

HOUSE OF ASSEMBLY

Wednesday 25 May 2005

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

YORKE PENINSULA, COMMUNITY LAND

A petition signed by 564 residents of South Australia, requesting the house to urge the Minister for the Environment to deny the application by the District Council of Yorke Peninsula for the revocation of community land status of Lot 290, Hundred of Minlacowie, known as the HJ Cook Fauna Park, was presented by the Hon. J.D. Hill.

Petition received.

DISABILITY SERVICES

A petition signed by 580 residents of South Australia, requesting the house to urge the government to increase funding for disability services in South Australia to at least the Australian national average expenditure and in particular to fully fund the Moving On Program to a five day full time service for all disabled people, was presented by Mrs Penfold.

Petition received.

TIME ZONE

A petition signed by 102 residents of South Australia, requesting the house to urge the government to move South Australia to true Central Standard Time of our correct Greenwich Mean Time of 135 degrees longitude being one hour behind the eastern states and one hour ahead of Western Australia, was presented by Mrs Penfold.

Petition received.

MARINE PROTECTION AREAS

A petition signed by 26 residents of South Australia, requesting the house to urge the government to withdraw proposed marine protected areas from the Fleurieu Peninsula and Kangaroo Island and consult with fishing, tourism and boating groups before introducing new proposals, was presented by the Hon. D.C. Brown.

Petition received.

PARLIAMENT HOUSE, BELLS

Mr HANNA (Mitchell): Mr Speaker, I draw your attention to the fact that the bells are not ringing in Old Parliament House. That may have some impact on the attendance of some members.

The SPEAKER: We had them checked in the short break, but we will get them checked again. I am sure that in the budget tomorrow there will be an enormous allocation for parliament which will allow us to have the latest of everything!

Mr BRINDAL: On a point of order, sir, yesterday I complained to the house, as did one of my colleagues—and I note the complaints by the member for Mitchell today. In the course of proceedings today, we may be required to exercise a vote, as is our right. I seek your assurance, sir, that the bells are working in all places in this building where they are supposed to work.

Mr Scalzi interjecting:

The SPEAKER: Order, the member for Hartley! I am told that the bells rang but, as members know, whenever the Legislative Council buzzer rings that results in a special situation and the intermittent ringing of our bells. The chair is mindful of the situation. I am assured that the bells are working, but if members have any information to the contrary they should let the chair know immediately.

The Hon. J.D. HILL (Minister for Environment and Conservation): A couple of days ago the Minister for the River Murray, the Minister for Administrative Services and I were in the Constitution Room during debate. We did not hear the bells ring. Fortunately, one of the staff had better ears—she was younger than the three of us—and the lights were not flashing, so, obviously, there is a problem in the Old Chamber.

The SPEAKER: If members become aware of that issue at any time they should immediately notify the clerk or the chair.

Ms BEDFORD (Florey): The bells were not ringing in the Old Chamber just before question time. It is only my meticulous attention to punctuality that ensured I was here in the chamber.

Mr BRINDAL: I have a point of order, sir. How can this house do its work if there is no guarantee that all of us can hear the division bells when we are required to attend the chamber? The house becomes unworkable.

The SPEAKER: The chair cannot give guarantees or warranties, but we will ensure to the best of our ability that the bells are working.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

Police Commissioner, Performance Standards for the—
Pursuant to Section 13(5) of the Police Act 1998

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

Social Development Committee Postnatal Depression
Inquiry Report—Response of the Minister for Health

By the Minister for Science and Information Economy (Hon. K.A. Maywald)—

Information Industries Development Centre Charter.

QUESTION TIME

MOTORCYCLE GANGS

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

Mr Koutsantonis interjecting:

The Hon. R.G. KERIN: Do you want another go?

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: Is the Premier aware that since the introduction of his bikie fortification laws at least two bikie gang clubrooms have been established and a further one approved in three Adelaide suburbs?

The Hon. M.D. RANN (Premier): I am very pleased to announce to the house today—

An honourable member interjecting:

The Hon. M.D. RANN: Oh, you do not want to hear. Do you want me to sit down? These are the results of Operation Avatar: the total for Avatar MCG (motorcycle gang) section, 264 arrests, involving—

Mr BROKENSHERE: I have a point of order, sir. My point of order is around the fact that the Premier never answers a question. The question was specific—

Members interjecting:

The SPEAKER: Order! The house will come to order.

Mr Brokenshire interjecting:

The SPEAKER: The member for Mawson is on dangerous ground. The Premier has only just got to his feet, so we do not know what he will say.

The Hon. M.D. RANN: I would think that, if members were serious about what was happening in terms of the battle going on against outlaw motorcycle gangs, they would want to know what the reports are from the police—but you don't want it because it doesn't suit you! And, it does not suit you because, in government, you were so soft on law and order—

Mr Brokenshire interjecting:

The SPEAKER: Order! The Premier will resume his seat. I name the member for Mawson for defying the chair repeatedly. Does the honourable member wish to explain? He had better have a good explanation.

Mr BROKENSHERE: The explanation probably will not be satisfactory for you, sir. I do apologise to you, sir, but we are continually heckled by members on the other side and misrepresented day in and day out. I apologise, sir.

The SPEAKER: The member for Mawson will not get another chance. I warned him before. He is on risky ground. His apology is accepted this time; but, next time, he had better watch out. The Premier.

The Hon. M.D. RANN: Thank you, sir. I will read—

Mr BRINDAL: I rise on a point of order, sir. Standing order 98 requires the minister to address the substance of the question. The substance of the question was the demolition of the fortresses.

The SPEAKER: The points of order that are being taken are coming into the category of being disruptive. The purpose of a point of order is not to disrupt the flow of the parliament; they must have a genuine substance. The Premier has only just started to answer the question. The Premier.

The Hon. M.D. RANN: Thank you, sir. These are the figures from Operation Avatar. Instead of a Liberal spin, this is action and substance; so, here we go. There were 264 arrests involving motorcycle gangs; arrests for non-motorcycle gangs under Avatar, 238; people reported (motorcycle gangs), 210; people reported (non-motorcycle gangs) 390; expiation notices (motorcycle gangs), 490; expiation notices—

The Hon. DEAN BROWN: I rise on a point of order, sir. The question was quite specific about closing down clubrooms and properties. All we are getting from the Premier is figures about arrests of people. That is not clubrooms and properties. I therefore make the point that, clearly, the Premier is debating the issue, and not even debating the actual question.

The SPEAKER: A point of order is not an opportunity to give a lengthy statement. The Premier should answer the question.

The Hon. M.D. RANN: The house has a right to know what is happening in terms of the battle with motorcycle gangs, because—

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat.

The Hon. DEAN BROWN: Mr Speaker, this house has a right to expect the standing orders to be upheld. It expects that of the Premier, and it is your role, Mr Speaker, to do so.

The SPEAKER: The deputy leader will resume his seat. In answering a question there is some latitude. It is not a total straitjacket. The Premier should focus on the substance of the question, but he does have some discretion in terms of the topic.

The Hon. M.D. RANN: I continue: firearms seized, 293; premises searched in the last year alone, 318; cannabis plants seized, 2 668; cannabis seized, 558 kilograms—

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

Mr WILLIAMS: Sir—

The SPEAKER: Order! I do not believe that the member for Newland's area covers the South-East. The member for Newland.

The Hon. D.C. KOTZ: No-one doubts the merits of Avatar. We are quite aware of the statistics.

The SPEAKER: What is the point of order?

The Hon. D.C. KOTZ: The point of order is standing order 98. There is absolutely no relevance in anything that the Premier has said that relates to the substance of the question on properties.

The SPEAKER: Order! The honourable member has made her point. The chair has indicated that, in answering a question, there is some scope, as long as the Premier does not wander too far from the central topic.

The Hon. M.D. RANN: They say that they know the statistics. I do not know how they can, because this was sent to my office today: ecstasy seized, 8 894 tablets; fantasy seized, 107 litres—

Mr WILLIAMS: I rise on a point of order, Mr Speaker. The Premier knows that, if he so desires, he has the opportunity in the house to make a ministerial statement. He said that the house needs to know this information. He could have made a ministerial statement. My point of order is that standing order 98 states:

No debate allowed

In answering such a question, a minister or other member replies to the substance of the question and may not debate the matter to which the question refers.

The SPEAKER: The Premier should be focusing now on the specifics.

The Hon. M.D. RANN: I now refer to the issue of bikie fortresses. Now be very quiet, because this is something that members opposite want to hear. One government had the guts to pass the legislation to allow the Police Commissioner to intervene. And let me tell you one story, and that is about the Rebels—the proposed Rebels' clubroom on the corner of Chief Street and Second Street, Brompton. The Liberal government would have allowed it to be built—a huge fortified premises for the manufacture of drugs. The Liberal government was prepared to allow that bikie fortress to go ahead. We stopped it from being built. They would have allowed the Rebels to go ahead with their bikie fortresses. We had the guts to stop them.

Members interjecting:

The SPEAKER: The house will come to order!

The Hon. W.A. Matthew interjecting:

The SPEAKER: The member for Bright will have a chance to inspect some fortresses shortly.

Mr BRINDAL (Unley): I have a supplementary question, sir.

Members interjecting:

The SPEAKER: No, the house will come to order first. The chair will not entertain any member's request until the house comes to order.

Mr BRINDAL: My supplementary question is to the Premier. Is the Premier telling this house that each of the 268 cannabis plants seized, the 107 litres of Fantasy and over 8 000 Ecstasy tablets were all directly related to bikies and bikie gangs; and is the Premier aware of police reports suggesting that bikie gangs manufacture their drugs in suburban houses, not in fortified premises?

The Hon. M.D. RANN: The law which passed this parliament, which apparently members opposite either did not support or did not know what was going on, empowers the Police Commissioner to intervene. The fact is that we as a government intervened by using planning powers to stop the Rebels from building their fortified premises, which the Liberals would have allowed them to build in Brompton, and that is the difference—because we are prepared to take things on. We have changed the law across the board and now we have another law before them. Breaking news—we have got crowd controller—

Members interjecting:

The Hon. M.D. RANN: We want members opposite to support our crowd controller legislation, which will judge people's licences to be bouncers and crowd controllers by the company they keep, as well as their criminal offences. My message to the Liberals is this: you might have allowed the Rebels to build their bikie fortress—we stopped it in its tracks.

Members interjecting:

The SPEAKER: The house will come to order!

Mr Brindal interjecting:

The SPEAKER: The member for Unley often refers to points of order, but he must abide by the standing orders, and not be selective.

INTERNATIONAL VISITORS

Ms CICCARELLO (Norwood): My question is to the Minister for Tourism. What innovative strategies has the state government put in place to attract international visitors from the UK and New Zealand to South Australia?

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I thank the member for Norwood for her question, because she realises that both the UK and New Zealand are very key markets for tourism to South Australia, but particularly in the case of New Zealand, one market in which we have underperformed for many years because of the lack of air access and ease of getting here. We have been particularly pleased that, in the past year, we have had a 13 per cent increase in visitor numbers from the UK. We think that this is very much related to our increased campaigning. In particular, we have formed relationships with the non-east coast states such as the Northern Territory and parts of western Victoria under the banner of 'Discover the other Oz', which is to attract tourists who might otherwise go to the gateways on the east coast.

The result has been that there have been four weeks of television advertising in the UK during February 2005, and a direct mail-out to 10 000 repeat travellers. One of the interesting areas we have worked with is using marketing campaigns through Selfridges and MasterCard, which have had particular campaigns, as well as one campaign we marketed solely through our Outback Cattle Drive, which was

an e-marketing game. You could log on to a cattle drive game on the web and experience the trip on the web going from Adelaide to the Outback. The game has been emailed and attracted 100 000 participants from the UK and increased our awareness in that market.

We are also particularly pleased to have won a campaign opportunity through attracting Corroboree UK, which was one of the major UK overseas familiarisation events in Australia, and that will happen in November 2005, with over 200 agents coming to South Australia specifically, when they will experience some of the opportunities for tourism here. We have increased the numbers of familiarisations by around 60 per cent over the previous year; our New Zealand brand awareness campaign has had extraordinarily positive results; and we aim to increase by 20 per cent a year—

Ms Chapman interjecting:

The Hon. J.D. LOMAX-SMITH: I know that the member for Bragg wants to heckle, but we welcome New Zealand tourists to this state, and I am appalled that she would denigrate one of our most important markets by voicing such scandalous comments about New Zealand tourists. She might like to know that New Zealand is the premiere origin of visitors to Australia, but we get only fourth and fifth rating with them because they cannot get here until we introduce direct flights from Auckland.

An honourable member interjecting:

The Hon. J.D. LOMAX-SMITH: Absolutely. And we aim to get a 20 per cent increase in tourists each year because this is a key market, even though the member for Bragg knows nothing about tourism. The state government is really committed to innovative marketing, partnerships and making sure that we increase our visitation.

DEMERIT POINTS

Mr BROKENSHIRE (Mawson): My question is to the Minister for Transport. Given the RAA's concerns about the government's proposed double demerit point legislation, will the minister now table the documents outlining the Road Safety Advisory Council's recommendations to the parliament? In a media release today, the RAA said it was reviewing its support for double demerit points.

The Hon. P.F. CONLON (Minister for Transport): I am more than happy to say that I think the position of the RAA on double demerit points is absolutely pathetic. They just have a lot of trouble being happy about anything. They supported it last week but are not sure this week. I am very happy for the member for Mawson—

An honourable member interjecting:

The Hon. P.F. CONLON: Come on, why don't you mob just behave for once in your lives? You are so rude. I spend weeks and weeks turning over a new leaf but they still will not let me be heard unless I yell; members opposite are so rude. The member for Mawson has an opportunity this afternoon to tell us whether he lines up with the RAA or whether he lines up with Superintendent Graeme Barton and Sir Eric Neal on double demerit points. There is a bill in the house this afternoon about it. If he agrees with the RAA, he can oppose the bill. If he agrees with Sir Eric Neal and Superintendent Graeme Barton, he can support the government.

I can tell members that I support the double demerit points. We have been asked by the police after two dreadful long weekends to do it. Sir Eric Neal supports it. I am not going to sit through—

Members interjecting:

The Hon. P.F. CONLON: You can oppose it if you want to do so this afternoon, but I am not going to sit through another long weekend after being asked twice by the Superintendent. I am hoping the Superintendent can be here this afternoon to provide information, and then the opposition can decide whom it will support—the RAA (which has a different position from one week to the next, complains about everything and is, I think, behaving absolutely pathetically at present) or Sir Eric Neal and Superintendent Graeme Barton. And, yes, the opposition can have it on the record: I think the RAA's position on double demerit points is absolutely pathetic.

Mr BROKENSHERE: I have a supplementary question, sir.

The SPEAKER: Order! Before I call the member for Mawson, can I remind members that the chair calls members. It is not Jack-in-the box where you just pop up, spring-loaded. You get the call. The member for Mawson.

Mr BROKENSHERE: Thank you, sir. Given the refusal of the minister to table the document, my supplementary question is: can the minister confirm whether the Road Safety Advisory Council set up by the Rann government erred on the side of caution or recommended against double demerit points?

The Hon. P.F. CONLON: I actually told this fellow this yesterday, which is why I did not think I would have to tell him today. I do not have the document: I will see what is in the office. But I will tell him this.

Members interjecting:

The Hon. P.F. CONLON: Let me tell the opposition this: I do not care what the document said, and I will tell members why. They have an opportunity. I will tell you what you can do, you weak little pile of jello. What you can do is support—

Mr HANNA: On a point of order: that is no way for the minister to address you, sir.

The Hon. P.F. CONLON: Sorry, sir. The honourable pile of jello.

The SPEAKER: Order!

The Hon. P.F. CONLON: Sorry, sir.

The SPEAKER: I did not hear the term used because the minister—

The Hon. P.F. CONLON: Let me tell you what I understand—

The SPEAKER: Order! The minister will resume his seat before he gets too excited. The chair did not hear the word used because the minister was addressing the gallery, not the chair, which he is supposed to do.

ANTENATAL AND POSTNATAL DEPRESSION SCREENING

Ms BEDFORD (Florey): My question is to the Minister for Health. What is the government doing to identify and support women with antenatal and postnatal depression?

The Hon. L. STEVENS (Minister for Health): I thank the member for Florey for this important question. The state government is providing \$86 000 to extend for two years a program which screens women for antenatal and postnatal depression. The South Australian Antenatal and Postnatal Depression Screening Program is conducted at both—

Members interjecting:

The SPEAKER: Order! It is impossible to hear the minister.

The Hon. L. STEVENS: Thank you, sir. The program is conducted at both the Women's and Children's Hospital and Flinders Medical Centre. The additional funding will employ two part-time nurses to continue the screening of both pregnant and postnatal women, and to work with their partners. This program was an initiative of beyondblue, the national depression initiative, and has been running in South Australia for four years. It has screened 3 500 antenatal and 3 000 postnatal women, and has provided education to around 900 health professionals on how to deal with the depression that occurs around the time of childbirth, which we all know is a critical time for women and their families. Between 11 and 12 per cent of these women have been identified as at risk of experiencing depression, a figure in line with the international incidence of the illness. Once identified as being at risk of suffering antenatal or postnatal depression, the woman and her GP are alerted so that appropriate care can be arranged.

The program also identifies partners to participate in support groups. This is to help them to better understand postnatal depression, and to recognise anything that they are doing which might be counterproductive. We then advise them about some ways to help in their partner's recovery. Although it is often difficult to get men to come along to these sorts of support groups, those who have attended say that it is the best thing they have done. Research shows that severe depression around the time of childbirth can have a devastating long-term effect on the mother, her baby and their relationships with others. That is why screening and detection of depression during and after pregnancy is so important, and that is why this government has extended funding for this program, which provides support to families at such a critical time.

POLICE, TRAFFIC PATROLS

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Minister for Transport. What traffic patrols will be delivered over the next four years by the \$1.54 million police program to target speeding in country South Australia, as announced in yesterday's ministerial statement and described as a rural road saturation program, and how much of it will be available in 2005-06?

The Hon. P.F. CONLON (Minister for Transport): In fact, it is operating as we speak because—

An honourable member interjecting:

The Hon. P.F. CONLON: Well, it is not—what they do not understand is that he has not been the premier for some time, and never will be again if what we read in the paper is any indication. The truth is that in addition to the \$1.5 million new money I have transferred some money from transport to allow this to occur, and there is additional money from transport over the next few years to do—let me explain what we are doing—exactly what Sir Eric Neal asked me to do at a meeting with him a few weeks ago. He said, 'Can we do this?' He also asked the police minister, I think through John White, who is also on the Road Safety Council. As a consequence of that, we were able to find the money that we were told by the police was necessary to do the saturation policing on our country roads, on long weekends and on public holidays.

The double demerit bill, which will be introduced in the house this afternoon, fits neatly in with that strategy because, as I understand the view of the Road Safety Council—and the RAA seems somewhat confused on it—it is that double

demerit points will work if you do a couple of things: do saturation policing with them, which is what this is about, and do advertising, which we have committed to. We have also provided a lot of extra resources for the police. In fact, for speed detection on country roads I think, from my memory, there is some \$3 million worth of extra speed detection for those people, as well as a bill that introduces the capacity for all of those police vehicles that are now by law allowed to randomly test—

The Hon. M.J. Atkinson: Test randomly.

The Hon. P.F. CONLON: To test randomly. I should apologise to my grammarian friend. That is the purpose of the money. It is more than just that \$1.5 million, because it includes the use of transport money, because we see it as also a transport responsibility. Where they do the patrols and how they do them, I would have thought that, after all these years, you would understand that it is something that the Police Commissioner will decide.

CARERS, ASSISTANCE

Mr SNELLING (Playford): My question is to the Minister for Families and Communities. What is the state government doing to provide assistance to carers in South Australia?

The Hon. J.W. WEATHERILL (Minister for Families and Communities): It was with great pleasure that I was able to inform a group of carers at the Carers Association last week, at a function to honour Marjorie Smith who had received a Medal of the Order of Australia on the recent Australia Day Honours list, of a \$188 000 one-off special grant for the association to use the various programs in relation to carers and their concerns. The Carers Association of South Australia has worked with other organisations since 1994 to coordinate and deliver information, support and training to carers on the management, conditions and illnesses, and also to ensure the health and well-being of carers.

We know that, sadly, many carers sacrifice their own health and well-being in the quest for caring for a loved family member. The particular funding will be used on three specific projects: \$100 000 is for carer retreat programs, providing carers with much-needed respite; the second is \$76 000 for 12 education forums for older carers of people with a disability; and also \$12 000 for a Carers' Week conference which will be held later in the year.

The government continues to recognise the very crucial role that carers play in our community. We are putting the finishing touches on our carers' policy, and we will soon bring to the parliament a carers' recognition act. This builds on top of the \$12 million state-federal program for respite for older carers which we announced late last year. We know that the majority of adults who live with a disability at home are living with carers. They play an important role in the community, and we must make sure that not only do we recognise their massive contribution to society but that we realise that they are a crucial part of the service delivery team for these people. For too long they have been regarded as an ancillary and unimportant part of the service network. We want to elevate their status. The carers act will do that, and this money will go some way in assisting their great work.

WORKCOVER LEGAL SERVICE

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Minister for Industrial Relations. Why was a closed tender process used to tender for the very significant

legal services used by WorkCover? One legal firm has recently been appointed the sole legal practitioners for WorkCover after a closed tender process that did not allow all legal firms to apply.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): As the leader would be well aware, the new WorkCover board has undertaken a range of responsibilities, notwithstanding trying to get the business into the order as a result of the mess left by the previous Liberal government. This government has complete confidence in the way this board is going about its business. One of the areas about which the board obviously has concerns has been the legal profession. The board has undertaken a commercial decision to make sure that it gets the cost of the legal profession under control. We support the position of the WorkCover board.

The Hon. R.G. KERIN: As a supplementary question, given the fact that the minister has in this house supported the decision of the WorkCover board, has he written a letter to the board complaining about that decision?

The Hon. M.J. WRIGHT: No, I have not.

PARLIAMENT HOUSE, BELLS

Mr BRINDAL (Unley): I rise on a matter of privilege. I have just received, as I am sure all members have, an email from the senior building attendant advising us that neither the division bells nor lights are working in Old Parliament House. I ask you, Mr Speaker, therefore, in the light of that, what provisions will be made this afternoon, should a division be required, for members of the committee and ministers to attend this chamber, as is their right?

The SPEAKER: Order! It is not a matter of privilege: it is a matter that we are having checked. The technician will check the matter, but it is not a matter of privilege and people should not seek to embrace a privilege issue for something that is really an administrative matter for the parliament.

RECREATION AND SPORT FACILITIES

Ms BREUER (Giles): My question is to the Minister for Recreation and Sport. What is the government doing to assist sporting communities to improve their access to recreation and sporting facilities?

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): The government is committed to increasing the level of physical activity in South Australia to above the national average by 2014. It is ambitious but achievable. A key part of our strategy is to ensure that we have the right foundations in place, and a major part of that involves recreation and sporting facilities. The government is committed to assisting South Australian sporting and recreation organisations to provide quality facilities for their communities. To help deliver this outcome, support must be directed towards the provision of facilities that provide a focus for all members of a community to be active and to participate.

The government has committed an additional \$2 million specifically for community organisations to provide recreation and sporting facilities in addition to the Community Recreation and Sport Facilities Grants program announced in April, which provided approximately \$1.5 million in funding. These additional grants have been offered to organisations throughout the state and include \$300 000 to the town of Gawler to upgrade and extend the Gawler sport

and community centre; over \$150 000 to upgrade the course irrigation system at The Vines Golf Club at Reynella; and \$100 000 to the Berri Barmera Council to construct a youth recreational area, which includes a skatepark and meeting area.

The sum of \$50 000 has been allocated to the Roxby Downs bowling club to upgrade a synthetic bowling surface. The Happy Valley club has been offered \$60 000 to install new floodlighting, which increases the amount of time the facility is used by its members. Mount Gambier High School has been offered over \$70 000 to construct an all-weather community athletics training and competition facility which, I am advised, will become a focus for athletics in Mount Gambier. Some of the other initiatives include an offer to the Trinity Gardens Soldiers Memorial Tennis Club of \$89 000 to resurface courts, install floodlighting, upgrade drainage, paving and landscaping; an offer of \$70 000 to the Adelaide City Council to install floodlighting and establish five soccer pitches and upgrade athletics facilities; and an offer of over \$40 000 to the Wilmington tennis club to resurface four tennis courts.

I would like to thank the member for Stuart for recognising the government's good work on these grants when commenting on the projects that have been offered in his electorate. I think two have been offered in Stuart. I am advised that the next round of the Community Recreation and Sports Facilities Grants program will be called in August, and I recommend that all members alert their electorates to be ready to apply for grants. Members will also be aware that I have announced the most recent round of recipients for the Active Club program, which provides the capacity for annual grants of \$50 000 per electorate per year. I would like to remind members that the next round of the Active Club program opened on 30 April and closes on 10 June.

The success of the government's Move It: Making Communities Active Program has also been a great success. Community organisations across the state received funding in the order of \$750 000 in the inaugural 2004 round of Move It. I have just signed off on further grants for this program which will also make a major contribution to increasing physical activity in South Australia. I am pleased to report that I have announced in the past two months over \$4.5 million of grants funding directed to grassroots community organisations, distributed right throughout South Australia. The government is committed to delivering higher levels of physical activity for South Australians. We have done a great deal to deliver on this commitment, but there is more to do. We will continue to deliver positive initiatives for the benefit of all South Australians.

The SPEAKER: I draw the minister's attention to the opportunity to use a ministerial statement if he is to give a lot of detail.

AQUACULTURE DEVELOPMENT

Mr HANNA (Mitchell): My question is to the Minister for Environment and Conservation. Why did Primary Industry and Resources SA approve aquaculture licences for aquaculture development near Elliston, despite the area's identification as a potential marine protected area in the South Australian State Strategic Plan and nomination under the Wilderness Protection Act? PIRSA has approved aquaculture licences for large-scale aquaculture development at Anxious Bay and Denial Bay on the Eyre Peninsula. This area is less than 2 kilometres from West Waldegrave Island Conservation

Park, which is a breeding ground for one of the world's most significant Australian sea lion colonies. It is also along the migration route of southern right whales and blue whales.

In response to a question on notice last year, the Minister for Environment stated that the government of South Australia is committed to the establishment of the South Australian representative system of marine protected areas to protect and conserve areas of ecological significance.

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for his question. In fact, he asked a question about why the department of primary industries made a particular decision. I am not responsible for the department. I am always happy to have a go if my ministerial colleague would like my assistance, but he is doing an admirable job without me.

In relation to the marine protected areas, it is the government's commitment to establish 19 marine protected areas across the state, and we will work with interested groups and various representative groups in that process as we roll it out. In the trial marine protected area in the Encounter Bay region there is one aquaculture site, and that would be allowed to continue under the plan being proposed. I cannot answer about the ones to which the member has referred because we have not got that far through the marine protected area planning process, but we will look at them as we proceed. I will happily refer his general question about why the decision was made to my colleague, who might like to answer it.

WORKCOVER LEGAL SERVICE

The Hon. R.G. KERIN (Leader of the Opposition): My question is to the Minister for Industrial Relations. Did WorkCover obtain legal advice from the Crown Solicitor before appointing one legal firm as the sole legal practitioner for WorkCover? The Treasurer's instructions require public authorities to seek the advice of the Crown Solicitor before engaging a legal practitioner other than the Crown Solicitor.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I will check that information and get back to the leader. I am not sure that what has been put forward by the leader is accurate, but I will certainly undertake to raise it with the chair of the WorkCover board.

SAND LOSS

Mr KOUTSANTONIS (West Torrens): Will the Minister for Environment and Conservation advise the house of any new initiatives to prevent sand loss along Adelaide's metropolitan coastlines?

The Hon. R.G. Kerin interjecting:

The SPEAKER: If the Leader wants a chat he should go outside.

The Hon. J.D. HILL (Minister for Environment and Conservation): I am glad the member for Davenport is identifying this important government initiative. The government has invested—

An honourable member interjecting:

The Hon. J.D. HILL: And you want to slow them down. Your position is, 'Slow it down.' This is an opposition which talks tough but which never wants to put anything into practice. It just likes to talk about it.

The SPEAKER: Order! The minister is debating the question. The Minister will not debate the question, and the member for Davenport will not provoke.

The Hon. J.D. HILL: I apologise, Mr Speaker, I should not have been tempted by the comment from the member opposite. I was telling the house that the government has invested \$1.3 million to protect Semaphore Park beach, which is one of Adelaide's most sensitive beaches. The Semaphore breakwater is trapping drifting sand to restore the threatened beach one kilometre to the south. The Semaphore Park beach has been at the mercy of the elements over the past 20 years. The dunes, as members would know, have become eroded, housing backing onto the dunes has been threatened and there have been times when the beach has been completely stripped of sand. The new breakwater trial is an initiative to save the beach in a sustainable way. It is part of the Coast Protection Board's overall strategy for restoring the beach, and it has been implemented by the Department for Environment and Heritage, in consultation with the cities of Charles Sturt and Port Adelaide Enfield; and I have to say the local community. It has been an issue of contention in that community, but it seems now that the breakwater is in place that tension has settled.

The temporary 200 metre long breakwater is built 200 metres offshore at Point Malcolm, and is made of sand-filled geotextile tubes. Up to 40 000 cubic metres of sand will be moved from the breakwater to build up Semaphore Park beach within the next couple of months. The breakwater is a temporary structure that will be trialled over the next three years. In fact, the officers will test the profile of it in that time, but, if it proves to be successful, it will be made permanent and rocks will be placed over the geotextile material. That will provide ongoing protection to the coast. Breakwaters already exist at Glenelg and Beachport.

Recently, I had the opportunity to inspect it, and it was clear that the sand had started being trapped there—and it is providing protection for the beach. That sand will provide a source for sand to be placed on the beaches further south. I am very confident that this will work. This is a real breakthrough in terms of sand management along South Australia's, particularly Adelaide's, beaches.

PHILLIPS, Dr J.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Will the Minister for Health admit that due to lack of funding for mental health we have lost a very competent Director of Mental Health in Dr Jonathon Phillips? Mental Health Coalition figures show that South Australia has the lowest per capita funding for mental health of any state or territory in Australia—and the Liberal government was the third to highest, according to the Mental Health Coalition. The Executive Director of SANE Australia, Ms Barbara Hocking, has described the resignation of Dr Phillips as 'a big loss'. She said:

It does reflect the frustration that he must have been experiencing in trying to run a decent system without decent funding.

The state President of the Australian Medical Association, Dr Christopher Cain, has described mental health as being in 'a critical state' with a shortage of funds.

The Hon. L. STEVENS (Minister for Health): It is amazing that the deputy leader can stand in this house with a straight face and talk about his efforts in mental health funding. As my colleagues are saying, there is nothing straight about him. In relation to the issue of the resignation of Dr Jonathon Phillips, I would think that the deputy leader heard Dr Phillips himself speaking about this at length on radio last week; and I imagine that most, if not all, members

in this house heard Dr Phillips talking about his desire to return to his first love, namely, his clinical practice. I put on the record today in this house the government's appreciation for Dr Phillips's commitment and effort during the time he has been with us in South Australia.

That aside, I would like to say to the house that the government has moved quickly to fill that position. This is really a baton change. Dr John Brayley (currently the Deputy Manager, Flinders Medical Centre) will move immediately into the position and hold that position in an acting capacity for 12 months while the long-term arrangements are made. This government has a clear commitment to mental health services. We know that there is a big job to do. Every member in this house knows that there is a big job to do, and every member in this house knows why there is a big job to do.

It is something that has been building for probably eight to 10 years; and, of course, we all know that the deputy leader had a major role to play in terms of why we are in this position. However, that being said, the government has already increased recurrent funding to mental health by \$20 million a year. We have already committed to a mental health capital works program which will see new facilities built all over the metropolitan area, plus new mental health facilities in a range of country areas, and that commitment from the government will continue.

EMPLOYMENT, TRAINING

The SPEAKER: I call the member for Napier.

Mr Venning: How are my letters going, Michael?

Mr O'BRIEN (Napier): I'm still signing them. You are hyperactive. My question is to the Minister for Employment, Training and Further Education. What initiatives are being implemented to provide training for unemployed people in the northern suburbs to assist them in obtaining employment?

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I would like to thank the member for Napier for his question. We should all acknowledge that he has been very busy—particularly recently—looking at training and making sure that there is a proper program in Adelaide's northern suburbs. He has been working very closely with the member for Wright and the other members in the area. I would like to compliment the honourable member because, certainly, it is very important that we have local members working together to make sure that we assist people in getting jobs, particularly in the automotive area, which is very important to South Australia.

Tenders are now being called for the Automotive Work Ready Training Project, which is funded by the government's South Australian Works Program through the Office for the North, and also in collaboration with industry. I am very pleased to talk about this project, because it provides training skills for 60 unemployed local people. Also, it is a South Australian Works project. It will increase employment opportunities. It is expected that 90 per cent of the participants will gain work and jobs shortly after completing their training.

Members interjecting:

The Hon. S.W. KEY: Perhaps if the people interjecting listen they will hear the answer to their interjections. I have already said that it is a South Australian Works project. There will be an emphasis on targeting young unemployed people; and, although the member for Mawson may not be interested

in this, we think that it is particularly important that we do target job programs for young unemployed people and mature-aged people who need retraining to make sure that we equip them to return to the work force, and also that we ensure that our indigenous people have an opportunity to be retrained.

I say for the fourth time that this project is part of the South Australian Works initiative, which was established to target unemployed people, give them access to skill formation initiatives and to provide opportunities in key growth areas. Graduates from the project will help address the demand for skilled workers in the new Edinburgh Parks development at Salisbury. It will also be working in combination with Holden Limited. It is anticipated that it will create 1 000 jobs. Even if the member for Mawson is not interested in this, I am sure that the 1 000 people who will get new jobs will be pretty pleased about it.

Mr Brokenshire interjecting:

The Hon. S.W. KEY: We are also working in the south, member for Mawson and, if you paid more attention, you would know that. The Automotive Work Ready Training Project will draw its participants from Salisbury, Playford and Gawler council districts. I am sure the member for Light is interested in this information because, as I said, members in the north have been working to try to ensure that we do have proper job training and retraining projects in their area. While the member for Mawson might want to be parochial, other members actually understand what is going on and are participating in these projects.

The other thing which is particularly important about this employment project is that there are also work experience placements—it is not just looking at training or retraining—and the participants will be supported for the first three months after leaving the program. We hope this will ensure that they end up with a job or even a career in this industry. The project will conclude in mid-December with a graduation ceremony, with graduates ready to start work in the new year of 2006. I know that certainly members in the north, and perhaps some more enlightened members of this house, may understand why job programs and skill matching is so important.

HOSPITALS, FLINDERS MEDICAL CENTRE

The Hon. DEAN BROWN (Deputy Leader of the Opposition): My question is to the Minister for Health. Why are public patients who have had cancers removed at the Flinders Medical Centre then faced with having to pay Medicare gaps of several hundred dollars for essential radiotherapy services and treatment, when the same patients at the Royal Adelaide Hospital receive free radiotherapy treatment? The radiotherapy services at the Flinders Medical Centre are provided by a private provider and patients are forced to pay the gap, which could be hundreds and, in some cases, up to thousands of dollars. I have had such a patient contact me in the last week. The same radiotherapy services at the Royal Adelaide Hospital are provided by public facilities and no charge whatsoever is made.

The Hon. L. STEVENS (Minister for Health): I will look into the details of that issue and bring back an answer to the house.

The Hon. Dean Brown interjecting:

The Hon. L. STEVENS: No, I certainly would not. I think the South Australian health system has suffered enough under the so-called leadership of the deputy leader.

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Transport will come to order!

The Hon. L. STEVENS: I think it is time for the new broom to continue the improvements that have been occurring under the current government. In relation to cancer treatment, the government has undertaken a whole range of improvements in relation to cancer treatment and, in particular, is working through the clinical senate with the Cancer Council developing a new cancer plan, but I will bring back a report to the house on that matter.

VICTIMS OF CRIME

Mr RAU (Enfield): Will the Attorney-General inform the house what the government is doing to improve the lot of victims of crime where the offending against them occurs in the workplace?

The Hon. M.J. ATKINSON (Attorney-General): Victims of crime legislation has long contemplated that a victim of crime can bring a compensation claim for his or her injuries, even if the victim has received other compensation for the same wrong, for instance, worker's compensation or a payment from the offender. This remains so under the Victims of Crime Act. If a judgment is entered under the Victims of Crime Act, the award can, at the Attorney-General's discretion, be reduced so that the victim is compensated only to the extent that the other payments do not adequately cover the loss. The reason for this is to avoid compensating the victim twice for the same loss.

There has been a longstanding difference of view between the Crown and some lawyers representing victims of crime about how the Victims of Crime Act applies in cases where the crime occurs in the course of the victim's employment and causes a mental injury. In such cases the victim will receive WorkCover payments. If there is a permanent physical disability, the payments will include a section 43 lump sum payment for non-economic loss, but under the relevant worker's compensation legislation that sum cannot include a component for mental harm. The victim can also claim compensation under the Victims of Crime Act. Under that act, payments can be made for non-economic loss such as pain and suffering arising from a mental injury.

It has been the practice under my predecessors, in particular the Hon. K.T. Griffin, that if the WorkCover section 43 payment was greater than the total award likely under the Victims of Crime Act for non-economic loss the victim would not receive compensation for non-economic loss under the Victims of Crime Act, and there is a series of cases about that. Members will know, because they have written on behalf of their constituents, and the Hon. K.T. Griffin said no.

I have now formed the view that, regardless of the amount of the section 43 lump sum payment, it cannot be said that the victim has received adequate compensation for the non-economic loss caused by the mental injury because the WorkCover section 43 lump sum payment, however great, is compensating for the physical injury, not the mental injury, and the member for Heysen grasps the point immediately. In my view, there is a case for a separate payment of victims' compensation for the mental injury. I hasten to point out that both approaches are lawful and that the Victims of Crime Act 2001 does not favour either. How the law is generally administered is a policy decision for the Attorney-General of the day. I have decided—

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: No, it is a discretion of the Attorney-General and it is unreviewable. The member for Heysen should read the act. I have decided, consistent with my pledge to strengthen victims' rights to compensation, that I will from now on accept as a guiding principle that, as victims cannot be compensated for mental injury under WorkCover legislation, it is proper that I should accept their claims under the Victims of Crime Act where there is a mental injury to the victim arising from the offence.

Ms Chapman interjecting:

The Hon. M.J. ATKINSON: The member for Bragg can minimise it and mock the exercise of my discretion, but I will be more generous than my predecessors. I have instructed the Crown to adopt this more generous approach to the assessment of victims' compensation.

The Hon. I.F. Evans interjecting:

The Hon. M.J. ATKINSON: This is a change of policy that will bring about a practical improvement for victims of crime in the workplace. And, in response to the member for Davenport on the matter of Growdens, I was more generous than the Hon. K.T. Griffin.

HOSPITALS, REGIONAL

Mrs PENFOLD (Flinders): Can the Minister for Health please advise the house what steps the government is taking to reinstate obstetric services in regional hospitals? Around 20 pregnant women in the Cummins district have been advised that obstetric services at their local hospital have been suspended. This comes on top of the withdrawal of obstetric services in nearby Tumby Bay two years ago, and also at Wudinna, with only a partial service now reinstated at Ceduna. Concerns have been raised with me about the effect the withdrawal of these essential services is having on our regional communities and also on the Port Lincoln hospital service.

The Hon. L. STEVENS (Minister for Health): I thank the member for Flinders for the question.

The Hon. Dean Brown interjecting:

The SPEAKER: Order! The deputy leader has been here long enough to know standing orders.

The Hon. P.F. CONLON: Sir, if the fellow wants to repeat that on the record, I take a matter of privilege. He is completely and utterly not telling the truth.

The SPEAKER: The Minister for Health has the call.

The Hon. P.F. CONLON: To help, I referred to the member for Flinders and said, 'They do not waste a safe seat, do they?', and I was being sarcastic.

The SPEAKER: We will leave it there. The Minister for Health.

The Hon. L. STEVENS: Thank you, sir. The provision of obstetric services in country areas, and particularly the more remote areas of the country, is a considerable issue and a considerable challenge, not only here in South Australia but also across Australia. Indeed, the shortage of obstetricians is a national and international problem, and there are considerable challenges for governments all over the place in terms of being able to provide those services as close as possible to where people live.

That being said, the government will be looking at a range of models for the delivery of maternity services in country areas and, in fact, that is something that we will be embarking upon over the coming months. We will be particularly looking not only at where the services are reducing but also

at certain areas of country South Australia where births are increasing, and we need to look at mechanisms to enhance those services. One of those areas is Roxby Downs, where with the expansion of the mine there will be a—

The Hon. Dean Brown interjecting:

The SPEAKER: Order! The member is out of order. He has been in here a long time and he knows the rules.

The Hon. P.F. Conlon: He should retire; he has been here too long. And he has spent more time as premier with no majority—

The SPEAKER: And the Minister for Transport is out of order.

The Hon. P.F. Conlon: Talk about a loser.

The SPEAKER: The Minister for Health has the call.

The Hon. L. STEVENS: There will be a need to plan for the future expansion of services there. So, in a nutshell, the issue is a challenge for all governments. We would be expecting support from the federal government in relation to work force changes. We will also be working in relation to specific areas in country South Australia where services will be centred, and Port Lincoln will be one of those areas reaching out into the Eyre Peninsula. We will also be looking at expanding the models of care for maternity services. We will be looking at expanding midwifery care models and, hopefully in the future, the use of nurse practitioners, providing an extra link in a team of health professionals. All those things will be employed to try to put those very necessary services as far as possible across the state.

