

HOUSE OF ASSEMBLY

Monday 11 April 2005

The **SPEAKER (Hon. R.B. Such)** took the chair at 2 p.m. and read prayers.

REPLIES TO QUESTIONS

The **SPEAKER**: I direct that written answers to the following questions on the *Notice Paper*, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 100, 117, 139, 261, 270, 276, 278, 285, 335, 368 and 474; and I direct that the following answers to questions without notice be distributed and printed in *Hansard*.

EMERGENCY ELECTRICITY PAYMENT SCHEME

In reply to **Hon. W.A. MATTHEW** (27 October 2004).

The **Hon. J.W. WEATHERILL**: Officers within the former Department of Human Services, Family and Youth Services (FAYS) undertook an internal examination of the issues associated with the Emergency Electricity Payment Scheme in 2003.

The findings made in this examination were presented to FAYS Executive, who determined that no further action would be undertaken. Since this was an internal project and not a formal review, the findings were not made public.

SUPPORTED RESIDENTIAL FACILITIES

In reply to **Mrs HALL**.

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

1. In June 1997 the Supported Residential Facilities Advisory Committee published *Supported Residential Facilities Act 1992 Guidelines and Standards* (2nd ed.), Guideline No. 8 Disputes & Complaints. It provides operational procedures for SRF staff when dealing with assaults and abuse of residents. This guideline proposes that proper staff reporting protocols be implemented into facilities.

Furthermore this matter was also referred to the police for investigation.

2. The Local Government Authorised Officers group will consider including into licensing provisions SRF policies and Procedures when dealing with assault on, or abuse of, a resident to ensure that local conditions and populations groups are a consideration in standard operating practices.

BUNNINGS DEVELOPMENT

In reply to **Dr McFETRIDGE** (10 February 2005).

The **Hon. P.L. WHITE**: On 11 November 2004, the District Council of Grant issued a planning consent for a Bunnings retail outlet on the outskirts of Mount Gambier. The land concerned is zoned for industry. The Council received a number of representations against the proposal. Representors have now lodged appeals to the Environment Resources and Development Court against that consent.

One of the key grounds for the appeal is the Development Assessment Commission is the relevant decision maker for the development, not the Council, as the Development Regulations make the Commission the authority for shops above 2000 square metres in floor area outside designated shopping zones across the Council area. The representors are arguing that the Council's decision is therefore invalid.

A key legal issue before the Court is whether the approval is valid, given the question about whether the Council is the relevant assessment authority.

The Commission's role in this case is simply to assist the Court in determining which body is the relevant decision maker. It is noteworthy that the Commission has not formed any planning judgement on the merits of the proposal; it is simply there to assist the Court in resolving the jurisdiction question.

It should also be noted that the Commission is independent of the Government in relation to development assessment. The Member for Morphett also states that the Commission did not lodge any objection to the original proposal. On this point, the Commission wrote to

Council on 12 October 2004 raising the jurisdiction question well before Council's November decision.

OVERWAY BRIDGE, GAWLER

In reply to **Hon. M.R. BUCKBY** (1 March 2005).

The **Hon. P.L. WHITE**: The Department of Transport and Urban Planning (Transport SA) assumes maintenance responsibility for the footpath and pedestrian fencing over the bridge only, which presently has kerbing, is sealed and fenced with chain mesh fencing.

The Town of Gawler is responsible for the maintenance and installation of the footpath and fencing on the approaches to the bridge. Preliminary discussions have begun with Council officers to determine an appropriate course of action for the treatment of the pedestrian fence on the approaches to the Overway Bridge, Gawler. It is anticipated that Council will also discuss these options with TransAdelaide as caretakers of the adjacent railway land.

Transport SA will continue to monitor this site and prioritise its improvements against other statewide projects.

SENIOR HEALTH POSITIONS

In reply to **Hon. DEAN BROWN** (10 February 2005).

The **Hon. L. STEVENS**: The government's health reform agenda, *First Steps Forward*, announced the program to build better governance, better services and better systems.

Three metropolitan health regions were established on 1 July 2004 the Central Northern Adelaide Health Service (CNAHS), the Southern Adelaide Health Service (SAHS) and the Children, Youth and Women's Health Service (CYWHS).

Since 1 July 2004, the Department of Health and the Regions have worked together to define roles and responsibilities and create an organisational structure to facilitate health reforms, and streamline administrative activities and functions allowing the redistribution of resources directly into health service delivery.

Senior executive positions reporting directly to the Chief Executive Officers of the Regions or the Department were advertised in *The Advertiser* on 22 January 2005. The positions will replace existing executive positions in the Health portfolio. At the completion of the implementation of the new organisational structures there will be fewer executive positions than currently exist within the portfolio.

HEALTH FUNDING

In reply to **Hon. DEAN BROWN** (17 February 2005).

The **Hon. L. STEVENS**: Clarification has been sought on the impact of a perceived \$11.446 million shortfall between the \$64.5 million in carryover funding sought by the Department of Health and the \$53.1 million that has been reported as having been approved.

The \$53.1 million does not include a further \$5.923 million that was also approved for various initiatives, subject to the department demonstrating the expenditure has been incurred, at which time the budget will be increased accordingly. There is a further net impact of \$1.535 million in delayed revenues and expenditure for the Women's and Children's Hospital Emergency Department redevelopment relating to the 2002-03 financial year and reflected in the 2005-06 budget.

The remaining \$3.988 million reflects under expenditure in the annual capital program for Information and Communication Technology minor works. The future year budgets for the annual programs are unaffected by such under expenditure and are being maintained at the same level as past years so the department is not disadvantaged.

DARLEY, Mr J.

In reply to **Ms CHAPMAN** (14 February 2005).

The **Hon. L. STEVENS**: Mr Darley's appointment as a Commissioner for Charitable Funds ("a Commissioner") commenced on 11 July 2002 and will expire on 10 July 2005.

The Governor's power to appoint a Commissioner is pursuant to section 5 of the *Public Charities Funds Act 1935* ("the Act"). When a Commissioner's three year term has expired, they are eligible to be re-appointed for a further three-year period.

Mr Darley has held the position of Chair since 1994. The position of Commissioner is not full time and it is not surprising that a person serving as Commissioner is active in community issues. His

comments regarding land tax will not affect his possibility of re-appointment.

HOSPITALS, FLINDERS MEDICAL CENTRE

In reply to **Hon. DEAN BROWN** (10 November 2004).

The Hon. L. STEVENS: The Renal Unit of Flinders Medical Centre (FMC) confirms the following information regarding the patient referred to by the Hon. Dean Brown MP.

In response to concerns raised by the patient on 6 October 2004, the FMC Renal Unit nurse took a swab of the Peritoneal Dialysis (PD) catheter site. However, at the time there was nothing to indicate an infection was likely and that further action was required. On Friday 8 October 2004 a further assessment revealed swelling evident near the catheter exit site but the site was not inflamed. The swab taken on 6 October had demonstrated no sign of infection and the patient's white cell count, a non-specific indicator of infection, was within normal limits.

On Monday 11 October 2004, the patient phoned the FMC Renal Unit nurse to discuss his concerns. At this point there does seem to be some confusion as to whether a discussion between the nurse and medical staff took place regarding the patient. However, the Director of the FMC Renal Unit is of the opinion that this would not have impacted on the treatment or outcome for the patient. Nevertheless, it is evident that the communication pathway between the nurse and the medical team requires improvement, and the staff are currently developing strategies to facilitate this.

When the patient was reviewed at the FMC Emergency Department at 2.30am on Wednesday 13 October 2004, he appeared well and there were no symptoms of general/systemic infection. However, as there was some sign of swelling and tenderness around the catheter site which could indicate a local infection, the Emergency Department doctor advised follow up with the renal team in the morning.

Given the time of day when the ED doctor was assessing the patient, the absence of evidence that any infection was spreading and the fact that specialist follow up would occur within a matter of hours, the patient's treatment plan was not unreasonable.

As a precautionary measure, the renal doctor admitted the patient to hospital on Wednesday 13 October 2004 and antibiotics were prescribed. There was a delay of some hours in the patient receiving the antibiotics which was regrettable, but in the opinion of the FMC Renal Unit Director, did not appear to influence the outcome for the patient.

The symptoms of infection increased over the next few days and it was deemed necessary to remove the catheter and transfer the patient to haemodialysis.

INFRASTRUCTURE PROJECTS

100. **Dr McFETRIDGE:**

1. What infrastructure projects are outstanding in 2003-04 and 2004-05 and how long have they been outstanding?

2. What is the total cost of current outstanding infrastructure stormwater and flood mitigation projects?

The Hon. J.D. HILL: In relation to outstanding infrastructure stormwater and flood mitigation works I have been advised that the 'Report of the Catchment Management Subsidy Scheme Review June 2002' provides indicative estimates by catchment area (metropolitan works) and by town (country works) of the outstanding stormwater drainage and flood mitigation works across the state. As a consequence of the report findings, the Government decided to double the allocation of funds for the Catchment Management Subsidy Scheme to \$4 million per annum commencing in 2003-04.

The information for the metropolitan area has since been updated in the recently released report titled 'Metropolitan Adelaide Stormwater Management Study' undertaken by engineering consultants KBR for the State Government and Local Government Association of South Australia. The report indicates that the estimated cost of identified significant stormwater flood mitigation works in metropolitan Adelaide is in the order of \$160 million. The report contributes to the development of a stormwater management policy for metropolitan Adelaide which is being developed in conjunction with local government. This report is accessible via: www.lga.sa.gov.au/site.

COLONEL LIGHT, LETTER

117. **Mr HAMILTON-SMITH:** What action has been taken to obtain the famous letter by Colonel Light to artist George Jones

written on 22 November 1836 extolling the virtues of the future site of Adelaide for the State Library's 'Treasures Wall'?

The Hon. J.D. HILL: This matter is under consideration.

RING CYCLE

139. **Mr HAMILTON-SMITH:** What impact will a short fall in the anticipated \$7.8M non-Arts sector funding have on the overall production costs of the 'Ring Cycle' and will the South Australian taxpayers be expected to make up the difference?

The Hon. J.D. HILL: When the original budget allocated by the previous State Government to mount the first Australian production of this major operatic work proved to be grossly inadequate for such an ambitious undertaking, the budget was revised. As part of this revision process, the budgeted income levels for box office, sponsorship and donations were increased.

The production was achieved within its revised budget.

ONESTEEL

261. **Mr HANNA:**

1. What are the details of the incident at the One Steel Pellet Plant in Whyalla on 27 August 2004 resulting in a dense cloud of fine red dust covering Hummock Hill and the Delprat Terrace area of East Whyalla?

2. Has the EPA investigated this incident and if so, when and if not, why not?

3. What Environment Protection Orders have been issued against the One Steel Pellet Plant in the past and will an order be issued on this occasion?

4. How are environmental issues policed in Whyalla given there is no resident EPA officer stationed there?

5. Has any Government initiated research been undertaken into the possible harmful effects on the environment and local populations in Whyalla and Port Pirie due to increase in heavy industry activity there?

The Hon. J.D. HILL: I have been advised:

1. The EPA received several complaints regarding red dust emanating from the Pellet Plant and OneSteel site on 27 August 2004. I am advised that the follow up of complaints has failed to identify any specific incident that led to the reported dust. The equipment that is currently operating at the OneSteel Pellet Plant is not capable of containing all dust that is generated, and the EPA expects that there will be some dust emissions and reports of pollution as a result of this. The EPA is upgrading OneSteel's environmental licence to ensure that the existing plant is operated to the best possible environmental standards, and OneSteel is progressing with a plant upgrade, Project Magnet, that is expected to significantly reduce dust impacts on the community adjacent to the Pellet Plant once completed.

2. The EPA conducted a preliminary investigation of the incident at the time that the complaints were received. It was determined at that time that no further investigation was warranted.

3. The EPA has issued Environment Protection Orders and Expiation notices for breaches of the *Environment Protection Act 1993* in relation to activities at the OneSteel Pellet Plant. Most recently, the EPA issued an expiation notice for failure to properly operate and maintain pollution control equipment in August 2004. Five Environment Protection Orders were issued in June 2003 to reduce emissions from the Grinding Mills Feed Bin Enclosure, Top of conveyor 3001 that leads to the Grinding Mills Feed Bin Enclosure and the Pan feeder area at the base of the Grinding Mills Feed Bins. The EPA continues to police the environmental performance of the plant and will issue further orders as appropriate. I am advised that no Environment Protection Order was issued as a result of the investigation of the complaints received from 27 August 2004 as this was not deemed appropriate or necessary.

4. The EPA has installed video surveillance adjacent to the Pellet Plant at the OneSteel Whyalla steelworks and conducts ambient monitoring in the community adjacent to the steelworks and at Civic Park. Site inspections are regularly undertaken and the EPA is in regular contact with the company and key members of the community. The EPA uses these sources of information to follow up and investigate complaints.

5. The Minister for Health has advised that:

The Department of Health has reviewed international research to identify potential health impacts of dust and issued a "draft for discussion" report in March 2004. Conclusions about the effects of

dust on Whyalla are limited by the lack of information from the international research about the exact nature of pellet plant dust.

The Department of Health also conducted investigations at Whyalla to characterise the pellet plant dust from several sources and compared it to dust collected from adjacent residential locations, special trays from fallout and air sampler filters. International research is being used in conjunction with this new information on the specific characteristics of dust from Whyalla to determine potential health impacts amongst East Whyalla residents.

The impact of lead contamination on the development of children has been under investigation at Port Pirie throughout the 1980's and 1990's, with specific research to identify the sources of lead contamination also under investigation. The research is looking at ways to manage emission control at the smelter and improve our understanding of the process of emission transport to residents. It is also seeking to understand the mechanisms for children's exposure and develop new intervention strategies to protect young children.

STATE THEATRE COMPANY

270. **Mr HAMILTON-SMITH:** For each year since 2001-02: (a) what was the per seat subsidy for all performances held by the State Theatre Company; (b) how many nights were performances held; and (c) how many seats for performances were sold?

The Hon. J.D. HILL: I have been advised:

The reason for the increased seat subsidy and reduced paid attendances in 2003-04 was that, during this period, there were two productions of new works developed in the On-Site Theatre Laboratory: *Drowning in My Ocean of You and Night Letters*.

	2003-04	2002-03	2001-02	2000-01
Subsidy per seat sold	\$55	\$45	\$51	\$43
Number of Performances	164	153	161	161
Number of Seats Sold	39,839	45,514	42,253	42,000

RING CYCLE

276. **Mr HAMILTON-SMITH:** What are the consequences of the State Supply Board not approving the State Opera's request to waive a competitive tendering process for the construction of the set of 'The Ring'?

The Hon. J.D. HILL: I am advised that State Opera has not let any other major contracts since it received this response from the State Supply Board.

Furthermore, State Opera has resolved to consult with State Supply before letting future contracts, in order to ensure compliance with the relevant requirements.

SA WATER

278. **Mr HAMILTON-SMITH:** Has the Government undertaken any small business impact assessment in relation to the SA Water agreement with the United Kingdom based business 'Home Services Direct' to manage plumbing work previously performed by local small plumbing businesses and if so, what are the details?

The Hon. M.J. WRIGHT: I am advised Home Service Direct does not employ its own plumbers. It sources all trade services from licensed South Australian plumbers. SA Water has not conducted a small business impact assessment.

SPEED DETECTION DEVICES

285. **Mr VENNING:** How many times were speed detection devices used adjacent to the Festival Theatre Car Park in 2003 and 2004, how much revenue was raised in fines, and how many serious and fatal accidents have occurred at this location since 2000?

The Hon. K.O. FOLEY: The Commissioner of Police has advised me that the term "adjacent to the Festival Theatre Car Park" is not a location specifically recorded by SAPOL systems. The information provided as the response refers to the portion of King William Road, Adelaide, between North Terrace and Memorial Drive.

During 2003 and 2004 speed camera speed detection devices were deployed on King William Road, Adelaide on 110 occasions. 11,762 expiation notices were issued and \$1,626,498 fines paid.

Between 1 January 2000 and 30 June 2004 there have been 87 casualty crashes and no fatal crashes on King William Road, Adelaide between North Terrace and Memorial Drive.

LOCAL HERITAGE REVIEWS

335. **Dr McFETRIDGE:**

1. Why was the estimated result for Local Heritage Reviews 2003-04 considerably less than the budgeted result and will this variation be carried forward in 2004-05?

2. How many local heritage reviews have been undertaken in 2003-04 and how many reviews will the 2004-05 allocation enable to be undertaken?

The Hon. J.D. HILL: I have been advised:

1. The State Government allocated \$30,000 in 2003-04 in order to assist Local Councils in undertaking local heritage reviews. This funding allocation was based on providing grants of up to \$5,000 per council and was reliant on Local Councils contacting the Department for Environment and Heritage to seek funding assistance under this program.

Two Councils, Alexandrina and Charles Sturt, sought financial assistance for a heritage review in 2003-04, with a total of \$8,500 being allocated towards assisting these two Councils. It is intended that the balance of the 2003-04 program (\$21,500) will be made available by the Department in 2004-05.

2. In 2003-04 two Councils, Alexandrina and Charles Sturt, sought financial assistance for a heritage review. In 2004-05 a further \$30,000 has been allocated from the State budget to assist councils in undertaking local heritage reviews, on the same basis as in 2003-04. This is in addition to the balance of \$21,500 from 2003-04.

As indicated above, grants of up to \$5,000 per council are provided under this program. Therefore this level of funding would be sufficient for 10 grants up to the maximum level. The number of grants provided will depend on the number of applications received and amounts sought and approved in each case.

SOUTH-EAST RAIL NETWORK

368. **The Hon. M.R. BUCKBY:** How many meetings have been held between the South Australian, Victorian and Federal Governments, and the private sector regarding the re-opening of the South East Rail Network, when were they held and what have been the outcomes so far?

The Hon. P.L. WHITE: In December 2003 this Government announced its commitment to work with the Victorian and Federal Governments and the private sector to reopen the South East Rail Network.

Since that time, my Department has attended meetings involving the Victorian Department of Infrastructure on six occasions and the Commonwealth Department of Transport and Regional Services on five occasions. Meetings involving my Department and private sector bodies have occurred on ten occasions. Meetings have been held as recently as December 2004 and February 2005.

The State, through my Department, along with both South Australian and Victorian local government bodies, the Victorian Department of Infrastructure, the Limestone Coast Economic Development Board and private sector representatives covering transport and timber industry interests, is participating in the Green Triangle Transport Network Working Group, which is convened by the South East Local Government Association. The working group is progressing plans for a submission to the Commonwealth for Regional AusLink funding for strategic transport links in the Green Triangle region and these include the South East Railway through to Portland as well as the Riddoch and Princes Highways.

The Victorian Government is currently undertaking a detailed economic assessment of the proposal to determine the level of its financial contribution. I also understand that Pacific National, the company which controls the Victoria link of the Green Triangle railway network, has initiated discussions with companies likely to process blue gum wood chips, with a view to moving these by rail.

TRAVEL COMPENSATION FUND BOARD

474. **Mrs HALL:**

1. With respect to each member of the current Travel Compensation Fund Board of Trustees:

- when were they appointed;
- who nominated them for appointment
- when do their terms expire;
- by what specific criteria were they appointed;
- how many times have they been reappointed; and
- what is their attendance rate for meetings?

2. When was the last time a South Australian held a board position and has the Minister made any recommendations regarding South Australian representation on the Board?

The Hon. K.A. MAYWALD: I have received this advice:

1. See Table and Trust Deed attached.

2. Mr David Schomburgk, Manager Consumer Affairs, Office of Consumer and Business Affairs was the last South Australian to hold a position on the Board of Trustees. Mr Schomburgk was nominated by the South Australian Minister for Consumer Affairs, and was appointed on 15 January 1999. His appointment ceased on 15 January 2001.

