HOUSE OF ASSEMBLY

Tuesday 15 February 2005

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

POVERTY

A petition signed by 67 members of the Picket Fence Community Centre, requesting the house to address the problems of poverty through job creation and the provision of affordable housing, free education and health care, was presented by Mr Hamilton-Smith.

Petition received.

QUESTIONS ON NOTICE

The SPEAKER: I direct that written answers to the following questions on the *Notice Paper*, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 172, 293 and 325.

MAJOR PROJECT FACILITATION

172. **Mr HAMILTON-SMITH:** How many approaches has the government received for major project facilitation since March 2002 and how many have been financially supported?

The Hon. M.D. RANN: The Minister for Industry and Trade has provided the following information:

Between March 2002 and 30 November 2004, the Department of Trade and Economic Development (DTED), and predecessor organisations, recorded 83 approaches for major project facilitation.

For the purposes of responding to the member's question, a 'major project' is defined as one involving:

- capital expenditure greater than $1 million
- estimated job creation greater than 100
- an application for financial assistance greater than $1 million, and/or
- strategic importance.

Of the 83 recorded approaches to DTED since March 2002, 14 projects have been offered financial support by the Government.

The data excludes approaches and/or applications under the Structural Adjustment Fund for South Australia, which is administered by the Commonwealth.

The data provided excludes approaches for major project facilitation that may have been made in the same period to other Government agencies and that may have ultimately been financially supported by the Government.

ENERGY EFFICIENT HOMES

293. **Dr McFETRIDGE:**

1. How many energy efficient homes were built in each year since 1999?
2. What measures has the Government implemented over the past three years to ensure that South Australia becomes a 'clean energy' State?
3. What are the details of any trials of innovation into energy efficiency undertaken in the past three years?

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

1. There is no central reporting process for energy efficient homes constructed since 1999. In January 2003 the State Government introduced a four-star minimum energy performance rating for all new residential construction in line with the national Building Code of Australia's requirement.

I am advised that around 6 000 new homes per year are built in South Australia. Therefore, approximately 12 000 new homes would have been built (from January 2003 to December 2004) to achieve the four-star minimum energy performance rating.

2. The Government has been active in a range of areas to ensure the development of clean, renewable energy sources as well as through initiatives aimed at reducing energy use, resulting in significant reductions in greenhouse gas emissions.

The Government's recently released South Australia Strategic Plan outlines a number of targets to significantly increase the uptake of renewable energy over the next ten years. These include leading Australia in wind and solar power generation within ten years, increasing the use of renewable electricity so that it comprises 15 per cent of total electricity consumption within ten years and extending the existing Solar Schools Program so that at least 250 schools have solar power within ten years.

The Government's Solar Hot Water Rebate Scheme provides subsidies for the purchase of approved domestic solar hot water services to reduce electricity consumption and greenhouse gas emissions.

Since the program's inception, 7 330 households have received the rebate resulting in reductions of 19 800 tonnes of greenhouse gas emissions annually. On 2 March 2003, the State Government committed an extra $2.6 million over the next 18 months to the scheme, resulting in $2.0 million to allocate towards rebates in each of 2002-03 and 2003-04 compared to the $700 000 per year allocated under the previous Liberal Government. The Government has since extended the scheme for a further four years with an allocation of $1.8 million each year. The increase in funding to the program will result in further reductions in greenhouse gas emissions.

The Government is committed to purchasing at least 5 per cent of its electricity use from renewable sources. Currently, the Government purchases around 6.4 per cent of its electricity through AGL from the Starfish Hill Wind Farm, South Australia's first wind farm.

While South Australia has limited opportunities to develop hydro-electricity, SA Water has built a 2 MW mini-hydro facility at the northeast Adelaide Terminal Storage that will capture power from the metropolitan water supply system.

Solar photovoltaic installations have been installed on the Art Gallery and the South Australian Museum totalling 40 kW in capacity. The installation at the Museum is currently South Australia's largest grid-connected solar electricity system. The next building along North Terrace to be solar powered will be Parliament House. In 2002 the Government also installed a solar power system in the remote community of Parachilna and opportunities for further installations under the Government's Remote Area Energy Supply Scheme are also being investigated.

Energy SA administers two Commonwealth renewable energy programs operating in South Australia. The Renewable Remote Power Generation Program provides a subsidy for the installation of renewable power generating systems in off-grid locations. The Photovoltaic Rebate Program provides assistance for on-grid and off-grid domestic and community installation of photovoltaic systems. South Australia currently has the highest number of grid-connected systems for any state in the nation.

South Australia also has a comparative advantage in the form of naturally occurring Hot Rock geothermal resources spread across much of the eastern extent of the State. Commercialisation of "hot rock" geothermal energy has potential to enable South Australia to become a world leader in reducing Greenhouse gas emissions through the development of geothermal power generation technology. The Government has been active in developing a regulatory and licensing regime which supports the development of the state's hot rock resources and was the first state to issue geothermal exploration licenses.

With regard to transport fuels, State Fleet have purchased several Toyota Prius hybrid electric cars that significantly reduce emissions levels. Compressed natural gas (CNG) fuelled buses now comprise 28 per cent of the 730 buses leased to bus service operators. Biodiesel was successfully trialled in a diesel bus during 2002 and 2003 which travelled over 25 000 km.

The Government is also committed to energy efficiency and demand management as a means of decreasing costs and emissions. The Government's Energy Efficiency Action Plan involves reducing energy use in Government buildings by 15 per cent by 2010 (based on 2000-01 levels). As part of the South Australian Strategic Plan, the Government has extended this target to 25 per cent within 10 years. It is adopting energy efficiency measures such as improved building lighting, low power stand-by modes on electrical equipment and modified air conditioning control to achieve the target. The Government will also give preference for all new Government office leases to those buildings that meet at least five-star energy rating from July 2006.

A further example is the BASEline program which is a collaboration between the State Government, Adelaide City Council and the University of South Australia. Thirty cafes, retailers, restaurants

and other businesses in the city are participating in energy assessments and action plans with the aim of reducing their energy use, greenhouse gas emissions and costs. The results from the first 19 of 30 energy audits show the potential to reduce energy use by an average of 10 per cent with an average payback of 3.3 years (including the audit costs). Many of these measures should also reduce the maximum electrical demand in these businesses, as well as reducing the ongoing energy consumption and greenhouse gas emissions.

As the Minister for Energy, I am also involved in progressing demand management initiatives at the national level. The Ministerial Council of Energy has agreed to develop a more comprehensive understanding of the potential for demand side management and user participation in the National Electricity Market (NEM) and to identify potential impediments to the emergence of economically efficient and innovative forms of demand side participation within the NEM.

The Standing Committee of Officials (SCO) supporting the MCE has established the User Participation Working Group to seek input regarding interval metering, retail pricing and demand side management work undertaken in each jurisdiction.

In addition, the MCE through the Energy Efficiency Working Group (E2WG) has engaged a consultant, Charles River Associates, to undertake a "desktop" analysis of the current jurisdictional regulatory arrangements for embedded generation and undertake an assessment of possible items that could be included in a Code of Practice for Distributors. SCO is currently working with the Utilities Regulators Forum to progress the development of a National Code of Practice for Embedded Generation.

In August last year, the Ministerial Council on Energy agreed to a comprehensive package of measures comprising Stage One of the National Framework for Energy Efficiency (NFEE) which defines the future directions for energy efficiency policy and programs in Australia. Stage Two of the NFEE, which may include measures involving broad-based incentives, will be further developed in the context of the current Productivity Commission inquiry into energy efficiency, due for completion in mid 2005.

State Energy Ministers have agreed to examine the feasibility of coordinated action by the states to introduce emissions trading, boost MRET, provide a long term national plan for gas and provide incentives for energy efficiency and demand management.

3. Residential

There have been two major projects demonstrating energy efficiency in residential housing in the past three years. They were the Whyalla Eco-renovation Information Centre project in Whyalla and the SA Energy Home at Northgate. The aim of the two projects is to demonstrate current innovative technologies and practices in environmentally sustainable development that can be incorporated into existing housing and to promote the use of energy and water efficient appliances and methods to consumers. The project also aims to influence the housing construction industry's waste management practices and deconstruction processes.

Commercial and Government sectors

There have been many examples of innovation into energy efficiency undertaken in the last three years across the commercial and Government sectors. The results of many of these projects now set a benchmark in the property industry and serve as evidence of the success that can be achieved, driving further innovation. Rather than mention all projects, a selection of projects taken from the Government asset portfolio is described below to highlight a significant advancement of energy efficiency in South Australia:

- The Art Gallery of South Australia: As one of the main buildings on the North Terrace precinct, the Gallery has for the last three years participated in an energy management program that has delivered energy savings of nearly $150 000 per annum, equivalent to over 15 per cent of the precinct's annual energy use, through basic measures such as air conditioning control modifications, variable speed drive installations and a rigorous staff awareness campaign.

  The Art Gallery is set to achieve even greater savings, as it is currently retrofitting its air conditioning system using the Shaw Method of air conditioning. This method was developed by the late Dr Allan Shaw at the University of Adelaide; the intellectual property is owned by South Australian company Air Con Serve Pty Ltd. Construction was completed in early August 2004 and close scrutiny is now being given to the performance of the system over a 12 month measurement and verification period.

  The Shaw Method is innovative in the way it dehumidifies outdoor air entering an air handling system before it mixes with make up air. This avoids the need to re-heat mixed air after dehumidification has taken place, thereby saving large amounts of energy and demonstrating great potential as a technological export, particularly to humid climates.
- Lyell McEwin Hospital Redevelopment: Stage One is one of the largest projects undertaken by Government in the last decade, with capital value of $87.4 million for replacing around 75 per cent of the former hospital facility. The Department of Human Services established an ambitious energy use reduction target of 918MJ/m^2 (or 23 per cent against a benchmark figure of 1312 MJ/m^2) as part of an overall ESD design strategy. To achieve this, the following design features have been incorporated:
  - Saw tooth roofing for daylight access and penetration
  - Heat recovery systems
  - High efficiency chillers and motors
  - High performance glazing
  - Solar hot water
  - Lighting controls

  A noteworthy aspect of innovation on this project was the integrated approach taken to design, construction and handover, to achieve the established energy targets. The architectural and engineering consultants worked very closely with the builder and hospital staff to ensure design intent was carried through the construction and eventual occupation of the facility. Stage One was completed in September 2003.
- Transport SA Energy Performance Contract (EPC): Transport SA's Walkerville headquarters is a 19 000 square metre, 8-storey building and is the site of South Australia's first EPC. The EPC contract's capital value is $980 000 and guaranteed energy & maintenance savings of $180 000 per annum, against baseline energy expenditure of $400 000 per annum.

  The contract works include a lighting refurbishment, optimisation of air conditioning controls and water conservation measures. Construction activities on the EPC were completed in July 2004.

  EPC's represent an innovative way of procuring energy efficiency whereby the client (in this case Government), can transfer the technical risk for achieving the energy savings to a contractor, who is often more appropriately positioned to manage that risk.

  With regard to commercial buildings, the Adelaide Building Tune Ups program began in September 2003 and is sponsored by the South Australian Government and the Adelaide City Council. The program has measured the energy and water use of 10 CBD office buildings, including both Government and privately owned buildings.

Each building was rated under the Australian Building Greenhouse Rating Scheme (ABGR). Nine of the buildings have received an official ABGR rating and these certificates were presented to building owners and representatives at the 2004 Energy Efficiency Conference and Trade Fair on 2 December 2004 at the Adelaide Convention Centre. Building owners have now been provided with a practical specification and implementation plan to make energy and water efficiency improvements to their building. 'Tuned Up' buildings will be cheaper to run and will achieve substantial energy savings.

BUSINESS CERTIFICATES

325. **Dr McFETRIDGE:**

1. How much additional revenue has been raised from producing business certificates in football team colours and South Australia's flora and fauna designs expenditure and what have been the associated costs?

2. How many of these certificates were produced in 2003-04 and how many are expected to be produced in 2004-05?

3. Where are these certificates produced and if outsourced, what is the total cost and cost per certificate?

The Hon. K.A. MAYWALD: The Attorney-General has provided the following information:

1. Total revenue raised so far: $17 427.00 (to 21/12/2004)

Initial set-up costs:

Description	Cost
A3 Printer	$1 414.55
Certificate Paper	$2 701.00
Flyer	$2 089.00
Illustrator Costs	$2 000.00
Frames	$ 465.64
Developer Costs	$2 762.50

Total	$11 432.69

2. Number of certificates produced in 2003-2004: 219 (started December, 2003)
   Expected in 2004-2005: 400

3. The Office of Consumer and Business Affairs (OCBA) produce the certificates in-house.

The Flora, Fauna, Crows and Port Power certificate paper costs were $2 701 (as shown in the table above) for 2 500 sheets.

ZF LEMFORDER

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

Leave granted.

The Hon. M.D. RANN: Major international car component manufacturer ZF Lemforder has decided to set up operations at the Edinburgh Parks automotive precinct in Adelaide's north where it will employ 200 people. The German company has won a major contract to supply suspension modules for the new model Holden Commodore that is due to go into production at Elizabeth in 2006. I met with representatives of the ZF group in Germany during May last year to discuss its commitment to a new component manufacturing plant in South Australia. For those who may not be familiar, ZF Lemforder is the car chassis technology division of ZF Friedrichschafen, which is a global automotive supplier of drive line and chassis products.

Members interjecting:

The Hon. M.D. RANN: Friedrichschafen. I am pleased to advise the house that ZF has subsequently started construction at the Edinburgh Parks automotive precinct close to the Holden plant. The ZF plant is expected to be completed by mid this year, and it will employ about 200 people when it reaches full production levels by mid next year. Of course, we are mindful that ZF's 200 new jobs come as DANA's work force prepares to scale down.

It failed to attract the contract, but I am told that it will still continue to supply Holden with components for some ongoing models. DANA's current employment of around 150 people is expected to eventually total around 50 workers. ZF is expected to commence recruitment soon starting with managerial positions. Naturally, we hope that DANA's highly-skilled employees no longer required by that company will be considered fully for employment at ZF. The state government has worked closely with ZF and other companies, and continues to promote and develop Edinburgh Parks as the natural home for components manufacturers.

The government is talking to a number of international companies looking at establishing operations in South Australia associated with the developments at Holden. Among the companies already located at Edinburgh Parks are Air International, Australian Arrow, Plexicor, Automated Solutions Australia and Orbseal, while Johnson Controls (a US-owned manufacturer) will soon join the list of tenants. In addition, Japanese automotive component supplier, Hirotec, announced in 2004 that it would establish itself at a site at nearby Elizabeth West.

This means that when all the Holden suppliers have completed their new facilities there will be a net increase of more than 1 000 new jobs in the northern Adelaide region. Let me repeat that: there will be a net increase of nearly 1 000 new jobs in the northern Adelaide region. Edinburgh Parks provides manufacturing bases for companies in an environment that is cost competitive and offers a range of unique and modern features that provide opportunities for international companies to establish advanced research or manufacturing bases in the Asia Pacific region.

Suppliers are directly linked to the Holden vehicle assembly plant by a private road network and communications infrastructure, which provides a quick, efficient and uninterrupted supply route for component suppliers located in the park.

BLUEY DAY

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

Leave granted.

The Hon. K.O. FOLEY: I rise with regret to inform the house that the Bluey Day State Coordinating Committee ceased operating on 16 December 2004. As a result, the Commissioner of Police has today withdrawn South Australia Police support and association for Bluey Day in South Australia and nationally.

Mr Brokenshire interjecting:

The Hon. K.O. FOLEY: We will find another way for you to get a hair cut. The Commissioner has today informed all SAPOL members of his decision. This follows a decision of the national Bluey Day Committee to convert to a professional, incorporated fundraising entity. I am advised that, during a meeting of police commissioners in Launceston in September 2004, concerns were discussed surrounding the new Bluey Day Foundation Ltd. These concerns are the subject of ongoing discussions at a national level. I am also advised that other police jurisdictions are considering their support for Bluey Day Foundation Ltd's activities. I am further advised that South Australia's coordinating committee of volunteers from SAPOL, other emergency services bodies and private citizens, ceased operating by its own decision and that SA representatives on the national board have resigned.

Bluey Day has raised in excess of $1.2 million over the past eight years, mainly for the oncology ward of the Women's and Children's Hospital. The Commissioner of Police is confident, though, that new arrangements will be put in place to allow our state's emergency services, including SAPOL, to continue their excellent level of support for children's charities.

CROWN SOLICITOR'S TRUST ACCOUNT

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

Leave granted.

The Hon. K.O. FOLEY: Yesterday in the house, the Leader of the Opposition asked me whether I had been made aware of any other inappropriate transfers of moneys between or within departments that have not yet been reported to the house. I can inform the house of the following matters.

Following advice of the misuse of the Crown Solicitor's Trust Account, internal reviews of agency operations revealed an issue that relates to the Department of Health and the treatment of funds that were set aside for the purchase of capital equipment by the Royal Adelaide Hospital between 2001 and 2003, I am advised. I am further advised that investigations have not yet determined whether this transaction was inappropriate. I will report back to the house on this matter, as has been my practice.

The second issue arises from correspondence received in my office on 14 October 2004 from an employee regarding financial transactions in a government funded entity that the

person believed had been occurring for some time, including a period of the former government. This information was forwarded immediately to the Department of Treasury and Finance for advice as to what action should be taken. On 4 January 2005, advice was received by the Acting Treasurer from the Under Treasurer that the information received had been dealt with as an appropriate disclosure under the Whistleblowers Protection Act and must be afforded the protections provided by that act.

Following a preliminary assessment, the Under Treasurer recommended that certain issues be further investigated. I am advised that that work is currently proceeding. The person making the disclosure was notified on 5 January 2005 by the Acting Treasurer that inquiries into the matters raised were proceeding and has been invited to provide any additional information to a responsible officer.

I raise this issue with the house at this time in an abundance of caution in response to the leader's question. I am advised that the person's identity must remain confidential and, as such, these allegations must be dealt with sensitively under the provisions of the Whistleblowers Protection Act. Once the matter has been fully investigated, and should they be substantiated, I will come back to the house with further information, which is consistent with my practice in these matters.

The third matter I bring to the attention of the house is that, later this month, the government will receive the final report of independent accounting firm Ernst and Young, which was engaged by the government to investigate issues of financial management between the period of 1998 and 2003 within the Department of Human Services. This investigation was sought after it was revealed that the Department of Human Services had been inappropriately transferring federal housing money to supplement the budget of the health department with the knowledge of the then minister, the now Deputy Leader of the Opposition. I will provide the house with details of this report into the financial management of the Department of Human Services as soon as possible.

The Hon. Dean Brown interjecting:

The Hon. K.O. FOLEY: I beg your pardon?

The SPEAKER: Order!

The Hon. K.O. FOLEY: No problem. Since coming to government, I have sought to implement a strict regime to ensure the proper accountability of public funds. As Treasurer, I have implemented practices, such as the monthly reporting of agency outcomes against budget, a carryover policy to identify under-expenditure—

The SPEAKER: Order! The honourable member for Unley has a point of order.

Mr BRINDAL: On a point of order, it has been a long-standing tradition in this house that no member of the house could be criticised other than by substantive motion. I believe what the Deputy Premier says constitutes a grave and serious allegation against the deputy leader and I ask that you rule on the matter.

Members interjecting:

The SPEAKER: Order!

An honourable member interjecting:

The SPEAKER: How many members seek to respond to the point of order that has been raised by the member for Unley? I invite them to leave now so that I may address the matter that he has required of me from the chair. I confess that I was distracted by the work I was doing to address another passage of disorderly behaviour and did not hear the remarks made by the Deputy Premier. For that, I apologise to the house. If the Deputy Premier in the course of a ministerial statement made any criticism of any other honourable member, whether government or opposition, that is highly disorderly. The Deputy Premier and those advising him should know better. If, however, that is not the case, then the member for Unley is mistaken and owes the Deputy Premier and the house an apology for distracting the Deputy Premier from the dissertation he was providing.

The Hon. K.O. FOLEY: As I was saying, since coming to government, I have sought to implement a strict regime to ensure the proper accountability of public funds. As Treasurer, I have implemented practices such as the monthly reporting of agency outcomes against budget, a carry-over policy to identify under-expenditure, and a cash alignment policy to reduce the overall excess build-up of funds in agency accounts. When you are dealing with a budget of roughly $9 billion, this task will invariably not be an easy one and, from time to time, matters will arise and they will be dealt with in an appropriate manner under the strict financial controls implemented by this government.

PAPERS TABLED

The following papers were laid on the table:

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

Regulations under the following Act—
Security and Investigation Agents—Process Servers

By the Minister for Agriculture, Food and Fisheries (Hon.R.J. McEwen)—

Regulations under the following Act—
Fisheries—Abalone Fisheries.

QUESTION TIME

SNOWTOWN MURDERS

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Attorney-General. How much did cabinet approve in legal funding for the 'bodies in the barrel' case and was this money deposited into the Crown Solicitor's Trust Account for ongoing and future payments to the Legal Services Commission as the case unfolded?

The Hon. M.J. ATKINSON (Attorney-General): My recollection is that in total over the duration of the 'bodies in the barrel' investigation and trial, something like $17 million has been spent. The 'bodies in the barrel' case was its own administered item, one of the 29 administered items in the Attorney-General's Department, of which the Crown Solicitor's Trust Account was one. I shall look into the matter, but I would be astonished if the 'bodies in the barrel' account did not contain all the money that was used for the 'bodies in the barrel' trial. There was a special procedure for that money.

The Hon. R.G. KERIN: As a supplementary question, did either the acting CEO (Bill Cossey) or acting deputy CEO (Terry Evans) advise the Attorney that the funds would be available to reimburse the Legal Services Commission for the 'bodies in the barrel' case because this money had been preserved or carried over from the 2003-04 budget?

The Hon. M.J. ATKINSON: The 'bodies in the barrel' was a continuing case that went over a very long period, a number of years, therefore I imagine that carryovers would have been granted.

MOVING ON PILOT PROJECTS

Ms THOMPSON (Reynell): My question is to the Minister for Disability. What progress had been made in offering five-day-a-week options to people in the Moving On pilot projects run by Minda and the Intellectual Disability Services Council?

The Hon. J.W. WEATHERILL (Minister for Disability): I thank the honourable member for her question and acknowledge her commitment to Minda Home. In fact, I understand that she was there last Friday helping them to raise money with their telethon arrangements. I was also there last Friday, and I had a wonderful day visiting Minda Home. For those members who have not been to this place, let me say that it is a wonderful community and an incredibly peaceful place that looks after a range of people with intellectual disabilities extraordinarily well. We have had a number of enrolments in the new pilot program that has been established at Minda Home, and the project was up and running in remarkable time.

Members will recall late last year that parents on a working party made 22 recommendations, one of which was the establishment of pilot programs at Minda and Strathmont, for additional places to ensure that school leavers were able to get five days of day activities if they wished—and I inspected one of those programs. There was one disturbing aspect of the program, that the classroom was painted in the Crows' colours. I intend to take steps to ensure that the other classroom—in the spirit of balance, and appropriate expression of the fact that the reigning premiers of the football league in this great country of ours is Port Power—is painted appropriately. So, the word has gone out to Port Power football club—

The Hon. W.A. Matthew interjecting:

The Hon. J.W. WEATHERILL: It is the outside that we are talking about. At that program I met eight young people and their carers. I also met a parent who was so impressed that he did not want to stay away from the day activity program, which is not quite the idea, but he has been volunteering. This parent, Max Packer, told me that he was extremely happy with Minda's program, and that his son was thriving in the new environment. It was easy to see that young people being able to connect in a day activity program that was clearly meeting their needs was great for their mood, and the mood of their carers. Another parent, David Holst, also had some very positive things to say about the program. He said:

> We are really pleased that the Minda project is up and going. The staff down there are wonderful and [his daughter] is probably spending two or three days a week out in the community, and one or two days around the grounds of Minda Home. She seems to be genuinely loving it.

There has been some criticism from some of the existing service providers that this is a centre-based option, and that somehow there is a lower quality of offering in that arrangement. One only needs to see this program in place and operating to know how valuable it is. Minda Home has such beautiful grounds that is provides a wonderful community setting for this sort of project.

I also met a number of staff, and I must pay tribute to the people who work in this area. They perform extraordinarily high-skilled work for not much money. One of them was Dale Govett, whom I met, and he coordinates the pilot project. It is demanding physically and emotionally to work with people with an intellectual disability, and Dale and his team of carers are the backbone of the services that are provided at Minda, and I pay tribute to their efforts.

The other program is being run at IDSC. It has 12 full-time enrolments, and we are also receiving positive feedback about that project. Of the 62 new entrants in the Moving On program this year, 20 people have taken up the options in the pilot projects, out of the 40 places in those pilots. A total of 51 have places in services that meet their families needs with existing service providers, and we are working with the remaining families who want five-day options. Of those remaining families, there are only a handful, and most of them are in the country. We have increased the level of funding that we provide to those parents to ensure that we can buy the extra time that is needed in the country. Unfortunately, because of the level of service provision in the country, it is not possible to run these centre-based activities in an accessible way, so we will have to build that capacity up over time.

So, in the short term we are having to pay a much higher amount to get existing service providers to provide that five days of activity where it is needed. That is proving to be difficult in some areas where there is simply no service provision at all. We are working away at that and we are confident that, within a short period, all the school leavers who wanted five days of activities in the Moving On program will have that. It has been an extraordinarily rapid response to a very demanding time line that we set for the agency, but we are very pleased that it has been able to respond.

CROWN SOLICITOR'S TRUST ACCOUNT

Mr HAMILTON-SMITH (Waite): My question is to the Attorney-General. Did the acting CEO of the Justice Department, Bill Cossey, or his deputy CEO, Terry Evans, in any discussions with the Attorney-General or his Chief of Staff, Andrew Lamb, on budget cost pressures ever discuss the use of preserved funds or carryover money?

The Hon. M.J. ATKINSON (Attorney-General): First, carryovers can be done quite legitimately by seeking the permission of Treasury to carry over. So, it is quite possible that we discussed carryovers. Secondly, funds can be preserved within the same financial year; that can be quite legitimate. So, I do not see what the nub or the gravamen of the member for Waite's question is. Between the member for Waite and Kate Lennon, they have been wrong about Westwood; they have been wrong about the Visa card payments of ministers' bills; they have been wrong about money for the Public Advocate; they have been wrong about money for the Layton report recommendations; they have been wrong about Operation Flinders; they have been wrong about MFP; and they have been wrong about the Land Management Corporation.

Mr BRINDAL: I rise on a point of order, Mr Speaker. The question asked by the member for Waite was quite specific. The minister is required to address the substance of the question, which I do not think he has done.

The SPEAKER: Order! That is an obstructive point of order. If the member for Waite believes that the question he has asked was, for some reason or other, not understood, even that is not an appropriate point to take as a point of order. However, it is not up to the member for Unley to try to second guess what the member for Waite—or the minister—was getting at. The minister's duty, after having heard the question, is simply to respond to it the way in which the minister heard it. There is no point of order.

Members interjecting:

The Hon. K.O. FOLEY: I rise on a point of order, Mr Speaker. It was clearly audible on this side of the house that the member for Unley referred to your ruling as stupid. I ask him to apologise and withdraw.

Mr BRINDAL: Mr Speaker, I will explain to you that if members listening are not equally entitled to an answer and therefore entitled to take a point of order, along with the member who asked the question, I do not know who is entitled. However, to avoid quarrels, I certainly will withdraw if that is what you would like.

The SPEAKER: And avoid backchatting the chair.

Mr BRINDAL: I was not backchatting the chair, sir. I was—

The SPEAKER: Well, perhaps we can bring this to an end. I advise the member for Unley that obstructive points of order will be dealt with according to standing orders in future. In respect of the other remark, it takes one to find one.

Mr BRINDAL: Mr Speaker, can you tell me where there is a ruling about obstructive points of order so that we may all know when we are making them?

The SPEAKER: I think we will pass on that.

OCCUPATIONAL HEALTH AND SAFETY

Mr SNELLING (Playford): My question is to the Minister for Administrative Services. What is being done to improve occupational health and safety in the state public sector?

The Hon. M.J. WRIGHT (Minister for Administrative Services): The government is committed to improving safety in the public sector. Both the Premier and I have endorsed a workplace safety management strategy, which requires the public sector to achieve best practice and a safety culture which is part of the state's sustainable competitive advantage. Our philosophy is that every injury in the public sector is preventable. Part of our workplace safety management strategy is a major commitment to make our occupational health and safety specialists more effective. We have made improvements in workplace safety, but there is much more that needs to be done.

As part of our plan to make our workplaces safer, the government has undertaken a pilot project to expand and strengthen the capability of occupational health and safety specialists right across the public sector. The Occupational Health and Safety Competencies Project provides occupational health and safety specialists with the opportunity to have their skills assessed and to develop their knowledge through workshops and training sessions. I am advised that the project, the first of its kind in a public sector environment, is a national public sector benchmark for competency-based learning programs.

I had the great pleasure of attending the ceremony and awarding the Advanced Diploma of Government to 28 occupational health and safety specialists, three of whom were from regional areas. The diploma recognises their improved capability to administer, manage and lead innovative programs aimed at preventing injuries and illness in the public sector. This initiative demonstrates the government's commitment to major safety improvements in the public sector. I wish all of those 28 recipients well for the future, and I am sure they will do a great job in ensuring that the government's priorities are met.

CROWN SOLICITOR'S TRUST ACCOUNT

Mr HAMILTON-SMITH (Waite): Did the Attorney-General instruct his former CEO, Kate Lennon, to find funds for additional policing in the Anangu Pitjantjatjara Lands? In answer to a question on 8 February, the Attorney told the house:

> An amount of $90 000. . . was paid to South Australia Police for additional policing in the Anangu Pitjantjatjara lands. This was not a Layton report recommendation.

The Hon. M.J. ATKINSON (Attorney-General): I have absolutely no recollection of giving Kate Lennon any such instruction. I think you will find that expenditure is an illustration of Kate Lennon using the Crown Solicitor's Trust Account for discretionary spending.

Mr HAMILTON-SMITH: Sir, I have a supplementary question. If the Attorney-General did not instruct Ms Lennon to provide that funding to the police, under whose authority did she do so?

The Hon. M.J. ATKINSON: With respect to the member for Waite, that is the point of the Auditor-General's Report.

DRIVERS, YOUNG

Mrs GERAGHTY (Torrens): Will the Minister for Transport advise the house of the latest road toll statistics for young drivers?

The Hon. P.L. WHITE (Minister for Transport): I thank the honourable member for her question and for her interest in this subject. The state government has much interest in trying to reduce the road toll, and we have particular focus at this point in time on reducing the road toll amongst young drivers as part of that. Young drivers are, of course, one of this state's most precious resources, and all efforts that can be made to keep our young drivers safe on the roads are worth while.

While most young drivers are responsible on our roads, they are still very much over-represented in our road toll statistics. Despite the decline in the road toll that we saw last year (and it was the lowest road toll for the last 15 years), sadly, the number of young drivers who died on our roads increased from 20 in 2003 to 24 last year. Young people in the 16 to 19 age group make up 5 per cent of South Australia's population. However, they represent approximately 11 per cent of all fatalities, 13 per cent of serious injuries and also 13 per cent of all crashes. Over a five-year period from 1999 to 2003, drivers or riders in the 16 to 19 age group had the highest serious casualty rate of any age group, at 161 casualties per 100 000 of population. That is up to three or four times the rate in other age groups. This is a very serious problem. The lethal mix of drinking and driving is also involved; and, on average, 35 per cent of drivers with an illegal blood alcohol concentration were in the 16 to 24-year-old age group.

Members might know that the RAA recently conducted a survey of young drivers and their attitudes and concluded that too many young drivers consider themselves bulletproof behind the wheel. While most young people do the right thing on our roads, our government is particularly concerned to encourage better driving behaviour amongst this age group, as well as more generally, and it is keen to clamp down on those doing the wrong thing. Having a licence is a privilege, not a right.

CROWN SOLICITOR'S TRUST ACCOUNT

Mr HAMILTON-SMITH (Waite): My question is to the Attorney. Did the former CEO of the Justice Department, Kate Lennon, in any discussions with the Attorney-General or his chief of staff, Andrew Lamb, on budget cost pressures ever use any of the following terms in describing what we now know to be the Crown Solicitor's Trust Account: the solicitor's trust account, preserved funds, set aside funds, or carryover funds? The Attorney and his chief of staff have sworn an oath that he had never heard of the Crown Solicitor's Trust Account. Further, the Attorney-General told the house on Wednesday 9 February 2005 that the former CEO of the his department, Kate Lennon 'did not even call the Crown Solicitor's Trust Account the Crown Solicitor's Trust Account in my presence'.

The Hon. M.J. ATKINSON (Attorney-General): I am surprised by the extent to which the member for Waite is willing to get in behind someone who has committed unlawful conduct. In an interview which the member for Waite gave last week, he was saying that someone needed to be gaoled over the Crown Solicitor's Trust Account. Well, who might that be?

Ms Chapman: You!

The Hon. M.J. ATKINSON: The member for Bragg helpfully interjects that it ought to be me. Thank you very much for that, that is very kind—and a good day to you, too. At its height, the Liberal Party's allegation against me has never been anything more than I knew about the existence of the Crown Solicitor's Trust Account, contrary to my statutory declaration. The Liberal Party has never argued that I was complicit in the scheme because, as Ms Lennon says, it was never an issue. She never explained to me how the system worked. The member for Waite is quite right that Ms Lennon says that she did not use the term 'Crown Solicitor's Trust Account'. What she used were expressions such as 'preserved funds', 'set aside funds', 'carryover funds'—euphemisms to avoid mentioning the trust account that dare not speak its name.

RAU, Ms C.

Mr HANNA (Mitchell): My question is to the Minister for Health. Did the federal department of immigration or the detention centre management company GSL present any obstacles to South Australian mental health authorities in respect of the assessment and treatment of Cornelia Rau while she was in Baxter and, if so, what were they?

The Hon. L. STEVENS (Minister for Health): I am sure that the circumstances of Cornelia Rau's detention are deeply disturbing to all Australians. She is currently an in-patient of the Glenside Hospital, and I am relieved that she is now in appropriate care and receiving the assistance which she clearly needs. As members would know, the federal government has announced that it will be holding an inquiry into Ms Rau's detention and related issues.

My department will, of course, cooperate fully with this inquiry, as will the Central Northern Adelaide Health Service, of which Glenside is a part. The federal minister (Hon. Amanda Vanstone) has indicated that the findings of the inquiry will be made public and, if these findings point to ways to improve systems and procedures, we will work to do just that.

SCHOOL MAINTENANCE

Ms BEDFORD (Florey): My question is to the Minister for Education and Children's Services. What maintenance work was undertaken in our schools over the holiday break?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): The honourable member points out that school holidays are a particularly good time to be engaged in major works and repairs. At the start of the 2005 year, five schools went back to discover new buildings or major refurbishments. Some $9.1 million worth of those major projects were conducted to benefit 600 students between Victor Harbor and the state's Aboriginal lands. The commitment to funding is part of our strategy to invest in our public education system. Certainly, since our first budget we provided an extra $8 million a year on top of the normal funding that had been provided.

Ms Chapman interjecting:

The Hon. J.D. LOMAX-SMITH: I apologise: I will repeat that in case the member for Bragg did not hear. We provided an extra $8 million over four years for school maintenance, lifting the annual budget to $12 million per year. We also funded a special three year program which will provide in this financial year an extra $3.3 million to fix lavatories, administration areas and outdoor play areas. On top of that, last year, through the School Pride Project, through a one-off funding allocation, we brought our maintenance funding up to $40 million in this financial year.

This year through our summer holiday major works program we have completed work in the member for Florey's own electorate at Modbury Special School, with stage 1 of its redevelopment completed; the Fregon Anangu school has had general upgrades to its classrooms; and McLaren Vale Primary School has had a new administration area, new staff facilities, new resource centre and IT suite, as well as a new preschool facility. In addition, new accommodation has been provided at the Victor Harbor Special School for severely and multiply disabled students. This has been built on the Victor Harbor school site. In addition, the new Peterborough Kindergarten has been relocated onto the primary school site. So, throughout the state there has been significant work and effort in upgrading our very significant investment in education.

CROWN SOLICITOR'S TRUST ACCOUNT

Mr HAMILTON-SMITH (Waite): My question is to the Treasurer. Was it an unlawful act under the Public Finance and Audit Act to backdate a financial transaction to deposit $1 million of police department funds from the Crown Solicitor's Trust Account on 30 June 2003, when approval for the deposit was not given until 9 July 2003?