HOUSING TRUST WAITING LISTS

Mrs REDMOND (Heysen): Does the Minister for Housing think it is acceptable that a person who has already been on a Housing Trust waiting list for six years should have to wait a further 20 years before attaining a home? I have received a letter in relation to Linda, a divorced mother of two who applied for a Housing Trust home when she separated from her husband six years ago. At that time she was told that there was a five-year waiting list. It was later extended to 11 years, and then to 17 years, and last month she was told that it would now be a 20-year wait.

Mr Scalzi interjecting:

The SPEAKER: Order! I am not sure whether the member for Hartley wants to hear an answer.

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the member for her question. The sad truth is that when those opposite ripped 10 000 houses out of the public housing system—

Mr Koutsantonis interjecting:

The Hon. J.W. WEATHERILL: It pulled 10 000 houses out of the public housing system during the term of the last government. Yes, it put upward pressure on waiting times. This year the rate at which houses have been sold fell to their lowest level in a decade. The whole gravamen of the housing plan was directed at this very question: about finding news ways in which we can provide affordable housing for people who are on these horribly long waiting lists.

I think it is appalling that people have to wait such a long period of time to get into affordable housing. We would be assisted by those opposite prevailing on their federal colleagues to get them seriously engaged in the business of affordable housing. We are doing our bit, with a \$145 million state housing plan, and we would be assisted by having a commonwealth government that regarded its role in affordable housing as more than just keeping interest rates low,

which I might say is coming under a bit of pressure itself lately.

I will look at the individual case. I have some inkling of that individual case, and I do not think that it is as straightforward as the honourable member suggests. However, I will bring back a fuller answer to the house about the particular matter, because it is not all as would be suggested by the very brief recitation of facts of the member for Heysen.

SITTINGS AND BUSINESS

The Hon. P.F. CONLON (Minister for Transport): I move:

That question time be extended by one minute.

Motion carried.

DIRECTOR OF PUBLIC PROSECUTIONS

Ms CHAPMAN (Bragg): My question is to the Attorney-General. Did the government commission the review of the Office of the Department of Public Prosecution, or was it initiated from within the DPP?

The Hon. M.J. ATKINSON (Attorney-General): It was initiated within the DPP.

KEOGH, Mr H.

Ms CHAPMAN (Bragg): What action will the Attorney-General take to expedite a decision on the current petition of Henry Keogh? On 18 May 2005 on ABC Radio, Michael Keogh, brother of Henry Keogh, stated the following:

The petition has been on the Attorney-General's desk for over 1 000 days now, and I think the sad part, it doesn't seem to be of any importance.

The Hon. K.O. Foley: You are supporting a convicted murderer.

The SPEAKER: Order!

The Hon. R.G. KERIN: Point of order, sir. The Deputy Premier has imputed an improper motive to the member for Bragg, totally incorrectly, and he should apologise.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: Mr Speaker, I demand that the Deputy Premier apologise.

The SPEAKER: Order! You cannot demand that he apologise.

The Hon. R.G. KERIN: You should, though, sir.

Members interjecting:

The SPEAKER: Order! The Treasurer, as far as I could hear—

Members interjecting:

The SPEAKER: Order, member for West Torrens! The Treasurer, as I heard it, said, 'You support a convicted murderer.' I do not see that as unparliamentary.

Members interjecting:

The SPEAKER: Order! I do not believe that that is unparliamentary.

Members interjecting:

The SPEAKER: Members are getting a bit sensitive. I know it is a big day tomorrow. I suggest they have an early night, get into their pyjamas early, and have a good sleep. The Attorney.

Members interjecting:

The SPEAKER: The Attorney-General. Look, the house does not want to be a place for attacks on individual members.

The Hon. M.J. ATKINSON (Attorney-General): Mr Speaker, the Deputy Leader of the Opposition just denied leaking documents to the Deputy Premier when the Deputy Premier was in opposition.

The SPEAKER: Order! The Attorney will answer the question.

The Hon. M.J. ATKINSON: Could you put that on the record?

Members interjecting:

The SPEAKER: Order! The Attorney will answer the question.

Members interjecting:

The Hon. M.J. ATKINSON: I am giving the deputy leader a chance to put it on the record.

The Hon. R.G. KERIN: Point of order, sir. He is defying the order—

The SPEAKER: Order! It is not the time. If the Attorney wants to raise this matter he is to do it at a different time, not in answer to a question. The Attorney-General will answer the question.

The Hon. M.J. ATKINSON: Mr Speaker, after Henry Keogh was convicted of murder, there was a petition of mercy lodged on his behalf. I will come to that. There were, in fact, three petitions of mercy.

Ms Chapman: They are the ones waiting on your desk.

The Hon. M.J. ATKINSON: Well, no, actually; it is not on my desk.

Members interjecting:

The Hon. M.J. ATKINSON: The first petition of mercy was referred by the Governor to the then attorney-general, the Hon. K.T. Griffin. I imagine that the then attorney-general sought advice from his solicitor-general about that. Indeed, I was only reading advice from the then solicitor-general John Doyle to the Hon. K.T. Griffin about a representation from David Szachs, convicted of the murder of Derrance Stevenson, another matter that Graham Archer at *Today Tonight* is now agitating. That petition of mercy was refused.

Ms Chapman: Can we get on to modern history?

The SPEAKER: Order! The member for Bragg has asked the question.

The Hon. M.J. ATKINSON: Had it been accepted it would have been referred to the Court of Criminal Appeal for adjudication. A second petition of mercy was lodged by Henry Keogh and again it was referred to the Solicitor-General by the Attorney-General, and again the advice from the Solicitor-General to the Attorney-General was that there were not grounds to refer Henry Keogh's conviction to the Court of Criminal Appeal for adjudication—because that is the process at law. There is now a third petition from Henry Keogh about his conviction and there is conjecture about the petition, whether it merely reproduces grounds that were already considered by the Solicitor-General in the Hon. K.T. Griffin's time and refused by the Hon. K.T. Griffin.

So cynical is the current opposition that, if it were a ground refused by the Hon. K.T. Griffin, that is good decision-making, but if we examine it carefully, that is a bad decision. The petition is currently with the Solicitor-General, who has a background in criminal law, both prosecuting and defence, and he will advise me on whether the petition should be referred to the Court of Criminal Appeal. What I find astonishing about this process is the vulgarity of the member for Bragg in trying to ingratiate herself with Graham Archer

at *Today Tonight* and in trying to ingratiate herself with the supporters of Henry Keogh who, I gather, will be meeting at the Irish Club soon. So keen is she to ingratiate herself for the sake of a few votes that she is pretending—

The Hon. R.G. KERIN: On a point of order, the Attorney-General is debating the issue. The question was perfectly clear. He is imputing improper motives to the honourable member rather than actually answering the question as to why he is not doing his job.

The SPEAKER: Order! The Attorney is debating the issue now. If the member for Bragg feels so inclined she can make a personal explanation. As I understood it, to support the case does not mean to say that you condone the actions of a particular person. She is supporting it in terms of advocacy, I guess, in a legal sense. But if the member for Bragg takes offence, it is up to her, not the leader.

The Hon. M.J. ATKINSON: As Attorney-General I am not saying that the member for Bragg is supporting or barracking for Henry Keogh by asking this question. Where the vulgarity and misrepresentation comes in is that the member for Bragg is trying to pressure me to make a political decision on a petition for mercy when she should know that petitions for mercy are quasi-judicial proceedings. They are not political decisions. If the Liberal Party wants to say that as a matter of politics—

Ms Chapman interjecting:

The SPEAKER: The member for Bragg.

Ms Chapman interjecting:

The SPEAKER: I warn the member for Bragg. She will be named in a minute.

The Hon. M.J. ATKINSON: —I should refer Henry Keogh's third petition for mercy to the Court of Criminal Appeal in order to get her and Graham Archer off my back, then sorry: I am not going to do that. I am going to have this matter properly considered by the Solicitor-General in the same way—

Ms Chapman interjecting:

The SPEAKER: One more interjection and the member for Bragg will be named.

The Hon. M.J. ATKINSON: The member for Bragg is falsely asserting to the house that the Solicitor-General—

The Hon. DEAN BROWN: On a point of order, we realise the Attorney has lost it but you cannot accuse a member of parliament of misleading this house. And, that is exactly what the Attorney-General did.

Members interjecting:

The Hon. DEAN BROWN: He did say that; he did.

The SPEAKER: The Attorney cannot allege misleading of the house. I do not think they were the exact words he used.

The Hon. M.J. ATKINSON: The member for Bragg interjected that the Solicitor-General had completed his deliberations on—

The Hon. DEAN BROWN: On a point of order, sir, the Attorney-General clearly implied that the member for Bragg had misled this house. Therefore, I request, you, Mr Speaker, to ask the Attorney-General to withdraw that. You know and the house knows that that is in breach of standing orders.

The SPEAKER: If the Attorney suggested that the member for Bragg had misled the house, he should apologise and do it by way of substantive motion.

The Hon. M.J. ATKINSON: What I heard, what all of the house heard and what *Hansard* recorded was the interjection.

Members interjecting:

The Hon. M.J. ATKINSON: The member for Bragg says, 'He has': that is to say that the member for Bragg asserted that the Solicitor-General had completed his deliberations on the Henry Keogh petition: he has not.

Ms CHAPMAN: I have a supplementary question, sir.

The SPEAKER: Question time is finished. The opposition had three supplementaries, which I understand is the agreement.

LEGISLATIVE REVIEW COMMITTEE

Mr HANNA (Mitchell): I bring up the 19th report of the committee.

Report received.

Mr HANNA: I bring up the 20th report of the committee.

Report received and read.

SEX OFFENDERS

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

Leave granted.

The Hon. M.J. ATKINSON: On Monday I provided the house answers to specific questions raised by the opposition about the sentencing of sex offenders. The answers were the best on the information then available to me. After that time, further details have been given to me and, in the interests of completeness, I would like to inform the house about two further matters. The first matter relates to section 10(2) and (3) of the Criminal Law Sentencing Act. For the information of members, section 10(2) and (3) provide:

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

(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.

The DPP does not keep precise statistics, but the DPP is aware that section 10(2) has been referred to in five Supreme Court cases, three Supreme Court sentencing remarks and three matters in the District Court. There is one District Court sentencing matter that makes reference to the section 10(3) provision.

Secondly, on Monday afternoon I provided to the house details of persons subject to section 23 orders under the Criminal Law (Sentencing) Act. It is necessary to amplify that answer. One person is being held under an order made many years ago under what was then section 77A of the Criminal Law Consolidation Act. I am informed that he was released on licence and that his order for detention was due to expire on 23 February 2003. However, an application was made and granted that the order not be discharged, and it was further extended for three years from 24 January 2003. I trust that the house finds this additional information useful.

PLAYFORD CENTRE

The Hon. K.A. MAYWALD (Minister for Science and Information Economy): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.A. MAYWALD: Members will know the Information Industries Development Centre by its registered business name, Playford Centre, and its subsidiary Playford Capital Pty Ltd. Playford acts as a seed capital investor in promising early-stage South Australian technology companies. In 2001 Playford won a \$10 million grant under the commonwealth government's Building on IT Strengths (BITS) program. Playford was the only South Australian recipient and the only successful bidder from the public sector. A report by Allen Consulting into the BITS program determined that Playford Capital is one of the best three technology incubators in the country.

The South Australian government's support of approximately \$1.5 million per annum has facilitated the drawing down of some \$12.2 million worth of commonwealth equity funding. Playford has invested over \$6 million in 18 companies. These companies have gone on to raise a further \$35 million in public and private co-investment. This investment has come from individuals, venture capitalists and corporate investors from Australia, Europe, Japan and South-East Asia. This alone proves that Playford Capital's strategy to act as a money magnet has worked and continues to work.

Technology start-ups are risky, and it is well understood that not all will succeed. Playford Capital's activities improve the probability of success by providing both money and mentoring to young technology businesses. In so doing, Playford staff have developed skills in commercialising intellectual property and financing emerging technology companies, which make a vital contribution to the South Australian economy.

In August 2004, Playford Capital was one of eight organisations to receive a share of \$36 million worth of funding under the commonwealth government's ICT incubators program. This money is available for investment in local technology businesses. Playford's current focus on investment represents a significant evolution from its beginnings as a support service for the information technology industry. It is this evolution that the amended regulations and the amendments to Playford's charter seek to address. The key amendments are:

- The Information Industries Development Centre (IIDC) has operated for a number of years as the Playford Centre. An amendment changes the name of the IIDC to the Playford Centre.
- Since inception, EDS (Australia) Pty Ltd was able to nominate two persons to the board of directors. This is no longer deemed appropriate and, with its agreement, EDS will no longer have this ability.
- To improve efficiency at board level, the maximum size of the board has been reduced from 12 to seven.

Playford Centre's charter has also been amended in accordance with regulation 15 of the Public Corporations (Information Industries Development Centre) Regulations 1996 to better reflect the organisation's focus. The key amendments are:

- Playford Centre's strategic direction has been refined in the context of the goals set out in the State Strategic Plan. In this, references to 'ICT' have been replaced with

'technology' to accommodate increasing technological convergence.

- The activities of Playford Centre have been re-articulated to focus on the provision of seed capital to innovative early stage technology ventures, the pursuit of co-investment, the management of investments to maximise financial returns and the re-investment of 'exit' procedures in new investments.
- The nature and scope of activities outside South Australia are to be limited to investments that, in the opinion of the board, offer economical benefits to South Australia.

Playford continues to make an important contribution to the economic and technological landscape of Australia. It exists as a good example of how the commonwealth and state governments can cooperate to the advantage of the states and, indeed, the nation.

GRIEVANCE DEBATE

CITY OF ONKAPARINGA, WAR MEMORIAL

The Hon. W.A. MATTHEW (Bright): Today I rise to put on the record the facts in relation to the funding of a very important project in the City of Onkaparinga. First, I congratulate the local RSL clubs in the Noarlunga region and the City of Onkaparinga in particular, as well as the federal member for Kingston, Kym Richardson, for their efforts in raising funds for the refurbishment of a local war memorial in the Morphett Vale area and the installation of an eternal flame. Initially, during that process, the federal Liberal government contributed \$4 000 to the works that were undertaken.

This memorial is particularly significant and, of course, you, sir, would be well aware of this in your other role as the member for Fisher. This memorial gives residents of the southern suburbs of Adelaide a place where they can honour those from the local area who have sacrificed their life in the various conflicts and during peace-time operations. Importantly today, it provides residents with a place where they can go and reflect on the sacrifices that are constantly being made by the men and women of the armed forces and their families in the defence of our nation.

I commend the hard work of those local RSL clubs which made this possible and, in particular, Frank Owen and local councillor Darryl Parslow, without whom this particular monument would not exist. When the monument was being constructed, unfortunately, there was a problem with the cost blow-out. Initially, the City of Onkaparinga appeared to be left to cover this increase. The whole funding of an ANZAC memorial and matters associated with the commemoration of ANZAC Day and costs were, in part, raised in this place by the member for Reynell. The member for Reynell very uncharitably in this place posed the question, 'Well, what is the member for Kingston doing about this?'

The member for Reynell claimed that she had been lobbying for funds from the federal government. She claimed that the hapless David Cox, the former federal member for Kingston (who was unceremoniously and sensibly dumped by the people of the south), had also been endeavouring to obtain funding. In so far as the member for Kingston was concerned, the member for Reynell said:

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.

Well, I have some advice for the member for Reynell. All she needs to do is to communicate with the federal member for Kingston, Kym Richardson, and he will tell her what he is doing. If the member for Reynell was today to ask the member for Kingston what he had done, this is what he would tell her. I will help out the honourable member. The member for Kingston would tell the member for Reynell that, while her efforts may have been unsuccessful, his efforts have been very successful. The federal member for Kingston actively encouraged and then supported the City of Onkaparinga in a funding application to the federal Liberal government to assist it with its cost blow-out, and the result is very good.

The federal Liberal government is making available \$20 000 to the City of Onkaparinga to assist it with its project. The member for Reynell was unsuccessful. She said that the previous member for Kingston, the hapless David Cox, was unsuccessful. The member for Kingston, Kym Richardson, has been very successful, and all the member for Reynell had to do was ask. But, let us not forget, we are dealing with the member for Reynell, whose solution to road-funding problems on outback roads is to suggest that they make a great tourism opportunity for four-wheel drivers.

That is probably one of the most stupid statements I have heard made in this parliament for 15 years, so I am not surprised that she is not communicating with her federal colleague. I encourage her to do so. I find him a very interesting fellow with whom to talk and a very helpful one. In his short time as a member of parliament we have already seen deliveries of many projects, including \$500 000 for the pathways for families centre at Hackham; over \$100 000 for the Christies Downs Community Centre—

Ms Thompson interjecting:

The SPEAKER: The member for Reynell will come to order!

The Hon. W.A. MATTHEW:—over \$4 million to provide in excess of 150 new aged-care places; and over \$5.5 million to the City of Onkaparinga under the roads to recovery for the local area. That is an example of a federal member of parliament getting things done.

Time expired.

TRADE, AUSTRALIA AND CHINA

Mr O'BRIEN (Napier): Today I would like to discuss the trade relationship between Australia and China. I raise this matter because I believe this relationship will have major implications for the development and stability of the South Australian economy. China's economy has been growing at a phenomenal rate, experiencing a quadrupling of GDP, with an average growth rate of 9 per cent in the past 20 years. Current economic estimates for long-term growth for China of around 8 per cent per annum, compared to 3.5 per cent in Australia, 3 per cent in the US and 2 per cent for Europe—

The Hon. W.A. MATTHEW: Mr Speaker, I rise on a point of order. My apologies to the honourable member. Sir, as I was leaving the chamber, the member for Reynell roared out in relation to my contribution, 'You should worry about telling the truth.' I object to those words and I ask the member for Reynell to withdraw.

Ms THOMPSON: I will withdraw and explain later.

Mr O'BRIEN: This phenomenal growth occurring within China is generally portrayed as purely beneficial to Australia. While trade with China does offer advantages, there has not been any critical evaluation of its ramifications for South Australia. Australia's trade deficit is currently considered to

be the nation's No. 1 economic problem. This is not surprising, considering that it is at an all time high. Last year, Australia's trade deficit was a massive \$25.4 billion. In 2003-04, Australia had a deficit in merchandise trade with China of over \$5.427 billion. This bilateral deficit made up approximately 22 per cent of Australia's total annual deficit in merchandise trade and was Australia's third largest deficit with any country.

The trend for increasingly large bilateral deficits with China has been growing at a high rate for a number of years. In fact, between 1990 and 2004 the trade deficit with China grew, on average, around 20 per cent per year. Therefore, Australia's trade deficit with China is having a growing impact on Australia's rapidly deteriorating and unsustainable current account deficit. Trade results also reveal that South Australia is following this alarming trend. In August 2003, South Australia's exports to China were a mere \$13 million, while imports from China in the same period were \$32 million.

The composition of Australia's trade deficit with China is also a cause for concern. Australia's exports to China are overwhelmingly dominated by primary products. Of Australia's top 10 exports to China, seven of them are primary products; two of the others are simply transformed manufactures with little value added. While Australian exports to China remain overwhelmingly dominated by primary products, Australian imports from China are equally dominated by manufactured goods. In fact, the majority of Australia's top 20 imports from China are elaborately transformed manufactures. The composition of Australia's trade deficit with China raises serious issues concerning Australia's increasing reliance on its primary sector at the expense of its manufactured sector.

Members would be well aware that South Australia has a greater reliance on its manufacturing sector than any other Australian state. History reveals that an economy that relies on its primary sector at the expense of its manufacturing sector can fall into an economic trap known as the resource curse or the Dutch disease. This economic phenomenon has its most contemporary manifestation in the Netherlands. After its discovery of North Sea oil, the Netherlands found itself with growing unemployment and work force disability. The reliance by the Netherlands on its newly found oil had a negative impact on the economy as the increased production of oil resulted in a large appreciation of exchange rate, which resulted in a less competitive export market and onslaught of cheap imports. It took the Netherlands decades to recover from its so-called good fortune.

It is therefore in Australia's best interests to carefully monitor the growth of our primary sector exports, particularly minerals, because an unsustainable resource boom will encourage further appreciation of the Australian dollar which will, in turn, add to Australia's trade deficit burden. Reliance on the resource industry at the expense of the manufacturing sector, particularly for South Australia, can also have major implications on the technological position of an economy. This is because the manufacturing sector of any country plays a major role in research and development.

Within Australia, almost 60 per cent of all research and development is conducted by manufacturers. A vibrant and strong manufacturing sector is crucial for an economy to remain advanced and for continued economic growth and stability.

Time expired.

ORTHOPAEDIC SERVICES, WAITING TIMES

The Hon. D.C. KOTZ (Newland): I rise today to speak with a sense of *deja vu* and again highlight to this house the degeneration of our state's health system and the increasing waiting times for specialist health services. Just two months ago I called on the Rann government to address its disgraceful financial mismanagement of our health system amid horror stories of elderly people waiting more than three years for an appointment to see a specialist. I highlighted the fact that some 3 737 people were on that waiting list right across every major hospital in the state, not just Modbury Hospital.

What has happened since then? The Minister for Health walked into the public spotlight and stated that the health system is stuffed. The minister then highlighted her own incompetence by trying to hand over the mess she had created to the federal government, and waiting times for specialist services continue to climb. The minister's statement to the public is hardly a declaration of a positive vision or a Labor government policy direction for the future of our health system in this state.

In December last year, the waiting time to see an orthopaedic surgeon was 35 months. Now people are receiving notices telling them that they must wait an agonising 44 months, nearly four years, just for an appointment to see an orthopaedic specialist for their problem to be assessed. At this rate, by the end of the year, the waiting time for an appointment may approach 55 months. If one factors in the time it takes after an appointment before surgery is scheduled, one sees that people with painful and debilitating conditions may be forced to wait up to seven years for treatment. This would be concerning in any third world country. In the state of South Australia in the 21st century this will be remembered as one of the most shameful periods of government neglect in the history of this state.

Freedom of information papers received by me in March of this year identified that as of December 2004 there were some 6 200 people in South Australia awaiting either surgery or an appointment to see an orthopaedic surgeon. Just a few months later, how many people are on the current list pushing the waiting lists up to a 44-month wait? One of my constituents has an injured knee and has been told he must wait 44 months for an appointment to see an orthopaedic surgeon. This is unacceptable in any circumstance, but the Minister for Health should hang her head in shame because, by the time my constituent sees a specialist, he will be almost 70 years of age, and possibly 72 years of age before corrective surgery can be performed. I find it almost impossible to believe that any government could be this callous. The most heart-wrenching aspect is that the majority of people affected by the lack of access to orthopaedic surgery are elderly and should be enjoying their later years and not losing their mobility, independence and quality of life because this government is more interested in media headlines and spin doctors than in caring for the needs of our community.

The ongoing pain and debilitation related to orthopaedic complaints will cause further problems to a health service already in crisis. There is a four to six year waiting period for access to GPs in emergency units in public hospitals by people in agonising pain, and the possibility of other injuries caused by decreasing mobility will also increase, exacerbating the current pressures of access to these services. This, in itself, will increase the cost to our health services. Every week I am contacted by people desperate for medical treatment who are the victims of a government which has

offered little vision and no hope, and a minister who throws her hands up in despair and advises us that the system is 'stuffed'. Well, I offer four words to the minister—'un-stuff it or resign.' South Australia has an ageing population which necessitates a viable health system.

The Hon. R.J. McEwen interjecting:

The Hon. D.C. KOTZ: I like 'un-stuff'. The government's approach—review the problem but take no action—has not worked, and will not work. To have the ability to act and yet not have the moral fibre to do so is utterly reprehensible. The only positive in this situation is that by offering our health services to the federal government, the Minister for Health is effectively offering her resignation from this portfolio. Unfortunately for all South Australians she is some three years too late. This government is not in dire financial straits—it is fiscally possible to address the situation thanks to the measures placed by GST in a previous Liberal government.

Time expired.

PATHWAYS FOR FAMILIES PROGRAM

Ms THOMPSON (Reynell): Before embarking on my contribution about the Pathways for Families program in Hackham East, I want to take the opportunity to correct a couple of the facts in relation to matters raised earlier by the member for Bright. Unfortunately, in relation to the debate on ANZAC commemorations I responded to an interjection from the member for Bright—which I acknowledge was a very stupid thing to do. I was talking about the inadequacy of the commonwealth's guidelines in relation to the celebration of ANZAC Day and the fact that no grant could be made to the ANZAC Youth Vigil under those guidelines, when the member interjected something about what the member for Kingston was doing.

The honourable member confused topics and, really, the member for Kingston can do his job without my advice in whatever manner he thinks fit. Whether the electorate thinks that is fit afterwards, I do not know, but I certainly do not support the whiteboard approach to pork-barrelling marginal seats. I want to see guidelines that are clear and transparent, and my point was that the commonwealth guidelines were not adequate to meet some of the celebrations of ANZAC Day. He also claimed that the current member for Kingston had delivered to his electorate the Pathways Family Centre. Well, as I mentioned, I was about to speak about that and, in speaking, I mentioned that the Pathways Family Centre opened on 11 May 2004, six months before the current member for Kingston was elected. I think he should be commending the previous member for Kingston if, indeed, any member for Kingston needs to be commended.

The Pathways Family Centre is an important project that deserves recognition by this house as it is a collaborative effort that really reflects the type of initiative that this state government wishes to support in the interests of our young children. Sir, I think that you and the house are well aware that this state government has recognised that early intervention to help children and their families overcome various difficulties that they face is the key to success in life for both a child and that family, as well as to a healthy community. Pathways for Families brings together a number of agencies to provide a one-stop-shop for families with young children who are facing a number of problems. It is a collaborative effort and is funded by the commonwealth government and the state government, and has a number of partners.

The City of Onkaparinga was key to its establishment by providing the facility which the commonwealth government provided funds to upgrade. The state government provides a range of services delivered in that facility, and the 10 partners that are involved, on an ongoing basis, are the City of Onkaparinga, Noarlunga Health Services, Department of Education and Children's Services, Children, Youth and Family Services, Child and Adolescent Mental Health Services, Hackham West Community Centre, Anglicare, Relationships Australia, the Smith Family, Uniting Care Wesley, Child and Youth Health, and The Corner House. Over half of those are state government organisations and others receive funding from the state government. It is truly a partnership.

The program is very ably managed by Alison King under the auspices of the Noarlunga Health Village and, in the short time that it has been operating, it has been able to help 160 families. At the celebration of one year of operation, which was held just recently, and at which I had the privilege of representing the Premier, the Minister for Health and the Minister for the Southern Suburbs, four of the participants in the program, who are now volunteers in the centre, spoke of what it had done for them and their family. I commend Jeannie Nelson, Sarah Sullivan, Kylie Dinning and Brooke Allen for having the courage to get up and talk about the problems they face, which they are dealing with through the help of workers at Pathways and other volunteers in the centre.

I also congratulate Andrea Gray, who was one of the driving forces behind Pathways. As the parent of a child with disabilities, she recognised that there should be a better way to deliver services, and now there is, in Pathways for Families.

PORTS

Mr VENNING (Schubert): In relation to the federal government's recent announcement regarding control of ports in Australia, I had initial concern, particularly as in South Australia we are in a hiatus, where our ports have just been sold to a private company and we are going through massive upgrades at huge cost and huge risk. Because of my concern, I sought a briefing with Mr Vincent Tremaine, the Chief Executive Officer of Flinders Ports Pty Ltd. Flinders Ports would welcome federal intervention if the federal government intends to remove regulation to force the parties to negotiate on normal commercial terms. If regulation must exist, then Flinders Ports is relatively happy with the existing state system, although the more it is removed from local politics the better, and we would all say 'Hear, hear!' to that.

The regulator needs to take a long-term approach to investment, providing investors with incentive to take the necessary risks, and there are plenty of us doing that, particularly given the involvement of ABB Grain and others in the new facility. It also needs to be fearless in the face of criticism from those who either do not understand the issue or have short-term views. The federal government's statement could also be interpreted to mean that AusLink funding is going to be extended into the ports rather than finishing at the gate. That would be a major positive, provided it did not give some ports an unfair commercial advantage over others. Providing federal funding for the port of Melbourne after the Adelaide funding has been paid for by South Australian state interests would be an example of a commercially unfair decision. To date, South Australia has not received a

reasonable allocation of funds from AusLink in relation to the other states. Hopefully this will be redressed with any change to the federal government's policy.

As we know, the South Australian ports, which include those owned by Flinders Ports, are subject to the Maritime Services Access Act 2000. That act outlines various essential marine services at the ports, which are subject to both pricing regulation and an access regime, both of which have access to regulated services provided on a fair commercial basis and terms. The Essential Services Commission of South Australia (ESCOSA) has responsibility for administration of the act here. Following a review in mid-2004, ESCOSA issued a determination issuing a price-funding regime allowing port operators to set their own prices for essential maritime services from 31 October 2004 until 31 October 2007. They called it a light-handed approach at the time, and the regulatory model to be adopted beyond that date would be subject to further ESCOSA review, which could result in anything from no regulations through to total price control. The light-handed approach forces the parties to negotiate commercial terms with respect to the provision of pricing of services and infrastructure development.

The recently announced Adelaide channel deepening project, which we all welcome wholeheartedly, is an example of this approach with Flinders Ports, the state government and port customers—and we know who they are: I did mention AusBulk, now ABB Ltd, as being just one—reaching agreement regarding the infrastructure required, the associated funding and the pricing models to be adopted. The system is working well here in South Australia because ESCOSA has taken a pragmatic approach in relation to port regulation. Despite the successes of the light-handed approach, there remain continuing inefficiencies associated with the ongoing monitoring and the threat of the reintroduction of greater control in the future.

Mr Tremaine assures me that Flinders Ports continues to devote considerable management and administrative time to minimising the risk of regulatory intervention by maintaining extensive records and documentation as evidence to be used in any future review. This regulation, we know, is costly. I am very pleased at this, after the problems we have had in the Eastern States with their ports. I agree that the federal government needs to come in and deregulate these ports: they need to be competitive. We do not need to have any unfair work practices, because this is the area that affects our cost competitiveness in our overseas markets.

There have been problems, particularly in Queensland with their ports. I do not believe we have a problem here. I congratulate Flinders Ports on what it has achieved, and look forward to a new port in the near future.

ADELAIDE SURVIVORS ABREAST

Mr SNELLING (Playford): I rise to congratulate Jenny Whitehead, who lives in my electorate and who is the secretary of Adelaide Survivors Abreast Inc. Dragon Boat Club, a dragon boat club that consists of survivors of breast cancer. Ms Whitehead contacted my office to inform me a bit about what this organisation does but also to inform me of the overseas visits that it will be undertaking in June. Adelaide Survivors Abreast, which consists of breast cancer survivors, as I said, has recently been involved in taking out both the Cheerio and Cougar netball teams and sponsors Kendacraft Jewellery, Femsure and Supa Sava Embroidery for a team-

building exercise and also to raise awareness about breast cancer.

On 7 June they are travelling to Penang for the 26th Dragon Boat Festival, in which they will be participating, then going on to Vancouver for the 10th anniversary of Abreast in a Boat. In excess of 60 breast cancer teams will be participating in that dragon boat festival. I want to congratulate my constituent Ms Whitehead and all the members of Adelaide Survivors Abreast for raising awareness of breast cancer and for all the good work they do.

JOINT PARLIAMENTARY SERVICE COMMITTEE

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): Pursuant to section 5 of the Parliamentary Joint Service Act 1985, I move:

That the member for Playford be appointed as the alternate member to the Speaker and the member for Giles be appointed as the alternate member to the member for Torrens.

Motion carried.

RELATIONSHIPS BILL

Mr BRINDAL (Unley) obtained leave and introduced a bill for an act to make provision with respect to certain relationships; and for other purposes. Read a first time.

Mr BRINDAL: I move:

That this bill be now read a second time.

In doing so, I advise the house that while the normal time allotted for a speaker on a private member's bill is 15 minutes, I believe it is customary for the house to grant an extension, and I will ask the house for that indulgence when the time comes, in view of the gravity of this bill.

This relationships bill is not in place of but rather is supplementary and/or complementary to the Statutes Amendment (Relationships) Bill brought into this place by the Attorney-General. This bill answers or combines the constructive comments of the minority report, specifically the comments of my colleague the member for Hartley in this place and the Hon. Michelle Lensink in another place. When I originally gave notice that I would introduce a civil unions bill, in that debate it was said that that bill was gay marriage by the back door.

Mr Snelling: No pun intended.

Mr BRINDAL: The Deputy Speaker says, 'No pun intended.' I am never quite sure whether the person who started that quote actually realised that there was a pun. The constructive debate that ensued has been around the fact that apparently very few people are prepared to get up and say they oppose rights for same sex attracted couples. They say rather that, by giving same sex attracted couples rights similar to those enjoyed by married couples, we still leave out disadvantaged people—people in domestic co-dependent relationships who are not in those relationships because of any attraction of sexuality, be they heterosexual or homosexual couples.

I await with interest the report of the committee on this matter because my reading of the dissenting report puts that at the nub. The great balance of the difference in the report appears to be on that issue. It is a matter that this house

canvassed before when the member for Hartley introduced his amendment for superannuation which, he put to this house, moved beyond the issue of sexual preference and into the region of ascribable right.

The Catholic Archbishop of Adelaide supported the entitlements of same sex couples to the rights proposed in the Atkinson bill. He did not necessarily therefore support the bill but supported what the bill embodied, and that is important because in discussing this bill the objection of many is based on leaving some out and not who is included. Therefore, taking that objection on board and discussing it with many same sex attracted people, I bring this bill to the house so that people can put their money where their mouth is. This is either an attempt by people who are not brave enough to say they are anti-homosexuality to run away from it and say that 'we cannot do this because', or it is on their part a genuine attempt to extend these rights further.

This bill does just that. This bill ignores gender and sexual preference and is therefore more elegantly in line with the law of this state as it relates to discrimination. I am sure some speakers will get up and say that of course we can discriminate: the law allows us to set rules for our society which we do not necessarily set for ourselves because our own law says that people may not discriminate on the grounds of gender, sexual preference or a number of other factors. However, we are allowed to pass laws that do the very thing we prevent others from doing. This law makes some attempt to redress the situation of a group of people—same sex attracted people and people who may be in no sexual relationship (being of the same sex or different sexes but not in a relationship that can be described as marriage) and who by law are alienated from a basket of rights.

The way that discrimination has effectively been achieved for hundreds of years is simply by saying that marriage is an institution, to quote the Prime Minister, 'between heterosexual couples, between a man and a woman, and we have primacy in the marriage law'. That is true. The constitution gives the commonwealth primacy over marriage, and the Prime Minister has discussed what marriage is. If he has primacy over that and the constitution says he has, so be it. That means he has abdicated any right to have a say over those other matters not covered by the definition of marriage. That proposition is already enshrined in our law and, while the Marriage Act is the proper province of the commonwealth government, the law where it relates to putative spouses or de facto couples is in every state a matter for state jurisdictional definition.

While the Prime Minister can and does preside over marriage, when by definition the relationship is not a marriage, commonwealth jurisdiction ceases to have effect. The problem in depriving many people of rights to which they should be entitled because they are in loving domestic relationships or relationships of economic interdependence is that, if you take the institution of marriage, you then get a whole lot of rights, privileges and responsibilities, but if you are not eligible for that institution you simply miss out because so much more of our law says that these rights are applicable to people who are married or are in a de facto relationship.

Again, so long as the definition of de facto included only heterosexual couples, same-sex attracted couples were thereby excluded. So there has been an unjust discrimination for many years in the body of law in South Australia with respect to same-sex attracted people and to other people who

may be in caring relationships and for whom sexuality is not a question.

The Atkinson bill is a bill for which I have voted. It has passed this house and, hopefully, will now pass into the statute law of South Australia. Members of this house therefore may ask, 'If we have the Atkinson bill, why should we pass this bill?' The answer is simple. The Atkinson bill is a de facto status into which people fall, whether or not they want it. By changing the definition of de facto, all same-sex attracted couples, who are in a sexual relationship, after a period of time automatically will be declared de facto, whether or not that is their choice.

Ms Thompson: Whether or not they live together?

Mr BRINDAL: The honourable member asks a good question. I will have to go away to look at that, and we could discuss it in the committee stage. I am not that far across the bill about whether they have to live together. I think from memory there was some definition in the Atkinson proposal, and I am not sure whether it included co-habitation or just frequency of intercourse.

Ms Thompson: It relates to people's living arrangements, not their sexual arrangements.

Mr BRINDAL: I have supported the bill anyhow, so, in so far as it does that I think that is a more intelligent solution in law. I have said to the house previously that I am a strong advocate of a former prime minister of Canada Pierre Trudeau, and I have quoted him as follows:

The state has no place in the bedroom of the nation.

We live in a pluralist society. The pluralist society, the multicultural society in which we live, encourages people to practise, as far as is possible and as far as it does not interfere with any other individual, the right of that individual to maintain their customs, belief, culture and religious practice.

I say that on these grounds: we allow the Christian church to teach its own exclusivity. The basic tenets of the Christian church are: 'No man shall come under the Father except by me' and 'I am the way, the truth and the life.' In the practice of Christianity, we allow the Christian church to teach its adherence that there is no other path or course of action except that prescribed by Christians to their believers. That is fair and reasonable. We allow Islamic people to preach to their people the same sorts of creeds. In this society we let every religion have its say over its morality, ethics and directions for its adherents, and we allow no religion to interfere with any other. But we seem to think that a religious group can come and say, through the vehicle of this place, that their morals and ethics need to impinge upon the majority of the community; that somehow they are more important than the Buddhists and Muslims; and that their idea of morality is the correct one. I say to those people: if they have the courage of their convictions, they will stand up here and seek to pass a bill for an act to amend the law in relation to homosexuality.

People who are same-sex attracted commit no crime. They act within the law in South Australia, provided that they are consenting partners and act in private. If it be the wish of this house, if it be the opinion of any member, that such a practice is abhorrent and it should be made unlawful, they should stand up here and seek to repeal the law. They should not seek to victimise people, merely because in doing something which is lawful they are then proscribed from a group of human rights and responsibilities enjoyed by other people in the community. That is not a reasonable proposition.

I go back to the fact that this bill is not about sexuality. It is not about gender or sexual preference. It is not about marriage. This bill gives to adult human beings the right to contract into a familial relationship—a right to determine what is in the relationship and what is not in the relationship. The question is not asked when the contract is made, 'What is your gender?' People do not have to fit through the pre-description that one has to be a male and one a female, or to a male or a female. There is no question as to the gender of the person, so it is non-gender specific.

Similarly, there is no question as to the sexual activity or habits of the person. It is not a matter for this parliament or the law what adult people do on their own in private. This bill seeks to say, 'Well, if you don't want to choose that institution called marriage and you do want to choose for yourself a relationship—

The Hon. I.P. Lewis: Sign a contract.

Mr BRINDAL: Yes—then two adults are perfectly entitled to sign a contract which fixes for them the bounds of the contract.'

The Hon. I.P. Lewis: Hear, hear!

Mr BRINDAL: I am pleased the member for Hammond has said, 'Hear, hear!' I think that is a quite reasonable, humane and decent proposition. I do not believe that we should be rewarding or punishing people according to morality. It might not be my morality, or the morality of anyone else in this house but, if it is their morality and it is lawful to pursue that morality, then they do nothing wrong; and they should be able to enjoy the same rights and privileges, and have the same responsibilities, as any other member of the community. In summary, the relationships bill—

An honourable member interjecting:

Mr BRINDAL: Could I seek leave for an extension of time, sir?

The SPEAKER: The member for Unley has requested an extension, and under standing orders he can have up to 15 minutes.

Leave granted.

Mr Hanna: Five minutes.

The SPEAKER: No; it must be up to 15 minutes.

The Hon. I.P. Lewis: No.

The SPEAKER: Leave has been granted.

Mr HANNA: No, it hasn't.

The SPEAKER: If someone has called out no, leave is denied.

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

That standing orders be so far suspended as to enable the member for Unley to conclude his second reading speech in a maximum of 10 minutes.

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

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

Motion carried.

The SPEAKER: The member for Unley has a maximum of 10 minutes.

Mr BRINDAL: I have been told to think myself lucky, and I thank the house for its indulgence. I will conclude in 10 minutes. For decades, couples living in our community have been denied the basic rights, as I have said, which we extend to traditional couples. The Relationships Bill seeks to provide

legal recognition, rights, protections and obligations for a section of our community denied those rights under the current laws. The bill applies not only to same-sex couples but also to other non-traditional relationships, such as people choosing to live together in domestic co-dependant relationships where sex is not a factor, for example, elderly people with no close relationships.

The bill imparts rights, which include the right to inherit a partner's assets if they die without a will and the right to participate in making vital decisions about incapacity and a partner's medical treatment. If the partner does die, currently, they do not even have the legal right to arrange or even attend the funeral. The bill will ensure that those couples must abide by the laws impacting on traditional couples, such as those affecting share trading and property transactions, division of property and, in the event that a relationship ends, providing financial support for a partner in such a case if such support is contracted.

What is the difference between the Relationships Bill and the Statutes Amendment (Relationships) Bill? The Statutes Amendment (Relationships) Bill seeks to provide same-sex couples with the same legal entitlements as defacto couples. The Relationships Bill seeks to establish a much more formal and legally binding contract between the partners in the non-traditional relationship, not just same-sex couples; and, in doing that, it contains a degree of flexibility. If you are in a de facto or a married relationship, most of the rights and obligations are given.