Section 4.2 (e) (iv) of the Trust Deed states that the Trustees are to be appointed by the Ministerial Council. In respect of South Australia, Tasmania and the Australian Capital Territory (ACT), one person is appointed to represent these jurisdictions on a rotating basis. Clause 4.7 (b) states that this representative is to be in office for a term of 2 years from the date of appointment. The current Trustee for these jurisdictions is from the ACT and her appointment, which has been extended for twelve months, will expire on 15 January 2006 at which time a recommendation and appointment will be made from South Australia for a period of two years.

Travel Compensation Fund Board of Trustees

1. With respect to each member of the current Travel Compensation Fund Board of Trustees:

Key	Name	(a) When appointed	(b) Who nominated	(c) Term expires	(d) Specific Appointment Criteria	(e) How many times Reappointed	(f) Board Meeting Attendance Rate
4.2a	John King (Chair)	15 January 1999	Position publicly advertised	15 January 2006	See 4.1(a) and 4.2(a) of Trust Deed	2	7/7
4.2b	Jenni Mack	24 January 2005	Australian Consumer's Association and Consumer's Federation of Australia	15 January 2006	See 4.1(b) and 4.2(b) of Trust Deed	0	Recent appointment. Information not available
	Vacant	-	-	-	See 4.1(b) and 4.2(b) of Trust Deed	-	-
4.2c	Ian Spight	15 January 2002	Australian federation of Travel Agents (AFTA)	15 January 2006	See 4.1(c) and 4.2(c) of Trust Deed	1	6/7
	Brian Wild	15 January 2002	AFTA	15 January 2006	See 4.1(c) and 4.2(c) of Trust Deed	1	6/7
4.2e	Anne Templeman Jones	15 January 1999	Public tender applications, Travel agents not affiliated with AFTA and Tourism Export Council	15 January 2006	See 4.1(d) and 4.2(d) of Trust Deed	2	4/7
	Andrew Burnes	24 January 2005		15 January 2006	See 4.1(d) and 4.2(d) of Trust Deed		Recent appointment. Information not available
4.2e	Brian Given NSW	15 January 1999	Relevant Minister in jurisdiction	15 January 2006	See 4.1(c) and 4.2(e) of Trust Deed	3	5/7
	Vacant Victoria	-	-	-	See 4.1(c) and 4.2(e) of Trust Deed	-	-
	Matt Miller Qld / WA	15 January 2003	Qld Minister	15 January 2006	See 4.1(c) and 4.2(e) of Trust Deed	1	7/7
	Janice Boyle SA / Tas / ACT	15 January 2003	ACT Minister	15 January 2006	See 4.1(c) and 4.2(e) of Trust Deed	1	6/7

Travel Compensation Fund—Trust Deed—Effective 30 September 2004

4. TRUSTEES

4.1 The Trust is to be operated by a Board of Trustees consisting of 11

Trustees appointed by the Ministerial Council of whom—

(a) one is the chairperson; and

(b) 2 are persons who have knowledge of the interests of travel consumers; and

(c) 2 are persons who have knowledge and experience of the travel industry; and

(d) 2 are other persons who have knowledge and experience of the travel industry; and

(e) 4 are persons representing the Ministerial Council.

4.2 The Trustees are to be appointed by the Ministerial Council in the following manner:

(a) the appointment of chairperson is to be made from applications submitted as a result of public advertisement of the position;

(b) the appointments of the 2 persons referred to in clause 4.1(b) are to be made from—

(i) applications submitted as a result of public advertisement of the positions; and

(ii) nominations made by the Australian Consumers Association and the Consumers Federation of Australia;

(c) the appointments of the 2 persons referred to in clause 4.1(c) are to be made from at least 4 nominations by AFTA from its members;

(d) the appointment of the persons referred to in clause 4.1(d) is to be made from—

(i) applications submitted as a result of public advertisement of the position; and

(ii) nominations made by travel agents not affiliated with AFTA submitted as the result of public advertisement of the position; and

(iii) nominations made by the Australian Tourism Export Council Limited from its inbound tour Operator members;

- (e) the appointments of the 4 persons referred to in clause 4.1(e) are to be made—
- (i) in respect of the first person, of a representative of the agency of New South Wales; and
 - (ii) in respect of the second person, of a representative of the agency of Victoria; and
 - (iii) in respect of the third person, of a representative of the agency of Queensland or Western Australia on a rotating basis; and
 - (iv) in respect of the fourth person, a representative of the agency of South Australia, Tasmania or the Australian Capital Territory on a rotating basis.

EVENTS, MARCH 2006

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

Leave granted.

The Hon. M.D. RANN: March 2006 will be a significant time in South Australia, not least of which is because there will be a state election, the first fixed-term election in our history, following legislation passed by the previous parliament—I think it was the member for Mitchell's private member's legislation. But many other important events are scheduled for that month in Adelaide. So many in fact that it was quite obvious to the government and the organisers of these events that, if they overlapped too much, it would result in a severe shortage of hotel rooms and there would be competing interests of the use of our parklands, for traffic flow problems during certain events and even competing and distracting noise levels.

The events we have scheduled in March next year include our International Adelaide Festival of Arts, the Festival Fringe, WOMAdelaide, the Magic Millions Racing Carnival (which incorporates the new Adelaide Cup long weekend public holiday) and the Clipsal 500 car race. In amongst all this, of course, we also have the opening of the Commonwealth Games in Melbourne. And then there is the state election on 18 March 2006. There is no doubt that it will be the busiest of months and scheduling events to ensure that all of it runs smoothly so there is no chaos or accommodation shortage has been a challenge, but I believe that the government has arrived at the best solution to suit all concerned.

The Adelaide V8 car race, which continues to grow in stature and this year achieved a world record attendance for a touring car event, will be held next year between 30 March and 2 April. Given that this event costs the government less than \$2 million to stage and this year attracted a crowd of more than 255 000 over four days, generating more than \$25 million in economic spin-off, we could not afford to stage it at the same time as our major international arts festivals. Staging the Clipsal 500 on the same weekend as the arts festival and WOMAdelaide would have been disastrous and, in my view as arts minister, unconscionable.

The last Adelaide Festival and WOMAdelaide generated nearly \$20 million in economic spin-off. I am confident, having seen the outline of the program by Brett Sheehy, that the 2006 festivals combined will be much bigger, in fact I believe will have the biggest economic impact ever. The list of events for next March will now run as follows:

- the International Adelaide Festival of Arts will run from Friday 3 March (which I am told will have a fantastic opening night) to Sunday 19 March;
- the Adelaide Fringe Festival will run from Friday 24 February to Sunday 19 March;
- WOMAdelaide will run from Friday 10 March to Sunday 12 March;

- the Magic Millions Racing Carnival will run from Saturday 4 March to Sunday 19 March, including the Adelaide Cup holiday on Monday 13 March. So a holiday that will not only benefit the Magic Millions Carnival and the Adelaide Cup but it will also benefit the Adelaide Festival;
- the Melbourne Commonwealth Games will begin on Wednesday 15 March to Sunday 26 March.

Following discussions between Deputy Premier Kevin Foley (and, of course, minister for motor sport) and Mr Tony Cochrane (Chairman of AVESCO, the controlling body of the V8 Supercar Championship series), next year's Adelaide event date has been moved back to take into account all these competing factors. To have moved the date back to late February would not have suited the drivers because of the risk of our summer temperatures reaching above 35 degrees, when the drivers simply cannot and will not compete. The dates will now also ensure that the spread of events will better suit the hotel industry, which faced enormous demands from not only these events but from several medical conferences also to be held in February and March next year. Of course, the Tour Down Under will be in late January and will also be bigger and better than ever.

According to Tourism SA, in the three-month period from February to April next year, Adelaide expects some 650 000 visitors, of whom nearly 280 000 will require commercial accommodation. This government wants every single one of those people who come to Adelaide to get a bed when they need one, as well as a meal, a drink and a great time. We are about encouraging tourism and developing our economic potential. The scheduling of these events will mean that Adelaide is extraordinarily busy during March, but it can now take it all in its stride. I am sure it will be a great and successful month for all concerned.

PAPER TABLED

The following paper was laid on the table:

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

Upper South East Dryland Salinity and Flood Management Act 2002—Quarterly Report 1 October 2004-31 December 2004.

QUESTION TIME

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Industrial Relations confirm that South Australian taxpayers are now exposed to nearly \$1 billion in unfunded liability for workers' insurance and outline to the house what action he is taking to reverse the blow-out? The opposition has received information that indicates that the level of unfunded liability for workers' insurance within the public sector has now reached \$304 million. When combined with WorkCover's unfunded liability, this figure takes the total to \$935 million.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): This government will continue to work hard to resolve the problems and mess left by the former Liberal government, when—

The SPEAKER: Order! That was not the question. The Minister for Industrial Relations should answer the question.

The Hon. M.J. WRIGHT: I will check the figures put forward by the Leader of the Opposition. However, I repeat what I said: this government will continue to work hard at resolving issues left by the previous government in relation to workers' compensation claims. The unfunded liability of WorkCover has been left because of the mismanagement of the former Liberal government. This government will continue to get the business under control. This government—

Members interjecting:

The SPEAKER: Order! The chair points out that the minister needs to answer the question. I take it he has answered it.

ADELAIDE AIRPORT

Mr KOUTSANTONIS (West Torrens): Will the Minister for Infrastructure advise the house of progress on the new Adelaide Airport terminal?

Members interjecting:

The SPEAKER: Before I call the minister, I remind some members that they are under the misapprehension that the chair has to warn people once or twice before naming them; that is not the case. I advise members that last week was a gentle easing in for them.

The Hon. P.F. CONLON (Minister for Infrastructure): I was pleased to hear the excitement on the other side of the house, because this is a good news story. Indeed, one of the most significant steps in the development of the \$260 million airport took place on the weekend with the delivery of 14 aerobridges, each worth three-quarters of a million dollars. I love South Australia—I love it deeply—but there has always been, for us, a small embarrassment. I think most South Australians have worried that, when people arrive at our airport, they walk across the tarmac to get to the terminal, as they do at a country airport. Well, this is when it will change. They will walk across 14 airbridges to a state-of-the-art \$260 million terminal, one kilometre long. It will be an absolute transformation in the gateway of international travel to Adelaide.

An honourable member interjecting:

The Hon. P.F. CONLON: No; it is only 750 metres. It is amazing. Members would think there would be something about which members of the opposition would feel bipartisan and good. It is absolutely transforming the international gateway to South Australia. People will not be getting off, picking up an umbrella and walking across a tarmac: they will be walking across state-of-the-art airbridges. These airbridges—

An honourable member interjecting:

The Hon. P.F. CONLON: How much money? Members opposite just cannot stand a good story. These airbridges are transparent; that is, you can see out both sides of them. We will have the only major capital airport—

Mr Scalzi interjecting:

The Hon. P.F. CONLON: Honestly, can I tell the Lion of Hartley that he should be more cheerful; it is good news. No doubt, he will catch a plane one day in his retirement—which is coming soon. People will be able to catch a plane to the city and on these airbridges they will be in the only capital city airport where they can see the city: they can see our gorgeous capital as they depart the plane. It is fantastic. It is true that under this government the airbridges are transparent. Under the previous government, they were invisible: they did not exist.

It is very good news for South Australia. The project is ahead of time and on budget. It is a credit to Hansen Yuncken and the airport managers in what has been an extraordinarily difficult environment for building. It is difficult because of the economic success of this government. It is difficult because of the economic success because of growth in the building of this government. It is a credit to them, and I am sure that inveterate travellers, such as the members for Schubert and Stuart, will enjoy it the next time they are off to London. It is good news for South Australia, and I am pleased to see this important step take place.

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Industrial Relations confirm that the level of unfunded liability for workers' insurance in the public sector has blown out by 25 per cent in the past two years from \$241 million in 2002 to \$304 million in 2004; and what is he doing to reverse this trend?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I will check the figures that have been put forward by the Leader of the Opposition, and I will come back to the leader in regard to figures he has put forward.

Members interjecting:

The SPEAKER: I warn the members for Bright and Kavel.

The Hon. M.J. WRIGHT: In relation to the general question as to what we are doing, we are working hard to address the issues of workers' compensation. One of the things that is important is the consolidation of the management of workers' compensation claims; and the other thing, which is obviously important, is the prevention of injuries. Both those approaches will be pursued by the government. In respect of the specific figures, I will get that detail and come back to the leader.

SCHOOL RETENTION RATES

Ms BREUER (Giles): My question is to the Minister for Education and Children's Services. What new initiatives are taking place in the Upper Spencer Gulf region to improve student retention?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the honourable member for her question. She has been a constant advocate for improvements in school retention, but, in addition, linkages between retention and school programs, and employment and training, for many years. Recently, I went to Edward John Eyre High School in Whyalla, with the Premier, the member Giles and Monsignor Cappel, and launched the first of a series of projects that have been produced by community effort and design, whereby local individuals and local groups look at issues and find local solutions that will work as part of our \$28.4 million school retention package.

The communities in question—those between Whyalla, Port Pirie and Port Augusta—wanted to see more constructive, sustainable and positive approaches to encourage people to be in learning or earning in their latter teenage years, as a way of avoiding their dropping out and losing hope from school.

The schemes that have been developed through the community discussions come under the umbrella of the state government's Innovative Community Action Networks

(ICAN), and this strategy is one whereby local communities find ways of preventing young people from leaving school early by putting them in contact with programs that will engage them. In particular, these programs require innovative teachers with an enthusiasm for working differently because we know that what has been going on in schools has not worked and, therefore, more of the same may not be the most appropriate strategy.

The local programs in the Upper Spencer Gulf region include one for young Aboriginal students at risk, involving a 'school away from school' where alternative programs called 'Doing Something, Going Somewhere' are coordinated by the Plaza Youth Agency in Whyalla. In addition, the students recognised that it was often true that at lunchtime, when students went out to the shops or to the deli, they could be sidetracked or diverted away from getting back to school and commonly came back late—in fact, there was a tendency not just for late attendance but for part-day absenteeism. In response to this a program was put together with the students to develop a gallery cafe, whereby there was a more mature lunchtime experience and a cafe on the school grounds where people could come together and meet and, more importantly, it also allowed students to work in the cafe in hospitality and retail management areas so that they could develop these skills whilst at school.

Another program, called 'Futures Unlimited' has been coordinated with Centrecare in Port Pirie. This challenges high school students at risk by supporting them through a host of activities to gain skills and experience in coping with the pressures of adolescence. In Port Augusta programs have been developed which will support young people in that critical transition from primary to high school when many of them experience, for the first time, levels of underachievement and loss of confidence.

Of course, these programs do not just happen by accident and they are certainly not the product of work from central office. These programs have been devised by local teachers, they have been developed with the support of parents, and they have been endorsed by young people. There is no better way to make a difference than to have young people design the programs they believe they want to be engaged in. I commend all those involved, because these are the sorts of programs that will make a difference.

WORKCOVER

The Hon. R.G. KERIN (Leader of the Opposition): My question is again to the Minister for Industrial Relations. Will the minister explain why the level of unfunded liability for public servants is nearly three times higher than the unfunded liability for workers covered by WorkCover? Recent figures show that South Australian taxpayers are now exposed to an unfunded liability of over \$4 200 for every public service employee.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I have already said to the Leader of the Opposition that I will check the details of the numbers he has put forward. Obviously, costs are a factor and that would be part of the reason if, in fact, the assertions put forward by the Leader of the Opposition are correct. This is a very important area, and that is why we are working hard at it and why we see it as important as consolidating the management of the workers compensation claims and ensuring that prevention of injuries is greater than it currently is. But, certainly, costs are increasing and that would be a factor.

ETHNIC BROADCASTERS

Ms CICCARELLO (Norwood): Can the Minister for Multicultural Affairs inform the house how the government is supporting ethnic broadcasters?

The Hon. M.J. ATKINSON (Minister for Multicultural Affairs): For some time, representatives of Ethnic Broadcasters Inc. have been telling us that they are facing reduced real income from the commonwealth. Ethnic broadcasters do an important job in our multicultural society. The South Australian government gives over \$20 000 in annual support to EBI but most of the funding for EBI comes from the commonwealth. In May 2004 the South Australian government raised the matter of funding to ethnic broadcasters at the Ministerial Council on Immigration and Multicultural Affairs. In particular, we drew attention to the ending of the Australian ethnic radio training project and decreased worth of the transmission supplement to ethnic broadcasters.

After the 2004 multicultural and immigration ministers council, the commonwealth minister wrote to the Minister for Communications, Information Technology and the Arts, Sen. the Hon. Helen Coonan, to draw attention to the concerns raised by South Australia. I am pleased to be able to inform the house that Senator Coonan then advised that the commonwealth had agreed to establish a training fund and increase transmission cost support—so I would like to thank the federal Liberal government for that move. Over four years, \$2.2 million will be used to establish a national training fund that will help the community broadcasting sector to plan and deliver management skills and accredited broadcast skills training. The commonwealth has said that training ethnic youth, new and emerging ethnic groups and new language groups should be the aim. The annual funding of \$1.5 million for transmission cost support is to be used to help community radio stations to access transmission infrastructure. Ethnic broadcasters may apply for help under this new program. It is well known that there is strong, bipartisan support for ethnic broadcasting in South Australia, and so we give credit to the state Liberal party for joining us in our endeavours on this matter.

For many years, both sides of politics have contributed generously to the annual EBI radiothon, and I commend the Hon. Julian Stefani for his work in ethnic affairs. I do not know what the Liberal party is going to do in the ethnic communities without him. I was at a function the other night where a Liberal MP was talking about—

Mr WILLIAMS: On a point of order, Mr Speaker, in relation to relevance. I am not quite sure that where the minister is going is relevant to the question asked.

The SPEAKER: I uphold the point of order. I think that the Attorney felt that he was on radio there for a minute, and I think his answer is concluded.

POLICE, WORKCOVER AUDIT

The Hon. R.G. KERIN (Leader of the Opposition): Will the Minister for Industrial Relations inform the house why WorkCover has not conducted an occupational health and safety audit into South Australia Police for the past two years? The police force is historically a dangerous occupation, with injury claims made by the South Australia Police Force accounting for 10 per cent of all injury claims made by the South Australian Public Service. The police workers compensation liability has risen from \$24 million to \$43 million since June 2002—an 80 per cent increase. The opposition

has been informed that WorkCover has not conducted an occupational health and safety audit into South Australia Police for two years.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I thank the leader for his question; I will check that with WorkCover. The Leader of the Opposition should be aware that these audits are not necessarily an annual event. I will check with WorkCover as to whether there is a particular reason and as to what has been put forward by the Leader of the Opposition.

ZERO WASTE SA

Mr CAICA (Colton): Given the announcement on 7 April of the Minister for Environment and Conservation regarding better access to recycling services in the southern suburbs, can the minister advise how the government is assisting councils, particularly in my area, to better manage waste?

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for Colton for his question. I note his strong interest in waste management issues in his electorate; in fact, I note that in this place just the other day he spoke on this issue. The government, through Zero Waste SA, is strongly supporting all South Australians to reduce waste. Indeed, through Zero Waste SA the government has just awarded almost \$2 million in grants to 19 councils across the state. This is Zero Waste SA's biggest grant program since its inception. The City of Charles Sturt, in the member for Colton's electorate, has just been

awarded almost \$380 000 for achieving and maintaining high standards for kerbside recycling.

In the City of Charles Sturt, the new kerb-side waste collection system is expected to reduce residual domestic waste to landfill by 50 per cent from 41 000 tonnes per annum to 20 500 tonnes. It is expected that the recycling of green waste will increase by around 13 000 tonnes and of recyclables by around 7 500. We are delighted to see that the City of Charles Sturt has eliminated the use of crates for occupational health and safety reasons. The new three-bin system has already enabled an increase of almost 300 per cent in recyclables in its first month of operation.

