEVENS: Thank you, sir, for the opportunity to keep answering the question. The other thing that I made clear to the house earlier on this week was that the budgets that have been given to all regional health services in the country are draft budgets. In answering this question, and to help the deputy leader with the facts of this issue, I will quote from a radio news summary from this morning, when the Regional General Manager of the Riverland Health Service, Mr Nino DiSisto, said:

> We had our first subsequent discussion last Friday, articulated to them the priorities for the region and the issues that we think require further discussion with the department, and those discussions are continuing, so we actually haven't finalised our budget for the region for this year.

So, the deputy leader continues to run around this state with misinformation, scaremongering, upsetting communities when, in fact, this government is working with the people of South Australia to improve health services—something that he failed abysmally at when he was health minister.

The Hon. DEAN BROWN: I have a supplementary question. If, in fact, the budget has not yet been done, how is it that I have an eight to ten page memo from the Regional General Manager which outlines the impact of this year's budget?

The Hon. L. STEVENS: I have no idea how you would happen to get such a memo. Perhaps you would like to explain that to the house yourself, and I would be very interested to know how you got it. However, my answer stands: the draft budgets are out, discussions are occurring and we are on about improving services.

CLIPSAL 500

Mr KOUTSANTONIS (West Torrens): My question is to the Deputy Premier.

The Hon. I.F. Evans interjecting:

The SPEAKER: Order, the member for Davenport! Hammer or nail I am not sure.

Mr KOUTSANTONIS: How did the South Australian economy benefit from this year's Clipsal 500?

The Hon. K.O. FOLEY (Deputy Premier): Can I say from the outset that we are very fortunate in this state to have a great Clipsal event, and that was good work by the former Liberal government to get the Clipsal 500 here. As much as I want to claim credit for it, I would like to share it with members opposite. I think that this is a true sense of bipartisanship in how we have managed motorsport racing, particularly with the Clipsal 500.

Members interjecting:

The Hon. K.O. FOLEY: I would have thought that members opposite would have been very delighted to join in and listen to this answer because they can take some of the credit.

Members interjecting:

The Hon. K.O. FOLEY: No; it was the last event. This year, under this government, consistent with all things in recent years, we had a record crowd of 237 400 people attend the event, I am advised, which was up from 213 800 last year; so, that was an 11 per cent increase in attendance. Total ticket sales exceeded $5 million, up from some $4.3 million the previous year. I am advised that attendance on the Thursday, Friday, Saturday and Sunday exceeded records set in all previous years. The Clipsal 500, once again, has set a new record for attendance at a national motorsport event.

The Clipsal 500 now is the largest touring car event held anywhere in the world. Independent economic assessments have been completed by Economic Research Consultants. I advise the house that this year the event attracted over 11 500 visitors to South Australia and was responsible for 69 000 visitor nights. New tourism expenditure was valued at $12.3 million and the event generated some $23.1 million in economic benefits to the state. Since its inception in 1999, the event has contributed a total of $104 million to the state's economy. This year's event recorded a profit of $169 000, up from $81 000 in the previous year. The event has been awarded the AVESCO trophy for being the best V8 supercar event each year since its inception, and has been named as Australia's best major festival or event at the 2004 Australian Tourism Awards.

I advise the house that work is well under way on a bigger and better Clipsal 500 race for 2005, targeting and continuing

to grow the enormous benefits that flow to South Australia from this outstanding event. We will be launching the advertising campaign for the Clipsal 500 in about a month. I have seen the preview of those adverts—they are simply outstanding, continuing to build on the outstanding creative talent of KWP. It is an outstanding, quality advertising campaign which builds on the previous years. Some great talent will be there for the concerts. There will be music in it for everyone, yourself included, sir. There will be some good country music, which I know you are a great fan of, sir. Perhaps I could invite you to come with me as my guest on the evening, sir. We could show how well we get on together. We could bootscoot the night away, Mr Speaker. That would be—

The Hon. R.G. Kerin interjecting:

The Hon. K.O. FOLEY: —a horrible thought, as the Leader of the Opposition says. Well may you be correct on that score. I would be delighted for you to join us on the evening, sir. Can I also mention the outstanding work again of Roger Cook and the board, and Andrew Daniels, and I look forward to an outstanding 2005 event.

HOSPITALS, MOUNT GAMBIER

The Hon. DEAN BROWN (Deputy Leader of the Opposition): My question again is to the Minister for Health. Will the Minister for Health confirm the accuracy of the claim by Dr Kevin Johnston that the level of surgical activity at the Mount Gambier hospital in 2003-04 (this past year) has been less than half the level of three years ago? Dr Kevin Johnston, who is the specialist anaesthetist at the Mount Gambier hospital and who should therefore have a fair idea of the amount of surgery being done, has claimed in a letter that, with the loss of resident medical specialists at Mount Gambier, there has been reduced surgical activity. I refer to the letter in which the doctor says:

> By my estimation, elective surgery is currently running at less than 50 per cent of the levels achieved prior to 2001-02.

The Hon. L. STEVENS (Minister for Health): I am aware of the comments of Dr Kevin Johnston and I would like to be able to answer the question. Yes, there has been a decrease in elective surgery at Mount Gambier over the last couple of years, and I might say that levels of elective surgery are a reflection of GP referrals and services available. People will remember that over the last couple of years there has been uncertainty in relation to the signing of contracts with specialists, but I would say to everyone that, in spite of the fact that there were decreases in elective surgery over those couple of years, the information that I have now is that the elective surgery levels at Mount Gambier hospital are now returning to historical levels. The reason why that is occurring is that at last we have a government which has been prepared to deal with longstanding issues which have been part of the Mount Gambier community for many years.

In dealing with some of those issues, some specialists decided to leave the area. However, there are new arrangements in place and I am very pleased with the way in which they are going. In fact, just a couple of days ago, in a meeting with the AMA, they also confirmed that they believed things were on the improve in Mount Gambier. No thanks, I might add, to the deputy leader who presided over matters in Mount Gambier and who never really addressed the fundamental problems. And then, when a government came along with the guts, the commitment and the determination to get to the bottom of things and make the necessary improvements, he has done nothing but try to undermine them further. There has been a decrease in elective surgery over the last couple of years, but elective surgery is now returning to historical levels. I know that during that time there were many occasions when GPs in Mount Gambier referred parents elsewhere—some went to Victoria; others went to Adelaide. Things are on the improve in Mount Gambier and I am very pleased about them. I thank my ministerial colleague the Hon. Rory McEwen for his support in working through the difficult issues.

SOUTH AUSTRALIAN CERTIFICATE OF EDUCATION

Ms BREUER (Giles): My question is to the Minister for Education and Children's Services. Given that the SACE review commenced earlier this year, to what extent has the community had the opportunity to provide input to the review?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Giles for her question because I know of her keen interest in the senior secondary years, the issues to do with certification and pathways for teenagers. She has been a key advocate of alternate means of receiving those training packages and qualifications, and certainly the SACE review is looking at all means by which the number of South Australians becoming competent and receiving regulated competencies can be improved.

The review is led by a three person review panel, the chair of which is the Hon. Greg Crafter, who is not only a former education minister but also a past president of the International Baccalaureate Organisation. He leads Prof. Alan Reid, Professor of Education at the University of South Australia, and Dr Patricia Crook AO, President of Business SA. The discussion paper for the review was released in May, and members have all had an opportunity, having received a copy of this document, to put in their submissions and be part of this process. There have been extensive opportunities for community members to have their say about the SACE and any changes that are needed. Approximately 200 meetings have been held, involving more than 1 600 people.

To make sure that a wide range of school and community members could be involved, the team has travelled throughout the state, visiting more country areas over the past five months. This has been a significant feature of the review, with five or six meetings being scheduled in many locations to make sure that those taking part in the review comprise not only parents, teachers, principals, members of governing and school councils, representatives from TAFE, training providers and, of course, the business community but, in addition, most importantly, the regional development boards and of course the students. Metropolitan teacher meetings have also taken place, as well as visits to specific metropolitan school and training sites. A number of the meetings have been held with Aboriginal parents, students and community members as well as there being visits to those areas catering for those with disabilities and particular support groups for those young people who are disengaged from formal education.

A number of parliamentary colleagues have been keen to provide input, and I commend them for their interest. In addition, 5 000 people have accessed the web site; there have been 600 online surveys returned and around 1 200 pages of written submissions. Detailed analysis of these submissions

will be used to map the range of issues that have been raised and the areas where changes might occur. The contributions of the community are valued and will definitely be taken into account when the process is completed and the review announced.

BAILEE SUICIDE

Ms CHAPMAN (Bragg): What procedures has the Attorney-General put in place to prevent the suicide of alleged paedophiles while on bail? On 16 August this year a man charged with paedophile offences four days previously committed suicide.

The Hon. M.J. ATKINSON (Attorney-General): I imagine the supervision of bail is the responsibility of the Department of Correctional Services. I have said to the member for Bragg twice before that I am not the spokesman on Correctional Services in this department. Bail is mostly granted by police but, in some circumstances, it is granted by magistrates. If the member for Bragg wishes, I will refer to the Chief Magistrate the question of bail in this case, and see what could have been done by the magistrate in the bail conditions to prevent the suicide of the bailee.

Ms CHAPMAN: As a supplementary question, will the Attorney-General commit to using psychiatric assessments and better case management prior to accused paedophiles being released on bail?

Mr Brokenshire: Good question!

The Hon. M.J. ATKINSON: On the contrary: I disagree with the member for Mawson; I actually do not think it is a very good question. But I will discuss the matter with the Chief Magistrate. It is one thing for the Department of Correctional Services, when it has a person remanded in custody, to take care of that person. It is quite another thing when the police or a magistrate decide to grant bail, the accused person goes home and then the member for Bragg says, 'Well, it's the fault of the magistrate or the justice system that the person who has been granted liberty on bail then commits suicide.' It is an odd question, but I will look into the matter.

CITY WATCH-HOUSE, FEMALE PRISONERS

Mrs HALL (Morialta): My question is to the Minister for Police. Has the minister sought a report from the Police Commissioner relating to the conditions of convicted and sentenced female prisoners in the City Watch-House? If so, what were the findings of that report; and, if not, why not? The minister stated on 21 July this year (almost two months ago) that he would seek a report from the Police Commissioner relating to conditions for convicted and sentenced female prisoners in the City Watch-House.

The Hon. K.O. FOLEY (Minister for Police): I will come back quickly to the member on this. My recollection is that I have received a briefing on this matter and I had thought that it had been passed on to the honourable member via the parliamentary process or through direct correspondence. If that has not occurred, I will follow it up, because I have received a response from the Police Commissioner. I think part of that response was that this concern had been raised earlier by another member and responded to. I am a bit unsure as to why the honourable member has not received a response, because my recollection is that one was sent, but I will follow it up.

Mrs HALL: My next question is to the Minister for the Status of Women. Will the minister advise the house of what immediate arrangements were made to bring the treatment of female offenders in the Adelaide City Watch-House up to standards required by the Department for Correctional Services? On 10 August, the Minister for the Status of Women stated in a response to a question asked during the estimates and taken on notice that it was 'found that the treatment of some female offenders was not to the standard required by the Department for Correctional Services, and as soon as DCS was alerted to this immediate arrangements were made to rectify the situation.'

The Hon. S.W. KEY (Minister for the Status of Women): The member for Morialta's question would be best referred to the Minister for Correctional Services, to whom I referred this matter when she raised it initially during estimates. The Minister for Correctional Services (Hon. Terry Roberts) in the other place has followed up in his portfolio the matters that she raised. If the honourable member has not received the minister's response, I will make sure that she does.

WEST AVENUE

Mr VENNING (Schubert): Will the Minister for Transport advise the house why the state government tried to close West Avenue, a key transport link between the rapidly expanding Elizabeth West precinct and General Motors Holden's plant in the electorate of Ramsay? West Avenue is presently on commonwealth land at DSTO, but it is scheduled to be transferred to state government control in the near future. I have been advised by prospective investors that future investments were under threat because the state government had planned to close West Avenue but that the federal government has now come to the rescue providing $5 million to upgrade and refurbish this important link for development in our northern suburbs.

The Hon. P.L. WHITE (Minister for Transport): I think this is a bit of a try-on on behalf of the federal minister. I think the honourable member has got his facts around the wrong way. His claim that the state government moved to close the road is incorrect.

TAFE

Mr SNELLING (Playford): My question is to the Minister for Employment, Training and Further Education. How has South Australia's training system again been able to demonstrate our commitment to a high standard of training?

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): Members will be interested to know that the TAFE system has again dominated the baking scene at the National Bake Skills Australia competition. This is the sixth time in 12 years that Regency TAFE has won the top national award. This is a particularly good outcome for our state, given that we have 170 baking apprentices and trainees, compared with 800 in New South Wales and 600 in Victoria. The competition is highly competitive, intense, extremely demanding and requires a high standard of skill. In a national TAFE competition in food processing, hospitality and tourism, the South Australian team won the perpetual trophy. Over the past six months, in training for the competition, the winning team showed a dedication in perfecting their skills, with the assistance of the

conscientious, dedicated training from the staff of Regency TAFE.

Jenni Key (who is not a relative, although I have a sister-in-law with the same name) is from the Regency TAFE bakery and is the lecturer who has been behind these winners. She places a strong emphasis on the importance of quality in all aspects of the baking industry. She believes that the winning edge for the Regency team was taking South Australian ingredients into the competition and using quality local products, particularly the superb flours produced in South Australian. I know a number of members, including the Speaker, who know about our cereal area and particularly about flour.

The Regency TAFE entry had a Greek and Italian theme, with ciabatta, a traditional crusty Italian bread made from durum wheat flour produced from a selected grain rejuvenated under trials by South Australia's Dr Tony Rathjen. Leon Bailey, the bakery team manager at Regency TAFE, is also pleased with the South Australian durum wheat for its unique flavour and believes that it has potential in mainstream bakery. Mr Bailey has just returned from the San Francisco Baking Institute, where old-fashioned techniques are used in baking to protect the integrity of flavour and the characteristics of true artisan bread in the French tradition.

Regency TAFE wants to pass this artisan baking skill on to small and medium bakery businesses to create a rich, niche market, bring back the flavour of speciality breadmaking and revitalise local consumption. There are plans to expand this awareness across the state and nationally. Regency TAFE would like to see its success at competition level attract a new generation of bakers to join the trade. By blending the artisan craft and the modern science of baking, Regency can equip young bakers with the skills and technical knowledge to deal with future changes and needs in the industry.

I know that members are usually somewhat sceptical about claims of excellent quality, but here the proof is in the baking, so to speak. Generous quantities of different types of bread are in the Blue Room, and I urge members to taste for themselves—at no charge—the excellent products produced by our young apprentices.

SOUTHERN CROSS REPLICA

Mr HAMILTON-SMITH (Waite): My question is to the Minister Assisting the Premier in the Arts. Why have plans to sell the Southern Cross replica aircraft stalled? Why is it still sitting in a hangar at Parafield, almost a year after the government announced its sale?

The Hon. J.D. HILL (Minister Assisting the Premier in the Arts): I am very pleased that the member for Waite is still practising the art of looking after the lost causes of our state. This has been a protracted—

An honourable member: This is our history.

The Hon. J.D. HILL: It is not our history: it is a replica, you goose! This is a replica aircraft which was smashed by the people who had possession of it under the terms entered into by the former government. We have gone through a process to find a competent organisation which can repair and look after this aircraft. We are attempting to get—

Mr Hamilton-Smith interjecting:

The Hon. J.D. HILL: It has not been sold.

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! The honourable member for Waite has had his go.

Members interjecting:

The Hon. J.D. HILL: Yes. We will buy you a Tonka toy, as my colleague says. We are going through the process of trying to get the bits and pieces that go with the aircraft from the people who currently possess it, and they have being remarkably slow in coming forth with all those items. We are working through the process in the best way that we can, and I will give the member advice when we have settled the arrangements. We are doing it in the best way that we can, as I am advised, and we will eventually have this aircraft looked after by HARS at Murray Bridge. That will be a very good outcome for South Australia. It is not part of our heritage; it is a replica aircraft that was built only a couple of years ago.