In this form of relationship there are two big differences: you can contract which rights are in and which are not; and, similarly, you can do it in under the time frame. In the Atkinson bill a defacto relationship is seen to have occurred at a point in time. Two people can meet one another in this bill and form a contract within a day or a week, the same as any married couple can seek to marry soon after they have met as they choose. As I have said, this bill is designed to provide legal protection and rights to people for whom marriage is not an option. Any legislative damage as to the status of marriage happened decades ago when de facto couples were granted the full status of married couples.

So, the nonsense that we heard in the Atkinson bill (and, I am sure, we will hear in this bill) that, somehow or other, this bill undermines marriage is palpably not correct. This bill does not allow same-sex couples to adopt children or provide access to in-vitro fertilisation. That, I think, is a legitimate matter for further consideration by this house at another time.

What are the precedents which this house should consider in considering the bill? The principal one is Tasmania, which has successfully enacted similar legislation in a relationships bill in 2003. It has effectively worked for over a year. I know that people in another place will say, 'Sixty nine gay couples have accessed it and no carer—so, no people in relationships other than gay relationships,' to which I say, 'Well, that is fine. So, gay couples have made use of it; others have not. Should this house deny people a right just because initially they do not choose to exercise it?' I see on the wall—

Ms Thompson interjecting:

Mr BRINDAL: Yes, that is exactly right. I note Joyce Steele staring down at us from on the wall. This house conferred a right that women could stand for parliament in 1894. It took until 1959 for the people of South Australia to elect the first women. Even though a right was granted, that right could not be exercised for some 60 years. It is not unfair to grant a right that might not immediately be taken up by huge numbers of people.

Finally, I inform the house that the following countries have taken up legal recognition of same-sex unions similar to this through either civil unions or, in some cases, gay marriage. The first was Denmark in 1989; Norway in 1993; Sweden in 1994; Greenland in 1996; Hungary and Iceland in 1996; Hawaii in the United States (it is a bit warmer) in 1997; the Netherlands in 1998; California in the United States in 1999; France in 1999; Vermont in the United States in 2000; Canada in 2000; Belgium, Finland and Portugal in 2001; Germany and Liechtenstein in 2002; Austria, Tasmania and Croatia in 2003; Massachusetts, Maine and New Jersey in the United States in 2004, along with Switzerland, Israel, Luxembourg, the United Kingdom, Spain, South Africa and New Zealand; and, so far in 2005, Andorra and the United States.

Legal recognition of non-traditional relationships through marriage, civil unions or domestic partnerships has also been accorded in regions of Argentina, Italy and Brazil; and the nations and states currently considering legislation very similar to this include the Australian Capital Territory (I am not sure whether that is a nation or a state: I think they think that they are a law unto themselves), Cambodia, Romania, the Czech Republic, Greece, Poland, Slovenia and Taiwan.

In short, this is a measure whose time has come not only in this parliament but in the parliaments of the world. It is a chance to give people who have been disadvantaged for decades (probably for hundreds of years) a basket of rights which is their entitlement, and I would urge the house to consider seriously this bill. I conclude by saying that I would be more than happy if it was the government's wish for any of the ministers to take this bill, to sponsor it in government time and to take all the credit for it. I do not want credit for this bill: I simply want this bill to be passed by this house.

Mrs GERAGHTY secured the adjournment of the debate.

COUNCIL FOR INTERNATIONAL TRADE AND COMMERCE AND EXPORT COUNCIL

The Hon. I.P. LEWIS (Hammond): I move:

That this house establish a select committee to examine and report on the constitution, membership, role and function, administration and financial support (public and private) of the Council for International Trade and Commerce of South Australia and the Export Council of South Australia, and in particular—

- (a) determine whether executive government and its departments and agencies have properly allocated funding and support to these various government and private professional paid and voluntary service providers in each of the aforementioned bodies are being effectively and efficiently utilised in maximising the South Australian awareness of economic development and penetration of existing and potential export markets for goods and services (such as education, training, tourism and surgical services and products); and
- (b) determine what changes should be made to the existing framework.

Most members would know that there are two such organs established in South Australia not by force of any act of parliament but rather by administrative decision of executive government, and that they are both unique in the whole of Australia. It is to the credit of this government that it saw the necessity of expanding the role and function of such voluntary organisations assisting in the development of the economy by establishing the Export Council of South Australia and thereby organising industry by group, whether it is the automotive parts industry (which had already

organised itself), or the education industry (which had begun to do so).

On the one hand, with respect to automotive parts, we see that it is exporting goods. On the other hand, with respect to the education industry, it exports services. There are numerous other examples of industry bodies, or groups, that have products in common, whether they be goods or services, which have chosen to give themselves greater critical mass by forming themselves into groups which can speak to government at both the state level and the national level in advocating appropriate policy shift in a way which will enhance their effectiveness in providing their services to overseas buyers.

Exporting a service means that you can provide that service within the boundaries of Australia—indeed, in this case we want to provide it within the boundaries of South Australia—or you can provide it offshore by sending your expert trainers, educationalists and teachers or service providers overseas to deliver the service to provide it. And they can be in the form of surgeons or surgical equipment; they can be in the form of, say, teaching or providing educational equipment. But in the case of teaching and training, it is often more likely to be successful in earning export income for South Australia if the service is provided here in South Australia. Certainly, the value added to our economy is greater than if the experts go and live in and expend their money whilst living in another jurisdiction and deliver it there on a fee-for-service basis where the money they obtain for the service they provide is less than the cost of being there and delivering it. That is a net gain for our economy.

What I have drawn attention to in the proposal to establish this select committee is the necessity to integrate what is done by the Council for International Trade and Commerce more effectively than at present with what is done by the Export Council of South Australia. The pivotal role played by Mr Nick Begakis between those two organisations needs to be recognised publicly, and I do so on behalf of all of us here today by making reference to his work.

But I want to go further than just recognising individuals and point out, if I may, something of the background to the older and more established organisation called the Council for International Trade and Commerce of South Australia which came into existence as a consequence of a paper which I wrote and presented to the Liberal Party room on more than one occasion. Like most of the papers I put to that party room whilst I was a member of it, it failed on the first occasion. But I must say, to my great delight, following the arrival in this parliament again, for his second term, of the premier who led the Liberal Party to victory in the 1993 election—and I must crave the indulgence of the house by referring to him by name, the Hon. Dean Brown—he was successful in garnering support before the election, as Leader of the Opposition, for the adoption of that policy. He, indeed, had in his mind, I am sure from the conversations I have had with him, that such a council was imperative, and he took the proposition and drove it. Mr John Clements was the first chairman of that Council for International Trade and Commerce—and it had a faltering start but it, nonetheless, was effectively and successfully established. It continued to grow apace after Mr John Clements had finished his term in office and was followed, in fact, by Mr Nick Begakis.

Honourable members would know that Mr Begakis established a business called Bellis Fruit Bars, and that is an export success in itself because it takes pure dried fruit and

turns it into a confection without the addition of any sugar or other preservatives, other than what the dried fruit has in it at the time, by processes which are secret to his business. He is an outstanding example of what an entrepreneur can do to add value to what is a uniquely South Australian high-quality product—much better, for instance, in terms of dried apricots than you would buy from our competitors on the world market such as Turkey.

But let me return to the structure of the organisation the Council for International Trade and Commerce. The Liberal government had three premiers which served that government—or led it, whichever way you wish to put it: I prefer to refer to it as ‘service’, and so it should be, because they are leaders and servants in that role, not bosses and dictators, as is the case with some people who have been premier in this state from time to time. The important difference between what that government, the Liberal government under its three different premiers, did with exports of South Australian goods and services as distinct from this government is that this government, initially under the direction of the Deputy Premier, set out, in a silly exercise, to remove the confidence of those 30-odd business councils and chambers of commerce by penny pinching. Damn it all, it does not cost even half a million dollars, but it generates revenue in each year of its activities worth several hundreds of millions of dollars.

Last year, for instance, we managed to sell 10 000 places in educational institutions in this state for overseas students and they in turn not only brought their money to pay for their fees but also brought their money to pay for their accommodation and entertainment; and they brought their parents and some friends who also, as tourists, enjoyed our goods and services here. That generates a lot of money, much of which is impossible to quantify by the chamber of commerce or business council which initiates the work. Yet, foolishly, the government sought to strip away a couple of hundred thousand dollars, or thereabouts, in grant funds from the Council for International Trade and Commerce and, fortunately for me, I was able to stop that, at least in the first couple of years, from occurring. But now it has been done: the grant money has been taken away and placed on the open market to corporations.

What we need to do is not encourage big business—which very often has shareholders in the main outside South Australia, so the profits are repatriated outside our economy—but encourage our small business with specific grants. Big business has the professional skill to prepare and present grant applications far more effectively than volunteers do. Volunteers in the Council for International Trade and Commerce in their respective chambers of commerce and business councils ought to be given, as volunteers, greater encouragement than they are without any recompense for their time, to organise those trade missions to countries like Mexico, India, Korea or wherever else. At present, that can no longer happen with anything like the same measure and effectiveness as it was happening under the previous government and in the early years of this government, because now it is open to all comers, and individual firms rather than industries will get the benefit.

That is unfortunate, because it means that three or four individual firms in one industry sector can soak up that small amount of money that would otherwise be available to them in a trade mission led not by the bosses, the CEOs within the firm, but rather by the office bearers of the business council or the chamber of commerce in question. A greater benefit

and a greater measure of awareness of the benefits would penetrate the South Australian economy and inspire greater entrepreneurship.

The Council for International Trade and Commerce should also be encouraged to expand its operation to incorporate the Export Council of South Australia, where the industry groups were the columns—where we had the auto parts industry, the education industry, the poultry industry, and the fruit and vegetable industry on one axis of the matrix, and the Chinese chamber of commerce, the Malaysian chamber of commerce, and the business council for Morocco in the rows on the matrix. Where auto parts being made in South Australia were being sought by the market in, say, India or Mexico, then all the auto parts manufacturers could have been approached by the Mexican chamber of commerce and taken on a trade mission to an expo and convention in Mexico. That would have achieved a far more effective penetration and benefit from the expenditure of the dollars put towards subsidising such trade missions out of South Australia, and it would have expanded the level of awareness.

It is a shame on the government that it has knocked voluntary service providers in those professional organisations in favour of going for corporate big business where neither Robert de Crespigny nor the Premier and, more particularly, the Deputy Premier, understood what the Council for International Trade and Commerce was achieving when they set out to undermine it and remove its minuscule amounts of grant assistance funding. I commend the motion to the house and trust that the select committee will give attention to those matters to which the motion refers, and come back with a better framework which is bipartisan and which is in the interests of all South Australians and the jobs that can be created as a consequence of doing it in this more objective bipartisan fashion than is currently the case.

Mrs GERAGHTY secured the adjournment of the debate.

PITJANTJATJARA LANDS, HYDROGEOLOGY

The Hon. I.P. LEWIS (Hammond): I move:

That this house establish a select committee to examine the hydrogeology of the Pitjantjatjara Lands, and in particular to determine the likely extent of underground water resources and viability of using these for the production of high value crops which can be sold within the domestic and export markets, and thereby create industries and jobs for the indigenous people on their homelands.

I am aware, on the cursory examination that I have given to the recent aerial geophysical surveys that have been done in the Pit lands and the Musgrave block, of the likely existence of significant bodies of fresh water in the porous rock material below the surface—naturally: it is not in the air above it—of a sufficiently fresh nature—that is, low enough in salinity levels—to be suitable for sustainable irrigation. One of the ways in which we as a society seek to empower our communities of indigenous people to become self-reliant should be to encourage them to grow more food, which they consume themselves, but to do so on a scale, and to do so using varieties and types of crops, that will not only satisfy their own needs but also (at least as importantly) enable them to sell them through the export markets that are now available to them as a consequence of building the Alice Springs/Darwin railway link, if for no other reason.

Quite clearly they enjoy a unique climate in those lands which is different from anywhere else on earth where there is adequate underground water for these purposes. They are

far enough away from the tropics to avoid the effects of high humidity for sustained periods throughout the wet, which occurs in the north of the country, to be able to grow those crops that are prone to fungus diseases, in particular, that come in consequence of those higher levels of atmospheric humidity called relative humidity. Equally, though, they have adequate areas of soil types which are admirably suited for cultivation.

More important than either of those two factors in making such enterprises viable is the fact that they have their own labours, which are sorely under-utilised at present, as there are no real jobs for them. My awareness of this problem goes back in the first instance to the early 1960s upon leaving Roseworthy, when I went for a look around, if you like, before I applied for and obtained a job in the department of agriculture as a quarantine officer. It struck me then that, sooner or later, the people who lived there and had lived for there for thousands upon thousands of years would want to become part, as I saw it in those days, of the 20th century of human society. The words ‘global village’ had not been invented, invoked or written at that time. That is what we now have.

Sadly, more than 40 years since that time, as a society of people in Australia, whilst accepting responsibility for education and making law and other things as a nation, we have still not provided the inspiration or the other essential support to those people living on the Pitjantjatjara lands to enable them to realise that they are living in the 21st century and that, whilst they seek a greater variety of food than the food which is available to them from the native plants and the native animals which they can harvest from the land, and prefer it and use welfare payments in the main to buy the greater proportion of their diet, they are not yet contributing to their own diet by producing the food they could easily produce or to the marketplace of the world which would generate for them far greater personal income levels than the welfare payments they currently receive. In the process of engaging in the enterprises to which I refer, they would be able to obtain far greater levels of self-esteem and far greater hope that would flow from that self-esteem and a more positive outlook on a sustainable, viable, vibrant, exciting future, which they do not have at present.

That is the biggest problem which successive inquiries by parliamentary committees and other agents have found to be the cause of the malaise of the people living in those communities. That is, they do not have hope. They do not have the means to obtain as individuals employment which would give them capital, should they choose to save it and, in turn having saved it, borrow to get an even greater nest egg and invest it in an enterprise which will give them an income the same as any other human being anywhere else.

Look at a society like Korea, if you will. There are no native title problems there because they are all natives. They are human beings, no more and no less than Aborigines are human beings. If a society like Korea, which is homogeneous to a far greater degree than the Pitjantjatjara lands are homogeneous in culture and race, can do it, then of course it can be done by the peoples in the communities in the Pitjantjatjara lands. All we have to do is allow them to see the benefits which will come to them should they choose to take those benefits and enjoy the fruits of their labour, metaphorically as well as literally.

However, we do not do that. We sit on our hands and say we must provide more money for their health because they have greater percentages of glaucoma bedevilling their

population, and greater levels of substance abuse bedevilling their population and ruining their lives, and greater levels of other problems that are part and parcel of the pair of those two—in health, for instance, things like diabetes, and in substance abuse they get zonked out permanently. They simply dissolve away the neurone capacity of their brains by sniffing petrol, and that is the end of their ability, for the duration of their life, to reason at the same level and examine and inquire into the problems they see in their lives as individuals and as societies and solve those problems. We say too often with the mentality of welfare that what we should be doing is fixing their health and preventing their substance abuse in the nature of the nanny state. Dammit, that is not the solution! It will not solve the problems they have—never.

What they must be given the opportunity to do is by illustration and demonstration produce for themselves those commodities which they can sell and from which they can get an income far greater than they will ever be able to get from welfare sources and which we could ever be able to afford to pay them from welfare sources.

The basic commodity that is missing is water, in that respect. So, where do you find it? Simply, where it has gone: into the underground aquifers where it is fresh enough when it is withdrawn to be used for the purposes that I suggest. Equally, if not more importantly, using the water in that fashion in a sustainable manner in the irrigation of crops would also provide them with the small amount they would require to enjoy the same levels of personal cleanliness and hygiene which we can all enjoy and which it may not have been necessary for them to seek in their indigenous lives for the last tens of thousands of years but which it is now essential that they do because, along with other people who came to this continent in the last 200 years, came the diseases.

Your ancestors, Mr Deputy Speaker, and my ancestors unwittingly, in their desire to make a better life for themselves than they could get for themselves and their children in the lands from which they came, brought with them those diseases that had not been here in the indigenous population. That is what has created in some measure their health problem. Equally, we brought with us the capacity to produce and preserve a wider array of foods from the land than was enjoyed previously. Whether or not we had better health as a consequence is another matter, and you can argue the pitch and toss on that. I think that there are very few people who would enjoy the very narrow range of foodstuffs and their preparation that the indigenous people had before the arrival of migrants in this country over the past 200 years.

We now pride ourselves on the enormous diversity of our cuisine and the enjoyment of it, and indigenous people, by voting with their feet and their dollars, by their own choice have indicated that they want to join in. If that is the case, we must provide them with the means of doing it and we should not feel too precious about it. In doing that, we should then examine where those water resources are and present to the government, from the report of a select committee, the locations in which wells should be drilled so that tests can be made on the underground aquifers, detailing and outlining where it will be best to extract the water for the kinds of enterprises to which I have referred and for the health, hygiene and benefit of the community at large at the same time.

It is for that reason that today, before this parliament dies, I put to the house the idea that it ought to take by the scruff of the neck the responsibility for putting this resource at the

disposal of those people, have a select committee, go there, come back and report and direct the bureaucrats as to what they must do to discover those resources, and write the plan in consultation with the people living in those communities, which will enable viable export-based enterprises to be established within those lands on those resources by those people who live there and who have a right to the same kind of civilised existence that you and I have, the same kind of hope that you and I have and the same kind of prospect for their children that we all have for ours living here.

There is a cost advantage there because the climate is better and there is less risk of disease. There is a cost advantage also because its proximity to the Darwin port, connected by the new railway line, is better than ours. There is less freight cost to get it from there to the point of embarkation, FOB, whether on aeroplanes or on ships, off to its market. Indeed, there is a cost advantage there because you can grow many of those crops 12 months of the year. Year round you can grow lettuces without risk of fungus or rot. You can grow melons, tomatoes or, indeed, anything in that country, as anyone who has lived there and had the water for their vegetable garden in their back yard has done.

It occurs to me that members would surely find it difficult to do other than take this initiative and ensure that, by the time we go to the next election, we have a bipartisan policy that defines the key, if you like, for the development of a viable industry which will give jobs to a large number of the people who work there and which will endure not just for the next decade but for the whole of the twenty-first century and beyond. I commend the measure to the house.

Mrs GERAGHTY secured the adjournment of the debate.

VEGETABLE MANUFACTURERS

The Hon. I.P. LEWIS (Hammond): I move:

That this house establish a select committee to examine ways of helping small South Australian-owned manufacturers of fresh, dried and other value-added exotic and indigenous vegetables, herbs, spice products and essences by—

- (a) identifying existing and potential markets for such products of various styles in those countries, regions and sub-regions elsewhere in the world in which these products are presently consumed;
- (b) determining ways in which this industry sector can obtain the support of the three South Australian universities;
- (c) the application of appropriate rigour to the analysis of—
 - (i) those markets;
 - (ii) the existing and potential demand for each of these products;
 - (iii) types of packaging;
 - (iv) grading; and
 - (v) pricing policies;

which will maximise the penetration of South Australian vegetables, herbs and spice products such as essences in those markets for South Australian-based producers, whilst also ensuring and enhancing profitability.

Having been allowed to move the motion in a form different to that on the *Notice Paper*, I thank the house for its indulgence. I wanted to use the different wording because it occurred to me that otherwise the focus of attention would be too narrow. The word I have used formerly as products does, when taken in the general context, provide the umbrella under which all the value adding that could be undertaken is implied to be examined, but without mentioning essences nobody would bother to think about the extent of the value adding.

I hope a select committee is established by the house and that in consequence of doing so we not just attempt as

politicians to define these things ourselves but rather that the select committee's function and purpose in the first instance would be to go not to the overworked resources of PIRSA or Rural Solutions alone (that being the corporate arm of PIRSA that competes in the private marketplace, with other consultants, and so on), but, of at least equal if not more importance, to the three South Australian universities and have them do the work, through their brighter students as honours papers, and so on, to examine and analyse the markets themselves for these commodities where they exist in the world and the existing and potential demand for those commodities, and so on, as I have listed in paragraphs (i), (ii), (iii) and (iv), including pricing policies.

The great benefit is that it would incorporate and coordinate the activities of the Flinders University, which has an economics faculty as well as international studies in business, marketing and politics, and they would discover conditions in the markets, that is, what laws affect the markets in the places to which the products could be sent. They would also discover what cultural mores affect the markets, what kinds of products those markets in each case might be able to take and, equally, the form in which they are packaged.

There are markets in Indonesia to which, believe it or not, we could be selling, for instance, grape syrup. Instead of leaving the ruddy excess production of grapes on the vines just because there is a glut of wine that can be made from that variety of fruit, prior to this we should have been taking the grapes off the vine and identifying where grape syrup can be sold. I am talking not about juice but about the thick sugary syrup of a kind which is already made by two small businesses in the Barossa that I know of and which is really sought after because it is fructose and appeals to the people of Muslim culture who do not drink alcohol but who nonetheless would use this syrup in the same way as they use dates and other fruits with high levels of fructose in them. The flavour of those syrups is like honey and is more appealing to those people than honey itself. The cost of producing it, given the present shortage of honey on the world market as a result of the diseases to which I referred in the house as I recall it about six years ago which have bedevilled the bee populations of other places in the world and which we have allowed to go unabated here, sadly, would mean that they nonetheless would be quite pleased to get, at the same or slightly cheaper prices, something like grape syrup.

This proposition is not just about grape syrup but also about a range of oils that can be used in the aromatics industry, whether for perfumes directly applied by people who want to use a fragrance as part of their personal hygiene after washing thoroughly to prevent their presence from being unpleasant to those near to them, or for essential oils that can be used in medication and a good many other products. We do not know, and as politicians we cannot sensibly debate, which or t'other it ought to be, but as politicians our duty is to devise the way in which the talents of the society we seek to lead through policy decisions are properly integrated to the best and most prosperous outcomes for everybody living in South Australia in this instance. If we do not do it, who will? We need to provide some signposts for entrepreneurial interests to follow and in doing so inspire some of those people who could be entrepreneurial in their careers to so become entrepreneurial rather than focus their attention in life upon a career as a paid servant from the day they finish what they call their education to the day they finish their work life and go into retirement.

We should not have a society in which too many people, as happens at present, and has been our history, see themselves as not having the power or the ability to become entrepreneurs. We ought to be inspiring them to do so. What better way than to provide the best scholars in our universities with challenges to apply the knowledge they have acquired in the course of their study to a real life practical situation, such as analysing the markets, determining the existing and potential demand for the types of products in each of those markets and defining the types of packaging? It is silly to put these products into glass jars, stack the glass jars into heavily padded small boxes and stack those boxes on pallets that have to be tightly strapped together to stop them moving and bumping each other and breaking, when the alternative is to put them in much cheaper, much more energy efficient small sachets of plastic that are flexible so when they are bumped they do not burst.

All of that is not yet communicated to our students in universities who are doing studies in international marketing or other such things, whether they be at Flinders University, the University of South Australia or the University of Adelaide. It would not take us as a parliament a great deal of effort to pass a proposition to establish a select committee and put together the staff members of those universities in an integrated way that enabled them to inspire their students to take a greater interest in the entrepreneurial opportunities that are available. It involves not just entrepreneurial opportunities: it is to inspire their students who are students of chemistry to examine what types of products could be produced from the range of biological material, which can be grown or produced very cost effectively here in South Australia; whether it is dung in saltwater below the waves in the coastal waters, saltwater that is pumped from the shallow saline ground aquifers that are salinating our soils in agricultural areas, or freshwater which is obtained from catchments of rain on the surface in dams or which has been stored by nature itself in the aquifers just below the surface where the rain has already soaked in. It does not matter. The chances are there.

Our prospects for the development of such industries are all too often being overlooked. We need not only to do that but also to devise a means by which the industries established in this fashion then grade their product—not regulate what the grade description shall be by subordinate legislation in the manner in which we did when I got my first job in the department of agriculture as a quarantine inspector and a fruit inspector, be it dried fruit, fresh fruit, vegetables or plant products of any kind. It should not be up to a government employee to decide whether or not something is up to standard in that respect. The industry itself, and the individual firms within the industry, can use international standards by saying in their proposals, which they can put before the independent auditing committee, what they will do. They would write down that plan. 'This is what we will do and this is what we say we will do,' and then go ahead and do what they say when they are going to grow a crop of sesame, onions or sea lettuce or any other such crop: say what you will do and then do what you say, and invite an independent auditor to come to check you randomly in order to ensure that you have done exactly that.

Then we will have the appropriate grading approach. It does not mean that is the only approach, but it is not a bad one to adopt in relation to both native vegetables and fruits, as well as exotic—which means it is introduced. If it is an animal it is feral; if it is a plant it is exotic. The two words

mean the same as they apply to species that have been imported into an ecosystem in which they did not occur naturally. Therefore, I use those words quite deliberately—exotic meaning lettuces which did not grow in this country before and which are now here. They are an exotic plant in Australia. Indigenous muntries, for instance, are here by dint of the fact that they evolved here; and the herbs and spices likewise.

Some of the naturally occurring peppers, indeed, are greater in quantity yield per unit area than the pepper, which is a native of the so-called spice islands and which most of us eat, and I believe they are superior in flavour; yet we do not use them—and we do not use them simply because it was not our parents' custom and we were not fed upon them. However, 20 and 30 generations ago it was not our parents' custom to use those spices, anyway, because they had not been imported to Europe whence most of us came. They arrived there only in the last few hundred years prior to migration to the shores of this continent of those people in the main who are the forebears of ourselves here in this parliament.

Hence, the reason for my saying that we should be looking at those things and inviting people, who have done studies in applied mathematics or quantitative methods of appraising these things, to examine pricing policies; and enable those entrepreneurs who go into the business to understand how to set the price of what they have produced before they attempt to sell. Price which is established on the basis of cost plus margin is a primitive way of doing it. It is better to establish a price on the basis of what the market will stand. That enhances the rate at which you can service capital and, by so doing, aggregate it at a more rapid rate. The market price is what you should seek, rather than a price which ensures that you simply survive.

You want to succeed, and the faster you can grow your business and the economy in which your business operates the better off you are. And that is the reason for my listing all those things to which I believe the select committee should direct its attention when it is examining those commodities and using the skills of our students to provide the advice necessary to establish the industries.

Mrs GERAGHTY secured the adjournment of the debate.

EDUCATION (GOVERNMENT SCHOOLS ASSETS REGISTER) AMENDMENT BILL

Ms CHAPMAN (Bragg) obtained leave and introduced a bill for an act to amend the Education Act 1972. Read a first time.

Ms CHAPMAN: I move:

That this bill be now read a second time.

I have pleasure in introducing this bill today to amend the Education Act 1972. I am disappointed in many ways that we are not doing some major reform in relation to the Education Act 1972, as that legislation is now more than 30 years of age. In March this year, when it introduced its Infrastructure Strategic Plan to this parliament and published it to the people of South Australia, I was interested to read the government's future plans for infrastructure in the Department for Education and Children's Services. That department currently has two million square metres of accommodation, a current replacement value of approximately \$3.12 billion and a written-down value of \$1.6 billion.

The government proposes, over the next five years, primarily to focus on maintenance, upgrades and new building works prioritised around the following principles (as published on page 73):

- applying maintenance expenditure to the highest priority tasks;
- refreshing schools' infrastructure where the need arises with funding parameters due to the changing school populations; and
- replacing ageing relocatable infrastructure with modern facilities.

Those statements were most inspiring, and I was pleased to read them. I noticed in the financial papers as provided in the budgets of this government that, in 2002-03, the value of these assets (that is, the value of the land and improvements, being our public schools across the state, essentially) is \$1.583 billion. However, it is disappointing to note that by 2004-05 the estimated asset pool had plummeted \$25 million to \$1.558 billion. These are the state-owned assets for which the government is responsible. That is very concerning in itself given that land alone has skyrocketed in value, yet we seem to have an asset which, within two years, has plummeted in value some \$25 million.

It did concern me, and it is very important that, if the government is going to fulfil this objective (which, it says, is to be a focus over the next five years), we determine how we might remedy the plummeting in the value of the assets of the people of South Australia, but also how we might ensure that we have sufficient material to be able to adopt the principles that even the government suggests is to be prioritised. I felt it important that we look at how we inform ourselves in terms of the transparency of this information.

I found to my delight, at least, that the Department of Administrative and Information Services (DAIS) has a web site detailing the Building and Land Asset Management System (BLAMS). The web site details every school site and includes detail of the current backlog and life-cycle costs of each site. This is important data, because it details not only the life expectancy but also the backlog for every site on a year by year basis (usually stretching out to 2009) and the values of funds that are required. They have maps of the areas of the schools. They have considerable detail in relation to each of the sites, and that was very important.

However, on inquiring of the Department for Administrative and Information Services I found that this information will not be available shortly because it is already not updating that material and it will take it off the whole system. Of course, I inquired as to what the replacement would be. I was advised that they would be introducing the new data base of SAMIS (Strategic Asset Management Information System), which had been approved and which I think was to be operational from 4 April, and that this new data base would replace BLAMS.

However, here is the catch: that we cannot look at it any more. Members of the public are not allowed to know what is in it any more. We were told that it would only be accessible by a code and with the permission of the Department of Education and Children's Services. Apparently the department's justifications are that this will not be available to the public because of 'the sensitivity of the data' and that how much is being spent is risky information. I suggest to the house that all that is quite alarming. It seems to me to be very important that this situation is turned around immediately. We do not need to change the web site and the new system that is now available, but we do need to ensure that this information is accessible to the public for the very reason that we all need to know the condition of the infrastructure for the

purpose of prioritising the maintenance, repair, improvement and replacement of that infrastructure.

This is a bill to amend the Education Act 1972 by particularly requiring the Chief Executive Officer of the Department of Education and Children's Services to keep a register of government school status reports and government school building plans that are made available for public inspection free of charge on the web site. First, for the purposes of this legislation the status reports are defined as including particulars of government assets of each school and the state of repair and identifying how they are assessed; assessment of the work needed to be carried out; assessment of the progress of such work; the amount expended in each year; and particulars of the amount needed for urgent maintenance.

Secondly, school building plans should be defined as including the particulars of work to be carried out, estimated time frame and estimated cost, as well as estimated cost for each year. Further, under this bill the Chief Executive Officer would be required to submit to the minister, and the minister to the parliament in the annual report each year (which is already required), a copy of each of the school's status report and each school's building plan, as well as its materials and services charges (which under section 106A are already included in the annual report). We would be asking for this information to be available to the public free of charge on the web site, delivered to the minister and the minister to this house, and therefore to the people of South Australia every year.

Section 14 of the Education Act currently provides that the minister tables the annual report in the parliament based on the preceding calendar year for the Department of Education and Children's Services. The additional requirements would ensure that the compulsory register is available to the public and is disclosed annually. The outstanding maintenance or backlog in government schools curiously has been varied between ministers for education whom we have had in this government. It has been described as \$300 million and \$250 million. Perhaps they do not know what it is, but, in any event, it is clearly a lot.

In any event, it is something that they frequently trot out as a figure that has been building up for a long time, in that it has accumulated during previous regimes and it is something that they have to deal with. I place on the record my appreciation to ministers Lucas and Buckby who, under the previous government, made an outstanding and unprecedented contribution to the rebuilding of the infrastructure of our schools, along with capital works in the IT area. However, unquestionably there has been an accumulation because so many of our schools were built during the 1950s through to the 1970s when we had booming populations. Clearly they have an expiry date—and so many of them must be reaching their expiry date.

New South Wales had to look at this issue. They had backlogs of billions of dollars. Interestingly, a report provided by Professor Tony Vincent to the New South Wales government pointed out a number of things, which I highlight. He said:

Buildings impact upon human life in ways that range from purely functional to the aesthetic—important for a satisfying and productive life within the school particularly.

He further said:

Maintenance and refurbishment of the education estate has been neglected and fitfully managed.

Further in his report he went on to say:

... substandard conditions in which teaching and learning are being attempted.

Clearly he identified that there was a massive backlog in that state. There is no reason to doubt that there is a massive backlog in this state. I do not know whether the government has done a specific report on it. The fact that it trots out different figures suggests to me that it has not. However, we accept the fact that there is a major demand for maintenance and a major need for governments across the country to address it. Clearly, if we are to do this in an organised and fair manner, it must be done in a totally transparent way. It is also important to remember that the independent and Catholic sectors of education in South Australia, which I have visited on many occasions, have fine infrastructure. We are in a situation where unfortunately many of our public schools are far below the standard enjoyed in other sectors, and it is a factor which reflects on the fact that we lose nearly 2 000 children a year from the public school system to the low-fee independent and Catholic sectors. That is no criticism of the latter sectors, but it means that we, and this government in particular, need to get our act together in relation to government schools.

So, what does this government do? On the one hand, it asks the parliament and the people of South Australia to accept that it is an open and transparent government. On the other hand, it withdraws the right for any of us even to know about this information. It is taking it off the web site. It has not been updated for the last year under the BLAMS arrangement and by the end of May, we are told, it will all be off because the new system is in operation. But, of course, this is a new secret situation and we are not allowed to know about it. How can we possibly make any assessment about the government's priorities that it claims to have in its published infrastructure report if we do not have that? So I ask the parliament to support this initiative to ensure that we have access to this information and we as members of parliament know where the priorities are in our own electorates so that we can put submissions to those in government who make decisions in relation to the funding.

I notice in the very breath of the government claiming that it is transparent that our Minister for Education on 12 May issued a joint statement with other ministers of education across the country calling for progress reporting on school resourcing in relation to the federal government. The minister said:

We recognise the need for transparency and the value of meaningful comparisons of resourcing and expenditure level on student education across states, territories and sectors.

I ask the minister, consistent with that, to support this motion and to ensure that the SAMIS web site is open and available to the people of South Australia and, if she does not, whether she will highlight the hypocrisy of the government in moving to end the transparency of this information when she demands this in relation to inquiries of the federal government. With that contribution, I call on the house to support this bill.

Mrs GERAGHTY secured the adjournment of the debate.

PARKLANDS

Mr HANNA (Mitchell): I move:

That this house establish a Select Committee to examine and report upon how best to protect the Adelaide Parklands as land for public benefit, recreation and enjoyment, including—

- (a) desirable protective measures to ensure the continuing availability of land for public recreational purpose;
- (b) arrangements for management responsibility and accountability;
- (c) the desirability of legislative protection and the form of legislation, if considered necessary;
- (d) the impact and feasibility of seeking to list the Adelaide Parklands on the World Heritage List; and
- (e) any other related matter;

and that the Committee be entitled to incorporate that evidence previously gathered by the former Select Committee on the Adelaide Parklands established in the 49th Parliament.

The Adelaide Parklands are a treasure and open to all South Australians to enjoy. There is some controversy, however, about continuing developments in relation to them. Over the last 150 years the area around the Torrens has been progressively developed. We are very thankful that the ring of Parklands around the city square has been largely preserved—and, indeed, there are some positive aspects of tree plantings and developments which are conducive to continued public enjoyment. However, there has also been considerable alienation of the Parklands and, on one view, that is a breach of trust because the Parklands were put there for the enjoyment of all South Australians.

The issue was dealt with in the previous parliament through a select committee. The select committee in the 49th parliament had substantially the same terms as those I have put forward as terms of reference for this select committee. Clearly, the terms of reference which stand out are the review of protective measures—because there is a doubt about the continuing availability of some of the Parklands for recreational purposes; there is an issue about the most appropriate arrangements for management responsibility and accountability; and there is a real possibility of our Parklands being listed as having world heritage significance. Indeed, I am aware that a world heritage nomination is currently in existence.

I note that there was a 2003 discussion paper which prompted many public submissions and, indeed, it is worth noting that most of those public submissions favoured a trust concept for the Adelaide Parklands rather than handing them over to any particular level of government for administrative or bureaucratic management. There needs to be a recognition at the most profound level in our legal system of the gift of the Parklands to the people of South Australia.

How we go about ensuring the continued availability of the Parklands is, then, a very live issue and all the more so when issues of heritage and preservation of our past are contentious public issues today, both in respect of built form as well as items of significance in our natural environment and in our cultivated open spaces. So, it is timely that this committee be set up. It is, in a sense, a continuance of the work of the 2001 committee. It is to be noted that the 2001 committee never reported. It took a lot of evidence and that evidence is locked away at present, and that is disrespectful to those many people who put in submissions.

So, there is the aspect of the motion that I have moved which says that that evidence previously gathered through public submissions, and expert views and the like should be available for the scrutiny and review of the committee members in respect of this proposed select committee. In December 2000, the Hon. Mike Rann, as opposition leader, declared that people wanted the Parklands protected and that legislation should fix this by March 2001. That legislation has never appeared under either the Labor or Liberal governments. It is now 2005, and we have waited far too long for

proper protection of the Adelaide Parklands. I therefore commend the motion to establish a select committee into the Adelaide Parklands to the house.

Ms CICCARELLO (Norwood): I will just speak briefly to the motion. I think that this motion totally ignores the efforts by this government in undertaking extensive public consultation on this very matter in response to its 10-point Parklands election platform. The consultation was initiated by the release of a paper in January 2003, *Managing Light's Vision: Options for the Management of Adelaide's Parklands*. The paper and consultation process was overseen by an Adelaide Parklands management working group which consisted of representatives of the community, Adelaide City Council and the Department for Environment and Heritage. Following an analysis of the public consultation, the working group presented a report and recommendations to the Minister for Environment and Conservation and the Adelaide City Council in July 2003. This has led to the government working cooperatively with the council to develop a new legislative framework for overseeing the management of the Adelaide Parklands. The proposed new legislation has also been publicly consulted on with the release of the draft Adelaide City Parklands Bill 2005 on 9 March 2005. This draft legislation is currently being reviewed in light of that consultation and will, in due course, be submitted to the parliament for debate.

There has been much discussion on the protection of the Parklands, as the member for Mitchell has already alluded to, with a previous select committee, of which I was a member, along with the Hon. Stephanie Key, the Hon. Dorothy Kotz, and also the Hon. Graham Ingerson. That ceased at the time of the last election as well as debate over the previous government's bill. Taken together with the recent public consultation on management options and the proposed new legislation which will be before the house for debate when it is finalised, there is no need to spend further time and resources of this parliament on a parallel exercise. The government has consulted and worked hard with the Adelaide City Council, the various interest groups, and the general public to develop a workable model for the future management and protection of the Adelaide Parklands. Consequently, Madam Acting Speaker, I think this motion should be opposed.

Dr McFETRIDGE secured the adjournment of the debate.

EQUAL OPPORTUNITY (GENETIC IMPAIRMENT) AMENDMENT BILL

Dr McFETRIDGE (Morphett) obtained leave and introduced a bill to amend the Equal Opportunity Act 1984. Read a first time.

Dr McFETRIDGE: I move:

That this bill be now read a second time.

This bill seeks to prevent discrimination in employment, life insurance, mortgage insurance, workers' compensation, superannuation and other areas on the basis of genetic information received through undertaking a genetic test. It is already unlawful to discriminate on the basis of sex, sexuality, marital status, pregnancy, race, impairment or age and, just as we have addressed discrimination on these grounds, we must prevent social ostracism and discrimination based on genotype and genetic information.

At the heart of any discrimination lies difference. We all have different genes, and we are all predisposed to something, but what gives one individual a certain set of genes is the question. What gives a company or a government the right to make decisions on your life based on your genes? Recent advances in genetic technology have made it possible to learn which genes we carry in our genetic code. Genetic tests have the ability to tell whether an individual has a mutation that causes disease or a mutation that predisposes an individual to disease or cancer (for example, Huntington's disease, heart disease, colon cancer or, particularly, breast cancer).

Genetic information can be enormously valuable to patients and healthcare providers as it can lead to early detection, intervention and prevention of many common diseases. There are hundreds of genetic tests available and this is increasing. In time, we will have a whole range of new preventive interventions to help individuals decrease their disease risks. For some genetic conditions, individuals who receive a positive genetic test could increase their medical monitoring or minimise their exposure to certain contributing factors, yet privacy and confidentiality concerns and the threat of discrimination in employment, life insurance, mortgage insurance, workers' compensation, superannuation and other areas often deter individuals from using genetic technology to improve their health or to participate in clinical trials and research. Genetic discrimination and the fear of potential discrimination based on personal genetic information affects both society's ability to use new genetic technologies to improve human health and the ability to conduct the very research we need to understand, treat and prevent genetic-based diseases.

There is also growing community concern that employers and insurance companies may begin to routinely test individuals for genetic predisposition towards diseases. Employers should not be tempted to deny any individual a job because of a person's genetic profile or genotype. Insurance companies should not use this information to deny an application for coverage or charge excessive premiums. To deny employment or insurance to a healthy person based on a predisposition to, say, cancer or heart disease violates our fundamental belief in equal treatment and individual merit. Discrimination should not occur against an individual or the family of the individual who undergoes medical genetic testing to improve his or her health but receives a positive test result. Predictive genetic information in the absence of a diagnosis related to a condition or disease should not be a basis for discrimination. Genetic information is sensitive and is having an increasing impact on society. Genetics is associated with family history, race, ethnicity and sex, and should therefore be treated in the same manner in our legislation.

Current research results have not yet been published of the Australian empirical study into genetic discrimination by the University of Tasmania (by Otowski, Taylor and Barlow-Stewart). It is a three-year study that will examine the nature and extent of genetic discrimination across perspectives of consumers, third parties and the legal system and will analyse the social and legal dimensions. It will be interesting to look at that research and the potential uses that research could be put to.

Genetic discrimination in employment is a big issue. Employers may currently use genetic information to unfairly discriminate against employees or job applicants, and that is the current situation. Genetic discrimination could lead to a

genetic underclass of people who are branded as unfit for employment although they have no illness. Employers and governments may indeed use genetic information to positively discriminate by seeking out employees or those who are considered to possess desirable traits. The sports industry may do likewise, seeking out those who have desirable, genetically determined athletic qualities rather than those who prove themselves on merit.