These grants help to meet our targets for domestic waste, including 50 per cent to be recycled by 2007 and 75 per cent by 2010. This will also help to meet the South Australian Strategic Plan target of reducing waste to landfill by 25 per cent within 10 years. Another round of grants will be available this year. However, I point out to the house that, of the money that has been granted, \$420 000 has been granted to Onkaparinga, \$376 000 to Charles Sturt (as I have mentioned) and \$243 000 to Mitcham. I have the whole list, and I seek leave to have the table incorporated in the *Hansard*, which shows the total eligibility of grants, the funding available by the previous national packaging covenant grant and the amount available by Zero Waste.

The SPEAKER: Is the table purely statistical?

The Hon. J.D. HILL: Yes, it is, sir.

Leave granted.

Kerbside Performance Grants
Summary of Applications Approved by ZWSA Board 7 April 2005

Organisation	Total Eligibility	Previous NPC Grant	ZWSA Grant Amount
City of Mount Gambier	110677		110677
City of Unley	54735	123644	54735
Campbelltown Council	174483		174483
Southern Mallee District Council	660		660
District Council of Grant	16621		16621
City of Mitcham	243000		243000
District Council of Mallala	24618		24618
City of Charles Sturt	376648		376648
Coorong District Council	13500		13500
Town of Gawler (NAWMA)	61088	45078	16010
City of Salisbury	359535	200000	159535
City of Playford	202717	154050	48667
City of Onkaparinga	420000		420000
City of Tea Tree Gully	309600	200000	109600
Light Regional Council	2964		2964
District Council of the Copper Coast	59950	36960	22990
The District Council of Mount Barker	75411		75411
City of Norwood, Payneham & St Peters	147712	100200	47512
City of Burnside	146720	110040	36680
Total	2800639	969972	1954311

The Hon. I.P. LEWIS (Hammond): I have a supplementary question.

The SPEAKER: I understand that—

The Hon. I.P. LEWIS: I tell the house of—

The SPEAKER: Order! Before calling the member for Hammond, I understand that there has been some understanding that there will be no more than three supplementaries. The

member for Hammond.

The Hon. I.P. LEWIS: It is nothing about which I was told, Mr Speaker. Can the minister tell the house of progress in organic waste composting processing, in removing it from the more urbanised developed area of Willunga to a site on Ferries McDonald Road, near Monarto?

The Hon. J.D. HILL: Obviously, this is a totally different

issue to that on which I was answering a question, but I am happy to get a report for the honourable member on Pete's processing plant in his electorate, which I am aware of and which he has brought to my attention on a number of occasions.

The SPEAKER: Just to clarify: I understand that there can be three supplementaries before they are counted as part of the 10, which I understand is an arrangement that the managers of the house have made.

FESTIVAL PROGRAM

Mrs HALL (Morialta): My question is to the Minister for Tourism. Given today's announcement about the rescheduling of the Clipsal 500 for 2006 and the Festival focus of March, what additional and special promotional activities will be provided by the South Australian Tourism Commission to accommodate and assist tourist attraction regional events and festivals affected by the movement of the Adelaide Cup long weekend to March? This year at least eight regional events and festivals will be held on the Adelaide Cup weekend, originally in May. Those festivals include the Mount Barker Jazz and Heritage Festival, the Kernewek Lowender at Kadina, Wallaroo and Moonta, the Southern Flinders Live Music Festival, the Penola Coonawarra Festival, the Melrose Fat Tyre Festival, the Clare Gourmet Weekend, the Wild Boar Weekend at Stone Hut and the Riverland Balloon Fiesta and Country Fair. I have been informed by members of the tourism industry that each event will be under serious threat following the transfer of the public holiday from May to March.

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the honourable member for her question which included the Fat Tyre and Kernewek Lowender festivals, which currently are held on the May long weekend. Clearly, there are several options for activities during those weekends. There will still be a public holiday, of course, in June, which has relatively few events. There can be negotiations over the scheduling of events to coincide with that weekend. Certainly, the event in Moonta is a biennial event, which means that it will not occur next year in any case. So, there are two years during which to reassess the dates of that event.

One of the major thrusts that we have had through the SATC is the recognition that, of course, whilst there has been a very great expansion in rooms as well as service departments in South Australia, particularly in the city of Adelaide, that growth has really outstripped the number of events that can occupy them throughout the year. This has meant, for example, that in the seasons when there are heavy uses by festivals and conventions, like spring, summer and autumn, they are heavily booked and there is a very high occupancy level.

Clearly, there is a need to have additional events during the winter months. One of the thrusts of our marketing campaigns is the attraction of events where the conventions, traditional major events, and training and educational programs have particularly focused on ways of attracting more activity through the June, July and August months which are traditionally the least occupied. I think those months need encouragement, and we will work on those with joint marketing.

One of the focuses of the minister's round table has been to work with industry, and rather than always impose views on the in the industry we have a committee that has worked

to look at different ways to attract activity in the winter months, and we will continue to work with industry in that vein.

RECREATION AND SPORT, PARTICIPATION

Mr RAU (Enfield): My question is to the Minister for Recreation, Sport and Racing. How is the government helping grass-roots recreation and sporting organisations to increase participation in active recreation and sport and to promote social inclusion?

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): I thank the member for Enfield for his question and his ongoing commitment to daily physical activity. The government is committed to helping South Australian recreation—

Members interjecting:

The SPEAKER: Order! The house is becoming disorderly; it is hard to hear the answer.

The Hon. M.J. WRIGHT: —and sporting community organisations to increase grass-roots participation by improving existing facilities, or by developing new ones. Ensuring that infrastructure projects funded by recreation and sport grants programs add to the amenity of local communities and provide increased opportunities for participation is a major priority. Giving South Australians more opportunities to participate in recreation and sport is a great way of delivering opportunities to all members of the community to increase their levels of physical activity.

Recently, I had the pleasure of approving the latest round of grants under the Community Recreation and Sport Facilities Grants Program. As members would be aware, this fund provides financial assistance of up to \$300 000 per grant to community-based sport and active recreation organisations, schools, local government and state sporting and active recreation associations to ensure the provision of sustainable recreation and sport facilities that meet community needs with the grants funding being matched on a dollar for dollar basis.

In this round, 25 projects will be funded, including projects that support our indigenous community, disabled members of our community and our regional communities. For example, the Henley Grange Swimming Club in the member for West Torrens' electorate, I believe, will receive \$200 000 in funding to expand and upgrade access to its Thebarton aquatics facility, particularly for disabled South Australians. This funding will also provide water treatment infrastructure.

I understand that the club is aiming to particularly improve facilities for people with a disability, because a large number of organisations which provide services for the disabled want to use their services, including the South Australian Sport and Recreation Association for people with integration difficulties, the Intellectual Disability Services Council and 14 schools with special needs students. I am advised that this very worthwhile project has also received funding from the Department of Education and Children's Services. Without this government funded upgrade, it would become more and more difficult to provide these opportunities for disabled South Australians, and it is a great privilege for us to be able to help. The Northern Areas Council, in the member for Stuart's electorate, will also receive \$200 000 from the state government for the construction of a regional sports centre at Jamestown that will provide enormous opportunities for the people from the Upper Mid North region to increase their participation level. I understand that funding for this project

is also coming from the commonwealth government and the local council.

The Umuwa Community Council in Coober Pedy in the electorate of the member for Giles has had \$200 000 of funding approved to upgrade an existing outdoor basketball court to an indoor facility to enable the local community to use it in all weather conditions. This is an excellent example where support from the government will deliver an improved facility which will vastly increase opportunities for the local community to use this facility and which will help the indigenous communities at Umuwa to increase participation in active recreation and sport. My office is advising the other electorates that are receiving funding and, hopefully, members' electorate offices would have been advised today. As I said, that involves 25 projects spread throughout South Australia.

The government is committed to working in partnership with local communities throughout the state to provide quality recreation and sport infrastructure for all South Australians. This is another example of the government's delivering on social inclusion and increasing opportunities for all members of our community.

The SPEAKER: The leader.

BEELINE BUS SERVICE

The Hon. R.G. KERIN (Leader of the Opposition):

Thank you, Mr Speaker.

Mr Koutsantonis: What have you done for Torrensville—nothing!

The SPEAKER: I warn the member for West Torrens.

The Hon. R.G. KERIN: I think the loudest gets most, Tommy. Will the Minister for Transport ensure the house that the Beeline buses in the city will continue to run every five minutes once the tramline is extended to the Adelaide Railway Station? The government has said that the extension of the tram will remove 20 per cent of buses currently travelling along King William Street.

The Hon. P.F. CONLON (Minister for Transport): I have been working over the last two weeks to commit to memory all the bus timetables in South Australia. I admit that I have not quite committed to memory all the bus timetables in South Australia yet, so I will get an answer and bring it back.

CANDO4KIDS TOWNSEND HOUSE

Ms THOMPSON (Reynell): My question is to the Minister for Families and Communities.

Members interjecting:

The SPEAKER: Order! I do not know why members got so excited about the Beeline, but the member for Reynell has the call.

Ms THOMPSON: How is the state government working in partnership with the community and private sectors to improve services for children with disabilities?

The Hon. J.W. WEATHERILL (Minister for Families and Communities): It was a great pleasure today to be at CanDo4Kids Townsend House, a not-for-profit organisation which began its fine work for the South Australian community in 1874. Indeed, over that considerable period, it has shown itself to be an organisation that has not only a fine and long history but also a very innovative and progressive organisation. CanDo4Kids Townsend House has successfully secured a grant from Vodafone to help sponsor a volunteer

speech pathologist to work in the APY lands for the next 12 months. This is a fantastic initiative. It meets one of the incredibly important needs that we have identified. It works in very neatly with the government's commitment of \$25 million in additional services on the APY lands.

The figures about the level of disability in the APY lands really do put this state to shame. In the area of hearing disability, in the order of 30 per cent of indigenous children suffer from significant hearing loss. The disability flowing from hearing loss has a massive impact on the ability of a child to learn and to participate in the community. Obviously, this is a massively important early intervention scheme, and we provide our support to that program. However, it is a great credit to Townsend House that it is taking on some of the most significant disability issues facing our community. From time to time, people raise issues of disability—and we often see them in the metropolitan area—and of need that obviously are important, but one only needs to look at the level of disability being experienced by our indigenous South Australians to realise that that really is our number one priority—and it has been the number one priority of this state government.

In passing, I should also note one of the other innovative programs of CanDo4Kids Townsend House. It used a grant provided by the state government to become the first community organisation internet service provider in South Australia. It is using this not only for the benefit of its own members and clients but also for the benefit of other community service organisations that are using this service, and it is providing a fantastic benefit. It is also providing the organisation with a revenue source that it will reinvest into services for sensory impairment. Together with the parliamentary secretary, the Premier was pleased to launch this initiative, and the organisation was very pleased to receive the funding.

Recently, through Community Benefit SA, we provided an additional \$225 000 to develop the CanDo4Kids Foundation. We have also made significant contributions to reduce the waiting list for equipment. Hundreds of volunteers attended the event, and I was very pleased to celebrate the work of this wonderful organisation.

TRAMLIN

The Hon. R.G. KERIN (Leader of the Opposition):

Will the Minister for Transport advise the house whether the tramline will be relocated to the east or to the west of Victoria Square?

The Hon. P.F. CONLON (Minister for Transport): The west side of Victoria Square contains the Hilton Hotel, and the east side has St Patrick's Cathedral.

The Hon. M.J. Atkinson: No; St Francis Xavier.

The Hon. P.F. CONLON: It should be called St Patrick's—as they all should be! I think the Department of Transport was of the view that more people were likely to catch it from the hotel than from the cathedral, so it will be moved to the western side. I know that move is supported tremendously by the member for Adelaide, as it frees up Victoria Square entirely. It is the centrepiece—

An honourable member: So what?

The Hon. P.F. CONLON: 'So what?' did you say? Well, we like Victoria Square. The member for Adelaide likes Victoria Square, even if the honourable member does not.

The Hon. M.J. Atkinson: The member for Bragg.

The Hon. P.F. CONLON: The member for Bragg does not like Victoria Square. I know that it is very risky that we are moving it to the western side without sufficient market research by Bob Randall—three Charlies in search of a policy! That is where it will be, and I look forward to catching it with the honourable member.

The Hon. R.G. KERIN: I have a supplementary question. Given the minister's answer, why does the publicity material issued by the government show the tram running on the eastern side of Victoria Square?

The Hon. M.D. Rann: Because he is looking at it upside down!

The Hon. R.G. KERIN: I think he is.

The Hon. P.F. CONLON: If, in fact, that is true—and we have to make sure that the honourable member was not looking at it in the mirror, upside down or on the wrong side—I will explain to the people in the transport department that they should not do those sorts of things, because it is definitely on the western side. I have always understood it to be on the western side, because it makes sense. I think that it would be frowned upon if people thought we were moving the tram down to the Premier's office in order to get him to parliament. We would like to get it on this side.

The Hon. M.D. Rann: West Side Story!

The Hon. P.F. CONLON: Yes; that is what it is—West Side Story.

TOBACCO ADVERTISING

Ms BEDFORD (Florey): Can the Minister for Health advise what steps the government is taking, particularly with young South Australians, to counter the influence of tobacco advertising?

The Hon. L. STEVENS (Minister for Health): I thank the member for Florey for the question and for the advocacy she provides in this area. Each year in Australia, 19 000 people die from tobacco-related illnesses. Tobacco causes more deaths than car accidents, illicit drugs, alcohol, AIDS, murder, suicide, diabetes and breast and skin cancers combined.

These facts are compelling. Since coming to government, we have been working to reduce the rate of smoking and the harmful effects it has on the health of the many smokers in this state. Members will be aware of the recent changes to tobacco advertising. These bans outlaw cigarette posters and other forms of advertising in tobacco outlets. They require all retail tobacco outlets, including pubs, to remove all forms of tobacco advertising, including cigarette brand signs, posters, bunting, light boxes, clocks and counter mats. We see these changes to tobacco advertising as a positive step towards encouraging and promoting healthier lifestyles.

The major beneficiaries of these changes will be our children and young people. Eight out of 10 new smokers are children. This is perhaps the most disturbing statistic of all. This statistic alone is reason enough for the government to take positive action to counter tobacco advertising that targets children and young people. Recently, I launched the use of a 30-second movie trailer, which is currently being screened in South Australian cinemas. This advertisement attempts to counter the portrayal of smoking in movies as glamorous and desirable. It specifically targets young people and uses a movie style trailer, aiming to confront subtle advertising head on.

We all know that advertisers use subtle forms of tobacco marketing, including product placement with movie stars to appeal directly to young audiences of new and potential smokers. The message we want to send to young people is that they should not be sucked in; that the decision to take up smoking can have very serious and real consequences for their health. These new laws will help curtail the influence of tobacco advertising on our young people, and it is part of the government's commitment to encouraging healthy lifestyles and improving health outcomes for all South Australians. A stitch in time saves nine.

GLENELG TRAMLINE

Dr McFETRIDGE (Morphett): Will the Minister for Transport assure the house that residents living adjacent to the Glenelg tramline have been adequately consulted regarding the replacement of ballast and rail sleepers along the line? Constituents of mine have raised concerns about the risk of arsenic contaminated material spreading from the track. Arsenic was used for many years for weed control along the tramline.

The Hon. P.F. CONLON (Minister for Transport): I am struggling to understand the question. The explanation was about arsenic and the line. The question was whether people were sufficiently consulted. I would be concerned about the consultation, but I would be more concerned the work is carried out in a way—regardless of any level of consultation—that preserves the health and safety of the community. That is what I expect from the Department of Transport. That is what I will ensure they will do.

We all acknowledge that in the past we did not apply the same standards as we do today, but I will ensure that work on the tramline preserves the health of the community. I will check to ensure this is not yet another scaremongering thing the member for Morphett has been known to do in the past. We know about—and I personally have seen—his credibility on certain things. I remember the question about the fire truck not getting sufficient water—one of the most disgraceful questions ever. We will check that. We will guarantee the safety of people down there, but we certainly will not rely on the veracity of explanations given by the member for Morphett.

NATIONAL YOUTH WEEK

Ms RANKINE (Wright): My question is to the Minister for Youth. What support is being given to mark National Youth Week?

The Hon. S.W. KEY (Minister for Youth): National Youth Week began on Saturday 9 April and will conclude this Sunday, 17 April. The state government has provided \$100 000 in grants for Youth Week and projects for young people to help celebrate Youth Week. The reason we have Youth Week is to highlight young people's contributions to the community and to let young people know that their energy, efforts, contributions and views are valued and recognised. Youth Week grants will go to 57 local councils for young people to plan, implement and participate in local events and then evaluate those events. Local councils match the state government's grant contribution with cash or in-kind support, and some have chosen to invest a great deal more in their National Youth Week events.

All up South Australia will invest more than \$380 000 in the National Youth Week activities this year, with South

Australian local councils and supporting community organisations hosting a variety of events for young people. These include art and photographic competitions, exhibitions, music events, youth forums, dance parties, youth expos, fun days, youth theatre, skate and BMX events, sporting competitions, youth recognition awards, concerts, writing competitions, come 'n try events, a multicultural festival and a talent quest, just to name some of them.

I believe a Youth Week information package has been sent to all members of this house, and I invite them to continue to help young people in their electorates to make sure that we do have positive events for young people in this state.

TRANSPORT SA, FEASIBILITY STUDY

The Hon. M.R. BUCKBY (Light): Can the Minister for Transport advise the house of the current status of the feasibility study that is being undertaken by Transport SA on behalf of the commonwealth government?

The commonwealth government requested that Transport SA undertake a feasibility study into the route that should be taken for a connector road that will join Port Wakefield Road to the Sturt Highway, the road mentioned in the government's infrastructure plan released last week. As the feasibility study is due to be completed by October 2005 and as so far there has been no community consultation, there is some concern by constituents in the area that they will have no opportunity to air their views.

The Hon. P.F. CONLON (Minister for Transport): I appreciate the concerns of the member for Light but, it being 11 April today and the feasibility study is to be concluded in October, I think we still have a little time left for the consultation he is so concerned about.

ADELAIDE AIRPORT, PUBLIC TRANSPORT

Mrs HALL (Morialta): My question is to the Minister for Transport. When will the more than 4.2 million passengers processed each year and the more than 4 000 members of the work force based at Adelaide Airport have access to a public transport service to and from Adelaide Airport?

The government's infrastructure plan on page 31 refers to the high priority of infrastructure developments to facilitate growth in tourism; however, it fails to make any reference to public transport servicing incoming and outgoing passengers and employees at Adelaide Airport.

The Hon. P.F. CONLON (Minister for Transport): This is something I took some interest in, even as Minister for Infrastructure, because of discussions between the airport and—

Ms Chapman interjecting:

The Hon. P.F. CONLON: What was that, Vickie? You are glad I did something? The former 'next big thing' is glad I did something. I can tell the honourable member that it is very good over here, you do get to do things, but it is going to be a very long time indeed before she finds that out.

Ms Chapman interjecting:

The Hon. P.F. CONLON: Forgive me for responding, Mr Deputy Speaker, but the member for Bragg has to be the most churlish and curmudgeonly interjector in this place. Never a cheery word in three years; it must be something to do with the disappointment of being a former 'next big thing'.

The DEPUTY SPEAKER: Order!

Mr WILLIAMS: A point of order.

The DEPUTY SPEAKER: Order! I think I know what the member for MacKillop's point of order is—standing order 98—

Mr WILLIAMS: It is, sir. It is hard enough to get the minister to answer a question as it is without his carrying on like this.

The DEPUTY SPEAKER: Order! The member for MacKillop will take his seat. Interjections are out of order, as is responding to interjections, so I ask the minister to come back to the question.

The Hon. P.F. CONLON: We have been holding discussions with the airport for some time. Our suggestion, as the Office of Infrastructure, to the Department of Transport was that, if it was feasible to run public transport services there, we believed that the appropriate time would be with the commissioning of a new airport. But I stress 'if it is feasible' with the business case, because one thing we know about transport systems to airports around Australia is that, where they have trains and trams to them, they have been utterly disastrous financially. Forgive me if we do not do what the previous government did with things like a soccer stadium or a wine centre. We require such things to have a sound business case. If the business case is sound, our aims and discussions have been to time it with a new airport terminal. But I stress, it must be a sound business case because that is how you do business.