SITTINGS AND BUSINESS

The Hon. P.F. CONLON (Elder): I move:

That standing orders and sessional orders be so far suspended as to enable Private Members Business—Bills/Committees/Regulations to be taken into consideration after grievances for one hour.

Motion carried.

GRIEVANCE DEBATE

CHILDREN IN STATE CARE

Mr BRINDAL (Unley): Some time ago, the Queensland government, faced with a similar dilemma presented to that now presented to the South Australian government, looked at the plight of children who had been incarcerated in institutional care over the past two or three decades. To the credit of the Queensland government and, particularly, I believe, of the Premier, Peter Beattie, who philosophically does not sit with this side of the house, that government established a reparation fund. It was not intended to be compensation; it was intended to be reparation. That is, people who had been in orphanages and whose lives had been damaged and, in some cases, smashed, could actually apply for small grants to help patch up their lives on an individual basis.

It might have been that they did not do very well at school, and needed to increase their literacy and numeracy skills; they could get money for that. It may well have been that they wanted to find their records, and there was a cost; they could get money for that. It may well have been that the emotional states of their lives were such that they needed some counselling and some professional help; they could get money for that. The point was that they needed to apply, and they were granted the money by an independent board. The average grant was about $950. The Queensland government put in $2 million which, by the standards of this government, is a very small amount. In a $7 000 million budget, $2 million is a paltry sum, indeed. That money was invested, and it is the interest on the investment that is used on an ongoing basis for this grant. The Christian churches who had run many of these institutions in Queensland were also asked to contribute, and contributed the princely sum of $113 000.

In its inquiry which has recently been tabled in this house, the Senate reported on these facts, commending the Beattie government for its initiative and condemning the Christian churches in Queensland or, at least, commenting that the amount supplied by the churches was 'manifestly inade-

quate', suggesting a certain amount of parsimony on their side. As members will know, because it has been reported, as a consequence of reading that report I have written to the Catholic Archdiocese, His Grace Archbishop Philip Wilson, and the administrator of the Anglican Archdiocese for the time being, the Venerable John Collas, asking if they, as the two churches which numerically represent (at least on paper) 80 per cent of practising Christians in South Australia, could get together and show leadership, and work out some way of contributing, between themselves, as the operators of many of these institutions, a figure of at least $1 million and, hopefully, more. I have suggested that, as the leaders of the two biggest churches, they should ally their churches with other groups like the Salvation Army, who themselves ran boys' homes and who also might like to contribute to this reparation fund.

I am very pleased to report to this house that the Vicar General of the Catholic Archdiocese yesterday told me that (despite only writing two or three days ago, His Grace has already written a letter in reply) they are very keen to actively consider the matter. He made no commitment but he did promise the active consideration of the Catholic Archdiocese. I think that should be put on the record. But also, if the Catholic Archdiocese is prepared to look at this matter in good conscience, and without accepting any or all of the blame, so too should the government. I remind you, as I said to the house earlier, that the Beattie government put in $2 million.

If the Catholic Archdiocese of Adelaide, hopefully the Anglican Archdiocese of Adelaide, maybe the Salvation Army, are prepared to contribute to reparation, the findings of the Senate committee are quite clear: this state government was itself part of the problem, was itself liable, and itself is guilty of all those heinous comments, which the Premier of South Australia directed, in the case of the Anglican inquiry, at the Anglican Church. If this state, this government, this parliament, stands in guilt as a result of the Senate inquiry directly hand in hand with the churches, then this state government on behalf of the people of South Australia should be putting $2 million into a reparation fund with the church to look after these people.

SCHOOLS, FUNDING

Ms RANKINE (Wright): I am a very passionate advocate of high quality education for all our children here in South Australia. They all deserve the opportunity to achieve to their full potential, irrespective of their family circumstance. Life is not fair, we all know that, none of us has an equal start in life, and that can be for a range of factors totally out of our personal control. However, as a government, and as a community, we can commit to, we can provide as best we can, the best opportunity for our children, as I said, to develop to their full potential.

Over some years we have seen the growing inequity in the funding arrangements for our schools, with the federal government deciding to fund those schools with the most at the cost of children from average Australian families. I am not going to stand here and support 300 per cent increases to the wealthiest schools around our nation; schools with facilities that include swimming pools, rifle ranges, in one case a museum with a full-time archivist.

Mr Meier: Which one is that?

Ms RANKINE: Kings. I have no problem with these schools having these facilities. They just should not be subsidised by the taxpayer when other schools throughout our country are struggling to maintain basic educational resources. I am strongly supporting the redirection of taxpayers' funds—

An honourable member interjecting:

Ms RANKINE: We have two schools here in South Australia that are in that category. I am strongly supporting the redirection of those funds to schools that would not even dream of such facilities. I am supporting federal Labor's policies that will lift all schools to a national standard. The public schools in my electorate that include Golden Grove High School, a magnificent high school; Golden Grove Primary School; Greenwith Primary School; Gulfview Heights Primary School; Keithcot Farm Primary School; Keller Road Primary School; Madison Park Junior Primary and Primary schools; Salisbury East High School, and Wynn Vale Junior Primary and Primary schools.

I will mention Salisbury East High School. We had, not in the most recent budget but the budget before, an announcement for the upgrade of their home economics and technology studies centres—the first major facilities upgrade to that school in 37 years. That is the sort of inequity that has been in our school system for far too long. Gleeson College, Our Lady of Hope Catholic School and St. Francis Xavier's Regional Catholic School will also benefit under Mark Latham's proposal, along with Pedare Christian College, King's Baptist Grammar School, Tyndale Christian School and the Golden Grove Lutheran School. We will see good values and discipline in our schools, and we have heard what the current Prime Minister thinks of the values in public schools. We have magnificent public schools that promote wonderful values in our children—values of respect, community participation, and a whole range of good values. We will see better buildings, up-to-date computers with internet facilities, early literacy and numeracy programs. Students with disabilities will benefit as will indigenous students. The list goes on.

There is a crying need in our schools to assist students with disabilities and, certainly, as part of our minister for education's inquiry into the early years' education of our children, one of the paramount issues that has been raised by parents is the need for targeted support for our young students with disabilities. They often need very intensive support, and they are the students that those elite schools do not take; they do not want those students because it is too difficult. We manage those students in the public system. We heard some comments about subsidised fees from these elite schools, but we did not hear details of that. They are subsidised for the second and third children, so those people who can afford to pay $16 000 or so. How many students from Davoren Park are going to those elite private schools here in South Australia or equivalent regions interstate? How many of those schools are taking students from our most disadvantaged areas?

Time expired.

ALDINGA SCRUB

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I wish to comment on the way in which this Labor government has been giving planning approval or approval—

Ms Rankine: As opposed to you: the font of all knowledge, decency, accountability, honesty—the list goes on.

The SPEAKER: Order! The honourable member for Wright has had a go and might be invited to go if she keeps on going.

The Hon. DEAN BROWN: I wish to comment on the way this government gives planning approval for various applications. The first I pick up is the planning application for the huge new subdivision that has occurred at Aldinga adjacent to the Aldinga Scrub. The Minister for the Southern Suburbs gave a speech on this in the house just two days ago. He talked about how, as a result of the government action, it has reduced the number of blocks being subdivided from 742 houses down to 691. This is a huge subdivision—691 new houses to be built adjacent to the Aldinga Scrub—where we all know there are significant social and environmental issues.

There are environmental issues around the Scrub that the local residents had been concerned about for many years. There are huge social issues there because, firstly, there is a shortage of schools. Sixty per cent of the students at the Myponga Primary School are bussed up each day from the Aldinga-Sellicks Hill area because of the shortage of space at the Aldinga School. There is also a shortage of space at the Willunga School. We know that there is a critical shortage of general practitioners, we know that there is a critical shortage of public hospital beds in the area, we know that there is a shortage of police, and we know that there are huge road and transport problems. Yet, this government is willing to be bought off on the environmental and other social planning issues for the princely sum of $475 000. I find that appalling. It only took $200 000 to go into the protection of the Aldinga Scrub and $275 000 for medical services.

That works out at $715 a block, and that is just in terms of what it will cost to provide these extra services. The other example I have where the government has done exactly the same is with the Kemmiss Hill wind farm. I have a copy of a letter from the Department for Environment and Heritage written on 7 July this year in which they have clearly set out the fact that the Kemmiss Hill wind farm (with three turbines) sits immediately adjacent to the Myponga Conservation Park; in fact the blades from at least one of these turbines protrudes about 30 metres into the air space of the park. The letter from the department states:

> The present layout of the proposed development cannot be supported due particularly to the siting of three wind turbines nearest the conservation park.

It is absolute that, because of the three turbines proximity to the park, they should not be there. The letter goes on to say:

> The location of the three turbines in question disregards the nature and purpose of the adjoining conservation park.

Then a mere seven weeks later, the same Department for Environment and Heritage writes a letter saying that they now support the proposed wind farm development. I just wonder why. However, when I look at their letter, I see that for this princely sum of $10 000 per year (indexed), they have been bought off in respect of environmental issues that simply cannot be resolved because of the proximity of these turbines. The turbines have not been moved, but the Department for Environment and Heritage has been willing to forgo those key environmental issues and allow this wind farm to go ahead with the three turbines adjacent to the park.

That is appalling planning. This government is willing to sacrifice key environmental issues surrounding a conservation park for the sake of $10 000 a year. It would appear that anything can buy this government, as long as it is able to gain approval for what it wants to go ahead, regardless of any environmental issues or the lack of any social plan to protect the long-term interests of those communities.

Time expired.

WORTH, Ms T.

Mr KOUTSANTONIS (West Torrens): I point out quickly that the member for Davenport's river of filth ran dry today: he had no more questions of any substance to ask the Attorney-General. It is just typical of the member for Davenport. That is what happens when you take advice from Ralph Clarke—you get burnt. Today in my letterbox I received a list of local achievements for our local area by the Hon. Trish Worth. I was looking at it and I was stunned to note this—

The Hon. Dean Brown interjecting:

Mr KOUTSANTONIS: Have you finished, Dean? Because when it comes to lying, Dean, you are a bit of an expert. When it comes to not telling the truth, turn to Dean to get the tips. He is putting out a book—'How to lie in 101 ways'. Anyway, the federal member for Adelaide put out a pamphlet claiming to have done all this stuff for Adelaide. When I was going through it, I noticed that a number of people missed out and I thought, since she is highlighting those who received something, I will point out the people who missed out: people of Croydon Park and Croydon, nothing; Dudley Park, nothing; Renown Park, nothing; Brompton, nothing; Thebarton, nothing; Mile End, nothing; Keswick, nothing; Ashford, nothing; Forestville, nothing; Black Forest, nothing; Clarence Park, nothing; Unley Park, nothing; Malvern, nothing; Highgate, nothing; Dulwich, nothing; Toorak Gardens, nothing; Norwood nothing; Maylands, nothing; Hackney, nothing; Stepney, nothing; Royston Park, nothing; Medindie, nothing; Collinswood, nothing; Clearview, nothing; and Blair Athol, nothing.

This is the member for Adelaide who is delivering! I hate to think what will happen when she stops working. Basically, below South Road you get nothing. If you vote Liberal in the safe areas you get nothing; if you vote Labor in the safe areas you get nothing; and, the worst part of all, the member for the capital city seat of South Australia within the square mile between North Terrace, Greenhill Road, West Terrace and Hutt Street—guess what: nothing! Hang on: she did get something. CBC was selected to be part of a Lighthouse education program. That was all Trish Worth's doing, apparently. I am impressed: I am excited for them. But wait for it: for the city of Adelaide she got $20 000 for traffic lights. Wow!

I can just imagine all those inner city people thanking their local member of parliament, Trish Worth, for getting them absolutely nothing. I will be writing to my constituents tomorrow, letting them know that Trish Worth in her eight years has delivered absolutely nothing for the people of Thebarton and Mile End. I will be asking Stephanie Key to do the same in her electorate. The member for Unley has an interesting proposition. I understand that he and Trish Worth are very close, that they have a very close working relationship. I understand that they campaign together arm in arm. I am going to open this up and say: what does the member for Unley think about Millswood and Unley Park not getting anything? I wonder how he will take that. I wonder how the member for Bragg will take Toorak and Dulwich not getting anything.

I can tell that the member for Finniss is a bit upset about this, because this glossy pamphlet—printed at taxpayers' expense—just might be backfiring. I am amazed that Trish Worth actually put this out. I am amazed that she put her name to this.

Ms Thompson: Everybody put them out. They can't even think of new pamphlets.

Mr KOUTSANTONIS: That's right: everybody put them out. The point of this is that Trish Worth for three years has delivered almost nothing to a majority of her own electors and she has put it in writing herself. I cannot believe it. If you did not have Trish Worth, you would have to invent her. You would have to hope that she would be your opposition candidate. I also notice that she is using a few old photographs in her pamphlet, and there is one here that is very old. That concludes my remarks.

Time expired.

ABB GRAIN

Mr VENNING (Schubert): Just following the member for West Torrens, I ask the house: what has the member for West Torrens done for his electorate? I think he answered it himself: nothing. You have only to read his speech in yesterday's *Hansard* about the concerns he has had. I will not dwell on that. I welcome the ministerial statement by the Premier today re the Beringer Blass bottling facility and the approximate 300 new jobs and $20 million additional income. That is 300 new families in the Barossa. But when will the government provide the region with adequate health facilities via a new hospital at Nuriootpa? The question has always remained unanswered. All the new jobs and new people are coming in, but the facilities were outdated five years ago. Members can imagine what is happening now.

I want to raise a very important issue today. Tuesday was a very big day for South Australia. It was the day of the merger between the UGH (United Grower Holdings), AusBulk and the Australian Barley Board to form a new $850 million company called ABB Grain. I declare my interest before I continue, as I have always done, of being a shareholder in all three. I did sell shares some time ago because of that interest, an action in which you, sir, were personally involved. That has probably cost me a lot of money personally, because the shares are going to be worth a lot more money now. But that does not matter. It is all the best for South Australia. Subject to final approval by the Supreme Court tomorrow, it will start trading next week. It is a most important day for South Australian farmers and, indeed, for the whole of South Australia.

This company is probably the third biggest in South Australian history. I was most concerned that the Premier did not front. We have all heard the Premier referred to as Media Mike. He could have been there, but he was not, and neither was the minister for agriculture. In fact, no member of the government was there. I could not believe it! This was a very historic day for South Australia and there was not one government representative in sight—not even an apology, not even a staff member or a departmental adviser. Was this a boycott? I was not invited, but I went; it was a public function and anyone could have gone. It was a most important day, and I was there to view this very historic occasion for South Australia.

After the on-again/off-again talks over the last two years, more than 94 per cent of the grower-shareholders agreed to this change. I want to congratulate the three former chairs: UGH, Mr Ken Schaeffer; AusBulk, my brother, Max Venning; and ABB, Mr Trevor Day. The new chair is Mr Perry Gunner, the current Director of AusBulk until the first full elections are held in 2006, when they will hold a new vote. We have confidence in Perry to take the company into the new corporate world as it is today. I understand he has been involved in two other mergers. The one with which I am most familiar is the Orlando-Wyndham merger. It will be well positioned to compete against the multinationals who every day are trying to infiltrate our markets and get to our producers. The barley industry growers, processors and users are looking to the future with confidence after this merger.

The vote showed strong shareholder endorsement and support for a larger global, exported-oriented firm. With the vote of 92 per cent down to 80 per cent, they realised they would have to have a 75 per cent majority for this to happen. The company will be responsible for the grain supply chain from the farmgate through shipping and handling, grain processing and grain trading and, with the companies' expertise, they will hold a unique position in the world grain trade.