As technological advances continue, links between genes and characteristics such as criminality, intelligence or race will continue to be important factors. Do we want those in a position of power to use this information against us? Will those of us with a convict history be blamed or characterised because of our ancestors' criminal traits? Will those of a certain racial descent be unfairly labelled as unintelligent? Will we be denied or only accepted for government welfare payments if we can prove Aboriginal ancestry? Will immigration spouse visas only be granted on a DNA test? Should employers or potential employers have access to intimate health information of employees or, indeed, applicants?

Currently there are no constraints under existing law to protect those who may become vulnerable and there is potential for firms, businesses, industry and government to share information and threaten our privacy. Future employers may use large-scale testing where the motive is simply to secure as healthy a work force as possible, try to reduce sick leave and to maximise profitability and returns to shareholders. Should employees be compelled to take tests, particularly if they do not want to know about future onset conditions? Should tests be made a precondition of employment, for acquiring a position, promotion or advantage in employment?

This is what the New South Wales Anti-discrimination Board stated in its submission to the Australian Law Reform Commission on the protection of human genetic information:

There has been a considerable increase in job mobility in recent decades, therefore it is an increasingly unrealistic expectation that people will remain with the same employer for an extended period of time. Accordingly, it is unfair for employers to be able to discriminate on the basis of a person's capacity to do the job which may not arise for many years, and indeed which may not arise at all.

United States geneticist David King has stated:

In the 1970s [in the US] many carriers for the gene sickle cell anaemia were excluded from the US Air Force and from the Du Pont chemical company. The pretext was that they were hyper-susceptible to chemicals or likely to collapse at high altitude. In fact, people with only one copy of the sickle cell gene are perfectly healthy but the discrimination was allowed to continue for years. Undoubtedly this was because the majority of sickle cell carriers are African Americans.

I turn now to discrimination in insurance and the finance industry. Genetic test information does not give rise to discrimination in our healthcare system nor the health industry because of our universal public health system (Medicare) and the fact that we have a community rating system whereby private insurance cannot deny health cover to a person on the basis of his or her medical history (the National Health Act 1953). However, there is evidence that discrimination is occurring in other areas of insurance such as life, disability and income protection insurance, hence the superannuation and finance industry.

Does this industry have the right to discriminate against an individual because of the results of a genetic test? Currently an individual has a legal obligation, a duty, to disclose to an insurer, before the contract of insurance is entered into, every matter known to the insured or that a reasonable person in the circumstances could be expected to

know. Does this include the results of a genetic test? However, an insurance company cannot discriminate on the provision of a good or service. Therefore higher premium rates can be charged for those with a positive genetic test result or an insurance policy can be refused to an individual. Insurance companies have been using familial medical history as part of the application process for a long time now. However, insurers have a legal obligation to inform the insurance company of the genetic test result which may affect their ability to be insured.

It is not just about getting a life insurance policy or income protection insurance. There are cases where individuals have applied for a home loan and have been rejected because they were denied life insurance. An individual may be healthy and working full time but, because of a predisposition to a disease which may or may not occur in later life, they may be rejected for insurance and a home loan. Lawyer David Keayes has argued:

It is illegal under the Racial Discrimination Act to discriminate against people of Aboriginal descent in insurance and the statistics are quite horrifying, but it's perhaps indicting on our society that people of indigenous origin in Australia suffer much greater health problems and they live for a much shorter period of time. But nonetheless, insurers can't discriminate against them.

Why should insurers or anyone in our society be able to discriminate against someone because of their background—racial or cultural, or genetic impairment or disability?

Fear discourages people from taking action about their health. People may be discouraged from participating in broad screening programs or having preventative health undertaken that relies upon a predictive genetic test; for example, breast cancer screening to individuals who have been identified as having the BRCA1 and BRCA2 gene. Health professionals are worried that people are denying themselves important preventative health measures such as access to surveillance and screening because of the fear factor. Genetic testing is an important preventative health measure. It is here to stay and the technology is growing, but it also allows people who are at higher risk of certain diseases to be isolated and excluded or discriminated against.

If individuals are denied insurance and cannot buy a home because, due to no fault of their own, because of their genetic predisposition, we are creating a genetic underclass, their employers have the ability to discriminate against them, their opportunities may be limited and, of course, genetic information and these problems are passed from one generation to another. It is a form of racism. We do not tolerate racism so why should we tolerate geneticism? As in the movie, we are moving towards a Brave New World, where we are heading towards Gattica, where someone's opportunities are limited by their DNA.

This is something that I would hate to see happen and this is why I am moving this bill. I seek the support of the house in moving this bill. It is a very important issue that is not going to go away and, as Parliamentary Counsel said, this is probably one of the most important pieces of legislation that has been before this house for a number of years. I urge the house to support the bill.

Mrs GERAGHTY secured the adjournment of the debate.

HUMAN GENETIC TESTING SERVICES (PUBLIC AVAILABILITY) BILL

Dr McFETRIDGE (Morphett) obtained leave and introduced a bill for an act to promote the provision of

genetic testing services for the benefit of members of the public. Read a first time.

Dr McFETRIDGE: I move:

That this bill be now read a second time.

This bill supersedes my previous private member's bill, the Gene Testing Services (Public Availability) Bill 2003, which lapsed. With the current publicity about the extent of breast cancer amongst Australian women and, indeed, many other preventative diseases that have a family history, it is timely to introduce this bill. This bill seeks to ensure that human genetic testing continues to remain accessible and affordable to all members of the South Australian public at community acceptable standards in the future. Each of us would personally know someone who has been affected by a disease such as breast cancer. Lives can be saved because, in many cases, diseases that have a family history have the potential to be detected early and treated because of the advances in genetic technology, in particular, genetic testing.

It would be a shame to see such preventative health services cease to exist because of our lack of foresight. Medical genetic services incorporate many preventative health care measures that have the potential to provide great future economic savings to the state health budget if integrated into mainstream health care services. In South Australia, through the public hospital system we currently provide genetic tests for a large number of adult onset diseases as well as inherited and congenital genetic errors. The South Australian statewide clinical genetic testing program, which provides genetic testing, counselling and advice, is funded at just over \$1 million annually.

Genetic testing has the potential to impact across almost every known human disease. Genes have been found for many conditions such as familial cancers (breast, ovarian, prostate and bowel); skin cancer; stroke and heart disease; HIV; cystic fibrosis; asthma and many other diseases. I refer readers of *Hansard* to Wednesday 22 October 2003, where my second reading explanation for my previous bill was printed. Rather than hold up the house any longer, I ask that those interested in this area refer to that date and to the Gene Testing Services (Public Availability) Bill that lapsed, as I said before.

Ninety-five per cent of the DNA of every creature on earth has already been patented, including many of the genes that affect human disease. The most publicised and controversial of these genes (which have been patented by Myriad Genetics) are the BRCA1 and BRCA2 genes that predispose families to breast, ovarian and prostate cancers. In the United States, Myriad Genetics charges patients \$5 000 per test. Patent enforcement has occurred in the United States and has commenced in Europe, Canada and New Zealand. It is only a matter of time before patent enforcement occurs in Australia. Health care should not be a matter of wealth.

In South Australia, the costs of enforced patient licence fees would exceed current funding for clinical genetic services. This would result in a freeze of all clinical genetic testing services and impact upon all DNA and diagnostic work that is currently being done in public hospitals, universities and research laboratories. Whilst recognising that this is an issue for the federal government to address (and indeed we are awaiting the federal government's implementation of the Australian Law Reform Commission recommendations), the imposition of substantial licence fees to undertake genetic testing would be borne by individual state governments and, most likely, passed on to patients.

Most patients would find the cost of a preventative health measure such as a simple genetic blood test, at approximately \$5 000 in today's terms, prohibitive. This bill is not a money bill. It seeks to:

- (a) raise community awareness of medical genetic services in South Australia;
- (b) allow patients to continue to receive affordable quality preventative health care; and
- (c) ensure that the minister is answerable to parliament and the public about decisions made for genetic testing services.

The most important thing we need to know about this issue, as I have said in the other bills I have introduced on genetic testing, is that this is an area that is going to get bigger and bigger, more and more cumbersome and more and more complicated.

It is time that the public were aware of the consequences of genetic testing, the availability of genetic testing, the consequences of those tests, the potential traps for those who are having genetic tests and, certainly, the potential opportunities. I ask that the house support this bill.

Mrs GERAGHTY secured the adjournment of the debate.

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

CRIMINAL ASSETS CONFISCATION BILL

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

- No.1. Page 14, line 18 (clause 3)—Delete '33(2)'.
No.2. Page 30, line 3 (clause 34)—Delete 'section 24' and substitute 'section 24(1)(a) or (b)'.
- No.3. Page 30, lines 14 and 15 (clause 34)—Delete 'to which section 24(1)(a) or (b) applied'.
- No.4. Page 30, lines 20 and 21 (clause 34)—Delete 'to which section 24(1)(a) applies'.

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I so move because of my reverence for the other place. If the other place sends amendments to our legislation, I always give them due consideration because of my respect for Her Majesty's opposition and for the minor parties and Independents. I am happy to legislate cooperatively and, therefore, regarding these suggested amendments, their having been made by the other place, I am pleased to urge the House of Assembly, the people's house, to accept these changes so that the law can be changed as swiftly as possible. I express my gratitude to the Liberal Party for agreeing to our reforms to criminal assets confiscation and for overcoming the opposition of the Australian Democrats. It is always red letter day when the Labor Party and the Liberal Party cooperate in changing the laws of this state against the opposition of the Australian Democrats.

The principle of this bill is that criminal assets confiscation should not be dependent on obtaining a conviction, that is, on the prosecution case prevailing beyond reasonable doubt. The Australian Law Reform Commission took the view, in its report on criminal assets confiscation, that the confiscation of assets should proceed where it could be established before a court that real estate, cash and other property were the proceeds of crime or used in the commission of a crime. It is that principle that has prevailed, and I

thank the Liberal opposition for its help in bringing in these changes.

Motion carried.

NARACOORTE TOWN SQUARE BILL

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

No.1. Page 3, after line 23 (clause 4)—After line 23 insert:

(3) The Minister may, in connection with the operation of subsections (1) and (2)—

- (a) determine that particular classes of public works within the ambit of subsection (1) need not be subject to the operation of subsection (2);
- (b) determine that particular public works within the ambit of subsection (1)(d) may not be undertaken, (and any such determination will have effect according to its terms).

Consideration in committee.

The Hon. R.J. McEWEN: I move:

That the Legislative Council's amendment be agreed to.

This was a minor amendment discussed between me and the member for MacKillop, who asked me in a bipartisan way, on behalf of the Naracoorte Lucindale Council, to amend this trust deed.

Mr Scalzi interjecting:

The ACTING CHAIRMAN (Mrs Geraghty): Order, the member for Hartley!

The Hon. R.J. McEWEN: The amendment adds a little flexibility to what would on consideration have been a difficult set of circumstances we would have created for ourselves in amending the original Naracoorte Town Square Bill, and I commend the amendment to the committee.

Motion carried.

JOINT PARLIAMENTARY SERVICE COMMITTEE

The Legislative Council informed the house that pursuant to section 5 of the act it had appointed the Hon. J.M. Gazzola to be the alternate member to the President (Hon. R.R. Roberts).

OCCUPATIONAL THERAPY PRACTICE BILL

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries) obtained leave and introduced a bill for an act to protect the health and safety of the public by providing for the registration of occupational therapists and occupational therapy students; to regulate the provision of occupational therapy for the purpose of maintaining high standards of competence and conduct by the persons who provide it; to repeal the Occupational Therapists Act 1974; and for other purposes. Read a first time.

The Hon. R.J. McEWEN: I move:

That this bill be now read a second time.

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

Leave granted.

This Bill is one of a number of Bills being drafted to regulate health professionals in South Australia. Like the previously introduced *Podiatry Practice Bill 2004*, the *Physiotherapy Practice Bill 2005* and the *Chiropractic and Osteopathy Practice Bill 2005*, the *Occupational Therapy Practice Bill 2005* is based on the *Medical Practice Act 2004*. This Bill is therefore very similar to the *Medical*

Practice Act 2005 and the provisions are again largely familiar to the House.

The *Occupational Therapy Practice Bill 2005* replaces the *Occupational Therapists Act 1974*. Consistent with the Government's commitment to protecting the health and safety of consumers, the long title of the *Occupational Therapy Practice Bill* states that it is a Bill for an Act 'to protect the health and safety of the public by providing for the registration of occupational therapists and occupational therapy students...'. At the outset it is made clear that the primary aim of the legislation is the protection of the health and safety of the public, and that the registration of occupational therapists is a key mechanism by which this is achieved.

The current Act was reviewed in line with the requirements of the National Competition Policy. The Review stated that, while it does not accept the evidence for the need to regulate occupational therapists, the regulation is not a significant barrier to competition.

This Bill provides a definition of occupational therapy that recognises the broad scope of services provided by the profession and the regulation of occupational therapists continues to provide the public with the confidence in those practitioners registered to describe themselves as 'occupational therapists'. Consistent with Government's commitment to public health and safety, registration also maintains safe and competent standards of practice for those who hold themselves out to be 'occupational therapists' similar to all other registered health professionals.

This Bill allows for a person who is not a registered occupational therapist, to provide occupational therapy services through a registered occupational therapist. This Bill includes the same measures that exist in the *Medical Practice Act 2005* and the other Bills to ensure that non-registered persons who own an occupational therapy practice are accountable for the quality of occupational therapy services provided. These measures include:

- a requirement that corporate or trustee occupational therapy services providers notify the Board of their existence and provide the names and addresses of persons who occupy positions of authority in the provider entity and of the occupational therapists through the instrumentality of whom they provide occupational therapy;
- a prohibition on occupational therapy services providers giving improper directions to an occupational therapist or an occupational therapy student through the instrumentality of whom they provide occupational therapy;
- a prohibition on any person giving or offering a benefit as inducement, consideration or reward for an occupational therapist or occupational therapy student referring patients to a health service provided by the person, or recommending that a patient use a health service provided by the person or a health product made, sold or supplied by the person;
- a requirement that occupational therapy services providers comply with codes of conduct applying to such providers;
- making occupational therapy services providers accountable to the Board by way of disciplinary action.

The definition of *occupational therapy services provider* in the Bill excludes 'exempt providers'. This definition is identical to that in the *Medical Practice Act* and the other Bills and the exclusion exists in this Bill for the same reason. That is, to ensure that a recognised hospital, incorporated health centre or private hospital within the meaning of the *South Australian Health Commission Act 1976* is not accountable under 2 legislative schemes for the services it provides. There is power under the *South Australian Health Commission Act* to investigate and make changes to the way a hospital or health centre may operate, or vary the conditions applying to a private hospital licensed under the Act. Without the 'exempt provider' provision, under this Bill the Board would also have the capacity to investigate and conduct disciplinary proceedings against these providers should they provide occupational therapy services. It is not reasonable that services providers be accountable under both schemes, with the Board having the power to prohibit these services when the services providers were established or licensed under the *South Australian Health Commission Act*.

However, to ensure that the health and safety of consumers is not put at risk by individual practitioners providing services on behalf of a services provider, the Bill requires all providers, including exempt providers, to report to the Board unprofessional conduct or medical unfitness of persons through the instrumentality of whom they provide occupational therapy. In this way the Board can ensure that all services are provided in a manner consistent with a professional code of conduct or standards and the interest of the public is protected. The Board may also make a report to the Minister about

any concerns it may have arising out of the information provided to it.

While the Board will have responsibility for developing codes of conduct for services providers, the Minister will need to approve these codes, to ensure that they do not limit competition, thereby undermining the intent of this legislation. It also gives the Minister some oversight of the standards that relates to both services providers and the profession.

Similar to the *Medical Practice Act*, this Bill deals with the medical fitness of registered persons and applicants for registration and requires that where possible a determination is made of a person's fitness to provide occupational therapy, regard is given to the person's ability to provide occupational therapy without endangering a patient's health or safety. This can include consideration of communicable diseases.

This approach has been agreed to by all the major medical and infection control stakeholders when developing the provisions for the *Medical Practice Act* and is in line with procedures in other jurisdictions, and across the world. It is therefore appropriate that similar provisions be used in this Bill.

The Bill establishes the Occupational Therapy Board of South Australia, which replaces the existing Occupational Therapists Registration Board of South Australia. Composition of the new Board will consist of 9 members being 5 elected occupational therapists, 1 legal practitioner, 1 health professional other than that of occupational therapy and 2 persons who can represent the interest of others, in particular, those of consumers.

In addition there is a provision that will restrict the length of time any member of the Board can serve to 3 consecutive 3 year terms. This is to ensure that the Board has the benefit of fresh thinking. It will not restrict a person's capacity to serve on the Board at a later time but it does mean that after 9 consecutive years they are required to have a break for a term of 3 years. This Bill also includes provisions for elections to the Board using the proportional representation voting system and for the filling of casual vacancies without the need for the Board to conduct another election.

Standards and expectations by Government in regard to transparency and accountability are now much more explicit than in the past and the *Public Sector Management Act 1995*, as amended by the *Statutes Amendments (Honesty and Accountability in Government) Act 2003*, provides a clear framework for the operation of the public sector, including the Occupational Therapy Board of South Australia.

Consistent with Government commitments to better consumer protection and information, this Bill increases transparency and accountability of the Board by ensuring information pertaining to occupational therapy services providers is accessible to the public.

Currently most complaints are taken to the Board by the Registrar acting on behalf of the complainant. Complainants do not usually take their own case to the Board because of the possibility of having costs awarded against them and, because they are not a party to the proceedings, they do not have the legal right to be present during the hearing of those proceedings. This is obviously an unsatisfactory situation and the relevant provisions of the *Medical Practice Act* are mirrored in this Bill to provide a right for the complainant to be present at the hearing of the proceedings. This ensures that the proceedings, from the perspective of the complainant, are more transparent. The Board will be able however, if it considers it necessary, to exclude the complainant from being present at part of the hearing where, for example, the confidentiality of certain matters takes precedence and may need to be protected.

New to the *Occupational Therapy Practice Bill 2005* is the registration of students. This provision is supported by the Occupational Therapists Registration Board of South Australia. It requires that students undertaking a course of training in occupational therapy from interstate, overseas or in South Australia, should one commence again in this State, be registered with the Board prior to any clinical work that they may undertake in this State. This provision ensures that students of occupational therapy are subject to the same requirements in relation to professional standards, codes of conduct and medical fitness as registered occupational therapists while working in a practice setting in South Australia.

Occupational therapists and occupational therapy services providers will be required to be insured, in a manner and to an extent approved by the Board, against civil liabilities that might be incurred in connection with the provision of occupational therapy or proceedings under Part 4 of the Bill. In the case of occupational therapists, insurance will be a pre-condition of registration. The *Occupational Therapy Practice Bill 2005* ensures that the insurance

requirement is consistent with the other Bills and the *Medical Practice Act 2004* and that there is adequate protection for the public should circumstances arise where this is necessary. The Board will also have the power to exempt a person or class of persons from all or part of the insurance requirement. For example, where a person may wish to continue to be registered, but no longer practice for a time.

This Bill balances the needs of the profession and occupational therapy services providers with the need of the public to feel confident that they are being provided with a service safely, either directly by an occupational therapist or by a provider who uses a registered occupational therapist.

As was stated at the outset, the *Occupational Therapy Practice Bill 2005* is based on the *Medical Practice Act* and the provisions in the *Occupational Therapy Practice Bill* are in most places identical to it. One exception is that unlike to *Medical Practice Act*, this Bill does not establish a Tribunal for hearing complaints. Instead, like the current practice, members of the Board can investigate and hear any complaints.

By following the model of the *Medical Practice Act 2004*, this and the other Bills will have consistently applied standards and exceptions for all services provided by registered health practitioners. This will be of benefit to all health consumers who can feel confident that no matter which kind of registered health professional they consult, they can expect consistency in the standards and the processes of the registration Boards.

This Bill will provide an improved system for ensuring the health and safety of the public and regulating the occupational therapy profession in South Australia and I commend it to all members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines key terms used in the measure.

4—Medical fitness to provide occupational therapy

This clause provides that in making a determination as to a person's medical fitness to provide occupational therapy, regard must be given to the question of whether the person is able to provide treatment personally to a patient without endangering the patient's health or safety.

Part 2—Occupational Therapy Board of South Australia

Division 1—Establishment of Board

5—Establishment of Board

This clause establishes the Occupational Therapy Board of South Australia as a body corporate with perpetual succession, a common seal, the capacity to litigate in its corporate name and all the powers of a natural person capable of being exercised by a body corporate.

Division 2—Board's membership

6—Composition of Board

This clause provides for the Board to consist of 9 members appointed by the Governor. 5 must be occupational therapists (4 elected and 1 nominated by the Council of the University of South Australia), and 4 must be nominated by the Minister (1 legal practitioner, 1 registered health professional and 2 others). The clause also provides for appointment of deputy members.

7—Elections and casual vacancies

This clause requires the election to be conducted under the regulations in accordance with the principles of proportional representation. It provides for the filling of casual vacancies without the need to hold another election.

8—Terms and conditions of membership

This clause provides for members of the Board to be appointed for a term not exceeding 3 years and to be eligible for re-appointment on expiry of a term of appointment. However, a member of the Board may not hold office for consecutive terms that exceed 9 years in total. The clause sets out the circumstances in which a member's office becomes vacant and the grounds on which the Governor may remove a member from office. It also allows members whose terms have expired, or who have resigned, to continue to act as members to hear part-heard proceedings under Part 4.

9—Presiding member and deputy

This clause requires the Minister, after consultation with the Board, to appoint an occupational therapist member of the Board to be the presiding member of the Board, and another occupational therapist member to be the deputy presiding member.

10—Vacancies or defects in appointment of members

This clause ensures acts and proceedings of the Board are not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

11—Remuneration

This clause entitles a member of the Board to remuneration, allowances and expenses determined by the Governor.

Division 3—Registrar and staff of Board

12—Registrar of Board

This clause provides for the appointment of a Registrar by the Board on terms and conditions determined by the Board.

13—Other staff of Board

This clause provides for the Board to have such other staff as it thinks necessary for the proper performance of its functions.

Division 4—General functions and powers

14—Functions of Board

This clause sets out the functions of the Board and requires it to exercise its functions with the object of protecting the health and safety of the public by achieving and maintaining high professional standards both of competence and conduct in the provision of occupational therapy in South Australia.

15—Committees

This clause empowers the Board to establish committees to advise the Board or the Registrar or assist the Board to carry out its functions.

16—Delegations

This clause empowers the Board to delegate its functions or powers to a member of the Board, the Registrar, an employee of the Board or a committee established by the Board.

Division 5—Board's procedures

17—Board's procedures

This clause deals with matters relating to the Board's procedures such as the quorum at meetings, the chairing of meetings, voting rights, the holding of conferences by telephone and other electronic means and the keeping of minutes.

18—Conflict of interest etc under Public Sector Management Act

This clause provides that a member of the Board will not be taken to have a direct or indirect interest in a matter for the purposes of the *Public Sector Management Act 1995* by reason only of the fact that the member has an interest in the matter that is shared in common with occupational therapists generally or a substantial section of occupational therapists in this State.

19—Powers of Board in relation to witnesses etc

This clause sets out the powers of the Board to summons witnesses and require the production of documents and other evidence in proceedings before the Board.

20—Principles governing proceedings

This clause provides that the Board is not bound by the rules of evidence and requires it to act according to equity, good conscience and the substantial merits of the case without regard to technicalities and legal forms. It requires the Board to keep all parties to proceedings before the Board properly informed about the progress and outcome of the proceedings.

21—Representation at proceedings before Board

This clause entitles a party to proceedings before the Board to be represented at the hearing of those proceedings.

22—Costs

This clause empowers the Board to award costs against a party to proceedings before the Board and provides for the taxation of costs by a Master of the District Court in the event that a party is dissatisfied with the amount of costs awarded by the Board.

Division 6—Accounts, audit and annual report

23—Accounts and audit

This clause requires the Board to keep proper accounting records in relation to its financial affairs, to have annual statements of account prepared in respect of each financial year and to have the accounts audited annually by an auditor approved by the Auditor-General and appointed by the Board.

24—Annual report

This clause requires the Board to prepare an annual report for the Minister and requires the Minister to table the report in Parliament.

Part 3—Registration and practice

Division 1—Registers

25—Registers

This clause requires the Registrar to keep certain registers and specifies the information required to be included in each register. It also requires the registers to be kept available for inspection by the public and permits access to be made available by electronic means. The clause requires registered persons to notify a change of name or nominated contact address within 1 month of the change.

Division 2—Registration

26—Registration of natural persons as occupational therapists

This clause provides for full and limited registration of natural persons on the register of occupational therapists.

27—Registration of occupational therapy students

This clause requires persons to register as occupational therapy students before undertaking a course of study that provides qualifications for registration on the register of occupational therapists, or before providing occupational therapy as part of a course of study related to occupational therapy being undertaken in another State, and provides for full or limited registration of occupational therapy students.

28—Application for registration and provisional registration

This clause deals with applications for registration. It empowers the Board to require applicants to submit medical reports or other evidence of medical fitness to provide occupational therapy or to obtain additional qualifications or experience before determining an application.

29—Removal from register

This clause requires the Registrar to remove a person from a register on application by the person or in certain specified circumstances (for example, suspension or cancellation of the person's registration under this measure).

30—Reinstatement on register

This clause makes provision for reinstatement of a person on a register. It empowers the Board to require applicants for reinstatement to submit medical reports or other evidence of medical fitness to provide occupational therapy or to obtain additional qualifications or experience before determining an application.

31—Fees and returns

This clause deals with the payment of registration, reinstatement and annual practice fees, and requires registered persons to furnish the Board with an annual return in relation to their practice of occupational therapy, continuing education and other matters relevant to their registration under the measure. It empowers the Board to remove from a register a person who fails to pay the annual practice fee or furnish the required return.

Division 3—Special provisions relating to occupational therapy services providers

32—Information to be given to Board by occupational therapy services providers

This clause requires an occupational therapy services provider to notify the Board of the provider's name and address, the name and address of the occupational therapists through the instrumentality of whom the provider is providing occupational therapy and other information. It also requires the provider to notify the Board of any change in particulars required to be given to the Board and makes it an offence to contravene or fail to comply with the clause. The Board is required to keep a record of information provided to the Board under this

clause available for inspection at the office of the Board and may make it available to the public electronically.

Division 4—Restrictions relating to provision of occupational therapy

33—Illegal holding out as registered person

This clause makes it an offence for a person to hold himself or herself out as a registered person of a particular class or permit another person to do so unless registered on the appropriate register. It also makes it an offence for a person to hold out another as a registered person of a particular class unless the other person is registered on the appropriate register.

34—Illegal holding out concerning limitations or conditions

This clause makes it an offence for a person whose registration is restricted, limited or conditional to hold himself or herself out, or permit another person to hold him or her out, as having registration that is unrestricted or not subject to a limitation or condition. It also makes it an offence for a person to hold out another whose registration is restricted, limited or conditional as having registration that is unrestricted or not subject to a limitation or condition.

35—Use of certain titles or descriptions prohibited

This clause creates a number of offences prohibiting a person who is not appropriately registered from using certain words or their derivatives to describe himself or herself or services that they provide, or in the course of advertising or promoting services that they provide.

Part 4—Investigations and proceedings

Division 1—Preliminary

36—Interpretation

This clause provides that in this Part the terms *occupational therapy services provider*, *occupier of a position of authority* and *registered person* includes a person who is not but who was, at the relevant time, an occupational therapy services provider, an occupier of a position of authority or a registered person.

37—Cause for disciplinary action

This clause specifies what constitutes proper cause for disciplinary action against a registered person, an occupational therapy services provider or a person occupying a position of authority in a corporate or trustee occupational therapy services provider.

Division 2—Investigations

38—Powers of inspectors

This clause sets out the powers of an inspector to investigate suspected breaches of the Act and certain other matters.

39—Offence to hinder etc inspector

This clause makes it an offence for a person to hinder an inspector, use certain language to an inspector, refuse or fail to comply with a requirement of an inspector, refuse or fail to answer questions to the best of the person's knowledge, information or belief, or falsely represent that the person is an inspector.

Division 3—Proceedings before Board

40—Obligation to report medical unfitness or unprofessional conduct of occupational therapist or occupational therapy student

This clause requires certain classes of persons to report to the Board if of the opinion that an occupational therapist or occupational therapy student is or may be medically unfit to provide occupational therapy. It also requires occupational therapy services providers and exempt providers to report to the Board if of the opinion that an occupational therapist or occupational therapy student through whom the provider provides occupational therapy has engaged in unprofessional conduct. The Board must cause reports to be investigated. The Board must cause a report to be investigated.

41—Medical fitness of occupational therapist or occupational therapy student

This clause empowers the Board to suspend the registration of an occupational therapist or occupational therapy student, impose conditions on registration restricting the right to provide occupational therapy or other conditions requiring the person to undergo counselling or treatment, or to enter into any other undertaking if, on

application by certain persons or after an investigation under clause 40, and after due inquiry, the Board is satisfied that the occupational therapist or student is medically unfit to provide occupational therapy and that it is desirable in the public interest to take such action.

42—Inquiries by Board as to matters constituting grounds for disciplinary action

This clause requires the Board to inquire into a complaint relating to matters alleged to constitute grounds for disciplinary action against a person unless the Board considers the complaint to be frivolous or vexatious. If after conducting an inquiry, the Board is satisfied that there is proper cause for taking disciplinary action, the Board can censure the person, order the person to pay a fine of up to \$10 000 or prohibit the person from carrying on business as an occupational therapy services provider or from occupying a position of authority in a corporate or trustee occupational therapy services provider. If the person is registered, the Board may impose conditions on the person's right to provide occupational therapy, suspend the person's registration for a period not exceeding 1 year, cancel the person's registration, or disqualify the person from being registered. If a person fails to pay a fine imposed by the Board, the Board may remove their name from the appropriate register.

43—Contravention of prohibition order

This clause makes it an offence to contravene a prohibition order made by the Board or to contravene or fail to comply with a condition imposed by the Board.

44—Register of prohibition orders

This clause requires the Registrar to keep a register of prohibition orders made by the Board. The register must be kept available for inspection at the office of the Registrar and may be made available to the public electronically.

45—Variation or revocation of conditions imposed by Board

This clause empowers the Board, on application by a registered person, to vary or revoke a condition imposed by the Board on his or her registration.

46—Constitution of Board for purpose of proceedings

This clause sets out how the Board is to be constituted for the purpose of hearing and determining proceedings under Part 4.

47—Provisions as to proceedings before Board

This clause deals with the conduct of proceedings by the Board under Part 4.

Part 5—Appeals

48—Right of appeal to District Court

This clause provides a right of appeal to the District Court against certain acts and decisions of the Board.

49—Operation of order may be suspended

This clause empowers the Court to suspend the operation of an order made by the Board where an appeal is instituted or intended to be instituted.

50—Variation or revocation of conditions imposed by Court

This clause empowers the District Court, on application by a registered person, to vary or revoke a condition imposed by the Court on his or her registration.

Part 6—Miscellaneous

51—Interpretation

This clause defines terms used in Part 6.

52—Offence to contravene conditions of registration

This clause makes it an offence for a person to contravene or fail to comply with a condition of his or her registration.

53—Registered person etc must declare interest in prescribed business

This clause requires a registered person or prescribed relative of a registered person who has an interest in a prescribed business to give the Board notice of the interest and of any change in such an interest. It also prohibits a registered person from referring a patient to, or recommending that a patient use, a health service provided by the business and from prescribing, or recommending that a patient use, a health product manufactured, sold or supplied by the business unless the registered person has informed the patient in writing of

his or her interest or that of his or her prescribed relative. However, it is a defence to a charge of an offence or unprofessional conduct for a registered person to prove that he or she did not know and could not reasonably have been expected to know that a prescribed relative had an interest in the prescribed business to which the referral, recommendation or prescription that is the subject of the proceedings relates.

54—Offence to give, offer or accept benefit for referral or recommendation

This clause makes it an offence—

(a) for any person to give or offer to give a registered person or prescribed relative of a registered person a benefit as an inducement, consideration or reward for the registered person referring, recommending or prescribing a health service provided by the person or a health product manufactured, sold or supplied by the person; or

(b) for a registered person or prescribed relative of a registered person to accept from any person a benefit offered or given as an inducement, consideration or reward for such a referral, recommendation or prescription.

55—Improper directions to occupational therapists or occupational therapy students

This clause makes it an offence for a person who provides occupational therapy through the instrumentality of an occupational therapist or occupational therapy student to direct or pressure the occupational therapist or student to engage in unprofessional conduct. It also makes it an offence for a person occupying a position of authority in a corporate or trustee occupational therapy services provider to direct or pressure an occupational therapist or occupational therapy student through whom the provider provides occupational therapy to engage in unprofessional conduct.

56—Procurement of registration by fraud

This clause makes it an offence for a person to fraudulently or dishonestly procure registration or reinstatement of registration (whether for himself or herself or another person).

57—Statutory declarations

This clause empowers the Board to require information provided to the Board to be verified by statutory declaration.

58—False or misleading statement

This clause makes it an offence for a person to make a false or misleading statement in a material particular (whether by reason of inclusion or omission of any particular) in information provided under the measure.

59—Registered person must report medical unfitness to Board

This clause requires a registered person who becomes aware that he or she is or may be medically unfit to provide occupational therapy to forthwith give written notice of that fact to the Board.

60—Report to Board of cessation of status as student

This clause requires the person in charge of an educational institution to notify the Board that an occupational therapy student has ceased to be enrolled at that institution in a course of study providing qualifications for registration on the register of occupational therapists. It also requires a person registered as an occupational therapy student who completes, or ceases to be enrolled in, the course of study that formed the basis for that registration to give written notice of that fact to the Board.

61—Registered persons and occupational therapy services providers to be indemnified against loss

This clause prohibits registered persons and occupational therapy services providers from providing occupational therapy for fee or reward unless insured or indemnified in a manner and to an extent approved by the Board against civil liabilities that might be incurred by the person or provider in connection with the provision of occupational therapy or proceedings under Part 4 against the person or provider. It empowers the Board to exempt persons or classes of persons from the requirement to be insured or indemnified.

62—Information relating to claim against registered person or occupational therapy services provider to be provided

This clause requires a person against whom a claim is made for alleged negligence committed by a registered person in the course of providing occupational therapy to provide the Board with prescribed information relating to the claim. It also requires an occupational therapy services provider to provide the Board with prescribed information relating to a claim made against the provider for alleged negligence by the provider in connection with the provision of occupational therapy.

63—Victimisation

This clause prohibits a person from victimising another person (the victim) on the ground, or substantially on the ground, that the victim has disclosed or intends to disclose information, or has made or intends to make an allegation, that has given rise or could give rise to proceedings against the person under this measure. Victimisation is the causing of detriment including injury, damage or loss, intimidation or harassment, threats of reprisals, or discrimination, disadvantage or adverse treatment in relation to the victim's employment or business. An act of victimisation may be dealt with as a tort or as if it were an act of victimisation under the *Equal Opportunity Act 1984*.

64—Self-incrimination

This clause provides that if a person is required to provide information or to produce a document, record or equipment under this measure and the information, document, record or equipment would tend to incriminate the person or make the person liable to a penalty, the person must nevertheless provide the information or produce the document, record or equipment so provided or produced will not be admissible in evidence against the person in proceedings for an offence, other than an offence against this measure or any other Act relating to the provision of false or misleading information.

65—Punishment of conduct that constitutes an offence

This clause provides that if conduct constitutes both an offence against the measure and grounds for disciplinary action under the measure, the taking of disciplinary action is not a bar to conviction and punishment for the offence, and conviction and punishment for the offence is not a bar to disciplinary action.

66—Vicarious liability for offences

This clause provides that if a corporate or trustee occupational therapy services provider or other body corporate is guilty of an offence against this measure, each person occupying a position of authority in the provider or body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless it is proved that the person could not, by the exercise of reasonable care, have prevented the commission of the principal offence.

67—Application of fines

This clause provides that fines imposed for offences against the measure must be paid to the Board.

68—Board may require medical examination or report

This clause empowers the Board to require a registered person or a person applying for registration or reinstatement of registration to submit to an examination by a health professional or provide a medical report from a health professional, including an examination or report that will require the person to undergo a medically invasive procedure. If the person fails to comply the Board can suspend the person's registration until further order.

69—Ministerial review of decisions relating to courses

This clause gives a provider of a course of education or training the right to apply to the Minister for a review of a decision of the Board to refuse to approve the course for the purposes of the measure or to revoke the approval of a course.

70—Confidentiality

This clause makes it an offence for a person engaged or formerly engaged in the administration of the measure or

the repealed Act to divulge or communicate personal information obtained (whether by that person or otherwise) in the course of official duties except—

(a) as required or authorised by or under this measure or any other Act or law; or

(b) with the consent of the person to whom the information relates; or

(c) in connection with the administration of this measure or the repealed Act; or

(d) to an authority responsible under the law of a place outside this State for the registration or licensing of persons who provide occupational therapy, where the information is required for the proper administration of that law; or

(e) to an agency or instrumentality of this State, the Commonwealth or another State or a Territory of the Commonwealth for the purposes of the proper performance of its functions.

71—Service

This clause sets out the methods by which notices and other documents may be served.

72—Evidentiary provision

This clause provides evidentiary aids for the purposes of proceedings for offences and for proceedings under Part 4.

73—Regulations

This clause empowers the Governor to make regulations.

Schedule 1—Repeal and transitional provisions

This Schedule repeals the *Occupational Therapists Act 1974* and makes transitional provisions with respect to the Board and registrations.

Schedule 2—Further provisions relating to Board

This Schedule sets out the obligations of members of the Board in relation to personal or pecuniary interests. It also protects members of the Board, members of committees of the Board, the Registrar of the Board and any other person engaged in the administration of the measure from personal liability. The Schedule will expire when section 6H of the *Public Sector Management Act 1995* (as inserted by the *Statutes Amendment (Honesty and Accountability in Government) Act 2003*) comes into operation.

Mr BROKENSHIRE secured the adjournment of the debate.

STANDING ORDERS SUSPENSION

The Hon. P.F. CONLON (Minister for Transport): I move:

That standing orders be so far suspended as to enable me to move a motion without notice forthwith.

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

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

The SPEAKER: The question is that standing orders be so far suspended as to enable introduction forthwith and passage of the Motor Vehicles (Double Demerit Points) Bill through all stages without delay. Those in favour say aye, against no.

The Hon. I.P. Lewis: No.

The SPEAKER: I believe the ayes have it.

The Hon. I.P. Lewis: There was a dissenting voice, Mr Speaker.

The Hon. P.F. Conlon: Of course there is!

The SPEAKER: The member was not in his place.

Members interjecting:

The SPEAKER: Can I clarify that, because the member for Stuart said that he called against, as well.

Mrs GERAGHTY: I rise on a point of order, sir. The member for Hammond was not in his place, and, no offence to the member for Stuart because I have great respect for him,

but I heard him say afterwards 'I agree.' We did not hear his voice as a dissenting voice.

Members interjecting:

The SPEAKER: Order! Members will take their seat.

The Hon. G.M. Gunn interjecting:

The SPEAKER: Order! The member for Stuart will resume his seat.

The house divided on the motion:

AYES (32)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brokenshire, R. L.
Brown, D. C.	Caica, P.
Chapman, V. A.	Ciccarello, V.
Conlon, P. F. (teller)	Evans, I. F.
Geraghty, R. K.	Goldsworthy, R. M.
Hamilton-Smith, M. L. J.	Hill, J. D.
Kerin, R. G.	Key, S. W.
Koutsantonis, T.	Lomax-Smith, J. D.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	O'Brien, M. F.
Rankine, J. M.	Rann, M. D.
Rau, J. R.	Scalzi, G.
Snelling, J. J.	Thompson, M. G.
Weatherill, J. W.	White, P. L.
Williams, M. R.	Wright, M. J.

NOES (9)

Brindal, M. K.	Gunn, G. M. (teller)
Hall, J. L.	Kotz, D. C.
Lewis, I. P.	McFetridge, D.
Penfold, E. M.	Redmond, I. M.
Venning, I. H.	

Majority of 23 for the ayes.

Motion thus carried.

MOTOR VEHICLES (DOUBLE DEMERIT POINTS) AMENDMENT BILL

The Hon. P.F. CONLON (Minister for Transport) obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

The Hon. P.F. CONLON: I move:

That this bill be now read a second time.

I rise today to put before the house a bill which seeks to address the senseless loss of life that occurs on our roads on long weekends and holidays.

The Hon. I.P. Lewis: You don't expect us to believe that, do you?

The Hon. P.F. CONLON: I am sorry, are you talking about the truth, member for Hammond?

The SPEAKER: Order!

The Hon. I.P. Lewis: Yes.

The Hon. P.F. CONLON: You are? How would you know it? I just want to know.

The SPEAKER: Order! The Minister for Transport will focus on the bill and the member for Hammond will not interject.

The Hon. P.F. CONLON: You would have a lot of trouble identifying it in my experience. The Easter and May 2005 long weekends will be remembered for the loss of 15 South Australian's lives, individuals left with long-term injuries and disabilities because of avoidable crashes, and the ongoing grief for those lives cut short are changed forever.

Members interjecting:

The Hon. P.F. CONLON: I am sorry, is it possible to take this seriously? Would you mind?

The SPEAKER: Order!

Mr Williams: Get on with it.

The Hon. P.F. CONLON: Well, stop interjecting.

The Hon. I.P. Lewis interjecting:

The SPEAKER: The member for Hammond is out of order and he of all people should know the standing orders.

The Hon. I.P. Lewis interjecting:

The Hon. P.F. CONLON: Well, stop interjecting then.