Members interjecting:

The SPEAKER: Order!

HOSPITALS, BAROSSA VALLEY

Mr VENNING (Schubert): Can the Minister for Health confirm that cabinet has made a decision not to purchase Reusch Park from the Housing Trust, which is land currently set aside for the new Barossa hospital? Concern has been raised by the Barossa area health board that Reusch Park, which was set aside by the previous government for a new Barossa hospital, could be sold off.

The Hon. L. STEVENS (Minister for Health): I am wondering whether the member could repeat the question; the double negative. I want to hear it again.

Mr VENNING: Can the minister confirm that cabinet has made a decision not to purchase Reusch Park from the Housing Trust, which is land currently set aside for a new Barossa hospital?

The Hon. L. STEVENS: As I explained to the member last week, when he had a delegation to me about this matter, no decision has been made.

JURORS' TRAVEL ALLOWANCE

Dr McFETRIDGE (Morphett): My question is to the Attorney-General. What is the current travel allowance per kilometre for jurors, when was it last updated, and does the government intend reviewing it in the near future? In March 2001, the then shadow attorney-general, the Hon. Michael Atkinson, placed a question on notice relating to the travel allowance for jurors. Throughout the Attorney-General's tenure in the position there has been a long-standing request for an increase in funding and for travel allowances for jurors. Petrol is now selling for about \$1.15 a litre.

The Hon. M.J. ATKINSON (Attorney-General): The allowance for jurors is miserly. It has not changed for many years. It did not change through the long eight years of the Brown and Olsen Liberal governments. It is very low, indeed,

and I will get back to you with an answer. I can say that I am always out there trying to make a budget bid, but we find higher priorities in the justice portfolio.

HOMESTART GRADUATE LOANS

The Hon. R.G. KERIN (Leader of the Opposition): Has the Minister for Housing acted to ensure that graduates taking up jobs in regional South Australia are eligible for HomeStart's graduate loan? A constituent of mine has had an application for a graduate loan rejected because the house is in the country. She has raised a concern that this HomeStart policy is a major disincentive to graduates taking positions outside of Adelaide or the major regional centres, and has flagged her intention of now returning to Adelaide to live and work.

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the honourable member for his question. It is identical to the question that he asked in the house some time ago. I have some recollection that I have seen an answer or a draft answer that is probably finding its way to him, but from recollection I will give him the essence of that answer. As honourable members would be aware, HomeStart is a financial institution, and it obviously has to conduct its affairs in a way which prudently manages its risk. Certain country areas—not all country areas by any means—are rated at a higher level of risk than other country areas in relation to their lending policies. The explanation that was given to me is that presently the particular area—I do not know whether the honourable member asked about a specific place or whether he asked generally about the country—

The Hon. R.G. Kerin: Gladstone.

The Hon. J.W. WEATHERILL: That's right; that particular place poses a greater level of risk to a financial institution in relation to a potential fall in the value of that housing and, therefore, different lending criteria apply to that particular place, and that is as you would hope it would be for a prudent lender. Nevertheless, I have asked the organisation to review that policy to see whether it still accords with current information about the level of risk that should be attributed to this particular area of the state.

TRAVELLERS' AID SOCIETY

Mrs HALL (Morialta): Will the Minister for Transport advise whether the government will assist the Travellers' Aid Society in finding new accommodation following its removal from its office at the Adelaide Railway Station? The Travellers' Aid Society each year offers assistance to approximately 6 000 people in emergency situations and with special needs. It has distributed over \$19 000 worth of assistance in the past 12 months. I have been advised that the society has been forced by TransAdelaide to leave the premises at short notice, and it has no alternative arrangements.

The Hon. P.F. CONLON (Minister for Transport): Certainly, given the unsourced advice, the first thing that I will do is to check the veracity of the statement. Obviously, as it is a matter of some concern to the honourable member, I will check the detail. The first thing I will do is to check the explanation, and then provide her with an answer.

The DEPUTY SPEAKER: The member for Unley.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Unley.

SALT INTERCEPTION SCHEME

Mr BRINDAL (Unley): I just wish that I was as popular with Liberal members in my electorate as I am with members of the government.

The Hon. P.F. Conlon: You are, that's your problem.

Mr BRINDAL: I did not know that the honourable member was duplicitous.

The DEPUTY SPEAKER: Order! The member for Unley has the call.

Mr BRINDAL: My question is to the Minister for the River Murray. Given the statement made by the minister's friend and colleague the Hon. Warren Truss in this morning's newspaper, does the minister agree that the delay in the construction of stage 2 of the Waikerie Salt Interception Scheme will mean that 600 tonnes less salt will be removed from the river each year, and what is the likely economic, social and environmental cost of this dereliction of New South Wales's responsibility to South Australia?

At the meeting of the Murray-Darling Ministerial Council on the Friday before last, New South Wales made an announcement that was unprecedented in the history of the council (as the minister has said) to peg its contribution for this year (2003-04), thus leaving the commission with a shortfall of some \$12 million in this year's capital works budget. The minister has admitted that this funding freeze will delay vital projects aimed at reducing the salinity in the South Australian section of the Lower River Murray, or is that a lower question?

The Hon. K.A. MAYWALD (Minister for the River Murray): I thank the member for Unley for his question, and I appreciate his great concern for the future health of the River Murray and for the cooperative arrangements between each of the jurisdictions in the Murray-Darling Basin Agreement. Minister Warren Truss (Chair, Murray-Darling Basin Commission) made public statements over the weekend which refer to the delayed construction of the Waikerie Salt Interception Scheme (that is, Waikerie Stage 2B). This particular project from recollection will deliver an extra 23 tonnes of salt from the river per day.

It will be delayed now as a consequence of the decision of the Murray-Darling Basin Ministerial Council and, in particular, by the decision by New South Wales and Victoria not to support an increase in funding to the Murray-Darling Basin Commission. However, South Australia remains absolutely committed to restoring the health of the River Murray. We are investing in restoration projects far above any other year and far above any other government in the past. Currently, the South Australian government's contribution over the next four years is around \$233 million in various projects relating to the River Murray Improvement Program, namely, the Living Murray initiative, water catchment boards' programs through the NHT and the NAP and the Bracks/Rann government contracts to return water to the river.

All these initiatives add up to a significant amount of money that is being invested. The Treasurer has advised that any funding allocated to the Murray Darling Basin Commission will continue to be invested in River Murray initiatives, particularly initiatives in South Australia.

Mr Brindal interjecting:

The Hon. K.A. MAYWALD: It was done before.

The DEPUTY SPEAKER: I call the member for Unley for the next question.

LOCK 1 FISH LADDER

Mr BRINDAL (Unley): I do apologise: I thought the minister said last week that it was not done when she came back. In any case, my question is to the Minister—

The Hon. P.F. Conlon: We don't need a monologue.

Mr BRINDAL: Well at least I don't spin round.

Members interjecting:

Mr BRINDAL: My question is to the Minister—

The Hon. P.F. Conlon: There's no-one to look at behind you!

Mr BRINDAL: The minister should work out that that's the safest place in the house. My question is to the Minister for Environment and Conservation. Will the minister explain to the house the dis-benefit to the environment that will result in the Murray-Darling Basin Commission decision to delay the construction of a fish ladder—it is really an environmental question—which is the direct result of the New South Wales decision to contribute \$12 million less to the commission than was needed in its budget. At the last meeting of the Murray River Ministerial Council meeting, the \$12 million shortfall also included an important fish ladder that was going to be part of the works done in South Australia.

The Hon. K.A. MAYWALD (Minister for the River Murray): I again thank the member for Unley for his question and his concern regarding the River Murray. The fish ladder project at Lock 1 that the member for Unley refers to will now be delayed, in the commencement of construction, as a result of the decision of New South Wales and Victoria. This is indeed extremely disappointing for South Australia, as it is for the commonwealth and the other partners in the Murray Darling Basin initiative. Work on the particular fish ladder at Lock 1 was due to commence sometime during the next financial year. That will now be delayed and will result in the entire fish ladder program being delayed by up to two years.

The fish ladder project is a \$25 million project that has as its goal the building fish ladders on every structure between Hume Dam and the River Murray mouth. This is indeed a very important project, and the initial works that have been undertaken on several of the locks and the barrages have proven to be very, very successful to date. We are disappointed that this project will now be delayed as a result of New South Wales' actions. We have had a commitment from New South Wales and Victoria to reconsider their position once the strategic plan has been developed through the Murray Darling Basin Ministerial Council and a financial plan worked up on the basis of the projects that have been committed to over past years. We are hopeful that that will result in a better outcome for next year.

GRIEVANCE DEBATE

YOUTH WEEK

Mr SCALZI (Hartley): Today I wish to bring to the attention of the house Youth Week which is being celebrated from 9 to 17 April. I note that the minister did refer to Youth Week in an answer to a question from one of the members of government. I thought it would have been important to have a ministerial statement on Youth Week. National Youth

Week celebrates the contribution of young people, 12 to 25 years old, to their communities. There are over 2000 and events, activities and a national talent competition in areas such as photography, film, music, design and writing. It is Australia's largest celebration of young people, and it is a joint initiative of the three levels of government—federal, state and local.

Youth Week has the consistent themes of valuing and acknowledging the young people, their contribution and interests and promoting participation and engagement of young people. Recognition is the pre-requisite to the next cycle of contribution, and this really applies to young people. Last week, on 2 April I was privileged to attend the Young Achiever Awards presentation, and with so many members of our community celebrate the achievements and strong field of nominees and finalists across the number of fields of endeavour. They included:

- AGL Regional Initiative Award won by Ms Melanie Bell for contribution to tourism;
- Allianz Community Service Award, Ms Jessica Collins-Roe for her work with Better Living group and her initiative Flying Solo;
- Boileau Business Solutions Career Achievement Award, Chad Heatherington for his contribution to film and TV production and his business success with Logic Films;
- Faculty of Sciences at the University of Adelaide, Science and Technology Award, Beverly Muhlhausler for her medical research into obesity, an extremely relevant area for young people, especially in the developed world;
- Intensity Sports Award, Mathew Cowdrey, honouring his achievement at the Paralympic Games 2004 and the state short course championships—also featured on my Hartley calendar for 2005;
- Office of Youth Outstanding Young Indigenous Achiever Award, Kiara Rahman in the field of indigenous education;
- SA Water Environment Award, Heidi Bartram contribution in field of marine biology and her initiative Aquarium Trade Awareness Campaign.

The overall winner, Patrick Lim for the Channel 9 and Advertiser Young Achiever of the Year and the Coffee Club Arts Award for musical performance and leadership role with State Opera's Young Artist Opera Studio and Schools Company—a great ambassador for South Australia.

The concept of youth today covers a broad gamut of individuals from 12 to 25 years. Alongside these awards, it would also be good to see increased recognition of the contribution of the younger age group. I note that Mathew Cowdrey was the only finalist under the age of 20, which makes his success perhaps more remarkable. Young people at school also make large contributions, especially in areas such as community service; and they are important role models for their peers. We should acknowledge and support them also perhaps via an under 20 section of awards. It is important that young people are recognised, given the problems that young people experience.

This last week, too, the State Training Awards have been launched (presentation 2 September 2005) to reward excellence in vocational education and training. These awards are particularly important as we are now in the midst of cultural change to refocus attention on the importance of vocational education and rebuilding Australia's skills base. As a community and as parents, we must encourage our young children to look at these vital career opportunities and we must see them in new ways, as gateways which can lead to

business success and career security and many areas of specialisation. The UN General Assembly Economic and Social Council World Youth Report says:

Sustainable economic development depends upon the participation of young people in the productive sectors of society.

And for young people themselves the opportunity to work and become financially independent is of course a vital foundation for engagement and participation in our community. It is great to have such a celebration of young people.

Time expired.

HANS CHRISTIAN ANDERSEN

Ms THOMPSON (Reynell): I rise today to congratulate the Southern Theatre and Arts Supporters Group (STARS) for being the only group in Australia to mark the 200th anniversary of the birth of Hans Christian Andersen. It surprised me somewhat to discover that this south of Adelaide based group is the only Australian group to mark such an important event, given this nation's recent coming together with Denmark and the cultural awareness that is developing between Australia and Denmark. The STARS group held an afternoon of readings from Hans Christian Andersen on Sunday 2 April. This was accompanied by Danish food and beer. There was a display of miniatures prepared by the Christies Beach miniatures group and also displays of an art competition which STARS had held among the primary schools of Willunga. The art contributions from the children indicated just how longstanding the works of Hans Christian Andersen have been. The children had obviously read a wide range of stories, as there was considerable variety in their illustrations. In addition to these events, the STARS group is shortly to hold an evening of dance based on the writings of Hans Christian Andersen. The group is indeed to be commended on its activities.

Having been invited to read at the afternoon of readings, I found a new awareness and interest in Hans Christian Andersen, the value of his fairy tales and the way they have endured over 200 years. He wrote 156 tales that were entirely of his own invention, whereas many of the collections of fairy tales before had been folktales written down and published for the first time. An interesting article on the life of Hans Christian Andersen, which appeared in last week's Adelaide *Independent*, was an extract from *The Independent*, London. The article, which encapsulates much of the importance of Hans Christian Andersen, states:

Without Andersen children's literature would still be stuck in the nursery, and every fairy tale would end happily ever after. The true malevolent power of the genre might never have been realised, and some of the most haunting, instructive and, at times, anarchic children's stories might never have been told. There would be no talking tea pots (Andersen virtually invented the notion of animated inanimate objects) or lovesick mermaids. There would be no Harry Potter, nor His Dark Materials, and quite possibly no Roald Dahl either. Shrek is pure Andersen, right down to the morally questionable anti-hero.

That is a substantial contribution to literature that has crossed the cultural and language gap between Denmark, Australia and other English-speaking countries. According to *The Independent*, London, the image Andersen presented to the world was somewhat distorted. He was a very complex character. He was the son of a washerwoman and a shoemaker, and he rose to be able to make himself comfortable in many royal houses. The fact that he wanted to do so is one of the things that I think makes him a little bit different. However, he achieved considerable success in his own

lifetime, and he serves as a model for children today who come from humble origins, who can learn that, through reading, writing—and with the support they are getting from the state government—and encouragement in those areas, they, too, can transform their life from the child of very humble people, often living in poverty, to one in which they can enjoy the complexities of our world today. Perhaps they will not all be remembered in 200 years' time, but Andersen certainly serves as an inspiration to children of all beginnings that they can achieve greatness. I commend STARS on its celebration of Hans Christian Andersen.

CHILD ABUSE

Mr BRINDAL (Unley): It is possibly fortuitous that I followed the member for Reynell because, as she points out, in Hans Christian Andersen the universal condition can span borders, language and time. Indeed, another apposite saying is: the person who does not learn from the mistakes of history is bound to repeat them. As I picked up the newspapers over the weekend and saw the television news last night, I wondered what the state was coming to, as we obviously have not learned from the Salem witch-hunts and other prejudicial events in the history of our kind.

On the weekend, I learned that I was being sued, and I have to use this forum to, in some small measure, reply to a person whom I do not know, and whom I cannot identify, because they hide behind anonymity; however, I think that, if I saw them in the street, I would be able to recognise them. I gather I am being sued for some remarks I made on Radio 5AA about an interesting proposition put to me by Professor Freda Briggs called 'projection', because what I actually said—

The Hon. M.J. Atkinson interjecting:

Mr BRINDAL: I am being more careful with that. The fact is that, as a person who holds herself as an expert in the field, she explained to me something which I observed in some of these people to whom I spoke—this person not being one—that is, the capacity to have had an experience, to believe the experience, but to weave around the experience a wider context which you truly believe but which is not necessarily true. If that is wrong, I deserve to be sued. If it is not wrong, I suggest the person get me into court and test it, because to run round saying that you are going to sue someone can itself be an offence. I think they should consider it.

The Hon. M.J. Atkinson interjecting:

Mr BRINDAL: I am quite prepared—if any member of this house, until this matter is resolved, feels that in some way my contribution to this house or its voting is somehow compromised because Brad says so—and very willing on the voice of any single member not to vote for an issue because this house thinks I might be compromised. I do not think I am, but I will not be cuckolded and silenced by people—

The Hon. M.J. Atkinson interjecting:

Mr BRINDAL: Well, one never knows. In this debate, one never knows who is being cuckolded by whom. The reason I raise this matter is the very real concern we all should share. It was raised by one of the senior police officers in which he says—and the media is at least partly to blame for this—there is a difference between information and evidence. There is a difference between evidence that has been forensically tested by experts, examined by a police department, put in a court of law, examined and cross-examined, and then taken to be truth by 12 citizens—like the

person concerned—and witnessing what we have witnessed of late, which is basically a public accusation, unfairly made, against people who have not been named other than by whisper all around Adelaide and are being traduced as a result.

It is a sorry day that South Australia for at least 30 years has wanted to continue with the conspiracy theory. If there is one, it is about time that the few people who know—because they all will be dead soon, the rate we are going—stood up, told legitimate stories and had those stories tested and aired. This ridiculous carry-on, saying that generation after generation of South Australians are embroiled in something which is seedy and sinister, is not the state in which my parents raised me and the state in which, hopefully, I will die. I am proud of this state. I think better of this state than the rubbish that is currently being perpetrated about it. I hope those people who are doing it will hang their head in shame.

LITHUANIA

Ms CICCARELLO (Norwood): I consider myself very fortunate to represent a very multicultural and cosmopolitan community. Yesterday I had a very pleasant afternoon at the Lithuanian Club, where I enjoyed the hospitality of the committee and was able to taste some of their traditional dishes. A few weeks ago I had the pleasure of attending the celebrations of the 87th anniversary of Lithuania's Declaration of Independence, which was also celebrated and attended by the Attorney-General.

On that momentous day on 16 February 1918, the Taryba declared Lithuania's independence after centuries of either domination by foreign powers or close associations and federations with more powerful neighbours. It was a brave step forward for the Lithuanian nation at a time when the frontiers of Europe were being redrawn after the end of World War I and new nations were being born. Sadly, covetous neighbours again saw an opportunity to consume the Lithuanian nation. The advancing Red Army from the east tried to strangle Lithuania's independence just 11 months later in January 1919, but thankfully it was pushed back by the middle of that year. On 15 June 1940 the Soviet Union occupied Lithuania again, and after the German attack on the Soviet Union in 1941 the Lithuanian people were caught in the crush between two warring giants. The Lithuanian nation's travails continued after the end of World War II with pogroms and deportations for those Lithuanians who remained captive in the Soviet sphere, and uncertainty and pain for those who were uprooted during the war and marooned in displaced persons' camps in Europe.

Australia was indeed fortunate to take several thousand Lithuanian migrants through its migration schemes in the 1940s and 1950s—and I say fortunate because the arrival here of so many talented and enterprising Lithuanians, glad to be alive, bursting with creative energy and looking for a way to say 'thanks for having us' has proved to be a blessing. They set about creating new lives for themselves and their families and rebuilding the close community spirit that had been shattered by war and occupation—and they did so at such a feverish pace that their impact on their new country far outweighed their small number in comparison with other migrant groups. Many Lithuanian migrants in Australia were already highly qualified people and their children inherited the same characteristic love of learning and achievement. The pages of *Who's Who* and the lists of professional, scientific,

technical and arts associations are replete with Lithuanian names.

The Lithuanian community has kept its culture alive and well in Australia, and has maintained Lithuanians' traditional love of sport. The annual and biannual arts, culture and sporting festivals bring Lithuanians across Australia together in performances and friendly competition and strengthens community links. Several years ago I had the honour of opening their national conference, which is held on a rotational basis in the different states, and what impressed me most was the pride of the young people in their heritage while at the same time being proud Australians. Our policy of multiculturalism cherishes this freedom of cultural expression, and nurtures and values the contribution of every South Australian of every cultural origin, because people will always be our greatest resource. We are fortunate to live in a state which enshrines such freedom and we should be proud that we have built such a society.