I have said a lot about this over the years, but I did not think I would see it happen. It is incredible that three former chairs walked away from their positions and handed over to a new chair for the betterment of the grain industry in South Australia. All I can say is: all power to those people; and all power to the people who voted for it, because if we did not get it right it was going to be divided each way and we would not have got anything out of it. We would have had one headquarters in Perth and the other in Melbourne. This was a great day for South Australia.

FEDERAL CANDIDATES

Mr CAICA (Colton): It is always a pleasure to follow the member for Schubert. I would have attended that event if I had known about it, as I am sure would have most members on this side of the house. On Tuesday, a member of the opposition in the other place regurgitated what were essentially fully investigated and resolved matters relating to the outstanding Labor candidate for Hindmarsh, Mr Steve Georganas. This was a perfect example again, as I alerted the house yesterday, of the muckraking that happens at this time of the year and for which that specific member is renowned.

Yesterday, another member of the opposition in the other place raised issues alleging the use of South Australian taxpayer money in the context of the current federal campaign. Again, this was unsubstantiated muckraking. For instance, Simon Birmingham, the Liberal candidate in my area, has a shopfront similar to other candidates, and it is ridiculous to infer that all the work being conducted by him and other candidates contesting this election is being done out of those shops which, for all intents and purposes, are empty and hardly ever have people in them.

The member for West Torrens just provided a perfect example of taxpayers' funds being used in this campaign to promote sitting members. These taxpayer moneys are being utilised by the federal government to advance the interests of their candidates during this campaign. If we are going to look at the proper, transparent and effective use of taxpayer funds, I think it is only appropriate to discuss the record spending era of the Olsen government and its ministerial advisers during that period of time. Was that effective and transparent use of taxpayer funds? Of course, we have since found out that they were huge spenders.

It costs a lot of taxpayer funds to sell taxpayer assets and, in the case of the TAB, it cost a lot of money to give that asset away. I recall that the credit card expenses (reported either in this house or in *The Advertiser*), for the period of time when premier Olsen was in office were in excess of $600 000 for his office alone, and, for the ministerial advisers and the ministers, they were in excess of $1 million during that period of government. I am certainly thankful that, during the very early stages of the Rann government, certain processes were put in place to ensure that we clawed back that inappropriate spending and squandering of taxpayer funds.

An honourable member: Vicki Thompson.

Mr CAICA: I note the interjection of the name Vicki Thompson. I do not know how a person could spend that amount of money in the period of time she did. However, the fiscal responsibility and the transparency of the Rann government is quite a pleasant change—and is appropriate.

Referring again to the issue of effective and transparent use of taxpayer funds, I mentioned earlier the name of the Liberal Party candidate for the seat of Hindmarsh and about whom I spoke yesterday, Mr Simon Birmingham. I understand that he was a ministerial adviser to the Hon. Joan Hall during that period. I would be interested know, of the approximately $1.2 million spent by ministers and ministerial advisers during the time of the Olsen-Kerin government, whether tens of thousands of dollars were spent by Mr Birmingham in his capacity as a ministerial adviser. I think it appropriate that the electors of Hindmarsh know how, if he were elected, he would use taxpayer funds. Of course, I do not believe that he will be elected: I believe it will be Steve Georganas, who is an outstanding candidate.

I think it is a bit rich for people in other places to talk about the use, or the alleged use, of taxpayer funds, when we have only to reflect on the time of the Olsen-Kerin government and its squandering of money and, indeed, on the use by the Howard government during this election campaign of what is, in essence, tens of millions of dollars for generic pamphleting (for which taxpayers have paid) to try to install a government that really has no fiscal responsibility whatsoever.

The SPEAKER: The honourable member for Colton surely does not need reminding that the names of current members of the chamber should not be used.

Mr CAICA: I apologise, sir.

KEMMISS HILL WIND FARM

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

Leave granted.

The Hon. J.D. HILL: I apologise to the house that I do not have a copy of this statement. I wish to respond to remarks made by the member for Finniss during the grievance debate, in which he seriously maligned and impugned the motives of the Department for Environment and Heritage. I believe it is important that the record be corrected immediately, rather than leave those statements in *Hansard* without having been addressed.

An application in relation to the Kemmiss Hill wind farm has been lodged by Origin Energy Pty Ltd and is currently being considered by the District Council of Yankalilla. As a local landowner, the Department for Environment and Heritage, which owns the Myponga Conservation Park, was approached by the proponent, quite properly, for its advice and views about the impact a wind farm may or may not have on its holding. In July 2004, the DEH advised council that it did not support the proposed construction, and it gave the following three reasons: first, it believed that there would be risks to bat and bird populations and that those risks had not been properly assessed; secondly, there were concerns about Phytophthora spreading from the construction; and, thirdly, the blades from turbine 2 would overhang the legal boundary of the park.

Since that application was placed before council, it was also placed before the commonwealth Minister for Environment and Heritage (a Liberal minister), who considered the matter under the commonwealth Environment Protection and Biodiversity Conservation Act 1999. The federal Minister for Environment and Heritage found that the development was not a controlled action under that act because there was no likelihood of significant impact on matters of national environmental significance. So, the commonwealth Liberal minister found that there was no problem with the development.

After submitting its original comments, DEH undertook a site inspection of the area with the developers (Origin Energy) to better understand the proposition and the impact that the wind farm may have. It formed the view that each of its concerns were addressed through that process. It was also provided with additional information on bird surveys undertaken in the area in spring and summer. As a consequence, it formed the view that it is expected that the impact on birds of this proposed wind farm will be low, based on the nature of the area and the location of the turbines. So, in relation to bird strike, it believes that the work it considered had not been done had, in fact, been done sufficiently. In relation to Phytophthora, the department received an undertaking from Origin Energy that it was willing to implement a Phytophthora management strategy, so it believed that addressed the second issue. In addition, Origin Energy was also prepared to enter into an arrangement and pay an annual fee associated with the use of that part of the park that would have blade overhang.

What we are talking about here is not the placement on a national park, or a conservation park, of a wind turbine: we are talking about the overhang of a blade under certain wind directions over part of the park. So, it is the most trivial possible intrusion into a national park. This is not an outrage, nor something warranting independent investigation, as the member for Finniss suggests. We are talking about the overhang under certain wind conditions of a turbine blade. Origin Energy has undertaken—

Mr Scalzi interjecting:

The Hon. J.D. HILL: I pay the wit of the member for Hartley. Origin Energy has agreed to pay DEH $10 000 a year compensation for this overhang of a blade. DEH has come to the view that that is a good deal, because with that $10 000 it can invest in the park to make a significant difference to the management of woody weeds, feral animals, trails and fire in the park. So, from the park point of view this means that there will be an improvement, not a reduction, in amenity or in protection. So the three issues that they were concerned about have been addressed.

This is not a precedent. There will never be, in my watch or in this government's watch, a construction of wind turbines in national parks, in conservation parks, and the DEH will always try to get the best outcome. There is a suggestion that DEH is being corrupted in some way because it has accepted money. That is clearly not the truth. There is

also a suggestion that it has been pressured in some way by the government, because the government supports wind power. DEH is aware that the government supports wind power, and it understands and also supports wind power because it knows it will reduce greenhouse gasses. The DEH supports that policy, so it believes that this is, generally, in the public interest.

The issue, of course, is that this is before council. This is not a decision that my department makes. All it has done is to give advice as the local land owner. The decision will be made by the Yankalilla District Council. If the member for Finniss has problems, he should address them to the Yankalilla District Council, because it is the decision maker. Unfortunately, as is often the case, this is an exaggerated claim made by the member for Finniss in his usual florid manner to try and get a cheap headline where he can. He did not have the guts to ask me a question about this in parliament; instead he used the grievance time when he believed that I would not have the opportunity to respond. Well, I have, and I thank the house for allowing me to do so.

PARLIAMENTARY PRACTICE

The SPEAKER: During the course of this week, there have been a couple of new practices emerge which the chair will not allow to become part of the conventions of conduct of business in the chamber. The first of those was the occasion upon which the member for Bright raised a supplementary question which had obviously been carefully contemplated before the first question was asked by him about that topic. That, of course, is not a question that arises spontaneously in consequence of the absence of information in the answer from the minister to the first question but, rather, was a device, in the assessment of the chair, to draw attention to what turned out to be a difference of opinion between, in this case, the Premier and the Leader of the Opposition in the federal parliament about that matter. Supplementary questions which do not spontaneously arise in consequence of a perceived lack of information in the answer provided by the minister will not be allowed.

The second point is that in demonstration of my sincere belief after 25 years in this place, in seeing the way in which the proceedings are reported by the print and electronic media change over that 25 years, to which members have responded by orchestrating question time in the fashion in which they have, to change it from being an inquiry for information to a theatrically stage managed attempt to debate the issue upon which they ostensibly seek information, and to which ministers ostensibly provide information. It is vital that question time remain just that. If honourable members believe that in this day and age of modern communication and rapid dissemination of information we no longer need to make so many inquiries or obtain such lengthy explanation in the answer, it is better that we curtail the length of time we spend on questions, and use that time to do what the minister has done today, that is, debate the issues of the moment of the day.

In future, the chair will not allow ministers to make statements which are tantamount to debate in that they respond to propositions, or opinion more particularly, put during the course of grievance by other honourable members, whether from the government or the opposition side, otherwise we will have a situation where, following grievance debates as they stand in the present structure of standing orders, ministers will take the liberty of responding to knock down, or otherwise to reinforce, points made by honourable members according to the inclination of the minister and the issue of the moment. It is, in my sincere judgement, an improvement that needs to be made to our standing orders to enable us to spend less time asking and answering questions and more time in balanced debate with, if you like, in the modern vernacular, the ding dong argument back and forth across the chamber, and the strategies that are to be involved by those who are protagonists, and antagonists, on the point as to whether they engage the argument or ignore it and raise a different subject.

That is all part of the cut and thrust of politics in determining relevance of the issue of the day. It is not appropriate for us to go down the path, which we attempted to follow by the example of the Minister for Environment and Conservation. I do not, by making these remarks today, want any honourable member to see me—or the chair, more particularly, not the member for Hammond—the chair, criticising the conduct of either the member for Bright or the Minister for Environment and Conservation. I simply seek to ensure that the chamber understands the reasons for the rulings that I have given.

SITTINGS AND BUSINESS

The Hon. K.A. MAYWALD (Minister for the River Murray): I move:

> That the house at its rising adjourn until Monday 11 October at 2 p.m.

Motion carried.

YOUTH DEBT

Mr SCALZI (Hartley): I move:

> That the Social Development Committee investigate and report upon the impact of youth debt on individuals, families and the community, in South Australia and in particular—
> (a) debt relating to mobile phone contracts;
> (b) debt relating to credit cards;
> (c) the role of educational strategies, including school-based and community-based responses;
> (d) the role of legislation;
> (e) comparative interstate strategies;
> (f) availability and access to dedicated support services for youth in South Australia; and
> (g) other related matters.

On 10 September I held a forum with regard to the problems with youth and one of the things that we looked at was youth debt. We had a broad range of representation from youth organisations, local government, TAFE and training organisations. Reverend Pitman from the Uniting Church, in a youth debt presentation, highlighted the problems arising today which are exacerbated by easy access to credit cards and mobile phone debt. On 28 July I also attended a teenage debt seminar hosted by Reverend Graham Pitman at the Broadview Uniting Church, which was attended by over 200 people. Mr Mark Henley from the Uniting Care Wesley Church, speaking on future trends in youth issues, referred to:

> The protracted period during which our young people may be spiritually, emotionally and intellectually independent but are financially dependent, being engaged in long periods of further study or being unable to obtain secure employment—

This is a major contextual factor for youth debt. Here we must also acknowledge that South Australia continues to have high youth unemployment. According to the DFEEST Quarterly Labor Market Report released in July 2004, the youth full-time unemployment rate for 15 to 19 year olds (unemployed and looking for full-time work) as a proportion of the youth full-time labour force was 26.4 per cent, the highest youth full-time unemployment rate of all states for the period.

For some time I, along with many others including parents, service providers, and young people themselves, have been concerned at the impact on individuals, families and the wider community of easy credit access and mobile phone debt. There have been a number of recent press articles and research papers on this matter, including *A Report into Youth Debt: He that goes a borrowing goes a sorrowing*, which results from a research project under Dr Liz Curran of Law/Clinical Legal Education at La Trobe University.

This report highlights issues including consumer culture and the need for education and consumer protection for youth in order to avoid debt; mobile phones and future use as credit cards; credit cards, access to easy credit and lack of 'financial literacy'; motor vehicles and the issue of third party property damage insurance. They all impact on youth debt. According to this report, teenagers in Australia spend around $2.5 billion annually. Another recent report undertaken by accounting body CPA Australia shows that nearly half of Generation Y (18-24 year olds) believe home ownership is unattainable, and 70 per cent saw saving as something to be done in the future. Just 12 per cent of respondents said they had no debt, and 40 per cent already had some form of debt that did not include a home loan—such as credit cards and personal loans. Kath Bowler from the CPA said:

> They are already accumulating debt, they already have doubts about their future financial security, yet many continue to spend beyond their means.

It is a serious matter indeed. As I said, for some time, I along with many others have been concerned about this debt. If we do not address the issue of debt, we are going to seriously impact on the ability to invest in the future. If we develop a culture of spend, without a culture of savings amongst young people, and do not point out the dangers of easy access to credit, we are certainly going to get ourselves into serious trouble. I believe that it is important that we fully investigate this issue of youth debt because, at the end of the day, you cannot have investment without developing a culture of saving. Unfortunately, a lot of our young people are getting themselves into a cycle of debt. For example, a parent has come to me saying that their young son acquired a $2 000 debt on mobile phones in three months. I am sure that many members are aware of examples where young people have got themselves into serious trouble in regard to debt and, often, the parents have to foot the bill. While the young people get credit, it is the families and community that fail because they have to foot the bill.

I believe that it is a serious issue that is just as important as some of the gambling issues that we are looking at because, at the end of the day, if young people get themselves into these situations, they do not have the ability to service those debts. We are going to have serious problems and one can only imagine the sort of family conflicts that arise out of those situations. I believe that we have to have a comprehensive look at this issue. I believe that the Social Development Committee is the appropriate joint standing committee to look at this issue of youth debt. That does not mean that I am against the use of mobile phones, because sometimes they are essential for young people. A lot of parents feel safe when they know that their young daughter or son is away if they are able to contact them. I am not against the use of mobile phones, but it is those contracts that get young people into serious debt, and the ability to service those contracts must be looked at.

It is a similar situation with credit cards. What safety measures can be put in place to make sure that, when young people have access to credit, they have the ability to service that debt; because, if we do not deal with this type of debt, the ability to borrow in the future for motor cars and homes, ultimately, will be a very difficult thing for a lot of these young people. We must bear in mind, as I stated earlier, that young people are caught in the trap that they are emotionally mature—they have all those things in place—but they do not have the income to be able to service these debts because of the employment situation and the long, protracted study periods. There is a development of culture that you must have all of these consumer goods yesterday. As I said, I am not against a lot of these things because they provide safety for young people but we must have things in place to make sure that these do not become the very things that take away freedom from young people. For those reasons, I urge members to support the motion so that we can have a thorough look at this very important issue of youth debt. I thank all those members at the forum who contributed to the discussion of this very important issue.

Mrs GERAGHTY secured the adjournment of the debate.

CHILD CARE EDUCATION AND TRAINING

Ms CHAPMAN (Bragg): I move:

> That this house establish a select committee to examine and report upon—
> (a) the adequacy and appropriateness of education and training of child care workers in South Australia;
> (b) the adequacy of current numbers and the projected numbers of people in child care education and training;
> (c) issues affecting the drop-out rate of child care workers whilst in training and education, and subsequent employment; and
> (d) any other relevant matter.

In moving this motion, may I first acknowledge that the idea of proceeding to hold a select committee was prompted by the excellent recommendation of the member for Fisher that there be a select committee to examine and report on similar matters as they may apply to the nursing industry and, in particular, education, retention and examining aspects in relation to shortages in that area. As the house will know, that select committee is now under way, and I expect it is undertaking good work and receiving submissions and, hopefully, will be able to advise us all as members of this house as to how we may proceed forward and deal with what is clearly a difficult and critical area in the provision of nursing services in this state.