Mr BRINDAL: Mr Speaker, I have a point of order. With great deference, Mr Speaker, if you want to say that the member for Hammond is out of order, so are some of the remarks of the minister, and you have not called the minister to account. I call on you to uphold the standing orders.

The SPEAKER: Order! I have called the minister to order.

The Hon. P.F. CONLON: It is clear that the government's message on road safety is sadly not registering with some drivers in the community. Stronger measures are needed to get the message across to drivers who pay little attention to their behaviour on the roads and, as a consequence, endanger themselves, their passengers and other road users. The bill I put before the house will amend the Motor Vehicles Act 1959 to enable double demerits to be applied to a range of current offences; namely, speeding, running a red light, seat belt and restraint use offences, drink driving and combined red light and speeding offences committed during long weekends, the Christmas new year period and up to eight other prescribed periods of 48 hours, as decided by the Minister for Police.

The intention of a double demerit point scheme is to announce the deterrent effect of penalties during specific times when more people are using the roads and travelling long distances. The rationale underpinning this measure is that drivers will be more conscious of, evaluate and then modify their driving behaviour when faced with an increased threat of demerit penalties. Double demerit point schemes operate in New South Wales, the Australian Capital Territory and Western Australia. The evaluation of the New South Wales scheme has indicated strong community support for the initiative. In addition, the evaluation found strong levels of community awareness and support for the measure.

There were also positive changes in self-reported behaviours by motorists who have a tendency to drive above the speed limit and, most importantly, significant reductions in fatalities and traffic infringements during the periods in which the measures apply. Subsequent community surveys have shown that even larger percentages of drivers in high risk speeding target groups reported that they slowed down, including 38 per cent of drivers who usually travelled at a speed where they believed they could be booked, and 52 per cent of drivers aged 17 to 24 years.

Recent research from New South Wales indicates continued significant reductions in fatalities during periods of double demerit points. Over the 28 holiday periods (that is, 152 days) up to and including the Anzac Day public holiday period in 2002 in which double demerit points have applied, there have been 20 per cent fewer fatalities for the same holiday periods immediately prior to the introduction of double demerit points. Preliminary results of the Western Australian scheme are consistent with those of New South Wales, with data showing that two thirds of drivers claimed to have reduced their speeding behaviour; one third claimed to have decreased their alcohol consumption when driving;

and one quarter increased their use of restraints or checking of passengers during the double demerit periods.

Five categories of offences have been chosen because these behaviours can mean the difference between life, death and serious ongoing injuries for drivers, their passengers and other road users. It is particularly sad to note that, of the 49 drivers and passengers killed to 18 May this year, 20 per cent were not wearing seat belts. The bill also ensures that the public receives adequate warning of double demerit periods by requiring the Commissioner of Police to give at least two days notice of any such period by advertising in a newspaper which circulates throughout the state and on a web site. However, to ensure every road user is aware of when double demerits will apply, the government will undertake intensive public education campaigns to advise motorists of periods of double demerit periods.

It is intended that the first double demerit period will be the forthcoming June long weekend commencing at 12.01 a.m. on Friday 10 June and finishing at 12 midnight on Monday 13 June. The introduction of double demerit points will be complemented by the recent announcement that \$1.54 million will be spent over four years for police to conduct rural road saturation to target speeding to make regional areas safer.

In closing, we must remember that motorists who ignore the rules of the road place themselves and others at risk. This bill is about changing those perceptions and attitude and getting these individuals to be more conscious of and evaluate, and then modify, their driving behaviour. If people do the right thing and drive in a safe, responsible manner, they will not be affected by double demerit points.

Just to add a few further comments for the benefit of members of the opposition who have asked many questions on this, I indicate, as I have indicated so often, that there may well be a debate today that I have not suggested that this has been proposed by the Road Safety Council. However, I have indicated that it is supported by the chair of the Road Safety Council, Sir Eric Neal, and it has come about from the government's perspective as a result of two horror weekends and after two requests by Superintendent Graeme Barton of the South Australia Police. After the first request, this was sent to the Road Safety Council. They considered it again. I understand they have a report for me which I have not yet seen, but I understand—and the member for Heysen understands this, too—that it was suggested by the Road Safety Council that these measures require the introduction of saturation of policing and more resources, and we have done that.

But, whatever the considerations of the current Road Safety Council, they were made before the second horror weekend and the second recommendation from Superintendent Graeme Barton of the police. But I indicate that I have not at any stage sought to support this bill by suggesting that it is supported by the Road Safety Council, although I believe, if properly informed, after the second weekend they most certainly may have a different perspective. The government's perspective has been from those people at the coal face who deal with road safety and the dreadful aftermath. It having been recommended to us by the police after the Easter weekend and subsequently after the May long weekend, I personally am not prepared to go into the June long weekend without acting on that advice.

If the opposition is prepared to ignore it, so be it. It has disappointed me that politics have been played in relation to this. Questions have been asked but there is no indication of

what the opposition will do with it. We put it forward, and I say this: after two horror long weekends and two recommendations from the police I, for one, am not prepared to go to the next long weekend without at least seeking to implement the measure that the police have asked for.

Mr BROKESHIRE (Mawson): I need to have a thick hide and a glass of water handy as I rise to address the house this evening on this piece of legislation. I need that because I have been personally hurt very deeply today. In fact, what the transport minister said has cut me to the quick. He called me a weak little pile of jello during question time, and I will need a glass of water or two tonight and a hanky, because that was what he called me.

In response, I would like to use part of my contribution to this debate to acknowledge the minister's shoddy behaviour in this place. Those of us on this side of the house are here because we actually want to do something. We want to make South Australia a better place. Unfortunately, there are others sitting opposite who are more interested in their own egos—in salving their own egos, I might add—than making a contribution. They believe that the measure of success is how many people you can insult in a single day, and the transport minister leads the pack. He is probably very proud of it—poor, misguided bovver boy that he is—but the fact is that he is really, in my opinion, guffawing at colleagues. He brought political thuggery to a new low today in this house.

The SPEAKER: Order! The member needs to focus on the bill. I think he has evened the score with the Minister for Transport.

Mr BROKESHIRE: Sir, I am getting to it. I appreciate your guidance and I am nearly there, but I was very hurt today. When someone disagrees with government members or questions this government, they beat them over the head with a baseball bat. The Premier does it, the Treasurer does it, and the transport minister does it. They are all the same, quite frankly. They love the limelight but they cannot stand criticism at any time.

Today, it was the RAA that was in the firing line, and let me tell the house what the minister called the state's peak automobile association and, by inference, what the Minister for Transport—

The Hon. P.F. Conlon: I will say it again, if you like.

Mr BROKESHIRE: He says he will do it again if I like. I know Billy Bunter would like to do that, Mr Speaker, but we on this side of the house will not wear that because not only has the transport minister personally attacked the RAA today but also, by inference, he has attacked its 600 000 members: over 30 per cent of this community has been insulted by the bovver boy Minister for Transport today. He said that it was absolutely pathetic—it is in *Hansard*. That is what he called the RAA: absolutely pathetic. I hope the RAA's General Manager has a glass of water and a hanky handy as well, because that must have hurt him. This bombastic little bully of a minister thinks he can always ride roughshod over anyone who dares to stand in his way.

The SPEAKER: The member for Mawson—

The Hon. P.F. CONLON: Sir, he has thrown out more insults in 10 minutes than I possibly could have done in the few seconds that I offended him today. Maybe he could tell us what he thinks of the bill.

The SPEAKER: Order! The chair would encourage all members not to continue down the path of being derogatory to each other. That is not what members—

The Hon. P.F. Conlon: I didn't do it, sir; he did.

The SPEAKER: Order! That is not what members are elected to do.

Mr Williams interjecting:

The SPEAKER: The member for MacKillop will not talk over the chair, or he will be named on the spot. The chair has already said it believes that the two members have equalled the score in terms of throwing a few insults at each other. It is time to move on and debate the substance of the bill, and the member for Mawson should do that. The member for Mawson.

Mr BROKENSHIRE: Sir, I thank you for your guidance and will move on, but can I say in moving on that, quite frankly, the minister might think I am a weak little pile of jello but he is about to find out that I am not, and nor are my colleagues, and, if we do not get some answers in this place tonight, he can take the whole lot of us head on and we will have a prang over this bill.

This is an important bill. We have agreed in a bipartisan way to support this bill's immediately going into debate tonight on the basis that we will have truthfulness from the government and honesty from the minister that this will genuinely make a difference to the road trauma that we have been experiencing in this state in recent times.

Today I asked that basic information be provided to the parliament—a Westminster parliament. This parliament has already seen the Premier try to force through both houses in a day another piece of legislation that was going to destroy 400 years of the Westminster system's parliamentary privilege-bang, gone like that! We saw what happened then. All the parties came together and said, 'We will not wear this action by the Rann government.' Again tonight we are giving an opportunity to the minister to actually table a particular piece of paper. If, indeed, the paper that the minister tables stacks up with what the minister sort of expressed and possibly implied, we will proceed down the track of supporting this bill with some amendments so that we can get it through for the minister and the government ready for the June long weekend. I think that is a fair request.

The fact of the matter is that we asked for information. Let us have a look at page 2623 from 24 May 2005, where I asked the honourable minister if he would provide, not the first but the second report from the Rann government's Road Safety Advisory Council. The minister says that he does not have it. However, earlier tonight in his second reading speech he said his office had it. We all heard that. The minister may not personally have it in this chamber. I accept the minister's honesty there, but I also accept the fact that the minister said his office had it. I want to quote to the parliament what the minister said in his response. The Hon. P.F. Conlon, Minister for Transport, said:

Can I indicate to the member for Mawson that we will be introducing a bill to introduce double merit points tomorrow, and I will provide all the information.

Further on, he says:

We will provide it.

I think that speaks for itself. I do not think you would get too many oppositions in this state that have watched a government that has not had a transport plan; and that did not introduce additional police into South Australia until the Police Association, the opposition and hundreds and thousands of petitions rolled through this parliament and until it was embarrassed to the point where no longer could it roll over in the fact that it was going to recruit at attrition, and it said it would deliver 200 extra police who we are now

waiting for. But we will be patient on that. This is very relevant to this bill because we will talk about saturation policing during this debate. There was a situation where there were no extra police. There are still no extra traffic police. The \$1.5 million that the minister has gone out and got an exclusive on this morning for saturation policing over four years equates to diddly squat when it comes to what real police presence you are going to get out there in rural and regional South Australia. I can tell you that \$1.54 million over four years will not buy many extra police officers, let alone equip them and run their cars.

On top of that, we saw a transport plan—and I know, sir, you would agree that a transport plan is fundamental to addressing long, short and mid-term road safety strategies. Would you agree with that, sir? I am sure that you would. The basic thing you are going to have if you are going to be serious about road safety is a transport plan. What happened with the transport plan? Well, of course, in 2001-02 there was no transport policy. Two years ago, the then transport minister introduced, with great flamboyancy, glitz, glamour and the whole bit, a draft transport plan. That draft transport plan sat there on the table, and it was ultimately and finally chucked in the bin—not by this minister, in fairness; I am fair to this minister, more than fair. But it was chucked in the bin by the previous minister who not only chucked that in the bin but chucked the job in the bin, because the minister said, 'I've had a gutful of this because there's no money for road safety, there's a lack of police officers, I haven't enough resources.' It's a three-man band when it comes to the cabinet, in any case—

The Hon. I.P. Lewis: Country roads are falling to bits.

Mr BROKENSHIRE: Country roads, as the member for Hammond said, are falling to bits. 'I've had enough, I'm going home to the kids and hubby.' Well, I don't blame that minister. She is actually a really nice person, and I am sure she is enjoying life more now. The fact is that there was no transport plan. Then, of course, we have all this ad hoc staff thrown in. We now come to the key to this. After all of that and after them earlier on trumpeting about how good they were going with road safety—and one thing I learned when I was a police minister is that you never ever go out and say that you are having a good run with fatalities and road trauma, because whenever you do, guess what happens? You get a great big peak in road trauma, and you see families torn apart, and you see death and all the shocking things that our police and emergency services have to deal with, let alone the ripple effect through the families and the community.

Earlier on, this government was proud to not deliver extra police. It was proud to drive on stuffed roads. In fact, I will show you how, Mr Speaker. The member for Reynell said, 'We're not going to fix any roads. Buy four-wheel drives. Don't go out to the Flinders Ranges. Don't go out there and drive on rough roads, just go down to the local Toyota dealer, and you'll get the feeling all right. You'll get it on Marion Road, you'll get it on the South Road and the Goodwood Road, and whatever other roads you drive on. Forget tourism; we can have outback adventures here in Adelaide.' That was their result—

Ms Chapman: You can drive over the Britannia roundabout.

Mr BROKENSHIRE: Yes, you could drive over the Britannia roundabout; put it in four-wheel drive, low range. That is where the government was going. We had a very serious and shocking situation at Easter. From memory, the transport minister—in fact, I give him credit for this, as I

would have done exactly the same if I was in his position—on the Tuesday came out and said, ‘We won’t tolerate this. This is sad, this tragic, this is not what the government’s about and I am calling an urgent meeting of the Road Safety Advisory Council.’ It is a council trumpeted by the Premier himself, Mike Rann. In fact, how many times have they used the honourable great man Sir Eric Neal’s name as the chairman? It is on the *Hansard* record here so often it is not funny. So on the Tuesday had I been minister of transport I would have done exactly what the Hon. P.F. Conlon did. I understand that the minister said, ‘We will have an urgent meeting and by Friday we will see what we can do to address this problem.’ In fact, he floated demerit points, and that is in all of the Rehame. He floated demerit points. That was going to be the key to this. Well, Friday went, and so did the next Friday, and so did the Friday after and, sadly, so did the Friday after that.

Then we had the Adelaide Cup long weekend, and we had a shocking situation on our roads, and we lost eight beautiful South Australians. Then, the transport minister did not come out, but the police minister came out after that long weekend and said, ‘This is enough. We’re going to have double demerit points.’ I thought, ‘This is interesting, and fair enough; it must mean then that Sir Eric Neal and his Road Safety Advisory Council have recommended double demerit points; so obviously we will get a copy of that; the government will give us that; they want to put demerit points through; it is only fair enough; it is bipartisan; this is above politics, the government would argue, so we will give them everything; we just want this through for the long weekend. Well, interestingly enough, my sources tell me—of course, remembering that the Premier was overseas also at the time—that cabinet did not even discuss this. In fact, my sources tell me, and they are pretty good—

The Hon. P.F. Conlon: You are pathetic.

The SPEAKER: Order! The Minister for Transport is out of order.

The Hon. P.F. Conlon: I have to listen to this absolute rubbish for 15 minutes.

The SPEAKER: Order! The minister is out of order. The member for Mawson has the call.

Mr BROKENSHIRE: Thank you for your protection, Mr Speaker. So, my sources, which are very good sources I might add—

The Hon. P.F. Conlon: Was it those three public servants that you sent doorknocking? Were they your sources?

Mr BROKENSHIRE: No, they are good sources, actually.

The SPEAKER: Order! The Minister for Transport is out of order.

Mr BROKENSHIRE: My sources told me that it was only on Monday that cabinet discussed the demerit points. It is now Wednesday, so it was only two days ago—48 hours ago—that cabinet had an opportunity to discuss this matter. Yesterday—24 hours ago or thereabouts, a little bit over—the Labor caucus had an opportunity to discuss this. Then, what happens today? We get a bill in this house, and it is reasonably unprecedented for a government to expect a parliament to agree to suspend standing orders to introduce a bill which no-one has had the chance to read other than the privilege I had, and I thank the minister for that. The fact is, that we agreed to support the government for the right reasons and, I believe, on the face of it, that these are the right reasons, minister.

However, before we can proceed any further, I believe that this parliament, and this community, based on the fact that we have seen the arrogance, and we have seen the Rann government try in a dictatorial way, in a dogmatic way, in an arrogant way, to roll the community, and roll the parliament whenever it suits them, to do the media spin, try and confuse the media, not give the media detail, get a glitzy story in there, have the media saying, ‘Yes, this is alright,’ and then the devil is in the detail. We all know that. It is never the cover—never judge a book by its cover; judge a book by the quality of the content. Now, I believe that maybe the quality of the content of this book is very good because, like my colleagues, I strongly support Sir Eric Neal. In fact, we made him governor of South Australia and he was a fantastic governor with Lady Neal. However, notwithstanding that, even though Sir Eric Neal, great man that he is, is chair of the Rann government’s South Australian Road Safety Advisory Council, there happens to be other members in that council—do you know that—and some of them actually include police.

Assistant Commissioner, Graeme Barton, a man whom I have great time for also, who is responsible for road traffic, has supported double demerit points and I acknowledge that, and if I was the assistant commissioner—as I said earlier, if I was the minister—I would have done what he did on the Tuesday. If I happened to be in Graeme Barton’s position, I would be supporting double demerit points because when you are desperate for resources, and you have stuffed roads, you have to try something. I put it to the house that you cannot simply rely, no matter how good the quality of the person like Sir Eric Neal is, on the advice of the chairman; you actually have to listen to the council. I call now—

The Hon. P.F. Conlon: Just oppose it, you coward; oppose it.

Members interjecting:

The SPEAKER: Order! The word ‘coward’ is unparliamentary. I ask the minister to withdraw it.

The Hon. P.F. CONLON: I withdraw the word ‘coward’ in regard to this man.

Mr BROKENSHIRE: Thank you, because I am getting a bit soft-skinned with personal attacks on me; it is not easy.

The Hon. P.F. Conlon interjecting:

Mr BROKENSHIRE: I am asking the minister, for once, not to be arrogant, not to be a bovver boy—

Mr Goldsworthy: To be a bully.

Mr BROKENSHIRE: Not to be a bully, but to be a decent minister and table the second report from the Road Safety Advisory Council. I say this to the minister: if he will table that, we will give them every piece of assistance we can to get this bill through.

Mrs Hall interjecting:

Mr BROKENSHIRE: I have not seen what the member is stating, but the member for Morialta tells me—and I understand that there are some concerns in the upper house about certain matters here, too, which we will talk about in due course. But, notwithstanding that, I want to get—

The Hon. P.F. Conlon: Go right ahead. You have already been the biggest grub in the place—

Mr BROKENSHIRE: Sorry?

The Hon. P.F. Conlon: You have already been the biggest grub in the place; go right ahead.

The SPEAKER: Order! The Minister for Transport is out of order.

Mr BROKENSHIRE: But you called me a little piece of jello; how can I be big?

The SPEAKER: Order! The chair has already advised members not to go down this path of trying to score points by denigrating each other. The member for Mawson has the call.

Mr BROKENSHIRE: Thank you again for your protection, sir. So, I am saying that if the government and the minister are actually 110 per cent bullet proof confident that the Road Safety Advisory Council recommended in the second report—not the one a year ago, I am not interested in a year ago, that is history, I am interested in the present. We, as a party, are interested in saving lives in the future, but in saving lives we are also interested in saving jobs. We are also interested in ensuring that mums and dads can get their kids to school in country and rural regional areas. We are interested in the fact that people can get to sport. We know that when you look at the increasing fines, and where demerit points have increased for minor traffic infringements, that it is very easy now to lose your licence.

So, we know that we have to be not only a responsible opposition for saving lives, but as well as saving lives—which is paramount and we have a good history of trying to do that in every way, whether it is roads, whether it is extra police, whether it is a rescue helicopter service, whether it is medical retrieval teams, whether it is the helipads at the Royal Adelaide Hospital and the Flinders Medical Centre—I could go on all night talking about that. So, clearly, the Liberal Party's record is strong on doing everything that it possibly can to protect and save lives from road trauma. We admire so much our police and our emergency services and those volunteers for what they do, but on the other hand—because there are always both sides of the equation—we have to consider this scenario, and I will give it to you. A grandmother drives through Adelaide. We all know that this government stuffed up the 50-kilometre an hour speed zones. So, what can happen is that a person who is not a hoon—

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Transport has been counselled before. The member for Mawson.

Mr BROKENSHIRE: I am sorry that the minister has left, because this is so important that I would have thought he would hang on every one of my words. He has already upset me today when he called me a weak little lump of Jello, or whatever it was. But take this scenario, because this is a realistic scenario. A 70-year old grandmother is driving her grandchildren to school, helping out because mum and dad are at work. She does not know the area and goes down a road and get knocked off for doing 62 in a 50, so she loses three points. She inadvertently goes through a stop sign and loses another three points. Then on a long weekend, when she wants to try to help that family out shopping, taking them to sports, when things are tough on the farm—and I know that as a farmer myself—the grandparents are doing more and more to help out, and on a double demerit point long weekend she does 109 in 100.

I would not call that a Schumacher or anyone like that, she is not driving Formula 1, but she has been knocked off for doing nine over 100 because she thought it was 110, because this government seems not to put up a lot of signs on a lot of roads. And what happens is that she has done her licence just through those three things. She is not someone who is going to be a real danger.

Mr Williams: She's a hoon granny.

Mr BROKENSHIRE: She is not a hoon granny at all. The point I am getting at is that this has to be considered—

Members interjecting:

The SPEAKER: Order! The member for Hammond and the member for MacKillop are out of order. They know the rules.

Mr BROKENSHIRE: That is just one scenario. That could apply to people who have a job, so there is no bread and butter on the plate, and it could apply to people who are going to TAFE, sport and all the rest of it. I do not really think that I am being unreasonable in this request, but I am asking for once for a few words that I hear the Premier say regularly: decency, honesty, transparency, accountability. You can rattle it off because with Mr see-through Mike Rann, the plastic man, you can hear it every day. I want to see a bit of that decency and that honesty and accountability, and I want to see a bit of transparency simply by seeing the second report tabled here in the parliament. I am really disappointed that the minister has left—

The SPEAKER: Order! The member should address the chair, not the gallery.

Mr BROKENSHIRE: Sorry, sir. I am really disappointed that the minister has left, because I say to the minister if he is out there having a coffee and listening, could he please come back in and indicate to the house whether he will table that. Here he comes: thank you. I am simply asking, minister, a very simple question. I am asking you: will you table the second report from the Road Safety Advisory Council. All I need is a yes or a no. Will you table that report in the parliament?

The Hon. P.F. Conlon: If I give you a yes or no answer will you stop talking?

Mr BROKENSHIRE: I will stop. Yes or no.

The Hon. P.F. Conlon: No.

Members interjecting:

The SPEAKER: Order! The minister is grossly disrespectful to the chair.

Mr BROKENSHIRE: The minister said no. I seek leave to continue my remarks, if that is the case.

The SPEAKER: The member seeks leave. I will ask the house: is leave granted?

The Hon. P.F. Conlon: No.

The SPEAKER: There being a negative voice, leave is not granted. If the member does not continue, he loses his right to speak. There was a negative voice that did not grant leave.

Mr BROKENSHIRE: What a low depth we have come to today in this parliament. This parliament used to be the foundation of democracy in society and fairness. Now we have seen not only bovver boys as ministers carrying on day in day out as arrogant ministers and members of a Rann Labor government, but they have refused to document the one important report. I think that is sad. What I will say is—

The Hon. P.F. Conlon: I'll tell you why it's not important, if you like.

Mr BROKENSHIRE: Why?

The Hon. P.F. Conlon: Because it was before the last long weekend.

The SPEAKER: Order! The minister is out of order.

Mr BROKENSHIRE: No wonder he's a minister! It is no longer relevant because it is before the last long weekend. So, because eight people died on the last weekend, that is important, but because 56 people died before that, they are not important. How outrageous: how disgusting is the minister! And we will have a lot of fun pushing this point through the minister's electorate, because there is a double standard there and total hypocrisy, and that is a disgrace. That

is an absolute damn disgrace. I have actually witnessed this road trauma myself and I can tell you that I cannot stand it.

I cannot stand going down the Victor Harbor road every night and in front of our own farm seeing seven black posts, not including the red ones. That is seven deaths right in front of my own farm and nine between Willunga Hill and Mount Compass. And this minister says we are not damn well entitled to see the Road Safety Advisory Council's report because it was a week before eight people died and therefore it is irrelevant. That is a disgrace, and the minister should for once show some decency and apologise.

Ms BREUER: On a point of order, I talk about relevance or repetition. I am sitting here tonight following the honourable member's arguments and listening very carefully. I am not sure what he had for dinner or what he had to drink for dinner. I can find no relevance to this issue. This is about people dying. This is about trying to do something about our road toll—

The SPEAKER: Order!

Ms BREUER: He is turning it into a tirade—

The SPEAKER: Order! The honourable member will resume her seat and not talk over the chair or she will be named on the spot.

The Hon. G.M. GUNN: Sir, I rise on a further point of order.

The SPEAKER: Order! Anyone trying to talk over the chair will be named on the spot and will be subject to the discipline of the house. There will be none of that. No-one dare talk over the chair. It is outrageous behaviour and will not be tolerated.

The Hon. G.M. GUNN: Mr Speaker, I—

The SPEAKER: Order! I have not called the member for Stuart. I said today that we do not have people popping up automatically: the chair will call someone when appropriate. I remind members of standing order 128 regarding repetition and irrelevant debate. We are getting close to that point. The member for Stuart.

The Hon. G.M. GUNN: The comments of the member for Giles were not a point of order but a vehicle to attack the member on his feet. It was quite unique.

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order! I uphold the point. There should be no reflection on members.

Members interjecting:

The Hon. G.M. GUNN: I ask you to strike it from the record.

The SPEAKER: Order! The chair is responding.

The Hon. P.F. Conlon interjecting:

The SPEAKER: The minister is out of order. If members want to keep behaving in this way, we may have to bring the parliament to a halt. It is not appropriate to suggest that during a dinner break a member might have consumed alcohol or any other material that is affecting their debate. It is out of order and inappropriate to do that, and the member for Giles was inappropriate in her behaviour. The house should get back to the substance of the debate, which is the double demerits bill. The member for Mawson.

Mr BROKENSHIRE: I thank you for your protection, sir. One thing that definitely has an impact on road trauma: you do not drink excessively and drive. I more than anyone am very careful about that as I have been a member of the CFS for a long time and was proud as a minister to be able to credit my own town with a road safety accident accreditation and the best state-of-the-art fire truck because of the damn road trauma we had. I am not chauffer driven back to

Whyalla or Mount Compass, like the member for Giles. I do not sit in a big V8 Statesman and doze off while the driver drives me, yet the member has this amazing position that is so important. I say to the constituents of the member for Giles: read the debate, see what the member for Giles said, see what we are saying and then judge the member for Giles.

Ms BREUER: On a point of order, Mr Speaker—

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Transport will be in serious trouble in a minute. The member for Giles has a point of order. I remind the member for Mawson and all other members not to continue down the path of taking cheap shots at each other across the chamber. It is not in the interests of debate and is not the role members should fulfil here, which is to represent the people of South Australia with dignity and proper behaviour. We are getting to a point where the chair might have to suspend the parliament, because there is no point. If members cannot behave themselves, the chair will have no option but to suspend the parliament.

Ms BREUER: That is exactly my point of order, Mr Speaker. I am sitting here listening and trying to follow the arguments. We are talking about legislation that will save people's lives. It is totally irrelevant to what we are talking about. Can we please get on with the legislation?

The SPEAKER: Points of order are not a time for speeches. The house is on notice that, if this silly behaviour continues, I will suspend the parliament: I will have no option. We will ring the bells and that will be it.

Mr BROKENSHIRE: I take your guidance, sir. We are very serious about this bill. I say to the media and to the community—

The Hon. P.L. White: You say to the media?

Mr BROKENSHIRE: Yes, I ask the media to look at what has been said tonight and see what this government is doing to this parliament again.

Mr Koutsantonis interjecting:

Mr BROKENSHIRE: The member for West Torrens can laugh, but I believe in this place, and so do the people who put me here.

The Hon. P.F. Conlon interjecting:

Mr BROKENSHIRE: They believe in democracy. I ask for the tabling of the South Australian Rann government's road—

The Hon. P.F. Conlon: I don't have it.

Mr BROKENSHIRE: Your office has got it. Send your man down the road to your office.

The Hon. P.F. Conlon: I haven't got it.

Mr BROKENSHIRE: We will adjourn for a while and I will go with you and pick it up.

The Hon. P.F. Conlon interjecting:

Mr BROKENSHIRE: He doesn't want to. I will paint a scenario.

The Hon. P.F. Conlon: I don't want you to rely on it. Vote against it.

The SPEAKER: The minister is completely out of order.

Mrs Hall: You misled the house yesterday by saying you'd provide it—

The SPEAKER: The member for Morialta is completely out of order. We are getting very close to the situation where the chair will call the debate repetitious and direct the member to cease speaking, and the house will decide whether the member will be heard further. We are getting repetitious debate without directing comments to the substance of the bill. The house will decide whether the member will continue

to be heard if we keep this repetitious argument going about presenting material. The member for Mawson.

Mr BROKENSHIRE: I suggest to the house a scenario because, until I see a document, I have no other choice. One year ago, the Road Safety Advisory Council made a recommendation in written form to the then minister. That recommendation said, 'We support double demerit points on long weekends, on public holidays and on eight designated days a year, which might be the beginning of school holidays and so on.' I can see the sense in that. They had a caveat, which was that double demerit points will not work unless, together with the double demerit points, we have police saturation and significant, hard, in-your-face campaigns in the media. That was a year ago. Things have moved on since then and I will outline why.

Way back in July 1998, there was an evaluation report by the New South Wales government—the Roads and Traffic Authority. It was an evaluation report on the double demerit points trial. That came about because a year before the New South Wales government had introduced double demerit points. It is important that we put on the public record what it states, as follows:

It is important to recognise that double demerit points should not be considered in isolation but as an important component in the state's holiday road safety packages during 1997-98. The considerable efforts in publicising speed management issues undoubtedly helped to initially achieve and maintain—

and I repeat this for the benefit of our colleagues: 'undoubtedly helped to initially achieve and maintain'—

the high level of the public awareness of the double demerit points measure. The high levels of police and RTA resourcing—

the RTA is equivalent to Transport SA—

of enforcement also helped to bring about heightened awareness of police enforcement. This helped to further reinforce the credibility that unsafe road-user behaviours were being enforced during the period in which the double demerit points applied. It is in this context—

I repeat it again because it is important: it is in this context—that double demerit points can be considered an outstanding success.

That was July 1998 in New South Wales. We have heard the minister say that New South Wales, Western Australia and the Northern Territory have double demerit points. As I understand it, at present we do not have Queensland, Victoria and Tasmania, and we may or may not at this point in time have South Australia.

Mrs Geraghty: Let's oppose it and we can all go home.

Mr BROKENSHIRE: I find this amazing. Members of the government keep interjecting across the chamber—

The SPEAKER: The member does not respond to interjections because they are out of order, and responding to them is out of order.

Mr BROKENSHIRE: Well, we will not be just opposing it and going home. Sir, I seek your guidance on this. This parliament is here for the betterment of the community of South Australia. Therefore, there is debate, and, because it is debate on an important issue such as this, we will not just oppose it and go home. We have not said that we will oppose this bill. We have asked for some information. That is all we have done. We asked for some information—which we have not got.

I now want to talk about the Western Australia report, which was a research report. It was an evaluation of the 2002-03 trial period, so it is more recent. Indeed, it is very recent. It is an evaluation of a period 2002-03 about a double demerit points enforcement campaign and a supporting media

campaign in Western Australia. It was prepared for the Western Australia Office of Road Safety. It was a public document from September 2004, so it is reasonably recent. In fairness to good democratic debate—that we do not often see in this parliament—it is basically a mirror image of the July 1998 report from New South Wales, which actually said that double demerit points would make some difference—and we will talk more about this later in the night—if there is the equivalent amount of policing, police saturation and a decent media campaign. That is fine.

I understand that about a year ago the Rann government's much talked about Road Safety Advisory Council said something similar. I also understand that a very important report, which will not be tabled publicly for about three months—a national report which looked into this—has totally different information from those two reports. I can only take it that, given that the minister has refused and been so arrogant as to not allow us to see the latest report—

The Hon. P.F. CONLON: I rise on a point of order, sir, because I am fed up with this diatribe. We do not have a report from the Road Safety Council; my office does not have one. I cannot table what I don't—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: No; I told you I would give you the answer. The only other thing we have is the agenda item and the discussion paper prepared by Transport SA.

The SPEAKER: The Minister for Transport will resume his seat. It is not a point of order.

The Hon. P.F. CONLON: It is, sir.

The SPEAKER: Order! If the member for Mawson again goes down the path of tedious repetition of that point, I will invoke standing order 128, which will require him to cease speaking; and it will be up to the house as to whether or not he can continue. He has raised that point ad nauseam, and the minister, as I understood it and heard it, said at the outset that he did not have a report. It is pointless to keep raising the same point.

Mr BROKENSHIRE: Because I respect you, sir, I take on board what you are saying, but I say that we can twist the words. It may not be an actual report: it might be minutes of the meeting—

The Hon. P.F. Conlon: We do not have anything from them.

Mr BROKENSHIRE: This is not being tedious, sir, but I will finalise this point and then move on, because I listened to you, sir, and I respect you. One way or another in the last few weeks an absolute decision has been made by the Road Safety Advisory Council which, I understand, has different recommendations, propositions or outcomes from the earlier one. All I am saying, on behalf of the parliament and the community of South Australia is: please let us know what those differences are. It is a simple question. But we are not going to get them—

The Hon. P.F. Conlon: I have told you I have not seen it.

The SPEAKER: The Minister for Transport is out of order.

The Hon. P.F. Conlon: It is the same point hour after hour.

The SPEAKER: The member for Mawson needs to move onto his points.

Mr BROKENSHIRE: I am moving on, sir, because I take it that the minister is covering up on this matter by using a technicality.

The Hon. P.F. CONLON: I object. That is simply an imputation of improper motive and it is absolutely incorrect.

The SPEAKER: Is it a point of order?

The Hon. P.F. CONLON: It is a personal reflection, and the honourable member imputes an improper motive in saying that it is a cover-up. It is simply not true.

The SPEAKER: I uphold the point of order. A member should not suggest that another member has covered up, implying dishonesty or lack of integrity. The member for Mawson should not go down that path.

Mr BROKENSHIRE: Thank you, Mr Speaker. Let us look at the wisdom of double demerit points, and let us look at the background. We will start with the background because you cannot get to the point of a debate unless you have the background to it. We have a situation where our roads in South Australia are in a very bad state. I will give the house some examples of what causes road trauma. This issue is being debated as a result of road trauma, and everyone agrees about that. We must talk about why we have road trauma. We hear about a few things: speeding, yes; inattention, yes; alcohol (over .05 and particularly over .08), yes—

The Hon. I.P. Lewis: Drugs.

Mr BROKENSHIRE: Drugs, yes, drug driving, and we will talk about that. Members might be interested to know that, in committee, we will be introducing some amendments relating to drug driving, but I will go into that later on. Clearly, drug driving is one factor. In fact, recently in a ministerial statement the Premier said that in South Australia 29 per cent of all the drivers who die—not the passengers, not the people whom they might have hit in the collision and not the people who are at the Julia Farr Centre or at other rehabilitation centres—had illicit drugs, amphetamines or cannabis in their system.

Clearly, that is a big issue. To show how big it is, I will mention Victoria, which has had the guts to bring in the drug driving legislation now. Victoria has been implementing that legislation; and, sure, the government got a kick in the backside a couple of times when it brought that in because the technology was not quite right, or some smart person had a good lawyer and challenged them. However, I have spoken to a Victorian police inspector, and he said that it is going very well. In fact, he said that, when they do their buccal swabs (which, I understand, is the method used to detect drug driving), they have been surprised at how many drivers have been detected—far more than they ever expected.

The Hon. P.F. Conlon: It's not a buccal swab: it's a saliva collection.

Mr BROKENSHIRE: It is similar.

The Hon. P.F. Conlon: No, it is not similar. One is a DNA test, you goose. The other is a saliva test.

Mr Koutsantonis interjecting:

The SPEAKER: Order! The member for West Torrens will be warned in a minute. The member for Mawson.

Mr BROKENSHIRE: The test they do is actually—

The Hon. P.F. Conlon: One of his advisers is blowing kisses to him in the gallery. Can we stop him doing that? It is off-putting.

The SPEAKER: Order!

The Hon. P.F. Conlon: It is not attractive, believe me.

The SPEAKER: Order! I do not know whether the Minister for Transport wants this bill dealt with tonight, but the chair is quite happy to suspend the parliament. Some members might benefit from getting some fresh air. The member for Mawson.

Mr BROKENSHIRE: Thank you again, sir, for your protection. The technology for saliva tests is there, and they have found so many more people who were drug driving. We all know that South Australia is the cannabis capital of the Southern Hemisphere.

Ms Thompson: Why didn't you fix that, Robbie?

Mr BROKENSHIRE: The member for Reynell says, 'Why didn't you fix that, Robbie?' I will tell the member for Reynell why we did not fix it: first, because it was a Labor government. Dr what's his name, who was the minister—

Mrs GERAGHTY: I rise on a point of order, sir. The honourable member again is wandering way off somewhere, way away from the bill. He should just get on with the bill so that we can deal it.

Members interjecting:

The SPEAKER: Order! The member for Mawson is making points which, I believe, are relevant to the bill, but he needs to focus on the bill and not be distracted. The points he has been making, I believe, are relevant, as an alternative strategy. The member for Mawson.

Mr BROKENSHIRE: Thank you, sir, for your protection. The member for Reynell asked: 'Why didn't you fix it, Robbie?' It was because we did not create the mess in the first place, and we did fix a fair bit of it. We tried to get zero tolerance on hydroponic cannabis through. In fact, as the then police minister, I spent two years pleading with the then Leader of the Opposition, the now Premier (Hon. Mike Rann), to support that. We never even got a press release back from him. We were not in a position to get that through. That is why we could not get that through. However, we did get it through in opposition because the Premier then realised the problems associated with cannabis.

We will probably find far more people drug driving in this state than we ever expected. I am not sure whether we have not got the drug driving bill through because the Premier does not want to be embarrassed by that or whether he just wants to get it through just before the election. I damn well know this: that, if we are serious about this bill tonight, we will ensure that drug driving testing occurs simultaneously because double demerit points and drug driving testing run together.

Drug driving, we all agree, is another problem. Driver training is a problem, too. In fact, I have spoken to a few driving instructors in recent times, and they tell me that they are very concerned about our structure in relation to driver training compared to that in other states and compared to international best practice. Clearly, that has an effect on road trauma. We see far too many young people under the age of 25 involved in road trauma in our state.

Another cause of road crashes, obviously, is the condition of the roads. I want to talk for a moment about this, because, if we are going to be serious about road safety and not just bring this in so that we can champion this bill as a win for the government of the day, I think we must debate and encourage a holistic, strategic approach to road safety.

What do we need? If we are going to improve and fix our roads, we need a transport plan. I think that you need a plan if you intend to do something strategically. We do not have the transport plan yet, and I encourage and call on the government to introduce that urgently. The backlog on road maintenance was at \$160 million. As I am best advised, it is possibly now up to \$200 million. The South Australian community is faced with a \$200 million backlog in relation to road maintenance. In addition, we have a lack of road shouldering. A lot of overtaking lanes need to be constructed.

We have trees overhanging and close to the road. We have roads that do not even have rubble road shouldering. Now and again I travel on a road as you head out of Murray Bridge towards Karoonda. That is a really interesting road because that road is similar to the Mad Mouse at the showgrounds.

The Hon. I.P. Lewis: Worse.

Mr BROKENSHIRE: Worse, as the member for Hammond said—and I would agree.

Mrs Geraghty: How long has it been like that?

Mr BROKENSHIRE: That road goes up and down like the Mad Mouse. I would call it a cheap ride on the Mad Mouse. In fact there is a sign on the road—

Mrs Geraghty interjecting:

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

Mr BROKENSHIRE: There is a yellow diamond-shaped sign on this road. The sign has the back of a semitrailer drawn on it on an angle and it says: 'If you are driving a semitrailer, be very careful on this bit of the road.' For instance, do not have the top deck of your sheep or cattle crate half stacked because it will tip over. What is that saying to people about road safety?

Mrs Geraghty interjecting:

The SPEAKER: The member for Torrens has been warned.

Mr BROKENSHIRE: It is saying that there has been a total lack of road maintenance and commitment from this government. That is one example, but I will give some others. In saying this, every now and again I believe that you have to give credit where credit is due—

Mrs Geraghty interjecting:

The SPEAKER: I warn the member for Torrens for defying the chair. The member for Torrens is warned.

Mr BROKENSHIRE: Thank you, sir. I believe that you need to give credit where credit is due. Mr Speaker, you are not in a position to do that on this occasion, but Black Road in the south is an important road to many of us. Mr Speaker, you had to fight for a long time to get that road fixed and, even then, this state government cut its contribution and expected the City of Onkaparinga to do more. That is appalling if you are serious about road safety. There has been a lot of road trauma along that road. Fortunately it has now been fixed, but that is an example.

If members proceed a little further south, they would come to the bridge over the River Onkaparinga. I became excited several months ago about what might be some road infrastructure improvement. I saw Transport SA workers in the area for a couple of days. They drilled some holes and up went some big green poles. I thought that this was good: perhaps they would make it a dual-lane bridge or perhaps extend the Southern Expressway over that bridge to make it easier for the southern community. Do you know what happened, Mr Speaker? A couple of days went by, and the signs went up with bags over them. I thought that they must be about to build the extension of this bridge. They then took the bags off that sign—and guess what it said? 'Heavy trucks over 27.5 tonne go to the left lane.'

I am not a road engineer, but we in the country have some commonsense. Do members know what that says to me about road safety? It says that the bridge is falling apart and, if you have a truck which is over 27.5 tonnes, you should go to the left, as the government will not put any money into fixing it because it is not interested in road safety. However, all you truckies get over to the left if you are over 27.5 tonnes, and that will offset the fact that Santa cannot control the roads. These are just some examples—

The Hon. P.F. CONLON: Mr Speaker, I rise on a point of order.