Having celebrated Lithuania's declaration of independence in 1918 we should remember that it took another 72 years for that independence—and that is true independence—to become a reality for the Lithuanian nation. Let us never forget the struggles of Lithuania and her people and the high price they have paid for their independence.

The community remains very proud of its culture and they have established a museum at the clubrooms in Eastry Street, Norwood. Here it is possible to see a very impressive collection of photographs, artefacts, costumes and memorabilia—in fact, much material which attests to the significant contribution they have made not only to their homeland but also to Australia. The community needs to be commended for keeping its traditions alive, and they should serve as an example to other communities. I would like to extend my congratulations to former President of the club, Mrs Janina Vabolis, in her current role as Honorary Consul for Lithuania in South Australia, and thank and congratulate her for all the work she has done in the community for many years. I would also like to commend current President Mr Don Dunda and all his committee, and the volunteers who give of their time so selflessly to provide assistance and companionship to their community.

AUSTRALIA AND NEW ZEALAND POLICE AND EMERGENCY SERVICES GAMES

Dr McFETRIDGE (Morphett): On Saturday afternoon I had the pleasure of attending the opening of the 11th Australia and New Zealand Police and Emergency Services Games at the Torrens Parade Ground. It was a pleasure to go down there and support the full-time professional emergency service workers but, importantly, this year a lot of volunteers have also been included. Volunteers from the CFS, the SES and St Johns Ambulance Australia were proudly alongside the Metropolitan Fire Service, the South Australia Police and the South Australian Ambulance Service. But, as this is the Australia and New Zealand Police and Emergency Services Games, there were not only police officers but also other emergency service workers from all over Australia and our kiwi friends as well.

Saturday afternoon was pretty hot but the event was still well attended by both participants and the many volunteers who were assisting to conduct the event. The traditional welcome by members of the Ngarrindjeri tribe is something that we see a lot now at the opening of various events. Once again it was a very well presented reminder of the traditional

background, and the traditional owners of this country. To complement the Aboriginal welcome, we also had the New Zealand dance troupe, which is made up of Maori dancers from the South Australian community and their performance was—I will not say intimidating—but you can understand that, in times of threat, the Haka would have been intimidating to anyone who was taking on Maori tribes.

The range of activities that is being conducted over the next couple of weeks is quite amazing and, in particular, there is a number of them happening in my electorate of Morphett. This morning I went to the opening of lawn bowls at Holdfast Bay Bowling Club, and there are a number of teams competing there today, tomorrow and Wednesday. They were enjoying themselves—some of them in not quite traditional bowls dress—but they were going to put in a great effort and live up to the true spirit of the games: that is, to participate, not necessarily win, and certainly without any bias whatsoever. Yesterday I was over at the Metropolitan Showjumping Club, which is in the member for West Torrens' electorate, on the border of the West Torrens and Morphett electorate. I am the patron there, so I had the double opportunity to visit. The showjumping was on Saturday in very hot weather; yesterday was much cooler weather and we had the hacking and, in the afternoon, novelty events. The South Australian Mounted Police were represented in large numbers, and I am very pleased to say that they lent some of their horses to members of other police forces from interstate. The beach volleyball is being held at Glenelg beach on Thursday and Friday of this week, and I believe that the tug-of-war is going to be held at Colley Reserve.

One good thing about the police and emergency services games is that they include not only traditional athletics and sporting events that we normally associate with games like the Olympics, but also other events that test out the abilities of emergency service workers that they would use in their everyday lives. Certainly with the firees, the bucket brigade is great to watch; it is amazing how these firees can shift a lot of water using collapsible buckets, go up a ladder, and fill up a container. It shows not only their expertise but also their physical fitness, their ability to coordinate themselves, and their terrific team work. The good thing about the police and emergency service games being held here now is that it is a bit of a forerunner to the third largest sporting event in the world, the World Police and Fire Games that will be coming here in 2007. I look forward to being around as a member of the government, hopefully in 2007, when those games are here. It is the third largest sporting event in the world. There are 2 000 competitors and visitors coming just for the Australia and New Zealand Police and Emergency Services Games.

In 2007, for the world games, there will something like 10 000 competitors. With that many people coming to Adelaide with their families, every hotel room will be booked out and, once again, Adelaide will be shown off as the sporting capital that it is.

SCHOOLS, WHYALLA

Ms BREUER (Giles): I start today by congratulating the mighty Crows on their victory yesterday. It was a wonderful victory (and I would not normally mention this, even despite the 68 point margin) but I would like to mention a young man, Robbie Shirley, who kicked two goals yesterday for the mighty Crows. I want to mention him because he is a Whyalla boy, and I am very proud of him, and I am sure that

everybody in Whyalla was very proud of him, and he would have been elected mayor yesterday had he turned up in the town. Certainly we have a very great sense of pride in Robbie. He is a product of the education system in Whyalla. He went to St Theresa's school and then he went to St John's College—private schools in Whyalla who do a wonderful job as part of our education system—and that is what I would like to talk about today, not the mighty Crows.

Ms Rankine: What was the score, again?

Ms BREUER: I will just mention that the margin was 68 points. I do want to talk about the state system in Whyalla and about Whyalla's education system. Today I asked a question of the minister about the ICAN project. Certainly, the minister paid tribute to what is happening in our area with respect to the ICAN project. She paid a tribute to our teachers and our education system. Incidentally, I would like to throw in a line here about country incentives for teachers. I know that enterprise bargaining is happening at the moment for the teachers. I hope that we are providing good incentives for our country teachers, because we do need a lot of support in getting teachers into our regions. All principals tear out their hair every year trying to find teachers for their schools. Once we get the teachers we do manage to keep them, but it is an ongoing issue. The ICAN project is indicative of the great efforts that do happen in our country communities and, in particular, our Whyalla community.

At the weekend I was very proud to attend the centenary celebrations of the Whyalla Town School—100 years of serving Whyalla as a primary school. In 1905 the school started in our community, which, in those days, was almost a tent city. It was an excellent weekend, and a wonderful celebration for Whyalla and of Whyalla's education. It is very important to the history of Whyalla, because we are only about 105 years old. Whyalla Town School has played a major role in our history over the years. It was a wonderful weekend to see so many past students. In fact, we saw students from the 1930s and the very late 1920s, which I thought was pretty incredible. I want to pay tribute to the principal, Di Dimedios, who helped organise this event, and also Ann King, who was recently commended by the minister on her contribution to the history of Whyalla and the Whyalla Town Primary School in terms of her collections over the years.

Ann has done an excellent job and is an institution at the Whyalla Town Primary School. Also, I thank Helen Hamlyn, a teacher, who helped organise that event. Helen was one of my daughter's teachers for sometime. They all did a wonderful job. It was a really good weekend. I now come to mention my concerns about the technical college proposal for Whyalla. I have very much sat on the fence on this issue; and, in many ways, so has the state government. We are waiting to see what happens, but I am getting more concerned about this proposal, because nothing concrete has come out of what is proposed for it.

If the system were to be implemented (as seems to be the consensus) we would be looking, perhaps, at a new college; and we would be pulling 200 to 300 students out of our school systems, which would absolutely decimate the state and private school systems and the TAFE college system in Whyalla. We have had proposals indicating that we will get students from elsewhere, but I do not think that is a real possibility. Certainly, I would not be looking for a separate institution. I would oppose that totally. We want the money to go back into our state system and our TAFE system—and even into the private system—so that we can continue to have

students at those schools. They could, perhaps, go away for a day a week to work in the trades areas.

I think that what has been missed in the whole issue is that the schools are doing an excellent job in preparing young people for trades. We have initiatives such as school-based apprenticeships. They are going very well in our area. I know that they are working well on the Eyre Peninsula, which also has concerns about a technical college. We have aquaculture at Cowell and agriculture at Cleve and Kimba. Good projects are occurring in those regions in terms of school-based apprenticeships. These schools are doing their very best to help kids get into trades, but we go back to the old problem: it is not the schools that are holding this up, it is the employers.

Whyalla has an excellent course that trains young people. They go into the school system for six months. These are kids who left school early. They get the basic literacy and numeracy skills, and they then go to TAFE with the prospect of a job at the end. There are not enough jobs around. Employers are still not recruiting. We should not be blaming our education system. We should be looking at our employers to make sure that they take on those extra students as apprentices.

STATUTES AMENDMENT (SENTENCING OF SEX OFFENDERS) BILL

The Hon. M.J. ATKINSON (Attorney-General) obtained leave to introduce a bill for an act to amend the Criminal Law (Sentencing) Act 1988 and the Criminal Law Consolidation Act 1935. Read a first time.

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

That this bill be now read a second time.

This government is tough on convicted paedophiles and pederasts. We make no apology for that. Our policies are clear. Target 2.8 of the State Strategic Plan states:

Reduce crime rates to the lowest in Australia within 10 years.

Priority action: Legislate to ensure that the penalty fits the crime, by introducing a new category of heinous crime; and increasing penalties for crimes of violence—especially violence against the young, the elderly and the disabled.

As a government, we are doing all we can to encourage victims of paedophilia to come forward, tell their stories and receive justice, so that we can lock up the pederasts. We have established a police Paedophile Task Force; abolished the 1982 statute of limitations so that victims can seek justice against pederast activity before that date; and we have set up a commission of inquiry into sexual abuse of wards of the state. We were certainly not dragged kicking and screaming towards it; we fashioned that inquiry ourselves. We are also changing parole legislation to end the automatic parole of sex offenders. The bill is yet another step in our crackdown on pederasts and other child abusers.

It will establish deterrence as a 'primary policy of the criminal law' for the purpose of sentencing child sex offenders; apply higher maximum penalties for sex offences committed against children aged 12 or 13; enable a court to declare a child sex offender to be a 'serious repeat offender' after two (rather than three) convictions for sexual offences against a person under 14 years; subject a sex offender to indefinite detention if a court finds he is 'unwilling' to

control his sexual instincts; and reverse the effect of the recent decision of the Court of Criminal Appeal in Regina against Kench 2005, SASC 85.

I seek leave to have the balance of the second reading explanation incorporated in *Hansard*—

An honourable member interjecting:

The Hon. M.J. ATKINSON:—without my reading it—lest I entertain the Leader of the Opposition too much.

The DEPUTY SPEAKER: Leave is sought; is leave granted? I heard a no; leave is not granted.

The Hon. M.J. ATKINSON: Section 10 of the Criminal Law (Sentencing) Act 1988 is headed 'Matters to which a sentencing court should have regard'. In addition to matters to be taken into account in determining sentence in every case, section 10 also provides two primary policies of the criminal law:

(2) A primary policy of the criminal law is to protect the security of the lawful occupants of the home from intruders.

That was a policy that was truly dragged kicking and screaming out of the previous attorney-general, the Hon. K.T. Griffin, in 1999.

The Hon. I.P. Lewis interjecting:

The Hon. M.J. ATKINSON: I thank the member for Hammond for that interjection. I continue:

(3) A primary policy of the criminal law in relation to arson or causing a bushfire is—

(a) to bring home to the offender the extreme gravity of the offence; and

(b) to exact reparation from the offender, to the maximum extent possible under the criminal justice system, for harm done to the community.

This bill will insert an additional subsection, to be added to section 10, inserting another primary policy of the criminal law for the sentencing of sexual predators. That primary policy will read:

A primary policy of the criminal law is to protect children from sexual predators by ensuring that, in any sentence for an offence involving sexual exploitation of a child, paramount consideration is given to the need for deterrence.

I now turn to the second heading, which is 'Higher Maximums for Children Aged 12 and 13'. Some sexual offences attract penalties that are more severe when the victim is below the age of 12. These offences are: section 49, unlawful sexual intercourse; section 56, indecent assault; section 66, sexual servitude; section 67, deceptive recruiting for commercial sex services; section 68, using, or asking, or profiting from a child in commercial sex services. I hope I can retain the attention of the member for Hammond on these things or perhaps, like so many members of Her Majesty's Church of England, he is (like he does on Sundays) reading *The Book of Common Prayer* to make sure that the minister is reading accurately from it. I know that is habitual practice of some of us Anglicans. Perhaps he is reading my second reading speech to ensure that my recitation of it corresponds to the printed version.

The bill will ensure that the higher penalties will be available to a sentencing court for these offences when the victim is aged under 14, rather than when the victim is aged under 12. This would permit penalties for offences against children aged 12 and 13 to be as high as the penalties for offences against younger children. Other offences, such as child pornography, attract higher penalties when a victim is aged under 16. For these offences, the law views offences against 14 and 15 year olds as seriously as offences against

younger children. There is no need at present to alter the structure of these penalties.

I turn now to the heading 'Serious Repeat Offenders'. The Criminal Law (Sentencing) (Serious Repeat Offenders) Amendment Act 2003 inserted new sections 20A and 20B into the Criminal Law (Sentencing) Act 1988. Sections 20A and 20B enable a court to set a longer non-parole period for a crime committed by a person declared to be a serious repeat offender, expressed as a fixed proportion of the head sentence. A court may declare a person to be a serious repeat offender if the person has been convicted of three serious offences (committed on at least three separate occasions). When a person is declared to be a serious repeat offender, the court is not bound to ensure that the sentence it imposes for the offence is proportional to the offence and any non-parole period fixed for the sentence must be at least four-fifths the length of the sentence.

At the time, the government was concerned to address reform of the law about sentencing for violent crime. It reserved options for sexual crime. The government has now decided that the scheme should extend to sexual offences. The bill provides the option to declare an offender a serious repeat offender to be available to the court if the offender is convicted of two child sex offences (rather than three). For this purpose, consistently with what has gone before, a child will be defined as a person under the age of 14 years. What is a serious sexual offence for this purpose is listed—but there are no surprises there. The usual candidates of rape, unlawful sexual intercourse, indecent assault and so on are included.

I now turn to the heading 'Preventive Detention'.

Section 23 of the Criminal Law (Sentencing) Act 1988 permits the Supreme Court to order a convicted sex offender to be detained indefinitely, if two or more medical practitioners independently form the opinion and report to the court that the person is 'incapable of controlling his or her sexual instincts'. Section 24 provides for conditional release on licence, after a sentence of indeterminate duration under section 23. In one form or another, a provision similar to section 23 has been in existence for more than 60 years. During that period, case law appears to suggest that orders of this type have been sought against few persons. For two of those defendants, the orders sought by the crown ran into difficulty because, at the relevant times, two psychiatrists were unable to say that the defendants were incapable of controlling their sexual instincts, although society would be forgiven for opining that the offenders in questions were sufficiently dangerous to warrant detention for the protection of society.

In one case (*R v Kiltie* 1986), a psychiatrist opined that the defendant had the capacity, but was unwilling, to control his sexual instincts. In another case (*R v England* 2003) a defendant refused to be interviewed by psychiatrists. In this case, one of the two court-appointed psychiatrists was not able to reach any opinion about the offender's capacities, although this psychiatrist later changed his mind (*R v England* (No. 2) 2004) when questioned in court. Eventually, the order was made against Mr England and upheld after two appeals. The bill proposes to deal with these situations explicitly. It is proposed that section 23 be amended so that a term of indefinite detention may be ordered by the court if each of two psychiatrists forms an opinion that a convicted offender is either incapable of controlling, or unwilling to control, his sexual instincts, and deals explicitly with the case

in which the offender refuses to co-operate with the assessment required by the court.

In addition, the bill amends the provisions so that an order may be sought on application by the Attorney-General for the indefinite detention of an offender under these provisions at any time while the person remains in prison serving a sentence of imprisonment. Put another way, the application and order need not be made at sentence but may be made at any time during the actual incarceration of the offender. Such a provision reflects current law in Queensland upheld as constitutional by the High Court in *Fardon v Attorney-General for the State of Queensland* 2004 Vol. 78 ALJR 1519.

I now turn to the final heading, which is 'The Reversal of Kench'. On the ides of March this year, the Court of Criminal Appeal handed down its decision in the case of *R v Kench* 2005 SASC 85. The appellant was found guilty by a jury of five counts of unlawful sexual intercourse and two counts of indecent assault upon a boy. The offences were committed on two occasions. One count of indecent assault and four counts of unlawful sexual intercourse were committed at the appellant's home in a country town between December 1991 and April 1992. The other count of indecent assault and the remaining count of unlawful sexual intercourse were committed at a different town, where the victim lived, in 1993.

The victim was 13 years old at the time of the first group of offences and about 15 years old at the time of the second group. The appellant was about 35 years of age on the first occasion and about 38 years of age when sentenced. The appellant was an adult scout leader. The victim was a boy scout. The sentencing judge said that, in arriving at an appropriate sentence, he was guided by the decision of the Court of Criminal Appeal in *R v D* (1997) 69 SASR 413. Exercising the power conferred by section 18A of the Criminal Law (Sentencing) Act 1988, he sentenced the appellant to imprisonment for 10 years and fixed a nonparole period of six years.

On appeal, the Court of Criminal Appeal held that an error had been made. The sentencing judge could not rely, in their judgment, on the sentencing standard in *R v D* because, it was said, the general rise in penalties to be imposed authorised by that decision was not retrospective. Therefore, the sentence to be imposed on Kench was reduced to a head sentence of eight years with a nonparole period of five years. The Premier and I have expressed our opinion that this decision should not be allowed to stand as to the general law and or as a general precedent. The bill therefore contains a proposal to reverse what we think is the effect of Kench. The proposal, in general terms, is that the sentencing standard set in the decision in *R v D* should be potentially applicable, whether the offences in question were committed before or after that decision was handed down. The key word is 'potentially', for it is not intended that the sentencing standard set in the decision in *R v D* should be applied in cases in which it is, on its own terms, inapplicable. Put another way, this proposal presumes that, in any given case to which this policy applies, there will be an accumulation of offences proved and standing for sentence which will render the principles set out in *R v D* applicable.

For that to be understood, it is necessary to set out in more detail what *R v D* is about. In *R v D*, Chief Justice Doyle reviewed past sentencing standards for sexual offenders committed against a child and decided that a tariff (or, as the

court prefers to call it, sentencing standard) should be raised. He said:

This review of the decisions of this court leads me to think that in future the sentences imposed for cases like this should be increased for persons who commit such offences in the future. By this I mean cases involving a course of conduct including unlawful sexual intercourse with a child, and committed by a person in a position of trust and authority. . . In my opinion offences involving unlawful sexual intercourse with children under twelve years of age, when there are multiple offences committed over a period of time, should attract as a starting point a head sentence of about 12 years' imprisonment. In saying that I refer to a sentence imposed under s74(7) of the Act and to a single sentence imposed under s18A of the Criminal Law (Sentencing) Act. That starting point would be subject to reduction on account of a plea of guilty, co-operation with the police, genuine contrition and so on.

Mr Brindal: Do you know which part of 18A it was?

The Hon. M.J. ATKINSON: The Chief Justice continues:

It is impossible to be precise in these matters, and I do not wish to be taken as suggesting a precise figure. In an appropriate case the starting point might be higher or lower. When the child in question is over twelve years of age, in my opinion the starting point in such cases should be a head sentence of about 10 years' imprisonment.

For the information of the member for Unley, I am unable to respond to his interjection and give him that information because I was, of course, quoting the Chief Justice and cannot answer for him.

The Hon. I.P. Lewis: If he had been paying attention, he would have realised that.

The Hon. M.J. ATKINSON: Yes; as the member for Hammond says so rightly. This is commendable and to be applauded. But in *Kench* the court decided that this policy should not be applied to suitable offences committed before *R v D* was decided. The government does not agree; therefore, it wants this policy to apply to suitable offences committed before *R v D* was decided. The bill plainly proposes this course of action. I commend the bill to members.