Similarly, we have what is otherwise known as a child care crisis. I want to be clear about its not being an alarmist approach, but to explain what has happened and why and, as a consequence of which, we in this state are now left with having to exempt from regulations quota and formula requirements for qualified personnel in the childcare industry and therefore potentially leaving our children at risk as a result of there being a lack of qualified personnel in this state. Child care historically has been within the principle purview of parents and the family during the course of the infancy of

children. In the last 30 years, we have seen a significant development—an advancement I suggest—in the sharing of care of children in the community. There are many reasons, not least of which is the movement of women (and in particular mothers) into the work force seeking to secure employment and thus necessitating the significant need for childcare services. That is a matter, given the state's current circumstances—that is, the critical shortage of skilled employment—that we must foster to ensure that our young mothers have an opportunity should they elect to be in the work force because we desperately need them.

Child care has moved into a number of forms. In addition to traditional family support, the development and registration procedures culminating in the current legislation, namely, the Children's Services Act, establishes, regulates and registers the formation of centres and their operation for the provision of both private and community-based childcare centres. Additionally, since the late 1970s, we have seen family day care, which is a provision of service of care principally by women (but some men) who qualify to be family day care providers; namely, being able to provide care in their home either on a casual or permanent basis. The third area is private care (sometimes known as the employment of a nanny), usually in-home care in the home of the child. We also have significant development in what is called out-of-school-hours care, which is primarily provided on school sites, although some councils operate them in local halls and the like, but this is a provision of care for school-aged children, both before and after school hours, and usually commences not before 7 a.m. and concludes not past 6 p.m.

Primarily these are the areas which have developed to provide for this important service to our families. Both industry and parents are provided with some support financially in relation to obtaining affordable and accessible child care. They receive this in two fundamental ways. One is through the federal government which has an area of responsibility in financial support and which under our commonwealth-state agreement rests primarily with the commonwealth. It provides that under the current regime by offering a childcare payment, which is payable as an entitlement to an eligible parent (subject to a means test) on a weekly basis. The usual practice in that regard is that the commonwealth government, upon accepting the qualification of the applicant parent, pays an amount to the nominated childcare centre for the provision of that service. That is a significant subsidy for many families which may otherwise cost $200 to 400 a week and therefore makes it affordable for parents to access that service.

The state government has a separate area of responsibility. It does provide some state financial support but its principal role—and a very important one—is to provide the regulatory structure under which childcare centres and family day care personnel operate and qualify. Perhaps I will leave aside the family day care area, although that is a very important area, because, as I say, this is in-home care. The applicant has to satisfy the requirements regarding their own care and importantly their educational background, and often having been a teacher, nurse or otherwise in the childcare area is an important base for their achieving their status and eligibility. In addition, their actual physical circumstances of their home must qualify and that relates primarily to aspects of the age of the children in their care.

It is things such as making provision for fencing around the home to secure the property, other persons who might be present on the property at the time, even the size of toilets and access and use of facilities that are necessary to qualify for those purposes. But that is a regulatory process which, provided the family day care provider qualifies, can be operational. That provides a valuable service across South Australia and, importantly, in regional areas, often where there has not been sufficient demand or the development yet of a child-care centre facility, and that provides often the only service to small country towns and regional areas. I will leave those aside, because that is a matter for their application. Private nannies I also put to one side for the moment. That is obviously something only affordable to a limited number in the community and again is a private employment arrangement.

The child-care centre provision, however, is very important, because under the state government they are regulated in their operation. To qualify to operate as a child-care centre, apart from having the usual checks that are necessary for all child protection aspects, the other important area is that their staff under certain ratios need to have numbers according to the age of children. So, if children are in the zero to age two group there needs to be a certain number of supervisors present, and similarly for the two and above age group. In addition to that, the qualification of that personnel is determined by regulation. That also requires certain levels of skill amongst those personnel, so it is an important role that the state government plays, effectively administered as it is through the Department of Education and Children's Services.

What has happened as a result of there being a shortage of enough people adequately trained to qualify for the regulations is not that there has been a change in the regulations to reduce the obligation in that regard—and I am not suggesting that would be an appropriate course—but what the government has had to do, and this is no reflection on it, to enable the services to continue to provide is to provide on application an exemption (which is within the power of the minister) to enable the operations to continue. It is a short-term way of resolving a matter to enable the service to continue to be provided but with a less than appropriate way of being left in the long term. So, we do need to do something about it. What is then happening?

We are training people for the requisite qualification in child-care courses at TAFE and university, and they vary in the extent of the qualification that is sought. Some funds are expended, obviously, to undertake these courses, and they are currently offered across the TAFE and university services in South Australia. That is all okay, but the problem is that there is a high level of students who commence the course and then drop out before the course is completed, and there is a high level of postgraduate students who, having completed their course, commence employment and then drop out of the industry. Why is that happening? Is it because they are not adequately introduced to the rigours of undertaking this type of employment? Do they find that it is simply not something that they like? Do they find that the income and employment terms are inadequate? Do they outgrow it?

I do not know the answers to these questions. I can hazard a guess, and a number of people have put submissions to me during the time that I have been shadow minister, that there are very real concerns about the workload involved and the importance of this work not being sufficiently reflected and the students being exposed to this at the time they are considering going into the course or undertaking the course, and then it hits them at the time of their first occasion of on-job training in a premises or once they have started their

work, having apparently had little exposure during the course of their training. They then find it is simply not employment for them.

That is an incredible waste of resources in relation to the training services provided by the institutions and the people who undertake them and, disappointingly, at the end of the level, for the industry in being able to attract and retain sufficient numbers to qualify for their regulatory purposes. All these are serious concerns. We have a high level of demand out there. We have what is effectively a fairly generous financial arrangement in that under the current agreement it is up to the commonwealth to make the provision. Provided that people are exercising their option to undertake the child-care service, then they are eligible to receive it. It is a bit like the number of people who are unemployed. The government has to keep paying out according to the numbers that are eligible, and there is not a cap on that.

It really is a situation where we have a shortage of people prepared to undertake this work and a desperate need, and a future in South Australia where we need to be able to ensure that we have our parents in the work force. I urge the government and members of this house to seriously consider the motion before the house. I hope that it will receive positive response, to ensure that we do address this issue. It is very important for the future of this state, because we cannot attract mature age workers or parents back into the work force when they have responsibilities for children unless we offer this service. As a state, if we do not do it, then it simply will not be available.

We need to address this issue similarly to the nursing crisis we have in the provision of critical and aged care personnel in the state. I encourage members of the house to support the motion.

Mrs GERAGHTY secured the adjournment of the debate.

STATUTES AMENDMENT (MISUSE OF MOTOR VEHICLES) BILL

The Hon. R.B. SUCH (Fisher) obtained leave and introduced a bill for an act to amend the Road Traffic Act 1961 and the Summary Offences Act 1953. Read a first time.

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

That this bill be now read a second time.

There have long been calls for laws to prevent what is known as hoon driving—people using public roads for drag races or manoeuvres known as wheelies, burnouts and doughnuts—or people making excessive noise using amplified car sound systems. Conduct like this can cause distress and alarm and destroy the peace and quiet of a neighbourhood, particularly when it is repeated in a particular area. It can also put the safety of other road users at risk.

There are some differences between the bill that I introduced during the last session in relation to hoon driving and the bill that I now introduce, but they have much in common, both essentially being modelled on legislation that is in operation in Queensland. Members would know that I have been campaigning on this issue for quite a while. I acknowledge that the government has also (through the Premier and the Attorney-General), and I also acknowledge that the shadow minister (the member for Mawson) has been expressing concern about this behaviour and indicating that action needs to be taken.

I think it is fair to say that this is one of the great issues as far as the community is concerned. I have received repeated complaints, as have many members of this chamber, about the misuse of motor vehicles. I have received reports of people (at night) driving through playgrounds and on ovals, laying rubber, and doing wheelies, doughnuts and burnouts. Speed racing has occurred in many of the streets in my electorate, and I am aware that it is a frequent practice on some of our major roads, including Anzac Highway. The long and the short of it is that the public have had enough. They want some action, and we now have the opportunity to do something about it. There will be great rejoicing in the community when this measure passes through the parliament, as I believe it will.

As I indicated, the bill is modelled on Queensland legislation. If anyone is in any doubt about the effectiveness of this measure, they should speak to their counterparts in Queensland, particularly the Queensland Minister for Police. I do not have the most up-to-date figures, but the Queensland legislation has been in place for almost two years and, over a period of approximately 16 months, there were, I think, 1 100 or 1 200 people who offended for the first time and had their vehicle taken away for a period of two days. Those who offended a second time numbered four. So, the message was well understood: if you engage in this sort of behaviour, you will lose your vehicle. The penalty for a third offence (under the Queensland legislation) is that you do not get your vehicle back.

The logic of this measure is quite simple. It is similar to the logic you apply to a child who misbehaves with a toy. Many members here are parents who have had young children and have had the experience of one of their own going around annoying the daylights out of someone with a toy by poking them or doing something that they should not do. What do you do? You take the toy away, and that usually stops the unacceptable behaviour. This measure is an extension of that principle. If you offend, annoy or harass using a motorcar (which you love), the vehicle is taken away. It is a simple measure.

I believe some people are concerned about civil liberties and civil rights. What about the civil liberties of the people who are continually harassed and annoyed by this sort of behaviour? It is not only antisocial; it is downright dangerous. People have been killed as a result of speed racing and other silly behaviour. I am not talking about people playing games; I am talking about people endangering the lives of others through silly behaviour. I have been told by the police that some of these characters who specialise in this sort of antisocial, irresponsible behaviour carry a set of spare tyres around with them so that they can lay rubber and then change the tyres. They get up to all sorts of things. So, often this activity is not spontaneous but well-planned and, as I said before, the community has had enough.

I do not intend to go into all the arguments about this measure. Members can refresh their memories in relation to the second reading explanation that applied in the last session, and I can certainly provide a lot of material for members who want to see some statistics from Queensland. New South Wales also has an effective measure, but I believe that the Queensland model, which is very successful, is the best. People who have come from Queensland to live in my electorate cannot understand why we have put up with this sort of behaviour for so long, because, if you behave in this way in Queensland, your vehicle is taken away from you.

There need to be safeguards—for example, when a person has someone else's vehicle without their permission—and those matters have been addressed, as they should be. Some people believe that the police will not catch these offenders, but my argument is: why can the Queensland police catch them? I am sure that our police are just as capable. Although it is not part of this measure, I suggest systemising the reporting of bad driving. In New Zealand, good driving can also be reported, and I encourage the government to adopt its community road watch program. It is systemised by a pro forma which is available through the Internet or collected from police stations. They can be carried in your vehicle and then faxed or posted when a report is made of misuse of a motor vehicle. I believe that gives the police the support of the eyes and ears of thousands of citizens.

I know that the police say that they follow up complaints made by the public, but, in reality some police officers and some police stations do so more assiduously than others. Coupled with this measure, a systemised approach, such as a standardised pro forma which has safeguards built into it so that there is no malicious reporting, the community will look out for hoon driving and other antisocial behaviour. As I said, New Zealand legislation also contains safeguards to stop people making false or malicious reports. For anyone interested in looking at the detail, I have a lot of material, and a lot of information from New Zealand, where the police are very supportive of this measure, because it is cost effective. I hope that it can be implemented here. I do not wish to delay the house unduly. I seek leave to have the remainder of the second reading explanation and the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

1 The offences

The Bill amends both the *Road Traffic Act 1961* and the *Summary Offences Act 1953* to create several new offences.

The offence of misuse of a motor vehicle

The Bill amends the *Road Traffic Act* to create an offence of misuse of a motor vehicle that may be committed in one of four ways.

A person who, in a public place, drives a motor vehicle in a race between vehicles, in a vehicle speed trial, in a vehicle pursuit or in any competitive trial to test drivers' skills or vehicles, commits the offence. The Bill is not concerned with races or manoeuvres that take place on private property with the owner's consent - for example at a public or club motocross or go-karting event on a farm property, held with the consent of the property owner. It is a defence to show that the conduct occurred at a place with the consent of the owner or occupier of that place, or of the person who has the care, control and management of that place. Also, official motor sport events authorised under the *South Australian Motor Sports Act 1984* are not affected by this Bill, because the *Road Traffic Act* does not apply to such events. The second way in which a person may commit the offence is by operating a motor vehicle in a public place so as to produce sustained wheel spin.

The third way in which a person may commit the offence is by driving a motor vehicle in a public place so as to cause engine or tyre noise that is likely to disturb persons residing or working in the vicinity.

The fourth way in which a person may commit the offence is by driving a motor vehicle onto an area of park or garden (whether public or private) or in a road-related area so as to break up the ground surface or cause other damage. A road-related area would include a median strip, roundabout or nature strip.

The offence of promoting or organising an event involving the misuse of a motor vehicle

The Bill also makes it an offence against the *Road Traffic Act* to promote or organise an event knowing that it will include the misuse of a motor vehicle. This offence is aimed primarily at people who promote or organise illegal drag races in public places.

The offence of emitting excessive noise from a vehicle by amplified sound equipment or other devices

The Bill also amends the *Summary Offences Act* to allow police to direct people who emit excessive noise from vehicles to abate the noise immediately, and if they do not obey the direction or emit excessive noise again within six months, to charge them with an offence. For the purposes of the direction and the offence, excessive noise is noise that is likely to disturb people in the vicinity. It is not hard to think of examples of excessive noise. Most people have had the experience of having their sleep disturbed by excessive noise from modified car stereo amplification systems or from other devices such as loud repetitive musical car horns.

It is also an offence for a person who has been requested by police under this section to stop the vehicle or to give his or her name and address to fail to do so, or to give a false name and address.

The direction may be given to anyone in the vehicle - the driver or a passenger, or both, if police think this necessary to stop the noise continuing.

2 The penalties

The penalties for these offences are as consistent as possible with the range of penalties for other driving offences and also with penalties for offences of good order of equivalent seriousness.

In terms of seriousness, these offences sit somewhere alongside the offence of driving without due care and between exceeding the speed limit by 30 kilometres per hour or more, and the offence of reckless or dangerous driving.

Of course, depending on the way they were driving, hoon drivers may also, or instead, be charged with other offences against the *Road Traffic Act*, including drink driving offences and offences against the Road Rules, and if the driving causes injury or death, with a serious offence against the *Criminal Law Consolidation Act*.

Penalty for misuse of a motor vehicle

No maximum penalty is prescribed for the offence of misuse of a motor vehicle. As for the offence of driving without due care, the maximum penalty for the offence of misuse of a motor vehicle is the *Road Traffic Act* default maximum penalty of $1250, and the court may, under s168 of the *Road Traffic Act,* disqualify the offender from driving for any period it sees fit and require the driver to pass a driving test before regaining a driver's licence.

The Bill also requires a defendant whose offending causes damage to, or destroys, property to compensate the owner of the property.

Penalty for promoting or organising an event

The same penalty considerations apply to this offence as to the offence of misuse of a motor vehicle.

Penalty for emitting excessive noise

The maximum penalty for each of the offences of failing to obey a police direction to abate the emission of excessive amplified sound from a vehicle and of emitting such noise within six months of being given a police direction is $1250.

The maximum penalty for the offences of failing to stop the vehicle when requested or failing to give one's name or address or giving a false name or address is $1250 or imprisonment for up to six months.

3 Impounding and forfeiture

The impounding and forfeiture regime established by the Bill is similar to, but simpler than, the one operating in Queensland under the *Police Powers and Responsibilities Act 2000*.

As in Queensland, this Bill allows impounding to be by police, on reasonable suspicion of offending, or by the court, on proof of offending, or both.

The powers of police and the court to impound vehicles are in addition to any penalty that might be imposed for the offence for which the vehicle is impounded.