The SPEAKER: Order! The question is out of order. The member for Waite and other members who may be curious need to know that it is disorderly to ask questions seeking legal opinion. Whether or not it is lawful is a subjective view which a minister may have according to whatever advice the minister may have chosen to take from either the department or other members of the ministry: it is not a matter which can be regarded as definitive. The reason, therefore, for having such a standing order is to prevent parliament from having the opinions of its members override those opinions which may more properly be determined in the courts, unless, of course, it is on behalf of the entire chamber that a presiding officer makes such a determination in compliance with the conven-

tions and traditions, all of which were imported to our standing orders and Constitution in 1856 from Westminster. It is not orderly to ask for legal opinion in the course of questions, whether during question time or any other debate. The subject matter of the honourable member's inquiry can be otherwise canvassed but not in that form.

Mr HAMILTON-SMITH: I will rephrase the question, sir. Did the Treasurer approve the backdating of the transaction?

Members interjecting:

Mr HAMILTON-SMITH: Would you like me to repeat it? Did the Treasurer approve the backdating of a financial transaction to deposit $1 million of Police Department funds into the Crown Solicitor's Trust Account on 30 June 2003 when approval for the deposit was not given until 9 July 2003?

The SPEAKER: The member for Waite intended, I presume, that that would be prospectively or retrospectively?

Mr HAMILTON-SMITH: Retrospectively, sir.

The Hon. K.O. FOLEY (Treasurer): I had trouble following that question. Did I, as Treasurer, somehow unlawfully backdate a transaction?

Members interjecting:

The Hon. K.O. FOLEY: The Auditor-General. I just find it amusing that members opposite continue to support what the Auditor-General has referred to as unlawful behaviour by senior public servants. That is a very poor standard for members opposite. As to the issue raised by the member for Waite, I have answered that question consistently in this house. It is a nonsense question.

MENTAL HEALTH SERVICES

Mr O'BRIEN (Napier): My question is directed to the Minister for Health. What is the government doing to make it easier for people to access emergency mental health support?

The Hon. L. STEVENS (Minister for Health): I thank the member for Napier for this very important question. People in Adelaide's outer northern and outer southern suburbs will soon have access to a mobile, seven days a week, overnight emergency mental health service. This initiative—

An honourable member interjecting:

The Hon. L. STEVENS: You should be pleased, as a member from the outer south. This initiative will be an Australian-first partnership between mental health services and ambulance services. It will see specially trained crews of mental health staff and ambulance paramedics available to attend call-outs to crisis situations throughout the night. The $500 000 pilot project, which will lead to an ongoing service, has been funded by the state government and is being developed by the South Australian Health Department together with the Lyell McEwin Health Service, the Noarlunga Health Service and SA Ambulance Service.

The move effectively expands the existing assessment and crisis intervention service, which currently operates from only 8 a.m. to 10 p.m. The new service will directly benefit people with a mental illness and their families and carers. It should also, we hope, relieve pressure on hospital emergency departments. The plan is that, for example, if a person is concerned about a family member whose mental state is deteriorating and it is 2 a.m., they will be able to ring the ACIS number and receive specialist mental health assistance. If the person has used the service before, their current management plan and previous history will be available on screen. However, for all situations the service will be able to provide advice, or it may also decide to send a team to the person concerned. The bottom line is that the person will get specialist mental health care as soon as possible. In this first stage we will test the service in Adelaide's outer northern and outer southern suburbs. Once it has been evaluated and the best ways of operating selected, we will be expanding the service across the city through money already dedicated in the budget.

A joint training program has been established for staff, and clinical pathways and protocols are being developed with the ambulance service and paramedics. The project is expected to start within six weeks.

STRATHMONT CENTRE

Mrs REDMOND (Heysen): My question is directed to the Minister for Disability. Has a former employee of Disability Services been sacked from his position at Strathmont Centre for gross misconduct involving a disabled man and then re-employed by the agency to work in Disability Services in regional South Australia? The opposition has received a complaint that this has occurred.

The SPEAKER: Such an explanation is a debating point, blatantly.

The Hon. J.W. WEATHERILL (Minister for Disability): Thank you, Mr Speaker. I regret to confirm that, before coming into the house today, I was informed that such an event has occurred. At the outset, I make this comment: it is the policy of this government that people who work with and care for people with a disability are required to exercise the highest standards of care and responsibility for those people and to treat them with respect and dignity. Regrettably, this has not occurred in this case, and it has led to the sacking of that person. It staggers me to be informed that such a person could be re-employed.

I understand that the board met today to review that decision, and the person has been stood down pending the board's reviewing the situation. I add this, though. This is one of those helpful boards over which, under the Health Commission Act, I have very little authority, except in a very formal sense. I can provide this free advice to the board: if it does not take immediate steps to remedy this situation, I am more than happy to step in and solve the problem for it.

DEFAMATION LAWS

Mr KOUTSANTONIS (West Torrens): Can the Attorney-General inform the house what developments have occurred to deliver uniform defamation laws across Australia?

The Hon. M.J. ATKINSON (Attorney-General): I am pleased to inform the house that, at the recent Standing Committee of Attorneys-General meeting, state and territory Attorneys-General agreed to propose to their parliaments a model bill to deliver uniform defamation laws across Australia. The agreement is the result of states and territories working cooperatively to write a bill that strikes an appropriate balance between the right to free speech and the legitimate need to protect reputation. The model builds on the responses received on the discussion paper, 'Proposal for uniform defamation laws', released by the states and territories on 30 July 2004.

I am pleased to say that it was my initiative to put defamation back on the agenda of the Standing Committee of Attorneys-General. In 1984, I well remember, when I worked at *The Advertiser*, being transferred for a period from the editorial staff to the management staff to work on *The Advertiser's* response to the then Australian Law Reform Commission report on unfair publication. So, it is a very sweet outcome for me. Submissions were received from the combined media group, representing 21 mass media organisations: the Australian Press Council, the Country Press Association of South Australia, academics, judges, law and bar associations, law firms and Business SA. The proposals received much praise from those who responded.

The bill preserves the common law test of defamatory matter and does not attempt to codify it. The clear majority of submissions favoured retaining common law, including common law definitions and defences. So, the bill modifies and supplements, rather than displaces, the common law. This will allow room for case development of the common law as society changes. The model bill provides for the states and territories to change the law by:

(1) inserting an objects clause that recognises the need to protect both personal reputation and freedom of expression;
(2) ensuring that truth is a stand-alone defence—that is, retaining the law of South Australia;
(3) ruling out defamation of dead people, as the commonwealth Attorney-General (Hon. Philip Ruddock) proposes;
(4) removing the right of corporations to sue individuals;
(5) shortening time limits for the initiation of litigation to 12 months;
(6) capping damages so that they are not more than the awards for personal injury; and
(7) streamlining offers of amends—that is, withdrawal of allegation and apologies and encouraging speedy settlement.

Reform in defamation law has been on the agenda for 25 years, but progress has been hampered by opposed vested interests and a reluctance of state governments to change their legislation. I commend the states and territories for the prevailing cooperative attitude—no doubt encouraged by the threat of the commonwealth Attorney-General to introduce a ninth defamation law in South Australia through the commonwealth parliament.

States have been prepared to concede on long-held positions for the greater good of achieving nationally consistent defamation laws. Attorneys-General will now take the model bill to their cabinets with a view to starting the legislation in all jurisdictions no later than 1 January 2006.

ADOPTION SERVICE

Mrs REDMOND (Heysen): My question is to the Minister for Families and Communities. Which recommendation in the KPMG review of intercountry adoptions and post-adoption services did the minister rely on when making his decision to cancel the government's relationship with the Australians Aiding Children Adoption Agency? In response to my question of 9 February inquiring whether the minister's decision was based on any recommendation from last year's review into adoption he stated, 'Yes, it was, sadly.' I thoroughly read the report and all its recommendations, but I cannot find any recommendation to that effect.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I have on a number of occasions set out the basis for the decision that we took in relation to the insourcing of adoption services. That decision has been based on a range of considerations. It took into account the reports that were commissioned in relation to this matter (and those reports were commissioned prior to my becoming a minister). The first of those reports was commissioned without the benefit of considering a particular incident that had occurred with one of the placements which was, to say the least, very alarming. In fact, I asked KPMG to review its recommendations in light of that very alarming incident that was investigated by the Crown Solicitor's Office, which concerned a placement breakdown.

The KPMG report documents a range of concerns about the way in which the agency operates. I have made clear at all times that my decision has not merely been a decision about the rights and wrongs of this agency: my decision is a much broader decision, based on what should be the appropriate structure of government responsibilities in this area. I have expressed the very clear view, which is a policy perspective that sits above these reports, that this is not a responsibility the government can outsource: this is a responsibility that belongs internally to government. I know that those opposite have an ideological view about the fact that government can never do things as well as the private sector or the non-government sector.

Indeed, I think the member for Heysen was quoted as near enough saying that when she made her public comments on this matter. We do not share that view. We believe that there are some things that ought to be done in government. I know that the member for Elder has a clear view about our responsibilities in that regard in relation to energy. What we have here is a structure of the industry where there is essentially an advocacy body for parents that is being asked to do the impossible. In my view, it is being asked to be an advocacy body for parents but also carry out an arm's length, independent assessment about the suitability of both the parent as a person for whom a child should be allocated and then matching various children with those parents.

In my view, the report is replete with references about why that does not work. It is true to say that the KPMG report does not recommend insourcing. It recommends that a whole range of accountability measures be put in place around this agency to deal with the manifest deficiencies of the system. My assessment, looking at all of that, was that that would not be adequate to meet the responsibilities that I had to discharge as minister. Certainly, cabinet considered the option of the possibility of leaving the organisation in place but placing conditions on it, but it was my view that that simply would not have achieved the objectives that I believe were paramount; that is, protecting the best interests of children placed in inter-country adoptions.

Mrs REDMOND: Supplementary question, Mr Speaker: is the Minister for Families and Communities now saying that the answer he gave last week, that his decision was based on a recommendation in the report, was not correct and that he did not base it on a recommendation in the report?

The Hon. J.W. WEATHERILL: No, the answer that I gave last week is consistent with the answer I gave this week, and has been consistent with the way in which I have explained the matter all along, and that is that my decision was based on the recommendations that were contained in the

report. It is true that there were no specific recommendations—

Members interjecting:

The Hon. J.W. WEATHERILL: I take the view that ministerial responsibility involves exercising your own judgement, making up your own mind, and not having some consultant think for you. I have applied my own commonsense to this public policy decision. I have also considered the various options and made a conscientious decision.

SOUTH AUSTRALIA WORKS

Ms RANKINE (Wright): My question is to the Minister for Employment Training and Further Education. What support is available to parents who want to re-enter the work force after a period of child raising?

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I would like to thank the member for Wright for her question. Part of the South Australia Works program looks at mature and experienced workers, and we are particularly looking at parents who have left the work force to have children, and are now eligible for a $1 200 training credit from the state government to help them re-enter the work force. The credit will be available to parents who meet a range of criteria with an emphasis on people who have been out of the work force to raise children, and who intend to return to work within the next 12 months. It is expected that up to 3 000 parents will be eligible for the Parents Return to Work program this year.

The state government has committed $3.6 million to this employment initiative, which started on Valentine's Day, Monday 14 February. The government wants to support parents who have made this decision and help them feel confident about looking for work. It is quite common for parents to feel that they do not have all the skills that they need to re-enter the work force, especially if they have been home doing, what I consider to be, a highly skilled job—looking after their children—but not one that is necessarily geared for the paid work force. Despite the extra skills that parents have, we are trying to make sure on a case-by-case basis that people are able to update their skills, boost their confidence, and perhaps think about applying and winning jobs. The parents participating in this program will be able to use the credit to offset training fees, pay for books and stationery, partly pay for some of their first year university fees, or meet some of the costs of child care while they are undertaking training.

Parents will be eligible for the program if they: have been caring for a dependent child or children and have not worked for more than four months full-time or a part-time equivalent during the past two years; have at least one dependent child aged twelve years or younger; are not currently employed, and intend to return to work within the next twelve months; were in the paid work force at some stage in the past; intend to enrol in a training course to assist re-entry into the work force; are an Australian resident living in South Australia; and are not currently receiving customised, intensive support through Job Network. Details are available (and they are quite accessible) for this program on our web site: www.returntowork.sa.gov.au or by calling the freecall number—so there is a person on the other end of that line—which is 1800 506 266.

ADOPTION SERVICE

Mrs REDMOND (Heysen): Is the Minister for Families and Communities aware that, of the three adoption breakdowns over the past three years, that he cited as a key reason for closing the Australians Aiding Children Adoption Agency, at least one was under the responsibility of his department and not the agency. The Australians Aiding Children Adoption Agency is responsible for initially arranging the placement of a child with adoptive parents, but after 12 months the responsibility to oversee the parent-child relationship rests with the department.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I thank the honourable member for her question. However, the member's question indicates a misunderstanding of the adoption process. Indeed, all adoption processes are overseen by the department. It is just that we have an unusual arrangement in this state—an arrangement that does not occur in any other state or territory, with the exception of the Northern Territory, which has a tiny program which is performed by the same agency that does the work in South Australia.

The process in South Australia is to ensure that the assessment process—the whole assessment and matching process—which is critical in ensuring that there is a relevant match up of a person (that is, a person who is properly suitable to be an adoptive parent) and a child (that is, a child that is properly to be placed in this family) is carried out. Of course, the capacity to ensure that that placement is undertaken and is able to be sustained is critically affected by the assessment process, which is carried out by a non-government agency. It is that process that has been the subject of numerous reports and criticisms by independent bodies. The Crown Solicitor and KPMG have made numerous complaints about the way in which that process has been carried out in the past.

I reached the assessment that the agency structure of the agency was not one which enabled the discharge of this important responsibility. We have put child protection at the top of our agenda. We have said that the interests of children are paramount and that child protection concerns should be of paramount interest in our public policy making. So, when one reflects upon poor outcomes that have occurred in relation to this agency, as well as the structure, that meant that there was obviously a basis for reviewing those current arrangements. This is not new: these concerns go back many years. Indeed, the previous government was asked to in-source these arrangements in 1999, but of course decided against that. I can see why it did. Clearly, you do not make a whole lot of parents who have had successful adoption arrangements happy by moving away from a much loved government organisation, and I appreciate that fact. However, I believed my responsibilities were clear. The question indicates a misunderstanding of the crucial role, under the present arrangements, that the non-government agency plays in the assessment process and the capacity for that to go wrong if that is not carried out carefully.

BOTANIC GARDENS

Mr CAICA (Colton): My question is to the Minister for Environment and Conservation. What events are being planned to celebrate the 150th anniversary of the Botanic Gardens?

The Hon. J.D. HILL (Minister for Environment and Conservation): I know that the opposition is split on the koala issue. Some of them, such as the members for Finniss and Bragg, want to cull (or destroy) the koalas, but I know that the member for Davenport has maintained the opposition's position, so that is good. I inform the house that the Botanic Gardens was established on 5 March 1855 (a propitious date, 5 March), and on 5 March it will be celebrating its 150th birthday. Approximately 1.4 million people visit the gardens each year, which I think the Minister for Tourism would agree makes it the most visited place in South Australia. This year, the 150-year milestone will be celebrated through the Gardens' 150 program of exhibitions, visual arts displays, cultural and family events, tours and educational programs.

The first week kicks off with a garden party cocktail function to launch the celebrations. That will be followed by Music in the Gardens on the weekend of 12 and 13 March, which is a free weekend event featuring the Bangarra Dance Theatre, and it also includes Rock and Roll in the Gardens on Saturday and Swing in the Gardens on Sunday. The Gardens' 150 Icon Capital Works Program will provide contemporary exhibition spaces and new visitor facilities, and works will include the construction of the new Shomburgk Pavilion and the Amazon Waterlily Pavilion. The Italianate Garden will also be redeveloped to showcase plants from mediterranean climate zones in line with sustainable horticultural principles. I encourage all members of the house to become involved in this important site for all South Australians.

ADOPTION SERVICE

Mrs REDMOND (Heysen): Will the Minister for Families and Communities assure the house that adoptive parents who demonstrate or speak out against the government's decision to take over the functions performed by Australians Aiding Children adoption agency will not be penalised and that media reporting the protests—

Mrs Geraghty interjecting:

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

Mrs REDMOND: —will not be prosecuted under section 31 of the Adoption Act? Section 31 of the Adoption Act provides that the publication of details that might identify an adoptive parent or adoptive child may attract a maximum penalty of $20 000. I have been contacted by parents who have advised me that they have been threatened with consequences under the act if they participate in a rally, and I have received representations from members of the media, who also fear prosecution if they report the event.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): This is a good opportunity to assure, I think, anyone wishing to participate in any protest in Parliament House, or on the steps of Parliament House that no measures will be taken by the government to promote prosecutions of them. Indeed, I plan to speak at the rally—as does the member for Heysen, I understand—and it would be a great shame if no-one turned up because they were fearful of prosecution. I have also offered to meet with a delegation of parents afterwards.

There has been a strange rumour spreading around the place that, somehow a provision in the Adoption Act will lead to some mass incarceration of adoptive parents. It seemed to get off on the wrong foot on a radio program last week, when I simply said that there were things I could not say about an individual case because it would tend to identify the child and that that constrained me. From that, it seemed to be reasoned that no-one could say anything about anything. That is certainly not the message that has been sent out by my agency. We have simply reminded people of the fact that there is this provision in the act.

It is there for good reason. The Adoption Act was passed in 1988 (presumably, there are members here who played a role in that). The act, of course, covers all adoptions, not just inter-country adoptions and a lively issue in the act is that some adoptive parents of some adopted children do not necessarily want their privacy breached in any way. I did not put that provision in the act, and I am sure that it is not intended to curtail proper debate about a public policy issue. I just ask people to take some care and to respect the legitimate interests that the provision seeks to protect, that is, the privacy of adoptive children and, indeed, their parents in some circumstances. It seems to me unlikely, of course, with inter-country adoptions that the birth parents would be on the scene. But I am sure that there can be some way of the media and, indeed, members of parliament and, if adoptive parents can participate in a public debate, not attracting a prosecution.

DARLEY, Mr J.

Ms CHAPMAN (Bragg): My question is to the Treasurer. Does he now recall the meeting on 11 March 2004 at which it is alleged the Treasurer was abusive and threatening towards the chair of the Land Tax Association, Mr John Darley? The meeting was attended by Mr Darley and the Treasurer, Ms Pheiffer, Mr Bruce Pennington, the Hon. Nick Xenophon MLC and others. In Mr Darley's notes of the meeting he states:

> . . . the first 20 minutes was taken up by the Treasurer abusing me. . . then made accusations about my political affiliation with the Liberal Party and in particular, Rob Lucas.

He also recalls that, at the end of the meeting:

> The Treasurer turned to me and said 'There will be further consequences for you.'

Yesterday, the Treasurer said to this house:

> I have no idea what the honourable member is referring to. It certainly has nothing to do with the matter that she raised. I do not know what context that was made in, where it was made—the details of it.

The Hon. K.O. FOLEY (Treasurer): I do recall the meeting now, sir. The interesting thing is that no threat was made to Mr Darley about his role as chairman of the charity fund. That is an important charity and no threat was made. In fact, the Hon. Nick Xenophon rang me yesterday to confirm to me privately that he certainly agreed that no threat was made to Mr Darley about any chair of any committee. It is just an unfortunate piece of politicking by the member for Bragg.

Ms CHAPMAN: As a supplementary question, the threat made was: 'There will be further consequences for you.' So that the Treasurer is very clear about this, I made no reference to the appointment to a chair. The threat was: 'There will be further consequences for you.' Does the Treasurer still say that he made no threat?

The Hon. K.O. FOLEY: I would ask everyone to read *Hansard* yesterday. From my recollection of the question, that was exactly the inference of the member for Bragg's question. She is talking about a meeting of a year ago, with a set of minutes which she now has and which purports to be

a summary of that meeting. Clear politicking by the member for Bragg—and I will let others judge the role of Mr Darley in all this.

RAIL CROSSINGS

The Hon. G.M. GUNN (Stuart): My question is to the Minister for Transport. Is it the policy of her department to change the arrangements for rail crossings and, in particular, where B-doubles will be operating; and will these changes put more costs onto local government? This matter has been brought to my attention by officers of one of the councils in the Mid North who attended a meeting at the minister's department at which this matter was discussed at some length. Members should bear in mind that the railway line is owned by the commonwealth government and the federal member advises me that they have not agreed to these changes as proposed by the minister's department.

The Hon. P.L. WHITE (Minister for Transport): The question was: have the rules changed? However, the member was not clear about how he thought the rules were about to change. Unless he gives me some further information, it makes it very difficult for me to even start to address his question. The best thing to do would be for the honourable member to have a conversation with me or write to me, and I would happy to look into his query.

GRIEVANCE DEBATE

ABORIGINAL HOUSING AUTHORITY

The Hon. G.M. GUNN (Stuart): I am pleased to take part in this grievance debate because yesterday my office at Port Augusta was advised by the Aboriginal housing office that it was to have no contact with them and that they would not answer any queries in relation to matters we referred to them. Mr Speaker, I put to you that yesterday a distressed constituent of mine came to my office and my personal assistant contacted the Aboriginal housing office with a view to helping that person out of their difficulties. They were advised that all queries had to go to the minister's office. I think it is an outrage and it may be in contempt of the house.

I have made some inquiries about the funding because, unless this order is lifted, I intend to refer this matter to the federal minister who provides most of the money. I want to know whether the federal minister has agreed to this because in 2002-03, $22 million was administered by the Aboriginal Housing Authority, of which the commonwealth contributed $8.3 million, the Aboriginal Rental Housing Program contributed $3.4 million, and the state contributed $4.1 million. The majority of the money comes from the commonwealth, yet this office has told my very experienced personal assistant who set out to help this Aboriginal lady who came to us in a distressed state that all inquiries had to go to the minister. I want to know whether this applies to the mayor, because we have both had difficulties with this organisation. Does it apply to other senior public servants in Port Augusta? Does it apply to the ministerial (Labor Party) office in Port Augusta?

We want to know. We are entitled to know. I have tried very hard as a member of parliament when dealing with government officers. I might not always agree with them, but I have been absolutely straight up and down; I have never breached a confidence and never put them in. Unless that assurance can be given to me forthwith, I will get onto the federal minister and advise him that his money is being administered and that, because I happen to be a Liberal member of parliament, I am being discriminated against. I take strong exception to that and I will make sure that everyone at Port Augusta knows what is going on.

There are real problems with this organisation. The community is expressing grave concern in relation to what is going on with housing. When we try to do the right thing, this is what happens to us. I just think it is unacceptable. I am very disappointed, because my secretary approached them in a rational manner in order to try to help this particular lady in question, who does have a real difficulty. She happens to be a person of Aboriginal descent. If that is what they want, we will pursue it. I actually got this information through the federal member's office today in relation to the funding—and the majority of funding comes from the federal government. I want to know whether the federal minister approves of the exclusion of one of his parliamentary colleagues. If the member for Giles contacted them, would she get the same treatment? I think not. Minister, it is now in your hands. I have raised the matter. Otherwise, I will go straight to the federal minister, because I think it is deplorable.

The second matter I want to raise today is that from time to time we are told that the government's legislation in relation to giving unions more power will not be difficult. I refer the house to an article in *The Weekly Times* of 2 February 2005. It is headed, '"Bullying" claim as AWU comes calling' and it states:

> Union officials have been accused of bullying growers while inspecting the working conditions of pickers in Sunraysia. . . The grower, who declined to be named, said the AWU officers arrived as workers were loading a truck and packing. He claimed they tried to question his elderly parents, who they mistook for workers. The grower alleged the AWU officer said: 'I do what I want, when I want and how I want,' when told to leave the grower's parents alone. 'Why do they have to come in and intrude and harass their way through? It was a bullying tactic,' the grower said.

There is more to this article.

Time expired.

DAME ROMA MITCHELL TRUST FUND

Ms RANKINE (Wright): During question time in this house, in relation to every question asked we have become used to hearing the member for Bragg making some sort of comment across the chamber, to which we sometimes respond, sometimes laugh or generally ignore. I would not make comment in relation to it, except that in today's *Advertiser* there is a tiny column which refers to a question I asked the Minister for Youth yesterday about the Dame Roma Mitchell Trust Fund. I asked the minister what the trust fund was doing to help support children and young people who had been in the care of the state. The interjection, which was made by the member for Bragg and which is reported in *The Advertiser*, was 'more than this government'. It is typical of what we expect from the member for Bragg but, as on most occasions, this was not smart, clever or right.

I am pleased to inform the house that the Dame Roma Mitchell Trust Fund for children and young people was established by this government in late October 2003. It was

established by the state government to make grants available to children and young people who are or have been under the guardianship of the Minister for Families and Communities.

The trust was established in response to research indicating that young people who have been in the care of the state generally have poorer education, health, employment and socioeconomic outcomes than their peers. I understand that it is the first of its type here in South Australia. Dame Roma Mitchell was well known to be passionate in her support of young people, and we thought it appropriate to honour her in this way. I understand that the trust fund provides grants to assist applicants to achieve personal goals, contribute to the health and wellbeing of applicants and provide development opportunities for applicants.

The board, chaired by Bill Cossey, was established to oversee the trust fund, confirm criteria for applications to the trust fund, establish appropriate procedures and an annual schedule for reviewing applications and recommend to the Public Trustee selected applicants who are eligible to receive a grant. A number of young people have benefited from this scheme. They have received grants for household items, computers, motor vehicles, professional clothing for work and job interviews, tools for apprenticeships, traineeships, TAFE fees, and the list goes on.

If anyone wants some information about the Dame Roma Mitchell Trust Fund, they can contact the Office for Youth.

Mr Koutsantonis: How do they do that?

Ms RANKINE: They can contact the Office for Youth. The Executive Officer for the Dame Roma Mitchell Trust Fund is located at the Office for Youth on 82070622, or she can be emailed. Her name is Lynn Wilhite and her email address is lynn.wilhite@dfc.sa.gov.au. As is normally the case, the member for Bragg's interjection was neither clever nor smart. Whilst we are used to those sorts of inane interjections, it is a little disappointing to see that *The Advertiser* has the need to report them.

I would like to address the house very briefly about an issue in my electorate. I am sure that the time allocated to me—as I felt that I needed to respond to the member for Bragg's interjection—will not be adequate. However, I want to discuss the issues relating to water conservation and communities being involved in the planning and prioritising of those sorts of issues. As people know, Golden Grove is a very well planned and picturesque area. The landscaping, both in the parks and along the major roads, is quite outstanding. Concerns have been raised over a number of years—once the council started to take control of the Golden Grove area—about maintaining that amenity.

The council has developed a strategic plan, and I have been urging it to involve residents. It is a perfect opportunity now to involve residents in developing appropriate water management and park maintenance plans. To date it has been quite resistant, but I will continue my push and address the house on this issue further.

Time expired.

APPRENTICESHIPS

Mr SCALZI (Hartley): Last week I brought to the attention of the house problems regarding local training of locksmiths and the fact that apprentices must go interstate to get the appropriate training to complete their courses. It was disappointing to see a press release from the minister refuting the figures of unemployment rather than specifically addressing the issue of ensuring that young people—or, indeed, anyone—seeking training do not have to go interstate. Unfortunately, I must continue in the same vein this week.

In April 2004, on behalf of Ms Tina Dichiera from Distinctive Funerals, I wrote to the minister regarding the availability of Certificate IV in Funeral Services (Embalming) in South Australia. The minister advised that the certificate was last offered by Torrens Valley TAFE in 2003-04 and that, due to low student numbers and the high cost of training, there will be no new intake in 2004. However, Mr Paul Carberry, from the Australian Funeral Directors Association, is compiling a list and, should six expressions of interest be received, further training might be delivered in South Australia. I was pleased with that information.

Ms Dichiera advises me that, as there was no intake in South Australia, this year she will travel to Melbourne for training, which will involve four trips on each of four days, Friday to Monday, to gain a similar qualification. It is a slightly different course from that offered here and will also allow her to do overseas embalming. The cost of this course is approximately $10 000, including books, flights and accommodation. She states that she is covering this cost herself, and it is considerable for this type of training. As I said in relation to locksmiths, I would have thought that, with the number of funerals taking place in Adelaide, surely there would be a demand for this type of training.

My office contacted Mr Carberry, and he confirmed that the industry is small and the turnover of qualified people is low. The association has now adopted a national approach, and training is provided by an accredited company, RTO (not TAFE), which may be the only accredited provider for certificate IV in Australia. The last intake in South Australia comprised 10 people, of whom seven have completed the course, one has withdrawn and two need to complete some practical components, which can still be done under mentors in South Australia. The discontinuation of the course in South Australia related not to the lack of appropriate expertise to provide it but to its economic viability. Since it was discontinued, we have been advised that Mr Carberry is not aware of anyone else who wishes to do the course.

The course provided through TAFE was significantly cheaper and, in the future, the cost may be a disincentive for interested parties in South Australia. The only open question is cost, which is now considerable ($10 000) and is covered by the individual. I am advised that, in other states, the course attracts government support but, as it is not an approved vocation in South Australia (as it is in other states), people undertaking certificate IV Funeral Services do not attract user choice funding, which covers the bulk of training costs and brings the cost to business, or the trainee, to $1.50 per nominal training hour. This is not available to people in South Australia.

We have now outsourced training, which may well be the most viable option, given the low numbers and high cost of training. However, it seems unfair that no government user choice funding is available for people in South Australia and that they have to go to Victoria to get this training at their own expense.

Time expired.

BROWNHILL AND KESWICK CREEKS PLAN AMENDMENT REPORT

Mr KOUTSANTONIS (West Torrens): Yesterday, the member for Waite made some disparaging remarks about me and the Brownhill and Keswick Creeks PAR. He claimed that

I was somehow 'born again'. I can inform the honourable member that I was never lost. I say to Mr Johnny-come-lately to the Brownhill and Keswick Creeks PAR that perhaps, if he were a more diligent local member of parliament, he would realise the concerns about these issues—

Mr Scalzi interjecting:

Mr KOUTSANTONIS: I sat quietly during the member for Hartley's contribution—and perhaps could have taken up this issue a little earlier, rather than when local community groups started making noise and protesting. It seems to me that the member for Waite is simply seeking publicity on the back of not only his hardworking constituents but also mine and those of the members for Ashford, Bragg and Unley.

I can see no evidence of anything the member for Waite has done constructively about this PAR. I simply point the house to the motion moved by the member for Waite, which did not actually move to rescind the PAR but just called on the government to do it. I would have thought that, if the member for Waite was serious about rescinding the PAR, he would have moved a rescission motion. It is pretty basic stuff. But he did not: he called on us to do it. The irony of all this is that, when the government does rescind the PAR, we get a grievance debate complaining that we did it!

So that the house is fully informed, the process of rescinding a PAR means that it goes back to the five local councils to bring in their own interim PARs governing their own council areas. This is the exact thing that the honourable member attacked in his grievance debate yesterday. The member for Waite claimed that, because it has gone back to the five local councils, it is a disaster. That would have been the effect if he had actually moved the rescission motion and it had passed. I do not understand where the member for Waite is coming from. Either he is opposed to the PAR and does not want it being imposed on residents or he does. It seems to me that he is opposed to everything.

He is opposed to the local council PARs; he is opposed to our PARs; he claims that there should not be a PAR but then, when we rescind it, complains that we rescinded it. It seems to me there is no pleasing the member for Waite. I have been inundated with phone calls from people in his electorate, along with emails and phone calls to my electorate thanking the government for rescinding the PAR. I suspect that perhaps—

Members interjecting:

Mr KOUTSANTONIS: I have received 15 from the member for Waite's electorate.

Members interjecting:

Mr KOUTSANTONIS: That is confidential. I will not release it to the house without their permission. The Deputy Leader should know better than that. I am not the one who crosses streets to leak information. I do not leave things that should be confidential in people's letter boxes for them to find. I understand that the deputy leader has a history of ratting on his mates and letting everyone know what is going on, but I am not like that. I know that disappoints the deputy leader. Even though I have a soft spot for him, it disappoints me that he still maintains that kind of working pattern. But what do they say: people do not change. They can change their coats but their stripes stay the same. The member for Waite confuses me, because I am not sure what outcome he actually wants.

Mr Rau: He confuses himself.

Mr KOUTSANTONIS: I think he confuses himself, too. What the government has done is wise and sensible, and I think that his constituents are happy we have done it. Perhaps the member for Waite, rather than complaining about our having done it, should just sit back and say thank you.

LAND TAX

The Hon. M.R. BUCKBY (Light): I rise today on the subject of the land tax and property taxes being incurred by residents of South Australia. As you, Mr Speaker, would be aware, the government has finally succumbed both to the community angst and to the opposition raising this issue many times, with the Leader of the Opposition undertaking a number of meetings over the new year period with regard to residents and land tax. There is also Mr Darley's ongoing campaign about the excessive charges being made because of the property boom and the reluctance of the Treasurer to change the land tax assessment. The government has made some changes. We on this side would say that it is too late and not enough.

The Treasurer said that we would all have to wait until the May budget. He said this on a number of occasions but, lo and behold, he has given in to community pressure. It just shows how, if the community and the opposition continue the pressure on this government, it will buckle. The threshold for land tax has been raised to $100 000, but I imagine that there are very few properties now that fall under that threshold as rental properties. The other area that has not been addressed in the changes to land tax is the fact of those people who own multiple properties with a combined value of over $500 000.

Many people who have come from overseas to reside in South Australia, rather than invest in shares or put their money in the bank, will often invest in property and that is then their retirement nest egg. They will get no benefit from this change in land tax, and they will continue to pay exorbitant levels of land tax. I have been contacted by a large number of those people who are not happy about the fact that no changes have been made in that area, given the rise in land tax that has occurred over the last two years, and even over the last 12 months. To give members an example, there is a business in Gawler that has been there for just about as long as I can remember. It is operated by an extremely good family and it has won numerous industry awards. He rang me the other day to say that his land tax has tripled in one year.

The Hon. Dean Brown interjecting:

The Hon. M.R. BUCKBY: That is right, it has tripled in one year, and they are now considering selling the property and moving to another site because they cannot afford the land tax. In addition to that, I am getting complaints from residents regarding charges and taxes that are incurred by them from government where those taxes are linked to the value of the property, in particular, sewerage rates. Sewerage rates are calculated on the increased value of property and, while the government might only increase those rates by the amount of inflation, 3 to 4 per cent each year, because of the property boom those charges are now increasing at an exponential rate.

Some pensioners are paying $70 a quarter on their homes. One gentleman, in particular, who approached me lives on his own and he said to me, 'If this continues I am going to have to sell my home. I have no option. The pension is my only form of income, and I will not be able to afford to live here. I am going to have to sell up.' This is an area—

The Hon. Dean Brown: They have not adjusted the concession for pensioners.

The Hon. M.R. BUCKBY: That is correct, Deputy Leader of the Opposition, no adjustment has been made on the concessions for pensioners, even though the government said that that would happen, but nothing has changed. So, the amount of money that this government is raking in from property taxes, which are linked to property values, is astronomical and the people in the community are hurting. Many of them face having to leave their own home because of it.

Time expired.

SERVICE CLUBS

Ms BEDFORD (Florey): Community spirit is a vital part of the fabric of our everyday lives here in South Australia, and sadly today it is a little threadbare, disasters aside, as highlighted by the plight of our service clubs, which fight not only to recruit new members but also to retain the ones that they have to continue to carry on the great work on behalf of others in our local areas. An article in *The Advertiser* on 29 January by Cara Jenkin talked about the end of the Ex-servicewomen's Club of SA which was founded in 1947. After more than 50 years, the remaining 124 members will no longer share their special bond within a club structure. They have worked fairly hard over the years to raise money for various charities.

That number, 124 members, may seem a lot, but at the last meeting only 22 members attended, and I think that anyone who is involved in a club, or even a political party dare I say it, knows how hard it is to get people out on a regular basis to attend meetings. Approximately 75 per cent of members cannot use public transport, or get to meetings or luncheons, so for one reason or another it became very difficult to keep it going. These ladies are brought together by a common bond, and sadly, they are not getting any younger, so there will be no new members in their club for some time—although, of course, servicewomen will be participating in war zones throughout the world in the next little while, but I imagine that it will be some time before they will be looking to join a club of this nature.

This brought to mind the ceremony that I attended on Australia Day at the Pioneer Women's Memorial Gardens, held under the auspices of the National Council of Women of South Australia. In 1935, the year prior to South Australia's centenary celebrations, a women's centenary council was established, representing over 72 organisations, to consider a fitting memorial to the pioneer women of this state. I daresay that the Ex-Servicewomen's Club was one of those groups. From that meeting, the Pioneer Women's Memorial Fund raised £6 800, and a lot of that went to establishing the Royal Flying Doctor base in Alice Springs and the garden where the ceremony was held on Australia Day.

The speaker at the Australia Day ceremony, which was attended by the Governor, was Mrs Joan Brewer, who has had a lifetime of service to Adelaide through her role most recently as a librarian. I understand that a wing of the library at the University of South Australia's Underdale campus was named after her. As that is now closed, a library at the Magill Campus will be renamed in her honour at a ceremony, which I think will be held tomorrow.