The SPEAKER: The member needs to come back to the bill. The member for Mawson is stretching the tolerance of the chair and the standing orders to a point which is now unacceptable. The member needs to come back to the substance of the bill, which is about demerit points.

Mr BROKENSHIRE: Thank you, sir, and I will. I finish by saying that they are just a few examples. I could go on all night about the lack of road infrastructure, but I do not want to do that to the house. There is a \$200 million backlog. If the government is serious about the benefits of introducing double demerit points, which is the very heart of this bill, then it has to be prepared to fix the roads and give people a go. Look at what Premier Beattie has just announced in Queensland when it comes to road safety.

The Hon. P.F. Conlon: He is a good bloke.

Mr BROKENSHIRE: He is because he knows how to manage a government. The fact is that they have a road plan, a transport plan and a road safety plan. I think he announced \$5.4 billion, from memory, of road infrastructure initiatives. The opposition will support the general merit of this bill tonight. However, we need to highlight the inequity and what is not in this bill or what is not being addressed by this government when it comes to road safety.

Recently, in relation to other road safety initiatives, I saw examples of road shouldering to which Victoria is very committed, as well as other eastern states and Western Australia. I also saw a lot of the white painted rumble strips, so that when you doze off you hit that, it makes a noise and it wakes you up. They are important road safety initiatives.

We as a parliament, and particularly the government, need to spend that GST money on road improvements and road safety campaigns. If members look at the opportunities of being able to spend that money, it is there right now because we do not have the debt loads that we had after the State Bank. We have reduced it from 28 per cent of debt going on interest on gross state product to about 9 per cent, from memory—that is where we left it when we left office. A lot of money is available. Petrol is also a factor in this because it delivers GST dividends directly to the hip pocket of the government and to the Treasury coffers.

I would like to see that money from the GST going into road safety initiatives because every time petrol goes up by 10¢ the government gets around 1¢, which is a lot of money and which is not being committed, either. We all know that road safety is the most fundamental management requirement of a government and it will not occur simply by having this particular bill.

I will now talk about what some of the peak bodies have said. We cannot get a response through the government from the Road Safety Advisory Council, but we did receive a response from the RAA. We received it, along with everyone else: it was a public response. I refer to a media release from the RAA dated 25 May 2005 headed 'RAA urges caution on double demerit'. I will refer to this particular press release because it is very important. It states:

The RAA is urging the government to proceed with caution with its bill to introduce double demerit points during holiday periods—'with caution' it says—

The RAA has recently indicated that it was reviewing its support for double demerit points in light of questions hanging over the efficacy of the concept. RAA Traffic & Safety Manager, Chris Thomson, said while the RAA shared the government's concern about the spiralling

road toll, it was important to ensure that measures designed to arrest this trend were soundly based.

'What we can say with certainty—based on New South Wales and Western Australian experience—is that double demerit points during holiday periods will have no impact—

I should read that again because my colleagues may not have seen this. It states:

'What we can say with certainty—based on New South Wales and Western Australian experience—is that double demerit points during holiday periods will have no impact on road safety unless accompanied by—

and this is the key word, colleagues—

massive—

that is the key word.

Mrs Geraghty: They are a lobby group, and you know it.

Mr BROKESHIRE: The member for Torrens says the RAA is a lobby group and we know it. Well, it should be a lobby group. It has 600 000 members.

The SPEAKER: The member for Mawson will ignore the interjection, which should not be occurring, anyway.

The Hon. I.P. Lewis interjecting:

Mr BROKESHIRE: I would not want them to. I continue the quote:

—massive increases in enforcement and public education,' Mr Thomson said. 'What is uncertain is whether exactly the same effect could be achieved by increased levels of enforcement and publicity alone.' Mr Thomson said that if this legislation is to be introduced, it must be accompanied by intensified policing and public education, and a commitment—

I want to read this as well because this is not in the bill, and I am now flagging an amendment that we will be putting through in the third reading. I want to highlight to the house that this amendment was not something that was dreamed up by the Liberal opposition after good, commonsense consideration of this bill—unlike the government, which only took it to cabinet after it had announced it in caucus—

The Hon. D.C. Kotz interjecting:

Mr BROKESHIRE: And, as the member for Newland says, that is disgraceful, and I agree with her. It says:

—a commitment to a formal review at a later date.

That is very important, and I will talk about that in a while. The statement goes on:

'If the review indicates that the same road safety gains can be made through increased enforcement and publicity without the need for double demerit points, then the government should be prepared to retract the legislation,'—

I think I need to read that again. It says:

'If the review—

once there is a review on this legislation—the sunset clause and then a review—

indicates that the same road safety gains can be made through increased enforcement and publicity without the need for double demerit points, then the government should be prepared to retract the legislation,' he said.

Then it says:

The RAA acknowledges that legislation to modify driver behaviour at high risk times is necessary, but it would be wrong to legislate in this area if it could be shown that the same road safety gains could be achieved by the government simply committing to increase policing and public education.

That is very logical, and I have argued for that with this government for three years—put some more police out there on the road, and not just during the blitzes. Do not use the advertisements that we used when we were in government. They are three years old. I turn on the television now and

again when I get home and I think, 'That is the ad that Di Laidlaw commissioned,' and that is the latest advertisement from Transport SA; or it has a little thing that says 'compliments of the Victorian government'.

I use New Zealand as an example. How do they address this matter? They have incredible impact road safety campaign initiatives. In fact, a police officer told me, 'You go to New Zealand and look at their advertising and come back here and it is no wonder we have people driving around like mad people, because we are not getting the message through.' This is what the RAA is about.

The RAA is an incredibly responsible organisation. What they have not put in there but which has to be read into it is that the RAA is saying we should be very cautious about this legislation. I challenge even the minister, who has been attacking the RAA today, to tell me that the primary core objective and basis of the whole of the RAA is about road safety. Of course it is. That is its core business. But it is saying that in doing this the government and parliament should be very careful not to throw the baby out with the bath water and disadvantage a lot of people who are not a risk on the roads but who will lose their licences. That is why I wanted to get that material from the Road Safety Advisory Council on the record.

I want to touch on a couple more points before I conclude. In doing so, I ask the minister to consider strongly what we are saying tonight and to be cooperative, because we have been cooperative with him. If one looked at what I have already said tonight about these responses, one would have to ask oneself whether the government was seriously and carefully looking holistically at the best ways of addressing road safety or whether it is, in a knee-jerk manner, reacting to the Adelaide Cup long weekend, because we know the minister said tonight during my contribution when he interrupted that he is basically interested only in what happened that weekend.

That is not the way a government should run a road safety policy. It should have a goal of zero deaths on our roads—not in 2010 or 2015, as we have seen discussed in a lot of the plans of this government, but right now. I say to the government that I am disappointed it has not been prepared to provide information to us tonight that we know is available to it. But I have made that point and I respect the Speaker, who has said I cannot dwell on that, so I will not—but I am disappointed. But here we are putting out an olive branch to the government and saying, 'We will go along with your double demerit points.' Most of us will, anyway.

Individual members in the Liberal Party can reserve their rights. They are not puppets and they use their own common-sense. Whilst you may see some of them have a different point of view tonight for reasons to do with their own electorates, the Liberal Party will support this legislation, and I have pleasure in advising the house of that in my few remarks tonight. But, we do it with some caveats. These caveats are: first, show a bit of decency and transparency, and let us know what the Road Safety Advisory Council actually said recently in its discussions on this matter, because I know the council discussed the issue and came up with a consensus of opinion and a recommendation. Secondly, this bill will definitely need to have a sunset clause, because it would be very bad public policy to pass this legislation tonight with no sunset clause relating to something which, first, has not been trialled in South Australia before; secondly, has been subject to some very sound cautionary warning advice to the government and the parliament from the peak motoring body

representing 600 000 motorists, the RAA; thirdly, has implications for people in terms of not only the protection of their lives relating to road crashes and casualties—and we support every initiative in that regard—but also how they can keep their licences; and, fourthly and importantly, comes on the back of legislative debate in other states where it has been indicated that perhaps double demerit points alone are not the way to go or, in fact, that perhaps the double demerit points system is not working.

It is a pity that we could not see those reports, and it is a pity that we cannot wait for 12 weeks—when we have not seen much happen for three years—to see the national report that I know is being prepared. My office has been advised that that report will not be for published for three months but that it will be published. I would never be accused personally but I am sure this government would love to blame me if I did not support this legislation and if there was one death over the June long weekend. The government would be out there like a flash; that would be its excuse if we lost another South Australian on the long weekend. If as shadow minister for transport and police and former police minister I opposed this bill, I know what the Hon. P. F. Conlon would be saying about me. I will be supporting this bill.

There is another important scenario which we have not debated tonight and which needs to be considered by all members. Given that the jury is out on whether or not double demerit points are providing a benefit, the following scenario could happen—and this is just a scenario: I am not necessarily saying that this is the way we need to go but I think I have a responsibility to put options before the parliament. One option is that we support this legislation, and I have said that I will be supporting it. I know that the minister is pleased to have my support, as he always is.

The second option is saturation policing. We could put some good advertising material on the airwaves, on television, on radio and in the print media, and we could have all that ready for the June long weekend. That could be done: there would be no problem about that. That would be interesting, because we would then have a really good opportunity to scientifically analyse the best way to go with road safety initiatives. You might ask why, Mr Speaker. I will answer that question, sir. The reason is that, over the last two long weekends, we have seen shocking road trauma with no double demerit points—none whatsoever. We also happen to have seen that without any saturation policing—

The Hon. P.F. Conlon: That's actually wrong. There was saturation policing last long weekend; we funded it.

Mr BROKENSHIRE: Oh, I see.

The Hon. P.F. Conlon: That's right; you were wrong.

The SPEAKER: The Minister for Transport is out of order.

The Hon. P.F. Conlon: Well, he's wrong, sir.

Mr Williams: The minister is wrong, too. That would be an operational matter, wouldn't it, Pat?

The Hon. P.F. Conlon: No. They asked us for the money and got it.

Mr BROKENSHIRE: Given the minister's interjections, this concerns me immensely. You may ask why. I will tell you why. The minister just said—and this is very, very important—'You're wrong. The shadow minister is wrong.' I said, 'Why?' And the minister said, 'Because we had saturation policing on the Adelaide Cup long weekend.' That worries me, because, if that is this government's assessment of saturation policing—and, as the member for MacKillop said, it is normally an operational matter when the govern-

ment is involved—then I am extremely concerned that we are not going to have satisfactory saturation policing. You might ask why. I will give you the answer. It is because I happen to live on the Victor Harbor Road, I was around on the Adelaide Cup long weekend and on that road, I would have thought, you would expect to see saturation policing, but I did not see it. I have not seen saturation policing there since we had a blitz just before summer last year, and the police told me—

The Hon. P.F. Conlon: Let the police decide how to do it, Rob, because they're smarter than you.

Mr BROKENSHIRE: Now the minister is saying that the police should decide. The excuse for not seeing the police on the Victor Harbor Road is that it is an operational matter. That raises a concern, because, second to that and running absolutely parallel to this double demerits legislation, is the \$1.54 million commitment over four years. Let us round it up and call it \$1.6 million. That is \$400 000 a year—

The Hon. P.F. Conlon: Plus the extra money from transport.

Mr BROKENSHIRE: We are talking about saturation policing. We will talk about the money from transport in a minute, but—

The Hon. P.F. Conlon: Go on; talk about it now.

Mr BROKENSHIRE: No; I will.

The Hon. P.F. Conlon: You wouldn't know what it is.

Mr BROKENSHIRE: I see. All right.

The Hon. P.F. Conlon: What you are doing is this: you are determined to defeat this bill by procrastination. You want to defeat double demerit points but you do not want to be held accountable, but you will.

Mr BROKENSHIRE: No, not at all. I am just thorough in what I do. We actually put effort into the debate because this issue is important.

The Hon. P.F. Conlon: If this is you making an effort, mate, God pity the opposition.

The DEPUTY SPEAKER: Order! Let's get on with it.

The Hon. P.F. Conlon: This man is a goose.

The DEPUTY SPEAKER: The member is out of order.

Mr BROKENSHIRE: Thank you, sir. We have only \$400 000 a year for saturation policing. Given what I saw on just the Victor Harbor Road, if that is saturation policing, I do not think double demerit points are going to get the results. This is also based on what both the New South Wales and Western Australian evaluations have said and what I understand is going to come out in other reports. So, that rings alarms bells to me. I have said that, so I will move on. The minister then said, 'What about the money from Transport SA?' I gather from that that the minister is talking about the campaign money that is going to come with the double demerit points.

The Hon. P.F. Conlon: No, that is not what I am talking about.

Mr BROKENSHIRE: Well, what are you talking about?

The Hon. P.F. Conlon: If you do not know what I am talking about, why don't you shut up?

Mr BROKENSHIRE: See, the minister does not know what he is talking about. If you read what is in the debate, it says that you must have significantly—in fact the word is massive—massive increased presence in media campaigns, and we will hold the government to that, and we will do our own personal evaluation of that, and if we are not happy with it, we will be reporting to the South Australian community that this government is happy to double demerit point but not follow it up with the fundamental requirements to get a satisfactory result. That will be on the head of the government

because it needs to do a lot more. You have to say, why is the government not doing more when it comes to saturation policing? Why is it not doing more when it comes to a better advertising campaign on road safety? Why can it only do it, Mr Deputy Speaker—I am sure that you would ask this question, you are an intellectual man—why can it only do saturation policing, and why can it only do proper marketing and advertising campaigns when it has double demerit points? I flag this for the minister when he sums up, or we will put it to committee, but I would like an answer. I think it is a fair and reasonable question.

I would like an answer from the minister as to why the government can only have saturation policing, and why it can only have decent marketing campaigns if it has double demerit points? Otherwise you cannot have it, and to me that does not make a lot of sense. On that, one of my colleagues said, 'If you take what the minister and the government are saying at face value, should you have double demerit points all the time?' Now, some of us ask the question, 'Why?' My colleague said, 'If it is going to save lives on long weekends and public holidays, maybe if you put all the demerit points up, that might be the answer.' I personally do not agree with that and nor do most of my party. In fact, I know the argument behind double demerit points on long weekends, public holidays and the designated days is that that is when you have higher traffic volumes. So, whilst I take that member's point to an extent, I also give credit where it is due, that the government's intention is to double it then because there are more vehicles on the roads.

I give credit to the minister—because I am a very bipartisan shadow minister on his specific point there—but, again, I raise the point that long weekends and public holidays are serious days on our roads but so are week days, so are general weekends, so are all days, and we are not seeing enough police presence out there on our roads. Day-in day-out, wherever I go people say to me, 'Where are the police?' I am passionately proud of our police. I love the portfolio, I thank them for the great work that they do, but there is only so much that they can do on road safety if they have not got enough resources. We have not grown the traffic police at all. I did not have the opportunity to grow the traffic police either, I am happy to acknowledge that, although I did grow policing by 203, and brought in a lot of civilians as well—not me, our government, the Liberal Party.

But things have changed since then because we have more money through the GST, so those police officers out there on their motorbikes and in the highway patrol cars—the traffic police—are stretched to the limit, and they are not able to work much after 11 o'clock at night. In fact, they only run two shifts a day, and sometimes with flexible rostering they might work a bit later or start earlier but, by and large, they are not out there after midnight. Now, if you are going to have saturation policing as part of this initiative then I would suggest to you that the \$1.54 million is not going to be anywhere near enough. In fact, I would suggest, knowing a fair bit about the police budget, that you would have to have three times that to do proper saturation policing.

The Hon. P.F. Conlon: What would that buy you?

Mr BROKENSHERE: The minister asked me, and I am happy to answer his question—

The Hon. P.F. Conlon: How many police would that buy?

Mr BROKENSHERE: The minister says what would three times the \$1.54 million buy? I will tell you, it will buy

you three times the saturation policing that the minister is putting forward.

The Hon. P.F. Conlon: Are you sure about that? Will you stake your reputation on that?

Mr BROKENSHERE: I am very happy to say that if you spend three times as much money—

The Hon. P.F. Conlon: Will that put three times as many police on the road?

Mr BROKENSHERE: What I am saying is this—

The Hon. P.F. Conlon: You do not know, do you?

Mr BROKENSHERE: I am saying that if \$1.54 million is spent directly on policing, then three times \$1.54 million is going to give you three times as much policing resource if it is spent directly on policing and, therefore, I am saying that there needs to be a lot more money spent here. We will have a look at this because we have the June long weekend, then we have the October long weekend, then we have the Christmas period, and the new year holiday period. So, we have a bit of time to look at the saturation policing between now and the election, and we will see whether \$1.54 million—rounded up, \$1.6 million, divided by four, \$400 000 a year—whether that is sufficient for saturation policing. I want to thank my colleagues for their genuine commitment in the debate in the party room—a robust and dedicated commitment of debate in the party room—at short notice to put through this very important piece of legislation.

I conclude my remarks by saying this: number one, I am extremely disappointed that a government that says that it is all about accountability, transparency, decency, and honesty will not provide the opposition, that has shown an enormous amount of goodwill to suspend standing orders tonight to ensure that we can get this bill through this house this week so that—

The Hon. P.F. Conlon: You are opposing it. Don't lie, you are opposing it.

Mr BROKENSHERE: Sir, I do not lie. You heard what the minister said. I ask you that he withdraw those remarks.

The Hon. P.F. CONLON: I apologise, sir. I ask him not to misrepresent his position—he is opposing the bill.

The DEPUTY SPEAKER: Order! This does not help. I did not hear what the minister said. Can we just get on with this? I understand the member for Mawson is wrapping up his comments. Can he just do it?

Mr BROKENSHERE: I am, sir. I am not a liar, and I was disappointed that the minister called me that. It is unparliamentary and untruthful.

The Hon. P.F. CONLON: On a point of order, I did not call him a liar.

Mr BROKENSHERE: I will not be opposing this bill but we will be moving some amendments. One will be that there must be a sunset clause to evaluate this.

The Hon. P.F. Conlon: If you'd asked me, I might have agreed with you.

Mr BROKENSHERE: The minister might agree with me, and I thank him in anticipation—

The Hon. P.F. Conlon: I might have if you hadn't engaged in an insulting tirade for two hours.

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Mawson is wrapping up his comments. Can we allow him to do it? It is going to be a late night as it is: I do not want it to go any longer than it absolutely has to.

Mr BROKENSHERE: I thank the minister for indicating support to that amendment and ask that he will support my next amendment, which it is very important that I flag to the

house in my concluding remarks. My next amendment will be to ensure that, parallel to this, we have the drug driving bill come through. I ask him in anticipation to support that as well, because I am not sure about the merits of double demerit points, based on everything I have said in the last two hours, but I am supporting them as lead spokesperson. As indicated, the Liberal Party majority will also be supporting them. But I am sure that drug driving legislation going through before the long weekend and getting those police out there, taking those saliva tests—

The Hon. P.F. Conlon: That's impossible. You silly fellow: it's impossible.

Mr BROKENSHIRE: In fairness to the minister, even though he is attacking me personally again, I agree that it is impossible by the June long weekend.

The Hon. P.F. Conlon: Why did you say that, then?

Mr BROKENSHIRE: If the minister would let me finish, Mr Deputy Speaker. If I could ask for your protection.

The DEPUTY SPEAKER: Order! Let the member for Mawson be heard uninterrupted. I will listen to what he has to say.

Mr BROKENSHIRE: I acknowledge that I got a bit excited, because members have to understand that for two years we have been trying to get this drug driving bill through.

The Hon. P.F. Conlon interjecting:

Mr BROKENSHIRE: Eight and a half years ago the legislation might have been possible but not the technology. Today the technology has been available for over a year. I acknowledge that the minister is right in saying that we could not have police out there doing saliva tests by the June long weekend, but we could have the legislation through both houses. Just as we are being bipartisan on this, we will be totally bipartisan on the drug driving legislation. If we are really serious about curbing the road toll, I throw out the challenge to the government to use its numbers to support the opposition; to accept our amendments and to debate the drug driving bill at the same time.

And would we be sending a powerful message out there then on the June long weekend! Not only will you be able to use your increased amount of money for an advertising campaign and saturation policing, but every time people see those ads the minister will be able say 'And guess what else is coming: not only double demerit points, but drug driving testing is coming in the near future. Stay tuned for further information.' And the police could be doing the same thing. So, I look forward to the support of this government in all my amendments. I finally say to the house, after a debate that was very important to have, let us have that sunset clause. Let us evaluate where we are up to in 18 months and we will support this bill in fast passage through this house, which will be less than two weeks.

Mr KOUTSANTONIS (West Torrens): I was on a joint committee in the last parliament with the Hon. Diana Laidlaw and then the Hon. Angus Redford on a road safety committee, a joint committee with the member for Stuart and the member for Hartley. We had a lot of evidence from experts on road safety and a number of recommendations were made to the then state government about effective means of curbing the road toll. I am glad that the opposition has finally after a long speech indicated that it will be supporting the government's move for double demerit points on public holidays and long weekends and other appointed times, but this double demerit

point amendment bill might not be the answer to all our problems.

I do not think the government claimed at any time that this bill will stop all deaths on long weekends. No-one is saying that. What the government is saying is that the advice we have at this date, from the people who are at the coal face—

Members interjecting:

Mr KOUTSANTONIS: I am not a minister, and from what the minister tells me—

Members interjecting:

Mr KOUTSANTONIS: I have known the minister a lot longer than members opposite and I know him to be a man of fine character and a man that I trust, and when he tells me he does not have that advice, I believe him. If members opposite—

The Hon. P.F. Conlon interjecting:

Mr KOUTSANTONIS: In any event, as the minister says, he is honest about it: he does not think that the report recommends double demerit points. However, those at the coal face who attend these accidents—not me and not members opposite but those who have to knock on the doors of the loved ones and say 'I'm sorry to inform you but your mother and father have been killed tragically in an accident', or 'Your 18-year old daughter has been killed as a passenger in an accident'—those people who have to make those death knocks are the ones saying to us that this is long overdue.

What would the opposition say to us after the June long weekend after those at the coal face have been calling on us to do this for the last two long weekends and we do not do it? What would they be saying then? I will tell you what they will be saying: the government has failed its responsibilities and has not shown due care for those who have lost their lives. I am not thinking that from this day forward, if this bill passes, no-one will die on a long weekend on our roads, but we are doing what those at the coalface are advising us to do. We will see if it works. Nothing is set in stone.

The minister has said that he is transferring funds for saturation in advertising—he knows that—and it is long overdue. For eight and a half years under the previous government it was long overdue. It might not work. There are plenty of examples members opposite can bring up where innocent bystanders will be severely punished under this bill, but we are doing it for the greater good. The one job I would not want as a fireman, ambulance officer or police officer is scraping somebody's body off the road or off a tree and knocking on their family home to tell them that their loved one is dead because the government of the day did not take their advice, that they were not listened to. What if you are the Minister for Transport and the police are telling you that you need double demerit points on this day and you ignore them and the next long weekend it is worse—we lose 12 people instead of eight? What do we do then? What do we say to those people at the coalface?

The Hon. P.F. Conlon interjecting:

Mr KOUTSANTONIS: Of course, you need more coppers. That is not the advice they are looking for. The member for Stuart and I had a lot in common on this committee. We saw eye to eye on a number of issues. I know of no-one with a greater commitment to road safety than the member for Stuart. A lot of members on both sides of the house often criticised him for his cavalier views on road safety, but I understand that he represents regional communities and they see road safety in terms of quality of road, drink driving and commonsense.

But one statistic jumps out like spotlights on a dark road: most of the people who are killed on our roads in South Australia are young men. They are not all on drugs, but some are. They are not all drunk, but some are. But overwhelmingly there is a culture of behaviour amongst young men and their vehicles that is getting them killed. The Minister for Police briefed us and said that over 70 per cent of fatalities involving young men are not doing things as simple as wearing seat belts. They feel indestructible. The only way we can get the message through to them is to take away their toys. We will do it with a two-pronged approach: first, the hoon driver legislation to stop the idiots doing their burn-outs and drag racing by taking away their cars; and, secondly, if you do this on long weekends when your mates are out on a big night you will get double demerit points.

Members interjecting:

Mr KOUTSANTONIS: It is that cavalier attitude that concerns me.

The DEPUTY SPEAKER: Order! This will be a very long night. I ask members to refrain from taunting each another from one side of the chamber to the other. I would rather it did not drag on any longer than it absolutely has to. The chair will not tolerate interjections from either side of the chamber any longer. The member for West Torrens has the call.

Mr KOUTSANTONIS: Every time you are in the chair you grow in wisdom, Mr Deputy Speaker, just like Obi Wan Kanobe. The members for Stuart, Hartley and I sought expert advice and there are three ways to get through to young men about driving at dangerous speeds. The one thing they do not care about is their own personal safety. The member for Stuart had some very pointed questions of the experts who were giving us their research as to how anybody could be so stupid. However, for some reason certain young men have no fear about the consequences of what happens to them in a road accident. They do not believe it will happen and the more we show ads about them getting hurt, they do not care.

The other point is that they love their cars as it is a status symbol, a feeling of power, an extension of their exuberant youth, and there is peer group pressure. The three things the experts told us that deter them from driving in these excessive and dangerous ways is, first, taking responsibility for their actions; in other words, if they are shown ads or are put in front of role plays where they have to confront the parents of their victims rather than their own parents. One example was: how would you go to your girlfriend's house after she has been involved in a serious accident and tell her parents that their young daughter was seriously injured? That really hurt them. It was not about the consequences of what happened to them but about what happened to others and how they were responsible for that. That had an impact.

The other impact was losing their licence, and it was not so much that they would not be able to drive but the consequence of having to tell their parents that they lost their licence. There was a loss of status among their peer group and friends in not being able to drive. The important thing in these young groups is who picks up who, who has the car, whose car is the shiniest, and so on, so if you lose your licence you lose the ability to go and impress people. When you lose your licence you lose access to a job as many work in jobs where they require cars.

While this bill may not be the solution to everything, it is the best option the government has before it, given the advice it has received. The shadow minister had an argument with the minister about the advice—where it has come from, what

one group said or did not say—but our South Australian experts at the coalface are telling us to do this. It would be remiss of us if we did not act.

In my electorate there have been two serious accidents: one on Henley Beach Road at Joe's Pizza Bar, near Senator Minchin's office, where a car, travelling at about 150 km/h, launched into a Stobie pole and pizza bar, destroying the business; and on another occasion on Ashley Street, Torrensville, when four young kids in a hotted-up Commodore were flying at speeds of about 180 kilometres down a street where the speed limit is 50 km/h. They became airborne after hitting a bump—no-one was wearing a seat belt—and they hit a Stobie pole.

When we are confronted with the reality of what is happening, our hands are tied. We have to act. I do not like demerit points. I do not like the idea of someone travelling at 60 km/h on North Terrace losing six demerit points on a public holiday—no-one does. As a former taxi driver, I know what it is like.

Mr Brokenshire interjecting:

The DEPUTY SPEAKER: I warn the member for Mawson. Next time he will be named.

Mr KOUTSANTONIS: Thank you, Mr Deputy Speaker. I understand that there will be consequences for some people, especially those driving through Unley, but we are targeting those people who are doing ridiculous speeds on country roads and endangering the lives of country people, because, generally, it involves not people who live in the country but, rather, those who are travelling into the country. There is an issue about the condition of our country roads, but it is not the sole issue. It is wrapped up in a series of issues that cause accidents, including fatigue, not paying attention and kids in the back seat crying, not wearing seat belts or making a mess and taking away the parent's attention. All these things contribute to road accidents.

The only way in which we can get the message through is to say, 'If you are travelling on long weekends, there are serious consequences. It is not the same as driving Monday to Friday. On these weekends, if you get caught not wearing a seat belt, it is double demerit points. If you get caught doing 70 km/h over the limit, it is double demerit points.' It will make people extra vigilant. It might not work. There might be fatalities, but at least we have tried something.

I know members opposite who oppose this bill are well-intentioned. I know that they mean well, but I ask them to consider what we would say to those at the coalface if we do not act—if we do not do what they ask us. Members opposite should ask what we would do if we were in opposition and if the police had called on the government of the day to have double demerit points on public holidays and the government refused to act. Imagine what we would have done to the government of the day—and it would have been right. The opposition would be right to jump on us if we did not do this, but we are doing it. We are doing it with good intentions. There will be unintended consequences.

I know that the Minister for Transport does not want to see another headline or another police officer having to knock on a door to tell a loved one that their family has died because of a road accident that should not have happened. If we have to punish some drivers, so be it. I support what the government is doing. I think we are doing a good job, and we would be condemned if we did not do it.

The Hon. G.M. GUNN (Stuart): I do not share the same enthusiasm for this proposal as a number of others who have

spoken or indicated what they will do. Let us get our feet on the ground. As someone who spends more time on the road perhaps than any other member in this chamber, I think I have a little experience.

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: Well, I must have done something right. The views which I am about to put to the house tonight must be the views of those people who have sent me here on 11 successive occasions. Everyone knows my stance on this issue, and I make no apology for it. Let me put some facts to members. First, this is an enabling bill. It enables the government to change the regulations. There is only one good thing about that: we will have another fight when the government tables the regulations, because I will be moving to disallow them. So the government has given us two kicks in the goal square.

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: What are the real consequences of this? We will have double demerit points and a number of police officers strategically placed around the state. I put it to this house that we are just on the point of the public nearly having had enough of this sort of behaviour—of whacking ordinary, decent, hardworking people on minor and trivial matters. We will hit the same situation as in the United Kingdom, where the parliament had to overturn the excessive, unnecessary and unwarranted attack. Too many ordinary people were losing their driving licences when they should not have been. They were revolting. They were about to kick out the councillors who were the architects of it. It was only a revenue measure—and the same thing will come here. Everyone can laugh and pat themselves on the back, but, make no mistake, there will be unintended consequences and some very heart-wrenching cases where people have lost their driving licences, and the government will have some difficulty justifying it. That will be the consequence.

What will we do when this fails and we have another spate of road accidents? If someone runs into a gum tree, whose fault is it? Can we legislate for that? Gum trees do not jump out onto roads. We can chop them down. That will help a few. We can get out the chainsaw. That is one step. Therefore, we have eliminated that. We can do nothing about that because—

Mr Koutsantonis: You can't chop down the trees; they will not let us.

The Hon. G.M. GUNN: Have you ever heard of a dark night? I have known trees to fall over on a dark night. That is easily fixed. We have solved that problem. Where there is a will there is a way. We still live in a practical world. There are too many academics out there. Let's get your coat off, roll your sleeves up and get on with the job.

The Hon. P.F. Conlon: Graham, I wish this parliament was just me and you. It would be fantastic.

The Hon. G.M. GUNN: Well, we would not have the EPA or the department of environment, and it would be a better place. We could move on in the rural upland, get development, and milk and honey would flow across the land. She would be a good spot.

The Hon. P.F. Conlon: There wouldn't be any bloody koalas.

The Hon. G.M. GUNN: I would not like the minister to get me talking about road safety on Kangaroo Island because we might start talking about koalas. If you culled the koalas you would have \$4 million to fix road safety problems. Cull the koalas and you have \$4 million more.

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: The minister, the former senator and I will go over and help at no cost to the taxpayer. However, I want to get back to being a serious fellow. It takes a fair bit to get me on my feet. It has taken me all evening, listening to the member for Mawson, to work myself up to make a few well-chosen words on this particular matter. We have dealt with gum trees. What are the other main concerns?

An honourable member interjecting:

The Hon. G.M. GUNN: And koalas, and we might talk about corellas. If you want, we can poison them as well while we are on the job. But, nevertheless, we will start taking driver's licences off people. I have very little public transport in my electorate. The minister is still debating with the regional cities about whether they will keep their bus services going. There are no bus services to Leigh Creek, Arkaroola and those places. It is difficult enough out there now. If you are going to bring in a measure to take people's licences away on these minor matters, I think that you have reached a pretty harsh and unconscionable level.

The other thing that this will do is bring more public into conflict with the police—nothing is surer. That is what will happen. Let me make it very clear to this house: when the first of my constituents lose their licence and I believe it is unreasonable, all those who issued the tickets will be named in this house, because one unreasonable act generates another. That will be the only recourse open to me. I take note where the police cars sit and where they are placed. When I am driving on the road doing 110 km/h and one of them whips past me—and I hope that everyone is listening because it is important that everyone understands—for no reason at all and I see them 10 kilometres farther along, pulled off on the side of the road, I might just be a bit naughty and take the number and put some questions on notice.

I have had a lot of practice at questions on notice, and guess who has to answer them? The deputy commissioners. From my past experience and discussions, they were not too happy about it. My attitude to this measure is that, if they are going to ping my constituents unreasonably, I will unreasonably put lots of questions on notice, and this is how they will go: who authorised police car number so and so; how many kilometres did it do last week; how many officers were in it, and all those sorts of questions.

That is what happens when you take unreasonable steps. The last long weekend when all these unfortunate people were killed, we have not yet been told in this house the cause of each accident. Was it speeding? Was it alcohol? Was it inattentive driving, or all of the foregoing? Was it the road conditions? I was on the road that weekend. Thousands of motor cars were on the road. We really are entitled to know before we are asked to vote on this matter what the causes of those accidents were. When you know the causes you can make a better judgment in these matters. I want to know—

The Hon. P.F. Conlon: Come on, Graham, no matter the cause, your position will be the same.

The Hon. G.M. GUNN: No, I am a rational person. I make judgments based on fact.

The Hon. I.F. Evans: On the merits of the case.

The Hon. G.M. GUNN: That is right: on the merits of the case. Therefore, minister, please tell us what they are. The sad thing was that two police officers were killed. If anyone is supposed to be educated in good driving practices you would expect it to be police officers. I will not say anything wrong. Do not worry, Tom. I have been here long enough. That is an example. No matter what you do, unfortunately, there will be unfortunate results. You have more people on

the roads, you have more motor cars and you have a highly mobile population. We are encouraging people to travel to the north of South Australia, and we want them to go there by the thousands.

I do not believe that if someone is doing 120 km/h driving on roads between Adelaide and Leigh Creek, Port Augusta and the border and Port Augusta and the Western Australian border, they are causing any problems at all. Major steps have been taken to upgrade the roads. The greatest improvement in my time in this place has been the double-passing lanes between Port Wakefield and Port Augusta; and, particularly, those last two at Port Wakefield have been a great improvement in road safety. This measure will require many more police officers. Will we have more police officers out on the road at the expense of some of the isolated stations?

I have received a complaint in my electorate today that there are inexperienced police officers at Oodnadatta. Does this legislation mean that there will not be experienced officers in a difficult policing environment such as we have there and that the people will not have enough experienced police officers? I will take up this matter with the minister, but I thought it was appropriate and necessary to make the point tonight. I do not need to keep the house at length on this matter, but I say to the minister that he must understand that to deprive people living in isolated communities of the ability to get between point A and point B because of minor matters is not only unwise but also very unnecessary and causes horrendous problems. It causes people to break the law, making it difficult for kids to get to school. It is very well for people based in Adelaide who have access to taxis and buses.

What the government will do is create a considerable amount of anger over some of these proposals. The government will have people such as me turn the ratchet up. I make no apology for it. I do not disagree with putting more police on the road because I think it is the best thing to do. If the government is really interested in road safety and not in revenue, it should stick up more signs saying that there is a speed camera up the road. If the government really wants to do something, do it. I know the police resisted vigorously on the Liberal government's coming to office, but we eventually made them put up signs after the speed cameras. It was the policy of the government before the election to put up the sign before the cameras, but they ignored it. I challenge this government to do that, because that will slow the traffic down.

About 12 months ago, at Lincoln Gap just before you get to the big tanks, there was a sign with a drawing depicting a police car saying 'Highway patrol regularly patrols this road.' It has now gone. Who took it down and why? There was another one at Wudinna on the Eyre Highway. I want to know, minister, who authorised to put them up and who was the foolish person who took them down. It was a good idea to have those signs. It was much better than sticking a camera at the bottom of the hill at Tarlee, or having that fellow they used to have at Woomera sitting over the bridge trying to catch some poor innocent fellow—

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: Would you give George this sort of power? You would really have to be born again.

Mr Rau interjecting:

The Hon. G.M. GUNN: I know all about that case at Oodnadatta, and what he did was not all wrong. Let me tell members that there were two sides to that story.

Mr Williams interjecting:

The Hon. G.M. GUNN: Probably not. I think both Peter Alexander and I did try to tender him some advice. I do not think he took any notice of us, even though we did try to help him. However, members are trying to sidetrack me, and I think that is unfortunate because I am normally a man of a few words. I could give members the whole history of Oodnadatta. That policing arrangement was quite an interesting story.

My amendments will give people greater rights of appeal and will ensure that people know that there are speed cameras, which will slow them down, as well as more signs. These are positive measures. Why just pick on one measure; that is, trying to take people's driver's licences away and trying to dip your hand deeper into their pocket? Why do that? Why not take the other sensible steps? Why not be inclusive?

If the government wants to have a bipartisan approach, then accept that the opposition is right sometimes. These suggestions that we are putting are right, fair, reasonable and sensible. One of the things that always amazes me about this place is that, whichever side you sit on, ministers never want to give in to amendments. They want to go through the circus of legislation going to the other place and then coming back, instead of applying a bit of commonsense. It wastes a hell of a lot of time, to put it mildly, and it is a huge cost to the taxpayer. I do not support the second reading for the reasons I have outlined. I will have more to say in the committee stage.

Mr Brindal: Oh, you won't.

The Hon. G.M. GUNN: I will, yes. I will have more to say. I look forward to moving my amendments. I even look forward with great anticipation to the minister's accepting them.

The Hon. P.F. CONLON (Minister for Transport): I move:

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

Motion carried.

Mr WILLIAMS (MacKillop): We have a very extraordinary situation here tonight. We have suspended standing orders to allow the carriage of a bill through all its stages through the house, and that is something that happens very rarely. Members would think that the house would do that only in extraordinary circumstances and when every member of the house was genuinely informed of, and genuinely understood, what was going on and the need for the measure. That is what members would expect. I am a little concerned, because I am willing to be convinced on this measure. However, on the information in front of me, I am not convinced.

I refer to yesterday's *Hansard* at page 2623. In answer to a question from the shadow minister, amongst other things, the minister said:

We will provide every piece of information that exists to support the bill.

I have a copy of the minister's second reading explanation. If that is every piece of information that supports the bill, it is time we threw it out. The shadow minister pleaded with the minister to bring to the house some of the science behind this bill, and all we have is 2½ pages of the minister's explanation, which contains no science whatsoever. I have highlighted in my copy a couple of things which I want to

address. The first is that the minister said in his second reading speech:

The intention of the double demerit point scheme is to enhance the deterrent effect of penalties—

he goes on and says:

during specific times when more people are using the roads and travelling long distances.

We have had a couple of horrific long weekends with regard to road accidents, fatalities and injuries, and I am very sorry for the people involved, their families and loved ones. It is a tragedy, and I have had personal experience through people fairly close to me over the years who have been involved in this sort of tragedy, as I am sure a number of us have. But these sorts of tragedies are not confined to long weekends. They are not confined to a few times during the year when the minister—

The Hon. J.W. Weatherill: Are you going to support the bill?

Mr WILLIAMS: No, I am not. I have said that. I am ready to be convinced, but nobody over there is convincing me. Road accidents happen randomly at all times during the year and I cannot understand what science the government is using to say, 'We will do this on long weekends but not at other times of the year.' If it is a good measure that will save lives, it will save lives any time, 24/7, 365 days a year. If it is a good measure, do it every day of the year. But we all know it is not a good measure. This is about a headline. After three years, not too many people in South Australia fail to understand that that is what this government is about: it is about headlines. It is not about actually doing the things that need to be done. We know some of the things that need to be done, and I will come to those in a few minutes. The minister also said the following in his second reading explanation:

The evaluation of the New South Wales scheme has indicated strong community support for the initiative.

That may be so. It may be that there is strong community support, but there is no evidence from the New South Wales evaluation that the measure actually works. The minister talked about community support but he did not go near whether the evidence suggested that the measure would be effective. Why did he not do that? Because the evidence is not there. There is no evidence from New South Wales to say that this measure is effective.

The Hon. J.W. Weatherill: But are you supporting it, Mitch? Are you mob supporting it?

Mr WILLIAMS: And this is why. The minister also says, and he repeated it a number of times via interjection:

To ensure every road user is aware of when double demerit points will apply, the government will undertake intensive public education campaigns.

Only this week on public radio here in Adelaide the minister said, 'Education simply hasn't done enough.' So out there on the airwaves the minister is admitting that public education campaigns do not work, but the science behind this measure is, 'We will undertake intensive public education programs.' The problem is that the minister told the house yesterday that every piece of information to support this measure will be before the house today. This is the sum total of it, sir, and I can assure you that it does not convince me.

Let me talk about a few things to do with road safety, and this comes from the Transport SA web site—I downloaded it last week. A lot of people in South Australia are probably unaware that the Australian nation has the National Road Safety Strategy 2001 to 2010. This is a national program, yet

this government, because it is all about headlines, keeps talking about its strategy as though it is doing this single-handedly and it thought up this strategy. This strategy has been around since before this government came to power, and it is a national strategy. This government just parrots the national strategy.

Mr Brindal: Do they? They parrot?