Police impounding is for a much shorter time than impounding ordered by a court, and happens straight away. Police impounding is for 48 hours in most cases. Court-ordered impounding may be for periods of up to three or six months, depending on the offender's driving history.

Police impounding

Police may impound a vehicle suspected of being used to commit any of the offences described in the Bill as impounding offences, namely:

- the new offence of misuse of a motor vehicle;
- the new offence of promoting or organising an event involving the misuse of a motor vehicle;

· the new offence of emitting excessive noise from a vehicle by amplified sound equipment or other devices; and
· any of the existing offences of driving dangerously or recklessly, of driving dangerously or recklessly so as to cause death or injury or of driving under the influence of alcohol, if that offence has been committed in a way that involves any of the features of the new offence of misuse of a motor vehicle.

These existing offences are offences that are often associated with hoon driving. They are included because police should be able to impound a vehicle used for hoon driving (for example, drag racing on a highway) even if the incident turns out to merit a different or more serious charge (for example, dangerous or reckless driving causing death)).

Police may impound a vehicle only if the driver has been arrested for the impounding offence or if police intend to report the driver for the offence and have told him or her so. This is to ensure that a vehicle is impounded only when the investigating police officer thinks there is evidence to sustain a charge.

The impounding will usually, but not always, occur on the spot.

When police impound a vehicle, they must as soon as reasonably practicable and within the 48 hours of impoundment make reasonable attempts to contact all current registered owners (or if none, the last registered owners) to tell them what has happened to the vehicle and provide information about its release. A telephone call will usually suffice, but, if this doesn't work, the notification can be by post. If by post, it may not reach the owner until well after the 48 hours has elapsed, but this can't be helped. Of course, the owner will usually already know of the impounding because he or she is the driver or because he or she has been told by the driver.

Police must release an impounded vehicle that was stolen or otherwise unlawfully in the driver's possession at the time of the offence, or if it was being used in circumstances prescribed by regulation (for example under a holiday rental). The owner of such a vehicle does not have to wait until the 48 hour period has ended to get it back.

Police will also release an impounded vehicle before the 48 hours are up if it was impounded in error.

Otherwise, a vehicle impounded by police will generally be held for the full 48 hours, even if the driver did not own it. Parents who let their driving-age children use the family car should not expect police to release it early after it is impounded for being used for hoon driving, even if the they did not know the car would be used in this way. The experience of police impounding is intended to be salutary not just for the young driver who borrows a friend's or the family car but for the owner who lent it.

There is no fee payable when a vehicle is collected from police impoundment. If and when the driver is convicted of the offence for which the vehicle was impounded, the court will order the offender to pay the fee to the Commissioner for the impounding of the vehicle used in that offence. The fees will be prescribed by regulation.

Only a convicted driver is liable to pay those fees. This means that if charges are not laid or are discontinued, or if the driver is acquitted of the charges, no fees are payable.

Offence to sell or dispose of vehicle the subject of an application to impound or forfeit

I will describe in more detail later in this report how a court may impound or forfeit a vehicle used to commit a prescribed offence. But first I will explain that the Bill allows the Commissioner to serve a notice prohibiting sale of a vehicle and makes it an offence to sell or dispose of the vehicle until the court hears the charges against the driver (or until such charges are withdrawn or discontinued). This is to prevent people evading court-ordered impounding or forfeiture by selling the vehicle in this time.

It is important that the owner of such a vehicle is given such a notice at the earliest possible time so that there is an embargo on sale or transfer or the vehicle. Notices may be given when police think they will charge the driver with the impounding offence and know that he or she has convictions for prescribed offences within five years preceding the date of the offence (the pre-requisites for court-ordered impoundment). In practice, police will usually give the notice when the vehicle is collected from police impoundment, or, if the vehicle was not impounded by police but is later the subject of an impounding offence, at the time the charge is laid.

The maximum penalty for this offence is $2000 or imprisonment for six months. In addition, the court may require the owner to pay into the Victims of Crime Fund an amount equivalent to the value of the motor vehicle so sold or disposed.

Court orders to impound or forfeit

In addition to the 48 hours of police impounding, a vehicle used to commit an impounding offence may be impounded or forfeited by court order. A court that records a conviction for an impounding offence must, if the prosecution so applies, order that the vehicle used to commit the offence is impounded or forfeited, if the offender has previous convictions for previous relevant offences (called ***prescribed offences*** in the Bill) in the five years preceding the date of this offence. I should note here that applications for impounding or forfeiture can't be made for vehicles that were stolen or otherwise unlawfully in the possession of the driver or being used in circumstances prescribed by regulation at the time of the offence.

A ***prescribed offence*** means—
· the new offence of misuse of a motor vehicle;
· the new offence of promoting or organising an event involving the misuse of a motor vehicle;
· the new offence of emitting excessive noise from a vehicle by amplified sound equipment or other devices;
· the existing offence of driving dangerously or recklessly;
· the existing offence of driving dangerously or recklessly so as to cause death or injury;
· the existing offence of driving under the influence of alcohol; and
· the existing offence of driving with more than the prescribed concentration of alcohol in the blood.

Prescribed offences are different from impounding offences in one respect. The existing offences included in the list of prescribed offences are not required to have been committed in circumstances involving an element of a new misuse of motor vehicle offence. That requirement is unnecessary, because the impounding offence that founds this application was itself committed in such circumstances, whether it was an existing offence or one of the new offences.

If there is only one previous prescribed offence, the vehicle may be impounded for a period of up to three months. For two previous prescribed offences, the vehicle may be impounded for a period of up to six months. For three or more previous prescribed offences, the vehicle is forfeited to the Crown.

I emphasise that impounding or forfeiture that is imposed by a court is in addition to any criminal penalty for the impounding offence itself. The Court can make the order even if the offender is not the owner of the vehicle used to commit the offence. This is to penalise an owner who lends a vehicle to someone who is likely to use it to commit an impounding offence - for example to someone with a known history of hoon driving. However, it is the offender who pays the fees for impounding or forfeiture. The court must order that the offender pays the prescribed fee when it makes the order to impound or forfeit.

Notice of the application to impound or forfeit

Notice of the application must be sent to each registered owner of the motor vehicle and to anyone else whom the prosecution is aware has claimed ownership of the vehicle or is likely to suffer financial or physical hardship as a result of the making of the order.

Court discretion as to impounding or forfeiture

A court may decide not to impound or forfeit a vehicle for any of three reasons—
· that the vehicle was used in the impounding offence without the knowledge and consent of the owner; or
· that since the offence, the vehicle has been sold to a genuine purchaser; or
· if impounding or forfeiture would cause severe financial or physical hardship to a person. If that person is the offender, and it is reasonably practical for him or her to perform community service instead of having the vehicle impounded or forfeited, the court must order the offender to perform up to 240 hours of community service instead. That order is to be dealt with and enforced as if it were a sentence of community service.

The Bill does not prevent a court, when considering hardship, taking into account the effect on the offender of the penalty it has imposed for the offence itself. If, for example, the driver, also the owner of the vehicle, has been disqualified from driving for six months, the court may then think impounding unnecessary, especially if this would cause hardship to people other than the offender.

Powers to seize and impound

The impounding authority is the Commissioner of Police or the Sheriff, depending whether the impounding is by police or by order of the court. Whether it be for the initial 48 hour police impounding or for court-ordered impounding or forfeiture, the impounding authority may seize and impound a vehicle from a public place

without warrant. If the vehicle is anywhere else, for example, in the driveway of a private home, it may be seized and impounded only with the consent of the owner or occupier of the property or under the authority of a personal or telephone warrant issued by a magistrate. The impounding authority or people it engages to do so may drive, tow, push or otherwise move the vehicle to an authorised place of impoundment, or move impounded vehicles between such places.

The impounding authority may do anything reasonably necessary to seize or move a vehicle that is liable to impoundment, including requiring the vehicle to stop, removing, dismantling or neutralising the lock or any other part of the vehicle and starting it up by other means if the driver refuses to surrender the keys.

Disposal of impounded or forfeited vehicles

Two months after a vehicle is no longer liable to be impounded and has not been claimed, or immediately upon its forfeiture, the vehicle may be sold by public auction or public tender. If it has no monetary value or the proceeds of sale are unlikely to exceed the costs of sale, or if it doesn't sell when offered for sale, the vehicle may be disposed of otherwise than by sale.

Proceeds from the sale of unclaimed impounded vehicles are to be dealt with, after deduction of the costs of sale, in accordance with section 7A of the *Unclaimed Moneys Act 1891* as money the owner of which cannot be found. An owner may trace and claim the proceeds of the sale of an impounded vehicle through the provisions of that Act.

Proceeds of the sale of forfeited vehicles, after deduction of the costs of sale, are to go to the Victims of Crime Fund established under the *Victims of Crime Act 2001*.

Liability of the Crown for seizure and impounding

The Bill exempts the Crown or an impounding authority (a police officer or the Sheriff) of liability for compensation for the seizure or impounding of a vehicle. This exemption will not protect an impounding authority if the vehicle was seized or impounded other than in good faith, and will not protect the Crown if the vehicle is unnecessarily damaged during the seizure of the vehicle. Lawful damage would include, for example, the breaking or removal of a locking device when the driver refuses to surrender the keys.

4 Summary

In summary, this Bill introduces carefully-designed offences and procedures and innovative penalties. By depriving hoon drivers of their cars, the impounding and forfeiture provisions will help to deter anti-social or aggressive behaviour on our roads and make people more cautious about sharing their cars with people who have a poor driving history.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Road Traffic Act 1961*

4—Substitution of heading to Part 3 Division 4

This clause consequentially changes the heading to Part 3 Division 4 of the *Road Traffic Act 1961*.

5—Insertion of section 44B

This clause inserts a new provision into Part 3 Division 4 of the *Road Traffic Act 1961* dealing with misuse of a motor vehicle. The provision defines misuse of a motor vehicle as—

· driving a motor vehicle, in a public place, in a race between vehicles, a vehicle speed trial, a vehicle pursuit or any competitive trial to test drivers' skills or vehicles;

· operating a motor vehicle in a public place so as to produce sustained wheel spin;

· driving a motor vehicle in a public place so as to cause engine or tyre noise, or both, that is likely to disturb persons residing or working in the vicinity;

· driving a motor vehicle onto an area of park or garden (whether public or private) or a road related area so as to break up the ground surface or cause other damage.

However, such conduct does not constitute misuse of a motor vehicle if it occurs in a place with the consent of the owner, occupier or person who has the care, control and management of the place.

It is an offence to misuse a motor vehicle or to promote or organise an event knowing it will involve the misuse of a motor vehicle. The penalty for each of these offences is the penalty set out in section 164A(2) of the *Road Traffic Act 1961*. In addition, if the conduct causes damage the convicting court can order payment of compensation.

Part 3—Amendment of *Summary Offences Act 1953*

6—Insertion of section 54

This clause inserts a new provision dealing with emission of excessive noise from a motor vehicle by amplified sound equipment or other devices. Under the proposed provision, where excessive noise (which is defined as noise that is likely to unreasonably disturb persons in the vicinity of the vehicle) is being emitted the police may stop a vehicle, require the driver and other occupants to state their names and addresses and issue a written direction to abate the excessive noise.

It is an offence to fail to stop the vehicle or to provide a false name or address, of false evidence of name or address ($1 250 or imprisonment for 6 months), and is also an offence if the noise is not abated immediately, or if a person issued such a direction, during the following 6 months, causes or allows excessive noise to be emitted from a vehicle driven or otherwise occupied by the person by amplified sound equipment or other devices ($1 250).

An evidentiary provision provides that in proceedings for an offence an allegation that excessive noise was emitted from a vehicle is, in the absence of proof to the contrary, proved by evidence by a police officer that he or she formed the opinion based on his or her own senses that the noise emitted from a vehicle was such as was likely to unreasonably disturb persons in the vicinity of the vehicle.

7—Insertion of Part 14A

This clause proposes to insert a new Part in the *Summary Offences Act 1953* giving police powers to seize and impound motor vehicles in certain circumstances. The new Part contains provisions as follows:

· Proposed section 66 defines certain terms used in the proposed Part. In particular, an ***impounding offence*** is defined as an offence against proposed section 54 (inserted by clause 6 of the measure), an offence against proposed section 44B of the *Road Traffic Act 1961* (inserted by clause 5 of the measure) or any other prescribed offence involving the misuse of a motor vehicle. Prescribed offences include reckless and dangerous driving, drink driving offences and causing death by dangerous driving. The concept of misuse of a motor vehicle is defined in the same terms as those used in proposed section 44B of the *Road Traffic Act 1961*.

· Proposed section 66A provides that powers under the Part are in addition to any penalty that may be imposed in relation to an impounding offence.

· Proposed section 66B gives a police officer power to seize and impound a motor vehicle that the officer reasonably believes has been the subject of an impounding offence committed after the commencement of the measure if the driver is to be, or has been, reported for the offence or has been charged with, or arrested in relation to, the offence. The motor vehicle may remain impounded for 48 hours. The provision also requires the Commissioner to contact registered owners of the vehicle to advise them of the impounding and compels the Commissioner to release an impounded motor vehicle if satisfied that it was not the subject of an impounding offence or if the vehicle was stolen or otherwise unlawfully in the possession of the driver at the time of the offence, or was being used in prescribed circumstances.

· Proposed section 66C requires a court convicting a person of an impounding offence to order the payment of impounding fees (to be prescribed by regulation) where the vehicle the subject of the offence has been impounded under section 66B.

· Proposed section 66D requires a court convicting a person of an impounding offence to order, on the application of the prosecution, impounding or forfeiture of the motor vehicle the subject of the offence (in addition to any impounding that has occurred under section 66B) in certain circumstances. The provision only operates where the convicted person has previous convictions for prescribed offences occurring within 5 years of the current offence. Where the convicted person has 1 previous conviction, the motor vehicle will be impounded for a period not exceeding 3 months; where there are 2 previous convictions, it will be impounded for a period not exceeding 6 months; where the person has 3 or more previous convictions for prescribed offences the motor vehicle will be

forfeited to the Crown. The registered owners of the vehicle (and other persons who the prosecution is aware claim ownership of the vehicle or are likely to suffer hardship as a result of the making of such an order) are required to be given notice of the application and may make representations to the court. The court can decline to make an order under the provision on grounds of hardship or if the offence occurred without the knowledge or consent of any owners or if the motor vehicle has, since the date of the offence been disposed of to a genuine purchaser or other person who did not know that the vehicle might be the subject of such an application. However, if the court declines to make an order on the ground that it would cause severe financial or physical hardship to the convicted person and the Court is satisfied that it would be reasonably practicable for the person to instead perform community service, the Court must order the performance of not more than 240 hours of community service.

· Proposed section 66E allows the Commissioner to serve a notice on any owner of a motor vehicle that might be the subject of an application under section 66D prohibiting the sale of the motor vehicle pending finalisation of the relevant proceedings (ie. until the criminal proceedings are discontinued or finally determined). If such a notice is served it is an offence to sell or dispose of the motor vehicle the subject of the application (punishable by a fine of $2 000 or imprisonment for 6 months). If a person is convicted of that offence, the court may also require payment of the value of the motor vehicle into the Victims of Crime Fund.

· Proposed section 66F deals with the manner in which the police or the Sheriff can exercise the power to seize and impound.

· Proposed section 66G provides for applications to a magistrate for a warrant to seize a motor vehicle from private property.

· Proposed section 66H deals with liability issues arising out of the measure.

· Proposed section 66I deals with the disposal of motor vehicles, allowing the Sheriff to sell forfeited vehicle and the Sheriff and the Commissioner to sell impounded motor vehicles that remain uncollected 2 months after the end of the impoundment period. The proceeds of sale of an uncollected impounded vehicle are dealt with as unclaimed money and the proceeds of sale of a forfeited vehicle are paid into the Victims of Crime Fund.

· Proposed section 66J is an evidentiary provision relating to proof of ownership of a motor vehicle.