As I sat in the garden at the Australia Day celebrations, which was attended by several of our colleagues, I pondered on the effort of all the women in the gathering, many of whom were much older than I am. The ceremony was attended by our colleague the member for Bragg, and I know that the Minister for the Status of Women sent a representative. I thought of all the experience sitting in that garden that day and how much of that knowledge is lost to us, because very few people approach these women for their opinions on things. It is very hard in this fast-paced world for them to continue to put out their views. However, the speech given by Joan was particularly interesting, and I hope that it will be available on a web site at some stage. I am sure that, if it is not, someone can contact me if they need to know about it.

The fact that the Governor attended the ceremony shows the importance of this group of women. The Girl Guides of South Australia, the Girls' Brigade and the St John Cadets formed a guard of honour. This sort of voluntary participation is again in decline. I know that members are being sought for the St John Ambulance. At many of the events held around the city, we take it for granted that there will be a First Aid presence. Of course, as the numbers dwindle, it will be much harder to continue to maintain that presence.

I suppose the point of today's exercise is to bring to the attention of the house how important it is for people to participate in the community within their service clubs. There are many ways to become involved, and many clubs with which to become involved. Yesterday, I attended the 20th anniversary of the Probus Club of Modbury, and I had a delightful luncheon with around 80 women who are obviously heavily involved in their Probus club. They enjoyed the entertainment and shared fellowship that day. Recently, I was also able to attend a meeting of the Tea Tree Gully VIEW Club. Those ladies work very closely together to raise money for the Smith Family. They have interesting guest speakers and go to venues all over the city.

So, there are many clubs still operating, and not everyone in these clubs is an older person. It was very heartening to see that many younger women are joining the VIEW Club and becoming involved in the charitable works it does. Every month there is something new happening. I urge members of the community to become involved wherever they can in their service clubs.

Time expired.

MOTOR VEHICLES (LICENCES AND LEARNER'S PERMITS) AMENDMENT BILL

The Hon. P.L. WHITE (Minister for Transport) obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959 and to make related amendments to the Road Traffic Act 1961. Read a first time.

The Hon. P.L. WHITE: I move:

That this bill be now read a second time.

This bill strengthens the graduated licensing scheme, which introduces South Australians to licensed driving. While this legislation applies to South Australians of any age who seek the privilege of a driver's licence, it is of particular interest and relevance to 16 to 20 year olds. The period between mid to late teens is characterised by significant changes in young people's lives—the transition from childhood to adulthood, from high school to tertiary study, from school to a job, and for many independence from the family and full participation in society and the acceptance of the rights and responsibilities which that entails.

It is also a time when many learn to drive. This government is committed to saving lives on the road by providing novice drivers with a solid foundation of the skills and experiences needed to drive safely throughout their lives. The bill builds on the previous novice driver initiatives introduced as part of the Rann government's Phase 1 Road Safety Reform Package introduced in late 2002. The Phase 1 initiatives included:

- establishing a minimum period of six months to be completed on a learner's permit before a novice driver could advance to a provisional licence (P plates);
- extending the period on P plates to two years or 19 years of age, unless the person incurs one or more demerit points, in which case they remain on P plates until 20 years of age;
- raising the qualifying standards for the issue of learner's permits by:
- increasing the pass mark to 80 per cent; and
- expanding the range of questions, beyond the Australian Road Rules, to include road safety matters such as stopping distances and the effects of drugs and alcohol on driving performance.

These measures have the support of the government's Road Safety Advisory Council, which recognised that young people are over-represented in the state's road toll, and recommended an enhanced graduated licence scheme as one of its 25 key recommendations presented to the government in 2004. Young people aged 16 to 20 make up 7 per cent of the South Australian population, yet they constitute 16 per cent of all drivers or riders killed, 18 per cent of all drivers or riders seriously injured and 17 per cent of all drivers or riders who suffer minor injuries.

The crash involvement of 16-year-olds while learning to drive tends to be low because they are closely supervised and tend to drive shorter distances overall. However, once learners gain provisional licences their crash risk peaks dramatically. Over a five-year period (1999 to 2003), drivers in the 16 to 20 age group had the highest serious casualty rate of all age groups at 150 casualties per 100 000 population, which is up to two or three times the rate of older age groups. Young drivers, in particular, tend to exhibit certain attributes that contribute to their higher risk of road crashes. These include:

- lack of experience;
- risk taking behaviour;
- use of older vehicles with fewer safety features;
- speeding; and
- vulnerability to peer pressure.

Reportable crashes where fatalities or serious injuries occur are more likely to happen at night, on rural roads. Crashes also commonly occur for young drivers when they exhibit excessive speed for the road conditions, lose control of the vehicle or are making right-hand turns.

The bill before us maintains the broad principles of successful graduated driver licensing schemes worldwide. These broad principles include:

- restricting exposure to the road during early driving;
- exerting educational and supervisory influences over driver behaviour; and
- encouraging experience in a number of varied driving conditions.

The bill amends the Motor Vehicles Act 1959 to implement an enhanced graduated licensing scheme. It will be implemented in two stages. Stage 1 initiatives introduce a range of elements aimed at inserting additional requirements for driver training and experience. It also provides incentives to encourage good driver behaviour and consequences for those displaying bad driver behaviour. Features of Stage 1 include:

- a minimum of 50 hours of supervised driving in the learner phase (with the 50 hours to be prescribed by regulation);
- a requirement that a supervising driver (in the L phase) must have held a full licence for a minimum of two years and have not been disqualified in the previous two years;
- splitting the provisional (or P) licence into a P1 and P2 phase;
- a requirement that a P1 driver must pass a computer based Hazard Perception Test to progress to the P2 phase;
- applying curfews to novice drivers who commit either:
- a single offence which incurs four or more demerit points—and that includes driving with any positive BAC reading), driving 30 km/h or more above posted speed limit, driving recklessly or in a dangerous manner, failing to stop after a crash or driving under the influence; or
- a combined red light and speed offence; or
- two or more speeding offences where each offence results in three or more demerit points being accumulated; or
- any offence if the driver has previously been disqualified in relation to other offences.
- removing the requirement to display a plate in the P2 licence phase;
- allowing progression to the P2 licence phase after two years;
- recognising that the vast majority of novice drivers drive responsibly and safely (90 per cent of those do not lose their licence) by permitting a more rapid progression to the P2 phase for good novice drivers—this will apply to drivers who do not incur demerit points for 12 months in the P1 licence phase or those who incur one, two, or three demerit points but undertake an approved driver awareness course;
- reforming the 'hardship licences' provisions of the Motor Vehicles Act.

Features of stage 2 include:

- further sanctions for provisional licence holders who breach the conditions of their licence, in particular regression to a former licence stage and retaking of tests for those novice drivers who lose their licence;
- a computerised theory test for applicants for the learner's permit.

The sanctions proposed in this bill are aimed at strengthening the educative and supervisory influences for novice drivers. In addition, it seeks to modify the attitudes and driving behaviours of that small minority of novice drivers who flout the law and engage in dangerous and illegal driving practices. Unfortunately, these individuals can carry their inappropriate attitudes and behaviours to the full licence stage, thus posing a continuing road safety danger not only to themselves but also to other road users.

The measures proposed in the bill are based on the following:

- the vast majority of novice drivers (learner's permit and provisional licence holders) achieve a full (unrestricted) licence without incurring a disqualification, thus indicating largely safe and responsible driving records;
- research, in particular in the 2003 report by the Monash University Accident Research Centre, indicates that the most effective and enduring forms of driver training involve gaining substantial and varied on-road driving experience with an appropriate supervising driver;

- consultation with the youth sector which shows that young people generally support an emphasis on educative approaches, including offering rewards and incentives for drivers to acquire good driving records. For drivers who behave badly, the need for extra sanctions that would extend the time it takes to gain a full licence are acknowledged.

The bill only applies sanctions to drivers who have committed significant breaches and who have been disqualified.

It provides incentives and rewards for developing and maintaining safe and appropriate driving behaviours. This government is committed to saving lives on the road through equipping novice drivers with the skills and experience to drive safely. The bill provides the mechanisms to give South Australian novice drivers these skills. I commend the bill to the house. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Motor Vehicles Act 1959*

4—Amendment of section 5—Interpretation

This clause amends the interpretation section to insert new definitions relating to various forms of interstate licences and definitions consequential to the other amendments proposed by the measure.

5—Insertion of section 72A

This clause inserts a new section 72A defining the role of, and specifying requirements relating to, qualified supervising drivers. Currently the Act requires learner drivers to be accompanied by a "qualified passenger" and section 75A of the Act contains the provisions relating to qualified passengers. Under the proposed amendments, the term "qualified passenger" would be replaced with the term "qualified supervising driver" and the requirements moved out of section 75A (which deals with learner's permits) and into the new section 72A. This change is necessary because certain holders of provisional licences will also, under the amendments proposed in relation to section 81A, be required to be accompanied by a qualified supervising driver between midnight and 5 am and so the provisions will no longer only be relevant to learner's permits.

Under the proposed amendments, a qualified supervising driver will have to have held an unconditional licence for the preceding period of 2 years. Currently the regulations also contain some requirements relating to qualified passengers, and the opportunity has been taken to move those requirements into the Act.

In addition, the ability of foreign licence holders to act as qualified supervising drivers has been altered slightly. Currently section 97A allows all such people who hold an international driving permit or a foreign licence written in English or accompanied by an English translation to drive the relevant class of motor vehicle in South Australia and section 97A(4) provides that, for the purposes of the law of this State, the foreign licence held by the person will be taken to be a licence issued under the Act. This latter provision means that these foreign licence holders can always act as qualified passengers. Under the proposed amendments it will only be the holders of foreign licences of a type approved by the Registrar by notice in the Gazette that will be able to act as qualified supervising drivers.

6—Amendment of section 74—Duty to hold licence or learner's permit

This is consequential to clause 5.

7—Amendment of section 75AAA—Term of licence and surrender

This is consequential to the proposed amendments to section 81A and is necessary to ensure that only a P2 licence can be renewed as a licence not subject to provisional licence conditions.

8—Amendment of section 75A—Learner's permit

Subclauses (1) and (3) of this clause are consequential to clause 5. Subclause (2) removes an obsolete reference in the provision.

9—Amendment of section 79—Examination of applicant for licence or learner's permit

Subclause (1) would allow the Registrar to issue a licence or learner's permit to an applicant who holds a foreign licence of a type approved by the Registrar by notice in the Gazette without requiring the applicant to pass the prescribed theoretical test (currently this provision only applies to the holders of interstate licences).

Subclause (2) proposes to insert a new subsection in section 79 which would require an applicant who has been disqualified as a consequence of an offence committed or allegedly committed while the holder of a learner's permit to re-sit the prescribed theoretical test after the end of the period of disqualification.

Subclause (3) is consequential to subclause (2).

10—Substitution of section 79A

This clause proposes to replace the current section 79A which deals with the driving experience necessary to obtain a licence. Currently a person who has not held a licence within the last 5 years cannot obtain a licence unless the person has held a learner's permit for 6 months and produces to the Registrar a certificate certifying that he or she has passed a practical driving test, or unless the person has, during the preceding 5 years, held a licence elsewhere and is able to satisfy the Registrar that he or she has suitable driving experience.

Under the proposed provision, however, a person who has not held a licence in South Australia within the last 5 years will not be able to obtain a licence unless—

- the person—
- has held a learner's permit for the whole of the preceding 6 months or, if the person has been disqualified for an offence committed while the holder of a learner's permit and has not held a licence since the end of that disqualification, for periods totalling 9 months; and
- produces to the Registrar a logbook verifying that he or she has completed the prescribed requirements relating to driving experience; and
- produces to the Registrar a certificate certifying that he or she has passed a practical driving test; or
- the person has, during the preceding 5 years, held an interstate licence, or a foreign licence of a type approved by the Registrar by notice in the Gazette; or
- the person has at some time been licensed here or elsewhere and satisfies the Registrar that he or she has obtained satisfactory driving experience.

The new provision also gives the Registrar a discretion to aggregate periods for which a person has held a learner's permit and to waive the logbook requirement in relation to prescribed classes of licence.

Proposed new subsection (3) would require a licence applicant who has been disqualified in relation to an offence committed or allegedly committed while the holder of a learner's permit (and who has held a licence within the preceding 5 years but not since the end of the disqualification) to have held a learner's permit, since the end of the disqualification, for a continuous period of at least 3 months and to have passed the practical driving test since the end of the period of disqualification. This provision is necessary to ensure that a person who committed an offence as a learner but who was not disqualified in relation to that offence until after obtaining his or her P1 licence (and therefore does not fall within subsection (1)) will be required to spend some time back on a learner's permit and to re-do the practical driving test after the end of the disqualification. Similarly, proposed new subsection (4) would require a licence applicant who has been disqualified in relation to an offence committed or allegedly committed while the holder of a P1 licence (and who has not held any non-provisional licence since the end of the disqualification) to have passed the practical driving test since the end of the period of disqualification.

11—Amendment of section 81—Restricted licences and learner's permits

This is consequential to introduction of the hazard perception test in section 81A.

12—Amendment of section 81A—Provisional licences

This clause substantially amends the provisions relating to provisional licences and divides provisional licences into P1 and P2 licences.

Subclause (1) inserts a new subsection (a1) which defines certain terms used in section 81A.

Subclause (2) is largely consequential to the introduction of certain new defined terms in section 5 of the Act (see clause 4) and to the proposed changes to section 97A(4) (see clause 15) but contains one substantive change in proposed paragraph (ba). Currently a person who holds an unconditional licence issued outside the State but who is under 19 or who has held the licence for a period of less than 2 years is required to be issued with a provisional licence in South Australia. In the proposed paragraph (ba) it would only be applicants under 19 who would still be required to be issued with a provisional licence.

Subclause (3) introduces the requirement for the initial provisional licence to be a P1 licence.

Subclause (4) introduces a new condition preventing the holder of a P1 licence from driving between the hours of midnight and 5 am unless accompanied by a qualified supervising driver. This condition will apply for the first 12 months of the licence and will only apply in relation to a person who has applied for the P1 licence following a period of disqualification resulting from the commission, or alleged commission, of a serious disqualification offence (defined in proposed subsection (a1)) while the holder of a provisional licence.

Subclause (5) deletes certain subsections from the current section 81A and replaces them with new ones to achieve the restructuring of the provisional licence system into P1 and P2 licences. The current subsections (1aa) and (3) are deleted because the contents of those subsections is now to be covered by proposed subsection (3e). Subsection (1a) is also deleted because that provision currently contains definitions which have been moved into proposed subsection (a1) with all the other definitions necessary for the section. Subsection (2) is deleted consequentially to the introduction of P1 and P2 licences. Subsection (2aa) currently extends the provisional licence period where the holder of the licence is a person who has returned from a disqualification. Such a person currently is required to hold the licence for 2 years and 6 months or any greater period ordered by the court that imposed the disqualification. Under the proposed new provisions, these minimum time periods are retained by extending the P1 period for such a person (see proposed subsection (3)(a)(i), the effect of which is to ensure that such a person serves a minimum of 2 years on a P1 licence and 6 months on a P2 licence and proposed subsection (3c), which allows a court ordering a disqualification to extend the minimum 2 year period on the P1 licence). Current subsection (2a) deals with the term of a licence that is issued subject to alcohol interlock scheme conditions and that topic is dealt with in proposed subsection (3d) (again by allowing for an extension, where necessary, of the P1 licence period).

Under section 75AAA(6), the term of a provisional licence is the period for which the conditions imposed on the licence are effective. Proposed new subsection (2) specifies the period for which the conditions imposed on a P1 licence are effective (and therefore also defines the term of the licence). Proposed subsection (3) specifies when a person described in subsection (1) may obtain a P2 licence. Essentially, a person may obtain a P2 licence by one of two methods:

- if the person is not a person returning from a disqualification (ie. is not an applicant referred to in subsection (1)(c)), the person may obtain a P2 licence if he or she has, in the preceding 5 years, held a P1 licence (or other relevant licence) for at least 12 months and has passed a hazard perception test and either has not incurred any demerit points during the preceding 12 months for which the person held the licence or has satisfactorily completed a driver awareness course;
- in any case, the person may obtain a P2 licence if the person has, in the preceding 5 years, held a P1 licence (or other relevant licence) for at least 2 years and has passed a hazard perception test.

Proposed subsection (3a) specifies the conditions applying to a P2 licence (which are the same as those applying to a P1 licence except that for a P2 licence holder there is no condition requiring display of a P plate).

Proposed subsection (3b) specifies the period for which the conditions imposed on a P2 licence are effective (and therefore, as discussed above, also defines the term of the licence). Note that the current provisions relating to the term of a provisional licence issued to a person under the age of 19 years are retained by extending (where relevant) the period of the P2 licence (see proposed subsection (3b)(a)).

Proposed subsections (3c), (3d) and (3e) are discussed above.

Subclause (6) makes a consequential amendment to section 81A(5a) and subclauses (7) and (8) delete an obsolete reference and consequentially amend other cross-references contained in section 81A(6) and 81A(10), respectively.

13—Amendment of section 81AB—Probationary licences

This clause deletes an obsolete reference.

14—Amendment of section 81B—Consequences of holder of learner's permit, provisional licence or probationary licence contravening conditions etc

Subclauses (1) and (2) of this clause contain consequential amendments to section 81B. In the case of subclause (1), the definition of "prescribed conditions" is deleted because that definition is being moved to section 5 of the Act (see clause 4). Subclause (2) amends the current subsection (2) consequentially to the insertion of proposed subsection (11a) which provides a different disqualification power in relation to offences committed after a successful hardship appeal (carrying a 12 month disqualification, rather than the 6 month disqualification that would be imposed under subsection (2)).

Subclause (3) proposes to insert new subsections (5) and (6) which would limit the hardship appeals provisions in section 81B by only allowing a person one such appeal every 5 years and by only allowing an appeal where the offence was committed, or allegedly committed, while the holder of a provisional or probationary licence. In addition, the amendment to section 81B(8) proposed by subclause (4) also limits the availability of such appeals by requiring an appellant to establish "severe and unusual hardship to the appellant or a dependant of the appellant", replacing the current requirement of "undue hardship".

Subclause (5) deletes the current subsections (9) and (9a) and proposes to insert a new subsection (9) which requires an appellant to present evidence relating to the forms of transport that would be available to the appellant if the appeal were not allowed and why those forms of transport do not adequately meet the needs of the appellant or a dependant of the appellant.

Subclause (6) deletes the current subsection (11) (consequentially to proposed subsection (6)) and proposes to insert new subsections (11) and (11a). Proposed new subsection (11) details what happens, in terms of the next licence issued to the appellant, if an appeal is successful. Essentially, the appellant is treated as if he or she were returning from a period of disqualification (even if the disqualification under section 81B never actually took effect), but the period for which the appellant is required to hold a P1 licence or a probationary licence (as the case may be) following an appeal is extended by 6 months (which is equivalent to the period for which the person would have been disqualified if the appeal had not been successful). Proposed subsection (11a) deals with a subsequent disqualification imposed on a successful appellant and is discussed above.

15—Amendment of section 97A—Visiting motorists

This section is amended consequentially to clause 5 and is discussed above in relation to that clause.

16—Amendment of section 98A—Instructors licences

This clause amends section 98A to increase the driving experience requirements for instructors, consistently with the increased requirements relating to qualified supervising drivers. Currently, instructors must have held a driver's licence (ie a provisional, probationary or unconditional licence) for a continuous period of 3 years prior to the application and must have held an unconditional licence for at least 12 months prior to the application. Under the proposed provision, an instructor must have held a driver's licence for at least 4 years, of which at least 2 years must have been on an unconditional licence. The proposed provision does not require these periods to have been continuous but allows an applicant to aggregate periods occurring within the preceding 5 years. A period preceding a disqualification will not, however, be allowed to be counted as part of the period (so that an instructor who is disqualified will have to wait at least 4 years before being able to regain his or her instructor's licence).

17—Amendment of section 145—Regulations

This clause amends the regulation making power to allow regulations to be made relating to hazard perception tests.

Schedule 1—Related amendments and transitional provisions

Part 1—Amendment of *Road Traffic Act 1961*

1—Amendment of section 47A—Interpretation

This clause consequentially amends section 47A of the *Road Traffic Act 1961* which contains a reference to a "qualified passenger" (see clause 5).

2—Amendment of section 47E—Police may require alcotest or breath analysis

This clause consequentially amends section 47E of the *Road Traffic Act 1961* as proposed to be amended by the *Statutes Amendment (Drink Driving) Bill 2004* also currently before the Parliament. That Bill inserts into section 47E a provision that includes a reference to a "qualified passenger for a learner driver" and this clause would change that reference to "qualified supervising driver for the holder of a permit or licence", to match the expression now to be used in section 72A of the *Motor Vehicles Act 1959*.

Part 2—Transitional provisions

3—Interpretation

This clause defines "principal Act" for the purposes of this Part.

4—Learner's permits issued before commencement

This clause preserves the existing law in relation to learner's permits in force on commencement of the measure.

5—Provisional licences in force at commencement

This clause preserves the existing law in relation to provisional licences in force on commencement of the measure.

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

PODIATRY PRACTICE BILL

Adjourned debate on second reading.

(Continued from 22 September. Page 242.)

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Basically, this bill regulates podiatry practice within the state. It is similar to many other medical profession bills. We have already dealt with the Nurses Bill and the Medical Practice Bill; now we are dealing with the Podiatry Practice Bill; the Physiotherapy Bill has just been introduced; and there will be other bills coming. I might add that I think they are very slow in coming. Many of these bills were ready to be introduced into the parliament some three years ago and we are only seeing them now—which is rather unfortunate.

I support having a separate, dedicated bill for podiatry practice, as covered by this bill, which covers just podiatry. I was very strongly opposed to the move by the Minister for Health to bring in a composite bill that would cover a range of professions. The minister proposed to bring in a bill to cover chiropractors, occupational therapists, optometrists, optical dispensers, osteopathologists, physiotherapists, podiatrists and psychologists. The minister was trying to do it with a composite bill instead of bringing in six quite separate bills.

This became public in November 2003. I was one who met with the various professions and I strongly opposed it. The professions themselves were strongly opposed to it. The profession of podiatrists at the time indicated to me that they felt it lacked an understanding of what the podiatrists board did, and the very strong support and commitment of podiatrists to maintaining professional standards within their profession. In fact, I received a letter from one podiatry service which states:

> It is not generally understood that members of the podiatry profession who are elected to the board by practising podiatrists, as distinct from those nominated by the Governor, take responsibility for many aspects of the board business. They are paid to attend board meetings, at a rate far less than they could earn in their practices, and undertake many hours work on behalf of the board for which they are not paid. The reason for this is their dedication to their profession and concern for the maintenance of the highest standards at all levels. In the end the main concern is patient benefit, whether in the private or public sector. . . From my observation of the Queensland 'umbrella' board—

which would have covered the six professions—

> there appears to have been a complete breakdown between it and the grassroots of the profession.

In opposing that, I am delighted that we have succeeded in getting that move stopped. We have gone back to having a dedicated bill for each of the professions involved in the health area; so, we have this legislation before us. The legislation in general format follows that of the other health professions, including nursing, and the Medical Practice Bill. I support the bill as introduced, although I propose to introduce one or two minor amendments.

The main issue I intend to deal with in those amendments is the composition of the board. The bill, as it stands, has a board of eight members, four of whom must be podiatrists—three of whom will be chosen through an election process to represent podiatrists and one of whom will be selected from a panel of three podiatrists nominated by the Council of the University of South Australia—and four of whom will be nominated by the minister—one of whom must be a legal practitioner, one a registered member of a health profession other than a podiatrist and two must be persons not eligible for appointment 'under a preceding provision of this subsection'. That means there would be four podiatrists and four other non-podiatrists on the board, if all members are attending. It needs only one podiatrist to be absent and suddenly the podiatrists are in the minority.

In this parliament in 2001—if not the year before, but certainly 2001 at the latest—after considerable discussion with the nurses, it was determined that six out of the 11 members on the Nurses Board should be qualified nurses. In view of the fact that the chair is a nurse, as well, it put a clear majority of qualified nurses. We have achieved the same with the Medical Practice Bill where there is a clear majority of medical practitioners. I believe the same should apply to podiatrists. It is a fundamental principle we have now established and certainly it should be upheld in this piece of legislation as well.

The association strongly supports my taking up this issue to ensure that we increase the number of podiatrists so, instead of four podiatrists on the board, there would be five, four of whom would be selected through an election process. Therefore, we have the protection to ensure that there is a

majority of podiatrists. One, of course, will be the chair, but there will be four podiatrists, if you like, on the floor of the meeting and four other people, but, if it comes to a casting vote—and I doubt it would very often—the casting vote would be with a podiatrist.

The issues covered with by the legislation have been dealt with, canvassed and debated in this house at length in other legislation. I do not intend to go through that, because I believe that we have established the model, apart from board representation. I support the rest of the legislation, and I urge that it go through the house as quickly as possible. I would like to see all the other pieces of legislation brought on very quickly. They should never have taken this long to go through. A number of them have had to wait many years to get up. I would therefore like to see that brought to fruition by passage of legislation in this house as quickly as possible. I support the bill, but I intend to move amendments.

The Hon. R.B. SUCH (Fisher): I will make a very brief contribution to this bill. It is important that we have appropriate measures to regulate professional conduct and those matters that go with it. I make the general point that I have never been to a podiatrist (probably I should), but we spend so long sitting down in this place that, I think, it takes the pressure literally off our feet. One related matter (and it is digressing a little) that does concern me relates to the negative side of processes that involve registration and so on, that is, that within the professions there can be a tendency to maintain an exclusivity, and that is particularly in relation to many medical specialities.

At a function on the weekend, I was talking to someone whose relative is an anaesthetist. The anaesthetist was saying that he works long hours. His relative said, 'Why don't you let more people in who could do that work and you would not have to work such long hours, because you are currently earning about $500 000 a year, at least.' Some of those professions are quite happy (and I know that it is slightly tangential to this issue) to keep their numbers down. They understand very well some of the rules of economics and the principles of supply and demand.

I think that with registration, controls and so on you do get that opportunity to keep others out. The other point I would make (and I am not sure of the details in relation to podiatry) is that I have a niece who has just completed dentistry at the University of Adelaide.

Ms Thompson: The other end.

The Hon. R.B. SUCH: Well, we will not get into that. What does concern me—and I do not want to transgress in terms of a motion that I have before the house—is the fact that we do not have as many local young people, or people of any age, undertaking professional training, whether it is in medicine or dentistry. I do not have the exact figures for dentistry in front of me, but very few of the actual dentistry students were South Australian. People say, 'Well, that is fine.' As I understand the rules, the universities here are not allowed to restrict people from interstate, and they also get fees for students coming from overseas.

I am not arguing that anyone should be able to do any course. I do not agree with that; that is a nonsense. However, if people are appropriately qualified and local, we should give them every opportunity to realise their ambition and talent. We see it in a lot of areas, and I acknowledge that the former minister for health (the deputy leader) and the current Minister for Health have done some good things in relation to expanding the number of people in nursing programs, but many of our own young people are still going overseas and elsewhere to get professional training in a particular area.

I raise those points. I know that it is digressing a little from the key elements of this bill but, nevertheless, I believe that they are important points. I do not support practices that allow certain professions to exploit their position, nor do I support practices that deny our own people—particularly our young people, but people of any age—the opportunity to realise their ambition and achieve in life what they want to do through a choice of a particular profession.

The Hon. L. STEVENS (Minister for Health): I thank members who have contributed to the debate. I, too, would like to see this bill passed. It has been some time coming. Of course, we have a very crowded legislative program in which to progress these bills. I note the deputy leader's comments in relation to getting the bills passed as quickly as possible and his concerns in that regard. I might say that I was disappointed, because I had hoped to table another of these bills in the other house to expedite its process through our parliament, but the deputy leader was not keen for that to occur. Perhaps he might reconsider that in the interests—

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: As the deputy leader knows, in order for any bill to be finally passed it needs to go through both houses of parliament. However, I just want to make that point because we, too, are keen to get these bills through and get all our health professions updated in terms of their professional legislation. With respect to the issue raised by the member for Fisher, the bill is not about keeping people out of a particular profession: it is a bill for 'An act to protect the health and safety of the public by providing for the registration of podiatrists and podiatry students; to regulate the provision of podiatric treatment for the purposes of maintaining high standards of competence and conduct by the persons who provide it.'

They are the basic aims of this legislation. It is not about keeping people out; it is about ensuring those things I have just read out. I am very keen to get on with the debate. As I made clear in my second reading explanation, the bill is modelled on the Medical Practice Act. As the deputy leader mentioned, we have dealt with the substantive issues in relation to the other bill, and this one really follows that template. I thank members for their contribution and look forward to the committee stage.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

The Hon. DEAN BROWN: I raise this point of the exempt provider. This was brought into the Medical Practice Bill at very late notice as part of an amendment, but it was done very late indeed. It is the same here with an exempt provider, but it is part of the bill. It is in the bill, but I highlight that it was brought in as a very late amendment with the Medical Practice Bill. Effectively, it relates to clause 39(2), but the definition is under 'exempt provider', and I believe that it ought to be touched on here, if not also under 39(2). It means that, whereas the board has power to make rulings for providers, it does not have the power to do so for an exempt provider. Therefore, the board has no power to make any direction in terms of any government service provided through the South Australian Health Commission, or any body incorporated under the Health Commission Act.

I raise this because I made this point in the Medical Practice Bill. It was denied at the time, but it has now turned out to be correct—that is, the board does not have any power to direct the provider. It has the power to discipline doctors (or, in this case, podiatrists) who provide a public health service through one of those incorporated bodies under the South Australian Health Commission Act, but it does not have the power to give direction or put restrictions on a provider. I question why the government believes that a quite different set of standards should apply to government services compared with private services.

I understand that there are certain powers for the minister to take responsibility. I highlight the fact that the minister, therefore, has to be willing now to accept full responsibility for any problems that occur in a service provided by an exempt provider, because the minister has now withdrawn any right of the board to have any say on that exempt provider. I think that the minister, therefore, has to acknowledge that whoever is minister at the time has to bear full responsibility for any problems that occur with an exempt provider.

I thought that, under competition principles, the whole objective was that whatever applies to private practice will also apply to a government agency and vice versa, yet that is not the case at all. Under competition principles (and this legislation is being reviewed as part of competition principles), I would have thought it unwise, even though it probably still complies with the letter of the requirements under competition principles, to create this discrimination between a private provider and an exempt provider. Therefore, I raise this point and wonder on what basis the minister tries to justify it.

The Hon. L. STEVENS: These were the very same issues we dealt with in relation to the Medical Practice Act. In relation to national competition policy, my advice is that it deals with the ownership provisions and, of course, as a result of that, the impediments to ownership have been removed. That is the first point in relation to national competition policy. I will put on the record the rationale behind the issue of exempt providers, because we went through exactly the same issue with the other bill. One of the significant objectives of the Podiatry Practice Bill is to ensure that high-quality podiatry services are provided and that those providing the service, both individuals and organisations, are accountable for the service they provide.

Service providers established and licensed under the South Australian Health Commission Act are subject to direction by the minister, either directly or by a variation in their licence. Under that act, the minister has broad responsibilities and powers to ensure that the objectives of the act are met. This includes the capacity to direct bodies under the act should the need arise.

Some podiatrist provision occurs under the jurisdiction of those sorts of bodies. Podiatry services providers not covered by the South Australian Health Commission Act are not subject to any directional scrutiny by the minister or other body in relation to the provision of podiatry services, except for the Podiatry Board through the provisions in this bill. Given the minister's powers and responsibilities under the South Australian Health Commission Act, it is not appropriate for those bodies under the South Australian Health Commission Act also to be subject to direction by the Podiatry Board.

However, to ensure that the board is informed of issues relating to the practice of individual practitioners no matter where they work, exempt providers will, under clause 42 of this bill, be required to report to the board when they are of the opinion that a practitioner or podiatry student is medically unfit or has engaged in unprofessional conduct. The Podiatry Board will then be able to make this information available in its annual report that must be tabled in parliament and will also be able to take appropriate action. This ensures that there is also better public accountability and scrutiny of service providers established or licensed under the South Australian Health Commission Act but does not place these services in the difficulty of being accountable and possibly subject to inquiry by both the Podiatry Board and the Minister for Health with dual responsibility.

The Podiatry Board is also able to advise the minister of any issues that it regards as significant that may be brought to its attention through this reporting process. There is also provision to allow others to be exempted under regulations should they not be required to meet the obligations proposed in this bill; for example commonwealth-funded services, where they are adequately covered under another act or other appropriate mechanism. The Health and Community Services Complaints Commissioner could also investigate a complaint made against a practitioner, private clinics, day surgeries, a licensed private hospital or public hospital and report his or her findings to the minister in parliament.

There is sufficient protection of public health and safety without creating untenable dual accountabilities for health service providers and private hospitals covered by the South Australian Health Commission Act. As I said, that was the very issue in relation to these clauses in the other act.

Clause passed.

Clauses 4 and 5 passed.

Clause 6.

The Hon. DEAN BROWN: I move:

Page 8—
Line 17—Clause 6(1)—delete '8' and substitute '9'
Line 18—Clause 6(1)(a)—delete '4' and substitute '5'
Line 19—Clause 6(1)(a)(i)—delete '3' and substitute '4'

There are three amendments to this clause and I move them all together. The first is to increase the number of board members from eight to nine; the second is to increase the number of podiatrists from four to five; and the third is to increase the number of elected podiatrists from three to four. This then provides you with consistency as far as the Medical Practice Act and the Nurses Act are concerned and I support it very strongly. I have already argued the case and I would ask the minister to support it.

The Hon. L. STEVENS: I listened carefully to the reasons why the opposition has put forward these amendments, but the government does not accept them, and for two main reasons. The first was in relation to the issue of a majority vote by podiatrists. The deputy leader would no doubt see that the chair of the board has both a deliberative vote and a casting vote, so in effect that person, who is a podiatrist, has two votes in relation to any decision by the board. The other issue the honourable member raised was that of someone being away. I would like to refer him to clause 16(5), where there is an alternative to holding a meeting. I am advised that that gives flexibility to the board's procedures in relation to being able to establish their quorum and have their meeting.

The Hon. DEAN BROWN: The provision just referred to by the minister simply refers to a conference by telephone or other electronic means, and that is not the issue that I am dealing with. I highlight the fact that it was in this chamber

several years ago that the minister took a very strong stance and supported the view that a majority of people on the Nurses Board should in fact be nurses. All we are arguing here is for a majority of the Podiatry Board to be podiatrists. We are asking for the same set of conditions as put down for nurses. I find it astounding that the minister argued and strongly agreed in this house (and I agreed) that there should be a majority on the Nurses Board who were nurses. I am asking for the same principle to apply here.

I am not talking about casting votes or anything else but asking for a majority of the members of the board, in other words five out of the nine members, to be podiatrists. I am just asking for consistency from the Nurses Board to the Medical Practice Board and then to the Podiatry Board. I would like the minister to explain why, if it is good enough for the nurses and doctors, it is not also good enough for the podiatrists.

The Hon. L. STEVENS: I might also add that, if we are looking at examples of people being inconsistent, there is the Deputy Leader himself, in relation to membership of boards and whether organisations should be elected or have representative positions on boards; when the Deputy Leader was the minister, in relation to the Nurses' Board and the Dental Board he was arguing for non-representative positions and election by members of a profession to positions on the board. He set that precedent in terms of two pieces of legislation that he brought to this place as minister, and then when I as minister brought the same consistent principle through in relation to the Medical Practice Act, the Deputy Leader changed his view in relation to positions on the board. So, I do not think that we should be pointing fingers at each other in terms of our consistency.

My advice is that the Podiatry Board was quite happy with the provisions as set down in the government's bill in relation to this representation, and the numbers, and that they were happy in relation to the casting and deliberative votes that are contained in the current legislation. We stand by the position that we are putting in the bill at this stage. I will make contact with them again in between the houses and see what they have to say, but at this point in time we stand by what we have and will not be supporting the amendment.

The Hon. DEAN BROWN: I raised this matter with the association and they supported my amendment, in the same way as the doctors did, and in the same way as the nurses did—so there is consistency there. I just think it is hypocritical to put one standard down for nurses, and a different standard down for podiatrists. There has been no explanation from the minister as to why podiatrists should be treated in a different way from the nurses, in the same way as why should they be treated in a different way from doctors in terms of the overall representation of the profession on the board.

The Hon. L. STEVENS: As I said, we will talk with the board and the association between the two houses and they will be considered again, no doubt. If it is considered hypocritical from the deputy leader's position in relation to the government's point, I would suggest that he look carefully at his own behaviour in relation to the Medical Practice Act, the Nurses Act and the Dental Act in relation to board opposition.

The committee divided on the amendments:

AYES (17)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C. (teller)	Buckby, M. R.
Chapman, V. A.	Evans, I. F.

AYES (cont.)

Goldsworthy, R. M.	Gunn, G. M.
Hamilton-Smith, M. L. J.	Kotz, D. C.
Matthew, W. A.	McFetridge, D.
Meier, E. J.	Penfold, E. M.
Redmond, I. M.	Scalzi, G.
Venning, I. H.	