I cannot resume my seat without thanking the member for Hammond for allowing me to pursue my preferred policy of reading all my second reading explanations. I would call him as my witness if the leader of the house were to call me to account for wasting its time by reading the entire second reading explanation. I was, of course, propelled on my course by the member for Hammond, and I seek his leave, and that of the house, to insert the explanation of the clauses 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 *Criminal Law (Sentencing) Act 1988*

4—Amendment of section 10—Matters to which a sentencing court should have regard

Section 10 provides for the matters to which a court should have regard in determining a sentence for an offence. The proposed amendment will provide that a court, in determining sentence for a sexual offence committed against a child, needs to give effect to the policy of the criminal law to protect children from sexual predators. Thus, in any sentence for an offence involving sexual exploitation of a child, paramount consideration is to be given to the need for deterrence.

5—Amendment of section 20A—Interpretation

Section 20A contains definitions of terms used in Division 2A (Serious repeat offenders). It is proposed to insert a

definition of serious sexual offence for the purposes of being able to make a declaration under section 20B about a serious (sexual) repeat offender.

6—Amendment of section 20B—Declaration that person is serious repeat offender

The proposed amendment to section 20B will expand the current situation in relation to who may be declared to be a serious repeat offender. Currently, a person who has on at least 3 separate occasions committed an offence to which section 20B applies and been convicted of those offences may be declared a serious repeat offender. The amendment will mean that such a declaration may also be made in respect of a person who has, on at least 2 separate occasions, committed a serious sexual offence against a child under the age of 14 years and been convicted of those offences.

7—Amendment of section 23—Offenders incapable of controlling, or unwilling to control, sexual instincts

Currently, a defendant who has been convicted of an offence to which section 23 applies may, at the time of sentencing, be declared by the Supreme Court to be declared to be incapable of controlling his or her sexual instincts. The consequence of such a declaration being made in respect of a defendant is that the defendant will be detained in custody for an indeterminate period (and a declaration may be made instead of or in addition to a sentence of imprisonment). The effect of the proposed amendments to this section will be—

to expand the class of persons in respect of whom a declaration resulting in imprisonment for an indeterminate period may be made to include not only persons who are incapable of controlling their sexual instincts but also persons who are unwilling to control their sexual instincts; and

A person will, for the purposes of this section, be regarded as unwilling to control his or her sexual instincts if there is a significant risk that the person would fail to exercise such control if opportunity to commit a sexual offence presented. The expanded class of persons to whom section 23 will apply will include persons who are already serving a sentence for a relevant offence (as defined) The Attorney-General is to be given the standing to apply to the Supreme Court for an order that the person be declared to be incapable of controlling, or unwilling to control, his or her sexual instincts. The effect of the granting of such an order would be that the person would remain in prison for an indeterminate period after serving his or her sentence.

8—Insertion of new Division

New Division 5 (Offences involving paedophilia) is proposed to be inserted after section 29C. This Division will comprise section 29D (Sentencing policies for offences involving paedophilia). The new section begins with a declaration by Parliament that, in the decision of *R v D* (1997) 69 SASR 413, the Supreme Court enunciated a change in sentencing policy in relation to offences involving paedophilia that reflected an emerging recognition by the judiciary and community generally, of the inherent seriousness of such offences, and that the reformed policy should be applied to the sentencing of such offences, whether they were committed before or after the enunciation of the reformed policy. Thus, following the passage of this measure, a court must apply the reformed policy when imposing a sentence for an offence involving paedophilia, regardless of when the offence was committed.

The term *offences involving paedophilia* is defined to mean all offences to which the 1997 amendment of sentencing policy is applicable, whether individual sentences for the offences have been, or are to be, imposed or a global sentence covering a series of offences (see section 18A of the Act) or a course of conduct involving a number of criminal acts (see section 74 of the *Criminal Law Consolidation Act 1935*).

9—Transitional provision

An amendment made by this measure to the *Criminal Law (Sentencing) Act 1988* applies whether the relevant offence occurred before or after the commencement of the amendment.

Part 3—Amendment of *Criminal Law Consolidation Act 1935*

10—Amendment of section 49—Unlawful sexual intercourse

11—Amendment of section 56—Indecent assault

12—Amendment of section 66—Sexual servitude and related offences**13—Amendment of section 67—Deceptive recruiting for commercial services****14—Amendment of section 68—Use of children in commercial sexual services**

Each of these proposed amendments raises the age of a child, for the purposes of offences committed against these sections, from 12 years to 14 years.

15—Amendment of section 74—Persistent sexual abuse of child

This amendment is consequential on amendments effected by 52/2004, section 4.

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

ANZAC DAY COMMEMORATION BILL

Adjourned debate on second reading.
(Continued from 2 March. Page 1831.)

The Hon. R.G. KERIN (Leader of the Opposition): The Premier began the drafting process of this legislation after similar moves were made in Victoria. Certainly, both he and I were visited by former RSL president, John Bailey, and the secretary, John Spencer. Currently, ANZAC Day is specifically referred to in only two separate pieces of legislation, one of which is the Lottery and Gaming Act 1936, which allows for two-up to be played in designated areas on ANZAC Day, and the other is the Holidays Act of 1910, which ensures that 25 April, or the next working day, is a public holiday (not for my wife's birthday but for ANZAC Day). This legislation does not require any change to the Holidays Act.

The bill provides two main functions not provided before. The first is to create an ANZAC Day commemoration council. The council will consist of nine members nominated by the Premier, in consultation with the RSL. The council will consider the long-term needs of the commemoration of ANZAC Day, given the ever dwindling number of ex-servicemen and women. The council will also administer an ANZAC Day commemoration fund that will be used to further ANZAC Day celebrations, including education. While the RSL is not opposed to the formulation of the council, it believes that it replicates some of the functions that the RSL already performs. It will be important that we all work together to ensure that duplication does not occur.

Secondly, the bill seeks to prohibit major sporting and entertainment functions before midday on ANZAC Day. This clause has the effect of formalising the current loose arrangements the RSL already has with the South Australian National Football League and the South Australian Jockey Club. It restricts the operation of sport in entertainment venues by prohibiting admission to venues that require tickets for admission or similar devices before 12 noon. This clause is intended to minimise the effect this legislation will have on small events, such as junior sports and community events. Again, while the RSL is not opposed to this clause, it believes that the bill does not go far enough in addressing this issue.

However, the RSL is certainly not opposed to the bill. They might think it does not go far enough. They would have liked liquor licensing and shop trading hours to be taken into consideration, but that is a matter on which both major parties will speak to the RSL in forthcoming months and years. They have been willing to go along with the government's proposal because they believe it is a step in the right direction. We

have spoken to the SAJC, that has absolutely no problem with the bill that, they believe, formalises agreements they already have, and, similarly, the South Australian National Football League has no problem with the bill. Given that, and assurances that proper consultation has taken place, the Liberal Party supports the bill.

Mr O'BRIEN (Napier): In speaking to this bill, I applaud the central thrust of this legislation, which is to ensure that the contribution of all men and women who have served Australia in the time of war or armed conflict, or in international peace-keeping operations in which Australia has been involved, is recognised and commemorated in this state. I am particularly pleased that the Premier has taken the initiative to introduce this legislation because it also serves to establish an ANZAC Day commemoration council and fund, which will keep alive what I would describe as the spirit of ANZAC.

When I was a young boy growing up in Sydney, I attended dawn services with my father, who was president of the local RSL club. Later in the morning I would watch the march headed by the returned soldiers from the First World War. At that time, my recollection is that the number of servicemen from the First World War seemed equal to those from the second. I also have a recollection of the First World War diggers carrying signs emblazoned with French place names, which at the time meant nothing to me; names such as Pozieres, Mont St Quentin, Hamel, Ypres, Fromelles and Villers-Bretonneux. Other names, such as Beersheeba, meant a little more to me because of a Chips Rafferty movie filmed in the sands of Wanda, not far from my home, which depicted the famous charge the Light Horse in Palestine; and, of course, the name Gallipoli. Although I did not fully understand Gallipoli, I was lucky enough to have a best mate a couple of houses down the street from me whose uncle was a major in the Gallipoli campaign and who had a trench named after him. I remember his showing me and my mate his service diary or notebook with a map that clearly identified his trench well into the forward lines.

It has been only in recent years that I have taken a real interest in the First World War and gained an understanding of the ferocity that attended those battles waged around those French villages, whose names were paraded before me as a young boy. I have read Bean's official history, other accounts of the various battles, including Gallipoli, and, in the past year, biographies of Pompey Elliott and John Monash.

I am now aware that Monash was a towering figure and well deserving of his place on our \$100 bill; and his recognition in the naming of Monash University. As a civil engineer prior to the First World War, he introduced reinforced concrete to Australia and, even prior to this, earned recognition as a very young engineer for his work on the Princes Bridge, which links St Kilda Road to Swanston Street in the very heart of Melbourne. John Monash also has the distinction of being the only foreigner to ever command a large contingent of US troops—which he did at the Battle of Hamel on 4 July 1918. It was the first engagement of US troops in the First World War and, at first, their commander in chief, General Pershing, pushed hard to have them withdrawn from foreign command and the looming offensive. He was informed this was impossible, and they took part in the Australian offensive—Monash's first as commander of the Australian corp.

The offensive was meticulously planned, as was Monash's way, and combined air, tank, artillery and infantry for the first

time in the war. Although it was a modest encounter in the context of the war—

Mrs REDMOND: I have a point of order. While I am enjoying the honourable member's contribution about the highlights of various historical events, I do not see their relevance to the matter.

An honourable member interjecting:

Mrs REDMOND: I know ANZAC Day is under consideration, but it is a very brief bill to deal with certain very tightly worded aspects of the timing of certain things on ANZAC Day.

The ACTING SPEAKER (Ms Ciccarello): It is about the spirit of ANZAC. There is no point of order.

Mr O'BRIEN: If the interjector would bear with me, she will find that Monash established ANZAC Day. Although it was a modest encounter in the context of the war it was over in just 93 minutes with very little loss of allied life; and it was considered a near perfect victory. It buoyed allied confidence and Pershing is reported to have revelled in the kudos which attached to the US troops' being involved in this battle. Of no less importance the Hamel victory constituted the blueprint for the string of Australian victories under Monash, particularly Mont St Quentin and Peronne, which propelled the Allies to and through the Hindenburg Line and effectively brought the war to an end.

John Monash's place in the debate on this legislation is simply that he created ANZAC Day. The first celebration of ANZAC Day was under Monash's direction and command. It occurred on the banks of the Suez Canal at Tel el Kabir on 25 April 1916—the first anniversary of the landings. He turned out his 14th Brigade at 6.45 a.m. with every man who had served at Gallipoli wearing a blue ribbon on their right breast. Those such as Monash who took place in the initial landing were allowed to wear a red ribbon, as well; 'How few of us are left who are entitled to wear both,' Monash recorded in his diary for that day. There was a short service to remember fallen comrades on what Monash described as 'our day'.

An account of the second celebration of ANZAC Day is to be found in Ross McMullin's splendid biography of Pompey Elliott. McMullin writes that in mid April 1917, the 5th Division marched to the rear for a proper rest. The 15th Brigade's destination was Mametz, about 10 miles to the rear. Elliott wrote in his diary:

ANZAC Day anniversary commemorations were a highlight. . . A holiday was declared and the brigade assembled for a sports meeting in the afternoon.

In the evening there were a number of celebratory dinners, including, in Pompey's words, 'quite a swanking feed', which Pompey enjoyed at the 5th Division.

The following year, Monash was preoccupied with the re-taking of Villers-Bretonneux after its capture on 24 April by the Germans in the so-called Ludendorff Lunge of 1918. Using shrewd psychology, Monash set the counter attack for the early hours of the following day—25 April. Two weary brigades—the 13th and the 15th—were galvanised for a supreme effort on the celebration of ANZAC Day's third anniversary. On that day, Villers-Bretonneux was recaptured and the German thrust, which had been running for 35 days, was halted and reversed. German Supreme Commander Hindenburg later admitted that the day was a turning point in the war.

The next celebration of ANZAC Day—the fourth—was held in London. Monash's task in 1919 was the repatriation of Australian troops, after a decision had been made finally

that they would not be required for the occupation of Germany. Monash wanted an ANZAC Day march through London but was informed by the British War Office that the march should not occur as there would be a parade of overseas troops on 8 May. Monash was insistent, and threatened the War Office with a direct approach to Haig. The War Office capitulated.

Monash rode at the head of 5 000 diggers on a five kilometre march that wound from Hyde Park along the Mall, across Trafalgar Square, and down The Strand to Australia House, where the cheering crowd was 20 deep. Monash took the salute from the Prince of Wales, Haig and Chavel.

After the euphoric return home of the diggers in 1919, there were a few small marches on ANZAC Day. It appeared that the sacrifices of the 170 000 who came back and the 60 000 who were killed might fade from the memory of the public. In part—according to Roland Perry, author of the biography *Monash—The Outsider Who Won the War*—this disengagement was probably caused by post-traumatic stress disorder on a massive scale. They had suffered too much and simply had to forget. But as the years passed by a need to reconnect, to gather and reminisce, and to remember fallen comrades began to surface.

The revival of the ANZAC tradition occurred in November 1923 when Monash organised 5 000 former diggers in Melbourne to deal with the police strike. The other tens of thousands of AIF men around the country who heard or read about it were stirred and inspired. On ANZAC Day the following year—exactly five years after demobilisation—there was a remarkable banquet for Monash at the Melbourne Town Hall organised by the RSL. Monash addressed the 700 diggers assembled and began with an explanation of the importance of ANZAC Day. He spoke of the importance of the Gallipoli campaign and what it meant to Australia as a nation. His address was galvanising.

By 1926, with Monash in charge of the ANZAC Day Commemoration Council, the crucial objective of a public holiday was achieved and some 12 000 veterans marched despite heavy rain. The following year was an even greater triumph. Monash pulled out all the stops when he learned that the Duke of York would be in Melbourne on ANZAC Day. Pompey Elliott and other wartime subordinates were given key roles in the organisation, with the result that on Monday 25 April 1927 about 30 000 marched and there were no fewer than half a million onlookers—probably the biggest crowd ever to assemble in Australia. ANZAC Day had become an integral part of the life of this nation, in no small part due to the efforts of one man—John Monash.

In supporting this motion, I do so because it carries forward into future generations the notion that John Monash sought to inculcate within us all—that we should never forget the sacrifices of the men of Australia in the first war, that the exhortation 'Lest We Forget' should have a resonance down the generations.

Mr SNELLING (Playford): I rise briefly to support the bill. I am the son of an ex-serviceman, and I have been involved in the erection of a war memorial to commemorate the fallen of the Vietnam War. Over the previous years I have been heartened by the ever-increasing numbers of the young who have been participating in both the dawn services and in the march. This bill will provide for the continuation of ANZAC Day and, as such, has my full support.

Ms RANKINE (Wright): I also stand today to support the legislation brought forward by the Premier. When thinking about what I would talk on today I reflected on a question I was asked some time ago by a visiting American, who was quite curious as to why we in Australia celebrate what they would perceive to be a massive military defeat. I thought it was a very interesting question, one that really goes to the heart of the psyche of Australians, our very view of ourselves, our beginnings as a nation and how we have shaped ourselves along the way.

Those very early Australians—whether they came to Australia voluntarily or not—faced a very hard life in a very harsh environment, and I think it is fair to say that the vast majority of settlers here did not come from very auspicious backgrounds. Many came in chains, sent away from their families, friends and home. They were not wanted, and were cast to the other side of the globe. However, we also know that they were a hearty and industrious lot. They built a life and created a nation—a great nation, but a nation that still very much saw Britain as home, and perhaps we suffered the symptoms of rejection, a sense of not being quite up to scratch, not quite good enough.

On the battlefields of Gallipoli I believe we changed that view of ourselves; we changed how we felt about ourselves. We saw, very vividly, that we are a nation of steadfast, loyal, decent people who, above all else, care for one another. We saw young men become great men, we saw young men become great heroes—the sort of hero who battles on no matter what the obstacles in front of them, the sort of hero who puts the lives of mates ahead of their own. We saw young men learn that they were as good as any other; and we saw a nation grow in stature and pride. Any family, any community, any nation that could produce young men of this calibre was as good as any other. These young men stood fast and stood proud, and that is what I believe we celebrate on ANZAC Day—our pride in the original ANZACs, and our pride in our servicemen and women who have fought to protect us in war and who have provided extraordinary service to our nation and others during peace. On ANZAC Day we celebrate our pride in being Australian, we celebrate the value of being Australian—by any real measure that is not a defeat.

I want to commend the Premier for bringing this legislation before the house. It is another example of his commitment to our ex-service personnel. As members know, I have known the Premier for many years (more than I like to admit sometimes). I started working for him after his election to this house back in December 1985 and I have not stopped working for him since. I know first-hand the commitment he has always had to supporting our diggers. I often see John Bailey, the recently retired president of the RSL here in South Australia, who was until very recently also a member of our volunteer ministerial advisory group. I see John sitting in the Golden Grove shopping centre having coffee with friends, and I know how frustrated he was and how frustrated the RSL were with the lack of support they received from the former government in relation to accessing the Torrens Parade Ground building as their permanent home. I know how delighted they were that, under this government, under Premier Rann, that battle is over and they are now very firmly and appropriately accommodated at the Torrens Parade Ground.

These people deserve our respect, they deserve our appreciation, and they deserve recognition. It appears to me that as time passes, as we continue to mature as a nation, we

are increasingly doing all of these things. The First World War was the first war we committed to as a nation—

Mr Koutsantonis interjecting:

Ms RANKINE: No, the Boer War was quite different. The First World War was our first experience of massive loss of life, of returned servicemen who returned but were, for many, never the same. This was followed by World War II, Korea and Vietnam. We have not always got the treatment of our returned service people right; our acknowledgment of them, our understanding and care has not always been what it should be but, as I said, I think we are getting better at it.

I regularly attend the dawn service out at Salisbury and each year more and more young people attend, each year more people come out to watch their parade on the Sunday before ANZAC Day, and more people are coming along to the Remembrance Day celebrations. I like to think this is part of our greater understanding of the sacrifices that were made and of our developing maturity, even if we have not supported war, even though steadfastly opposed to war. Interestingly, those I have found most fiercely opposed to war have been the veterans of war—for them the illusion that they were entering into an adventure is long gone, replaced with a very strong reality of devastation and heartache.

Even if we have not supported war, we now have a much greater understanding of the horrors they endured, the innocence they gave up, and the massive impact it has had on their lives. We realise that those veterans who still remain with us are our living history. Our young ones are fascinated by their lives and experiences in a way that I do not think my generation was. I spoke in this house not so long ago about the fascination that my sons and my sister's children had with the stories of my father's childhood, and about his service during World War II. He was great at telling his boyhood stories—the stories of running through the paddocks on his way to Mount Crawford school, the wheat bag on his back to keep the rain off, and no shoes, ever, on his little feet.

An honourable member interjecting:

Ms RANKINE: Yes, near Williamstown. His stories were of the famous (within our family, at least) Miss Marcus, his teacher, and the knuckle crushing blows that she delivered to cold, tiny fingers that could not write, and the delightful retribution that they inflicted. But there was not much about his war experiences other than to curse war and to curse its devastation and horrors. My Dad served in the Pacific in the RAAF's flying shovels, the airfield construction squad. They went into areas after bombings to construct the airfields for planes to land. He had great stories about his mates, comradeship and the mischief they got up to. My Dad was not a gambler; you would not find him betting on the races or playing poker, but he knew good odds when he saw them, and I understand that he was a great dab hand at running a two-up school during his service days. I am sure that he would be very pleased with this legislation today allowing him the opportunity, perhaps, to go in and have one last throw, if he was still with us.

Our men and women have shown great spirit and courage during war time, and that continues today and deserves recognition, not only while they are alive but also into the future. This legislation is a way of ensuring the ideals and values which they promoted and in which they believed are continued. The establishment of the ANZAC Day Commemoration Council will ensure that this happens. The only area of the bill that might have been slightly controversial is that restricting the commencement time for sporting and entertainment venues, but that is a very small price for us to

pay to honour our war heroes, and nothing compared with the price that they paid to protect us. In war and in peace, our service people continue to bring great honour to our nation.