· Proposed section 66K provides for the service of notices under the measure.

Mr RAU (Enfield): I rise very briefly to support this initiative by the member for Fisher.

The SPEAKER: Order! In the normal course of events, the matter is adjourned to enable members to determine their position in relation to the legislation.

Mr RAU: I thought it was so good, Mr Speaker, I wanted to get in early!

The SPEAKER: That is a view I share, but we will stick with the usual practice.

Mr RAU secured the adjournment of the debate.

GRAFFITI CONTROL (ORDERS ON CONVICTION) AMENDMENT BILL

The Hon. R.B. SUCH (Fisher) obtained leave and introduced a bill for an act to amend the Graffiti Control Act 2001 and to make related amendments to the Criminal Law Consolidation Act 1935. Read a first time.

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

That this bill be now read a second time.

I do not need to make a detailed second reading explanation, because this matter was canvassed in the previous session. Out of gratitude to the member for MacKillop, who kindly allowed me to proceed the other matter more urgently, I draw members' attention to what was said in this place earlier this year. This measure provides that, when someone is convicted and found guilty of a graffiti vandalism offence, they can be required by the court to clean off graffiti (not necessarily their own graffiti) under the supervision of a government appointed group or supervised community work group. They can also be required to pay compensation in addition to any other penalty. I know that the Attorney-General is very supportive of this measure, and I believe that he is ready to support it, at least on a pilot basis. The Premier of New South Wales is using a similar measure in that state.

It is not a draconian measure, but it will show those who are inclined to graffiti vandalism that they can be cleaning off such graffiti (not necessarily their own, because it could be in a dangerous location) on weekends, or during their holidays, under the supervision of a properly trained community work officer.

Once again, it is designed to contain a penalty that relates to the commission of the offence—and not just young people but all people can understand the connection—so that those who commit such an offence will appreciate the cost, the inconvenience and the pain they cause to others, both private property owners and the community in general. It is a sensible measure, and I urge members to refresh their memory by reading the second reading explanation in the earlier session. I commend the bill to the house.

Mrs GERAGHTY secured the adjournment of the debate.

CAPE JAFFA LIGHTHOUSE PLATFORM (CIVIL LIABILITY) BILL

Mr WILLIAMS (MacKillop) obtained leave and introduced a bill for an act to protect the owner of the Cape Jaffa lighthouse platform from civil liability. Read a first time.

Mr WILLIAMS: I move:

That this bill be now read a second time.

The bill I put before the house today is a very small and simple bill. I am pleased that the Minister for Transport is in the house at the moment, because I have had a meeting with constituents from the Kingston and District Council and the minister, and I am delighted that the minister is here to hear me put this proposal to the house.

Cape Jaffa is the point on the coast in the South-East of the state, not far from the township of Kingston. Kingston is the most northerly of the ports in the South-East of the state. In fact, it is the first port south of the Murray mouth. I think all members would be aware of the very treacherous nature of that piece of coastline adjacent to the South-East of the state and the dangers historically associated with shipping over that area. A number of lighthouses were placed near the ports along the coast, Cape Jaffa being one of them, to guide ships through the Margaret Brock Reef.

The structure on the Margaret Brock Reef was established in the early 1870s. I think it was 1868 when construction began, and I am led to believe that such were the weather conditions there that the constructing contractor actually went broke. It took him six years to erect the structure, but it has stood on that site for over 130 years, even under the conditions to which it has been subjected. In 1972, about 100 years after the commissioning of the lighthouse, the old lighthouse was switched off and replaced by an automatic light on the same structure. A few years later, the local community, with considerable help, removed the actual lighthouse building

from the lighthouse platform and jetty to the township of Kingston where it stands today, and where it is maintained by the National Trust. That is a structure not unlike the one that people can see at Port Adelaide which, I think, is run by the Maritime Museum in Port Adelaide.

Since that time, the Australian Marine Safety Authority placed an automatic light on the lighthouse platform, which obviated the need for lighthouse keepers to live on the platform. Prior to that, there were always two lighthouse keepers on the platform who maintained watch over the light during the night hours to make sure that it was kept going. With the automatic light, obviously, that no longer occurred. Then, a few years later, the automatic light was removed from that structure and has been replaced by second automatic light which now stands in isolation on the Margaret Brock Reef.

The light was removed from the lighthouse platform structure because, in 1998, the Australian Marine Safety Authority commissioned an engineering report on the structure. The report, by Terry Magryn & Associates, was called, 'Structural assessment inspection and report on the Margaret Brock Reef aid to navigation structure Cape Jaffa for Australian Maritime Safety Authority'. The report recommended that significant work be done to bring the structure up to a standard or that the structure be abandoned altogether. In fact, I think it was suggested that it be abandoned. The report recommended that it be either upgraded or abandoned because the Marine Safety Authority used to land a helicopter on the old lighthouse platform to maintain the light.

The report by Terry Magryn & Associates did not say that the structure was inherently dangerous in itself; it said that it was not suitably strong enough after the 130 years that it had been standing there to take the weight of a landing helicopter. In March this year, the Australian Marine Safety Authority issued a press release saying that the Margaret Brock Reef structure was to be removed. Amongst other things, it said that the AMSA had been advised to remove the structure by specialist structural engineers, as it poses a serious threat to passing vehicles, and people operating on and around the reef. I have a copy of the structural engineers' report, and it says no such thing. Nowhere does it say any such thing. In the recommendations, it states:

> It is emphasised that the structure should be considered unsafe in its present state, and should not be used for helicopter landings.

It continues:

> Considering the amount of work required to repair the structure, its age and inaccessibility, it is recommended that the structure be abandoned and be replaced with a new light structure.

That has happened. It goes on to say:

> As the structure is located in a marine park and is providing a valuable nesting site for gannets, consideration should be given to leaving the structure in place for their use. However, it would be important to keep people off the structure, which will become increasingly more unsafe with time. The minimum measures to ensure this would be:
> - to remove the frames on the end of the jetty which at present allow access to structure in good weather.
> - sign posting the structure to highlight the danger and to keep people off.

Nowhere does the report say that the structure is posing a serious threat to passing vessels and people operating on or around the reef. The local community, which includes the local council and the local professional and amateur fishing groups, want to retain the structure. I am told by the local professional and amateur community that, as they come in to go through the narrow passage in the reef, they line up the legs or the pylons of the structure, and, by keeping them in line, they can always guarantee themselves safe passage through the reef. It would be a great pity not only because of the historic nature of this structure and the important role that the light has played in the history of the whole of the region and the state and, more particularly, in the Cape Jaffa area, to lose this structure as an asset to the local tourism industry, and local recreation and professional fishers.

The only reason that the structure is under threat is because those who own it, and that is currently the Australian Marine Safety Authority, are concerned about the public liability issue. I will paraphrase what Justice Ipp and his committee said in their report, and this parliament has discussed at length a number of bills that have resulted from the report into the laws of negligence in Australia. I will paraphrase the forward to that report, because I do not have a direct quote. Justice Ipp and his committee said something to the effect that we as a society have arrived at a position where we are expected to take a very high level of responsibility for everyone else but seek to absolve ourselves from any responsibility for ourselves or our own actions. This parliament has addressed that matter in a number of ways, and I think at least four bills have gone through this parliament to try to address some of those matters with regard to public liability issues, and to try to get some sense back into the public liability debate.

The bill that I put before the house today is designed to do nothing other than absolve the owner, or any future owner of the Cape Jaffa lighthouse platform, from any liability arising from any injury, loss or damage. The Australian Marine Safety Authority has offered the structure to various South Australian authorities, including the Department of Environment and Heritage. It has then been offered to the local council. I have specifically worded the bill so that, if the ownership resided in either a state or local authority, it would be protected by the bill—and the bill does just that. It seeks to absolve from any future liability that owner, and, in essence, it says that this structure is just like the reef itself—it is a piece of nature. Nobody actually owns it and, if you go out there and do something foolhardy, you should be responsible for yourself and not take any action. If you do something particularly foolhardy and are personally injured or suffer damage to property, you should take responsibility, rather than try to pass that responsibility on to someone else.

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

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

Motion carried.

Mr WILLIAMS: If this parliament sees fit to pass this bill, and I sincerely hope that it does, I would like to think that Transport SA would take over the ownership of this particular platform. It already owns a very similar structure, I understand, off Wallaroo at Tipara Reef, and I think the lighthouse is still on that structure.

Mr Meier interjecting:

Mr WILLIAMS: The member for Goyder informs me that the structure has had the lighthouse removed also. So, Transport SA already has ownership and care and control of one of these structures in South Australian waters, and I am simply asking the parliament to accept this proposition that we offer an indemnity from liability from the owner. I hope that will be Transport SA, and I hope that, if my bill is

successful, in the transfer process from the Australian Marine Safety Authority to, say, Transport SA, the AMSA uses some of the funds that it has set aside for the demolition of the structure (and I understand that that could run to $1 million) to do some minimal work on the structure, to do those things which were recommended in the report from Terry Magryn and Associates, like the removal of ladders and handrails to make it very difficult for some foolhardy person in the future to gain access onto the structure, and also to place appropriate signage around the structure warning people to keep away.

I do not have any explanation of the clauses of the bill. The bill is very simple. It has three clauses, a short title, the interpretation, which describes the positioning of the platform, and that it could be taken over by a state or local authority being a minister, agency, or instrumentality of the Crown, or a council or other body vested with powers of local government. The third clause protects from liability the owner of platform. I commend the bill to the house.

The Hon. M.J. ATKINSON secured the adjournment of the debate.

PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL'S POWERS) AMENDMENT BILL

The Hon. K.O. FOLEY (Treasurer) obtained leave and introduced a bill for an act to amend the Public Finance and Audit Act 1987. Read a first time.

The Hon. K.O. FOLEY: 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 Bill forms part of the Government's 10-point Plan for Honesty and Accountability. One critical element in that plan is to widen the powers of the Auditor-General. This Bill is now introduced for that purpose.

In order to understand the need to give the Auditor-General these additional powers, one need only point to the time when the Parliament found it necessary to pass the *Hindmarsh Soccer Stadium (Auditor-General's Report) Act 2001*, in order to permit the Auditor-General to carry out an examination under section 32 of the Act. During the debate, the present Treasurer said:

> The Parliament was shocked when we had a document—the two page Auditor-General's report—brought into this Parliament that was an appeal by the state's Auditor-General for help, for protection, and for this Parliament to stand up and take notice of the bullying and the threats that have been levelled at him and his office.

This Bill will ensure that in future the Auditor-General has all the powers he or she needs to report to the Parliament and the public on matters which ought to be examined in the public interest.

In the process of preparing this Bill, the Treasurer wrote to the Auditor-General to seek his views on provisions which should be included in the legislation. Responding to that request, the Auditor-General confirmed the need to extend the measures in the *Hindmarsh Soccer Stadium (Auditor-General's Report) Act 2001* to any inquiry conducted at the request of the Treasurer under section 32 of the *Public Finance and Audit Act 1987*. He also suggested a number of other matters, all of which are dealt with in this Bill.

The role of Auditor-General and his or her relationship with the Parliament are critical to the effective operation of the Westminster system of government. Auditors-General are independent statutory officers. They provide the results of their audits or examinations to the Parliament, but the Parliament can not direct them as to the matters they are to examine or the manner in which they conduct their inquiries. The Parliament currently has only one power—on the resolution of both Houses, to endorse the Governor's decision to remove the Auditor-General from office. This Bill gives the Parliament an additional role in recommending the appointment of an Auditor-General when there is a vacancy in the office, but it reinforces the fact that, once in office, the Auditor-General can not be directed in the way he or she performs his or her duties.

The Bill extends the powers of the Auditor-General in a number of ways, in order to address problems which have been identified through experience. In 2001 the Auditor-General was requested to inquire into the Hindmarsh Soccer Stadium project, following concerns repeatedly raised by members of this Parliament. Section 32 of the *Public Finance and Audit Act 1987* requires the Auditor-General to examine publicly funded bodies or projects when requested to do so by the Treasurer. The Auditor-General faced many obstacles in conducting that examination, from persons who took a very narrow view of his powers under section 32. *The Hindmarsh Soccer Stadium (Auditor-General's Report) Act 2001* ensured that the Auditor-General had the powers he needed to conduct that inquiry; Clause 5 of the current Bill will ensure that he or she will have the same powers in any future examination requested by the Treasurer. Specifically, the Auditor-General will be able to:

- consider and report on any matter even if that matter does not relate to a publicly funded body within the meaning of the Act
- conduct the inquiry in such manner as he or she sees fit
- set time limits and impose requirements.

Any legal challenge to the way in which the Auditor-General exercises his powers must be commenced within 28 days of the conduct to be challenged, which will ensure that legal proceedings are not used to cause unreasonable delays to the conduct of examinations.

Section 32 of the *Public Finance and Audit Act 1987* currently permits the Treasurer to request the Auditor-General to inquire into projects or activities substantially funded by local councils or council subsidiaries. The expanded powers of the Auditor-General under this Bill will also apply to any such investigations into councils. However, the Government intends to maintain past policy of allowing councils a reasonable opportunity to remedy their own problems, before requesting the Auditor-General to investigate any matter. This intention will be embodied in protocols for the initiation of such an investigation, to be developed by the relevant agencies. The power is rarely used, and the Government has no intention of expanding its use. However, in the event of a local council refusing to investigate an apparent problem in the financial management of a project or activity, the Auditor-General can be asked to investigate. Local government will continue to be subject to the same standards of honesty and accountability as the State Government in South Australia.

The Auditor-General can audit the accounts of those who carry out functions on behalf of or jointly with a public authority – a very necessary power, given the extent of contracting out and public-private partnerships which are a feature of modern government. This Bill broadens the powers of the Auditor-General in these areas, to make it clear that he or she can report on any matter he or she considers relevant to the public interest.

The Bill will also allow the Auditor-General to:

- make findings as regards the conduct of any person
- make a finding of fact and law
- report on any other matter relevant to the public interest,

in any examination or audit. This will allow Auditors-General to report to the Parliament regarding the conduct of any person, whether that conduct is in accordance with the law and on any other questions of public interest. If they exercise this power improperly, the Governor will be able to remove them from office, with the support of both houses of Parliament. That is the only control – and I may say the only appropriate control – on the complete independence of the Auditor-General to report on the situation as he or she sees it.

The Bill also ensures that the public will have rapid access to the Auditor-General's findings by providing that reports delivered to the Parliament are to be published immediately. In the absence of the President of the Legislative Council or the Speaker of the House of Assembly, the Clerk of the relevant House will receive the report on their behalf. When the Parliament is not sitting, the report is to be published within one clear day of its receipt. This will avoid the problems which arose in the 1997 election campaign, when the Auditor-General delivered his report to Parliament but it was not made available to the public. The Auditor-General has indicated that he intends to make his reports available on his web-site as soon as they are published under the provisions of this Bill.

The Bill is a critical element of the government's 10-point plan for Honesty and Accountability in Government, and is intended to give the people of this State greater confidence in the probity and transparency of this and future governments.

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—Amendment provisions

This clause is formal.

4—Amendment of section 24—Appointment of Auditor-General

It is proposed that the Auditor-General be appointed by the Governor on the recommendation of both Houses of Parliament, after due inquiry by the Statutory Officers Committee. The independence of the Auditor-General is also to be reinforced by stating that the Auditor-General is an independent statutory officer who is not subject to the direction of any person, body or authority as to the manner in which functions are carried out or powers exercised, or as to the priorities of his or her actions.

5—Amendment of section 31—Audit of public accounts etc

It is proposed to make express provision to the effect that the Auditor-General may, in conducting an audit of the accounts of a public authority, consider and report on any matter that is relevant to the proper management or use of public money or that should, in the opinion of the Auditor-General, be examined in the public interest.