NOES (23)

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

PAIR(S)

Kerin, R. G.	Rann, M. D.
Hall, J. L.	Wright, M. J.
Williams, M. R.	Weatherill, J. W.

Majority of 6 for the noes.

Amendments thus negatived; clause passed.

Clauses 7 to 41 passed.

Clause 42.

The Hon. L. STEVENS: I move:

Page 27, line 16—
Clause 42(1)—delete '$5 000' and substitute '$10 000'

This amendment corrects a drafting error. To be consistent, rather than the maximum penalty being $5 000, it should be $10 000.

Amendment carried; clause as amended passed.

Remaining clauses (43 to 75), schedules and long title passed.

Bill reported with amendment.

Bill read a third time and passed.

PARLIAMENTARY SUPERANNUATION (SCHEME FOR NEW MEMBERS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 October. Page 503.)

The Hon. I.F. EVANS (Davenport): We note that this bill seeks to close the existing superannuation scheme to new members of parliament and establish a new, less generous scheme for members elected at the next general election and thereafter. This is a result, of course, of some decisions made at both the national level and, following that very quickly, at the state level in regard to parliamentary superannuation schemes. As we understand it, the cost of the current scheme to the taxpayer is about 50 per cent of the member's salary. The cost of the new scheme will probably be about 10 per cent of the member's salary. The government contribution will be some 9 per cent of salary, paid into an accumulation type scheme, which is similar to the public service style schemes. When a member elects to contribute at least 4.5 per cent of their salary to the scheme, the government contribution will increase to some 10 per cent.

The bill also seeks to make an amendment to the Parliamentary Remuneration Act 1990 to provide the option for

members (I understand that to be new members, not existing members of parliament) to salary sacrifice up to 50 per cent of their salary. Members of the new scheme will have an automatic death and invalid insurance cover, with a maximum cover of some five times salary. The level of insurance cover will reduce over time as the length of service and the accumulated government contribution account balance increases.

The bill also seeks to provide a facility for members to be able to pay a surcharge debt out of the lump sum superannuation benefit. The way in which we understand this will work is that people elected to the parliament at the next election (other than those who are existing members of parliament) will then be members of the new scheme. The original pension scheme (the 'old scheme', as we would call it) will be known as the PSS 1 scheme, and the 1995 scheme (currently known as the 'new scheme') will be known as the PSS 2 scheme. The new scheme will be known as the PSS 3 scheme. It is a great tribute to the efficiency of this place that we have ended up with three schemes!

It will be an accumulation type of scheme. Investment earnings will be applied to a member's accumulated balance and the member will have the ability to select an investment strategy from a range on offer. Of course, as with all these styles of funds, there will be no guarantee on the returns to the member's accumulated balances. The level of government subsidy in the new PSS 3 scheme will be 9 per cent of basic and any additional salary but, where a member elects to make a contribution from their own salary of at least 4.5 per cent, the government's contribution will increase to 10 per cent of the salary. As I understand it, this arrangement is the same as for the Triple S Scheme. Members of the scheme will be able to salary sacrifice, through the amendment we are making to the Parliamentary Remuneration Act, up to 50 per cent of their salary, including any additional salary, for the purpose of investing more money into the PSS 3 superannuation scheme.

Invalidity and death cover insurance will be provided automatically to members without any evidence of health. However, there will be some restrictions on the payment of invalidity or death benefit within the first 12 months of membership. Where a member has to leave parliament in the first 12 months due to ill-health or the member dies within the same period, the full level of insurance will be paid provided it can be proved that the cause of the incident or the death was not the result of some medical disability that existed at the time the person entered parliament. The maximum amount of invalidity and death insurance will be some five times salary, provided the member is 65 and under.

Where the new member is 66 years of age or over (it would be interesting to be a new member of parliament at 66: it might have happened in years past but it is unlikely to happen in modern times), the immediate maximum level of insurance cover will be less. The maximum level of cover will taper off from five times salary under age 66 to being nil at age 70, to reflect the increasing invalidity risk and mortality at these ages. As a member's super benefit accrues (from both government and member contributions), the level of insurance cover will reduce. The amount of insurance is to be determined as the maximum cover less the aggregate of the member's accrued benefit. I am sure that the minister is familiar with this.

The Hon. S.W. Key: I'm impressed.

The Hon. I.F. EVANS: Yes. In determining the salary on which the insurance is based, 'salary' will be based on an average of the highest held positions over four years. However, to ensure that a person who takes up a position on one day is not disadvantaged if they die the next—or, indeed, become an invalid—the provisions of the bill assume that, where a person's service is terminated whilst holding a higher office, that higher office would have been held for a full four years.

The benefits under the new scheme are payable on retirement at or over age 55 and on invalidity or death. On retirement, the benefit will consist of a refund of the aggregate of both member and government contributions less the administration expenses (which I am sure will be reasonable in all circumstances). On death or invalidity, the benefit will consist of a refund of the aggregate of member and government contributions plus the insurance benefit less administration expenses. The benefits are all lump sums, and no pensions are payable.

Members leaving the parliament with a lump sum benefit from the new scheme will be able to roll over their benefit to SuperSA and buy a post-retirement product if and when such products are offered under the Triple S scheme. Where a member leaves the scheme due to either voluntary or involuntary retirement (I think that means they have been defeated or have ill-health) before the age of 55, the accrued benefit can be rolled over as a preserved benefit to some other scheme or preserved within the PSS 3 scheme until age 55.

The legislation will also enable a member of the new scheme to leave part of his or her benefit in the scheme on retirement and apply it in a tax effective way to extinguish the superannuation surcharge. This is consistent with the option provided under the Triple S scheme. Members can see from the second reading explanation by the minister and the briefing provided to the opposition that this bill generally brings the parliamentary superannuation scheme for future members of parliament broadly into line with what other members of the public sector, in particular, would enjoy. The opposition will be moving one amendment: it should have been circulated by now. I will speak to the amendment during the committee stage. Obviously the opposition is not opposing this particular measure.

The Hon. G.M. GUNN (Stuart): This piece of legislation is the result of a populist approach taken by the former leader of the opposition, Mr Latham. It is one of those approaches to politics which is not always in the long-term best interests of the people of South Australia. From time to time, media commentators have commented on the generosity and otherwise of our current parliamentary superannuation scheme. This scheme has arisen as a result of various arrangements which have taken place in the past, but a couple of very important provisions are needed in any parliamentary arrangement. The first consideration is that, I think as Winston Churchill once said, 'Democracy is not the cheapest form of government.' However, it is the best that we have yet arrived at.

What we have to do is ensure that a wide cross-section of people are elected to the parliament and that we have a group of people from all stratums and sections of the community who can make sound and mature judgment. They should not be financially disadvantaged. People who put themselves forward to become members of parliament or electorate officials and only stay in this institution for a short time, should not then face very difficult economic times if they are not successful. I know it is easy for people to say to members of parliament, 'You do not have to come here.' However,

should we not encourage people who have ambition and skill and who have been successful in their chosen profession or occupation and who have reached the top of their profession?

For instance, there was former attorney-general Len King who came into this parliament for a short period and who gave the parliament the benefit of his wide legal experience. He was a person who had distinguished himself in the law before coming here and he put in place a number of legislative measures which still stand today. He then moved on to the courts. Other people will not be given that opportunity in the future. If this legislation passes, it has no effect on me or any member sitting here today but it will have an effect on people in the future. I make this prediction that, when this particular provision becomes law, there will be great pressure on political parties in government to find jobs for the boys and girls.

For example, if someone is talked into standing for a marginal seat and they serve one or two terms, but they are then caught up in the political pendulum which sweeps them out of the place. They are out on the job market. They have been a member of parliament for eight years. If they are in a profession which involves a lot of technology, they may not be able to go back into that field. We all know people who have served in this parliament and who have had great difficulty getting any sort of meaningful employment when they have left this institution. I do not think that is a good thing.

There are a few people in society who have a very vindictive attitude towards members of parliament. I think you call it the politics of envy. Even people who have done a really good job get swept aside. With no superannuation benefit accruing to them maybe for a 10-year period, or they might not even qualify, and they are having difficulty obtaining employment, will there not be great pressure to find government jobs on boards or paid committees for those people? We will have great difficulty getting some of these people to stand for parliament if they are in a position where they are being very well paid. Prior to nominating for parliament, they may discuss it with their family. The spouse may say, 'What happens if you get defeated?' If they go through the exercise, I do not think you will see those people again.

In my case, this act has no effect on me whatsoever. It is something in which I take an interest because I believe that we should have incentives in place to ensure competent, good people make themselves available for parliament. An article appeared on page 30 of the metropolitan edition of *The Age* of Thursday 19 February 2004. It was written by Gregory Hywood. It is headed 'MPs' super: the popular change that we will all live to regret'. It states:

> If you think the quality of our politicians is bad now, just wait until this 'reform' kicks in.
>
> In their frenetic scramble for advantage in this election year, John Howard and Mark Latham have done a grave disservice to the future quality of government in this country.
>
> While electorally appealing, the knee-jerk decision by both men to scrap the present pension entitlement for MPs is guaranteed to result over time in a considerably less skilled legislature. If voters today bemoan the poor quality of their representation, it is frightening to imagine what they will think in a decade.
>
> This is because the changes that will be wrought under the Latham-inspired, Howard-executive plan will more than halve the total remuneration of MPs in many instances.
>
> A change of that dimension can only make parliament a far less attractive proposition for high-quality people who, by dint of their talent, are blessed with alternate career options.
>
> Consider a House of Representatives backbencher earning a base rate of $102 760 who stays in parliament for four terms, or 12 years. Under a 9 per cent accumulation plan the person may accrue up to $200 000 at the end of the period. The present scheme, into which the member contributes 11.5 per cent a year, would provide a pension of 60 per cent of salary. Assuming 3 per cent annual growth. the backbench salary would be $146 500 after 12 years. Over a 20 year retirement, the pension would provide an income of $87 900 annually or $1.7 million.
>
> This equates to a $1.5 million-plus difference in the capital base from which retirement income is derived.
>
> For an MP to be fully compensated for this lost pension entitlement, parliament would have to vote to double politicians' incomes. It will not happen. Imagine the outcry.
>
> It is largely irrelevant whether the scheme is consistent with community standards. It is not and was never intended to be.
>
> Parliamentary superannuation was introduced in 1948 by Ben Chifley, a Labor hero, and certainly no rorter of public money. It was always based on a trade-off between income and pension arrangements. The underlying deal has been that to make up for a relatively low pay, constant travel to Canberra, and the personal sacrifices involved public life, MPs could expect to retire with some grace.
>
> To break that arrangement without replacing it with a legitimate alternative destroys the entire incentive structure designed to get a broad base of good-quality people into parliament, and from which real leadership material can emerge.
>
> Think of it in these terms. You are applying for a job. Then by some bizarre stroke of fate the package on offer is halved. Would you take it?
>
> Or from the other perspective. You are attempting to fill a position but the word comes down that you can offer only half the market rate. Would you expect to be able to interview the same calibre of candidates?
>
> Ignore MPs who are now saying they don't care, it's not the money that matters, it's about serving the public. The politics of the moment demands such a response.
>
> They may indeed genuinely want to serve. They may be addicted to politics and love the life. But while the effect will vary between individuals money is always a factor. Families and futures have to be made secure.
>
> Until last week the unappealing personal and family conditions could be justified on the basis that sacrifices now could be traded off against some financial security afterwards.
>
> Sure, there will still be candidates. But much talent will never appear in our parliament. There will be a tendency to the doctrinaire and ideologically obsessed over the calm and thoughtful, the lower-level public servant over the private sector candidate, hacks over leaders.
>
> And we will lose the significant public policy benefits entwined in the system.
>
> Free of the fear of financial difficulties if defeated, there was at least some inbuilt bias for members towards good policy. How much support will there be now for the tough decisions, when losing an election means no financial safety net, no job prospects and plenty of bills to pay?
>
> Moreover, the system provided a disincentive to chronic corruption that has been the bane of legislators around the world.
>
> Of course, the present shambles springs from a community unwillingness to accept the legitimate role of politics in society.
>
> We hire politicians to resolve the conflicts we cannot achieve en masse. Yet we attack them for not standing for anything, resent their very existence and expect them to live off scraps.
>
> By and large they have done a good job. The economy is prosperous and our broad immigrant-base community is cohesive.
>
> You get what you pay for, and if the present income/pension trade-off was to be rebased, the alternatives were worthy of careful consideration. Yet between them Latham and Howard have pulled apart the fabric with no thought to the consequences.
>
> Latham wanted to look the popular hero and broke the bipartisanship on which the system is based. Howard, who cannot seem to get a grip on his young opponent, panicked and scrapped an arrangement that he knew was sound and every prime minister for more than 50 years had managed to defend.
>
> He could have declared the present system over and referred it to review. At least there would have been some consideration of the options for what is a serious issue of public policy. Instead, Howard legitimised Latham's political leadership, provided him with even more momentum, and left MPs' remuneration in disarray.
>
> It might years for the consequences to take effect. But they will not be good.

That is a very good article. I have taken some time to read it into *Hansard*, because I believe the community should be aware of it. In this country we do not have the system which they have in the UK where members of parliament are on retainers from industrial organisations, friendly societies and all sorts of organisations. Members of parliament are on all sorts of retainers. I personally do not think that is a good thing, because they are actually representing certain interest groups. I strongly support and get involved in my industry. I think it is a very good thing for members of parliament to have some limited involvement in their professions, industry and commerce, because they then know how the decisions the parliament is making actually affect that industry. They get a better understanding of the foolish, unwise and bureaucratic instruments we put in place, how they curtail economic activity and how they affect the average citizen.

The member for Giles is nodding. She would know about the EPA, but we have had that debate. We will have it again one day. Like all things, when people take arbitrary and unwise decisions, it always comes back at them. I am very familiar with what they have been up to. I have not finished with them—make no mistake about that. I have only just started on them. We have a proposition that will affect new members of parliament. All I can say is that I sincerely hope that, when they are elected, new members of parliament are fully aware of the superannuation arrangement.

I do believe that this parliament should look very carefully at getting advice for members of parliament to ensure that they are aware of income support insurance so that, if they are defeated, they can be assured of income for a certain time in the future. I am a farmer. I can always go back and be a farmer. I am not sure whether all my family would want me there full-time, but that is another story.

Mr Venning interjecting:

The Hon. G.M. GUNN: Probably the member for Schubert is in the same situation. Some of us are in that fortunate position. However, it needs to be made very clear that we need to put in place some arrangements so that members can take out income protection. Members need to be able to make decisions that are in the long-term interests of the people, even though, in the short term, they may be unpopular. These sorts of schemes create the situation where you get populist policies, which are not good for the people of South Australia or Australia.

As a member of parliament, you should do what is right, and I will give the chamber an example. It was not a very easy decision to support the privatisation of ETSA. The ETSA coal mine and the power station were in my electorate. I was right in the firing line, and I had a fairly marginal seat.

Ms Breuer: You've won seven elections.

The Hon. G.M. GUNN: I have won 11; and I am going to win 12.

An honourable member: A baker's dozen.

The Hon. G.M. GUNN: That is right. I knew full well that whatever happened I was in a secure position for my spouse and me. My spouse has probably been long suffering during my parliamentary career. She has supported me very strongly over all this period. The other thing is that if something happens to a spouse—

Members interjecting:

The Hon. G.M. GUNN: I think that she has supported me exceptionally well. I could not have asked for any more. I can say that this—

Ms Rankine interjecting:

The Hon. G.M. GUNN: I will ignore the interjection, and I will have a little to say to the honourable member when we talk about that other matter in a minute, which I am sure she will enjoy. Nevertheless, this scheme was brought forward at the behest of a few populist and talk-back jockeys. At the end of the day, I have some doubt as to whether it will have long-term benefits for the people of South Australia or Australia. However, it will be put in place and a few people will feel happy. First, I believe that we should legislate to ensure that we do what is right. Secondly, we should make sure that members of parliament are not subject to getting backhanders because they ought to be well paid.

One thing that the present arrangements have achieved is that, basically, we have had a corruption free parliamentary system in this country, and that is terribly important. I look forward to the rest of the debate. The legislation is going to pass, but I wanted to make those few comments, because I am concerned to make sure that the next generation of members of parliament can act fearlessly and in the best interests of the people of South Australia; and that they have a reasonable lifestyle after they leave politics, whether it is voluntary or involuntary.

I think that members ought to read what happened to the lifestyle of Sir William McKell when he finished as Governor-General and the difficulties he had because no proper superannuation scheme was in place. We all know what has happened to some of our friends who were members of parliament and who had difficulty getting jobs. I know two or three and the problems they have experienced.

The Hon. R.B. SUCH (Fisher): It is unfortunate that this measure is before the house in its present form, and I echo many of the words of the member for Stuart. This proposal before us is the result of, I think, a very unwise move by the then leader of the Labor Party, Mark Latham. Ironically, he is now retired—or about to—on the super scheme, obviously, of the time. One could think of what would have happened if the new arrangements had been in place, and that is a bit of irony, I guess. I was disappointed that the Prime Minister, who is usually smart on these things, reacted on the run rather than calling for a proper and considered review of the whole issue of remuneration.

I believe that the current scheme—certainly the one that I am in, the old scheme—is a very generous scheme, but if you are going to change arrangements and deny the new people benefits (and, following on from scheme No. 2, they will be in scheme No. 3), in fairness you must look at some other aspects and not just cut the superannuation scheme. I will come to some correspondence in a moment that is germane to this issue. I cannot understand why it is that MPs seem to have this great desire for self-flagellation. We have seen it in relation to the work vehicles. Some people in parliaments in this country seem to delight in flogging their colleagues in the public arena in a way that is a disservice to the democratic process.

I believe that ensuring that MPs are not well remunerated is in the same vein. I am not saying that people should come in for the sake of money, because they are not the sort of people we want but, if you want to attract good people into parliament, you cannot expect them to give up a career midway, or to make other sacrifices, only to end up on the bone of their backside.

In respect to the proposal before us, we are going backwards, and I will seek to amend it at the committee stage. We get enough pollie bashing in the community, which is aided

and abetted by some people in the media, although the more enlightened in the media recognise that MPs work hard, particularly those in this house. I do not know of anyone in this house who does not put in and get their appropriate remuneration; in fact, I argue that, in the scale of things, they are underpaid—especially ministers, but backbenchers, too—compared with those in many occupations. Ministers who are doing their job work their butt off, as do backbenchers and everyone else in this place, and I am speaking for this house because I know the people.

I get sick and tired of reading and hearing cheap shots at MPs that suggest that MPs do not work hard: they do. They make a big sacrifice and, as the member for Stuart said, their family makes a very big sacrifice as well. That can mean their children being teased, harassed, or whatever, and that is part and parcel of the pollie bashing that goes on in the community. I was disappointed that the Prime Minister did not take a deep breath and say, 'The Leader of the Opposition has suggested cutting the super for MPs. Let's have a look at the issue in the cold light of day and in a rational way. Let's see if the superannuation benefit is too generous, and let's have a look at the whole range of benefits for MPs to make sure that they are reasonable and appropriate.' That did not happen. All the premiers and chief ministers of Australia joined the chorus, Gilbert and Sullivan style, of saying that they would flog local MPs as well. I think that was very unfortunate.

On 15 November 2004, I wrote to the Prime Minister on this very matter, as follows:

Dear John

I write regarding proposals to reduce the superannuation benefits for new Members of Parliament. I do not dispute that the benefits were out of kilter with public expectations but believe that new MPs should get some offset for the loss of the old superannuation benefits.

Some argue that increased pay will compensate new MPs, but the reality is that that will take a very long time (unless there is a special provision by way of remuneration) because MPs in the old superannuation scheme would also get the increased pay.

Accordingly, consideration could be given to granting the new MPs some additional benefit or benefits, including codifying benefits which would equate to an appropriate level in the Public Service.

I thank you in advance for your consideration of this matter.

I received a reply relatively quickly from the Hon. Gary Hardgrave (Minister Assisting the Prime Minister), on behalf of the Prime Minister. The letter, dated 4 January 2005, states:

Dear Dr Such

Thank you for your letter of 15 November 2004 to the Prime Minister regarding the superannuation benefits for new members of parliament. The Prime Minister has asked me to reply on his behalf. I apologise for the delay in responding.

The legislation to close the Parliamentary Contributory Superannuation Scheme to new members of parliament was enacted in June 2004. Under the new arrangements, superannuation contributions of no more than 9% will be paid to a complying superannuation fund chosen by the member. These arrangements are consistent with the 9% Superannuation Guarantee that applies to most other working Australians. Unlike current members of the Scheme, new members of parliament will not be required to make personal contributions to their superannuation benefits and will be able to salary sacrifice to obtain additional superannuation.

The new arrangements will not apply to existing members of parliament because the government does not believe it would be appropriate to retrospectively alter their superannuation entitlements.

In announcing the new arrangements in February 2004 the Prime Minister indicated that a compensating salary rise for members of parliament covered by the arrangements was not part of the proposed superannuation changes.

Thank you for bringing your concerns to the attention of the Prime Minister.

Yours sincerely

Gary Hardgrave.

The letter states that MPs are not required to make personal contributions to their superannuation benefit, and I think that might suggest that there will be a superannuation benefit without MPs putting anything in. That is not the case. What it means is that they will not necessarily have to contribute to a superannuation scheme, but it is ambiguous and I think highlights the dilemma before us, namely, that the states and territories have followed suit in haste. My situation is fine, because I am part of the very generous PSS1 scheme. However, what it will do to new members is deny them, in a total sense, a fair scheme. I do not object if the salary is adjusted, or if new members get some other benefits, and I will move some amendments along those lines.

In fairness, if they are to have their superannuation cut, the Remuneration Tribunal should be able to provide some adjustments in other ways to help ensure that they are treated equitably. I accept the Prime Minister's argument that we cannot, retrospectively, change arrangements for those currently in the scheme, but logically, if the schemes now in place are unfair, why would you not change them immediately? I know why—the people currently benefiting are in control of the changes. There is an illogicality in that argument. What we will do is whip the newcomers and deter people (in many cases, good people) from coming in because, let's face it, they will have a net loss of benefit.

As I said before, I would not have a problem if the salary were increased, and I know that people such as Professor Dean Jaensch would argue that MPs are underpaid, and I do not object to that. But the Prime Minister's letter suggests that was not part of his intention, and there is to be no salary offset. I think that is very unfair to members coming into this place. If they are to lose the benefits of superannuation scheme 2 (and they certainly cannot be in superannuation scheme 1), some consideration ought to be given to whether or not their benefits should equate to, say, someone senior in the Public Service.

People in the community do not realise that MPs do not get sick leave, annual leave, long service leave or a whole range of benefits. There is no automatic WorkCover. We are at the mercy of the government of the day. Hopefully, the government of the day would treat fairly an MP who is injured at work or travelling to work, but there is no guarantee of that. MPs do not have those protections that other workers have. So, when people criticise MPs and the superannuation scheme, they forget that some of that is really an offset for the fact that MPs do not get annual leave, long service leave, leave loading, sick leave or WorkCover protection.

I reiterate the point I made at the start, that it is unfortunate that the Prime Minister did not take a more considered view in terms of having a proper inquiry where all these aspects could be looked at by a genuinely independent body. Likewise, I think it is unfortunate that the government here and the governments of other states and territories did not do the same. What we have at the end of the day, in order to look popular and to appease a few ill-informed people in the media, mindful of the fact that there are some who do appreciate what MPs do, what we are ending up with is compounding the current financial dogs breakfast under which MPs are required to serve. I think it is very unfortunate. It will do nothing to ensure that we get the best people into parliament.

I did not come in here to get a big superannuation scheme: it is the last thing I think about. The irony of all of this is if you think of the Prime Minister's case, he may well keep working so long that he may not even need to draw on his superannuation scheme. That could apply here. With the desire of the member for Stuart to stay in this parliament, for reasons best known to himself, it may well be that he never gets much return out of the super contributions that he has made. Likewise myself. So, some of this ill-informed talk about MPs and their superannuation benefits should be put aside, because we did not come in here to get the super: we came in here to serve the people. That is what motivates me. If I can make the world a better place through being in here, that is all the reward I seek.

But I am concerned that new members coming in are going to pay the price for the fact that people who should have known better did not take time to consider a comprehensive package for MPs that was appropriate, reasonable, acceptable to the community and took into account the fact that MPs may have had a generous super scheme but did not have a lot of other benefits that other workers take for granted. It is disappointing that this bill is even before us, because it should have been preceded by a proper and thorough inquiry at the federal level as well as at the state level. I will seek to amend it in terms of fairness for new members by giving some authority to the Remuneration Tribunal. I rely on members' good judgment to consider that and see if they want to support fairness for those members who will be coming in in the years ahead.

Mr BRINDAL secured the adjournment of the debate.

ACTS INTERPRETATION (GENDER BALANCE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 November. Page 1063.)

Mrs HALL (Morialta): The opposition will be supporting this bill and, as has already been outlined by the second reading explanation of the minister, the bill seeks to make changes to legislation and seeks to address the current gender imbalance of representation on government boards and committees. As I said, the Liberal Party supports the bill even though it is in this day and age a change to the law that has been instituted to provide for a fairer situation, and it does seem extraordinary that in the year 2005 we have to do it. I support the bill not because it is needed by the government and not only because it will assist in correcting an imbalance but because I trust it will set an example that will be followed in the future by a private sector that is still typified by statistically demonstrable male domination in management and executive positions.

I think that is something that this whole chamber needs to give some thought to. Importantly, especially for those who cling to the ideal that such legislative provisions make the principle of selection on merit, the bill does not contemplate making demands on government to exclusively appoint women to boards and committees. I think that is a point that needs to be remembered by many members in this house as this debate proceeds. Rather, these changes provide for a choice, and it is a choice of talent, expertise and qualifications, with that selection to be presented to the responsible minister so that the names submitted reflect the fact that women make up 51 per cent of South Australia's population.

In my view, we could argue about how many percentage points higher than that they make up in talent, experience, organisational skills, energy, commitment and capacity, so clearly, when the minister is presented with such a choice, we know that the minister will make sensible choices. But they have to get those names onto a list in the first place.

The bill very clearly provides that merit is still going to be the primary consideration; however, it is about choice. I would defy any member in this chamber, or outside this chamber, to argue that merit means women on boards or committees should therefore remain in a minority. It is clearly not a sensible argument, particularly in the year 2005. Some colleagues might be surprised to know that 55 per cent of all graduates today are women, so please do not tell me that when people have to be selected on merit there should not be a serious choice. It is not a productive debate, in my view; however, it is mischievous, and I have no doubt that it is going to be pursued by those whose views, in my opinion, belong in the days of the dinosaurs.

This bill requires that community, industry and professional organisations nominate equal numbers of men and women where possible for consideration for appointment to statutory boards and committees. I believe that the bill is bound by very solid guidelines which say that the number of persons must be not less than twice the number of persons plus one, to be nominated by the non-government entity and appointed by the Governor or minister, will comprise the panel. The panel must include at least one woman and at least one man, and must be comprised of equal numbers of men and women.

A wide range of boards and committees are going to be affected and they include such bodies as the South Australian Motorsport Board, the Country Fire Service Board, the Senior Secondary Assessment Board of South Australia, and the Institute of Medical and Veterinary Science Council. I could have named a number of others but I thought that that might give a reasonably diverse selection. As I said earlier, this bill does not affect legislation which provides for position-specific appointments. For example, in the case of the State Emergency Management Committee, on which the heads of the police, the CFS, the MFS, and the SES sit, that board specifically will not be affected.

However, we have had debates in this chamber about the composition of that board in the past, and I am not too sure in what capacity the minister was at the time, but it was minister Conlon who said that it was a problem. Until the time that we have a female police chief, or a female chief of the CFS, or a female chief of the MFS, it is unlikely that that management committee will have anything vaguely resembling some sort of gender balance. However, as I have said, those boards are not going to be affected because the legislation clearly states that the composition of the board is responsibility or position specific.

Other legislation, of course, provides for boards and committees to be made up of at least one man and at least one woman in existing provisions, that is, the Natural Resource Management Act. I do not hear some of the criticism and some of the debate that I suspect we will hear in this chamber a little later when we are asked for representatives from SAFF, or when we are asked for representatives from local government. In my view this is just bringing the position of women in this state into the same line, and into the same genre, as a couple that I have already mentioned.

Some of the other requirements have gone into existing legislation, and I think that the Natural Resource Management Act is a good example because they have requirements

particularly from SAFF, and from local government. There are other acts of parliament that specify particular sorts of expertise, and I can think of some, for example, that say that people must have legal skills. There are others that say that there must be representatives from primary industries, and that there must be representatives who have marketing skills. So, when we are debating other bills we try to be very specific in our endeavour to provide choice at all times, and I think that this set of amendments will go some of the way to doing that.

When the minister remarked in introducing the bill that only 32 per cent of the membership of government boards and committees is now comprised of women, I thought that that was quite a powerful figure to think about, because the next consequence of that figure is that the government has the somewhat daunting prospect of devoting 69 per cent of all appointments to its boards and committees to women in order to get the goal that they have set for themselves of 50 per cent representation by 2006, and as we know that objective is stated in State Strategic Plan.

As the shadow minister for the status of women, and as someone who has long and actively pursued a greater recognition of women's place in society and in the workplace in particular, I think that it is fair to say that I will support even small measures which might assist in the plight and, indeed, I believe that it is right and I believe that it is just, for women to take their rightful place alongside men in such positions. Indeed, as some of my colleagues well know, and certainly I know that some of my colleagues on the other side of the house know, that the Liberal party has long supported the notion of fairer, better and more appropriate women's representation on government boards and committees. In fact, it was long ago in 1997 that we released a policy containing a goal of 50 per cent membership for women on government boards and committees, and I have to pay great tribute to the former minister, the Hon. Diana Laidlaw, for her rather persistent approach, sometimes causing rather animated and colourful debate in various forums of probably this parliament and our own party. Diana did have a determination which, as I will mention in a moment, showed some—

The Hon. G.M. Gunn: She was always pleased with my help.

Mrs HALL: Yes, she was always pleased with the help that she received from the member for Stuart. It is fair to say that under the Liberal government there were, in fact, successive increases in female participation, namely, increasing from 25.2 per cent in 1993 to 33.18 per cent in 2002. I again pay tribute to Diana, and I acknowledge the commitment of many of the Liberal ministers at the time, because that was achieved without implementing legislative demands. I rather suspect that some of us on this side would have liked to see that percentage somewhat higher. However, it is sad and quite unfortunate that the rate has now dropped back to 32 per cent. It is therefore a challenge to get the rate of female participation up again and on the way to something resembling a decent gender balance in this environment. Some of the targets and promises made in the State Strategic Plan are a bit unrealistic, but it is pleasing to see them, and I do hope that this one is realistic. Any goals we establish for women should receive bipartisan support preferably and the attention that might see these commitments achieved.

As I said earlier, whilst I and the Liberal Party support this bill, in some ways it is really disappointing that this type of bill is required at all. One has to think only about the fact that we are into 2005, and we are still having this sort of debate. The paradox remains that one should support the principle behind the measures to improve the prospects of women but, at the same time, lament the fact that change has to come by being written into law. When I was reading some of the wonderful speeches made on this subject over the years, I could not help reading some of the less confronting statements made by the federal Sex Discrimination Commissioner, Pru Goward. I am sure Pru Goward would not mind if I quote her slightly out of context, because she was specifically referring to a particular initiative, but she said:

> So long as we describe these initiatives as 'for women' women appear to be enjoying special privileges, special measures, and they become, as they have become, the target of resentment.

She went on to say in the same speech:

> Empowering women is essential to economic success.

I hope she finds her consistent advocacy in that area being listened to by the private sector in particular; I might say that Pru Goward was directing those statements specifically to the private sector. Again, I guess the fact that we are debating this bill says that there is still a long way to go. I believe that the female movement would have dreamt of a 2005 where women were free of the relentless battle against inequality in the public and private workplace. In 2005, legislative impositions merely serve as a reminder that the prejudice we often attribute to another age is still alive and well in 2005.

I would hate to attribute anything to the minister, but I am sure she would agree that her portfolio continues to focus on employment equality issues, and that can sometimes seems like a sad reflection on society. I believe there is great value in catering to the unique needs of women, and as a parliament considering a variety of issues faced by women each day. Some 30 years after the fervent activity of the women's lobby movement of the 1970s began and over 100 years after the state of South Australia led the world in recognising women's right to vote and to stand for parliament, I am sure the Minister for the Status of Women reflects on the fact that it is necessary to introduce a bill promoting a fair go for women on government boards and committees. I am sure she would believe it is no great triumph to do this. I guess we all look forward to the day when we do not have to do this sort of thing—when it is considered as a natural part of government process and a natural and accepted part of our lifestyle.

I believe it would be inappropriate for the government—and sometimes the Premier—grandstanding on this issue and putting their spin on the bill. There are those who would say—probably unkindly—that the Premier may have done this because he may not trust some of his ministers to put equal numbers on boards and committees where he can. I guess it serves as a serious reminder that we all have to be vigilant in this sort of environment. A list of recent statistics is featured in a government publication entitled 'Women in South Australia: a statistical profile', about which I am sure the minister is quite rightly proud. Quite frankly, for those who have read this publication, it provides very depressing reading.

The publication states that only 27 per cent of managers and administrators of private companies are women; that women make up only 53 per cent of professionals in private companies; that only 10 per cent of executive management positions in Australia's top 200 companies are held by women; that only 47 per cent of Australian companies have at least one woman in an executive management position; that women hold a meagre 5 per cent of line positions; that they hold an even slimmer 3.2 per cent of the highest executive

titles; and that over half of Australian companies have no women executive managers at all. For those who take an interest in this issue—and I know there are many members in the chamber, not just the women in this chamber, who have looked at it—I urge them to read the Equal Opportunity for Women in the Workplace Annual Report and some of the remarks made by the Director, Anna McPhee. It is quite an instructive document and, again, quite a sobering document. It gives an absolute endorsement, and demonstrates very clearly, why we are still having to have this sort of debate in 2005.

The figures suggest that, on the current form, we will be inspired to attempt further legislation to breathe life into female participation at the higher levels of management, although I guess that is for another day. But some of the lofty goals that are outlined in the strategic plan will clearly need and demand some further work in the future—and that might provide a pretty interesting debate, too. The ideal scenario, I guess, would consist of a natural progression, and I have no doubt that everyone—male and female—would be comfortable if that was the way it was to go. The reality is that, over nearly two decades, it is still extraordinarily—and, in my view, unacceptably—slow and I hope that measures such as this move some way down the track to making some progress.

There are many women and women's organisations who share the ideal and actively pursue this progression, but I have to say that frustration is pretty well out there on a regular basis. I think it is appropriate to take the opportunity to pay tribute to those women and the women's organisations that they serve, because they are a great example of the development and expansion of the original women's movement. The groups of the 1970s have admirably matured into sophisticated and professional networks. When one starts to list them, it certainly looks to be a pretty impressive group of women with an impressive group of achievements. I thought I would just mention a couple, because each of us has different associations with varying ones.

There is the amazing National Council of Women, which for many years has pursued different specific issues on behalf of women. Whilst its base membership has probably dropped off somewhat over the last decade or so, they are still a pretty formidable bunch of women when they are stirred on particular issues, and I pay tribute to the work that they have done. One of the newer groups is called the Women at Minter Ellison. Many of us have dealt with them over the last few years, and I think it is a very impressive organisation. When I have been lucky enough and had time to attend some of their functions, they always have an impressive agenda and impressive speakers. One of the things that is really so good about joining them for their activities is that they are all determined that they want to change some of these gender activities.

Jane Jeffreys Consultative Executive Search has done a wonderful job, in my view, over a number of years in providing the choice of names for various levels of government and, indeed, the private sector. As we have seen, over the last few years Jane as an individual has represented this state in a number of very senior positions and boards. I am delighted to say that she is currently the only South Australian sitting on the ATC (Australian Tourism Council) board. She is a very worthwhile member and makes an enormous contribution. Certainly, the work with her company in the executive search has been enormously valuable.

There is the Asia Pacific Business Council for Women and the Australia-Israel Chamber of Commerce, which has a women specific group. There is, of course, the amazing group of women involved in Zonta. There is also Women in Hotels—and a more formidable bunch of people I have yet to enjoy! Each year many of us have attended their conferences, which are not only enormous fun but which also epitomise in many ways the extraordinary advances that have been made and the fact that they are now recognised as a group within their own right; they are a very influential group within the hotels industry. That is just a small selection with which I have had personal involvement, and I am sure members would be able to list a number of others.

One of the features of these networks is that they are a source of women who have achieved and who are still achieving, and they have a great deal to offer to the public and private sectors. Therefore, in an ideal world, I would like to see the work carried out by such organisations being translated to a change of demographics amongst government, private sector boards and committees in the future. I suspect that is an idealistic world.