Mr WILLIAMS: Yes, they parrot it. They parrot most things, actually. Let me talk about some of the statistics, because I put up with some people on radio and in the newspapers saying that the fatality rate in South Australia is increasing and that it is outrageous. The reality is that nothing could be further from the truth. The number of deaths on South Australian roads from 1974 to 2003 declined annually from a peak of 382 in 1974 to 156 in 2003. The number of vehicles and drivers on the road during that same period approximately doubled. So we have had better than a halving of the number of deaths over that almost 30 year period, while the number of vehicles and drivers has doubled. Serious injuries fell from 4 055 in 1969 to 1 538 in 2002. The information on the web site goes on to say:

The decline has largely been due to the introduction of—

and there are four dot points. The first is compulsory seatbelt wearing. I do not think anyone would argue against that. It beggars my imagination why people hop in a motor vehicle today and do not put on a seatbelt. The second dot point is better roads, and this is where I would argue, as did my colleague the member for Stuart, that this is where this government has really fallen down. The official figure is that there is something like \$200 million worth of backlog maintenance which is languishing and not being addressed, and it is a serious problem. The third dot point is improved vehicle safety. The vehicles in which we travel around today by and large are much safer than they were in the early 1970s and have contributed significantly to road safety. We have better suspension, better handling characteristics, ABS brakes and air bags. We have all these sorts of technological changes to our vehicles. The last dot point is police enforcement campaigns against drink driving and speeding, including the introduction of random breath testing. I agree that all those things have made a significant difference.

Western Australia and New South Wales introduced this measure over the last few years. The minister would have us believe that is why he is seeking to introduce it in South Australia now—

The Hon. P.F. Conlon: Just vote against it. Don't be boring, just vote against it.

Mr WILLIAMS: I have told you. I have already said (if you were here) that I do not support it. The minister would have us believe that it has worked in Western Australia and New South Wales, but he did not say that. He said that the public supports it. He did not say it worked because it damn well has not worked. Let me read from the 'Evaluation of the trial period of the double demerits enforcement campaign and supporting media campaign in Western Australia.' This is a report from last September. It is report 70091, and I will read from the executive summary. One of the conclusions states:

Enforcement Activity: Police report 7.9 times greater enforcement activity during Double Demerit periods—in short, the police have supported the initiative 'on the ground'.

Sir, this is exactly why the RAA in South Australia has serious doubts about this measure. From the evidence from New South Wales and Western Australia, the RAA has come to the conclusion that what has actually made the difference

in those jurisdictions is the additional police activity. In Western Australia there is 7.9 times greater activity. For every policeman that was on the road in the non-double demerit time, there are virtually eight police. That, sir, is what I call saturation policing. That is saturation policing, and that, I believe, would work. This is what this minister calls saturation policing—\$385 000 a year—that is what is going to be spent in South Australia to saturate our roads with police. Can I tell the house what that \$385 000 would deliver to us? As a shadow minister I do not mind if we round it up to \$400 000. Can I tell you what that will deliver? It will deliver one extra patrol car staffed 24 hours a day for \$400 000 with one police officer in it. And we are going to saturate all our regions of South Australia with one extra patrol car. It is a furphy; it is a con. The real problem I have with this and the real reason that I have great difficulty in supporting this measure is because it is a con and it deceives the public.

We have lot a lot of young people out there, as the member for West Torrens said, particularly a lot of young men who get in their motorcars and think they are invincible. Our job should be to train them and teach them that they are not invincible. But when we have governments introducing stupid measures like this, all it does is reinforce that belief in the minds of those people that the government is out there protecting them, and that they are invincible. That is all that this is going to do. It is going to reinforce in those minds that everything is okay because the government has brought in double demerit points. This is the panacea; this is going to solve the problem, and now they will think, 'I am invincible so I can go and do what I want to do. There are a number of things that you could do to seriously address road accidents in South Australia. They are generally either extremely unpopular or would cost a lot of money, and that is why they are not being addressed by this government.'

Mrs Hall: Or both.

Mr WILLIAMS: Or both, as my colleague points out. This costs very little money, and it will grab dozens and dozens of column inches and great big headlines. That is why this government embraces this idea. I will tell you some of the things that should be done if we are serious, but I do not expect them to happen. The first one would be to stop entertaining things like the Clipsal 500 racing around our city streets. We would stop it, and I know that it would be incredibly unpopular. The young men that the member for West Torrens was talking about get a serious rev from that sort of activity. We would stop the Premier doing wheelies in Britain, and having it put across our TV screens. We would stop the Premier saying that part of the future of South Australia is building sports cars, and demonstrating that by doing wheelies—

Mrs Hall interjecting:

Mr WILLIAMS: Yes, I will be a spoilsport. The most important thing we would do is to start spending money on serious road improvements. The Dukes Highway in years gone by had one of the worst reputations for road trauma in the state. It has been taken over by a couple of other roads in recent years. It has been taken over because every five kilometres on the road today is a passing lane, certainly from Tailem Bend end to Bordertown, and the road from Bordertown to the border is being repaired. Unfortunately, there are still some road accidents that occur on that road, but it is a hell of a lot better than what it was. It could be one of the most heavily trafficked regional roads in South Australia, and it is relatively safe. Why? The federal government is respon-

sible for that road and has put a substantial amount of money into it. It has upgraded it and put in passing lanes, and that has had a serious and significant effect on the amount of road accidents experienced on that stretch of road.

There are some things we could do. I ask the minister: why would you give somebody one penalty at 11.59 on a Friday night, and at 12.01 (two minutes later) on the Saturday morning get double the penalty for the same offence? Why would you do that, sir? Is there any rationale behind that? To my mind, there is none. If the minister seriously thinks that this measure is necessary and will have the desired effect, bring it in 24/7, and police it properly, and let's see if something will happen. But what the minister and government are going to do—and they will get this measure through—they will saturate our roads with police over the June long weekend. They will put their hand up and say, 'See how good we are?' And they will be deceiving every one of those young men that the member for West Torrens talked about.

They will be deceiving every one of them because the reality is that double demerit points will not be the cause of the reduction in the number of road accidents on the June long weekend, it will be the serious saturation. There will not be one extra car in rural South Australia, but it will be a serious saturation, mark my words. If you are half smart, do not take the car out of the front drive on the June long weekend. This government brought in some ridiculous speed restrictions in this city when it came to power, and a number of constituents have contacted my office. One of them came in to visit his daughter; he drove down Glen Osmond Road, turned into Hutt Road to visit her in the city, and an hour and half later he drove out along Hutt Road and back up Glen Osmond Road. He did not know that it was a 50 km/h speed limit in the Parklands. He got pinged coming in, and pinged going out. Under this measure, in an hour and a half he would have done his licence.

I agree with the member for Stuart. This is going to present the government with some very angry people. Another point that the member for Stuart made needs reinforcing: the amount of conflict that this will cause between our hardworking and dedicated police and the general public. We know how hard it is to recruit police in South Australia because we had to go to Great Britain to recruit them, because we cannot recruit enough people in South Australia. Why? Because this government is asking them to do very difficult work; work that brings the police officers into conflict with the general public, and it is not a very popular occupation when you are doing that sort of work all the time, and when you are being asked to police incredibly draconian laws. That is another downside to this bit of law. I also highlight the problem with drugs and driving—and speaking of parroting, members of the government say, 'Why didn't you do it in 8½ years?' The technology was not there, and they know it. The technology is there now.

This parliament has had the opportunity for over two years to address the matter but again the government will not do that, because again it wants a headline later on this year in the run up to the next election. If this government had any conscience at all about what happens on the road, it would immediately embrace the amendments that will be brought on this bill by the opposition, and introduce drug testing at the earliest possible time. I could go on but unfortunately I am virtually out of time. If there is some science, I call on the minister and some of his colleagues to bring it to the attention of the house.

Time expired.

Mrs HALL (Morialta): I have absolutely no doubt that every member in this chamber considers the issue of road safety as one of the top priorities in public debate at present. I also acknowledge that it is one of the most complex issues that we have been involved in over the last few years, particularly when one looks at the available statistical information. It is with great reluctance, however, that I will be supporting this bill as it is currently before the house, and I hope most sincerely that the minister and the government consider most seriously some of the amendments that are going to be moved by the opposition.

My electorate, like every electorate, I have no doubt, can produce a range of figures that are horrifying, and that constituents come to talk to us about probably most days of the week. I am going to put on the record some of those that concern the electorate of Morialta and, I have no doubt, concern members of the police force, and probably many members of Transport SA. One of the most serious areas that involves road safety or lack thereof is the intersection of Gorge Road and Newton Road which, over the last four years, has seen 30 major crashes, and the last one was fatal. The north-south road of Newton Road, Darley Road, Sudholz, St Bernard's and Penfold roads is considered to be the third most dangerous road in our state, and has had 57 crashes in the last 12 months or just over. The third road, which sadly we all read about too often, is Gorge Road, Lower North East Road, and since 1999 there have been 112 crashes.

I have no doubt that every member could give those sorts of horrifying examples of the sorts of issues that will need to be addressed over coming months, and probably years. One of the things that concerns me about this bill—and there are many—is that it is probably going to build up an unrealistic expectation among the community that it is going to solve the problem, and we all know that that is not the case. This bill makes two key assumptions: one is that it assumes drivers are going to modify their behaviour on eight long weekends, or nominated periods as they are called; and the other is that road safety is determined only by driver deterrents rather than road conditions, attitude, awareness and driver ability fostered by proper training.

Upon the introduction of this bill, the question has to be asked of the government: in addition to increasing demerit points on long weekends, what else will it do to improve road safety both on long weekends and for the rest of the year? We have heard some suggestions made by the member for Stuart and by my colleague, the member for MacKillop, and I have no doubt that most members—since this debate started some months ago when the horrendous spikes in road fatalities and road crashes started—have all been reading some of the material that is readily available for each of us. One of the pieces of material prepared by the traffic intelligence section really surprised and horrified me. The heading of the sheet says 'Fatalities to midnight' and it goes through the years from 2002 to 2005, and the months to date so far. What surprised me in particular is one of the headings that says 'Week day fatalities and crashes'.

That has fluctuated from 31 in 2002 to 37 in 2003, 32 in 2004 and 44 in 2005. But on weekends—which is what we are talking about—long weekends, the comparison is quite stark. For weekdays in 2002 it is 31 to 19; for 2003 it is 37 to 19; for 2004 it is 32 to 18; and for 2005 it is 44 to 19. When you look at the percentages, the weekday fatalities and

crashes are up 37.5 per cent and the weekend fatalities and crashes are up 1 per cent. I am not suggesting that the minister is unaware of these figures, but it seems to me that double demerit points for long weekends, from 12.01 on the Saturday morning to 11.59 on the following Monday, have the wrong focus, because those figures are absolutely clear that the serious and major problems are the weekday crashes and fatalities.

This is a sheet that I recommend all members look at, because it also shows that passenger fatalities have increased in that same period by 216.67 per cent. It is the highest percentage increase, whereas many of us are wrongly under the assumption that it is the drivers. When you look at some of the other figures on another reference that I am going to make, they tell a different story, which adds to the complexities of this horrendous issue. The other particular statistic that I have no doubt everyone in this chamber is just mortified by, when they look at in stark reality, printed out on a sheet of paper, is the one that shows that the age grouping from 16 to 19 in that four-year period has increased by 225 per cent. When you look at that figure and then look at the gender breakdown in some other material that I will be using, it is probably one of the most serious issues facing this parliament.

I have no doubt that we are going to start to hear some stories over the next few days, as this bill goes through both chambers, of the sorts of issues that have yet to be addressed. This may be a start, and we can look at and listen to some of the material that is being presented in support of this bill, but it is really only a very small component of the issues that need to be addressed in the ongoing debate. I understand that the National Road Safety Strategy that all states have signed up to outlines some targets for all the states to aspire to. However, we know that we do not live in a Utopia, sadly, and even one death and one injury on the roads are things that we all ought to be seriously addressing.

The other document that I referred to when I was preparing my notes for what I was to say on this debate come from the South Australian Road Safety Strategy 2003-10. We heard the member for MacKillop outline some of the targets that have been set under this national strategy, which talks about the advances and gains that have been made thus far. It talks about what has happened in Great Britain and goes through the decline in the road toll and attributes that to the fitting and using of seat belts and child restraints, improved roads, initiatives to curb drink driving, vehicle safety enhancement, greater speed enforcement and public education supporting enforcement. I do not think that any of us would have any problem with any of those issues.

When you look at the national and international comparison of how we are going in South Australia, it is quite frightening. Along with probably every member of this chamber, I understand that we really must get serious about what we are doing. However, one of the most concerning issues that has to be addressed will involve money and will involve a lot more money but, as we know, this government is awash with money for a whole range of reasons, including the GST, and it should get some of the priorities right with what the community is screaming out for. The figures under when and where crashes occur are just horrifying, when you look at what is happening on our rural roads.

I am not going to outline all those statistics. I can only urge members to look at this particular document if they have thus far not seen it. Under the heading of who are the road users involved, we see those ghastly statistics of young men

accounting for 74 per cent of roads deaths with 26 per cent for females. Two-thirds of the drivers and riders killed or seriously injured in rural areas actually live in rural areas. It is a horror to all of us when we start reading in the daily newspapers the very sad stories of the families whose lives have been devastated by either fatality or injury, or both. The figures under what factors are involved in crashes are even more horrifying.

Again you come down to those specific issues of excessive speed (and there is a lot of material there), drink driving (and again we are talking about the group that is most at risk being between 16 and 30) and the failure to wear a seat belt. I find it incomprehensible that that is still a key factor involved in the absolute carnage taking place on our roads. As I said earlier, I find it very difficult and am most reluctant to support this bill as it stands, and I do hope that the minister is going to look very seriously at some of the amendments that have already been foreshadowed, including that contained in the member for Schubert's bill that he has been trying to get enough support to get through this chamber. Since so many of these figures were compiled, the additional component of drug abuse on the road is something about which we are all concerned. Whether the proposal is moved by a member of the Liberal Party or a member of the government should be of no consequence if we are serious in trying to address the absolutely terrifying and spiralling road carnage in our state.

I, like everyone, have read the material that has come out of Western Australia and New South Wales and I guess that one can make statistics tell any story you like. One of the things you cannot alter in any way is the fact that the evaluations of both states thus far talk about the need for changes and the additional factors that have contributed to the apparent success—and I use the word 'apparent'—of double demerit points.

The Western Australian summary talks about the fact that weather conditions and driver exposure have not been taken into account in any of the evaluations done thus far. I would have thought that weather conditions were a huge factor. Some of the other issues which I would like to raise and which are most important include the importance of the additional police presence on our roads. We can all talk about education campaigns, about constant use of the media and about the wonderful work that the police do in our schools in trying to educate, but all that seems to be missing a factor when we have the member for West Torrens standing in this chamber talking about the attitude and feeling of invincibility that so many of our young men have. We have to be doing something wrong if we are not getting the message through to these people.

I sincerely ask members to look at these figures because, when you see them starkly printed on a piece of paper, they are just horrifying. We hear our leaders, the RAA and respected and esteemed members of the Road Safety Council headed by Sir Eric Neal talking about them, but seeing the figures printed on many reports and pieces of paper adds a different dimension. We have heard the minister talk about saturation in the lead up to this debate and to this bill being presented, but figures that have been put together show that saturation and a \$1.5 million increase over four years is mean spirited in the scheme of things, because it works out to be \$385 000 a year, and that equates to one additional police car staffed 24/7.

The Hon. P.F. Conlon interjecting:

Mrs HALL: I will be interested to hear the minister's response when he winds up the debate later today. One issue of huge concern is the unrealistic expectation often built up in the community about individual, isolated and selective issues that will solve so many problems. That is why I said when I started my remarks that it is so complex. We probably ought to stress that message more than we are doing because, if you look at the 16 to 30-year age bracket, particularly for young men, the message is not getting through to them.

The issue some of the young people have discussed with me is that they do not seem to understand that punishment will in any way affect them. I find that quite horrifying. When you talk about the effect their actions have had on families and other individuals, they seem to understand that. One constituent who came to see me to talk about the driver training aspect rather than punishment alone is keen for the government to think about using people involved in sporting car clubs and individual car clubs who understand the importance of knowing about the engines and all those sort of things that petrol heads seem to sprout off effectively, which some of us do not always understand.

I was interested to read about some of the issues related to the international component of road safety. Like many members in this chamber, I have travelled along the autobahns of Germany, and a road safety expert who was discussing the issue with me recently pointed out that Germany's autobahns are some of the safest roads in the world. I found that unusual, but he went on to tell me that the features are that there are no speed limits, yet crashes are infrequent and the safety of the autobahns is commonly attributed to their superb condition and design. They are constantly checked for surface maintenance requirements, and one crack in one of the autobahns leads to the repair of an entire section of road.

I understand that Germany is smaller than South Australia, but we have the material available to make serious assessments about where road design and road surface should have many more dollars invested in terms of standards. The design features referred to in relation to the German autobahns include wide lanes, safety barriers and controlled access points. I know controlled access points are not a big issue in many of our outback areas but, if we refer back to the first sections about weekday crashes, particularly in the metropolitan and near Hills areas, maybe we can look at it. German drivers are also required to complete training and driving at high speeds in order to obtain a licence.

I think looking at driver training must be one of the next issues that this government and this parliament addresses. I can only urge all members who have not looked at the statistics on the two sheets I have talked about to do so. One of the issues, on which I particularly do agree with the member for Stuart—and I will not flippantly say that culling koalas would save \$4 million (as he did)—and which is relatively inexpensive, is to put up hundreds more safety signs in the community.

The Hon. D.C. KOTZ (Newland): When listening to the range of comments made in this debate tonight, I think it signifies that all members in this chamber take this matter extremely seriously. It is a matter that is a response to the death of young South Australians over a period of time, particularly over the May long weekend and the recent Easter weekend. The reason we are debating this bill tonight is that the government has taken action to attempt in some way to

assist in reducing the fatalities that we have seen so tragically on our roads over time.

The major area of debate, of course, is whether the bill before us will do as much as the government suggests it will. I have looked at much of the material that is available, in terms of road statistics across the board in South Australia, and I have looked at the evaluation reports on the existing double demerit schemes in Western Australia and New South Wales. It is unfortunate that the government itself could not provide much of the background and statistics that would help the members in this house evaluate their positions. The assistance of that particular statistical and technical material is often very necessary for each of us to make our own assessment and evaluation of a bill that is placed before us, particularly as this is a bill that has now taken precedence of all matters before us in the parliament. Therefore, it has not given many members on this side of the chamber—or possibly many members on the other side of the chamber—an opportunity to undertake the evaluations and assessments that are necessary to enable them to come to a point of view in order to acknowledge whether or not the bill will do as much as we would like to see done to prevent the types of tragedies of life, particularly young life, that we have seen on our roads in recent times.

In looking at the material that is available, I am afraid my conclusions are not necessarily supportive of the measures the government presents in this bill. I do not intend to speak for very long on the subject, but I have formed an opinion, after reading this material, that several things are quite obvious. Although the penalties that are being employed under the double demerit system are meant to cause a bit of pain for, and attention and acknowledgment of, the people of this state that, when they make mistakes on the road, they will, in effect, pay by expiation (which is greater financial disadvantage to the individual), their licence may be taken from them or they will lose the use of their vehicle. A series of penalties is set to instil in individuals that the government and the parliament are serious in terms of a disadvantage that will be caused to those who cause harm to others on the road.

However, one when one reads the evaluation of the Western Australia trial period of its double demerits enforcement campaign, with the supporting media campaign that took place in that state, again, there are some obvious areas that stand out. As opposed to the issue of double demerit points, two greater components were part of that trial period of double demerits enforcement, including the greater enforcement activity by police. That was a major component of getting the message across to drivers on the roads that it is a privilege to have a licence and drive on our roads, and emphasised adherence to our laws in relation to speed limits, not drinking alcohol during a period of driving a car, and other aspects that could cause problems that bring people into a position of either creating an accident or being in an accident themselves. The major enforcement was the physical appearance of police by a 'saturation' of police on the roads.

The second aspect of this trial period of double demerits enforcement in Western Australia, quite obviously, was the media campaign. They spent a considerable amount of money, time and effort to ensure that Western Australians understood what was about to take place during a particular period set out by the Western Australia government to implement the double demerits system. I should say that this pilot project took place for the first time in 2002. That was the pilot year. In 2003 the evaluation of the two years of that trial had taken place. A comparison was made in this paper

about the variability in the data between years, and the conclusion was reached that there was no firm evidence at that stage (that is, the 2003 second year stage) to suggest that the impact during year two of the trial was significantly less than the impact in year one thereof. The paper goes on to say that, in some instances, the effect in 2003 (which is the second year of the trial) has been equal to or greater than that in 2002.

Again, I say that 2002 is the first year of the trial; 2003 was the second year, when the evaluation was undertaken. That evaluation states quite clearly that no firm evidence was found to suggest that, during that second year, the impact was significantly less than the impact of the trial in its first year. It does not give any answers as to why that lack of impact or any further significant impact in the second year of the double demerits enforcement could have been seen to be less significant than in the first year.

Again, that highlights the very big question that is being asked by me and other members in this chamber about whether the double demerits portion as a component of this bill is the right way to go; and whether police enforcement or media education on its own is suitable and sufficiently equitable to turn around people's attitudes in this state without the penalties of double demerits. It was also one of the comments made by one of the serious stakeholders in terms of road safety, which group has always been consulted by governments across the board because of its interest and very great stake in road safety, and that is the RAA.

At this point the RAA questioned whether the double demerit penalty aspect of this bill would provide the impact that the government is hoping to see. The RAA said that, based on the New South Wales and Western Australian experience, it can say with a great deal of certainty that double demerit points during holiday periods will have no impact on road safety unless accompanied by massive increases in public enforcement and public education, and none of us doubts that. But what the RAA says it is uncertain about is whether exactly the same effect could be achieved by increased levels of enforcement and publicity alone.

I think that, when one reads some of the material that has come out of the other states, that is the major question. One of the disappointing aspects of the Western Australian evaluation was another comment which appears on page 46 and which states:

The analysis of crash data has focused exclusively on events (that is, crashes), and has not included an analysis of fatalities or injury data.

That means the number of people killed or injured in those events. The crash data that was analysed did not take into account the number of people who were killed or injured in this evaluation that was undertaken. The evaluation further states:

On the basis that the double demerits initiative is ultimately designed to reduce the number of crashes on Western Australian roads, it could be argued that the analysis of event [that is, crash data] as undertaken in this report is in fact more appropriate.

That may be the case for Western Australia, but it does put in question some of the more positive comments that are made in portions of this evaluation report. I am concerned by the fact that, although there is a great reliance on the two areas in Australia where they have already introduced this scheme, there is still no real evidence that the three components are all necessary to reduce the type of accidents we would like to see reduced in this state and, of course, reduce the terrible road fatalities that we have seen.

Again, I can only suggest that, in terms of double demerits, I do not believe that in itself that is necessary. I do believe that police saturation on the ground will be most effective. I do believe that, certainly, a saturation media campaign would have an effect on people in this state. However, I would consider that saturation of police is also a question that members of this parliament will have to see occur before they believe it. We have seen a reduction in the number of police in many areas of the state. The amount of money that the budget appears to provide to support police to take up these other measures does not, to my mind, equate to the number of police that would be necessary to take part in a saturation campaign.

Recently, I noticed that the Police Commissioner referred to the fact that a blitz was to be made by police because of the number of serious crashes that had taken place on the Main North Road over a period of a year. I think those crashes totalled approximately 454 throughout the year. In all the hours that I have driven on that metropolitan section of the Main North Road over the past three months, I have yet to see any police blitz. In fact, the only police car that I can recall seeing on the Main North Road over the past month was just recently and it was escorting a long-load trailer. There does not appear to be any sign of a saturation of police on the road to reduce accidents.

At this point I am not supporting the government's bill. I will decide as we go through the committee stage of this debate. I will support the amendments that the opposition will move to attempt to bring a certain stability to the bill, and I will make up my mind at that point whether I will support the third reading of the bill or whether I will totally oppose it.

I do not believe there is one member of this place who does not seriously hope that measures can be taken in the future which will assist our young people in this state to get their head around the fact that they are far more vulnerable in motor vehicles on our roads than they believe they are, but I also believe it will be a very hard job for anyone to take on. However, I will add a few more comments at the committee stage.

Mr MEIER (Goyder): I will make a few brief points. I do not think this measure will help reduce the road toll. Two of the deaths which occurred the weekend before last were in my electorate. It was an absolute tragedy; both of them were 17-years old. I certainly knew the parents of one of them well. Speaking to the police after the accident, I was informed that apparently the two 17-year olds were simply heading towards Adelaide, doing the right thing, and a four-wheel drive pulled out to pass another car and went straight into the car in which the two 17-year olds were travelling, and that was the end. I cannot see how doubling demerit points would have made a scrap of difference to that particular case.

A few weeks earlier there was another tragedy at Kulpara in my electorate, when a person failed to give way on the road coming from Bute into Kulpara. Apparently they failed to stop at the give-way sign. My assessment is that the driver who hit that car which did not give way almost certainly would have been looking straight into the sun. I travel that road very regularly, and at that time of day (I think it was near 5 p.m) the sun is right on the horizon and you have real problems seeing. Again another fatality. Again I cannot see how double demerit points would have avoided that tragedy. We could look at many other examples.

I am very disappointed that we are not having the chance to think this matter through carefully. The minister has said

that he wants it in by the June long weekend. All right, it appeals to the public; there is no doubt about that. I have not had a chance to assess what my electorate thinks—whether it is in favour of this bill or whether it is against it. I suspect it would probably be 50-50, and so I have to make up my own mind on this. I experienced double demerit points when I was in Sydney on an Easter long weekend two years ago. On several occasions I drove from Parramatta into Sydney Central. From memory, the road had speed limits of 60, 70, 80 and 90 km/h. For most of the time I was watching for speed signs and not watching the traffic. In fact, I said to the person who was with me, 'This is absolutely ridiculous. I have no idea what zone I am in half the time because of the heavy traffic, but I am supposed to be looking for speed signs to see whether I am doing the correct speed.'

I thought that, if I was doing 80, as I was on that occasion, and I happened to be in a 60 km/h zone and I was picked up by a camera, I would lose double demerit points. I think it was six at that stage, so I would have lost 12 points—licence finished. I thought it was incomprehensible that I was experiencing this and hoped that we would never get it in South Australia.

I refer now to the statistics for such things as road traffic fatalities per 100 000 of state population from 1950 to 2004. The graph and the statistical table basically show that, since about 1978, there has been a fairly steep and I would say rapid decrease in the traffic fatalities per 100 000 of state population. That statistical information takes us to the year 2004: it does not include this year obviously. We have been making very good progress. No, it is not perfect, but the figure has been reduced very significantly at a time when the amount of traffic on our roads has increased enormously. I seek leave to incorporate this purely statistical table into *Hansard*.

Leave granted.

Number of road traffic fatalities^(a) per 100 000 population, South Australia, 1950 to 2004

Year	All road traffic deaths (No.)	Population ('000)	Road traffic accident fatality rate (No. per 100 000 population)
1950	170	709.5	24.0
1951	197	732.4	26.9
1952	172	755.1	22.8
1953	136	775.8	17.5
1954	153	797.1	19.2
1955	173	819.6	21.1
1956	167	848.6	19.7
1957	185	873.2	21.2
1958	200	896.8	22.3
1959	185	920.9	20.1
1960	203	945.3	21.5
1961	203	971.5	20.9
1962	194	987.5	19.6
1963	223	1010.7	22.1
1964	238	1038.0	22.9
1965	243	1067.6	22.8
1966	270	1094.9	24.7
1967	253	1109.8	22.8
1968	275	1121.8	24.5
1969	251	1139.3	22.0
1970	349	1157.9	30.1
1971	292	1185.4	24.6
1972	312	1202.4	25.9
1973	329	1217.9	27.0
1974	382	1236.2	30.9
1975	339	1265.3	26.8
1976	307	1274.1	24.1
1977	306	1286.1	23.8
1978	291	1296.2	22.5

1979	309	1301.1	23.7
1980	269	1308.4	20.6
1981	222	1318.8	16.8
1982	270	1331.1	20.3
1983	266	1345.8	19.8
1984	232	1360.0	17.1
1985	268	1371.2	19.5
1986	288	1382.6	20.8
1987	256	1392.8	18.4
1988	223	1404.9	15.9
1989	222	1419.0	15.6
1990	226	1432.1	15.8
1991	184	1446.3	12.7
1992	165	1456.5	11.3
1993	218	1460.7	14.9
1994	159	1466.1	10.8
1995	181	1469.4	12.3
1996	181	1474.3	12.3
1997	148	1481.4	10.0
1998	168	1489.6	11.3
1999	151	1497.8	10.1
2000	166	1505.0	11.0
2001	153	1511.7	10.1
2002	154	1518.7	10.1
2003	157	1526.3	10.3
2004	139	1534.3	9.1

^(a)Total road traffic fatalities of drivers, passengers, pedestrians, motorcyclists, bicyclists and others.

Source:

Australian Transport Safety Board (ATSB) 2003, Road crash data and rates, Australian States and Territories, 1925 to 2002.

ATSB Road Deaths in Australia, monthly bulletins December 2002 and December 2003.

ATSB publications from www.atsb.gov.au

ABS 3201.0 Population By Age and Sex, Australian States and Territories, time series spreadsheets from www.abs.gov.au

Mr MEIER: This table indicates that in 1974 we had 30.9 road traffic accident fatalities per 100 000. We are now down to 9.1, and that has been progressively falling. In fact, 9.1 is the lowest ever, and that is for 2004. So, why are we suddenly having what I would describe is a knee-jerk reaction to a situation where it is clear that the police have been tackling the job properly and over a period of time the number of deaths have been decreasing?

I fear that thousands of people on our roads will be driving without licences because, rest assured, a lot will be caught and have double demerit points imposed—a lot of them, I believe, for pure ignorance: in other words, they were doing 60-odd km/h in a 50 km/h zone. One would say, ‘Well, they are not allowed to drive on the roads if they do not have a licence.’ We all know that. You are not allowed to exceed the speed limit, but people do. Just because they do not have a licence does not mean they will not be on the roads. Can members consider the implications of that?

I well remember—and I think I highlighted this case to this house some years earlier—a person whom I knew saying to me, ‘I have a bit of bad news. I have lost my licence for three months.’ I said, ‘I am sorry to hear that. What happened?’ He said, ‘I was caught speeding, and I have lost it for three months.’ I said, ‘Well, how are you going to get to work?’ He said, ‘Drive.’ I said, ‘But you have lost your licence for three months.’ He said, ‘It is my business and I have to make a living. There is no way I can get here other than drive, so I will be driving.’ I saw him at the end of that three months and I said, ‘How did it go?’ He said, ‘Yes, I got by. I drove every day.’ This parliament is going to impose that on, I believe, potentially thousands of people. Is that what we want? I would say no.

So where do I stand on this issue? It is very clear from what I have just said. Nevertheless, I know that one of our amendments is to insert a sunset clause, to give it a trial for

two years. I do not want to be accused of having been an accessory to another death by not having supported legislation which seeks to reduce the death toll on our roads. If it succeeds and brings it down dramatically, I will say, ‘Well done.’ I question whether it will but, because of the two year sunset clause which I believe will get through (it may not get through this house but I believe it will get through another place), I do not think I have any option but to give it a go, even though I have expressed my personal concerns and fears that this will have little significant effect, if any, on the road toll. But I have made my point and, despite that, I will support the second reading.

Mr VENNING (Schubert): I entered the chamber only a few minutes ago and therefore have not heard many of the previous speakers, so I apologise if I repeat anything said by others. I oppose this bill as it stands, as it will impact very much on country people more than on city people; and, because I represent country people, I think I would be derelict in my duty if I sold out on this issue. Country people, as we know and we need to remember, travel many more kilometres than do city people and therefore are more susceptible to being picked up, losing points and losing their licence. And when they lose their licence they do not have the alternative methods of transport that you have in the cities, or even in the larger regional towns.

This is all about points demerits and taking away people’s driver’s licences. As the member for Goyder just said, I know of a lot of people who drive without a licence because they have no choice, and they just run the gauntlet. All you can do is pick them up and throw them in gaol, because they will do it again. That is lawlessness, and we should never justify that, and people should not be forced to drive without a licence, because it is unlawful.

I really do have a conflict of interest in this issue as a person who does approximately 50 000 to 60 000 kilometres a year, and I have accumulated more than a few points. Just the other day, as I said before, I got picked up for doing 61 km/h going into Gawler because I assumed, wrongly, that it was a 60 km/h zone. There were no houses on either side of the road and I did not see the sign, for one reason or another, and I was sitting on 61 km/h and got booked, got the fine and got the points. On it goes. I got pretty cross. I was not in any particular hurry and I thought I was doing the right thing. You lose the sign and you can lose your licence, particularly on a long weekend if we bring in this sort of legislation. I am very concerned about that.

I am happy to support many areas of this legislation but, if you are going to address the confusion between the 50 km/h and 60 km/h zones, I believe instead of having a 10 km/h margin for error you should make it 15 km/h, and then impose double demerit points. In other words, if you are on the 10 km/h it is ordinary points and if you are over the 15 km/h it is double points. I am happy with that because if you are 15 km/h over the limit you are speeding. But at 10 km/h, you only have to miss that sign and it is very confusing.

Before we contemplate uniform double penalties across our state, how about beginning by implementing uniform speed zones across South Australia? This really annoys me. As legislators we ought to be ashamed of the situation we have at the moment—absolutely ashamed. As you drive around our state, do you think it is reasonable as it is? You see 50, 60, 70 and 80 km/h limits all over the state. What happened to the old regime when we had 35 miles per hour

through every town and we knew what the speed was? What do we have now? If you go up the Norwood Parade it is 60 km/h, but if you drive through Truro on the highway it is 50 km/h. If you do not see the sign, you have lost your licence.

We tolerate this. We are legislators, we are professional people and it is an absolute nonsense. What about having some more signs out there warning people—not just what the speed zones are, but warning them of the hazards that are out there? I think South Australia has fewer signs per kilometre than any state in Australia. We have only just started putting up these signs warning drivers about being drowsy. ‘Drowsy drivers die,’ they say. They certainly do, sir, more than we realise. It is as bad as alcohol, and probably worse mixed with alcohol and, of course, worse than that, mixed with drugs. We as legislators ought to be ashamed of the situation we have here. Bite the bullet and bring in uniform speed laws across South Australia. But what we hear is stony silence. Is it too hard or something? Why don’t we address this? It is absolute nonsense.

I refer to the powers that people have: we have councils making these recommendations. Just the other day in the Barossa Valley, it was announced that they want to bring in a 80 km/h speed limit over the whole region. People have just about had enough. They want 80 km/h over the whole valley. All it does is slow everything down. Tonight I was talking to the member for Giles in the corridor—and I hope she does not mind my repeating this. The honourable member said, ‘Well, I don’t get picked up because I just set my cruise control on 50 everywhere I go.’ You are dead right, member for Giles: everybody does that, and you wonder why Adelaide is blocking up. You wonder why we have traffic congestion.

Worse than that, some people sit on 40 km/h knowing that they cannot get picked up, and what does that do? I believe that a person doing 40 km/h is a bigger hazard on our roads than the person doing 20 km/h over the speed limit. They are a bigger hazard because people are trying to go around them; they try to get inside them; and they try to intimidate them. You see it every day of the week. Just last week I saw a person intimidating an ambulance in O’Connell Street. They came out of a side street and pushed the ambulance off the road. I just cannot believe some of the things that these people do.

We have total confusion with our zones out there. Minister, we are addressing this issue, which is important. We are all very concerned about our road toll. Why the hell can’t we fix this one up? Why can’t we get out there and say, ‘Councils, we are taking the power away from you. You’ve had your go, and you’ve stuffed it up.’ Look at Unley council with all the nonsense that is going on out there with the 40 km/h zones that it introduced in their backstreets. It is total confusion and chaos. They ought to take that power away. You should give the power to a central state body to organise these speed zones. Whether it be the road safety body that Sir Eric Neal heads up, I do not mind, as long as it is one body, and it uses uniform laws across the whole state. Then we might see some sanity enter this whole stupid situation.

I am ashamed, and all those involved in road safety ought to be ashamed, too, because what we have out there is ridiculous. Every time I get pinged I think, well, I did not intend to get fined, but I did not see their sign—and I am but just one. Yes, if you just do not happen to see the sign, you now spend your time looking for signs rather than looking for road hazards. You are forever looking for the speed zone

signs. As you drive from West Beach into here, as I do every morning, you go through about six or seven different speed zones. This applies not so much now because the road works are no longer there. However, when they had the road works by the airport, there were seven speed zones starting from 80 km/h and reducing to 70, 60, 50 and even 40 km/h. How ridiculous is that? It is absolutely ridiculous. And we still reckon that is reasonable. We sit here and we are supposed to be governing a state like this. It is a nonsense.

I get pretty stoked up about this issue. As I say to you, sir, if you do not see that sign, you lose your licence, and then you either get alternative methods of travel or you drive your car illegally. It is high time that we brought an end to this ridiculous situation. I also would like to see this bill amended to put in uniform speed zones, that is, 60 km/h for all arterial and access roads, and 50 km/h for all suburban or inter-town roads. As I have said, we have all sorts of people making these decisions; give it to one body and we will see some sanity.

Yes, sir, I believe this bill is just a knee-jerk reaction to a pretty serious problem. There have been 62 killed on our road so far this year, and some of them we know. Several of them have been in my electorate in the Barossa Valley. A lot of them hit trees on the side of roads, and these people were not speeding. I think it was inattention and fatigue. Look at those two police officers who were killed. That was an absolute tragedy. It is the road conditions that killed those people. It is a very bendy road with trees right alongside the road, and these trees are huge. Some of these trees are actually inside the white line on the side of the road. If you happen to be going down the road with your wheel on the white line, you would hit those trees. The white guide posts are sometimes painted on the tree. Sir, that is not good enough, and we do not seem to want to address this problem of road conditions.

Why does the government not want to match its rhetoric? We have heard here during the debate on this bill that with positive actions we will reduce our road toll. Sixty two dead is pretty bad. We all know that drugs are huge problem on our roads, but the government still sits on it. For two years I have tried to address this aspect of our road carnage. I have been accused of playing politics. I have challenged the government, asked it and urged it to take over that bill; I do not care. I am not in a marginal seat. It is an issue that hurts my people. It hurts everybody. Take this bill over and get into it. Just copy the Victorians. My bill does that with secret penalties; that is all it does. But, no, we just dilly dally, and do nothing.

As I said, I started two years ago asking for the police to have the power to do blood tests, as they had prior to 1996. Go to the police to demand a blood test. But the government threw that out. Then, over 18 months ago, I tried to bring in random drug testing on the side of roads. That was also thrown out with the support of the Independents. Last November, I introduced another bill which was a third attempt to mirror exactly the Victorian legislation with blood swab testing and the chemical testing on the roadsides. But, here we are: the government continually refuses to address my bill, and it brings in its own. It is laying on the table, and for how long I do not know—

Mr Brokenshire: It has not been laid on the table.

Mr VENNING: It has not even been laid on the table; it is just out for public consultation. All I can say is that I have looked hard at this bill, and it is exactly the same as mine but with different phraseology in it. The only difference is the bit about blood testing that the government threw out two years ago. That is the only bit that is different; the rest of it is

exactly the same. I do not care. I am not getting hung up about that. I am quite happy to leave it like that; it does not worry me.

I believe that we must put random drug testing into this bill. Put it all together, and then we and people out there will know that we are really dinkum about addressing this problem. It is working for the Victorians, so why will it not work for us? Of course it works for us—give the police powers to take the swab test, and do the job for us. So, why do we not amend this bill or the government's bill on drug testing?

Why do we not see the drug statistics printed in our local media as we did earlier this week? We saw all the alcohol-affected statistics and, as shocking as they were, the statistics were printed for us all to see. Why do we not see the drug numbers? They must know what they are. The minister might like to tell me: is the Police Commissioner prohibited from telling us what they are? They must know because every fatality and every serious road accident victim has the blood test. They know the statistics, so why do they not print them in *The Advertiser*? Minister, tell me in your wrap-up why that is not the case. Is the Commissioner empowered to make those figures public? If he is not, I challenge the Commissioner to give us those figures and print them. The Victorian statistics—I do not know whether they are the same as they are here; I think we could be worse—show that drug driving is three times worse in Victoria than the alcohol problem. When we think what our alcohol problem is, that is absolutely staggering. So, why do we not get on with it and put these figures in the media so that we can all know about it? Again, I challenge the Commissioner to publish those figures.

I want the government to get on with it, and I do think that the government is—as I said a few weeks ago—a whited sepulchre. I called government members hypocrites but I paid a price for that, wrongly. I paid a price for calling them hypocrites, but they are. So, I call the government a whited sepulchre because it is supposed to be okay, which is a total nonsense in itself. I want them to get on with this, get the politics out—I do not care—and take over the bill. I have had that much discussion on this thing, I just want it in there to save some lives, because it could be your mother or my mother, or your children or my children who are the next fatalities—so, let us get on with it.

There is some conjecture about how effective this would be, anyway, particularly when you read the West Australian trial period observations, and I quote:

While there is some variability in the data between years, there is no firm evidence at this stage to suggest that the impact during year 2 of the trial (2003) is significantly less than the impact in year 1 of the trial (2002). . . in some instances the effect in 2003 has been equal to or greater than the effect in 2002. More data and subsequent analysis of year 3 (2004) results will be required to provide a more accurate analysis of trends.

So, there is not positive proof that it is going to work, anyway. I have a problem hitting people with double penalties when they do not deliberately or blatantly break the law. But if they are blatantly breaking the law, I am happy to put the heaviest penalty on them, especially when they threaten the lives of others, that is, red lights, dangerous driving—all those things that people know they are doing. Also, what about bringing in vehicle testing, because we know that a small component of this is faulty vehicles. So, why do we not allow the police to undergo random roadside vehicle checking? I am happy with that. If you look around,

we can see people driving around on bald tyres, no brakes, no lights, all this sort of stuff—

The Hon. P.F. Conlon: No licence, according to you.