6—Amendment of section 32—Examination of publicly funded bodies and projects

These amendments are intended to give the Auditor-General greater flexibility and protection in the conduct of an examination under section 32. In particular, an examination under that section will now be able to encompass any matter associated with the governance or financial management of a publicly funded body, issues associated with the proper management or use of public money, and other matters relevant to public finances or to the management or use of public resources. It will also be made clear that the Auditor-General may conduct an examination in such manner as the Auditor-General thinks fit, and will be able to set time limits and impose other requirements, and make determinations and draw conclusions if these time limits or requirements are not met. Furthermore, any action challenging an act or omission of the Auditor-General will be required to be commenced within 28 days so as to ensure that the processes and proceedings of Auditor-General are not unduly delayed if legal action is threatened.

7—Amendment of section 33—Audit of other accounts

The amendments will make it clear that the Auditor-General may, in conducting an audit under section 33, consider and report on any matter that is relevant to the proper management or use of public money or that should, in the opinion of the Auditor-General, be examined in the public interest.

8—Amendment of section 34—Powers of the Auditor-General to obtain information

The penalty for failing to comply with a requirement of the Auditor-General or an authorised officer under section 34 is to be increased from $5 000 to $10 000.

9—Amendment of section 37—Recommendations relating to public authorities

This is a consequential amendment.

10—Repeal of section 38

Section 38 of the Act is to be repealed and replaced with a new section (section 39B) that will require the President and the Speaker to cause a report of the Auditor-General received at Parliament to be immediately published (as well as laying the report before their respective Houses). If Parliament is not sitting when a report is received, the report will be taken to be published at the expiration of one clear day after the day of receipt of the report. A report published in this way will be taken to be published under the authority of the Legislative Council and the House of Assembly.

11—Insertion of Division 7

It is intended to provide expressly that the Auditor-General may, in connection with an audit or examination, make findings as to the conduct of any person or body, make findings whether they are findings of fact or law, and report on any other matter in the public interest. New provision is also made with respect to reports to Parliament (see above).

Schedule 1—Transitional provisions

1—Transitional provision

This clause provides for transitional matters associated with the commencement of the measure.

2—Report on operation of amendments

This Treasurer will report on the operation of these amendments within 6 sitting days after the second anniversary of the date of the commencement of the measure.

Mr WILLIAMS secured the adjournment of the debate.

STATUTES AMENDMENT (PARLIAMENT FINANCE AND SERVICES) BILL

Adjourned debate on second reading.

(Continued from 15 September. Page 37.)

Mr WILLIAMS (MacKillop): Mr Speaker, the Attorney-General has brought this bill to the parliament, and I believe it is part of the compact of good government agreed to between yourself and the government.

The Hon. M.J. Atkinson: And your good selves.

Mr WILLIAMS: The Attorney makes a slight error there but, anyway, we will move on.

The Hon. M.J. Atkinson: I saw a signed version of it.

Mr WILLIAMS: We will move on, sir.

The Hon. M.J. Atkinson: You were hot to trot, mate.

Mr WILLIAMS: I point out to the Attorney that, unfortunately, no agreement was ever reached between the opposition and the good Speaker.

This is an interesting concept. It was introduced a considerable time ago. It has given me an opportunity to do a reasonable amount of research into the matter. The conclusion that I have come to is that this is a very complicated issue and, indeed, we are presented with a rather simplistic bill. Consequently, I foreshadow that it is my intention in the third reading to move that this matter be moved on to a select committee so that the minutiae of this matter can be more thoroughly investigated and brought back to the house for its consideration. I say that the bill is relatively simplistic because, in its first part, the bill intends to amend the Constitution Act 1934 to provide for a separate appropriation for the parliament. This is to achieve the aim of separating the parliament to re-establish the sovereignty of parliament as a separate arm from the executive government of the day. Having spoken to a number of members on both sides of the house, I think that there is a fair degree of sympathy for that proposition.

It is proposed that the bill have a few teeth in so much as it provides that the appropriation for the general business of government cannot be made until the bill has been passed through the house and has spent at least six days in the other place. So, it proposes that this has some teeth and keeps some stricture on the executive government of the day.

In Part 3 the bill also amends the Parliamentary Joint Services Act 1985, and the main amendments here are to establish a new position which would be the position of an executive officer of the JPSC, a person who would be responsible to the JPSC—the Joint Parliamentary Services Committee—on a salary set at 90 per cent of that paid to the Clerk of either of the houses. Having spent some two years of this parliament representing this house on the JPSC, I personally have some sympathy with that, and I can see the

logic in having such a person. I know that a number of members who have not had the opportunity to serve on the JPSC in any parliament are possibly unaware of the way that the Clerks and the JPSC manage the parliament.

Currently the Clerk of this house and the Clerk of the other house take turnabout, as do the respective Presiding Officers, in chairing and being the executive officer of the JPSC. That puts quite an onerous burden on the Clerks. To be quite honest, and without taking anything away from the work they do, because they do a fantastic job, from my experience in the time I have been here, the Clerks have more than enough to do managing and helping run the business of the houses. As I say, I have some sympathy for that. There are a number of what I would refer to as minor amendments in the bill. One of them moves the responsibilities for setting remuneration levels for other officers from the Governor to the JPSC. Other minor amendments seek to bring the Joint Parliamentary Services Act 1985 up to date.

I will very briefly run through some of the concerns that have brought me to the conclusion that we should refer this matter to a select committee of the house. My initial thoughts were to move that this be considered by a joint select committee, but on advice from our Clerk that would be a very difficult thing to achieve without withdrawing the bill or abandoning the bill in the meantime. After discussions with some of my colleagues, I have decided that I will move that it be a select committee of this house. My investigations have mainly been undertaken with regards to what happens in Victoria and Queensland. I understand that Victoria moved to go down this path over 10 years ago, and they started discussing this through a strategic management review of their parliament in 1991. I am not sure exactly what year the first Victorian separate Appropriation Bill was introduced into the Victorian parliament, but I do know that in Queensland, after first discussing it in 1992, the first Appropriation Bill was introduced into the Queensland Legislative Assembly in 1994.

We have to remember that Queensland does not have a bicameral parliament. It only has the one house and obviously the systems they have are somewhat more simple than what we would want to have in South Australia if the parliament—and I say the 'parliament' because this will need to be approved by both houses—chooses to go down this path. Interestingly enough, what did happen in Queensland, notwithstanding the fact that the first separate Appropriation Bill for the Legislative Assembly went through the parliament in 1994, the Financial Administration and Audit Act was not amended requiring that until 2001, some seven years later. Whether South Australia could proceed with such a separate Appropriation Bill without amending the acts as per the bill before us I am not quite sure.

I will refer to some of the discussion that took place during some of the debates in other states on why parliaments should or should not have a separate appropriation and of what form and how that should be managed. On 18 March 1992, the Hon. Joan Kirner (who was then the premier of Victoria) said:

> The current arrangement for preparation of estimates for Parliament is clearly inappropriate. On the other hand, extravagant claims for Parliamentary independence have been made. A balanced approach which reflects the conventions of money bills is needed. Clearly what is at stake is the right of initiative in the preparation of parliamentary appropriations. The executive will control the numbers in the Assembly and will have the capacity to act on the floor of the House if a confrontation develops because proposals run outside critical government policy parameters or are undesirable in some other major respect.

Notwithstanding the philosophical standpoint that the parliament should be sovereign of its own self, the reality is that the government of the day, which forms the Executive, also controls the lower house at least, if not the parliament.

In the same debate on 18 March 1992, amongst other things, Mr Cole said: 'In a sense, it is a symbolic exercise to have such an Appropriation Bill'. I think what we do have before us is somewhat symbolic, unless we put a little more meat on the bones. One of the things that such a select committee should look at is what should and what should not be covered by a separate parliamentary appropriation. In his second reading explanation, the Attorney-General said:

> The general purposes of the parliament is defined under the new sections as all the staff, services, buildings, facilities and operations of the parliament, including benefits for members of parliament for which money is not appropriated by some other statutory provision.

That is a fair mouthful and I think members would want quite a deal more definition about exactly what is and what is not; and dare I say that, as members of this place, we find it very easy to get ourselves into trouble, particularly when we start talking about the sorts of benefits for members. There also needs to be some discussion about what others we might see as agencies should come under the appropriation funding for the parliament.

Should that include the Auditor-General, the Ombudsman or indeed the Electoral Commissioner? I note that in debate in Victoria on 12 August 1994, a Mr Baker, with regard to the Attorney-General, said:

> . . . the determination of the budget for the Auditor-General should not be made by a department or body which is subject to audit.

I think there is some soundness in that; that the body (in this case the Treasury) that is going to be subject to audit by the Auditor-General should not necessarily be the body having the ability to determine how much money the Auditor-General gets to carry out his or her work. Obviously, a very contentious area is that of electorate offices, and I have had a number of people ask me about this. Unfortunately, from the bill in front of us I am not quite sure what the intention is with regard to electorate offices. Again from the Victorian debate, Dr Coghill in 1995 said:

> Although electorate support services are absolutely crucial to our roles as representative members—they enable us to represent the interests of our constituents and to pursue the matters they raise both inside and outside the house and to undertake related political and campaign activity—the expenditure allocated for them does not relate directly to the way the institution of parliament operates in its law making function. In that circumstance it is not surprising that senior officers of the parliament regard the expenditure for electorate support services as somehow distorting the consideration of parliamentary appropriation. It has to be recognised that, after all, the parliament's role is as a representative body.

I think there is a question there that needs to be resolved by the members of the house as to whether our electorate offices would be one of those areas that should be funded by such. In Queensland the Auditor-General's office, the Ombudsman's office and the office of the Governor are regarded as similar to the parliamentary service because they are agencies that operate at arm's length from the government, but they are not included within the parliamentary appropriation. However, as from 1 July 2003, the parliamentary service has provided corporate support services to these agencies. Another area that I think needs considerable debate would be how the budget estimates for the parliament should be

prepared. Should they be prepared by each department and each house and then sent to a joint house committee?

Should they be prepared by the Presiding Officer for each house and together the Presiding Officers review the budget for the joint service departments? Or should the Clerks prepare the budget, which is then reviewed by a parliamentary committee? I think there is some work to be done on the minutiae of how these budgets should be prepared. There is also a great variation between the Victorian experience and that of Queensland about exactly what is stated in the bill. In the Victorian example, the bill is quite detailed and lists each department separately, whereas in the Queensland bill it is basically a one liner, which gives one item. It is a little more than that but, as an example, it is my understanding that the item 'employee expenses' covers the salary and allowance payments for both members and staff. So, I think there should be some determination of just what the bill should look like.

One of the interesting things that I came across was exactly who would present such a bill to the parliament. It is my understanding that in the compact that you, sir, signed with the government you saw that the Speaker would in fact present the bill to the house. Under our standing order 286, a money bill, which I am sure this could only be regarded as, can only be introduced by a minister. A primary doctrine of the Westminster system is that the parliament can only make appropriations following a request from the crown. Section 7 of the Australia Act, on which you and I, sir, have already had discussions, enshrines that the crown acts on advice from the Premier. I think there needs to be some discussion on such points.

If we are going to attempt to establish the sovereignty of the parliament, I think we need to do a little more work and put some flesh on the bones of the bill that has already been presented to the house. How would the management of the budget occur? Currently, with the management here I understand that moneys that have been appropriated for the use of the parliament are sometimes moved from one item in the budget to another. In Victoria, under section 31 of the Financial Management Act, transfers between departments or line items can only be made by a determination of the Presiding Officers and with the approval of the Treasurer. Again, needing the approval of the Treasurer detracts from the aim of achieving the sovereignty of the parliament.

So, although personally I have sympathy for the measure that has been put before us, I will repeat my earlier statement that the bill in its present form is overly simplistic in trying to present to us what I believe is quite a complicated matter. That is why I have given notice that I will be moving that a select committee of this house be formed to bring back recommendations to the house. I hope there would be recommendations on a series of amendments to the proposal before us to reflect exactly how members would see us moving forward on this matter.

Mr VENNING (Schubert): In relation to the compact for good government, the Speaker's deal with the Liberal Party I do not believe was ever consummated, if that is a word I can use. I believe that, unless it is consummated we are not bound by it, but I think we can look at it in a constructive way. I do not necessarily disagree with much of the bill, and I support what the member for MacKillop just said. I am currently a member of the JPSC following on from the very good work done by the member for MacKillop and the member for Stuart before him. You only need to sit in a management position to see some of the follies that go on in the management of this house. I think some of the waste and duplication should be avoided at all costs.

As you know, Mr Speaker, I visited Western Australia and observed the management of that house through both the electronic system and the independent manager whom they have appointed. On the surface, it appears to work very well. I think the paramount issue in the bill before us today is that of moving the control of the parliament to the parliament—away from the government. In other words, it will be independent and neutral, irrespective of whoever is in government. For the rank and file person, this would make commonsense and be a sound thing to do. I think most people out there would think that was the case, and I do not have a problem with making it like that, because the government of the day has the numbers anyway. If there is a problem, the government can, should or would control the committee that controls it.

The Hon. M.J. Atkinson: We don't have the numbers in the upper house.

Mr VENNING: That can be discussed, because that is where the conflict is going to be, as is currently the case, Mr Attorney-General. That annoys me, that should not come into it, and I believe that the government of the day should have the right to be able to control what happens although it can still be independent in some way.

The Hon. G.M. Gunn: Then this bill wants amending.

Mr VENNING: Yes. I am just saying that I am happy to support the member for MacKillop if we go to a select committee.

The Hon. M.J. Atkinson: We are going to a select committee.

Mr VENNING: If we are going to a select committee, I am happy to do that, and hopefully I will be a part of it, because I think that is where we should thrash these things out, because having a two-page system, as we do—and people know my private thoughts about that anyway

The Hon. M.J. Atkinson: Two's enough.

Mr VENNING: One's enough. The conflict goes on. Mr Speaker, the second issue raised in your compact with the house, and as discussed in this bill, is the management of the house. After seeing what happens in Western Australia, I would fully support at least on a trial basis setting up a manager of the whole of the parliament—both houses. As you would know, sir—after all it is your idea—when you sit on the JPSC you can see the duplication that happens. It is not the fault of the Clerk of either house.

The Hon. G.M. Gunn: The roles of both houses are different.

Mr VENNING: As the member for Stuart just said, the roles of both houses are different, but I still believe that the house has to be run as a business. We cannot have waste. There is a matter before the JPSC right now, which I was told about a couple of minutes ago, that will require a management decision. These things have to come back to the JPSC all the time for it to make a quick decision. I think there ought to be a manager to make those decisions. That person would be on a contract. Members who have a problem with that should go to Western Australia and have a look and see how it works, and I believe the New South Wales parliament has a manager as well.

The select committee should work through this. If it is not going to work through a two-house system, I am happy to retreat to the current position, but I think it ought to be tried because, on the face of it, I think it should work, particularly if this person is on a fixed contract. I note from the paper that

the salary is to be set at 90 per cent of the Clerk's salary. I have a problem with that. I am not saying that we pay our Clerk too much, we may or may not, I don't know—the Clerk shakes his head—but I just wonder whether it should be fixed like that. I believe this person should be chosen according to their skills and paid appropriately, irrespective of what the Clerk is paid. It could be used as a benchmark in the future, but I do not believe it has to be the bottom line. The appointment of a manager of the parliament, on the face of it without delving into it too deeply, has certain attractions. However, again, let a select committee have a good look at it.

The third point I raise is the management of electoral offices. I am amazed that the government has control of this. Over the years, sir—you have been here long enough to know this, and so have I—there are accusations about my office, your office and anybody else's office, who has being given a favour and who has not, who has a Taj Mahal for an office and who has a hovel. This should not be a decision of government; it should be independent, because it should be above politics. I do not believe it should ever be the responsibility of government. Impartiality and neutrality I think are essential.

We all know that there are irregularities. I was accused of owning my own office. I put on the record quite clearly that I have never owned my office. I pay taxes and council rates and everything else in terms of where I live, and the government pays its own rates quite separately and independently. It is on the same title—when I am in Kapunda I live above my office—so, it is quite separate and always has been. I have separate meters and everything else. I have always said so, and I am quite happy to have it investigated by anybody. However, irrespective of that, I believe these decisions ought to be made by an independent body that treats every member of this place absolutely impartially at all times. Then there can be no argument.