The government seems to have adopted a different approach. Whilst I believe that the imposition of legislative demands is not necessarily the best method of creating balance and is a method which should cause us to reflect on the wider issue of the prejudice which still remains in society, I am happy, and I know our party is happy, to support the measures contained in this bill. I will also support it in spite of the fact that I recognise it as an attempt to rectify a bit of a stable period, where we have not made additional progress. I think it is that statistical profile that has brought it all back to reality to us once again.

The progress that was made under the previous government was supported by members opposite, and I know that the former minister was always very grateful when bipartisan support was given to measures such as these. I hope that tradition continues. Certainly, I can say that on our side we still aspire to reaching the targets and goals of 50 per cent. We probably have a different mechanism of how to get there, but that is certainly our goal. It was established and articulated in 1997, when it was firmly entrenched in Liberal Party policy. In my view, the amendments provided so far are, essentially, inoffensive and they simply provide a more appropriate choice for the relevant minister.

On this side of the chamber we always espouse the theory and the philosophy of freedom of choice. It seems to me that, when we outline any provisions to provide for greater choice, particularly when it is merit based on all the qualifications that we know women in our society have, I would have to say that I look forward to the committee stage of the bill. I look forward to supporting it. I know that a couple of amendments have been tabled, and we might have an active discussion about them. However, at this stage I speak on behalf of the opposition when I say that we will support the bill.

The Hon. R.B. SUCH (Fisher): Thank you, Madam Acting Speaker. I note to your credit that we have a female in the chair, so this parliament has come a long way, because years ago it would not have been the case—and a very good chair. And we have a female minister on the front bench, so we have come a long way. There are a whole lot of interesting aspects and paradoxes to this issue. I grew up in a family in which I can honestly say we did not have discrimination against the women in the family. I think I have said previously that one of my sisters majored in maths. There was no

chance that I would ever have majored in maths. The other two also did very well and were never held back. There was never any talk that they could not do something because they were female.

I have also mentioned previously that Lowitja O'Donoghue used to visit our place in the 1950s. I did not even take any notice of the fact that she was of Aboriginal descent. I come from a background where I find discrimination unusual, abhorrent and unacceptable. No doubt that would influence my views on things and, hopefully, I am not part of any discrimination. Fortunately, this bill is not going down the path of the American affirmative action or the quota system, which, ultimately, leads to tokenism and which is counter-productive. For example, we see tokenism in the Hollywood films when we see the token black actor come out. We are waiting for the token black actor to appear. On *The Bill*, the BBC program, they have their percentage who will be coloured actors.

We can understand the arguments, but there is a real danger in developing quotas and affirmative action which gets away from the merit principle. This proposal before us is not in that category, and I trust we never see a situation here where we simply go for a numerical or a percentage based approach. We have seen people try to apply that in their marriage arrangement. For example, 'You have to do 50 per cent of the housework and I will do 50 per cent of something else.' I would see that as a nonsense, too. If a job needs doing, you do it. I will be moving an amendment to reinforce the merit principle because, ultimately, one wants the best people doing any job. I am more than happy if all the people on boards, all ministers, all judges, or whatever, are female. If they are the best people, why would you not want them? Anything else would be ludicrous and a denial of the merit principle.

I know it is difficult to define 'merit'—and we know all these arguments. I believe that women have to be very careful not to portray themselves as victims and passive. The member for Morialta used the term 'male dominated'. I think that is a poor expression in terms of company boards. It may be male representation, but you get into this area of whether there is a male view or a female view of the world; and, when you go down that path, it is a very interesting debate to suggest that women have a particular view of the world and men have a different view. Certainly, we know from scientific analysis that there are differences between the genders in terms of certain aspects, such as spatial and detailed work.

Women, in general (and it is a generalisation), are very good at detailed, fine work. Men tend not to be. In general, men tend to be better at spatial analysis, reading maps and so on. You cannot say that all women are peacemakers: look at Golda Meir and Margie Thatcher. Margie Thatcher in what she did, in many aspects, was anything but a lover of peace.

The Hon. G.M. Gunn: She did a great job.

The Hon. R.B. SUCH: The member for Stuart says, 'She did a great job.' I am talking about whether a female leader is automatically a peace lover. I do not think that is the case at all. We have to be careful that we do not get into a situation where we are saying that women should be on the boards in equal number simply because they have a different view of the world. They should be there because of their talent and ability, which is natural in just over 50 per cent of the population. There is no reason why they should not be on boards, but it should not be argued that they should be on boards simply because there is a female view that is somehow different from a male view. I think that is very dangerous.

Likewise, there can be a tendency for some women's groups to portray themselves as victims. There is a danger that they are forming groups similar to the old matey type blokey stuff in which guys have long indulged and which I think is often childish and pathetic. It is almost a retreat into a protective enclave where you have women's groups replicating what we are trying to move away from, that is, blokes groups. We have seen organisations such as Lions move away from male only, yet we still seem to have many groups where the female members resist any attempt to have males participating. That is just one of the paradoxes, but it does not take away from the thrust of this bill. I would argue that, in some areas, it is easier for women to progress than it is for men. Several of my friends have daughters who are qualified engineers and have done very well, the reason being that their fathers have encouraged them.

The research shows that where a father encourages a daughter, she is more likely to be very successful in areas such as engineering. As I say, I have several friends whose daughters have done very well in electrical and mechanical engineering because the fathers, in particular, have been supportive and provided the ongoing encouragement. I think we need to reach a point in the gender war when we declare peace. Most of the men I know—and there will always be some exceptions—love women. Now do not take it the wrong way—I am not talking Hollywood style. I really enjoy women's company. I have three sisters of whom I am very proud and my wife. I do not have any animosity towards women at all and most guys whom I know are the same. We do not hate women; we do not dislike women. We like women and we like them for a whole lot of reasons. I think it is time that peace was declared.

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

The Hon. R.B. SUCH: I would be delighted if this measure brings about greater female representation on boards. As a community, apart from the issues of equity and fairness, we do not want to waste the talent and ability of slightly more than half the population. I believe that is the main consideration. We all know that some women have done well out of the feminist movement in terms of advancing themselves. It is a fact. I will not disclose names but, in the academic world and elsewhere, some women have got positions which, no doubt, have been assisted by the fact they are women. That does not detract from what we are dealing with here.

There is often an assumption that women want to be on boards. I go to a lot of school and kindergarten functions and nearly every person on the committee in those establishments happens to be female. We can argue about the gender specifics, but it could well be that women put a higher value on interpersonal relationships and caring for others than do men. It has sometimes been said that men are more interested in things, women in people and relationships. It could be that many women do not want to be on government boards. In some areas, such as nursing and teaching, women still dominate in the face to face front line, not so much in administration.

You could argue that is the result of discrimination, either systemic or otherwise, but it could be that women may prefer those roles of dealing with people and patients rather than dealing with paper. Members might like to consider that but, once again, it does not detract from the thrust of this bill, which is to try to get more women actively involved in and on boards.

I have to make the point, after speaking and interacting with a lot of women who are prominent in the community, that many do not like what they see as measures which give them a step up, if you like—which they see as not based on merit. I am not saying this bill would do that, but a lot of women resent any inference that they got to where they did simply because they are female. I think that members need to be mindful of that issue, too, and also the longstanding and erroneous view that women who are not on boards or who are not managers are powerless. Traditionally, women in our community may not have been on those sorts of boards, but I defy anyone to tell me that a lot of the pioneering women, people like my grandmother, were powerless women: they were very powerful. They are probably more powerful in the sense that they shape lives rather than work the fields. There is an assumption that, unless you are on a board or the CEO of a company, you are somehow powerless. I think that is fallacious. If a person through choice—or maybe necessity—has a daily interaction with children shaping their lives, I think they are probably playing a more important and powerful role than being on a board or the CEO of a company. I think in some ways we delude ourselves in thinking that in this place we are powerful. I do not believe we are all that powerful at all. Often there is an assumption that 'if only people got on boards then they would change the world'. I do not think it works that way.

Again, this does not detract from this measure, but there are some measures available, for example in our universities, which are designed to specifically advance women. I take the example of engineering. Women will get special help and often scholarships that are not available to males, but I do not see many scholarships offered for junior teaching for men. People might say that is a bit churlish, but the reality is that we must be careful that, in trying to deal with one injustice, we do not create another. I have never seen the logic in trying to deal with one injustice by perpetuating or creating another.

I believe in the dignity of all people—men and women—and I agree with the member for Morialta that it is unfortunate we even have to debate an issue such as this. Gender should be a non-issue. I once had a discussion with our late Governor, Dame Roma Mitchell (for whom I had great respect—and still do) on that very point. We shared in a discussion that it is unfortunate that we have to focus on gender, which should be irrelevant in the scheme of things. I look forward to a time, as the member for Morialta indicated, when we can get to that point where people do not ask what gender an applicant is because it is irrelevant. The issue is: can the person do the job? Are they the best person to do the job?

I see some slow progress in other areas. I note that this bill is about gender, but one could legitimately ask about people from ethnic and Aboriginal backgrounds regarding whether they get a fair go in terms of access. I was heartened recently when the son of a longstanding friend of mine, who comes from a classic Anglo-Celtic background, married a lovely young woman who comes from the Aboriginal community. Ten years ago I would have said that that would be pretty unusual, pretty unlikely. But to see those two families—the Fitzgerald and Agius families—together, now joined through marriage, was a fantastic thing.

I am not putting it at a trite level in terms of reconciliation, but one would have to say that that is the sort of development that indicates that, as a society, we may be moving forward. Some people will say, 'Why question? Why raise issues?' I think that it is important that we do. I agree with John Howard. I do not agree with him on many issues, but I agree with him on the point that we should be able to discuss and debate any issue, whether it is a gender-based issue, abortion or prostitution.

Any issue at all should be discussed openly and accurately, otherwise you are never going to make progress on any aspect of our society. I remember that, back in the early 1990s, I wrote a paper on the impediments facing women who wanted to get into parliament. The Hon. Jennifer Cashmore said to me, 'That document is too important to be passed around.' She said, 'Let's put it out during the election.' It went out, not under my name, but I was quite happy about that, because it included many aspects, including child care, which could impede women from getting into and staying in parliament.

There are many aspects to this bill. I think that I have made a range of general points. People can argue at length about them; but, as I said previously, if we can get to a point where we no longer have to focus on gender, where it is a non-event, a non-issue, I would be the first to applaud that. I acknowledge that the minister has indicated that the government will accept my amendment, which does focus on the issue of merit without taking away from the intention of the bill to get a higher representation of women on boards. I understand that the opposition is supporting the amendment.

We could have an endless debate about what constitutes merit, and all that sort of thing. At the end of the day, this is about getting greater representation of women on boards. As I have said several times, the key thing is that we use the talent and the ability of slightly more than half the population. If women want to be on boards, fine. I would always argue strongly that we should always try to appoint the best people; and, if they are all women, fine, I am more than happy with that. On that basis, I look forward to moving the amendment during committee.

Mrs REDMOND (Heysen): I rise to make a few comments on this bill and to indicate that, notwithstanding the fact that, possibly, it has some merit (I cannot find it), I will not be supporting it. It is interesting to me that I am doing this on the day after Valentine's Day—not for any romantic reasons, but it is a significant day in my life. Most members in this place would remember the day we changed to decimal currency, but a few years after that I started work in the Crown Solicitor's office in Sydney. I had finished my high school education and my part-time job, and I had my first full-time job.

In those days women did not receive the same pay for the same work, and women did not receive the same superannuation entitlements. We had different retirement ages. Of course, even today we still have a different age at which women can get the age pension compared with the age that men must struggle on to. It always strikes me as odd that men have to survive until they are 65 to get an age pension and we ladies were originally lucky enough to be getting it at age 60. It is gradually being moved up to match the men. Women actually live longer, so it has never made much sense to me, but, nevertheless.

The reason why I am opposing this bill is that members may be aware that, just about every time we have a debate about gender issues or we appoint a board—in the whole three years that I have been in this chamber—any legislation before the house has provided that a board shall consist of at least one man and at least one woman. Every time those

provisions have come to my attention, I have made a brief contribution to indicate my objection.

My view, quite clearly, is that this is the 21st century, and we should be choosing people entirely upon merit. I appreciate that this bill does not go so far as to insist that every board will have equal gender representation, but it does require that such boards, if they are going to be appointed from a panel of people, will be provided from a panel which consists, so far as practicable, of equal numbers of male and female gender. It even provides that, where the legislation does not provide for a panel for the selection of a board, it will be deemed to have a panel, and that panel will be comprised of equal numbers, as far as practicable, of male and female.

In my view, it is inappropriate. We should simply be choosing people according to their merit. We should be nominating the best people for the job every time. Having started in the Public Service all those years ago when things were not equal, I have had more than my share of situations where I was treated less than favourably because of my gender. In fact, I believe that I was originally kept out of the law course (which I subsequently succeeded in getting into) on the basis of my gender. Certainly, it was not on the basis of my marks, because when I finally got into the course I found that the male participants basically had marks that were less than half those that I had achieved, yet I was kept out of the course originally.

Even an assistant crown solicitor many years ago said to me, 'I don't think that women should be lawyers; and, if they're going to be lawyers, then I will make sure that they do nothing but conveyancing.' He said that quite blatantly. Members will be pleased to know that I got my own back some years later when, unbeknownst to him, he had to deal with me over the telephone. I had changed my name by virtue of my marriage. He did not know that it was me with whom he was dealing. I was in a much more senior position by then. He was basically sucking up to me on the telephone. It was a great pleasure for me finally to be able to visit him and let him see who he had been dealing with and sucking up to on the telephone, so I did get my own back.

I also remember one day, when working as a legal officer in the Department of Agriculture, I was doing some photocopying when the new assistant director was being shown around. He was being shown something or other, when he said, 'If I have any trouble, I'll ask this little girl.' The person showing him around told him that I was one of the legal officers and not 'a little girl'. A few short weeks later he needed to find his way to the House of Assembly chamber in the New South Wales parliament, where I used to spend a lot of time as one of the advisers putting legislation through on behalf of the department, and he happened to ask me the way. I was able to tell him that I was just 'a little girl' and that I did not know the answers to those sorts of questions. So, I really believe that what goes around comes around.

As I said, I have suffered more than my fair share of instances in which I have been treated prejudicially because of my gender. I have been denied jobs because of my gender, and I was virtually denied admission—

The Hon. G.M. Gunn: But your talents have been recognised in the Liberal Party!

Mrs REDMOND: The member for Stuart says that my talents have been recognised in the Liberal Party—and I am very grateful indeed that they have. Having lived through that over the past 20 or so years of my career, I have had a number of occasions when I have been invited to join various boards and committees, often as the first or only female, or as one of the very few females ever invited to do so. I was the second female to become a member of local government on the Stirling council. I was the first female to be invited to join Rotary in the Hills. I was the first female on the Road Safety Advisory Council, and I was one of two females on the Ambulance Board. I have been in that situation a number of times, and each time it has presented me with a dilemma, because I was probably right to think that they asked me to become a board member because I was female and that it looked good for their statistics, as they can then say that they have female members. On most occasions, if I have been interested in the subject of the committee, the board, or whatever, I have taken up the offer and have tried to do the best job I could—as a board member, not as a female board member, and as Rotarian, not as a female Rotarian—in the hope that eventually the prejudice would break down. I believe that will happen.

This parliament has a total of 69 members and, as it happens, on my calculation, precisely one-third (23) is female. Given the few short years since I started in the Crown Solicitor's Office, it seems to me that we have come a long way. In my view, it is simply inappropriate to do other than look at the issue now with the eyes of people living in the 21st century and say that this is not about gender and that, whatever the job is, it is about getting the best job done and about getting the best people for the job. To that end, the panel from whom appointments are to be made should be the very best people.

An example that sprang to mind in terms of the appointment of a board was the CFS Board. It seems to me that, unless lots of women become CFS officers, it will be the case that it will be most likely that the people with the best knowledge of bushfires and so on will be, for the time being, male. It flies in the face of reasonableness to say that, if we need 12 members on a board, we have to nominate at least six females and six males when, in fact, it could be 11 male and one female. Equally, as the member for Fisher said, it could be that we will end up with boards that comprise entirely women, because we all know how sensible women are. Certainly, there is no reason why that should not happen, but it seems to me an erroneous step for us to take down the path of compelling anyone to nominate people, who may not be the best people to nominate, because of their gender and not because of their ability. It could be that it is a slight to those people, and it also has a real sting in the tail. Ultimately, if you deny a male a job or a position, not because he is not the best but because a female has to be accommodated because of these sorts of rules, in my view that is a backward step and will have a sting in the tail for the feminist movement. I will not support this legislation.

The other comment I wish to make is that I note that it binds everybody except the Crown in right of the state, commonwealth or territory. I find it odd that the state should legislate to bind everyone but itself to this peculiar rule in terms of its own legislation. With those few comments, I indicate that I will oppose the bill, but I do not intend to divide on it.

Ms BREUER (Giles): I was very interested to hear the comments of the member opposite, but I think it is time that we got to the point. We have certainly come a long way since the sixties, when I became quite an ardent and proud feminist. I burnt my bra, which I have regretted ever since. On reflection, with my ample appendages, I would have been far better to have kept that support over the years, but that is a

another point. I listened to the member's comments, but how many female members are there on the other side? There are five. On this side, we have 10. Why do we have 10—because, a few years ago, as the Labor Party, we practised an affirmative action, policy and we managed to get 10 women appointed to this place.

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms BREUER: Without that affirmative action, there would have been absolutely no way that we would have 10 female members in this place.

Mr Scalzi interjecting:

The DEPUTY SPEAKER: Order, member for Hartley!

Ms BREUER: There would have been two or three, just as there are on the other side, and there would have been no way that women would have had representation in this place.

Members interjecting:

The DEPUTY SPEAKER: Order! The chair cannot hear the member for Giles.

Ms BREUER: They are being very rude. They are typical patriarchal despots on the other side. In this chamber, out of 47 members we have 16 women. We are certainly doing very well, are we not, when we represent 52 per cent of the population? What does that tell us? We talk about equal merit, but do members really believe that only 16 women are of equal merit to be in this place? It is absolutely ridiculous. Without affirmative action, there is no way we would have women in this place. We have come a long way.

We have come a long way, but we still have not got there. We have a long way to go. Members should look at the CEOs of the various companies in Australia and tell me how many female CEOs there are in Australia compared to how many male CEOs there are. How many company directors or directors of boards? How many female directors of boards are there in Australia? There are very few. How many female magistrates do we have in this state? How many female judges do we have in this state? Can you tell me that all those male lawyers are better than you, member for Heysen? Of course they are not. We should have more members, but there is no affirmative action in that area.

How many councillors do we have on councils in South Australia? Councils are doing relatively well. They have far more female representation than government has. How many female mayors are there in South Australia? Very, very few. There are some and they are doing reasonably well, but nothing like 52 per cent of the population. We can have a look at the Public Service. The Public Service is actually doing quite well. There are quite significant numbers of women in senior management in the Public Service. There is a significant number of female CEOs. In schools there are significant numbers of female principals and significant numbers of female teachers.

Why is that so? Because the Education Department has had affirmative action policies for a number of years and women have had the opportunity to say 'I am of equal merit. The only thing I'm missing is that little appendage, so I should be looked at on equal merit.' And they have got to those senior roles in schools. Affirmative action policies are absolutely essential for women to get anywhere. We like to kid ourselves that we have come a long way with feminism, but it is absolute bullshit. We have got nowhere, really. We have a long way to go. You can talk about short people, and I can certainly identify with short people.

Mr SCALZI: On a point of order, regardless of gender I ask the member for Giles to withdraw that reference to animals in the paddock.

The DEPUTY SPEAKER: It is not a point of order. If it offends people, then maybe they are very sensitive. Bovine excrement could be an alternative term.

Ms BREUER: Thank you, Mr Deputy Speaker: at least you have a clear head. Let us look at the political parties. Do not tell me the Liberal Party does not have factions: we know all about them. How many female faction leaders are there in political parties? The real power brokers are the men. Have a look at this place. Have a look at this chamber. How many female Clerks do we have in this chamber? We have one female attendant in the whole place. You cannot tell me that, with the number of people we have in this place, there are no women of equal merit who should be working in this place.

Look at what we have here in front of us. We have no females sitting here in front of us. Have a look at committee secretaries. We do not have one committee secretary who is a female. And members opposite are trying to tell me that this is done on merit. We have more brains; we are much smarter; we are much more able to think laterally than men are, but how many are out there in these leadership positions? Do not tell me that we should be looking at merit, because merit is not considered in appointing these positions. We have excellent Clerks, and I am not having a go at them, but I am just saying that it would be a bit better if we had a few females in there to show you how to work properly!

It is an absolute fallacy that women can do this on merit, because they cannot. There is always this glass ceiling in everything that women do. Look at television. Yes, we do have a number of female hosts on television programs. We do have a number of female news readers, but have a look at them. How many of them are over 40? How many are not blond? How many are not buxom? How many do not have beautiful sets of teeth? I notice that on one television channel now its news reader sits there in front of us, showing us her knees. As someone wrote in the paper, the skirts get higher every day. What is that about: is that about her ability or about her looks? Okay, she is a very good, clear speaker, but I wonder whether, if she was 55 years old, menopausal etc, she would be in that position. Absolutely not.

Do not try to tell me that merit works there when we start talking about television, because it does not happen. Women have been passed over for generations because there is that glass ceiling. It is an absolute fallacy that women can get there on their own merit, because they are excluded all the time. In 1984 we brought in equal opportunity laws in this state and it was a wonderful achievement. That was 21 years ago. I thought it was wonderful at the time. I taught in TAFE for years about equal opportunity and opportunities for women. Yet here it is 2005, I am 53 years old, and I am still despairing for my daughter, for my granddaughters—if I am ever so lucky as to get them. I wish my kids would hurry up. But we still are way, way behind as women.

When you talk about merit, It is absolute rubbish. We need support. We need to get there because we cannot get through those glass ceilings. We are equally good as these men. We are equally able to sell ourselves; we are equally able to do the jobs. In fact, I think that we would probably do better jobs in many instances than the men, but we get passed over constantly. We have to have some sort of affirmative action. We have to have something like this which makes companies sit up and say, 'Yes, we do have women out there who can do this. We do not need to have suited men in ties. We can

get women doing these sorts of jobs.' Where would we be if we left it up to them to decide who should be in these roles?

The women on the other side are smiling and laughing, but I am sure that they agree with me in many ways. But party policy says that they cannot. I am not prepared to wait. I am sick of this. I have been going for 20 years, saying that we need to have female representation, and I think that it is really important that policies such as this get the message out to people out there. If we do not support this, we are traitors to our daughters, we are traitors to our granddaughters and we are traitors to our great-granddaughters, because I can guarantee that my great-granddaughter will still be trying to get herself a position if we do not do something like this. I totally support what we are doing.

The Hon. G.M. GUNN (Stuart): The contribution of the member for Giles clearly puts a question mark over this sort of legislation. The member for Giles does not want equality: she wants preference. She has gone on about women not making progress in the community, and members opposite have this weird idea that you should not deal with people purely on the basis of merit.

I say to the member for Giles that I understand her policy of putting women in safe seats for the Labor Party, but I also understand that the party has got the lowest votes on record since it introduced that policy. If the member for Giles wants more female members of parliament and more female directors of companies, she has to get women to vote for them. That is all you have to do. If you say that a fraction more than 50 per cent of the community are women, get them to vote for you and you will win every time. Of course, Mr Deputy Speaker, as you know, this proposal is really tokenism because, if the government wants to apply the policy that we are debating, it can do it now.

I had dinner tonight with the Hon. Diana Laidlaw, a great supporter of women's rights, and she said that this was a nonsense, that it was not necessary, and that the government could do it by executive decision. So what are we talking about? The honourable member for Giles had some unkind things to say about our attitude on this side. We have a portrait of the Hon. Joyce Steele looking down on us. She came from the conservative side of politics. The conservative side of politics has a fine reputation.

Ms Breuer: How many women members did she have in with her? They had to build a toilet for her because they were all male toilets.

The DEPUTY SPEAKER: Order!

The Hon. G.M. GUNN: I do not know whether the honourable member can find her way around the building. Gathering by the contribution that she made today, I think she is struggling to make the progress she has. Surely the honourable member does not want to be promoted beyond her ability. Surely the honourable member does not want to see females promoted into positions above their ability. One could say that it has already happened but that would be unkind and I would not want to make that sort of contribution, but one could be slightly naughty and say that. I am not referring to the minister because we know that the minister is absolutely capable and a very reasonable person to deal with. I would like to bring another couple of matters—

Ms BREUER: Point of order, Mr Deputy Speaker: I would match my merit and my ability with that of the member for Stuart any day. He may have won 11 elections and I may have only won two, talking about safe seats—

The DEPUTY SPEAKER: Order, the member for Giles is debating! If the member for Giles has a point of order, she should make it.

Ms BREUER: The member is reflecting on my ability as the member for Giles.

The DEPUTY SPEAKER: The member for Stuart was getting a bit close to reflection on the member for Giles, so I would advise him to be cautious.

The Hon. G.M. GUNN: The member has done it all to herself, clearly by her attitude of getting up here and carrying on like that. She obviously got up here and handed out a few bouquets and when one or two come back she cannot take it. That is the problem, and she has demonstrated that she is not here on merit. Therefore—

Ms BREUER: Point of order, Mr Deputy Speaker: his interpretation is not what my argument was. I did not say that I did not get here on my merit.

The DEPUTY SPEAKER: Order! I think that members should come back to the main focus of the bill.

The Hon. G.M. GUNN: I am pleased to do that because this particular proposal, to which you have quite properly foreshadowed an amendment, will greatly improve the legislation. I firmly believe that, if there are one, two, three or four positions and the best four people to fill those positions are females then that is what it should be. I do not have any problem with that, and never have. As a member of parliament my life has been organised by females.

Mrs Redmond interjecting:

The Hon. G.M. GUNN: Yes, I have had a very supportive spouse, and very supportive females working in my office who have organised and helped me to achieve the successes that I have had in my parliamentary career. I could not have been better served, and I could not have got anyone to do the job better. However, that is not saying there are not males who could also do the job because other members have had the same experience when assisted by male personal assistants. I firmly believe that, if we create a situation other than people being promoted on their ability to do the job at hand, we are going to undervalue the services of those people who are capable, we are going to be demeaning to those people who want to make progress on merit, and we are not going to do the cause or the organisation any good.

I think that the time has come to see this for what it is. Unfortunately it is tokenism. A group of radicals have got control of it and foisted this on the government, and people get all warm and cosy about it and think that this is going to be the answer to the problem. It is not and I do not believe it. I share the views of the honourable member for Heysen. Of course it will pass, but at the end of the day will it mean more females on boards? I do not think that it will because, if we are going to get more females on boards then we have to encourage them. It is no good having a quota. We have to make sure that there is a range of people out there with the experience to do the job. It does not matter what it is.

I am told that an instruction has been given on NRM boards that 50 per cent of the board members have to be female. I have been told that, and I do not know whether or not it is correct. That is not what we were told in here when the measure went through parliament, so things have gone off the rails already. The minister should go out and say to people, 'Look, there are positions available.' However, some of these are elected positions, so we cannot say, 'Well, because you are a male you cannot stand.' That is a nonsense. A lot of company directorships are voted on by the shareholders. Are we going to say that the shareholders have to be

guided by some Sir Humphrey piece of legislation? Goodness gracious me!

Ms Breuer: We are 52 per cent of the population.

The Hon. G.M. GUNN: Well, get them to vote for you. The honourable member has again—

The DEPUTY SPEAKER: Order, the member for Giles is out of order!

The Hon. G.M. GUNN: There she goes: the honourable member has distinguished herself again. She wants people appointed on gender, not on merit. She says that women make up 52 per cent of the population. The member for Giles and her colleagues must be terrible salespeople. If they have 52 per cent, and they cannot win, there is something wrong with their argument. There is a hole in the floor that you are going to fall through.

Let us not have any more of this. Let us go out and say to the public, 'We want people to apply for these positions. If you are the right person for the position, you will get the job.' At the end of the day, the most important thing is that we have organisations that are managed and supervised by people who have the best will in the world and the talent to do the job, because we know what happens if they do not have those attributes. We have the experience of SGIC, where we had a system where people were employed, because they had to have a couple of retired members of parliament. Likewise with the State Bank. All those examples indicate that there is only one rule: you have to have the competence, the expertise and the desire. Nothing else is important.

I do not suppose the member for Giles would regard Margaret Thatcher as being an outstanding woman. It is interesting that these affirmative action people in America do not seem very happy with Condoleeza Rice, but she seems to be well accepted. She is a person of great talent. However, she does not belong to the girl's brigade, so she is not in the inner circle and they want to exclude her. Of course, there are other examples in relation to these particular matters. The next thing will be that the government will want to have quotas, and we know how foolish that would be. It has been an interesting debate. At the end of the day, I am afraid to say that I do not think that through this legislation we will see more women placed on government boards and committees. The government could do it itself: just look through the *Gazette*.

I am pleased to see the member for Reynell come into the chamber. I take it that she is a supporter of this legislation. I see she is talking to the member for Morialta. I do not know whether or not the member for Morialta is particularly pleased with my comments: she probably is not. However, I am sure that the member for Reynell would agree that people should be appointed only on merit, and that this bill is not necessary: it is tokenism. The member for Reynell certainly would not want to be promoted unless she had the ability to do the job.

Mr RAU (Enfield): I want to say a few words about this matter in this context: it is all very well to talk about the detail of this bill, which is obviously the matter before the parliament at the moment. Obviously, the parliament will consider the bill in committee shortly. However, we need to keep firmly in our minds that this bill—and legislation of this type—comes from a certain philosophical perspective. That philosophical perspective has been employed not just in Australia but in the United States, Great Britain and most of Europe and, members might be interested to know, it was pioneered in India. In fact, it was pioneered under the British Raj. When the Brits were in India, they found that one group of people were greatly disadvantaged in that society, and those people were what we might know as the untouchables. According to the Hindus, they are not in the Hindu show, but the untouchables nonetheless form a great mass of underprivileged people in India. The Brits developed a scheme back in the 1930s or 1940s, or perhaps in the 1920s, where these people became what they called 'scheduled castes'. That meant that they were given opportunities to have employment and other preferment under the British system then operating in India, which they otherwise, through a normal process of opportunity, would not otherwise have.

When India achieved self-government, the incoming government entrenched these provisions in its constitution to the point where the government was able to make preferential arrangements for people of a different caste, special caste, or scheduled caste, as they were called.

The reason why I am explaining this matter in some detail is to try to divert the house away from a strict focus on this provision and move us to a consideration of the principle. The principle, in its application to the underprivileged castes in India, is exactly the same principle that is being applied here. However, I hope, because no-one in this chamber, to the best of my knowledge, is Indian or Hindu and therefore does not have a personal interest in this matter, we might be able to see it a little more dispassionately. If we examine the record in India, where this type of measure has been in application for well over half a century, we see that it has not delivered what it was originally intended to deliver. There are many reasons for that, but I do not have the time—nor do I think in the context of this legislation it is appropriate—to go into those reasons.

Let us leave this legislation to the side for the moment, and I ask members at some stage to calmly reflect on the principle and to look at the international examples of where this principle has been applied not to women, not necessarily to people of different colour, but in India where it is something so different from our experience that hopefully we can see the principle without the emotion that is obviously attached to it in our culture when we talk about this subject. I urge members, if they are interested in seeing what 50 years of this does, to please have a look at what has happened there, because it would be very informative.

In a way, it is a shame that it is difficult in any Australian parliament, or perhaps in any parliament in the United Kingdom, Canada or the United States, for people to have a calm debate about these issues which start off with the principles and work through them to the end point.

Understandably, a great deal of emotion is attached to this, and that is something that needs to be respected on all sides. However, it is important to understand that people whose views differ strongly and genuinely on this issue have genuine views about it. I recall that, in the course of this debate (I will not pick on the member for Stuart's contribution, because that was perhaps a little more spicy than some of the others), the member for Heysen's contribution, I think, was heard in silence. Mr Deputy Speaker, your contribution did attract some looks of consternation and eyebrow knitting, but the fact is that I understand your view as one you genuinely hold. It should be possible for us to canvass those issues in a genuine way, and that should be respected.

As I said, this type of program is not unique to Australia, it is not unique to questions about gender and it is not even unique to questions about race. We need to consider whether this is the best methodology to achieve what I sincerely

believe everyone agrees is a laudable outcome. I am afraid we will not solve that one tonight, and this matter will move on as it will. I urge members, after this is all finished, to please go away and do their own research, and to pick on an example where this principle is employed in a way that does not personally touch them. I urge members to see how it is worked through and consider whether there are alternative methodologies—and I emphasise 'methodology' rather than 'objective'—to achieve what I think everyone agrees is a laudable objective. I certainly do.

I do not think that I can usefully contribute much more on this other than to again urge people to consider what the philosophical underpinning for all of this is and work it through. We need to be able to be calm and reflective about this. Hopefully, the rest of the debate will not involve people expressing views about other members' contributions that diminish that contribution and subject it to an element of ridicule. Whatever the view expressed by members on these things, I think we need to be tolerant and accept the sincerity of what is said—that said, I do accept that the member for Stuart might have added a few bons mots in there that perhaps were outside those parameters.

Mr SCALZI (Hartley): I say from the outset that I will support the bill because of its intent and because, in a way, it makes us vigilant of the fact that we have to consider our composition of boards, and it provides the opportunity to consider women for boards. It does not say that there must be so many women or so many men, but the criteria for selection state that we must consider an equal amount of women. It also makes me reflect on the comments of the former president of the Multicultural Community Council, Michael Schultz (who was also chair of the Ethnic Affairs Commission at one stage), and the many times he said that there were not enough people from non-English speaking backgrounds on boards. These people make up 30 per cent of the population, but they are not on 30 per cent of boards.

We could have all sorts of arguments. I understand that, in reality, in relation to higher positions and directorships and so on, women are still under-represented. We must bear in mind that that is the case. If we look at the natural distribution of talent, I think the good Lord—Allah, Jehovah, the Lord of Heaven; however you wish to relate—distributed equally amongst men and women, whether they be tall, short or whatever. As I said, the intent of this legislation is to make us vigilant in looking at the composition of positions in our society and, for those reasons, I support it.

The member for Enfield (and I would call him the wise man from the east tonight) said that the principle has not necessarily just applied to gender and, rather than saying that it has failed in some areas, perhaps we can learn how to better apply the principle and not be so strict and say that this is how it must be, but look at the intent. I remember that, when I first started teaching, women received only two-thirds of a man's wage, and no-one would agree with that—equal pay for equal work. That was not so long ago. But to say that things have always been on an equal basis and, indeed, that people from all walks of life and different backgrounds have been treated equally is to overlook the problems that we have experienced.

I believe this measure to be reasonable in that it makes us consider our position, it makes us reflect on gender balances in our society and it makes us look at lists that would have to include both men and women. It would be demeaning if decisions about board membership and any other occupations were not made on merit.

For example, I would be greatly offended if someone said, 'We need an Australian from Italian background to be a member of parliament, and that is why we vote for Joe Scalzi.' To me that would be offensive. I am privileged to be a bridge, but as an Australian from migrant background, I believe that I should be able to offer the community, regardless of the background they come from, the same service as any Australian member of parliament. I would say that a woman should be able to serve the community or their position as well as any man, but if they do not and they have not been selected on merit, as the member for Heysen has said, then we are not treating women equally.

The whole purpose of reform and promoting a better community and a better society should be based on promotion of merit, regardless of gender, background, religion, or any other cultural context. For this reason, I support the bill because the intent is to make us ensure that we give equal opportunity to women, but, ultimately, the decision will be and should be made on merit.

Ms THOMPSON (Reynell): I support the bill. In listening to the arguments which have been advanced so far, I was very impressed by the cogent case put forward by the member for Morialta, but saddened to hear that the arguments put forward by the member for Stuart are those that have been in his camp for about 30 years. I have been involved in this issue for about 30 years, so I am well familiar with these arguments, but I certainly look forward to the day when the member for Stuart turns in his grave as he discovers that the modest measures which I hope we will pass tonight or this week are being used to protect the interests of man and to ensure that there are men on a number of our government boards and committees.

Certainly, it is the experience of men in both Sweden and Iceland that the gender neutral but gender specific measures which have been introduced in those countries are now ensuring that men have a say on their public boards and committees, because once the fetters were taken off women, it has proven, particularly in Iceland, that the public actually prefers to trust women with the business of government than men. I think it has been quite some time now that Iceland has had a woman premier or prime minister and that nearly all the members of cabinet are women—and they are going quite well. I look forward to seeing that earth heave as the member for Stuart discovers that his interests are being protected by this bill. It is a very modest bill indeed, as the member for Morialta has indicated. It simply seeks to ensure that state government boards and committees are more representative of the broader South Australian community.