It is appropriate, while we are debating this legislation in the house, to also acknowledge the nine service personnel who were killed in the tragic Sea King helicopter crash just over a week ago. I would like to read into *Hansard* the names of those who died in the crash: Sergeant Wendy Jones, medic; Flight Lieutenant Lynne Rowbottom, nursing officer; Lieutenant Matthew Davey, doctor; Lieutenant Matthew Goodall, helicopter observer; Lieutenant Paul Kimlin, pilot; Lieutenant Jonathan King, pilot; Petty Officer Stephen Slattery, medic; Leading Seaman, Scott Bennet, aircrewman; and Squadron Leader Paul McCarthy, senior medical officer. I pay tribute to those people and the work that they were doing. Very sadly, if that dreadful earthquake had not occurred, those people would have been on their way home to their families and friends. My condolences to all of them; I know that these people are going to be greatly missed by their families and friends. They will be greatly missed by their comrades in the service.

ANZAC Day is a day for celebrating not a defeat but the great spirit and endurance of Australians. Lest we forget.

Ms THOMPSON (Reynell): I, too, rise to contribute to this important debate. It is quite amazing what we can take for granted and suddenly discover does not exist. I well remember the then premier ending World War II, and now we discover the Premier commemorating ANZAC Day, one of these events that we take for granted. In some ways, I think that it is good that we respect things that have not been made law, that are so much our way of life that we do not think it is necessary to make them law. But it is also important that they are enshrined in legislation, particularly as this legislation now establishes the ANZAC Day commemoration fund.

Like many others, I have taken a few years in my life to really come to grips with the importance of ANZAC Day. As a young person I saw it as glorifying war, and something that I could not contribute to. I did not understand what was going on in the RSL club; it seemed to me to be a place where a lot of blokes got drunk and the women and children sat in the cars. But now we understand about post traumatic stress disorder and the need for people who have been through the incredible horror of war to have both formal and informal mechanisms of support.

I can now recognise the very valuable support that is obtained through the RSL. The RSL itself seems to have examined its role, too, and I commend it for recognising that, when it excluded Vietnam service people, it was doing those Vietnam veterans a disservice, but in that the RSL was somewhat reflecting the mood of the community, which itself did not respect the Vietnam veterans. The community has paid dearly for that but not nearly as dearly as those veterans and their families have paid. So, that is another reason for recognising that it is important to establish ANZAC Day in our laws as well as in our hearts. I note that what I have been advised by the RSL is the correct form of ANZAC is used in this bill (as one could only expect that it would be). I want to draw attention to the use of ANZAC, with all capitals, as this is now the form preferred by the RSL, yet I frequently read ANZAC as a lower case word, simply as a proper noun. It is not: it stands for something important that we should be acknowledging properly.

The need for us to find new ways of recognising ANZAC Day has been evident to me and members of my community

for some time. It is as a result of this that a number in our community—led by Frank Owens from the RSL, a very important community volunteer; Brian Holocek; and counsellors Doreen Erwin and Darryl Parslow from the City of Onkaparinga—joined me in establishing a new tradition in the south for the recognition of ANZAC Day, that is, the ANZAC Youth Vigil in the south. This is a community event that relies on community sponsorship and community participation to be something that is now well established in the southern calendar. The City of Onkaparinga is also recognising ANZAC Day and all it means by the upgrading of its war memorial gardens and the installation of an eternal flame, and this will be opened this ANZAC eve. It is very important to me that the eternal flame and the gardens were redesigned in order to take account of the needs of the ANZAC Youth Vigil, so that was a real recognition of this new form of commemorating ANZAC Day.

Brian Holocek, who is a member of the RSL and an ex-serviceman himself, as well as being involved with the Red Cross and the Country Fire Service, said that he put in all his effort to establish the first youth vigil as he hoped that this would be the new way in which communities could come together on a local basis to recognise ANZAC Day. Soon, the march will contain very few personnel who have returned either from theatres of war or from peace keeping missions, and certainly the veterans of the Second World War, as well as the Korean War, are now increasingly feeble. The original ANZAC services were local events—small communities coming together—so his notion is that the youth vigils might be a new way of communities coming together to honour the memory of ANZAC Day. In our case, the guard is mounted at 6 p.m., and we have a short ceremony involving young people in our district, which concludes with the reading of the ode at 9 p.m. This year that ceremony will be incorporated into the opening of the eternal flame.

We set this out as a model, perhaps, for the future commemoration of ANZAC Day. For this reason, I wish to draw to the attention of the Premier something that I had not spotted earlier in relation to the ANZAC Day Commemoration Fund. Clause 16(1)(f) provides:

payments to any organisation for the purpose of conducting commemoration services on ANZAC Day;

Could that be amended to relate to 'about ANZAC Day' or 'for ANZAC Day'? While our youth vigil does continue through from midnight, it starts at 6 p.m. the night before. I am sure that the Premier will be quite surprised to learn that our application for funding from the commonwealth was not successful. The very successful ANZAC Youth Vigil in the south is funded by community contributions, as well as a very generous contribution from the City of Onkaparinga. While that is very welcomed, I consider that the commonwealth also has a role in funding ANZAC Day commemorations, and I hope that it does come to the party when we next apply. However, I would suggest that an amendment to this bill be considered to allow for the future spread of ANZAC Day youth vigils. I apologise for not drawing that to the Premier's attention earlier.

Ms Rankine: What is the federal member doing about that funding?

Ms THOMPSON: I do not know what the federal member is doing about that funding. I have not heard. Certainly, the previous federal member tried to obtain funding, but I do not know about the current member.

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms THOMPSON: Fortunately, we do not require funding this year. We have managed to get sufficient generous support from the community. However, we cannot rely on these sponsors forever. Another important event is occurring in the south in relation to ANZAC celebrations—or commemorations, is the more appropriate word. The area opposite the refurbished City of Onkaparinga Memorial Gardens is the Morphet Vale Memorial Bowling Club, which was the site of the original community war memorial; it was moved across the road some years ago. But to retain the historic link of the bowling club as a war memorial, five mural panels will be established around those walls.

We are hoping that they will also be commissioned in time for this ANZAC Day. These murals will be undertaken by young people in the area, led by a well known spray-can artist. That is another indication of today's youth art coming together with the celebration and commemoration of ANZAC Day and our spirit of service. The City of Onkaparinga is finding different ways of involving young people in ANZAC Day and all it stands for, and this is an important direction of the bill. I am very pleased to support this bill. I look forward to its rapid passage between both houses with, perhaps, a slight amendment.

Ms CICCARELLO (Norwood): I would like to add a few brief comments and commend the Premier for this bill. ANZAC Day has always been and will continue to be the defining moment in Australia's history. It has instilled that feeling of remembrance, gratitude and national pride in all those—particularly many young men—who lost their lives at Gallipoli. I have been attending ANZAC Day functions, I think, for nearly 20 years. When I first started attending the memorial services in Norwood, I had not possibly realised the importance of the day. I had studied (as did other members in this place) *The One Day of the Year* by Alan Seymour in high school, which talked about ANZAC Day.

I realised the importance only after attending many of these services and RSL clubs and speaking to many returned service men and women, not necessarily any who had been at Gallipoli. We cannot even begin to imagine what it must be like to be in those battlefields and the terror that the young people must have experienced. It is wonderful that we will continue to commemorate this day and that we now have an ANZAC Day Fund. As an Italian-born person living in Australia, for me ANZAC Day, 25 April, has another particular significance, because that is the day when, in 1945, Italy was liberated. Not all of Italy was liberated but, certainly, the allies came into southern Italy.

There were great celebrations because, finally, the yolk of fascism was going to be lifted. Now my ANZAC Day is doubly rich not only with war memorial services but also by attending the Payneham Cemetery, which has a memorial for the people who fought against fascism. This year COMITES (the Italian committee for italians abroad) has put in place a competition within schools, and young people have been asked to submit an essay to be read at the Folgolar Furian Club on 25 April. I would like to commend the Premier for this bill. We do owe a great debt to those people not only from the past but also to those still sacrificing their lives to ensure that people in this country do continue to enjoy liberty.

The Hon. M.D. RANN (Premier): I would like to thank all members for their contributions. In a sense, in thanking all members, I point out that this legislation is really a thank you

to those who have served our nation and our future in terms of the sacrifices they have made. It is true that a number of things have happened, for example, the commitment to restoring the Torrens Parade Ground and then the parade ground itself at a cost of \$4 million or \$5 million. We believe that that was, again, a way of saying thank you to those who left these shores to fight for us.

In many ways, we are talking about not only the technicalities of the legislation but also the spirit behind it. The soldiers of ANZAC Day, of Gallipoli, along with the mounted men of the Light Horse, were often depicted as the archetypical soldiers of the young Australian nation. They stood for what we stand for. They were young and healthy, fearless in battle, and they endured unimaginable hardships in punishing terrain. Their valour, good humour and chacking comradeship and tenacity in battle showed history not only what the best of Australia could do but also what the best of Australia could be. Therefore, we are honoured to walk in their light and to name their names.

Of course, in recent years we have seen the last of the ANZACs pass away. They have now joined the silence for which we are all bound and the silent company of men whose knowing innocence was and is our national character—boys in their teens and men in their 30s in search of a great adventure. More than that, they had shared values, a sense of duty and a commitment to their country and, just as importantly, to their mates. It has been mentioned by previous speakers that more young people are turning out on ANZAC Day. They know it and we know it, that the freedom and opportunity we enjoy today is the true memorial to these men and women who fought and served our nation in so many conflicts. Our challenge is to build on that legacy with a renewed commitment to the service of others.

On a number of points that have been raised, I am very pleased that the member for Reynell raised the issue of the youth vigil. I see this legislation as being, in a sense, a living legislation to underpin our enduring support for ANZAC Day, its traditions and its commemoration. I am sure that, over time with negotiations with the RSL, changes can be made to strengthen this legislation. The member mentioned the youth vigil which occurs the day before but, of course, it is about ANZAC Day—it is the lead in; it is between 6 p.m. and midnight, and I am sure that that is absolutely within the spirit of ANZAC Day, and that we can look at changes down the track.

I also want to pay tribute to other contributions. The member for Napier reminded us of Monash and his central role in nation building. Also, the member for Wright for her eloquence, the members for Norwood and Playford and others in speaking about the spirit of ANZAC Day, and why we continue to commemorate it on this the eve of the 90th anniversary. I am really pleased that my son David will attend the ceremony at Gallipoli a few weeks from now. Of course, in my own family, my father fought in World War II with the 7th Armoured Division with the Royal Tank Regiment, and Desert Rat in the 8th Army, and he fought at Dunkirk, El Alamein and in Sicily, Italy. My grandfather fought on the Somme with the Royal Horse Artillery in places like Ypres and Passchendale. My great-grandfather also fought in the Boer War.

There are a number of great commemorations that will occur this year. In addition to the 90th anniversary of Gallipoli, we will also commemorate the 60th anniversary of the end of World War II including, of course, in May, Victory in Europe Day (VE Day) and also Victory in the Pacific Day

in August. I recently wrote to Jock Statton, the President of the Returned and Services League, advising him of a financial contribution by the government towards each of those three events. I have also advised the league that, in addition, following further discussions with the league, the government of South Australia would be prepared to financially assist the RSL to stage a major concert for veterans and their families this year to celebrate the anniversary of the end of World War II. We would certainly be delighted to assist in any way that we can. The member for Florey and I have been discussing this matter for time and she will assist me with this.

I think that people would be aware that part of the 90th anniversary of Gallipoli commemorations involves an invitation to a delegation from the former enemy, Turkey, to help the commemorations in South Australia as part of Gallipoli Remembered and also, of course, the support that the Turkish government has given to the celebration of ANZAC at ANZAC Cove which we, I think, rightly regard as being Australian and New Zealand. Let us not forget the New Zealanders in ANZAC. Our sons are buried at Gallipoli, and it is therefore sacred Australian and New Zealand land.

I think that people would be aware that there has been some concern in the Greek and Cypriot communities in South Australia about any involvement in the Gallipoli commemorations by Turkish veterans who have been directly involved in the illegal invasion and occupation of Cyprus. I recently received a delegation about that. It is certainly not in any way criticising that commemoration, but talking about the sensitivities that would ensue. I have certainly written to Jock Statton, the President of the Returned and Services League, saying that I am sure that he would be the first to agree that it is vitally important to all concerned in our community, including the RSL, that good relations be maintained with our friends from Greece and Cyprus, (a fellow commonwealth country), who have been our most loyal allies in both war and peace, and this needs to be recognised, and also, of course, that government of South Australia is helping to financially sponsor cases in the European Human Rights Court to assist South Australians of Cypriot origin and their claims arising from the loss of their homes and property as a result of the Turkish government's illegal invasion of Cyprus. I wrote that I am sure that the RSL would be mindful of the sensitivities of our Greek and Cypriot fellow South Australians in the manner in which these celebrations are conducted, and I am sure that will be the case.

This is not seen as technical legislation, but it is historic legislation which underpins the commemoration of ANZAC Day for all time in law as well as spirit. This is about our national identity. We want to ensure that things are done properly, not just for the 90th anniversary, but the 190th anniversary and for centuries to come.

Bill read a second time and taken through committee without amendment.

The Hon. M.D. RANN (Premier): I move:

That this bill be now read a third time.

If I could just say how delighted I have been with the spirit of bipartisanship which, of course, is so important in commemorating the spirit of ANZAC. There could be nothing other than bipartisanship in such a noble endeavour, and I commend all members of the house for their support for this important legislation.

Read a third time and passed.

CHIROPRACTIC AND OSTEOPATHY PRACTICE BILL

Adjourned debate on second reading.

(Continued from 3 March. Page 1891.)

The Hon. DEAN BROWN (Deputy Leader of the Opposition): The Liberal Opposition supports this legislation in broad principle. This is yet another of the various pieces of legislation which allow for the registration and, therefore, the conduct of professional activities by a range of health professionals. We have already dealt with nurses, doctors, or medical practitioners, podiatrists and physiotherapists, although some of those are still going through the process of the house. I think the upper house has currently before it the podiatrists bill, or we are waiting for the amendments to come back to this house, and we have the physiotherapy bill in the upper house as well. The general format of the legislation is similar for all the bills, and I have certainly supported that throughout.

I wish to raise a number of issues specific to this legislation, first, the fact that this bill covers both chiropractors and osteopaths, and therefore combines both of these health professional groups. Most other states of Australia have separated that so that there is a separate bill for osteopaths and a separate bill for chiropractors. I notice that there are 30 osteopaths registered in South Australia: 10 of those are also registered as chiropractors. I gave some thought to whether we should move to have a separate bill in South Australia, but my view is that the numbers are such that it probably does not warrant a separate board—that, with some sensitivity (and I think it is important that the board exercises that sensitivity), the role of the osteopath can be dealt with largely by the osteopaths and the role of the chiropractor can be dealt with by the chiropractors.

I will not be moving an amendment, but I believe that the minister should look at the possibility of whether the board should be enlarged to increase the number of osteopaths by one so that you then have two osteopaths on the board. Under the provisions, there are four chiropractors on the board but, as I understand it, the method of practice would be that, unless the osteopath agreed with a measure, then no specific decision would be taken by the board that would affect just osteopaths without the agreement of that osteopath on the board. I believe that, if that is the case, there is some justification in having two osteopaths on the board rather than one. I suggest that the minister might look at that issue between the two houses. It is also a matter which she might like to comment on in this house.

Secondly, there are four chiropractors on the board. There has always been, from my recollection going back to the 1970s, a minority division within the chiropractic grouping, and I believe that it is very important that that minority grouping is not given the opportunity to make up all the members of the board if they were able to organise an election accordingly. In other words, if there was general apathy and many of the chiropractors did not vote, then you could end up with the minority group providing the four elected representatives. I would hope that that would not occur. One way in which I believe we can safeguard that is to insist that at least two of the four elected members should be members of the association. I have discussed this with the chiropractic association and it supports that proposal: in fact, it was its recommendation that one way of getting over this

problem was to ensure that two of the chiropractors be members of the association.

The association suggested that another way around this problem was for one of the chiropractors to be appointed by the minister. I believe that is more cumbersome. The spirit of the legislation is such that it should be an election, but in electing members you want at least two of the four members to be members of the association—or maybe more than two. As I said, the whole aim is to ensure that you do not have a minority group filling all four elected positions on the board. I have also raised the issue of visiting osteopaths or chiropractors who are either accompanying a visiting sporting team or conducting demonstration lectures. My understanding is that, under current provisions, they are required to register in South Australia before they are able to practise on the visiting team, whether it be a sporting team, a ballet team or a gymnastic team. Although they are accompanying the visiting team and not taking on clients within South Australia, they still need to be registered in South Australia. It is an issue of mutual recognition.

I raised the matter in relation to the physiotherapy bill and the minister said that she would consider it between the lower house and the upper house. I have not yet had a response, and I again raise the matter in relation to both chiropractors and osteopaths. I think it is more of an issue for chiropractors than for osteopaths. I think we will run into this problem, for instance, with the Police Games in that, when those teams come to South Australia, they could well have a chiropractor with them and that chiropractor should be able to practise on the visiting team members. The same should apply if they are here as part of a lecture tour or training demonstration. They ought to be able to practice in South Australia provided they are not taking on new paying clients.

Therefore, I will be moving an amendment to uphold that point in the same way as I did for the physiotherapists, because the same is applicable. Another issue is ensuring that both chiropractors and osteopaths are able to use electrical modalities. Osteopaths, I understand, do not use electrical machines in terms of any specific treatment; however, they do use electrical machines in terms of diagnosis. I would imagine that, in the future, we will find much more diagnostic work done by using electrical machines than we have in the past. It is part of the advancement of medical technology. If that is the case, I want to ensure that both chiropractors and osteopaths have the ability to use electrical modality in the same way as physiotherapists, without having to refer back to the physiotherapy bill, because in the physiotherapy bill there is a power for the government to make regulation which can control the use of electrical modalities.

It would be inappropriate to have chiropractors and osteopaths having to obtain the approval of the chiropractic board to allow them to use electrical modality. I understand that the government may be considering an amendment along these lines. Certainly, it is an issue that both the chiropractors and osteopaths have raised with me, and I have said that it needs to be looked at. I notice that clause 36 of the Physiotherapy Practice Bill (and I am required to do this because of the potential link between the two bills) enables regulations to be made under that act prescribing physical therapies that may not be undertaken for fee or reward except by physiotherapists or other qualified persons authorised by another act to undertake that therapy. If regulations are made under the act, the question will arise as to whether chiropractors and osteopaths are authorised under their own act to undertake the prescribed therapy.

This will turn on whether the therapy is chiropractic or osteopathy within the meaning of the Chiropractic and Osteopathy Practice Bill and whether it is a service provided by a chiropractor or osteopath in the course of practice. So that doubt can be avoided. I understand that the government will now move an amendment to ensure that clause 75 is amended to enable regulations to be made declaring specified physical therapies to be either chiropractic or osteopathy. I support that. This issue arose when I was minister, and I gave a commitment to the Registrar of the Chiropractors Board that such regulations would be included in the legislation to allow electrical modalities to be used by both chiropractors and osteopaths. This bill with which we are dealing now would be the authority under which that would be done. I am glad that, although the original bill presented to this house did not pick up that point, I think it may be picked up in the amendments, and I will certainly strongly support that. I think that covers the main issues I wish to raise.

I realise that this is all very technical, but so be it. I think that it is a matter of dealing with these bills on a profession by profession basis. As I said, I support the thrust of the legislation, but I will move some amendments at the committee stage.