Issues such as these are bigger than the incumbent government—or you, sir as the incumbent Speaker. These are decisions that we will make for the long term. I am happy to work through this issue via amendments to the bill and then, hopefully, the matter will go to a select committee. If I am asked to serve on that select committee, I am happy to do so. I think the bill is timely. I am disappointed that we could not consummate this compact for good government, but it is not the end of the day, so I hope some goodwill will come out of it. I will be interested to see what happens to this bill.

The Hon. G.M. GUNN (Stuart): I am pleased to make one or two comments on this matter, although I am not as enthusiastic about it as the honourable member for Schubert. If one reads this document carefully, one sees that there is no obligation to appropriate sufficient funds to the good running of this parliament. The government does not have to appropriate $1 if it does not want to, and that is the first matter that needs to be addressed very carefully. Who will determine how much money each house of parliament will have appropriated for its operation and function?

The Hon. M.J. Atkinson: We will do a deal, if that is not illegal.

The Hon. G.M. GUNN: That is fine. This matter has been around for a long time. When I was deputy speaker, I recall attending a presiding officers meeting in Sydney some years ago, when the late Rt Hon. Billy Mackie Snedden was the speaker of the House of Representatives. One afternoon, he gave us a lengthy—

The Hon. M.J. Atkinson: He led life to the full.

The Hon. G.M. GUNN: That is right. He could not come before lunch; he only ever attended in the afternoon. So, we waited with bated breath for the lengthy address he gave about the value of having an independent budget. When he sat down, I rose to my feet and asked him whether, as treasurer of the commonwealth of Australia, he had the same view. He said that he did not, and I told him, 'Well, you've wasted our bloody time.' He did not take kindly to that remark, and I was not very popular with some people who thought that I should not have said that to him. I believed that we had listened to someone who was trying to big-time himself.

People must understand that the running of the parliament is quite different from running any other institution. It is assembled to debate legislation and to examine regulations and matters of public importance. Its procedures and functions have been designed over years to ensure that the rights of individual members of parliament are protected and that members have the ability to raise issues, no matter how obscure or unpopular they may be, or how much they annoy other members of parliament. The parliament is not assembled for the convenience of a few people: it is assembled so that elected members can debate and discuss various issues. It should never forget that.

There is nonsensical talk about parliament's not being efficient, but no parliament is about being efficient: it is about ensuring democracy. We are not here to legislate for or on behalf of bureaucracies or other pressure groups. We are here to legislate for the good of the community, but I sometimes wonder whether we are doing so. People are elected to this parliament who annoy us from time to time.

Mr Caica: Are you looking at me?

The Hon. G.M. GUNN: No—the honourable member has a pleasant face, and he is a likeable fellow, even though I do not always agree with him. But we are not here to agree with one another; that is not the purpose of parliament. People who are elected—

The Hon. M.J. Atkinson: Do you have a pleasant disposition?

Ms Rankine: He's charming.

The Hon. G.M. GUNN: I say to the member for Wright that one of the things that crossed my mind, when the issue of pinching bottoms was raised, was what would happen if a male pinched her bottom.

The SPEAKER: Order! This bill is not about public indemnity for indiscretion.

The Hon. G.M. GUNN: You are right, Mr Speaker, but I invite you to take up the suggestion! Nevertheless, this is a serious debate—and it takes a lot to get me on my feet. I have given this matter a great deal of thought. We are talking about the running of this parliament and the role of the Clerks. I certainly do not support any proposition which in any way interferes with the independence, the authority, the decision making or the advisory capacity of the Clerks of this parliament.

The SPEAKER: Hear, hear!

The Hon. M.J. Atkinson: You are a servant of the bureaucrats in parliament.

The Hon. G.M. GUNN: It ill behoves the Attorney-General to make those sorts of foolish and ill-considered comments. In my experience, the table officers have always given fair and good advice to all members of parliament. As I pointed out to the Attorney-General earlier, this organisation is unique. The Clerks are there to ensure that members can properly carry out their duties. Most of them have spent long

periods in parliamentary service and have a feeling for the institution and understand it. They confer with colleagues all around the world.

The Hon. M.J. Atkinson: They have of late.

The Hon. G.M. GUNN: I take very strong exception if the Attorney-General is making any criticism of or reference to a former clerk of this parliament.

Mr Rau: He is simply trying to attract your attention away from your main purpose.

The Hon. G.M. GUNN: I know that; however, I have 14 minutes.

The SPEAKER: No, 13, and we are trying to get a committee up.

The Hon. G.M. GUNN: You are, Mr Speaker, and if I continue to be helped by the Attorney-General, we might have to extend beyond 6 p.m. Many matters are not covered in the bill. I will come back to the first point. In this particular proposition which we currently have before us, what guarantee is there that the parliament is going to have sufficient money?

The SPEAKER: What is there now?

The Hon. G.M. GUNN: Currently, we have a system where the government of the day determines a reasonable appropriation after discussion with the presiding officer. Mr Speaker, in this proposition, you are now saying that the government cannot bring its appropriation measures to the parliament before there is a parliamentary appropriation. I do not know in how many other parliaments in the world that takes place, but I put forward this proposition: I do not believe that the public of South Australia would want the general appropriation for the services of the South Australian community held up because there was a dispute within the parliament. I do not believe that the community would take kindly if we engaged in some sort of frivolous or unnecessary debate in relation to that matter. I think we have to work out a formula.

I am aware that the South Australian parliament has been one which has been more frugally run than many others in Australia, if one can make a comparison to the appropriation in New South Wales, and the sorts of facilities and the sorts of travel arrangements which they may have. I do believe that there is a proper role for the Treasurer in these particular matters, because I do not believe any government is going to allow a very large amount of taxpayers' money to be appropriated and spent unless the Treasurer has some influence over that which takes place. Under the current arrangement, the Treasurer does have some influence.

It is my understanding that in New South Wales, the House of Assembly has a committee. I do not believe it is the role of the Legislative Council to be involved in telling the House of Assembly how it should go about its affairs, because we have different functions and roles. That is why our carpets are green; because the first parliaments were held on the greens. There were assemblies when democracy was in its infancy. That is why the upper house is covered in the royal red colour. They have completely different roles, and if we are not very careful, we will get them mixed up too much.

I will turn to another matter in relation to this bill, where it is stated:

> the general purpose of the Parliament means all staff, services, buildings, facilities and operations of the Parliament, including benefits for members of Parliament for which money is not appropriated by some other statutory provision;
>
> the Parliament includes either House of Parliament and the committees of the Parliament or either House of Parliament.

As you know, Mr Speaker, there are certain areas of this building which under your control, certain elements which under the management of the President and certain areas which are joint facilities. From my experience, and from knowledge around the world and the Westminster system, that is very necessary. Therefore, I do not believe that we should get those particular areas of control mixed up.

What about other services? Does it mean that the Joint Parliamentary Service Committee is going to manage members' travel? Does it mean that it is going to completely manage the library? Does it mean that it is going to be involved in all sorts of other activities? Will it eventually lead to running electoral offices? If it does, we should know. I point out that it is terribly important that this particular manager has experience in how parliaments operate. The worst thing we can do is get some economic rationalist with an accounting background come into the place with no experience in why we are here, to start cutting corners and make it even more difficult for backbench members of parliament carry out their functions and duties than it currently is. I think we need to be very careful in relation to this matter.

There are lots questions which need to be answered. I do not believe that members of the other place will agree to this position as it stands, because they are very concerned that their independence, function and role will be unduly taken over. Does this manager who is proposed to be appointed have power to direct the Clerks? Does he or she have power to direct members of parliament or to start telling members of parliament what they can do with their officers or who they can have in the building? I have grave concerns, because those people who currently work hard in the system, in their duties and functions of members of parliament have spent a long time in this institution, and they do their jobs very well. I do not think we should suddenly throw the baby out with the bath water without giving it serious consideration.

I have a very strong belief in our parliamentary system. I have a very strong belief in the functions and role and the independence of parliament, and I believe it should have control over the executive; I believe in all of those things. I strongly support an effective and enlarged committee system. I agree that there is insufficient money for committees to carry out their role. At the end of the day I think we need to be cautious in changing the system. I look forward to the deliberations of the select committee because, obviously, we are going to have another debate in the future. I know you want to set up a select committee, so I will, therefore, curtail my comments to say that I look forward to having further discussions with you, Mr Speaker, and with other members in relation to this matter, because I have other suggestions. At this stage, I will conclude my remarks, and I look forward to proceeding on a later occasion.

Mr CAICA (Colton): I am actually very excited that this bill has come before the house, as it gives each and every member of the house an opportunity to debate it. I have been able to come into this house and have a look at the way the house operates from the perspective of a person that has not been here before. I guess a new brush has come in, and I am not suggesting that this new brush is going to sweep things clean, but I think that there is ample opportunity to change things within this house with respect to the operations. I previously came from the fire service and, if I use the fire

service as an analogy (and I am renowned for my bad analogies) but once you reached a certain rank within the fire service it was automatically assumed that you could take different responsibilities on within the fire service, irrespective of whether or not you had any training or education within those areas of responsibility. That is, you were given those responsibilities because of the rank that you held.

To me, that is not necessarily a very good way to manage business. With due respect to the people that are in charge of the administration in this house, and I have no bones whatsoever to pick with the outstanding management of house business. That is, when this house is sitting, the work being undertaken by the Clerk and his deputy, they have been trained to do that specific job—that is, the job for which they are experts, and they do an outstanding job in making sure that this house operates in an effective and very professional and orderly manner. That is not to say that they are across the full range of issues, or indeed anyone else is across the full range of issues that make up the total management of this parliament. So, to that extent, I think that it is appropriate for this house to consider this bill and to look at ways by which we can ensure that we can bring into the system people who have expertise in certain areas of management, that will make this house run far more effectively with respect to parliament as a whole than what otherwise might be the case. With that, and with the wind up that I have been receiving, I look forward to the ongoing debate of this bill.

Bill read a second time.

The Hon. I.P. LEWIS (Hammond): Before the Clerk reads the bill a third time there are some remarks that I would like to make. Whilst I am making those remarks as the member for Hammond, I am conscious of the fact that also, probably, I am making them as the Speaker. Notwithstanding that, with the indulgence of the house, I will sit, and honourable members may go about their business in the house in the way in which they normally do, paying close attention, of course, as they do, to what the honourable member who has the call is saying.

The compact for good government is a document that has been referred to by some honourable members in the course of their remarks. I am sure that had it been arithmetically possible for me to find in favour of the Liberal Party, it would have been very much a document in government that they would have embraced for such a period of time as they would have been in government. Notwithstanding that, the Labor Party has given the necessary commitments, as well as the honourable Deputy Leader and the Leader, and it is the Labor Party which has been enabled to form government and, like it or lump it, issue by issue, moment by moment, it has been a stable government, and the public of South Australia recognise it for what it has provided within its lights and policies for doing what it has done, and albeit belatedly, one of the matters canvassed in the compact (to which I know because I was present whereas most other honourable members were not present), I know that the Leader and Deputy Leader had agreed to all but the freedom of information measures that they deleted—whether that is seen as a matter of pride or shame by other honourable members is beside the point.

To move on to the appropriation aspects involved in the proposition that is before the chamber, it has been my belief for a long time prior to coming in to parliament even, when I was a marketing and management consultant, that it would be desirable if parliament were separate and independent from government, and it has become more important to me as the times have changed and the fashion in which parliament functions, the modus operandi of things, has changed since I have been here. I have been talking about it to other members of parliament in other states, and to table officers and clerks for 25 years, and I am so immodest as to claim some credit, at least, for the changes that have occurred in those parliaments, because that dialogue has been something that I have been happy to advance in all our parliamentary jurisdictions within this country, as well as some of them outside where I have written letters to the members of other parliaments, in consequence of seeing their views expressed in CPA journals. It has, more than ever, underlined my concern that appropriations for the institution of parliament should be undertaken independently of the parliament in such fashion as cannot hold the executive to ransom, other than for the passage of the bill.

Therefore, as to the parliament, especially in its passage through the upper and lower houses, it is merely a matter of scheduling to get the appropriation proposals prepared by the divisions—call them departments if you like within the parliament itself—and consolidated, and brought into the chamber early enough so that it can be dealt with within six sitting weeks and through the parliament, before the government—the executive—needs to bring in its appropriations. It needs to be done in a way which is separate from those appropriations principally because honourable members can then move to change the appropriations to what they believe they might best be, and see if there is a majority of support for that after those appropriations are brought in, without, in the process of moving them for any such change, there being any threat to the confidence of the chamber in the government; whereas, the general appropriations bill, of which the parliament is now a part, cannot be amended by any member to the amount of one dollar without it being a vote of no confidence in the government. That is foolish in the extreme. There is insufficient opportunity for honourable members to openly debate the institution to which they are elected and to which they bring the delegated authority of their electors.

The Hon. M.J. Atkinson: Would you like me to get it through, sir?

The Hon. I.P. LEWIS: Yes. The executive controls the parliament and is a view which some people express; however, notwithstanding the provisions of the Australia Act 1986 section 7(5) it does not follow that that applies to the other two sets of powers in the trinity of powers. I have prepared a very careful analysis of the history of the institution and the rulings of courts in the land over many centuries. Most of the rulings to which I have referred in that document are recent, and I will provide that information to honourable members, as I promised earlier last week. The executive does not necessarily control the parliament—it can be a hung parliament such as this one, as has been the case not infrequently in the last 25 years. I welcome the ideas that have been put to me informally and to the house by other honourable members in the course of the short debate that we have had here. I will welcome even more the discussion that comes through the select committee and the debate that follows it when the select committee report comes back. The idea of needing more meat on the bones is good one—it is needed. Indeed, I agree. I also share the view that the Auditor-General, the Ombudsman and the Electoral Commissioner ought to be accountable to the parliament totally, as they are

only partially accountable to the parliament at the present time.

The conundrum about the Auditor-General being accountable to the department which, in some measure, the Auditor-General is responsible to audit is one that needs to be addressed as the honourable member for Mackillop has pointed out. There will be no interference by one house in the budget of the other house, nor need there be any concern by any honourable member about the way in which it will function. It need not function differently to what it does now in any other particular than that members can take possession of the destiny of the institution to which they bring their delegated authority, rather than have it exercised by the executive of the day whatever group of members that may be. It would be better for us to have these appropriations responsibly obtained and properly accounted for by providing the public open access, not only to what is appropriated but also to the way in which it is then spent; it could be posted on the internet month to month. Those are the matters that will be best discussed in the select committee and I thank honourable members for, at last, getting the measure to the point where it is debated. I thank, in particular, the efforts that have been made by the Attorney-General to get it to this point. I thank the house for its attention.

Bill read a second time.

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

That the sitting of the house be extended beyond 6 p.m.

Motion carried.

Mr WILLIAMS (MacKillop): I move:

That standing orders be so far suspended as to enable me to move a motion without notice to refer the bill to a select committee.

The SPEAKER: I have counted the house and, as an absolute majority of the whole number of members of the house is not present, ring the bells.

An absolute majority of the whole number of members being present:

Motion carried.

Mr WILLIAMS (MacKillop): I move:

That the bill be referred to a select committee.

Motion carried.

Bill referred to a select committee consisting of Messrs Lewis, Rau and Williams, Mrs Geraghty and Ms Redmond; the committee to have power to send for persons, papers and records, and to adjourn from place to place; and the committee to report on Monday 22 November 2004.

Mr WILLIAMS: I move:

That standing order 339 be and remain so far suspended as to enable the select committee to authorise the disclosure or publication, as it sees fit, of any evidence presented to the committee prior to such evidence being reported to the house.

Motion carried.

ADJOURNMENT

At 6.01 p.m. the house adjourned until Monday 11 October at 2 p.m.