As has been mentioned previously, presently women make up 51 per cent of the state's population and 45 per cent of the state's work force—and that figure of 45 per cent has increased massively in the years that I have been involved. I used to make speeches about them only representing about 20 per cent of the work force, so my speeches have definitely changed, member for Stuart. However, women comprise only 35.58 per cent of the membership of South Australian government boards and committees. I will come a bit later to some of the reasons that that might be the case. In order to ensure that women are equally represented on government boards and committees and in key decision-making positions, appointments need to be based on merit, which is why this bill is so important, but again, we need to discuss the concept

of merit and how merit, like beauty, is often in the eye of the beholder.

One of my friends (who is now an extraordinarily successful consultant in private industry) started her career in Australia as an equal opportunity officer. At that time, there was much discussion about self-assessment and training programs. She was very opposed to the notion of self-assessment. Her rationale was that every morning she got onto the bus, looked around her and saw all these people who, no doubt, had pride in themselves and who stood in front of the mirror that morning, primped and pampered in accordance with their cultural customs, and decided in their assessment that they looked pretty good. My friend could not always agree with their self-assessment about what was attractive, presentable, smart, or anything else. I think that, in some cases, the view of merit is similar to these people on the bus.

People have different views of what is meritorious. What we need to do is to take the broadest possible definition of merit to give us the best quality outcomes from the board decisions. This bill is a mechanism for non-government entities to join with government to encourage the equal participation of men and women on key decision-making bodies. Government boards oversee an organisational facility and provide leadership. They should govern for the benefit of the community at large and are therefore accountable. Women represent a large number of the stakeholders of many boards and committees. Without representation, the views and perspectives of women will not be adequately canvassed. Decisions made without an understanding of how they may affect 51 per cent of the population are in danger of being poor decisions and not meritorious decisions. Women have an extensive range of skills, experience, opinions and networks to bring to the board table. Having more women at the board table can offer the opportunity to tap into an often ignored but rich pool of talented women to bring new voices, experiences and approaches to the decision making process, add depth to existing skills and bring the board closer to properly representing its stakeholders.

The life experiences of women and men can be quite different. I could provide many statistics that confirm what many of us know. Among other things, women live longer, earn less, are more likely to be single parents and spend more time on domestic duties than men. Women are more likely to take decisions about the day-to-day care of their children's health and educational needs and, certainly, they are the ones who do the day-to-day work to ensure that their children have the health and education services that they and their partner think appropriate.

In developing government policies and services, it is essential that we get it right. Women need to know that, when decisions are being made that affect their lives, those decisions are being made with an understanding of their perspectives and position within the community. Merit-based selection processes will still apply. However, the endorsement of this bill will provide increased opportunities for government to select suitably qualified and experienced candidates. The qualifications and experience may not be the same as that which might be possessed by other male members on the board, but this is to the benefit of the community in bringing much broader perspectives. Some may argue that this proposal devalues the appointment of women. For me it is simply a matter of looking at merit and remembering the member for Stuart turning in his grave in a few years—a number of years. I want to see the equality but not the member for Stuart turning in his grave.

Those who would argue that we must have merit are really saying that merit exists now and that women on merit cannot do better than 35 per cent. We know perfectly well that they can. There is no doubt in my mind that, presented with the requirement to consider women within their ranks, non-government entities will put forward a diverse and talented group of women for appointment. It is often that women are not immediately thought of by the nominators, as they operate in different spheres of influence within the organisation, and it has been interesting to see, as the member for Morialta pointed out, the way in which women in business are developing separate organisations.

I met some women at a twilight race meeting who pointed out that in their organisation the invitations for corporate hospitality went from the men and were normally responded to by the men. In discussing this with partners of the organisation, they discovered considerable reticence among the men to approach women in business for the normal sorts of corporate hospitality they might share with their male colleagues, clients or business partners. This organisation decided that it would be very beneficial to the firm to allow the women to make approaches to other women in business to enjoy some corporate hospitality and develop the networks, links and extra bits of information that arise in these circumstances. It is for this sort of reason that men are sometimes uncomfortable about promoting or approaching women in a situation which they fear could be misinterpreted. Most professional women would never misinterpret it in 100 years: we can tell the difference between a 'come on' and a professional encounter, I can assure you. However, some of the men do not have our confidence. It is for those reasons that they will not always first see the women in their organisation who might be suitable for nomination.

One of the other contributing factors is that Australia, the last I knew—and I have no reason to see any change—had the most gender segregated work force in the whole OECD. In Australia, women do not do jobs to the same extent that women do in many other developed countries. Many developing countries are taking the same view as the Thai government; that is, we cannot afford to waste the talent of our people by overlooking women. I heard a story from a senior identity in this town who has a huge corporate responsibility. Upon meeting a peer from Thailand, he was told words to the effect, 'We cannot afford to waste our talent. We are surprised at the way you can overlook the talent of your women. You are such a rich community that you can have the luxury of overlooking the talent of your women.' Well, we cannot. We need to engage all the talent in our community to push forward.

In terms of people who are thought of in relation to suitable nomination for position, I go back in time to the days when Bob Gregory was the minister for labour. He was under a fair bit of pressure from the Bannon cabinet, I think—it might have been the Arnold cabinet at the time—because the representation of women on boards associated with the department of labour was awful—abysmal would be another way of describing it. Well, the position came up for chair of the construction industry long service leave board and he had the opportunity to appoint the chair. He called me in and said, 'Do you know anything about counting?' I said, 'My arts degree is actually an economics degree in disguise. I just couldn't bear to do another year of part-time work to get an economics degree instead of an arts degree. I do have

reasonable qualifications in this area.' He said, 'Right, you're it.' He reported to me a while later that he had succeeded in one important thing: the employer and union members of the board were totally unanimous in their opposition to this little white slip of a female bureaucrat being appointed chair of the construction industry long service leave board. At the time of the first meeting, I had one of the worst attacks of flu I have ever had in my life. I took so many tablets I probably shook if I moved. I had to focus every ounce of my being on doing a good job in that meeting.

At the next meeting I came back much more relaxed and not feeling sick that day. There was a bit of a shuffle and carry on from some of the members and, finally, one of the employer reps cleared his throat and said, 'Madam chair, we just want you to know that we were all very suspicious when you were appointed to this board. But we have all agreed that, in fact, the last meeting was the best meeting any of us can ever remember, and we will be very happy to work with you in the future.'

In fact, we did work very constructively as a board. I had considerable input into all the decisions of the board. I got involved in some very heavy investment decisions. There were no problems with either my ability or my merit after people got over the initial shock. I am sure that story can be replicated a thousandfold if people can get over the initial shock.

The example I mentioned earlier about women in business and large firms finding it necessary to make connections is replicated, for instance, with respect to the Southern Success Business Enterprise Centre. Despite the fact that that organisation had a woman (Amanda Wood) as one of its founding members, it still found it necessary to establish a women's group to enable the women to cooperate and network in an environment in which they felt the most comfortable. I think that the men also found it good, because they were interested in taking part in some of the professional sessions that the women were interested in having. But those women also have merit. The fact that they meet in different networks means that sometimes they will not be thought of unless there is a bit of a prod and a poke to remind people to look further for suitable nominees to boards and committees.

This is what will happen as a result of the legislation with which we are dealing tonight—the very modest legislation. I mentioned that we have only about 35 per cent—and, at one stage, the member for Morialta said, I think, 31 per cent—of women members on boards and committees despite action for sometime. Certainly, I give credit to the actions of the Hon. Diana Laidlaw, who was very persistent in her efforts to ensure that women's voices were heard in decision making and advisory processes. Already tonight I have indicated the efforts made by previous Labor governments which put Bob Gregory under such pressure.

Nevertheless, we are stuck at around one-third. One reason why we need to take formal action tonight in terms of legislation is that there has been quite a bit of academic research—led by the late Dr Claire Burton—about the barriers that seem to occur when women comprise one-third of bodies in which they were not traditionally participating. Somehow, after they get over the initial shock, the traditional power holders seem to cope with women up to about one-third of their numbers. Once they start to move past that group, they get really uncomfortable.

They start forgetting about women, or they start thinking, 'We have done that already', or, 'We do not need to do it.' There is always a story, such as, 'We had a woman once and she didn't quite understand what was going on.' When one presses further into that, one finds that it was probably about 30 years ago and the woman really was a token. We are not talking about tokens: we are talking about asking organisations that submit names for government boards and committees to look more carefully, with a better open mind, with a better understanding of the role of the particular body which is involved in the particular decision, to see who it really affects and whether they really have all the expertise on that board or committee that they need to make genuinely participative decisions.

This bill does not provide for punitive action. It is a mild legal stick to accompany the obvious carrot of enhanced and inclusive decision making. Certainly, I recall being involved in the Affirmative Action Pilot programs during the mid 1980s when, meeting after meeting, many business organisations told us how their eyes had now been opened by the persuasive arguments that had been put before them in the course of the Affirmative Action Pilot Program, and that they really knew now and quite understood that it was important for them to support women and their advancement in their organisations if they were going to be competitive in business; and that there was in fact no need for legislation because, clearly, it was a business imperative that women be involved.

Well, 20 years later we still see that, as the member for Morialta said, very few women are in the senior ranks of business and on the boards in this country despite some spectacular success stories, such as Janet Holmes à Court. It is necessary to use the power of the parliament to give a very clear message to the community that, unfortunately, they do not always make meritorious decisions themselves and that they must think again about the issue of merit.

In short, the endorsement of this bill will benefit the government, private, non-government and community sectors in ensuring that the State of South Australia is more accountable, transparent and committed to equality. As I look behind me I see an important tapestry, which says, 'A woman's place is in the house'. Well, it is; and a woman's place is also in the boardrooms and senior executive groups of every business in this country, and particularly in this state. We need to find the competitive edge in South Australia.

One competitive edge is using the full talents of our whole population. The life experience, talents, skills and merit of our women in the community must be fully taken into account.

Mr WILLIAMS (MacKillop): I must say that I agree with the words just expressed by the member for Reynell: that we need to develop an edge in this state and we will do that by using the talents available to us. I agree wholeheartedly. Where I fail to agree with members of the government is that I do not automatically accept that by picking 50 per cent female and 50 per cent male every time you appoint a board you will necessarily get those best talents. That is where we differ, and over the next 10 minutes or so I will try to make the case against this piece of legislation. I believe that this legislation, like a lot of things we have seen coming out of the current government of South Australia, is designed all around spin. It is designed to get a headline in the daily press and to try to capture the moral high ground on an issue that is important to probably 50 per cent of the population, although I doubt it.

I think there is a whole sea of women out there who do not give a fig about this. There is a whole sea of women out there

who are more than happy to rely on their talents. I will come back to that, because I have had some personal experience with women who would fit that category. South Australia was almost the first place in the world to give universal franchise for its parliament. We were just pipped at the post. In 1894, well over 100 years ago now, South Australia gave universal franchise to women, and it was a bold step forward, particularly in the context of those days. It took a long time before the first female was elected to this parliament.

In fact, it was not until 1959 that Joyce Steele and Jessie Cooper were elected to this parliament: Joyce Steele the first female to sit in this chamber and Jessie Cooper the first female to sit in the other place. Both were elected in 1959. The Labor Party, as I said, is trying to take the moral high ground here, but it is worth noting that both those females represented the Liberal Party. The Liberal Party also returned the first federal politician from South Australia to become Dame (but at the time Senator) Nancy Buttfield, in 1955, which was even before Joyce Steele and Jessie Cooper were elected to this parliament. Again, she was representing the Liberal Party. The Liberal Party has a long and strong tradition of supporting women.

The difference between the way we support women and the way that this legislation would support women is that we support women recognising their talents and recognising their merits for the job they will be appointed to. That is the difference. And there is a big difference between the way we approach this issue and the way the government would seek to approach it. In her second reading explanation to this bill, the minister noted that 51 per cent of the population are female; 45 per cent of the work force are female; and 32 per cent of members of government boards and committees are female.

To be quite honest, when we look at the rate of change since 1894 (when it took till 1959 for women to be elected to this parliament) and at the fact that we have just gone less than another 50 years and we have already hit 32 per cent of female representation on government boards and committees, I would argue that that representation of women on those boards and committees has largely been achieved in recent years; probably in the last 10 or 15 years. I think that this piece of legislation is totally unnecessary and that if we allow the evolution that has been going on now for well over 100 years in South Australia of women taking their rightful place around the decision-making tables and chambers of this state, we will indeed achieve at least 50 per cent representation within a very short time.

I would hate to think that we were undermining the cause of women in our society by setting these sorts of benchmarks. Women will no longer be able to be confident that they have been appointed to a position because they are the right person for the job. If this legislation is successful, no longer will any woman who is appointed to a board or committee under the government of South Australia have 100 per cent confidence that she was appointed for the right reason. Irrespective of her capability, there will always be a shadow of doubt that she was appointed because of the tokenism reflected in this legislation. I have far too much respect for the female portion of our population to visit that upon them. I would never argue that men and women are the same. God forbid!

The SPEAKER: You did.

Mr WILLIAMS: No, I did not. I am arguing that men and women have skills to enable them to do various tasks, albeit not necessarily the same tasks. There are some tasks that I believe, and my experience has taught me, that women are far more attuned to doing than men. Likewise, there are some tasks that I believe that men are better at undertaking than women. That does not mean that we should at the end of the day appoint so many men and so many women. The boards and committees that reflect the undertakings of the state government of South Australia cover a vast array of functions.

I think that if we allow the evolutionary process to run its normal course we will find that the right people are appointed to the right positions, and we will get the right outcomes—the outcomes that the member for Reynell wishes that we would achieve. It was the member for Giles' contribution that caused me to take the decision to contribute to this debate. She said that if we did not support this we would be traitors to our daughters. I am offended by that remark. I have two daughters, both of them work in jobs which, arguably, 20 years ago neither of them would have succeeded in, particularly in the case of one of them who has been in the work force for some eight years, who works as a professional in the mining industry and has spent eight years working in outback Western Australia in the mining industry. She has never indicated to me that her gender has been a problem. She has never had a problem finding a position. In fact, it absolutely astounds me where she has managed to get herself in a relatively short period of time, and she tells me that regularly, almost on a weekly basis, she is head-hunted by other companies seeking her particular skills. Her skills have nothing to do with her gender. Her skills are about her ability to do the job, which she has trained herself to do, and she obviously does it very well.

My other daughter has been in the work force for only a little over 12 months and she works in the wine industry. Again, she has experienced no difficulty in finding a position. She is working overseas now, and will be working in various countries over the next couple of years refining her talents and skills in that industry. Again, she has never suggested to me that there is any glass ceiling or any discrimination against her because she is female. I think the reality of the situation is that those women who go into a particular job or face a particular task, and set their mind to the task at hand, and concentrate on that rather than looking over their shoulder and seeing whether they are being treated as a man or a woman, those who go about the task at hand invariably succeed. That has been my experience. I think it would be shameful to put the burden on the women in the future of this state that they could never be confident that they had achieved a position based on their talent rather than on some piece of legislation, which was at the very best trying to achieve a headline in the daily paper, and at the worst to be tokenistic.

Mr BRINDAL (Unley): I find it a privilege to follow the member for MacKillop, especially since he holds an electorate named for a very venerable woman who may indeed become a saint ere long. I listened to the debate carefully upstairs and I could have sworn that my colleague, the shadow minister in this matter, said that the Liberal Party supported this measure. However, I have listened to the debate, and I have listened to earnest contributions from many of my colleagues, and I am sure, for the member for Morialta's benefit, that in years to come when people read *Hansard* they will find this a curious happenstance for the Liberal Party to be supporting something, given some of the contributions that have been made. However, be that as it

may, as the Prime Minister is apt to remind us all, the Liberal Party is a very broad church and encompasses many views.

I will be supporting this measure wholeheartedly because I think that it is an important measure. That is not to acknowledge that the points that some of my colleagues have made should at least cause us to think and to reflect. I was prompted to come down here, like the member for MacKillop, because I heard him say something that I think we need to bear in mind in relation to any legislation that we pass. We can pass legislation in this place but we cannot compel a change in the public attitude, and there is a danger in passing this legislation that we will think that we have done all that needs to be done in the matter of gender equality. That simply is not correct.

The member for MacKillop was talking about this chamber being one of the first chambers to pass into law the right of women to vote, and that is true, but I like to tell school kids that we often do all of the right things for all the wrong reasons. I tell them the story that when women gained the vote in South Australia it involved a prolonged and very vigorous campaign which women were losing until a man approached the then premier, Charles Cameron Kingston in the street and said, 'Where do you stand on the right of women to vote, Mr Kingston?' He said, 'Stuff and nonsense. They should be at the home tied to the sink,' and all the traditional male attitudes. The man talking to Mr Kingston said, 'I'm surprised you've got that attitude,' and Mr Kingston said, 'Why?' and he said, 'Because, Mr Kingston, you are a very good looking man and if women were to get the vote you would probably be premier of South Australia for a very long time.' It is a matter of public record that Mr Kingston subsequently changed his view on whether women should get the vote and it followed a populist wave that saw that they got it. I say to children that this often proves that we do all the right things for all the wrong reasons.

Mr Scalzi: Is that why they moved the statue?

Mr BRINDAL: I don't know why they moved the statue, member for Hartley. Can I also add, and the Speaker would be aware of this, that there was a gentleman, Mr Cudmore I think his name was, in the upper house, who was so incensed by this ridiculous proposition that women should get the vote that he decided to stop it in its tracks by proposing the most outrageous of all propositions: that a woman should be able to sit in this place. So, he proposed what he thought everyone would consider to be the most ridiculous amendment he could think of: that women should sit in the chambers of this parliament. By the time it went to the upper house, it was on such a roll that people said, 'That's all right. We'll accept that, too. Put it in, and pass that legislation.' Again, for all the wrong reasons, we passed the right measure.

I say to the minister and the shadow minister that we cannot rest on these laurels, because, like that legislation, as the member for MacKillop said, it was some 60 years before the first woman was able to be elected to this parliament. There were women who ran prior to that time, but they were never elected. While the legislature had decided that women could be members of parliament, obviously the public of South Australia were not ready for it. So, I do—

The SPEAKER: And more than half of them were women.

Mr BRINDAL: As the Speaker points out, more than half of them were women. So, it is not as though men voted for women not to be in this place: women themselves in those times often considered that other women should not be in the place. It is a matter of the sociology of the time. I know I should not respond to your interjections, sir, but I found that interjection quite an interesting one. Therefore, I will be supporting the shadow minister. I would not dare do otherwise: she would rip us limb from limb in the party room.

The Hon. S.W. Key: Excellent.

Mr BRINDAL: I think that both sides of the house realise what a woman with a cause, especially—

Mr Scalzi: Did you vote out of fear?

Mr BRINDAL: Partly out of fear: the member has not seen the member for Morialta when she is on a roll.

Mr Scalzi: I did it out of respect.

Mr BRINDAL: Well, we all have our own motives, and we often do. I commend this bill to the house, because I think it is a step in the right direction. But we would be remiss in this chamber if we thought that of itself it would solve anything. We have to work on education, and we have to work on the next generation of our young. In deference to the member for MacKillop, I do not think he was right. I know the member comes from a rural electorate, not Adelaide, but he said that he has not experienced—and he does not think his daughters have experienced—the glass ceiling. I am sure the minister and the shadow minister know that many women in South Australia still experience the glass ceiling on many occasions.

There are many attitudes and many values that need to change and change they will, but slowly. Probably, as we age and the next generation comes along, hopefully they will be better. They are not issues just for the equality of women: they are issues for people who are disadvantaged, sometimes for their class, their race, their sexuality or their gender. Inequality and injustice is not just a fact for women: it is a fact for many in our society. This chamber in this legislation seeks to help a group, that is, women. It seeks to get better gender representation, and thereby help the state to be better governed and to not ignore the 50 per cent of the intellectual quality of the people of South Australia.

I do not want to buy an argument. I am sure the member for Morialta will jump up and say, 'No, women possess more than 50 per cent of the intelligence.' But we will claim as men to having 50 per cent of the intelligence. So, we cannot afford to ignore that intelligence which women possess. This measure tries to address those issues. I do not think on its own, we can compel anything. I go back to the fact that it needs education; it needs the sympathetic voice of all members of this parliament; and it needs a change in attitude of the people of our state. However, as it is an example of the parliament trying to lead and setting in place a good measure from which we can take some heart, I, and I hope all of my colleagues, despite their misgivings, will support this measure.

The Hon. S.W. KEY (Minister for the Status of Women): I thank the member for Morialta, in particular, for her informed contribution to this debate. I also thank the members for Fisher, Heysen, Giles, Stuart, Enfield, Hartley, Reynell, MacKillop and Unley for contributing to the debate. I also acknowledge the previous minister for women, the Hon. Diana Laidlaw.

This bill seeks to establish a legislative requirement to provide for a balanced contribution to government policy and decision making through the increased representation of women on boards and committees, unlike what has been referred to in a number of the contributions. We know that many women are already leaders within our community, although they often go unrecognised. By ensuring that

women take their place on decision-making bodies, we are building social capital, while giving women the recognition they richly deserve.

As at 1 January this year, women held 35.58 per cent of positions on government boards and committees. In order to increase this figure and reach the target, the government is asking the community, industry and professional bodies to look at the many qualified women as potential candidates to represent their and their clients' and members' interests on government boards and committees. I also make that request to members in this house, particularly the members who have spoken. They would know that there are a lot of talented women whose names it would be important to have on a register. So, I ask members in this chamber—and certainly the members who have spoken in this debate—to consider their contribution in ensuring that the names of women from their electorates, as well as their CVs, are made available at the Office for Women. That would contribute greatly to making sure that we have the balance we are trying to achieve.

In order to assist, the Premier's Council for Women and the Office for Women propose to work with ministers and government agencies to identify any imbalances in the representation of women on boards in specific portfolios and develop strategies to increase the quality, quantity and diversity of the pool available for board appointment. Ministers will endeavour to achieve an overall gender balance on the boards and committees for which they have responsibility.

The response to this policy proposal on the part of our government has been very positive. Not only has it been very positive on the part all cabinet members but it has also been very well received out in the community. However, it is recognised that there are some rare circumstances where there may be a predominance of one gender that may have the necessary skills and qualifications for appointment to a board or committee. In these instances, it may be that individual boards will not have to have equal gender representation. This is consistent with the policy of overall equal representation across government.

I would like to reassure those members who made the wild claims they did that this is not what we are seeking to do. We expect that both government and non-government organisations and agencies will make a genuine effort to improve the representation of women on boards and committees by nominating equal numbers of men and women wherever possible. I guess this is the important point. We are talking about the supply of people who could possibly be nominated. As a government, we believe we need to make sure that we develop and deliver the right policies and services to the South Australian community. Women's experience will enhance and strengthen the decisions made by our government boards and committees. It will add value to the wonderful work that is already being undertaken, whatever the gender or ethnic background or religious views of the many community members who currently sit on boards and committees. I understand and support the point that was made by the member for Hartley when he talked about the need to make sure that we have people from different backgrounds as well as both men and women on the different boards and committees. We also need to make sure that the first Australians—our indigenous Australians—are represented. This is just the start of trying to achieve that recommendation.

I would like to take this opportunity to particularly thank the Office for Women, Premier and Cabinet, and the Premier's Council for Women for the work they have done to ensure that not only do we have this legislation and policy but that we also have a register where talented women in South Australia are able to be identified, and that is being matched up with their many areas of specialty. There has been quite a concerted effort, particularly over the last three years, but also in the work that I have inherited from the Hon. Diana Laidlaw, to ensure that we reach this stage.

Like the member for Heysen, I have been the first woman to do many things and to hold many positions, so I understand her position and, to a certain extent, I have some sympathy for her argument. But, unfortunately, the member for Heysen's argument is somewhat inconsistent. She purports to, I think, fiercely support liberal philosophy (and small 'l' liberal at that), but I do wonder about some of the inconsistencies in her argument. One of the questions I would like to ask her is why she obviously supports the Country Women's Association, for example, when she has constantly argued in this place that women's only organisations are unnecessary and she does not see why they should receive support. I noticed that the member for Heysen decided to put an advertisement in the last bulletin of the Country Women's Association. So, I really wonder about her consistency of argument, having listened to it over the past three years. I have tremendous respect for the member for Heysen, because I think she has very many progressive views, but this is one matter where I guess we will have to agree to disagree, because I think that, from her own contribution tonight, she has identified the discrimination that many talented women (and she is certainly one of those) have suffered just on the basis of being a woman.

I come from the trade union movement and also the Labor movement. I think that, if we in our party and in our trade unions can change the number of women in leadership positions over the past 10 or 15 years, it is possible for just about any organisation, including parliament and the committees and boards with respect to which we have been looking to try to change the representation. I think I come to this argument with a certain amount of experience and also success in trying to make sure that women in South Australia are recognised. I urge members in this chamber to really think about the fabulous women we have in South Australia with talents and contributions that really do need to be met.

Bill read a second time.

The SPEAKER: Before the house proceeds into committee, may I make just the slightest contribution to the deliberations that honourable members are, indeed, bearing in mind as they contemplate each of the clauses and what they may mean. To my mind, as a consequence of the push to ensure a greater measure of balance between male and female people involved in public office and in private endeavour in positions of responsibility of a variety of kinds, the efforts so made have become confused and, in consequence, have driven the manner in which we deliver education as well as services in society in ways that have had serious detrimental consequences for ourselves. The worst consequence is the rapid escalation in the male suicide rate, especially amongst young and adolescent men.

The other point of note in my judgment is that the numbers of adolescent males successfully completing matriculation has, as a proportion of the whole, continued to decline during the last two decades, at the same time as the number of women who have been recruited to teaching through the processes of affirmative action of the Education

Department's administration has increased. To my mind, something is amiss in the education system which has failed that approximate half of the population, regardless of their sexual proclivities, who happen to be male. It is about time that the drive to do things which suit the feminist model is set aside in favour of a drive to do things which suit human beings in the development of their intellectual capacities and professional skills, recognising that sexuality does have an effect upon the rate of development to responsible adulthood, where females most certainly develop at a faster rate than males (on the average) but, nonetheless, the processes and proposition of the curriculum manufacturers or drivers (call them what you will) have lost the plot, in that they have ignored the programs which are necessary to enable adolescent males to be included to the extent necessary to avoid those personality problems and mental illnesses which have arisen in consequence of it. Without wanting to offend anyone, may I choose the expression it 'wees me away' to see no effort being made by those in authority in the education system to address that problem—and it is a major problem, and it is wasting so many young male lives in consequence, in no small measure and no less a waste than the waste that has occurred in female lives at earlier times in our social development.

It has only been possible during recent history of humanity for us to do away with (as Napoleon's General Chauvin said) specialised roles of human beings according to the constraints of their plumbing, because, at earlier times, everything was far more primitive, including our knowledge of medical science, anatomy and biological sciences as they relate to sexuality, and prevented us from doing in those times what we can now do. It was simply not known as to how we could cope and provide, without appearing to make the effort to do so, the circumstance in which personal hygiene could be dealt with without its being a problem to anyone anywhere at any time. That is very recent. It is equally unfortunate, in my judgment, to have to contemplate that any one group in society should be given, as it were, favours over another group in a fashion which determines the way we proceed. That is against the notion in my head of equal opportunity for all. We need to provide equal opportunity, recognising difference and accepting and acknowledging it as part of the state of nature and not allowing it to cause us to discriminate one way or the other. As I say often in jest, but indeed always with some measure of sincerity in it, notwithstanding the views which some strident chauvinistic men have, as much as there are feminists having alternative and opposite views, what about the rest of us who do not see sexuality and cannot experience sexuality in the same way, as those who are clearly male or female can and do enjoy, when they choose to do so, the prospect of parenthood? Too often that small number left in the middle is ignored, and that is even more regrettable than the historical evidence that supports the necessity of what appears to be commonsense for the legislation we have before us this evening. I thank the house for its attention to my considered opinions.

In committee.

Clauses 1 to 3 passed.

Clause 4.

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

Page 3, after line 14—

New section 36A—after subsection (3) insert:

(3a) This section does not derogate from the need to properly assess merit in selecting persons for appointment.

This amendment gives some acknowledgment to the principle of merit. It does not detract from the ultimate intention of the bill, which is to try to get a more even balance in respect of men and women on boards. It restates the principle, which is very important, that when selecting men or women we also take into account merit. One can argue about the definition but I think criteria can be applied. I understand that the minister will be accepting this amendment and I thank the opposition, also.

The Hon. S.W. KEY: I acknowledge the contributions of the members for Fisher and Morialta in addressing this matter. This amendment is acceptable to the government, but it reminds me of a quote from Senator Amanda Vanstone when she was questioned about merit by a senior member of the commonwealth Public Service. This particular public servant wanted to know about her appointment of a woman to a very high standing committee. Senator Amanda Vanstone was quoted as saying that she always assessed the suitability of people she supported to put forward for committees and boards; she was not so sure about the word 'merit' but she ensured that the people she nominated were appropriate for the committees and boards for which she had responsibility—and, obviously, that she put forward in federal cabinet. But she did ask the public servant, if he was so keen on merit, how it was that he had his job.

Mrs HALL: I contribute in a small way on the basis that the Liberal Party supports the amendment. A number of my colleagues have made the suggestion that it does not make all that much difference. Each of us has a different view on a definition of merit. Each of us would certainly have argued about it inside our respective party rooms over the years.

I want to take the opportunity to say a few words before we finish this bill. I think it was the member for Enfield who said that we all can probably agree on an objective: it is just the different methodologies that perhaps we get hung up on. From the Liberal Party's perspective, we probably have a different philosophical position as to how to get there, but the principles of equal opportunity have been very dear to our party, perhaps with a different emphasis from some people inside our party. As the Prime Minister often says, the Liberal Party is a broad church and I suspect we have not heard all the width of that definition of 'broad church' tonight—and I have to say I am quite grateful for that.

I think it is important to say that the major parties in this country have a different view about how to achieve a same objective. The Liberal Party does not support quotas and it does not support affirmative action per se in this issue of gender balance. However, it is the cause of much frustration with many of our members and there is no doubt that many of us still have the goal of 50 per cent. How we get there is a different issue.

I take issue with some of the remarks expressed by some of my colleagues. I happen to believe a glass ceiling does exist. I sometimes do not think that glass is very clear. Sometimes it is very frosted, sometimes it is just opaque, sometimes it has been painted black and sometimes there are occasions when some of us would like to stick a boot right through it and put a big smash right through the centre—and I am sure that will happen in the future. However, I believe we have a proud record. Our objectives are very similar in terms of the principles of equal opportunity.

I think it is sad that we have to be debating this bill in 2005. I am conscious of the time, but before I conclude my remarks, because we have been concentrating on merit so much, I want to use figures contained in the Women in South

Australia statistical profile. Given that the people with legal qualifications seem to have a lot of influence in what finally comes out of both houses of this parliament, I think that profile demonstrates to me that we still have a long way to go—and perhaps this bill might do something about changing attitudes and cultures. It is interesting that, within the South Australian judiciary, in the Supreme Court we have one female justice and 16 males; in the District Court, we have 19 male judges and two female judges; and in the Magistrates Court, we have 28 male magistrates and six women. I think of all the statistics I could quote that says to me that, sadly, this is a bill that, I hope, does a lot more than the words that have been printed on the paper. I hope it goes a lot further in terms of cultural attitudes that need to be changed across the board, probably in both parties, certainly in the legal system and the justice system, and certainly in the private sector.

Mr Koutsantonis interjecting:

Mrs HALL: We are talking about South Australia. I did my bit earlier. Before we get the member for West Torrens too excited and about to participate in the debate, I support the amendment and wish the minister speedy passage of the bill.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments.

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I move:

That this bill be now read a third time.

I would like to thank the house for passing this bill. For the record, at this time women make up 52 per cent of the South Australian population. The figure—and, in this respect we must all aspire to do better—with respect to women within cabinet and on committees and boards is 35.58 per cent. Our task will be very difficult but, I believe, it is one that we are up to.

Bill read a third time and passed.

PARLIAMENTARY COMMITTEES (PUBLIC WORKS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 October. Page 390.)

The Hon. W.A. MATTHEW (Bright): I rise as the lead opposition speaker to this bill. I indicate that the opposition is prepared to consider supporting the bill if amendments that we will put forward during committee are accepted. Obviously, I will detail those amendments during committee, but I will allude to them during my second reading contribution. This bill amends the Parliamentary Committees Act 1991. I am sure that as a former chair of the Public Works Committee, Mr Speaker, you will find particularly interesting the fact that the bill deletes the definition of 'a public work' and amends the referral threshold for projects which are required to be investigated by the Public Works Committee.

As members would be aware, at present a matter is referred to the Public Works Committee if the amount defined for that public work is $4 million or above. The government proposes to lift that amount from $4 million to $10 million, which means that many projects that presently are within scope for referral to that committee will not be referred automatically to it but will be considered only where the membership of that committee moves and agrees that that work will be open to investigation.

That is of particular concern to the opposition. We see that portion of the bill as a watering down of the responsibility of the Public Works Committee, and effectively a watering down of the accountability process. The government claims in its defence that the purpose of this bill is to give effect to a recommendation of the Economic Development Board, which claims to focus on improving government efficiency and effectiveness. The government also claims that accountability will be improved through the inclusion of major information and communications technology projects for examination by the Public Works Committee.

As someone who came to parliament from the information technology industry, I agree that two decades ago there were projects of a technological nature but, certainly, their cost was nowhere near the magnitude of the cost and significance of information technology projects today. The opposition would agree that, as such projects represent a significant source of government expenditure, it is fair, reasonable and appropriate for there to be scrutiny by the parliament through its Public Works Committee for there is no doubt that such computing projects are often not only of significant cost but also carry significantly higher risk than they did two decades ago.

Also, there are provisions in this bill for scrutiny of public private partnerships and other similar arrangements that result in significant construction, and the opposition is supportive of that scrutiny occurring. Provision has also been allowed for consideration of projects that, for want of a better explanation, could be defined as those projects which have fallen through the cracks (against the current definition of a public work) but for which scrutiny is considered appropriate. The bill also proposes that the government must make available information about proposed public works to facilitate self-referral by the Public Works Committee; and that further, under this bill, a work can be declared as being in scope for the Public Works Committee by proclamation.

The opposition is very supportive of the majority of those things. We believe that they are improvements that will increase the accountability of government expenditure to the parliament through the auspices of the Public Works Committee. However, we remain particularly concerned that any attempt to increase the threshold for mandatory referral to the Public Works Committee from $4 million to $10 million, regardless of the other good things the bill does, reduces the accountability of government in its capital works projects to the parliament through this committee.

I am therefore instructed by my party that, should our amendment to delete that change in threshold from this bill be unsuccessful, and despite the other good things in the bill, we would have no choice but to oppose the bill outright. The bill contains a means to increase the value of the threshold over time, in line with an appropriate index, and that appropriate index may be defined as the CPI. It is reasonable that, over time, the $4 million limit will increase. Indeed, I was the minister at the time that the $4 million threshold was set, and it was done for very good reasons. It often occurred that the Public Works Committee believed that capital works of a lower value ought also be included for scrutiny, but the important criterion for mandatory referral was public works over $4 million.

Government officials have agreed with my calculation that, in fact, if we applied CPI from 1996 to the present day, the $4 million would become $5.7 million, so the government is leaping ahead significantly of those referrals that occurred in 1996. It is to be remembered that that occurs against a background of a government that claims to be accountable

and responsible and, in fact, came into government on the mantra of its being more accountable and responsible. Indeed, sir, it attracted your support to get into government on that very mantra, yet it now seeks to water it down by this measure. I am sure that you will give it appropriate consideration as it is debated further in committee.

The bill clarifies that any taxes or charges on the work, normally refunded to government, are not included in the calculation of the financial threshold. Of course, it is only appropriate that they should not. It also clarifies that only public and not private funds are included in such a calculation and clarifies the term 'actual construction', and I agree with government assessment that that term is fairly ambiguous in the present act. There is a provision to exclude certain works of a common or repetitive nature, but only provided the exclusion has the agreement of not only the minister but, importantly, the Public Works Committee. We are comfortable with that, because the power is vested in the Public Works Committee to make that exclusion, if it deems it appropriate.

The bill also contains provisions which the government claims will improve efficiency by allowing works to proceed prior to the committee's final report. This concession can occur only with the agreement of the Public Works Committee. Certainly, I believe that you, Mr Speaker, would argue, quite validly, that, while your time as chair of the Public Works Committee was colourful at times (as was the very nature of your chairmanship of various proceedings, and I know that you do not shy away from that), I am sure that you would argue that the process was a relatively efficient one and that, in most cases, reasonable and properly justified public works followed the due accountability process and expected due diligence. All the tendering processes occurred in accordance with expectations and with Treasurer's and Audit guidelines, and public works were not delayed through the committee; indeed, they passed through fairly rapidly. I would argue that the Public Works Committee process, when sensibly chaired and applied, certainly improves the accountability and efficiency of government and can often improve public works.