The Hon. L. STEVENS (Minister for Health): I thank the deputy leader for his comments and for his general support of the bill. As I said in my second reading explanation, this is another in the set of health professional regulation acts being presented to parliament in bills that have undergone review under national competition policy. In addition, they have been made congruent with the template legislation in South Australia—namely, the Medical Practice Act—and, as part of that, it incorporates more changes than just those designated under the national competition policy review, as well as changes the government wanted to put into these registration acts in relation to better accountability, transparency and other issues with respect to their complaints handling mechanisms. The government has consulted widely on this legislation—that is, with the Chiropractors Board, the Chiropractors Association of South Australia, the Chiropractors Association of Australia, the Australian Osteopathic Association, the Physiotherapy Board (because some issues cross all three professions) and with the Health Consumers Alliance.

I will now deal with the specific points raised by the deputy leader. As to whether the combined chiropractic and osteopathy bill should have been two separate bills, we decided to combine them on the basis of the number of osteopaths, as mentioned by the deputy leader. I note the comments in relation to the number of osteopaths in the composition of the board. We have been thinking about this issue, and we will consider it again between now and the other place. As to chiropractors being elected to the board and a minority group winning all four positions, to date the deputy leader's point—namely, that a number out of the four positions should also be required to be members of the Chiropractors Association—has not been raised with the government. I am a bit surprised that people feel that not enough members would vote and hence a minority could win all four positions. It seems to me that, if people were concerned about that issue, they would vote for these very important positions on the board that regulates their profession.

The deputy leader raised the issue of sporting teams in relation to physiotherapists. Again, our answer is the same

one I gave in relation to the physiotherapy bill that passed this place some weeks ago: it would be dealt with under regulation. The issue of physical therapies and electric modalities in the practice of chiropractors and osteopaths in relation to physiotherapists is addressed by the government, and it has done so following consultation with the Physiotherapy Board and the Chiropractic Board. An amendment to clause 75 stands on file in my name to address that matter, and we will debate it in more detail at the committee stage.

I thank the deputy leader for his comments, and I look forward to our proceeding expeditiously through the committee stage.

Bill read a second time.

In committee.

Clauses 1 to 5 passed.

Clause 6.

The CHAIRMAN: I have been advised that the minister is replacing page 86(1) with 86(2), as there is a slight difference.

The Hon. L. STEVENS: I move:

Page 9—

Lines 4 and 5—

Clause 6(1)(a)—delete ‘conducted in accordance with the regulations’ and substitute:
(see section 6A)

Lines 6 and 7—

Clause 6(1)(b)—delete ‘conducted in accordance with the regulations’ and substitute:
(see section 6A)

We are removing these paragraphs in order to substitute other arrangements.

The Hon. Dean Brown: What is the difference between 86(1) and 86(2)?

The Hon. L. STEVENS: The difference relates to 6A(1). It simply describes the process.

Amendments carried.

The Hon. DEAN BROWN: I move:

Page 9, after line 11—

Clause 6—after subclause (1) insert:

(1a) At least two of the chiropractors chosen at an election must be members of the Chiropractors’ Association of Australia (South Australia) Limited.

The intent of this amendment is not to change the number of chiropractors on the board but, rather, to ensure two of the four chiropractors elected to the board are members of the association. This is a somewhat unusual step to take, but I have known for 30 years-odd there has been a significant division; and I have seen this before in the professional field of chiropractic. I know the division is perhaps slightly less than it was in the 1970s and early 1980s. It was quite significant at that stage. I know the extent to which it created argument and division within the profession. Certainly, in my discussions this amendment has been requested by members of the association, the President of the association and others as a way of guaranteeing that we have broad representation. It is considered that members of the association represent the majority point of view, and this way simply says that we preserve half at least for members of the association—half or more—and the other two may or may not be members of the association. I think it has some merit. On behalf of the Chiropractors’ Association of Australia (South Australia) Limited I ask the minister to consider and support that amendment.

The Hon. L. STEVENS: I note the comments of the deputy leader. The government will not support the amend-

ment at this stage. The issue was not raised by the chiropractors’ association, but the board did raise an issue of concern in relation to elections. The board raised concern about a minority group being able to win all the positions. However, my advice is that after discussions with the board in relation to the changes that we have made to clause 6A(1), which is that the election would be held in accordance with the principles of proportional representation, I am informed it was accepted by the board that this clarity in terms of the electoral procedures would address their concern about that. At this time, I am happy to talk again with them about that, because the deputy leader has raised it again in this house. The government is of the understanding that their concerns were addressed by the changes, but I am happy to talk to them again and let the deputy leader know.

Amendment negated.

The Hon. L. STEVENS: I move:

Page 9—

Lines 12 to 17—

Clause 6(2)(, (3) and (4)—delete subclauses (2), (3) and (4)

Line 21—

Clause 6(7)—after ‘nomination’ insert:
(if applicable)

These amendments delete subclauses which applied to the old arrangements. All those things are now encompassed in the new clause, which is part of amendment No. 5; in other words, they have become unnecessary. They are replaced by new Clause 6A.

Amendments carried.

The Hon. DEAN BROWN: I indicate that I will not proceed with my amendment No. 2, because the first part of that amendment was defeated. This amendment is predicated on the first amendment being carried.

Clause as amended passed.

New clause 6A.

The Hon. L. STEVENS: I move:

After clause 6 insert:

6A—Elections and casual vacancies

- (1) An election conducted to choose chiropractors or an osteopath for appointment to the board must be conducted under the regulations in accordance with principles of proportional representation.
- (2) A person who is a chiropractor at the time the voters roll is prepared in accordance with the regulations for an election to choose chiropractors is entitled to vote at the election.
- (3) A person who is an osteopath at the time the voter’s roll is prepared in accordance with the regulations for an election to choose an osteopath is entitled to vote at the election.
- (4) If an election of a member fails for any reason, the Governor may appoint a chiropractor or osteopath (as the case requires) and the person so appointed will be taken to have been appointed after due election under this section.
- (5) If a casual vacancy occurs in the office of a member chosen at an election, the following rules govern the appointment of a person to fill the vacancy:
 - (a) if the vacancy occurs within 12 months after the member’s election and at that election a candidate or candidates were excluded, the Governor must appoint the person who was the last excluded candidate at that election;
 - (b) if that person is no longer qualified for appointment or is unavailable or unwilling to be appointed or if the vacancy occurs later than 12 months after the member’s election, the Governor may appoint a chiropractor or osteopath (as the case requires) nominated by the minister;

- (c) before nominating a chiropractor or osteopath for appointment the minister must consult the representative bodies;
- (d) the person appointed holds office for the balance of the term of that person's predecessor.

The effect of this new clause is to allow a casual vacancy for an elected position to be filled on the board without the need for the board to call an election. It is also there to ensure elections are conducted under a proportional voting system, and, thirdly, to enable the Governor to appoint a member where an election fails or where the casual vacancy cannot be filled on the basis of the results of an election. The reason for this is that there should be capacity for an elected position to be filled without adding administrative and cost burdens to the board when an election has been only recently conducted.

Members will remember that we added this as an amendment to the Nurses Act for the same reasons a couple of years ago. To ensure that this can happen the proposed amendment enables that, where there was an election within 12 months of a position becoming vacant, the Governor may appoint the chiropractor or osteopath with the next highest number of votes received at that election to fill the vacancy for the remainder of the term of the appointed person's predecessor. To ensure that the preferences of the electorate are properly recorded, a proportional-based voting and counting system will be used.

After 12 months it cannot be reasonably said that the views of the electorate are still the same. The Governor, instead, can appoint a chiropractor or osteopath as appropriate nominated by the minister to that position for the balance of the term. The minister must, when making the nomination, consult with the board and representative bodies to ensure that the person is a suitable candidate for the position. The representative bodies will be defined in the regulations, but will include professional associations such as the Chiropractic and Osteopathy Associations of South Australia.

It is expected that the State Electoral Commission will conduct the election, and a proportional representational counting system will be used by the office. These can be made as requirements in the regulations. Use of the State Electoral Commission will also ensure greater transparency of the election process. The government has been advised that the Chiropractic Board and the associations support the proposed amendment.

New clause inserted.

Clauses 7 to 35 passed.

Clause 36.

The Hon. DEAN BROWN: I move:

Page 24, after line 16—

Clause 36—after subclause (1) insert:

- (1a) Subsection (1) does not apply in relation to restricted therapy provided in connection with a course of education or training, or a person's participation in an event or training as a visitor to this State, by a person who is visiting this State for the purpose of providing such therapy and who would be authorised to provide the therapy under the law of another jurisdiction were the therapy provided in that jurisdiction.

This amendment relates to the ability of chiropractors or osteopaths who are here, either with visiting sporting teams or other visiting groups, or who are here lecturing, to be able to practise without having to register. I stress again that they could only practise as part of either the visiting team or as part of a tuition. They could not engage clients who are based here in South Australia and who pay a fee.

The reasons for doing this are for the reasons I also raised with the physiotherapists—we have the ludicrous situation at present where visiting chiropractors and physiotherapists have to register as they come into the state, even though they may only be here for two or three days, simply to carry out procedures on members of visiting teams they are linked to.

I very strongly support this amendment. The minister has indicated that she would deal with it under regulations. I am glad that she has at least acknowledged the point that I also raised with the physiotherapists but which was earlier rejected. Personally, I believe it should be part of the act and I think it is inappropriate for this sort of thing to be covered under regulation.

The Hon. L. STEVENS: Again, we will not support this amendment. We will deal with all that under regulations in exactly the same way as we have always held that position with the physiotherapists.

Amendment negatived; clause passed.

Clauses 37 to 74 passed.

Clause 75.

The Hon. L. STEVENS: I move:

Page 42, after line 16—

Clause 75(2)—Before paragraph (a) insert:

- (a1) declare specified physical therapy to be chiropractic or osteopathy;

The effect of this amendment is to allow specified physical therapies to be included as part of the practice of chiropractic and osteopathy. The reason for this is that the practice of chiropractic and osteopathy includes the use of specified physical therapies which should only be carried out by a qualified person. These same therapies may be prescribed under the Physiotherapy Practice Bill. To ensure that a chiropractor or osteopath can practise physical therapies prescribed under that bill, this regulation-making power will enable those or other therapies to be prescribed under the regulations to be part of the practice of chiropractic and osteopathy.

There has considerable discussion with the Physiotherapy Board and the Chiropractic Board, and my advice is that they are supportive of this amendment.

The Hon. DEAN BROWN: I support the amendment. I raised this point, and it is an issue that the Chiropractic Association members raised with me. I supported their stand very strongly indeed, because I do not believe that they should be answerable to the Physiotherapy Board to be allowed to use electrical modalities.

Amendment carried; clause as amended passed.

Schedules and title passed.

Bill reported with amendments.

Bill read a third time and passed.

PODIATRY PRACTICE BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 7 April. Page 2256.)

The Hon. L. STEVENS: I move:

That the Legislative Council's amendments be agreed to.

Essentially, amendments Nos 1 to 3 increase the elected positions on the board. The issues were raised by the Deputy Leader; I undertook to talk further between the houses with the Podiatry Association and the board and, as a result of that, the government has accepted those changes, and these matters were passed in the upper house. Amendments Nos 4 to 7 were

passed in the upper house and they relate again to the casual vacancy issue, and are consistent with what we have just passed with the Chiropractic and Osteopathy Bill.

The Hon. DEAN BROWN: I support the amendments and I am delighted to see that the government has seen the wisdom of the argument that I moved in moving amendments here in the lower house, that the numbers on the board be increased to nine, that the number of podiatrists be increased from four to five, and that the number of podiatrists who are formally elected is increased from three to four. It is an argument that I argued very strongly here, divided on the issue, the government rejected it, and I see that it has now had a change of thought, and I know that the Podiatry Association has come out very strongly supporting the Liberal Party's position on this. They saw the wisdom of it; it is the same issue that occurred with the Nurses Registration Bill and the Medical Practices Bill, and I am delighted that we are able to uphold that same principle here as well. I support the amendments.

The Hon. L. STEVENS: I point out to the house that the particular issues had not been raised with the government before the debate in the lower house. I gave an undertaking in this house to talk with those associations, which I did, and their position had changed. But we were not fussed about this and, therefore, the amendments were supported by the government.

Motion carried.

STATUTES AMENDMENT (DRINK DRIVING) BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 6 April. Page 2211.)

The Hon. L. STEVENS: I move:

That the Legislative Council's amendments be agreed to.

The Hon. DEAN BROWN: The opposition supports the amendments. They have come from the upper house, and my understanding is that there has been discussion and they have sorted out the issues, and we support them here.

Motion carried.

ACTS INTERPRETATION (GENDER BALANCE) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

ADJOURNMENT DEBATE

The Hon. L. STEVENS (Minister for Health): I move:

That the house do now adjourn.

BLUEBIRD RAIL CAR

Mr VENNING (Schubert): I raise a very important matter which has just come to my office only a few minutes ago. The bluebird rail car is South Australia's iconic train which was built here in the 1950s by South Australian rail workers, and it became the wine train. It ceased to operate as a wine train in April 2003 because of huge public liability insurance costs. Also, there were the events of September 11, the Ansett closure, SARS and the Bali bombing, which spooked many of our tourism operators and they sold off the

smaller and riskier businesses—and included amongst them was the owner of the wine train, Proud Australia. Proud Australia is an Adelaide-based company with an office in Grenfell Street, and it is well-known to us all.

These trains have been sold twice due to failing interest, but the deals fell through due to government problems at the other end, particularly in South Africa and Malaysia. Both those deals fell through. Now the New South Wales RailCorp is looking to purchase these railcars (there are three of them in total) and turn them into track inspection vehicles, but the owner, Proud Australia, would certainly like to keep them here in South Australia, even if that means selling them at a heavily discounted price. The going price is approximately \$200 000 per carriage, and there are three of them—two powered cars and one trailer car—and I understand they could be bought much cheaper through negotiations with Proud Australia.

Many people in South Australia want to retain the cars, and many members have spoken about this. Many members, like me, would have ridden in these cars going to school in Adelaide as schoolchildren, because they were used on all our northern lines. They were used from Gawler to Adelaide, Port Pirie to Adelaide, Port Augusta to Adelaide, Mount Gambier to Adelaide and Peterborough to Adelaide. All those routes used bluebirds, so they really are part of our history. To let them go without even a whimper is pretty sad. I do not intend to do so: I intend to join those who want to save them.

Many people in South Australia want to keep them, and the issue has attracted thousands of signatures on a petition. Not only is there a risk that the New South Wales government will take them but also the cars have been sheltered all this time but will have to be moved very shortly (in fact, within days) out of their secure shelter into the open at Islington, and members know what happens then. As soon as they are moved into the open they will be destroyed in no time at all—burnt, graffitied and smashed by the vandals that seem to frequent that area. It really upsets me.

Just this afternoon I met with three extremely passionate people—Mr Paul Henley, Ms Sandra Williams and Mr Norm Murphy. Mr Murphy used to manage the trains for Proud Australia. He came to see me about the bluebird railcars and also the Barossa wine train. I am disappointed in the Rann Labor government's apparent stance on this issue—I could have this wrong, so I say 'apparent'. Here we have one of South Australia's state icons which has been taken off the rails due to insurance costs.

It was almost sold off, as I said, to South Africa and Malaysia, and the government still continues to ignore the issue. I will continue to work with the minister (Hon. Patrick Conlon), the government and the tourism minister (Hon. Jane Lomax-Smith) to do all I can to put these trains back on the rails, because the amount of money involved is small. I would go to private businesses (and four come to mind straight away) to buy this train, because the amount of money involved is really chicken feed. However, there is no guarantee that, if they did buy this train, the government will let them operate on the rails profitably or without the impost that it can put on them.

I know for a fact that, under Kennett, the Victorian government sold off all its rail. Under the current Victorian Labor government all these services are operated by private companies, but they are all backed by the government. They all get subsidies from the state government—every one of them, because they do not operate at a profit. The government said, 'Well, rather than see it disappear, you keep providing

the services and we will subsidise you.' That is what has happened to every passenger service in Victoria. Just ask the minister, and I remind the honourable member that she is a Labor minister.

That is what Victoria is doing. Why can we not do that here? I will continue to work with this government to do all I can to keep these extremely interesting rail cars here. As members know, I have been passionate about rail cars, I am passionate about railway lines and I am passionate about rolling stock. As members can guess, I am extremely passionate about this issue not only because it affects my electorate but also because of the potential that we have to put our wine train back on the rails. It is most important to keep these beautiful old rail cars operating in South Australia.

The service was running at a profit. We all knew that. These trains are still in running order. They are in storage and in running order. All they need is an upgrade of the toilets, which would cost \$50 000 to \$60 000 because they still have the long drops in them. That is still legal, I might say, because GSR is still operating trains that have long drops. I am sure that, if they were put back on the rails, they could be fitted with a modern toilet system, and the airconditioners could do with a minor upgrade. They could be put back in service tomorrow. It costs only \$1 600 (approximately) per trip for this train to operate.

You do not have to be Einstein to work out that if only 30 passengers pay \$100 you have doubled your money. Overseas visitors are more than happy to pay this sort of money. I hope that the minister is listening and that the government can do these sums. The clock is ticking, because the New South Wales government is negotiating now. These trains could be moved out as soon as tomorrow. The vandals will fix the trains for us; they will go to the scrappers and that would be the saddest thing. Also, a bud car is still down at the Islington rail yards.

Ms Breuer: A budd car!

Mr VENNING: Many of us will remember the budd car. The member for Whyalla would know what a bud car is. I was in the first bud car that was refurbished for the Iron Triangle Limited rail service. I was in that train the first time that it operated as a refurbished bud car service. It is sad that it did not continue. I think that it ran for about two years before it stopped running. One bud car is left. A bud car is like the Bluebird but it is all stainless steel. It is an extremely fast American rail car.

It was used on the Port Pirie-Port Augusta line back in the 1950s and 1960s, as the member for Giles would know. One of those is rotting in the yard. Apparently, it is in good

mechanical condition; but, certainly, it needs to be refurbished. I am passionate about these things. We should not be letting our rail heritage go. We talk about our built heritage and our natural heritage, but what about our mechanical heritage, these wonderful trains? I think that the member for Giles has now sparked up and is listening because the people of Whyalla would know what I am talking about.

There is no reason why this train could not run from Adelaide to Port Augusta to Whyalla. I am sure that they would be very welcome. People still ask me about the Bluebird Wine Train. Even though they have been gone for two years, people are still asking about them. Even the office in London has people asking, 'Can we come to Adelaide and travel on the Barossa Wine Train?' No, they cannot; but, hopefully, very shortly they may be able to do just that. I say that we must save the Bluebirds first; and, secondly, the wine train.

The fact is that they are still here in South Australia—I thought they were gone twice. I had said my goodbyes to the bluebirds, but they are still here. They are real South Australian rail icons and are not meant to leave South Australia. We worked hard to establish the Wine Train in the mid-1990s under the previous government. The minister of the day, the Hon. Di Laidlaw, worked very hard with a Mr Mark Carter from a rail enthusiasts association, the Barossa Development Association (Mr Brian Sincock was the CEO), the Barossa council and many other people, including all the wine barons in the Barossa and everyone else. It was working brilliantly. We could not believe it when they pulled this wine train out from under us. People are still wondering how and why it happened and they all want it back.

Can this government have a 'can do' attitude? Can you do it? Do you want to do it? I am sick of its can't do attitude. If the government wants a can do attitude, and the government is prepared to do a PPP with some private operators, we can get them. If you want them to operate this, they will put down the money, as long as the government will at least help them. I heard a rumbling a few months ago and I thought the government was doing this through the previous minister, the Hon. Trish White. But it all went quiet again. I thought we were on track. I did not want to cause a row or interfere or cause any political heave-ho.

Ms Breuer interjecting:

Mr VENNING: I am outcome driven, member for Giles—you know that. You take all the glory and I am happy to shovel the coal to make it happen.

Motion carried.

At 5.51 p.m. the house adjourned until Tuesday 12 April at 2 p.m.