Importantly, the committee has the ability to hold public servants to account. At times, ministers may not have had the control over public works that, in my view, they ought, and the committee can then act as a further checking mechanism. I am not so sure that it is necessary for the committee to have the power to allow works to proceed prior to its final report, but I am comfortable with its having that power, if it is exercised sensibly. It certainly does not detract from the process, and I believe that it does not matter one way or the other whether that clause is there and, certainly, the opposition will not hang out on it. I also note an amendment to the South Australian Ports (Disposal and Maritime Assets) Act 2000 to ensure that this measure remains consistent with the Public Works referral criteria in the Parliamentary Committees Act 1991. Again, we are comfortable with that change. My colleague the member for Waite has some amendments he wishes to propose, and I will not steal his thunder but will leave him to detail those.

At this juncture, I simply implore members to consider carefully the ramifications of lifting the threshold from $4 million to $10 million. I remind members that the $4 million threshold was set in 1996 after careful analysis, and I know that because I was the minister at the time. I argue that, with CPI applied, that $4 million would be only $5.7 million. I also remind the house that the Public Works Committee has not had an arduous time. The Liberal Party members of the committee advise me that it could do a lot more work if the work were there. I see little sense in reducing the workload of a committee that its members would argue could be increased anyway.

I am not aware of a single government project that has been held up by the Public Works Committee. If that has occurred, I welcome another member's volunteering that information to the chamber. Indeed, in the interests of sound debate, it is important that such information be volunteered. Try as I may, I have not been able to find a public work that has been delayed and, certainly, my very capable colleagues on the committee, the members for Unley and Schubert, advise me that they believe that the committee could undertake a lot more work. Such is the modesty of the member for Schubert that he has indicated to me that, at times, he feels embarrassed that he is paid extra to sit on the committee because there is not enough work.

He assures me that he and my colleague the member for Unley are asking for more public works to be placed in that committee. With that in mind, it does not seem sensible to further reduce the workload of that committee. I ask members to focus on how many capital works are on the books that are presently below $4 million, let alone below $10 million. $10 million has to eliminate virtually every primary school from Public Works consideration. Imagine the ramifications of that. You Mr Speaker, I know, during your time as chair often found it necessary to point out to bureaucrats and to ministers that there were improvement that could occur and there were things you were not satisfied with, with a school that was being built.

Those projects will not undergo any scrutiny unless a member of the Public Works Committee actually trips them up and brings them forward. I put to the house that those projects ought mandatorily to be referred to the committee for proper consideration. By all means let us have a sensible threshold, but a sensible threshold is not $10 million. I know that the government in its defence argues that this was a recommendation of the Economic Development Board, capably chaired, it would argue, by noted and respected South Australian (a man for whom I have a great deal of respect and admiration), Robert Champion de Crespigny. But the fact is that I am not so sure that when that committee made its recommendation it very closely examined just what was happening with Public Works.

It is all very well to say that it would improve efficiency if the threshold is lifted, but if no projects are being delayed there is really no argument. The opposition would advocate that, in the absence of a further proposal for government, it withdraw the clause lifting that threshold. If the government withdraws the clause lifting that threshold, we will happily support the passage of the bill. If the government insists on that clause then, regrettably, we would have no choice, regardless of the other good things in the bill, but to oppose it outright.

Mr HAMILTON-SMITH (Waite): I support the bill, with the condition outlined by my colleague the member for Bright that the overall limit be retained at $4 million. The bill has particular relevance to infrastructure, and it is infrastructure that has been, shall I say, somewhat of a non-event in the first three years of this government's first term in office. Nearly all the major infrastructure projects that we have seen commissioned or continued in the past three years have been the work of the former government. It is a concern of mine

that, without new infrastructure projects being commissioned, there will in fact be a black hole; that as the existing infrastructure projects wind up without confluent infrastructure projects unfolding, there will be a two to three-year period when there is very little infrastructure work happening.

Even if we get the infrastructure plan that we are all expecting shortly and it is funded in the May budget and then work is undertaken to get those projects rolling, it may be three years or more before we see the first sods of earth turn, the money being spent and the jobs being created. In all that, the Public Works Committee has a very vital role to play. I underline the point made by my colleague and friend the member for Bright that there has not been much action down in Public Works—in considerable contrast, may I say, Mr Speaker, to when you were filling that august post, when the committee was working its fingers to the bone. And so it should.

On behalf of the shareholders of all these projects—the taxpayers of South Australia—there should be overview of this taxpayer-funded expense. It is about openness, and there are a number of aspects to the bill that I commend the government for introducing, which have to do with openness and accountability and with ensuring that the public has the opportunity to see what is going on. However, in my view, the overall agenda of lifting that limit is not in the public interest. I know that it was recommended by the Economic Development Board and I know that there is energy within the board to get these projects moving. But I would hope that, with a bit of goodwill, the parliament could expedite the movement of these projects through the Public Works process so that they hit the road running, so to speak.

There is an important case for that scrutiny in public works as, indeed, there is for swiftness and for efficiency in getting projects moving. I will certainly be supporting that measure. I also foreshadow to the minister (as I have to the shadow minister for infrastructure) that I intend to move some amendments, and they are on the table. My first amendment seeks to broaden the short title to Parliamentary Committees (Miscellaneous) Amendment Act 2005, and I have a contingent notice of motion on the *Notice Paper* to facilitate this. Secondly, my amendment no. 3 seeks to change the arrangement for which a quorum, in the case of committees of six or seven, is constituted.

I indicate to the minister that I intend not to proceed with my amendment no. 2, which sought to delete the words 'other than a statutory authority' from the ambit of the Economic and Finance Committee. I think that is a measure the government would not support, so for a range of reasons I choose to withdraw it, and foreshadow that to the Clerks and to the government. Certainly, I will be proceeding with my amendments nos 1 and 3. Why do we need these amendments? Simply because I believe there is an anomaly at present in the Parliamentary Committees Act. I am using this government bill as a device to open the act further and to rectify this perceived anomaly.

The anomaly exists in section 24(2) of the parent act. That deals with procedure at meetings and specifically the number of members of a committee that constitute a quorum. Section 24(2)(a) provides:

(a) If the committee consists of five members, three members (at least one of whom must have been appointed to the committee from the group led by the Leader of the Opposition in the committee's appointing house); and

(b) If the committee consists of six or seven members, then four members.

In effect, this means that, if a committee has only five members, then there will be a member of the opposition present before there is a quorum. However, if it is a committee of six or seven members, for some strange reason that provision that, if you like, protects the independence and the bi-partisan nature of the committee, is removed. I cannot see any logic in the parent act for that discrepancy. I cannot see why the parent act would require a committee of five to have a member of the opposition as part of the quorum but not a committee of six or seven. Of course, it affects not only the Economic and Finance Committee but also other committees of the house.

I am one who believes that committees play a vital role in the parliament. They are an important device for the parliament to keep the executive accountable. In the Westminster system, the parliament is sovereign. The government, after all, is but a child of the parliament, formed from the majority of members. In a big parliament like Westminster, where there are literally hundreds of members, it is perhaps easier for the parliament, and particularly the backbench, to hold the government to account through the committee process. I say this because the executive is quite a small part in numbers of the overall parliamentary membership. For example, a ministry of, say, 20 to 30 in a parliament of over 600 people, means that the vast bulk of members are not part of the executive, and therefore there is a certain vibrancy in the committee process. Indeed, it is a way for even government backbenchers to have their say, to make a difference, to influence the affairs of state and government, and to cause scrutiny; it provides them with a vehicle, if you like, to hold the executive to account outside their own party caucuses.

Of course, equally, it is an opportunity for the opposition, whoever that may be at the time, to have a say, to go through the same processes, and to ensure the same openness and accountability. If they are to be treated with any integrity and with any respect, if they are to be taken seriously, and if they are to be regarded by the media and by the public as credible committees, then the committees must be committees of the parliament. They cannot afford to be sub-committees of the executive of government. They cannot, in particular, afford to be committees wholly constituted by one political party. Members opposite may see this from one particular perspective now that they are in government, but I am sure that in the last parliament when they were in opposition they might have seen it from a completely different point of view. I move this amendment in the spirit that, who knows, after the next election the government may change. Perhaps not: maybe four years later government may change. But sooner or later members opposite are going to find themselves on the opposition benches, and when they do they will probably wish that a quorum comprises at least one member of the opposition so that any committee meeting has the credibility of having representation from both sides of the house.

You might ask, 'Why is that so?' Surely there would normally be members of both sides of the house, whether it is the Public Works Committee or any committee, present for a quorum and at a meeting. Well, not so, because I may not need to remind the house of the events of 20 October 2004 when the Economic and Finance Committee, with no members of the opposition present, resolved of its own account to call the Auditor-General before the committee with no foreshadowing, no notice of motion, and no warning whatsoever to any members of the opposition. I think that that was a clever trick that in the fullness of time has been shown to have backfired. However, it certainly set the scene for

further, shall we say, excitement on the part of the committee, because it broke, arguably, the sense of goodwill and mutual trust that hitherto had prevailed. If any political party—no matter who is in government at the time—can simply get themselves together, not notify the members of the opposition, call a committee, have a completely partisan quorum and then go ahead with business, if you like, on a frolic of its own, then how can that be fair, open and reasonable? Certainly, how can that be bi-partisan, and how can that really be an act of the parliament?

The Hon. J.D. HILL (Minister for Environment and Conservation): I move:

That the time for moving the adjournment of the house be extended beyond 10 p.m.

Mr HAMILTON-SMITH: The events of 20 October 2004 provide an example of how important it is for the parent act to be changed so that a quorum includes at least one member of the opposition. Another member might argue, 'That would mean that a member of the opposition, or perhaps opposition members, by absenting themselves might prevent a quorum from being formed.' In response to that I put the argument that, under the act as it stands, that certainly could be the case for a committee of five or fewer where at present a member of the opposition is required to be present for a quorum. However, I do not think that it has been the practice that committees of five members or fewer have not been able to form a quorum, because oppositions simply do not boycott meetings. Opposition members want to be at committee meetings, because they enjoy the committee process. In fact, they regard the committee process as a vital instrument for them to argue their case, hold the government to account and do things. It is highly unlikely that an opposition would boycott a meeting so that a quorum could not be formed and those committees could not do their work. Those very committees are a vital vehicle for oppositions to get their business onto the agenda and before the public. I am not sure that that is a likely outcome, although with the act as it stands it is certainly possible with a committee of five or fewer members. With my amendment that would be extended to committees of six or seven members. So, I guess it is possible, but I hasten to say that it is unlikely.

The real concern is that, in a small parliament such as ours, with 47 members in this house, with a government constituted from 24 of those 47 members and with a ministry now of 15 of the 24 members of government, regardless of which party is in power, constituting the executive, that leaves a backbench of nine, some of whom may be Independents.

An honourable member interjecting:

Mr HAMILTON-SMITH: Yes, I will come to that. What that means in this house, in terms of the Economic and Finance Committee, which is a committee wholly formed from this house (its appointing house), is that there are only nine members in a government backbench, possibly fewer, counting Independents, to hold the executive to account. If we are not careful, it will almost become like a council, where we have an elected executive and we longer have a parliament. That is the danger with a small parliament of 47 members.

If we carry that through to the committees so that no member of the opposition is required, four of those nine members of the government backbench, regardless of which party is in power, can constitute the Economic and Finance Committee, this being its appointing house, and of course do the bidding of the executive. That puts the executive in a very powerful position. The executive, through its caucus processes, and senior members of the frontbench will influence members of the backbench—more junior members, more newly arrived members. It unduly influences that committee from fairly and objectively carrying out its tasks. However, if a quorum had to constitute a member of the opposition, at least there would be one person for a quorum to be present to present an alternative view and to give the committee credibility. Indeed, I put to members that that might offer some protection to government backbenchers. Should they wish to resist being influenced by their frontbench, having that member of the opposition there might actually be a help to them if they seek to be truly independent, truly inquiring and truly purposeful as members of the committee, rather than simply doing the bidding of the executive of the day.

So, for all those reasons, it is important to support this amendment. It will not simply apply in this parliament: it will apply in future parliaments. As I look at the minister, I ask: who knows what will happen in March 2006, minister? The minister may very well look back and wish he had passed this amendment, although I understand that the government is going to oppose it so that it has representation on these committees of six or seven. That is the thrust of the proposition I will be putting through my amendments, and I hope that the government, or at least some of the Independents, will find their way clear to support the proposition.

These committees have to work on the basis of a bit of goodwill. The government may have the numbers but, if there are shenanigans on either side, there are ways in which an opposition can influence proceedings in a committee. However, it would give the committees much more credibility if they were bipartisan.

The Hon. R.J. McEwen interjecting:

Mr HAMILTON-SMITH: The member for Mount Gambier is quipping in. If the member for Mount Gambier has a point of view, he should get up and make a contribution. Are you going to make a contribution? I encourage you to do so, because I would like to hear it. The member for Gambier and the member for—

Mr KOUTSANTONIS: I rise on two points of order, Mr Speaker. First, the member for Waite is not addressing his remarks through you. Secondly, he is threatening a member of parliament.

The SPEAKER: In the first instance, I uphold the point of order. The honourable member must address his remarks to the chair. However, in the second instance, I do not recall anything threatening. The member for Waite.

Mr HAMILTON-SMITH: Thank you, sir. For a minute there, I thought I was the Treasurer or the Minister for Infrastructure, given the way in which I was addressing members directly. Thank you for your guidance, sir. I make the point to the so-called Independent members if they have a point of view on this. I know they were champions of independence, the sovereignty of parliament and the freedom of committees to go about their work. I know they actively sought committee appointments and were active participants in committees in the last parliament—and in this parliament, until they were offered higher office. I would be very interested to see whether they support these amendments. I am making an appeal here on behalf of the parliament. To be perfectly frank, one day if we are in government, we might look at things from a one-sided point of view ourselves. Frankly, I would oppose that as well. Regardless of who is

in government, I think there is considerable merit in this proposition, in the interests of the credibility of the committees. Any committee constituted wholly of members of one party has no credibility with the media or the public and, frankly, it has no credibility or place within the parliament. It just does not seem to me to make sense. Clearly, the intent of the original act was for that not to be so. I think it is simply an anomaly, but we will have the debate, no doubt, during the committee stage. I support the bill for both the reasons I mentioned, provided the two amendments that are to be put by the opposition—by me and the member for Bright—are agreed to.

Mr KOUTSANTONIS (West Torrens): One of my political heroes is Thomas Jefferson. He said that it is the responsibility of every citizen to defend themself from their government. The bill, which will be passed in this house (which I will vote for), sets out to lift the threshold from $4 million to $10 million based on the report undertaken by the previous government. The former government did a report because it felt that the previous committee was holding up government infrastructure projects based on political bias. Its argument was that projects such as the Hindmarsh Soccer Stadium were being held up by the former committee and that other infrastructure projects were being held up unfairly.

I do not agree with that assessment by the previous government: it was wrong then and it is wrong now. The idea that the Public Works Committee holds up infrastructure projects is false. We do the good work of the parliament: we always have and we always will. We are diligent. I cannot speak for the last committee because I was not a member of it, but I can honestly say that our current chair is respected by both sides of the committee—and I had a bit of a role in making him chairman of that committee. I am very proud of that decision, because he has led us well. I think that during the entire time of this committee there has not been one minority report, there has not been one vote against a project—

Mr Venning: There was one.

Mr KOUTSANTONIS: I stand to be corrected by the member for Schubert.

Mr Venning interjecting:

Mr KOUTSANTONIS: Apart from the Sturt Street Primary School, where some concerns were raised. But these were not of a political nature: they were of a health and safety nature. It was not based on any sort of political ideology. But I can honestly say that not one project has been held up by our committee.

This bill does something of which I am very proud. It allows the committee, on its own motion, to bring projects between $1 million and $10 million before it. Of course, we cannot halt construction; only the parliament can do that, I understand. I am not quite sure whether that is correct, but I will be asking during the committee stage whether the parliament can halt a project based on executive decision.

The previous government treated public works with a fair level of contempt, in my opinion. Mr Speaker, you probably have a greater knowledge of this than do I, because the Public Works Committee was the only thing we had against the tyranny of a majority and the executive in the last parliament—projects such as the Treasury Medina Grand proposal on King William Street, and we nearly had the Holdfast Shores development. The only people who had any sort of—

The Hon. W.A. Matthew interjecting:

Mr KOUTSANTONIS: Good projects—given the fact that we gave away foreshore for $1.

An honourable member: Only because it was worthless.

Mr KOUTSANTONIS: Because it was worthless? I am not sure that people who are paying land tax in Henley Beach and The Esplanade, like the member for Schubert, would like to think that their land was worthless. I am sure it is not. I can honestly say that, when I saw the former government value the land it gave away on the Glenelg foreshore as being absolutely worthless, I thought it was an absolute disgrace. Public works, I have been informed, has nothing to do with land being given away: it is all about the infrastructure and capital costs of a project. That is not something with which I necessarily agree, but I am happy to take advice from our learned cabinet members on that issue.

I think the bill will pass tonight. I will be voting for it. But I just wonder how we arrived at the $10 million threshold. Was it a recommendation of the EDB; was it a recommendation of a report? How did we come up with that number? I have found in my time on the Public Works Committee that often departments such as Transport SA, and sometimes the department of education, when it comes to community consultation, are not as effective as we might like them to be, and often school communities and local communities find themselves being burdened with projects with which they are not necessarily happy, and the last recourse is the Public Works Committee. They come to us, and I can honestly say that, no matter who the member of parliament is—whether they be Labor, Liberal, Independent, Democrat, Family First, SA First or whatever—they receive a fair hearing from us. We always make sure that the local member in the House of Assembly has been consulted and briefed by the relevant department.

I do not think that people should take this bill as a criticism of the Public Works Committee, although I can see how some would. I am surprised at the opposition. I am not sure what the opposition's position is on this bill. I understand that the member for Bright is opposing the bill but that the member for Waite is supporting it. I do not know what the member for Schubert will do. I am sure that he will stand up and oppose the bill. I have always thought that the main role of the Public Works Committee is to examine how public money is being spent on infrastructure. I have always thought that that should include the gifting of land. Unfortunately, this bill does not deal with that. But maybe that is for another time and another place. I am sure that this bill will find speedy passage through the house.

Mr VENNING (Schubert): I thank the member for West Torrens for the invitation. Certainly, I will speak on this matter, because I am a member of the Public Works Committee and I take the committee seriously. However, I rise to oppose this bill, but not all of it. Certainly, I oppose the increase from $4 million to $10 million, but some of the rest of it I can certainly agree with. Therefore, I oppose the bill as it currently is. I cannot disagree with a lot of what the member for West Torrens said, but I know the position of this committee previously. I am most concerned on two fronts.

First, we have had very little activity, and hence the Public Works Committee is not being asked to do its job, the job which we are all paid to do. There are very few major public works coming through, so we have been busy acquainting ourselves with the process of government and tendering. We have now educated ourselves to be a very effective Public Works Committee, but still the projects do not come.

Secondly (and especially considering my first concern), why is the government trying to avoid scrutiny by lifting the threshold from $4 million to $10 million? The Public Works Committee does not cause any delay in the delivery of projects because we are doing very little. We can do assessments immediately at the moment, and usually we pass and present it to this house inside two weeks.

That would be the quickest government department activity of all. Within two weeks, we can assess the work, interview the departmental people, prepare the report and present it to the parliament. Members cannot say that causes a delay. I have even offered to come in especially for multiple sitting (as do most members) to deal with any backlog—and that has not happened since this government has been on the Treasury bench. I doubt whether there has ever been a period of fewer public works for many decades, so why does the government see the need to lift the threshold figure at which projects have to be assessed by the Public Works Committee from $4 million to $10 million? I introduced a private member's motion late last year. Can members recall that? I think it was October, or thereabouts. And surprise, surprise, it passed this house. I would expect a similar decision tonight. If not, what has happened?

Mr Rau interjecting:

Mr VENNING: The member for Enfield says that I will be disappointed. I do believe in principles. I know that politics gets in the way of certain things. I cannot see what has happened. There was a principle at stake—accountability, accessibility, open government—we have heard it before. I was quite thrilled with the independence of the house. I know many members of the government privately and they were happy that that private member's motion was carried, so why should this bill pass tonight? I cannot understand that. My motion was carried. We did divide but it was a clear-cut victory. So why do we do this? I know it was a recommendation of the Economic Development Board, but the question is still why? Maybe the former public works committee, sir, of which you were the chair, did cause some delays, but it was a very busy committee.

The government of the day, the Liberal government, had lots of public works in sharp contrast to today under this Labor government. We have very few public works. The question we always ask is: what are they doing with all the money? Maybe they are getting ready to overwork the Public Works Committee over the next 12 months. I am happy to sit double shifts, even triple shifts, to do all the work—as long as we can find the builders to do all the work the government intends doing later this year in preparation for the election.

I am happy to see the term 'a public work' clarified in this bill. Yes, we do include major information and communications technology. This is the sort of thing we did not do 15 or 20 years ago. We also know that it now includes the cost of consultants. That is a cost which is getting out of control, and that is where the Public Works Committee really does ask pertinent questions: were these consultants necessary; what do they cost; could you have done without them; why have you gone outside government circles for these consultancies; was it a preconceived idea that you put in the consultant's mind? This is the type of investigation of the Public Works Committee, a committee now trained and ready to do its job. I also note that, to some people, demolition comes under the category of 'a public work'.

I am a little amazed. I read some correspondence today which the members will consider tomorrow—and I am sorry that I will not be there—which said, 'We did not include this price because it is demolition and demolition is not a public work.' Of course it is a public work. If it is a cost to government, it is a public work. I think that needs to be clarified if it has not been clarified already, and it should be included in this bill. It is certainly on the record now. Certainly any costs to government, whether they be demolition costs, preparation of the site, advertising, or anything at all should be included: it all goes on to the tally and it is a public work. It is a cost to government, whatever it is.

I also support the inclusion of the deals that a government does to bring a project forward, even if that is a PPP (a public and private partnership). This is becoming a very prominent way of doing many of these larger public works. At the conference which we attended in Victoria last year, the Victorian government was undertaking major public works and the public and private partnership was the key way it was doing it. We did pick up a lot of things they said and I was very interested, but when I sought copies of the information—and the member for Chaffey was there—the papers were not forthcoming because they did not want to give away any trade secrets. I was most concerned because I think the Victorian government is right on the money. They are undertaking major projects and they are making these public and private partnerships work and, of course, that comes under the scrutiny of the Victorian Public Works Committee.

The Hon. K.A. Maywald interjecting:

Mr VENNING: The member for Chaffey mentions Spencer Street Station. Yes, they don't all work. That is nothing to do with the system; that is all to do with a crazy architect.

Mr Brindal interjecting:

Mr VENNING: No, I am winding up. I also refer to the inclusion of projects that fall through the cracks of the definition of what is a public work. A lot of departments work very hard to wrangle their project around the definition of a public work. That should always be the decision of the committee, which has the ability to scrutinise what it likes. I agree with the proposition that the government must make information available about proposed public works to facilitate self-referral by the Public Works Committee and its right to proclaim what it does with the work. If we are not successful at keeping this threshold at $4 million or another lower figure, it is protected only by the ability of the committee, first, to be given information offered under statute to the committee and, secondly, always to decide whether or not it will look at it. Whether it is $6 million, $3 million, $2 million, $1 million or even $500 000, it should have the right to say, 'We will look at this,' and the government should wait while we do that.

If there are any delays—and it is not in this bill—I cannot see any problem with time limits being put on it. Why can they not put a time limit on the committee to say, 'Look, if you don't pass this in a certain time, it lapses,' and the project can then proceed. I am happy to have a reasonable time limit of, let us say, four to six weeks. That is not much time in a major project. I say that will protect the government, the developers, the PPPs or whoever else is involved. I would be very happy with that. I think a time limit could and should be discussed in this bill. If the minister wants to include that, I am happy to add it. I do not know why he does not do that. If the threshold is to remain low, if the government is accusing the Public Works Committee of delay, why not put a time limit on it? I can assure members the Public Works Committee will meet that time limit and will be inside it by 100 per cent. I am happy to include that.

As I said earlier, the Public Works Committee does work well. It is well chaired by the member for Colton. I do not hand out accolades too often. It is well chaired by the member for Colton. He is a reasonable man who does his work. He should be on the front bench; I do not know why he is not. Other first time MPs have come down, but he should be on the front bench. Certainly, the work he has done on the Public Works Committee should ensure he gets a gong on the front bench. He does not even earn a white car for the amount of work he is expected to do. I think that is a disgrace. Other chairs of committees do a lot less and have the luxury of a chauffeur-driven white car. I think the member for Colton, hopefully, can look forward to a long career in politics—and he will not be on the backbench for very long. The member for West Torrens is also on the Public Works Committee. The honourable member—a colourful member—puts in pretty well. He is often late getting there, but he is a valuable member, as is the member for Norwood. As the chairman has said, we do not play politics. The member for Unley is my other valuable colleague. We put the role of the Public Works Committee in front of our politics. We are there to do a job. I think time and the record will show we have done our job well, because we are well trained to do it.

I hope this bill will be amended by the Independents. I remind the Independents that they supported the private member's motion. They can deny it if they wish, but they did support my private member's motion late last year that the threshold stay at $4 million and that the Public Works Committee be supported. I hope they will look at it, amend it and take out that clause. I note the member for Mitchell has an amendment in the pipeline. I believe the figure is $5 million. If one puts inflation on $4 million it becomes $5.7 million. If we cannot win at $4 million, well, as a man in the real world and a businessman I will take $5 million instead of $10 million. I hope that is a compromise position we could consider, but only after we have failed in our original effort.

The basic principle that must be preserved is the committee's right to make investigations of its own volition. Paramount to this is that all stakeholders, irrespective of the cost of the project, must provide information to the committee. Finally, government, whether Liberal or Labor, is always about checks and balances, and the Public Works Committee does just that. The Public Works Committee was abolished a few years ago. Well, it was soon brought back, because the government of the day got into serious trouble. It reconstituted the Public Works Committee to do a job to keep the government of the day of any persuasion accountable and bring reports to the house. It is essential that the government do that, and it is wrong for a government that got elected on a strong call of being an open and accountable government to say, 'We are going to lift this threshold from $4 million to $10 million.' That smacks in the face of actuality. I oppose the bill as it is currently drafted. If the threshold is changed back to $4 million, I will support the bill.

Mr CAICA (Colton): I am supporting this bill. I will reflect on a little history for a short time. The genesis of this bill arises from a report commissioned by the previous government, namely, the Fahey report. It is clear to me that the outcomes of that report are somewhat flawed; that is, the basis of that report was somewhat flawed. Why do I say that? It was a report commissioned by the previous government into the responsiveness of government and, more importantly, the impediments that exist to the responsiveness of government, not necessarily the previous committee but, rather, a report into the responsiveness of government. Clearly, from what I have been able to ascertain in my short time here, the report was commissioned as a result of what the previous government saw as impediments to its carrying out what it believed to be its responsibilities. The reality is that, under the auspices of the former chair and the committee that worked collectively together, the previous government wished nothing more than to circumvent that particular committee. It saw it as an impediment to carrying out its business. We only have to look at some of the projects and some of the problems that arose last time—the wine centre, Medina (and that is an argument in itself) and a host of other projects that were brought under proper public scrutiny because of the role played by the Public Works Committee. To that extent, the previous committee should be congratulated on the role it played.

Some of those projects left a lot to be desired with respect to their proper value to the public and the proper use of what was, and indeed is, the public purse. This bill started from a flawed position. From the Fahey report came the report of the Economic Development Board. I believe that the flaw in the recommendations of the Economic Development Board was that it did not review the recommendations of the Fahey report. In addition, the proponents of both reports never bothered to talk to the Public Works Committee at any stage nor get an understanding of the role and function of the committee.

Having said that the genesis of the report came from a flawed position, I do congratulate the government with respect to this bill. I say this to the extent that, on numerous occasions, the committee has instructed me to take up with the Premier and his officers what we believed were proper measures to be incorporated in this bill. To that extent, I congratulate the government for listening to the committee. I congratulate the government for incorporating information technology, computer software development and a host of other initiatives.

The government has listened to us and made the role and function of the Public Works Committee broader than it is today. Having said that, the $10 million threshold is a moot point. It is an arbitrary figure. It does not matter what the threshold is provided you have the other mechanisms in place that allow a proper scrutiny of the decision of the government of the day to be undertaken and, to a great extent, this bill does this. There are good days and bad days in parliament. We all know that this is the same as in any other job. There are days when you really like the work you do and there are other days when you wish that you were fishing. But one job that I have found to be very rewarding and fulfilling since I have been a member of parliament with respect to my specific parliamentary responsibilities is—

Mr Rau interjecting:

Mr CAICA: The member for Enfield thinks that it is question time. It is not question time: it is my role on the Public Works Committee. I have an extremely good committee of which I am proud to be the chair. We work collectively. We work very well together. As the member for Schubert has indicated, we have produced only one minority report in a total of, probably, 30 to 35 reports in our time. We scrutinise the projects that are put before us with respect to their public value and the expenditure of the public funds involved. I think that we provide a very good service.

Although my mother has told me that self praise is no recommendation, I think that we provide a very good service

in terms of the role of the committee and its functions in assisting this parliament. I am very proud of the role that we play. I commend all members on our committee: the members for Schubert, Unley, West Torrens and Norwood. We work very well together. I know that concerns are being expressed about the threshold. We could pick any figure out of the air. I believe that mechanisms are in place that will allow us to scrutinise projects properly in the future.

I am particularly pleased that it will be a ministerial responsibility to refer to the committee any project over $1 million for the committee to inquire into if it so desires. Naturally, those mechanisms that allow us at the $10 million threshold to hold the project will not exist, but I would suggest that it would be at its own peril for a government not to listen to a committee which reports to the parliament that a project should not proceed, whether it be a project for $1 million or $10 million. I think that, whilst I had enormous arguments in the early stages with my colleagues with respect to the general thrust behind this bill, I have come to the conclusion that what we have before us is a package that will serve this parliament very well into the future.

We must realise, contrary to the views of some, that we on this side of the house will not be in government forever. It is the responsibility of governments of the day to leave this place in a better position than they found it, and to make sure that proper scrutiny by that and future governments occurs. I will be voting for this bill, and I look forward to the ongoing debate.

Mr BRINDAL (Unley): It disappoints me in this instance to follow the member for Colton, because I know him to be an excellent chairman of the committee. I have a lot of time for the members for Norwood and West Torrens who are also on the committee, but it really disappoints me to stand in this place to find them missing in action when it comes to their support of this government bill. If ever there was a debate which makes me realise why I am happy to be a Liberal, it is because my side of parliament gives me—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

Mr BRINDAL: It is, generally speaking,—

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Infrastructure is out of his place and interjecting out of order.

Mr BRINDAL: You know, sir, because you were a member of this party for many years, that one thing this party on this side of the house does is give to its members the right of dissent on matters that are important.

The SPEAKER: Until they sack you.

Mr BRINDAL: Yes; that may be so. Sometimes you pay a penalty for sticking your neck out, but it never worried you. I put to this house that neither should it worry the members for Colton, Norwood and West Torrens if they believe in a principle. As a result, I want very clearly, through you, sir, to address my remarks to the members for Mitchell, Fisher, Mount Gambier and Chaffey and you, sir, if you get to have a vote. You have had one in three years; maybe we might make it two, if we are lucky.

This is a minority government. The Rann government does not govern in its own right. It governs by the permission of the members for Fisher, Chaffey, Mount Gambier and Mitchell and for no other reason. Those people were elected, with the exception of the member for Mitchell, as Independent members in this place. They came to this place not to represent a sectional interest of either the Labor Party or the Liberal Party but in the interest of their electors. And, one would hope, as Independents, the interests of this house. This bill touches on the fundamental interests of this house. Nobody in this house should do other than protect the rights of this house at all times to have the maximum possible opportunity to scrutinise the Executive Government. And it disappoints me—and the member for Chaffey can read this because she is obviously not listening—that the members for Chaffey and Mount Gambier having, when they were perhaps being more independent than they currently are, supported a motion by the member for Schubert saying that the amount should not be raised above $4 million. They thought it good enough to support that but, for some reason, now may be disinclined to support $4 million and, rather, to support $10 million.

I put to this house that that is wrong in principle and wrong in preserving the interests of this house. I put to the member for Colton, although I doubt whether he will change his mind, his concluding remarks. Those opposite will not always be in government. There will come a time when they are in opposition and, through the committees of this house, will want to fully scrutinise the Executive Government and hold it accountable. The member for Colton put to us that a reason why the last government looked at this matter and why the last government commissioned the Fahey report was the view of the last government that your committee, sir, was obstructionist and held things up, took rather too much account of things and held the Executive Government rather too much to account.

I do not think I am betraying cabinet confidences or anything in saying that is true. There were ding-dong rows, as you know, sir, between your committee and just about every minister who took anything up, because you and your committee demanded in the public interest such scrutiny as you thought a project warranted. You yourself, sir, said the other day in this place that at one stage the house instructed the committee, because the government used its numbers in the house to ensure that a project got up that the government thought was being a little more tardy than it should be. So, there are processes in place for seeing that the Executive Government got its way.

What we are seeing is a government coming in here not learning the lesson of the last government. The member for Colton just said that the last government got several projects wrong. He said we got the Hindmarsh Soccer Stadium and the Wine Centre wrong. I am sure that you, sir, still believe that we got that recreation centre in the parklands and a number of other projects wrong. Yet the projects went ahead. But what would those projects have been like if you, sir, with your committee had not been calling the government of the day to account? Yet the member for Colton says, 'That is the very reason why we have to move down this track.'

The Fahey report was commissioned. The Fahey report was flawed. The EDB took up the Fahey report in its flawed form, recommended it to the Executive Government and the Executive Government came running in here saying 'Let's fetter the parliament by changing it to $10 million.' Those opposite might argue, 'But you can refer anything to yourself of your own volition.' That is true. But—and you would know this better than most, sir—first find the projects. Where a project has to come to Public Works, it is drawn to our attention. Where a project is below the threshold, sometimes

you just do not know about it until it is far too late to scrutinise it.

It is all right to stay that Public Works will still be able to scrutinise anything it wants of its own motion. First, the Public Works Committee has to know what it is looking for to have a motion to look for it. This is a way of keeping the parliament in the dark. This is a way of having virtually every school major reconstruction in this state outside the purview of this parliament. This is a way of keeping this parliament blind and Executive Government running roughshod over this parliament. You, in all your parliamentary career, sir, and I, I hope, in my own way in mine, stuck up for the rights of this parliament over the Executive Government.

I can tell you, sir, that I will be watching this vote carefully. I hope that those people who are elected as Independents in this place cast their votes as Independents in this place for the good of this parliament.

The Hon. W.A. Matthew: You don't really believe they're Independents, do you?

Mr BRINDAL: They were elected as Independents. The Speaker showed that he was independent yesterday. He is an Independent. I hope that some of the others can be consistent and show that they are independent this evening. The member for Colton did not make the point that I think should be made: that, when it is analysed, the Public Works Committee has never unnecessarily held up a project. Most of the projects go more speedily through the Public Works process than they go through the cabinet process. Had I the time, I would go through chapter and verse of the number of times Public Works Committee meetings have been cancelled and approvals not able to be given because the Public Works Committee and the department were waiting on the cabinet.

Cabinet has often been the agency that has held up public works, because cabinet has not had the time or the department has not had the wit to have the submission prepared in accordance with the 10-day rule. So, it waits another 10 days. There have been impediments in the process and, when you critically analyse it—and this is the mistake Fahey made—the Public Works Committee has rarely, if ever, unnecessarily held up a project. I use the word 'unnecessarily', because I challenge anyone in this place, including those of us who had the privilege to be in Executive Government in the last parliament, to look the Speaker, the member for Hartley or anyone else who was in that last committee in the eye and say 'You unnecessarily held it up.'

I believe, whether or not I liked it at the time, that they were doing their job as they saw it and discharging their duties as they saw it. They worried about a number of projects. They annoyed the hell out of the Executive Government by holding it up, but only because they believed it was necessary in the public interest to do so. If you follow the member for Colton's logic, the projects that he highlighted and the projects he claimed the last government mucked up were the very projects the Public Works Committee held up, and therefore, perhaps, should be berated by this parliament for not holding them up a bit longer and getting them a bit better, because the member for Colton says that they are the projects on which we failed.

The Labor government, now being on the executive benches, wants it both ways. They never trusted us when we were on the executive government, but they now believe that we can trust them, so let us raise the amount to $10 million. This house will vote as it always does, according to its will and according to its conscience. I rather suspect, and I really have to take umbrage at what the member for Bright interjected earlier, but I rather suspect that he is right, that self interest always wins the race, and that for some reason there might be some people who might buckle under, bend down to the government, tug their forelock and say, 'Yes, $10 million is fine.' However, I hope that some of us, I hope that you, sir, and some others maybe, are here and in another parliament to laugh at them and say, 'You were the idiots who introduced $10 million, and now you are reaping the rewards,' because if we keep the limit at $10 million we are diminishing this place, and we are cutting away another function that this place has performed.

When you look at a Prime Minister who believes that we are irrelevant anyhow, and is doing his very best to make everything a tied grant so that we merely pass the legislation that he tells us to pass from Canberra, if we then have an executive government that makes this chamber irrelevant, it will not be too many years before we are truly irrelevant, and we might as well all take the, what is it, the SS1 superannuation, those of us who are lucky enough to have it, and rush on home because there will not be terribly much for us to do here.

The Hon. K.O. Foley interjecting:

Mr BRINDAL: The Deputy Premier and Treasurer has just come in, and I would say to him that no-one on that side was better at using the committee processes to find out what he wanted to find out, and hold the executive government to account. He was a terror in the Economic and Finance Committee. The member for Hart was unscrupulous, scurrilous and would do everything that he could to hold the executive government accountable, and so he should have. Yet he is a member of a frontbench that now comes in here and tries to limit the committee, that you chaired sir, on the grounds that the previous government found you, maybe sir, a little bit of a pain in the rear portion of the body, and for that now this parliament has to apparently pay a penalty because the executive government has been gulled into thinking that the previous government was right. Well, in this case, the findings of the Fahey report in the previous government were wrong. They are wrong to come in here with the $10 million threshold, and this house would be better minded to keep it at $4 million, or move to $5 million if inflation dictates that, but to shift it to $10 million would be a disgrace.

The Hon. R.B. SUCH (Fisher): I make a brief contribution. I have some serious concerns with this bill and I will start off firstly talking about some general aspects relating to the whole committee process as it relates to this parliament. I think that it is unfortunate that we have got a bill before us that is tackling one committee only. People could say, 'Why not fix that committee, and then fix the others?' I would prefer a more coordinated and comprehensive look at all the committees to see what their role is, and what it should be. We have got a lot of anomalies, one of which, and it is not the most serious, is that the people who chair them are treated differently, and the members are treated differently in terms of remuneration. That is not my main concern but I think it highlights the fact that, in essence, our committees, with due respect to the people on them, are really a dog's breakfast. Also, we do not have, in my view, necessarily, the appropriate committees. I have argued for a long time that we should have a committee which looks at the big picture issues, a futures-type committee similar to what they have in some jurisdictions where you can take a long-term view. We tend to be looking at things next week if we are lucky, or tomor-

row more often the case, rather than what will confront South Australia in five, 10 or 25 years. Things like ageing and the implications of that, education, trends and changes. Select committees and standing committees tend to look at issues on a very short time horizon.

So, I think in terms of our stable of committees we do not have one that looks at big picture technology issues, or does not look at the future of South Australia on any large-scale, and in any way that addresses some of those fundamental issues that we as a state have to look at in the future. We have got a series of compartmentalised committees operating essentially in an ad hoc way. We do not have a main committee—it can have different names as it does in other parliaments in terms of its role—that looks at bills in detail so that we do not have time taken up in this chamber looking at the detail of a bill, ministers introducing pages of last-minute amendments, and others doing the same. It should all be sorted out with advisers present, and interest groups, and so on. It could all be sorted out through a main committee outside of this chamber operating in parallel, and then coming in here for ratification and a bit of tweaking, rather than what we get which is heart surgery, and it is one of the main reasons that people are here late at night rather than home with their family. My first concern is that this is a bit of ad hoc-ery in relation to one committee only. I guess we can be thankful for crumbs, but we have not got the whole cake in front of us.

In terms of the specifics of this bill I am concerned about the $10 million cut-off point. The member for Chaffey tried to enlighten me earlier this evening by suggesting that it has safeguards whereby the committee can look at projects of lesser value than that. I still think that there are a lot of loopholes in this bill. If you look at a situation where a minister and the committee can agree on something, and as a result they can exempt the public work from some consideration, that would be a great temptation, because the committee would normally be comprised of people of the same political party persuasion as the minister. So, under clause 6(5), you would have a nice cosy arrangement, where the minister and the majority of the committee dance together and can agree to exempt the public work from detailed consideration. I think that is a loophole that does not give me any cheer.

In respect of the bottom amount, the $1 million, which is the minimum amount for possible consideration, I would argue that a lot of projects are valued at around $1 million or thereabouts; they certainly add up. I would like all projects looked at, although not necessarily in great detail. However, in relation to the argument that projects over $1 million will come before the committee, the reality is that the committee will not look at most of them in any detail. Who is going to look at them to ensure that they are efficient, effective and what the community wants? I believe that any project should go through some detailed scrutiny, preferably by a genuinely independent group. I do not see that that will necessarily happen under this process.

I think premier Olsen in the previous government was keen to change the $4 million cut-off, which is the current provision. All governments, whatever their persuasion, are keen to get rid of the shackles or handcuffs so that they can act expeditiously. If people want that approach, there is someone sitting in a darkened room in Iraq who was pretty good at doing things quickly. However, I do not think we want that approach in this place. Democracies are always slower, more costly and more time consuming, but give me a democracy any day and every day, rather than the quick fix of the people with the little moustache.

Mr Scalzi interjecting:

The Hon. R.B. SUCH: I point out for the record that the member for Hartley's moustache is quite substantial. The member for Mitchell has an amendment in relation to preventing artificial splitting of projects, and I think that is very important. As I understand it, the government may be prepared to look at that between the houses. One would hope so, because there are minds that are quite capable of splitting projects and ensuring that something does not get the detailed scrutiny that it should. As pointed out by the member for Colton, there are examples where projects did get through in the last few years. Under any reasonable assessment, they should not have done so.

I am not convinced that there should be an exemption for projects funded out of the Superannuation Funds Management Corporation, and I would like to hear the justification for that. Those funds presumably come from contributions made by civil servants and the like. So, in essence, I do have some concerns with this, and I would want to hear some pretty convincing arguments from the minister and others in relation to whether they believe I have got it wrong. However, I think that raising the threshold to $10 million as a general threshold and having this other flexible $1 million plus will mean that only major projects get any detailed scrutiny. I think the provision that the minister and the committee can exempt public work if they have the same hymn sheet is a worry. I do not see any provision in this bill to stop the artificial splitting of projects so that a project can escape the necessary detailed scrutiny.

A public works committee should be a pain in the rear end for a government; it should be like a hornet's nest and it should be challenging. Sadly, given the way in which our parliament has developed, most of our standing committees tend to be echoes of the dominant party of the day. Perhaps, one day committees of this parliament will be genuinely independent of the government of the day. We might then make some progress in terms of having full and true accountability.

Mr SCALZI (Hartley): I will try to be brief in my remarks. I am a former member of the Public Works Committee, when it was chaired by you, sir. It was an unusual case, because the chairmanship and the majority of members did not reside with the government. It was also at a time when there was so much work that the committee had to cover, and I confess there were times when I thought we should lift the threshold, but never to the extent being proposed by this bill.

I can understand that there are some good aspects about broadening the responsibility of this committee to reflect the works that now have to be scrutinised; for example, in the electronic area, information technology and so on. However, in lifting the threshold, I am concerned about the inconsistency of this government. If the government had taken the same approach in relation to land tax and lifted the threshold from $100 000 to $200 000 or $300 000, or if it had indexed it to inflation, as is proposed by some of the amendments in this bill, the public would have applauded the government's actions.

One has to ask why the government is increasing the threshold to $10 million. It is not because it is overwhelmed by references, as was the case during your chairmanship of the committee, Mr Speaker. I, along with the members for MacKillop and Reynell, could attest to the number of times

we met weekly, because we were inundated with references. We know that this government talks a lot about restructuring the economy and low unemployment. However, I believe the only building this government has really undertaken is to build its image among the public. That is where it has got the AAA rating—for its own building course. It is image building with respect to the public—and it is doing this in a wide range of things, including the public perception that it is concerned about law and order and so on.

I commend the member for Fisher for his comments about committees in general. I think that the member for Fisher made some very relevant points about how we deal with committees—the number of committees we have and the difference in responsibilities. We are not looking into the future. There is also the fact that committees have a majority of government members. I know that this varies and that each government will try to protect itself. Perhaps there should be more committees from the upper house—the other place—to look at projects with greater scrutiny. But we know that is not possible.

I have concerns about lifting the threshold to $10 million, because it is not a result of the overwhelming work before it. One could be cynical because there is not consistency in other areas, as I said, to lift the threshold to give relief to the general public of South Australia, which is suffering as a result of the valuations regarding land tax. There is no differentiation between whether a person is a self-funded retiree or a developer: the land tax is there for them to pay. Whilst I acknowledge that there are some aspects of this bill that address the demand for changes, it does not address the real issue that we have with respect to committees and, as I said, I commend the member for Fisher. I look forward to the amendments in the committee stage to relate it to some sort of indexed system, not just lifting the threshold at will in order to suit the government of the day. We must do this properly, and examining just one committee is not looking at it properly.

Mr HANNA (Mitchell): On behalf of the Greens, I rise to speak briefly in relation to the bill. Members will note that I have a couple of amendments on file. They are amendments to increase the level of accountability that we have in relation to public works, and I will deal with them when we consider the bill in detail.

In a number of contributions tonight members have dwelt on difficulties that the committee might have in terms of scrutiny. The member for Fisher has rightly pointed out that the source of most of the evils is the party system, which has developed to the point where the government effectively has control of the Public Works Committee. It will generally have the numbers unless, by a peculiarity of numbers on the floor of the House of Assembly, there is support for one of the non-major party members to be elected to the committee. That, indeed, happened in the last parliament.

In my submission, there would generally be better and more even-handed scrutiny if there was that independent perspective on the Public Works Committee. The same argument applies with respect to other committees. It is not the case that the committee system would break down because of obstruction, and so on. To take another example, the Legislative Review Committee—which, at the moment, consists of a Green, a Democrat, two Labor and two Liberal—on the whole, works harmoniously and churns through a fair bit of work. I am sure that the same could be said for the Public Works Committee if it had other than a government majority in terms of its membership.

The real answer to a lot of these problems and concerns about whether there will be adequate scrutiny of public works comes back to this issue of whether or not the committee is effectively a creature of the government.

That is really what we ought to be thinking about in terms of all the committees if we want them to be effective. Having said that, I believe that almost all the initiatives contained in the bill are worthy and promote accountability. I cannot agree with raising to $10 million the threshold above which matters need to be reported on by the Public Works Committee, but we will consider that in detail later.

Mr WILLIAMS (MacKillop): I have the privilege to represent a fine part of the state and a very fine group of people. Madam Acting Speaker, you and I served on the Public Works Committee in the last parliament under the chairmanship of the now Speaker, the member for Hammond. I went onto that committee as an Independent member of parliament and the committee had some challenging times. It was my thought during the four years that I served on that committee that at that time it served the interests of the people of South Australia probably in a way that the committees of this parliament have rarely done.

It is wrong to claim that that committee was obstructionist. I did not feel at any stage that the committee was being obstructionist for the sake of obstructing or holding up projects. There were from time to time some management issues between the collective thought of the committee and the government of the day, and I think the committee could just as easily have argued that the government of the day from time to time, on certain projects, chose to be uncooperative with the committee.

Under those circumstances, the committee stuck to its guns and at the end of the day it prevailed because of the act under which it worked. It had strong powers and the government was not in a position to trample over the wishes of the committee. That is an important point of which every member, in looking at this piece of legislation, should be aware. It is very important, in protecting the interests of the public of South Australia, to ensure that there is a division between a committee like the Public Works Committee—which, after all, represents the parliament—and the executive government. Any one of us would be foolish to suggest that the executive government is all wisdom. Many a time we have seen the executive government make enormous mistakes, and it is has happened quite often with the Public Works Committee.

Having said that, I certainly dispute the claims made by the member for Colton in his contribution. He mentioned at least two projects in which you and I were involved, Madam Acting Speaker—the Wine Centre and the Medina project. It is a bit cute for the member for Colton, who was not in the last parliament, to come in and throw around claims as he did. I challenge him to read the final reports of the Public Works Committee into both those projects.

I challenge him to do that because, from his comments, I doubt very much whether he has read the final reports on either of those projects: those final reports certainly would not reflect the sort of illusions that he was trying to create with his comments. The Public Works Committee did express some reservations about the Wine Centre. Those reservations principally concerned the issue of car parking, and I would still stand by the points that we made in our final report to the

parliament on car parking. I still believe that car parking in relation to that project is deficient and does not serve the project well—and that claim was made. With regard to the Medina project, from my memory (I have not checked the final report), it received unanimous support. I think the Wine Centre did, too, to be quite honest.

It was a very fine project. In fact, the committee came to the conclusion during the discussions that it was a terrific project and probably the only chance of actually saving that historic building in central Adelaide.

The Hon. W.A. Matthew interjecting:

Mr WILLIAMS: Yes. Madam Acting Chair, you will recall the committee inspecting the building, and we were all aghast at what had happened to it as a result of a number of years of neglect. I think all members of the committee were happy to see that building restored and upgraded. Certainly, I do not think I am betraying any trust in saying that the chairman of the committee at the time had some concerns about the use to which the building was to be put. I do not think he had any concerns about the fact that the building was certainly going to be preserved well into the future. Anyhow, I have strayed from my point. The point is that the member for Colton was being scurrilous—nothing less—in his comments about those projects. His throwaway line after that was, 'and a host of other projects'. That was again scurrilous.

I do not recall one project which the previous government undertook and which was not supported by the previous Public Works Committee. That is the point all members should be aware of. Members talk about various projects both inside and outside this place, and members of the government often like to talk about the Hindmarsh Soccer Stadium, a project which was recommended by the Public Works Committee and which was built under budget and inside the construction time. There were some issues again that the Public Works Committee raised—and rightly so. The most important one was the tenure of the land. The government at the time did make a mistake with that, but I believe that has been sorted out. It was in the recommendations of the Public Works Committee to go down that line.

Members of the government, particularly members who were not here in the last parliament, making bland, unsubstantiated statements about the function and the role of the committee in the last parliament brought me into the chamber to contribute to the debate, because someone has to correct these scurrilous statements. One of the reasons why we had a number of problems from time to time when I served on the Public Works Committee was the definition of 'a public work'. I am pleased to see that the bill, at least in some way, addresses that. Clarification of the definition of 'a public work' is something which should have happened a long time ago.

Many people say that you never ask the same lawyer for two opinions because you will get two different opinions. The Public Works Committee on which I sat received two different opinions on the same subject from the crown law office. One was tendered to the Public Works Committee and one was tendered to the government of the day and they were in conflict—and it was over this very matter of the definition of 'a public work'. If members care to undertake some research on the principal act of 1991 and follow its passage through the parliament and the second reading contributions, they might gain some understanding of how that conflict arose. Actually, it was when the Public Works Committee was reinstated under the Parliamentary Committees Act subsequent to the original act. The second reading speeches differed from the wording in the act and there was certainly confusion in crown law about that, and I hope the measures in this bill sort that out.

I, too, have concerns about the threshold. If I wanted to be cynical, I would say I have no problems about this bill because the reality is that under the current government you could almost say that no public works are happening. For members who were not here in the last parliament, the Public Works Committee of the last parliament sat virtually every Wednesday of the year, not just parliamentary sitting weeks—apart from January, but we generally sat for at least one Wednesday in most Januarys—and we generally looked at no fewer than two projects per week. I would hazard a guess that there were at least two projects on the agenda every week. It was an incredibly busy committee.

The Hon. W.A. Matthew interjecting:

Mr WILLIAMS: Yes, and probably 29½ of those were projects left over from the previous government. The committee was so busy that we undertook to fast-track the consideration of projects with a cost well above the $4 million threshold to try to expedite matters and keep public works in South Australia going and, quite literally, to try to relieve our work load. I am working from memory but I think we passed a resolution to the effect that we would fast-track our inquiry into projects up to about $6 million but we would still look at them and take a submission from the proponent agency; and those projects between $4 million and, I think it was, $6 million we would fast-track and not hold a full inquiry into every one. In reality, we reserved our right not to undertake that fast-tracking and we did not fast-track one project: we carried out a full investigation into every project over $4 million.

I do not think that the government—even the previous government—could claim that the Public Works Committee was holding up projects. There might have been a couple of weeks' delay with some that might have annoyed the odd minister who was in a heck of a hurry but, by and large, projects were getting through the committee in a pretty speedy way and, whenever agencies were able to cooperate fully with the committee, the committee worked diligently to get on top of its inquiry and get the final report to the parliament in a speedy manner. In fact, we often tabled reports to the Speaker of the house when parliament was not sitting, again, to hasten the process and not hold up projects.

I think it is an absolute nonsense that the Economic Development Board suggested that the parliamentary Public Works Committee was causing problems in South Australia, particularly with the speed that its inquiries were taking. That is an absolute nonsense and a complete and total furphy. It is not the case and has not been the case and, certainly, in light of the number of public works that have been undertaken by the current government, that just could not be the case.

The member for Chaffey has not addressed this matter and entered this debate but the member for Fisher suggested that she was supportive of the $10 million threshold and said that there are other safeguards, including the fact that the committee could refer projects to itself. Might I say for the benefit of the member for Chaffey, if that is the way she is thinking, there is no safeguard in that whatsoever. The only reason the previous Public Works Committee could guarantee that it was going to get full and attentive cooperation from agencies was because the agency had the knowledge that it could not start work until the Public Works Committee had completed its inquiry and tabled its report.

In a situation where a committee refers a project of its own motion that is not the case. If the agency does not want to cooperate with the committee there is not a lot the committee can do. Where the committee refers to itself a project that is under the $4 million threshold—between $1 million and $4 million, for instance—the agency does not have to wait for the final report of the Public Works Committee. It can just proceed on its merry way. If it feels like it, in reality it can cooperate with the Public Works Committee and come along to the Public Works Committee hearings to fulfil its obligations. If it does not feel like it, it can ignore the committee; in other words, it can ignore this parliament. I do not think that it would be good legislation for us to enact provisions which allow an agency to thumb its nose at this parliament. Madam Acting Speaker, you and I both know that there are agencies in this state that are capable of doing that.

Apart from the $10 million threshold—and I have every confidence that the parliament will address that particular matter—if members in this place fail to see the wisdom in the amendment to be moved by the member for Mitchell, the bill will come back amended from the other place. Members of the government might end up with a little egg on their face. They will be seen by the public of South Australia to be trying to get away with it. At the end of the day, they will be forced to do the right thing.

There are other matters in the bill about which I have some concern. New section 16A(3) stops the agency from progressing until the Public Works Committee has tabled its final report. New section 16A(5) provides:

> Subsection (3) does not apply to a public work if the minister has, after the commencement of the Public Works Committee's inquiry into the public work, exempted the public work from the subsection with the agreement of the committee, subject to any conditions required or agreed to by the committee.

I have been at pains to make the point that executive government in most parliaments controls the Public Works Committee. If this house allows that new subsection to remain, we might as well forget about all the others. Any minister in any government can merely go to the members of his party who are on the Public Works Committee and say, 'Look, I do not want your committee inquiring into this project. This project is so dodgy that members of the opposition might find out about it and embarrass me. I do not want you to look at it. I will apply the exemption and you will agree to it.' That is the end of the investigation. It absolutely amazes me that the government has tried it on by even putting that amendment to the parliament. I have not spoken to the member for Mitchell about this, but I sincerely hope the honourable member is aware of that and aware that, if that amendment is allowed to remain, it does not matter where the threshold is because the minister will be exempting any public work which has any controversy whatsoever attached to it.

I have some concerns with new section 16A, subsections (7) and (8), although not as great as my concern in relation to the previous two matters.

I do not know why the parliament would not require a minister of a government to come back when it wants to change any of the thresholds. I do not why we would want to give a minister the regulatory powers to do so.

At the end of the day, it is not very difficult for a minister who does the right thing and who wishes to make an amendment to the act, and who proves that he will continue to do the right thing—that is, the changes he wants to make to the threshold are of a reasonable nature—to get the measure through the parliament. I think that is the way it should continue. I will conclude my remarks there.

Mr RAU (Enfield): I will be relatively quick, but, first, I say that obviously I endorse the comments made by the member for Colton, particularly in relation to the public works aspect of this matter. Of course, being the chair of the committee, as he has been for some three years, and knowing him to be a person of the calibre he is, I am very much persuaded by his remarks. I have no hesitation in supporting the bill for that reason. However, I believe that, in the context of this debate, the member for Waite has been somewhat left out, and it is in some measure to make him feel more included in the process that I now address my further remarks.

The member spoke to us about some amendments he wants to see in this bill, and I will make a couple of brief points about those. The first point is that, as I understand it, he asks that committees not sit unless members of both sides of the parliament are present. From a conceptual point of view, I have a couple of problems with that, and one is that, in the sense of the amendment foreshadowed by the honourable member, the Constitution does not contemplate 'both sides'. Indeed, in this chamber there are more than two sides; in fact, five members of this parliament are neither one nor the other in terms of 'sides' of the parliament, if you want to put it that way. Perhaps we should pause a little before we seriously consider an amendment that does not contemplate the possibility of what is clearly a reality.

The second point I make is that the events that have spurred this amendment proposed by the honourable member revolve around one day's episode in the Economic and Finance Committee. One of the wags I spoke to subsequently about the occasion suggested that what was required was not so much an amendment but more an alarm clock. I think that was perhaps a bit unkind, particularly in the case of the member for Waite, who I recall had very important family business that day and had a very good reason for needing to be absent. However, the fact is that proper notice of meetings is an easy way to give everyone a fair opportunity.

One is left with this concern, if we were to go down the path contemplated by the member for Waite: he urged us to consider the possibility that one day those of us sitting on this side will be sitting on the other side. Rhetorically, I ask him: as a member of any government, would the member for Waite like to see a situation where opposition members could absent themselves from a committee meeting, thereby rendering that meeting incapable of proceeding? If we go down the path suggested by the honourable member, rather than improving the accountability of these committees and making them more responsive to the needs of the whole parliament, we may, in fact, introduce a mechanism by which these committees are rendered absolutely useless to anybody.

I come back to my original point. The fact is that it is often the case—and will continue to be the case, quite probably—that Independent members in this parliament find their way onto these committees, and it is not always inevitably the case that the committees are controlled by the government numbers. In the honourable member's remarks about the number of people on the government side he neglected also to take account of our friends in the other place. He included its ministers but not its backbench contribution. I think that changes his numbers slightly, although I still understand his point.

There are not only nine members of the backbench. I suggest, in all seriousness, that if members are concerned about some of the matters which the honourable member raises, perhaps we should be looking more towards the procedures of this parliament and the rules as they apply to the conduct of committee meetings rather than a statutory remedy as contemplated by the honourable member; otherwise, I suspect, what we may do is move forward with an amendment, which I believe is well-intentioned. I understand that, but if we think about what the consequences of that might be, it will be difficult to implement because of the fact that this is not a chamber necessarily of two parliamentary parties, and because that may introduce the possibility of rendering committees absolutely useless.

Mrs HALL (Morialta): I rise to make a brief contribution to this debate, and I do so on the basis—

An honourable member interjecting:

Mrs HALL: It will be brief—that I am a great supporter of the work of committees in parliament. I am one of the many members of this chamber who have served on the Public Works Committee, albeit for just a short period of time. Listening to this debate has reminded me of a position that has been discussed informally and, on a couple of occasions, formally in this chamber, that is, the current workload of the existing Public Works Committee. The remarks I make will not necessarily be popular with colleagues on either side of the chamber. However, the debate about whether the threshold should be raised from $4 million to $10 million is of serious concern to me, because it is widely acknowledged that thus far this Public Works Committee has looked at a very small number of projects, and that is with the $4 million threshold. The mind boggles at the prospect of what it will or will not have to do if that threshold is raised to $10 million. I suppose members could take a book or the latest reports to read but, when one looks at, say, the projects over the last five years that have been investigated by the Public Works Committee, one has some serious concerns.

There is one particular aspect of the Public Works Committee that I want to address. I have done so before and I will continue to do so. It seems to me that the principle of remuneration on an annual basis to a committee—which, certainly, is not overloaded with work at $4 million and will be less so at $10 million—ought to be considered. I have always been a supporter of the committee systems working properly. It seems to me that we ought very seriously to look at the possibility of having a sitting fee only for committees such as this. That practice is carried out in the federal parliament and in other state parliaments. It seems to me that some members of the committees, particularly those of the government (whether the government is a pink, blue or green government), might get some incentive to make a few decisions on some projects that need to be looked at by a Public Works Committee. It is really important, if we are seriously talking about accountable government (and the way we spend money), that this general remuneration issue be contemplated in debates such as this.

It is no secret; it is widely discussed. We have heard several members from the government benches talking about the workload, or lack thereof, of the Public Works Committee. It seems to be absolutely crazy that they get an annual remuneration fee when you look at the work that is done, say, in a number of other committees.

I strongly suggest that, when we move into committee and start debating some of the individual clauses, someone might look at raising that as an issue to be referred to a committee for further work. It seems that we ought to follow the lead of a number of other parliaments throughout Australia and look seriously at the prospect of abolishing annual remuneration for committee work and have a sitting fee. Members of parliament are expected to do investigative and committee work across the board, whether it be the select committee on tattooing (of which I am currently a member) or whether it be the Economic and Finance Committee. There are some committees that we know have a higher workload than others. I genuinely believe that, contained in this whole debate on the committee works of parliaments, we ought to look seriously at abolishing annual remuneration, get on with doing our specific work and look at a sitting fee. I think that is a very serious issue to be looked at in the future.

As I said earlier, I have been a member of the Public Works Committee, and I enjoyed the work that I did. However, I have also been a minister with projects before the Public Works Committee. One in particular that I would like to say was not only a magnificent project but it also worked in a most cooperative manner with the Public Works Committee was the Adelaide Convention Centre. It was a very large project, and it had to go back to the Public Works Committee several times because of some variations from the initial proposal that was approved by the Public Works Committee. Therefore, I have participated on both sides, and I would have some serious concerns. It is just for the convenience of any government that the threshold was raised from $4 million to $10 million without looking at some of the other issues that are involved in such a significant shift. I seriously urge the house to ponder abolishing all annual remuneration for committees and look at sitting fees like our federal colleagues and many other states of parliaments.

Ms THOMPSON (Reynell): I support the bill and, to be brief in my remarks, indicate to the member for McKillop that he misremembers some events from the Public Works Committee. In the short time I had available to me, I was not able to find all my reports, but I do have with me the final report, Hindmarsh Soccer Stadium—Upgrade Stage 2, Interim Report, which has the best signature of Peter Lewis, the Presiding Member. It states:

> After examination of both written and oral evidence, the Public Works Committee finds that, at this stage, it *cannot endorse* the proposal to undertake Stage 2 of the Hindmarsh Soccer Stadium Upgrade as it *cannot* ensure that the project meets the criteria as set out in the Parliamentary Committees Act.

It concludes:

> As such, the Committee is as yet unable to endorse Stage 2 of the works or lodge its final report to Parliament. The Committee must be given all material evidence needed for the proper evaluation of the project according to law.

Attached to that report was the minority report signed by the member for Mawson. Part of his minority report states:

> Sufficient information has been provided to make decisions without handing down the Interim report which, in fact will hold up this project and jeopardise the long term interests of the South Australian community.

It is my recollection, which I had the opportunity to briefly confirm the with you, Mr President, that, indeed, when the final report was submitted, yet again, it indicated that the committee would not support the project.

My recollection is that this was on the ground that information to comply with the act still had not been provided by the Olsen government and its ministers and that, once again, there was a minority report from the member for Mawson. After this blatant disregard of the almost unanimous views of the Public Works Committee, when the government just proceeded and scoffed at the concerns raised by the committee, I took a different point of view. The concerns raised by the committee have generally come to pass, and both the former government and this government have had to spend considerable time and money addressing some of those matters that we raised.

My position after that was that, if we set out such cogent and forceful reasons why a matter should not be supported and were so totally disregarded, perhaps we had to take another approach. Thereafter, even when there were considerable reservations about projects such as the Wine Centre, we indicated that we supported them and set out a range of matters that were of concern, in the hope that they might be addressed in that way. In general, they were not addressed in that way, so it really did not matter what we did. I think it is important for the house to note that the track record of this and the previous government in relation to Public Works Committee matters is quite different and that we were, indeed, faced with some very difficult challenges as members of the Public Works Committee in the former parliament.

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank all members on both sides of the house for their contributions to the debate, which I listened to with great interest. This is obviously a matter of high importance to many people in this chamber, and I understand that many members who have been on the Public Works Committee have very strong views about this. The government recognises the very good job that the members of the Public Works Committee do and have done in the past. This legislation is not a reflection on the work that they are doing. What we are attempting to do with the legislation is to put into practice the recommendations of the Economic Development Board.

As I understood it, the Economic Development Board and its recommendations enjoyed bipartisan support at the two summits that were held in South Australia. It is in part, I guess, to symbolise to the business community that South Australia is open for business. It is not a state that is tied up in red tape, with government bureaucracy stopping things happening. It is saying, 'Yes, we are open for business.' It is trying to bring the operations of the Public Works Committee into modern times. The government's bill certainly does lift the threshold, as has been mentioned by a number of people, to $10 million. I understand that that threshold has been around for some time, at least since the legislation was changed in the mid-1990s, and it may be possible that the $4 million has been in place even beyond that.

So, it is to lift the threshold to a more realistic level and then index it but, at the same time, expand the number of opportunities the committee has to investigate issues. In particular, the legislation allows for information technology to be covered by the committee, and that is a first. It also requires the government to report to the committee on any projects of $1 million or more. That gives the committee good notice of works that are intended, and the committee then has a discretion as to whether or not it investigates those works. I make that point in particular because the member for Unley in his contribution said that there was no way for the committee to know what the government was doing. This requires the government to notify the committee of its projects.

A couple of the speakers, at least, indicated that the committee did not have enough work to do. I find that surprising. The committee has discretionary power in relation to which projects it investigates as well as its mandated powers. This legislation says that it can investigate any project with a $1 million threshold if it chooses. I suggest to the committee that if it is looking for something to do it could use that power in a strategic way to look at, perhaps, the operations of a particular department, how projects in my department, for example—

Mrs Hall: Cuddling koalas!

The Hon. J.D. HILL: No, that would not be a development project. It could, for example, look at how the environment department spends its money on capital works over a period of time. I am just suggesting that there are strategic things that the committee could do that this legislation provides for. Changing the threshold does not mean that the committee does not have things it can do; it can use it powers in a strategic way to try to get good outcomes for the state. I repeat: the government is introducing this legislation to support recommendations by the EDB. We believe it shows that this state will be open for business. It is not in any way a reflection on the Public Works Committee, whose work we value.

The SPEAKER: Before the bill is read a second time, I would like to make some remarks as the member for Hammond, if not as the Speaker. Honourable members will remember that I have been chided for doing so on my feet, so I will do so from my seat in order that honourable members who feel the need to be elsewhere for relief, in whatever quarter, may go about that.

In the first instance, I make it plain to the whole house that the Economic Development Board got it absolutely dead flat wrong when it came to the conclusion that the Public Works Committee in any way, shape or form could interfere and delay essential development in South Australia by having the threshold of work referred to that committee left at $4 million. There are no private sector developmental works that get referred to the Public Works Committee, even though the definition of a public work has until now, and still at this moment, included the provision that if the work is to be constructed on land of the Crown, and the value of that work exceeds $4 million, then it must go to the Public Works Committee.

The previous government nonetheless ignored that, with the classic illustration being the old Treasury building, which was on land of the Crown and which still is on land of the Crown. That was controversial from the point of view that the Crown Solicitor of the day, in barely a year between writing two opinions, came up with an opinion which was included in the cabinet handbook as an illustration of the form of a public work built on land of the Crown where the circumstances were such that the amount of money being spent, worth more than $4 million, nonetheless came in the main from the private sector.

Less than 12 months later, after including that in the cabinet handbook as a classic illustration, he came out with exactly the opposite view. The government of the day, of course, chose to accept the second opinion from the same man on the matter and left me as a member, indeed the presiding member, of the Public Works Committee and all the

other members of the Public Works Committee utterly confused about what the government was thinking—until we realised that the government was not thinking anything, and did not much care to think. It was a matter of expedience, a matter of convenience, and it had nothing to do with any commitment to the public interest one way or another.

It is fortunate for us that the outcome is that the building still remains, though I am quite sure that the elements of historical feature in the building would not have remained had there not been such strident criticism along the way of the development. It could have been used for other purposes, and I have no doubt whatever that it fits the South Australian ethos to have contemplated those other uses and my sympathies were for it to be so, though I am impressed and complimentary to the current owners and developers of the site, given that it is now a hotel, that they did it so well.

So much then, for the definition of a public work as it now stands. What the government in this instance ought to be doing is addressing the definition of a public work in a more definitive way, and codifying it in a more precise way, not doing as this bill proposes, to leave it ambiguous and ill-defined, wherein and through which the minister and the majority of members on the Public Works Committee can simply decide not to bother to scrutinise a work regardless of the threshold of expenditure, which I will come to shortly. That is crazy because, as the composition of the committee at present is determined, three are almost certainly always going to be members of the same party as the Premier, and it was a quirk of fate in the last committee that the members of the committee were not all members of the same party as the Premier.

The way that it is constituted in the proposed form does not address the needs of ensuring that the public interest is protected. It most certainly addresses the subjective need that the government has that the committee is not at odds with government policy. That is comfortable for the government but disastrous for the public interest.

The matters which could have been addressed, and should have been addressed, in this amending legislation of the Parliamentary Committees Act are matters which have otherwise been referred to in some part by honourable members before me, that is, to remove the aspect of sinecure. To that extent, I strongly support the view expressed by the member for Morialta where nothing more than a small retainer, if you like, is paid to a member accepting nomination and that sitting fees apply. Those sitting fees ought to be no more than $50 for the first hour or part thereof, and $100 for the second hour or part thereof, and $200 for the third hour or part thereof.

Remember that whilst most wage earners might think that exorbitant, it is peanuts compared to what you will pay for a business consultant or a lawyer of any competence whatever, to look at projects of the nature that parliamentary committees are expected to examine, and we as members of the parliament ought to bear that in mind. The idea advanced by the member for Morialta was contemplated by me, and earlier suggested by me, not in my maiden speech, but in the first budget debate in which I participated in October 1979, where I also canvassed the wisdom or otherwise of having sunset clauses on all parliamentary committees as well government departments and, in particular, and more important than either of those, other quangos that were agencies of government established by statute, but not really answerable to ministers. Sunset legislation to my mind is an important way of getting rid of the dead wood that otherwise seeks to continue to justify itself without good cause. I assure the minister, who appears to be somewhat agitated, that I will be concluding these remarks in the next four minutes and 20 seconds.

The proposal to change the threshold from $4 million to $10 million to my mind is inappropriate altogether. Again, the Economic Development Board got it dead wrong. All of us need to remember that the money that is involved is not the government's money, nor is it the opposition's money: it is the public's money. It has been taken from them according to statute in the process of taxation. It belongs to the public. We are custodians, and the majority group within this chamber determines how that money will be used through the budget appropriation processes. It is therefore not appropriate to give Sir Humphrey—and I have met a few Sir Humphreys coming before the Public Works Committee—the power to choose what to tell or not tell the committee. I have been very disappointed with some of those witnesses.

Of course, the kind of claptrap we were told about the proposed, indeed the ultimate, development of the Hindmarsh Stadium was one thing, but some of the other more important public works that I recall, where the committee was duped, were by the Festival Centre Trust and by, on more than one occasion, SA Water, who did not tell the committee the truth: indeed they told the committee anything but the truth. You only have to look at the anti-social way in which the Festival Centre Board has developed the site between the car park and the Festival Theatre complex itself. It is antagonistic to the public traffic through it, on foot in particular, where they have stainless steel cables strained as a fence to prevent the public from walking past the entrance to their precious workshop, where they want to park at their precious convenience their precious motor car to the detriment and safety of all pedestrians who go from the railway station through to the precincts of the university. That was never a part of the evidence given to the Public Works Committee, in spite of explicit questions about the obstruction or otherwise that the development would make to the passage of foot traffic through it.

There are other things on which I could illustrate my point. There is not sufficient requirement of the agencies to tell the truth before the committee and no government is willing to find any member of staff of its agencies guilty of contempt of the parliament where they have misled the Public Works Committee and not bothered, if they made an honest mistake, to come back to it. To assess the value of a public work in the public interest is an important consideration and more attention needs to be paid to evaluating the costs and benefits and establishing a net present value in dollar terms and an internal return on money. If you take money from the private sector and put it into the hands of the public for public works, then it ought not to go into structures and buildings where the benefit in dollar terms, once properly quantified, does not equal what could have been generated in economic benefits in the private sector before the taxes were collected. There are other matters about which I will not cause the house to be delayed and, accordingly, I would wish to make some further constructive remarks about it at the commencement of the debate on the measure before it goes into committee tomorrow. I thank the house for its attention thus far.

Bill read a second time.

ECONOMIC AND FINANCE COMMITTEE

Mr HAMILTON-SMITH (Waite): I move:

That it be an instruction to the committee of the whole of the house that it have power to consider amendments relating to the

functions of the Economic and Finance Committee and procedure at meetings of parliamentary standing committees.

ADJOURNMENT

At 12 midnight the house adjourned until Wednesday 16 February at 2 p.m.