Mr VENNING: And often no licence, as the minister said. You are dead right. That is wrong and it all ought to be done on a check. If drivers knew that they could walk into a check like that, fewer people would take the risk of driving without a licence. So, I believe that we should bring that back in. I also believe that, on the surface, this sounds like a good idea but it is going to impact very heavily on country people where they do not have an alternative. I also believe that too many people on our roads have a severe attitude problem. They think that they are king of the road, they think that they are invincible, and they think that they have the greatest driving skills of all.

I believe that on renewal of licence—when we get a licence, and then every five years—we should all go in for a compulsory lecture and video on road safety. We should all do it as a matter of course so that then you could be reminded about the road carnage, how fallible and how mortal we are against these metal monsters—because that is what they are—and how to drive responsibly on our roads, particularly when you are driving on roads with trucks, caravans, different road conditions, wind, storms—all those conditions—and also driving at night. How many city people come out onto country roads and have an accident because they have not driven at night before, or they run into animals on the road because they are not trained at all? These things should come into a compulsory driver education program.

Lastly, all the money that is raised from these fines, and all the money that is raised from licences—and it is a considerable amount of money—ought to be channelled back into this area. Firstly, to educate our drivers—and that is past the first part of getting a licence but thereafter being educated—and, more importantly, put it back into our roads to make our roads safer. We have our black spot program but it is only addressing a fraction of the problem because, as we drive around, we see that a lot of our councils are now putting up red and black crosses. The black is the fatality and the red is a serious accident. When you drive along, all of a sudden there is a great patch of these crosses all in one area, and yet still nothing is done about that, when obviously there is a problem on that road.

Mrs Geraghty: That is not true, and if you drive through the Adelaide Hills you will see the same spot where people do the same stupid stuff.

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

Mr VENNING: I am not saying that that is not always a goer. I understand that some areas have been addressed through the current black spot program but there are so many that are not addressed. You see the signs, and it is usually on a straight road two hours from Adelaide, and all these crosses start appearing. It would be a great spot for some extra signage, but we do not have enough signage out there to warn people that they are two hours from Adelaide, they have been driving for two hours and, particularly if it is at night, they ought to either change drivers or stop for a break. As they say, drowsy drivers die. I am prepared to support this motion only on the condition that it is heavily amended, otherwise I will be opposing it.

Mr BRINDAL (Unley): I feel trapped by the measure before the house tonight, and I think most members will acknowledge that that is unusual for me. I feel trapped

because it is very difficult to argue against the measure that the government is selling on rhetoric as being to enhance the protection of people on our roads. Nevertheless, I think it needs to be recorded in this house, as my colleague the shadow minister said, that it is unusual that the opposition has cooperated. It has long been the tradition of this place that notice is given of the introduction of a bill, the second reading explanation is given and is laid on the table so that the opposition can consult.

Supposedly because of the urgency of this measure, this government has said, barely 24 hours after a long weekend, that this is now so serious that we have to rush something into the parliament. So, rush into parliament it has, as a number of speakers have said, promising to give us all available material—and giving us nothing. Giving us the word of the minister that we can trust him. You, sir, have been here, I have been here and the member for Hammond has been here long enough to remember another Premier who told us to trust him, everything was all right, and that was with the State Bank. We did not get any papers: we were not told anything; We were simply told by the minister it is all all right. The member for Colton shakes his head.

Mr Caica: Only because I am reading one of your contributions from yesterday; that is all.

Mr BRINDAL: You should be trembling in awe, not shaking your head! Either the Road Safety Council did say something—in which case why can we not see it: it will let us make an informed decision—or it did not. The point is that the minister said he would make all evidence available and he is relying heavily on the fact that Sir Eric Neal and his committee have recommended something, yet we cannot see it. I am not sure that that is any way in which the parliament of South Australia can or should be asked to act, especially when the parliament of South Australia, this chamber, has itself determined to put aside its own rules temporarily to get this measure completely through the house tonight.

I am not sure that we, the opposition, having acted in good faith are not being gulled by a duplicitous and headline-hungry government. The problem I see is that much of this argument is difficult to argue against. It is almost as difficult to argue against this proposition as against motherhood. There are people in here whose love of politics and love of the plush green benches opposite is such that they will ignore intelligent debate and put it round that anyone who opposes this measure simply wants dead people and more carnage on our road.

And it will not matter how intelligent are the propositions put forward by me, by the member for MacKillop, the member for Hammond and the member for Schubert in his valiant contribution; it will not matter how much merit is in those: a simple message will go out on 5AA and 891 tomorrow morning, and that will be that anyone who votes against this wants people dead on our roads. That is not true for the members for Hammond or MacKillop or me, or indeed of anyone else who is worried about this measure.

If we analyse this carefully, what kills? We are told that the things that are now offences need to have their penalties doubled because that will save lives, yet I seem to recall of late seeing a series of campaigns—fairly much a blitz of campaigns—on road safety and it has been on drowsiness. It has been on driving long distances and people falling asleep at the wheel. There are ads up and down our highways and there are ads on television telling people not to drowse off, telling them to be careful. As I understand it, and I hope that the shadow minister can correct me—

Mr Goldsworthy interjecting:

The SPEAKER: Order, the member for Kavel!

Mr BRINDAL: The member for Kavel has just woken up, and I am trying to work out what he is saying, sir. I have the member for Hammond resting his eyes on my left and the member for Kavel resting his feet on my right—one is on the level and the other is on the perpendicular.

Mr Venning interjecting:

Mr BRINDAL: You are putting me off, Ivan: I did not put you off. The fact is that tiredness and dozing can cause fatalities. This measure will not address this.

The Hon. J.D. Hill: Not in this house, though.

Mr BRINDAL: I am talking about driving. This measure will in no way affect that driving habit which the government acknowledges kills and which surely is part of our road toll on weekends and long weekends or, equally, night-time driving during the week.

I would like the minister in committee to explain to the shadow minister or me which of those seven fatalities on the weekend might have been avoided by the measure proposed in this house. I am told that two of the people who were killed had a baby in the back, and that it looks as if one of the people—probably the female passenger—had unfastened her seat belt to turn around because something had obviously happened to the child. Maybe in that instant the other driver, being distracted, crashed his car. Had they not crashed their car probably some very vigilant policeman would have pulled them up and given them double demerit points because, clearly, they were not wearing their seat belts.

I ask every member of this house—including you, sir—who is a parent whether, if your child is in the back in distress, an immediate reaction from most people would not be to unstrap themselves and take that risk for a little while, because there is something distressing the child. I am quite sure that most people, upon finding that the distress is sustained or that something is the problem, would get the driver to pull over so they could attend to it. There would be a time with most people, however, where they would take that little risk. That resulted in tragic consequences on the weekend. I cannot see a vigilant policeman pulling them over and saying, 'Hey, your baby was crying, but you undid your seat belt—you've got double demerit points.' I cannot see that that will save many lives. I cannot see the two young people who tragically died in the electorate of the member for Goyder would have had their lives saved if double demerit points had applied, as I am told that it was a matter of an overtaking vehicle and very dangerous driving, which is a matter not of double demerit points but of whether, had the overtaking vehicle been caught, there would be police prosecution for a serious road traffic offence. Which of the seven people would have had their life saved on the weekend? As a rhetorical question, I do not suppose their demerit points count any more for those who are dead. The member for Colton shakes his head, but this is supposed to be about saving lives. I cannot see how this measure will save lives.

Ms Bedford interjecting:

Mr BRINDAL: I am surprised at the member for Florey. I can see that this is a good cheap line that will enable ministers to get out and say they are doing something, but I cannot understand what we are really doing here tonight to help people. Where is the minister and where was the Minister for Education and Children's Services when I heard her interviewed on regional radio? She was asked a simple question: do you think we should undertake better driver education in schools? If you want to save people's lives—

Mr Scalzi interjecting:

Mr BRINDAL: She said, 'We do that from R to 12. We give them all the books and papers and do everything except road driving instruction in our schools, because that would be too expensive.' Too bad that that is probably the biggest single measure we could do for all our young people in terms of safety on the roads: to see that they can properly drive by educating them in driving techniques in our schools.

The minister currently at the table will know that over the years schools have put their foot into those waters and at some stage, I guess 15 or 20 years ago, there was a reasonably extensive driving campaign in schools.

The Hon. J.D. Hill: Very small.

Mr BRINDAL: When I said reasonably extensive I was being generous but at least it was started. However, it was never proceeded with because no government has thought it worth the money required, as it would be an expensive program. If we truly want to save lives, the way to do so is by educating our young people and teaching them to drive safely and not putting horrendous punishments in their way as a deterrent, which generally with young people it is not. It is simply a larger dare to be got around because they want to do it anyhow. The point which comes through in this debate and which should be made is that you cannot legislate for commonsense. You cannot legislate to stop a mum whose baby is in distress breaking the law by turning around to attend to her baby. You cannot really legislate to stop the hoon driver who wants to overtake.

Mrs Geraghty: At least you can try to save somebody's life.

Mr BRINDAL: The whip interjects that you can try. You can, but this parliament owes it to the people of South Australia to try its best to make the best measures possible to give maximum improvement.

Mrs Geraghty interjecting:

Mr BRINDAL: The whip says that this is the best possible improvement. I heard the member for Schubert speak and I have heard the hypocrisy in this place. We are frantic about seven people dying on our roads on a long weekend. Every death is a tragedy, but no-one—not a soul—has said how many people died in our six hospitals as a result of alcohol or smoking cigarettes. We can do something about that, too, if we are so minded. Ministers could jump up and say, 'Do you know how many people died as a result of alcohol on the weekend? We should be doing something about it.' It is the biggest single problem in our society, but no-one says one word about it. Why? The industry makes too much money, and it is too socially acceptable to too many people, so we pretend that nothing is wrong—even though there is a well-established nexus between drinking and driving.

How many of the accidents last weekend, if any, were related to drinking or drunk driving has not been discussed. We will ignore cigarettes and alcohol, and we will introduce this measure to pretend to the people that we are doing something. That is fine, and, like a sheep, I will vote for this measure along with everyone else because, quite frankly, I do not want to put up with the angst the government will deliberately cause every member who does not vote for it. The government will tell half-truths, create innuendo and, in some cases, publicly tell downright lies to denigrate anybody who stands—

The Hon. J.D. Hill: I rise on a point of order, Mr Speaker. I ask the member to withdraw that remark. He

accuses the government of telling lies to the public. That is not the case, and I ask him to withdraw and apologise.

The SPEAKER: The member did not suggest that there were untruths in the parliament, so I do not believe that it comes under the umbrella of standing orders.

The Hon. J.D. Hill: He said that the government would tell lies.

Mr BRINDAL: I did not accuse the government of lying in the parliament. I said that maybe it would go out and lie to the public. That is a statement of truth.

Mr Caica: It will be a very long nine months for us.

Mr BRINDAL: I know that it will be a very long nine months. The point is that it is a very brave person—and I am not quite that brave—who votes against this bill. However, I say to the house: it is not well considered or in the best interests of South Australia. It is a knee-jerk reaction to the road trauma of two days, and no parliament—this parliament included—should sit here half the night to rush through the best measure it can cobble together because of public reaction to the number of deaths on a particular weekend. Every single one of those deaths is tragic, and every trauma on our roads needs to be addressed. However, the shadow minister talked about the need for better road furniture and road surfaces. The member for Schubert talked about his random drug testing program, and I have just mentioned better education in our schools. Many things can be done, and each and every one may result in lower road fatalities on weekends.

Finally, if it is good enough to double the demerit points on holidays, long weekends and Saturdays and Sundays, I am most anxious that we double the demerit points 24 hours a day, seven days a week. If it will help, why is it so important to double the points at those times but not on Mondays, Tuesdays, Wednesdays, Thursdays or Fridays? Is a life worth less from Monday to Friday? I know that there are more road deaths on long weekends, but what about the people who die from Monday to Friday? Because they are not numerically in the ascendant, does it mean we do not worry about them? We worry when there are six deaths, but we do not worry when there is one. My maths tells me that six is a combination of one multiplied by six. If we lose one person on Monday morning and another on Wednesday evening, those persons could benefit from the same regime of law as will be provided on Saturdays, Sundays and long weekends. Quite simply—

The Hon. J.W. Weatherill: Are you supporting it or not?

Mr BRINDAL: Yes, I am.

The Hon. J.W. Weatherill: So why are we listening to this?

Mr BRINDAL: Because it is the biggest load of political hypocrisy I have seen in a while, and I have not got the guts not to support it. However, I will say what I think about it on the way through.

The Hon. J.W. Weatherill: We'll put that in a pamphlet: no guts!

Mr BRINDAL: Try it!

Mr Scalzi interjecting:

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

Mr BRINDAL: If we are going to double the demerit points, they should be doubled all the time for all offences; and I believe the fines should be doubled also. What is the point of simply taking double demerit points? If it is worth double demerit points, it is worth double the fine. Along with the member for Stuart and most members on this side I think this is a load of rubbish. It is a knee-jerk reaction that is

designed for spin. It fits well with the general theme of this government, that is, all show and no substance.

Mr CAICA (Colton): I support this legislation, and my contribution, unlike those of previous speakers, will be relatively brief. I support this legislation and, unlike member for Unley, I do so because, perhaps, it may make a difference—not because I have not got the guts—

Members interjecting:

The SPEAKER: Order! It is impossible to hear the member for Colton.

Members interjecting:

The SPEAKER: Order! The Minister for Administrative Services and the member Stuart are interrupting the proceedings of the house.

Members interjecting:

The SPEAKER: The Minister for Administrative Services, the member for Mawson and the member for Stuart are distracting the house: we cannot hear.

An honourable member interjecting:

The SPEAKER: I will name the member in a minute. I have warned him twice. We cannot hear the member for Colton, who has the call. The member for Colton is wanting to speak and cannot be heard because of the rude behaviour of three members on my left.

Mr CAICA: I support this legislation and, unlike the member for Unley, who is supporting the legislation for a variety of reasons (not the least of which is that he does not have the guts not to support it—I think they were his words—and that he is too scared not to support it), I am supporting it because it may have an impact on the devastation that occurs on our roads. I do not know whether or not it will; I really do not know. People have argued that it is a knee-jerk reaction.

The member for Stuart talked about the unintended consequences of this legislation. I am interested in the intended consequences. Those intended consequences might well be that we will have a reduction in the fatalities that occur as a result of road accidents. I also admit, as was said earlier by the member for Unley, that ‘We can’t legislate against fools being fools; that is, we will continue to have horrific road accidents on our roads; that will always occur. As a parliament we need to collectively put in whatever measures are necessary, and at this stage we will say that, in South Australia, although it is an untried measure, there may be a reduction in the number of motor vehicle accidents that we have seen in our state in recent times. Regrettably, there will always be deaths on our roads. As a parliament, and not just a government, we have to do whatever it is we can to reduce the devastating waste of life that has been evident on our roads in recent times.

I think it was the member for Unley who asked what kills. I know my son and his mates who drive understand what kills. They have been brought up to understand that speed kills. We have had that forced down our throats. This is a measure that will hopefully see the majority of people reduce the speed at which they travel on our roads. In turn, that may potentially reduce the tragic loss of life we see—and, to a certain extent, will continue to see—on our roads, but hopefully in reduced numbers.

As a firefighter travelling on fire appliances, I attended on many occasions—too many, in fact—some of the most horrific accidents anyone could ever imagine, where people had to be scraped and dug out of cars. The majority of those accidents were the result of excessive speed. Certainly, there

were instances when it was in combination with alcohol, but, in the main, it was caused by excessive speed. The devastating results of those accidents not only affect the person involved in the accident but also the innocent victims involved in those accidents and, as importantly, the parents and the loved ones. It does not matter, because he or she is dead and gone and nothing can be done about that; it is the impact that it has on others.

I have been done a few times for speeding, one being only just recently, driving home from Parliament House after a reasonably late night sitting. I was caught on North Terrace travelling at 61 km/h in a 50 km/h zone. Was I happy? No, I was not. I was very disappointed that I had broken the law; I was very disappointed that it had cost me \$156; and I was very disappointed that I had accrued demerit points. I would have been extremely disappointed if it had happened on a long weekend, when it would have accrued double demerit points. However, the simple fact is that I was driving outside the provisions of the law and, if you break the law, you have to suffer the consequences.

We have to make sure that there is a process by which people think before they act. The member for Unley has talked about education and, quite often, education is understanding the consequences that can occur. It is a bit like educating my children. We issue punishment in many forms and, quite often, an understanding of the punishment changes behaviour, and that is what this is about. It is an attempt to change people’s behaviour. I know that the member for Mawson agrees that speed kills. If this is a process that will educate people in some way and it curbs their behaviour and actually results in a reduced likelihood of more severe consequences through motor vehicle accidents, that can be a good thing. Will it be successful? I do not know. But, is it worth having a go? Yes, it is.

As a parliament, I think we would all agree. The most amazing thing is that the majority of speakers I would say were grandstanding tonight, and a lot of things have been said tonight. But, at the end of the day, I know that the majority of opposition members would agree with this measure. I do not think they would necessarily agree with it for the same reasons as the member for Unley. That is because he is scared to do otherwise. The majority of members opposite would agree with it because it is a measure that may well have a positive impact and a positive effect on the fatalities on our roads. They talk about it being a knee-jerk reaction, but I do not subscribe to that view. A senior police officer has come out and said, amongst other things, that double demerit points will have a positive effect on the horrific fatalities that have occurred on our roads recently.

These accidents cause devastation to families and loved ones, and they impose an enormous cost on our community, both financial and personal. We as a parliament have to agree on a suite of measures, and this is one of them that will hopefully have an impact on those devastating effects. As I have said, we will never be able to legislate against fools being fools. There will still be those people who will need to be scraped out and dug out after a motor vehicle accident. But, the fact is that, as part and parcel of an educative process, this may well have a positive effect on the way in which South Australian motorists approach the way they drive on our roads. I support this legislation for those reasons.

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

That standing orders be so far suspended as to enable the house to sit beyond midnight.

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

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

The SPEAKER: The question before the house is that standing orders be so far suspended as to enable the house to sit beyond midnight. Those of that opinion say aye.

Honourable members: Aye.

The SPEAKER: Against?

An honourable member: No.

The SPEAKER: I hear a negative voice. There must be a division.

The house divided on the motion:

AYES (33)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brokenshire, R. L.
Brown, D. C.	Buckby, M. R.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Geraghty, R. K.
Goldsworthy, R. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hill, J. D. (teller)
Key, S. W.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K. A.
McEwen, R. J.	McFetridge, D.
Meier, E. J.	O'Brien, M. F.
Rankine, J. M.	Rau, J. R.
Redmond, I. M.	Scalzi, G.
Snelling, J. J.	Thompson, M. G.
Weatherill, J. W.	White, P. L.
Wright, M. J.	

NOES (5)

Brindal, M. K.	Gunn, G. M.
Lewis, I. P. (teller)	Penfold, E. M.
Venning, I. H.	

PAIR(S)

Majority of 28 for the ayes.

Motion thus carried.

Mr SCALZI (Hartley): I say at the outset that I will support this measure, but I would like to put it into perspective. Whilst not questioning the government's intent in proposing this measure, I believe that, if we look at it in perspective, sadly, we will find that perhaps the return from this measure will not be to the extent that we would hope. Road deaths and the trauma caused from crashes are very serious subjects. I thank God that I have not had to attend a road crash or visit someone in hospital who has been involved in a road crash and who is very close to me. I feel for those parents, husbands, wives, neighbours and friends of the recent seven fatalities on the last weekend.

I can well understand the outcry in the community that we should do something about these statistics. On Friday 1 April on the Matthew Abraham and David Bevan show, Sir Eric Neal, the chair of the Road Safety Advisory Council was asked: 'Sir Eric, what do we do?' He responded:

... the conversation I had with one person this morning, we were discussing whether short of taking car keys away from every male between the age of 18 and 24, what can you do? ... it's really driver behaviour and the accidents, a shocking number is now 45 for the first quarter, 31 for the month, which is the worst month we have had in 2002, 2003, 2004. ... the same factors keep coming up, speed,

alcohol and not wearing seat belts. ... they are the three key reasons for the fatalities on our roads.

If members look at the statistics since the 1970s, when nearly 400 people were killed and more than 4 000 people were seriously injured on South Australian roads—and this is from the Australian road safety strategy—there has been a substantial decrease in the number of casualties.

This has been achieved despite an increase in the number of people and vehicles on our roads. As the report says, we can reduce casualties. From 1974 to 2000, the rate of deaths on South Australian roads dropped from 30.9 to 10.1 per 100 000 people. Over the same period, our fatality rate per 10 000 registered vehicles has fallen from 6.6 to 1.5. This has been achieved despite an increase in population, in the number of licensed drivers and in the number of registered motor vehicles. We know that some other countries have done it better. We know that South Australia in comparison with the rest of Australia still has a higher toll.

Along with the member for West Torrens, I was on the road transport safety committee which was chaired by the Hon. Diana Laidlaw in the previous parliament. What is happening now is that the statistics are levelling off. A combination of factors causes road fatalities, and even though we are using a combination of factors to reduce road fatalities, it will not have the same dramatic effect of reducing numbers as it did previously. From time to time, we will have months that are worse than others, but that does not mean that we should stop trying.

To put it in perspective, we know that this measure will not be the panacea to deal with road fatalities because it is one input and because the causes of fatalities are complex—a combination of factors such as road conditions, speed, alcohol, drugs and fatigue. All those factors come into play to cause the fatalities. We have reached the point where our successes since the 1970s are levelling off. That means that, no matter what we do, we will not have the dramatic results that we have had in the past.

The Hon. I.P. Lewis: I guess you could stop people driving altogether.

Mr SCALZI: Apart from stopping people driving. We know that certain age groups are more likely to be statistics than others. We must have targeted programs to deal with those most at risk. We know that deterrence in itself will not bring about the results that we want. We must have an approach that reflects the complexities of why we have these accidents—or these road crashes. I believe that we should not use the word 'accident' because it means that we cannot do something about it. The reality is that we can, and we should continuously try to do something, because one death is one death too many—especially for those who are involved.

I will be looking at the proposed amendments and the sunset clause, because we must set a time limit to see whether these measures work or have an effect. I know that other states such as New South Wales and Western Australia have piloted these schemes, but I repeat that I do not believe that this in itself will be a panacea for road fatalities. It probably will not (but I hope that it does) have the outcome that we all wish for. If that is the intent of the government, if that is why it is introducing the bill, I commend it for doing so. However, let us also be realistic. We have seen improvements in motor vehicles and safety but we have reached that levelling off period.

There is one aspect that we can do something about. A significant number of road deaths are brought about by

people not wearing seatbelts, and we can do something about that immediately. We need to have a campaign that deals with the wearing of seatbelts. It is sad that, in this day and age, when we know that seatbelts save lives, we find that a lot of the people involved in road fatalities, especially in the country areas, do not wear seatbelts. We know that a lot of fatalities take place in the country areas. We must continuously carry out research on why that is the case and look at the groups at risk and educate them. We cannot just depend on deterrence, because that in itself will not give us the results that we would hope for.

The Hon. I.P. LEWIS (Hammond): Mr Deputy Speaker, this is probably the speech that you have been waiting for—not because I am making it but because it is the last bloody one you will hear on the second reading.

The Hon. I.F. Evans interjecting:

The Hon. I.P. LEWIS: No, I am mistaken: the member for Davenport assures me that there is another one to come. So, it is not the one you are waiting for. A large number of the remarks made by honourable members tonight, including the member for Colton, clearly indicate that honourable members understand that what is likely to happen if this proposition passes in its present form (and I use the word 'likely' very deliberately) is that there will not be any change in the statistical data gathered about crashes on our roads and, more particularly, deaths. It is my certain knowledge that that is the case.

It is like saying when you are shearing sheep that you have a flock of, say, 3 000 and a percentage of 1.4 per cent or 1.5 per cent that has severely clotted and matted fleeces that are bacterially infected to the extent that they will not comb with the handpiece. The way to solve that problem is to cut the throat of those sheep that show that characteristic because doing so will get rid of them. Frankly, it will not. More to the point, when you find six of those sheep in your pen of 50 sheep that you might get through if you are really applying yourself to it and you have some skill at shearing—that is, the two hours from when you start until the time you stop at smoko or for lunch or at the end of the day—then one of the roustabouts is deliberately dudding you as a shearer, because these damn sheep take about four times as long to shear. Notwithstanding that fact, six in a pen of 50 where the percentage across the flock is 1½ is not outside the likelihood that it will turn up on a continuing basis.

That is what has happened in recent times in relation to our road deaths. The minister and the government will claim after the June long weekend—when, in all likelihood, the numbers of people who die on our roads will be more like what they have been on the June long weekend every year for the past five years or so—that this measure, should it pass the house tonight, has of course saved many lives, and parade itself as having achieved something. That is bullshit. It will not have achieved any damn thing, because the government, clearly, in arguing that case, and that is where it is heading, will indicate its ignorance of probability analysis of statistics.

The aberrations that we have experienced this year are well within the realms of probable variance in events. Sure, it is possible to further depress the number of crashes on our roads and the number of deaths that arise as a proportion of those crashes; and, sure, it is probable that the contributing factors to those deaths are drink driving, speed and failing to wear seatbelts. But doubling the demerit points for those offences on holiday weekends will not necessarily contribute to a depression in the number of people who have their lives

saved as a consequence with any greater merit in the saving than would otherwise be the case if you doubled the bloody demerit points for everything.

The stupidity of doing what the government proposes with this measure is that there will be an increased number of people driving on the road, particularly young males, who will not have a licence. That is the consequence of this measure. The government already knows that an increasing number of young males, in particular, are not only crashing their vehicles and dying but also driving without a licence. An increasing number of all people, male and female, neutered or otherwise, regardless of their sexual proclivities, are dying and/or crashing their vehicles. However, it is young males more so than others, and that is a consequence of the fact that they have a greater amount of testosterone in their system. We need to acknowledge the effect of sex on behaviour, but I should not say that because sex is not supposed to affect behaviour. That is the biggest lie of the twentieth century, and I hope we do not perpetuate it in the twenty-first.

Sure, there is a case to be made. If you can double the demerit points for offences on certain holiday weekends and get a depression, because of the greater number of vehicles and people on the roads doing things at that time that they would not otherwise do, which results in a greater number having a crash and a greater number dying, then you would equally and sensibly derive the same benefit from doubling the demerit points regardless across the board. Were that to be so, and it probably is—and I use the word 'probably' deliberately—then the government is setting a perception in the minds of the naive members of the general public who do not understand probability, and none of us ought to be in that category.

If we do not understand it, we ought to go and get a little book and read it, because it is not rocket science. You can wrap your mind around it in 10 minutes, and then we would make far better legislators where we rely on modifying events by the application of certain pressures that will depress the likelihood of those events occurring statistically. The point I want to make in saying that is that we ought to go in a more direct way to use the stick because there are measures which we know encourage behaviour in animals, and people are animals in the context of the psychology of their behaviour.

We can do things which can be seen as painful (that is the stick) and those other things, if they are encouraged not to do certain things, and do other things and in consequence of which they will experience pleasure (that is the carrot). It is nice to eat a carrot if you are rabbit. You give them a carrot every time they do something that you want them to do like reinforcement of the behaviour of rats in psychology testing. What I am saying is precisely true.

The best way to fix this problem, if you are over the age of 16, a male and you are driving, is to wire your gonads to the speedo and, if the speed goes over 110 km/h on the open road after you go past the barcode saying that is what the limit is, you get an electric shock. The faster you go, the stronger the shock and, therefore, the likelihood of modifying the behaviour will be far more effective than doubling the demerit points. So, get real. It is called connecting the gonads to a galvanometer. We are saying the same damn thing, although perhaps not as amusing to honourable members when we say you should not be allowed to drive if you are caught driving under the influence of having had too much to drink and, instead, using an ignition lock that requires you to give yourself a breath test before the car can be put in

motion. It is no different. I tell you, it would dramatically reduce the number of young males speeding. It would eliminate it. Of course, if the speed limit is 50, 60, 70 or 80, like I said, with the modern technology that we have, you simply have the car drive past the barcode reader that says what the limit is, and if the car is accelerated beyond that point, you get the shock. I think I have made my point there.

The other element, of course, is example. When these young males who obviously get a buzz out of going fast because it requires them to focus their attention more clearly, carefully and conscientiously on what they are doing, and lifts the level of adrenalin production in their system, and when they manage to do it successfully, one, two, three, maybe 400 or 500 times, but once every so often, the greater the risk and the less the time to rectify the mistake, there is an increased probability of the crashes. It is not arithmetic but, indeed, it goes up by the square of the increase in velocity, or some other similar rate of increase which is exponential on the increase in the fact of causing the event.

As far as the example goes, the bloody Premier should get out of the Minardi and not be seen to be the hoon that he is, seeking approbation from the young males, the very drivers that we want to stop behaving in a way they do in killing themselves and others on the roads. He should not be involved in promoting the V8 Supercar race in the fashion in which he is. We should ban it. We will come to that in a minute. He ought to get out of Rory's Harley sidecar instead of trying to big note himself in that fashion.

The same goes for the way in which the TAFE car being built in South Australia is being promoted as a desirable project amongst those who are attracted to it. This is Minardi Mike, not Media Mike, but he is using the media to get the kind of support and approbation that he wants. It is a deceit for the minister to claim that this measure, of its own volition and consequence of introducing it, has depressed the number of crashes and road deaths in those places where it has been introduced, and then say it is because the public thinks it is a good idea. Well, bullshit to that too.

Members interjecting:

The DEPUTY SPEAKER: Order, the member for Hammond—

The Hon. I.P. LEWIS: Yes, that is written in every newspaper. It is projected on the TV—

The DEPUTY SPEAKER: Order!

The Hon. I.P. LEWIS: —and it is not unparliamentary—

The DEPUTY SPEAKER: Order! I will not be spoken over by the member for Hammond. He has to realise this.

The Hon. I.P. LEWIS: I cannot help it if you are not feeling well.

The DEPUTY SPEAKER: If he continues to do it, I will name him.

The Hon. I.P. LEWIS: What, sir?

The DEPUTY SPEAKER: I will name him. Can the member for Hammond please take his seat? On a number of occasions I have heard the member for Hammond use the word 'bullshit'. I have let it go. He knows it is unparliamentary. It has been ruled by previous speakers to be unparliamentary. I ask the member for Hammond to please desist from using that word. I do not think it adds to the decorum of the house. The member for Hammond.

The Hon. I.P. LEWIS: I wonder what the minister, yourself and other honourable members in the government benches would see as an appropriate way of stopping more young males from driving unlicensed, because that is going to be the consequence of what you are supporting here

tonight. If they are unlicensed, you say that means we will find them guilty of another more serious offence and put them in prison. Okay, then you are going to have to have bigger prisons, and that will cost a lot of money; they are going to learn some nasty tricks while they are in there—although not all of them; and they will come out poorer for the experience, not better. The collective consequence will be to the detriment of society, not its gain.

Worse than all that will be the effect on the rest of us because, if more people who are unlicensed are driving—and remember, these are the people who we say (and that is the reason that they have lost their licences) are the poorer drivers, who are more likely to crash, cause death to themselves and others, or serious injury, and so on—they will be driving uninsured when they crash into us. Is that what you want, Mr Deputy Speaker? Do you want to find that you cannot recover the costs involved in the damages? I am sorry, but you get driven around now, so it will not be your car, will it? It will be the taxpayers'.

Mrs Geraghty interjecting:

The Hon. I.P. LEWIS: The honourable member for Torrens does not mind, though; she will not mind if it is her husband who dies and the car gets wrecked—

Mrs GERAGHTY: On a point of order, Mr Speaker—

The Hon. I.P. LEWIS: —because there will not be any insurance available to meet those—

The DEPUTY SPEAKER: Order! The member for Hammond will take his seat. The member for Torrens has a point of order.

Mrs GERAGHTY: I most strongly object—

The Hon. I.P. Lewis: What is the point of order?

Mrs GERAGHTY: —and am distressed that this bloke, the member for Hammond, tells me that I will not care if my husband dies.

The Hon. I.P. Lewis: I said that you won't mind.

Mrs GERAGHTY: That is the same thing, and I think you are an appalling individual.

The DEPUTY SPEAKER: Order! However offensive the member for Hammond's comments might be, I do not think they are unparliamentary. I do not think I can force the member for Hammond to withdraw. If the member for Torrens wants to respond, she can do so by way of a second reading contribution or by way of a personal explanation.

Mrs GERAGHTY: I accept your ruling, sir, and I think the man is a disgusting individual.

The DEPUTY SPEAKER: Order!

Ms Breuer: He is a disgrace to this place.

The DEPUTY SPEAKER: Order! The member for Hammond.

The Hon. I.P. LEWIS: That will be the consequence of this measure. You will not be able to recover the costs associated with the damage that is done by those drivers who are driving unlicensed in greater numbers. No insurance will be available. So, you go ahead and vote for this measure, which increases the number of unlicensed drivers on the road, and that will be the direct consequence of your decision. That will be the consequence as night follows day, and as wetness arises when you put water on things that will be the consequence—

Members interjecting:

The Hon. I.P. LEWIS: —and the silly chortling—

The Hon. J.D. Hill: You're a joke, Peter. You are an absolute joke. You have no credibility anywhere at all in this state.

The DEPUTY SPEAKER: Order, the minister!

The Hon. I.P. LEWIS: May I say that that is a pathetic and an improper and unscientific proposition.

The Hon. J.D. Hill: You are a joke, Lewis, an absolute joke.

The DEPUTY SPEAKER: Order, the minister!

The Hon. I.P. LEWIS: The honourable member is behaving very dishonourably—

The Hon. J.D. Hill: Sit down, Peter.

The DEPUTY SPEAKER: Order!

The Hon. I.P. LEWIS:—in saying what he does. There is nothing that is a joke in anything that I have said.

The Hon. J.W. Weatherill: Just leave. Leave, Peter.

The Hon. I.P. LEWIS: It is a serious and scientifically valid proposition in every particular.

The Hon. J.W. Weatherill: Leave now, and stop embarrassing yourself and the rest of this state. Just leave. You are a disgrace.

The Hon. I.P. LEWIS: And you're worse. You are playing with yourself, and you are playing with the people of South Australia when you say that this measure will in some way or other improve the likelihood of their welfare. It will have the exact opposite effect.

An honourable member: You are an awful person.

The Hon. I.P. LEWIS: You can't face the truth.

Members interjecting:

The SPEAKER: Order! The house will come to order. The member for Hammond and the Minister for Families will not engage in that interchange across the chamber. It is quite inappropriate for some of the language that I just heard to be used in this place. The reference to people's sexual behaviour is quite out of order.

Mr SNELLING (Playford): I will quickly make a contribution. I notice that it was a full moon last night and obviously some members are influenced by that occurrence in the heavens. I am happy to support—

Mr BRINDAL: On a point of order, I do not necessarily agree with all the words of my colleagues and do not support the words of all my colleagues, but I do not think that it is correct for people, however angry they get—and I get angry on occasions—to just vilify a member without the protection of the chair, and I believe that has been going on. I ask you to equally protect—

The Hon. J.W. Weatherill interjecting:

Mr BRINDAL: That is your opinion, but he is entitled to protection. We all are.

The SPEAKER: Order! I do not believe that the member for Playford named anyone.

Mr SNELLING: I am sorely tempted, sir. I am quite happy to support this measure. I did not get any sense out of the drivel coming from the member for Hammond. It was just full of personal invective directed against individual members. As to his suggestion about wiring up the genitals of male drivers, the people in his electorate can read that and come to their own conclusions, as I am sure they will. I am quite happy to support this bill.

Double demerit points has been proven to be a lifesaver interstate where it has been tried. If anything ever happened to my family or my children on the roads, I would want to think that I supported every possible measure to protect them. I hope this bill is given a speedy passage and given every opportunity to save as many lives as possible.

The Hon. I.F. EVANS (Davenport): As I understand it, the government is proposing this measure to try to reduce

deaths. I guess no-one can argue with measures to reduce deaths, but to what extent do you go and what is the benefit? I have asked the officers to give me the estimate of the number of lives saved in other states as a result of these measures and I will contribute that later in the debate. The first issue I have is that under this legislation South Australians will be able to lose their one driver's licence twice through the one offence. That is the consequence of this legislation. It will be a cumulative loss of licence, so it will be possible through one offence on a long weekend or the designated days to actually lose your licence twice, even though you have committed only one offence for the year.

That is what the legislation says. I have checked that with the advisers and my interpretation of the legislation is accurate. That is a severe measure, particularly for those in rural areas who do not have the benefit of public transport. It is clearly what the government intends through the legislation and I hope that the voters in the electorates of Hammond, Mount Gambier, Chaffey, Stuart and another rural electorates realise that this legislation has the potential to have them lose their licence not once but twice for one single offence. That is indeed a very stiff penalty. We are debating this legislation based on no advice. The shadow minister made a strong point that he was seeking the second report from the road safety committee.

The government has not tabled that, which seems bizarre to me. This is not a report into a minister or a misconduct issue or even a commercial contract. This is simply advice about how double demerit points will save lives. If the advice is that this is a positive thing, the parliament deserves to know that as part of the debate. If the report says it is a negative thing, the parliament also deserves to have that as part of the debate. We are standing here tonight debating this in a policy vacuum because we have no advice before us except for the advice of Deputy Commissioner Barton (I think he was the officer) and Sir Eric Neal, for whom I have a lot of respect. The minister's office does have the Road Safety Advisory Committee's second report but we cannot have that, and I have to ask myself why we cannot have that particular report.

My view about road deaths is very simple. I had the pleasure of being police minister for a year and the Commissioner used to brief me on the road toll. To my memory all the significant advances in reducing the road toll, all the significant downturns, were brought about by technological change—the introduction and compulsory wearing of seat belts, random breath testing and the ability to test alcohol levels in the blood. Speed cameras were also introduced and had some effect, although not quite as strong as the others. We have better built, safer cars with better brakes and airbags, and we have the best roads we have had—although poorly maintained, they are still better than the roads were 40 and 50 years ago. So the road toll of recent years has not reduced as quickly as in other years, but you would expect that because there has been no significant technological change delivered to the market (if you want to put it that way) through new developments.

That is why I strongly support the move by the member for Schubert (and full credit to him) on introducing drug testing because we know, through the Victorian experiment, that 28 per cent of those tested in that state had drug content in their system. Now, if it was 28 per cent who had alcohol content in their system we would be outraged, and would ask the police what they were doing to counter that measure. However, we have the fact that 28 per cent of those tested in

Victoria had drug content in their blood, and you can bet your bottom dollar that the same statistic would apply in South Australia—possibly worse, given our softer law on marijuana. Yet this government tells us that the way to stop death on the road is not to bring in drug testing, not to bring in the new technology—instead we are going to bring in demerit points. Frankly, I do not think that is necessarily the best step. In my view the best step is what the member for Schubert has been arguing for many months—that is, to bring in drug testing. That is the next big leap.

The Commissioner has a graph and I invite members to ask for that, because it shows that in the early 1970s we were losing 325 young South Australians every year to the road toll. We are now down to about 110 to 155. That is a good effort for the state; we are saving 200 people a year through a whole range of measures. The government wishes to believe that this measure will have an effect, but I am not convinced that it will deliver a significant result. I would much rather the government bring in drug testing and I will certainly be supporting the member for Schubert in his quest to have this introduced because I think that is a very serious issue in relation to the road toll.

There was an interjection to the minister about what were the causes of the accidents. The minister makes great play about what a disastrous long weekend we had just past, and I express my sympathies to those families who have lost loved ones. However, the reality is that we stand here tonight and neither the police nor the advisers can tell us the cause of those accidents. When the advisers are asked what the causes were (and this is not a criticism of the advisers) the advice was that the police would not know for weeks. So here we are debating legislation to fix a problem and we are not sure what it is.

An honourable member: They are dead.

The Hon. I.F. EVANS: We know that they are dead but what is the cause? Was it a heart attack, was it a fit, was it flat tyres? You do not know the reasons for all the deaths. Other reasons could have been involved in the deaths—

The Hon. J.D. Lomax-Smith interjecting:

The Hon. I.F. EVANS: The member for Adelaide says, 'Like what?' She has a medical background and would have heard of people dying of heart attack and of people having fits. If you do that behind the wheel of a car, you quite often run off the road and hit a tree.

The Hon. J.D. Lomax-Smith: Only once—not often.

The Hon. I.F. EVANS: Only once, but some people do it. More than one have a heart attack or a fit. Wait and see the analysis, because the blood alcohol content may show that some were involved in drugs and not alcohol. It may not have been speed but a high drug content. I do not know, but you are asking me to debate this based on no information. That is the point I make. At least the government could have the courtesy to show the parliament the deaths, the police analysis and the result, but this is a knee-jerk reaction by the government.

If the government is serious about reducing deaths, I suggest it look at cancer. I have asked the officers to let me know what is the estimate interstate of how many deaths this prevents. Let us say it is 20 per cent: it would save around 20 people a year. That would be a good thing. We lose about 110 people a year on the roads. For cancer it is 3 272 people a year. Tonight we are debating how we can save people in South Australia—how we can reduce the number of deaths. There will come a point where we argue about resources and where we can save the most people.

The Hon. J.D. Lomax-Smith: Cancers are not accidents.

The Hon. I.F. EVANS: That is true, but no-one gets melanoma or lung cancer deliberately—they are all acts of God. If you can spend money saving people from melanomas or other cancers, it is just as important an investment to spend resources saving people from road accidents. The member for Adelaide laughs—well may she laugh! I say to the member for Playford that the government cannot tell me what has been the effect of this interstate. I have asked the question and the government cannot give me the answer.

Ms Bedford interjecting:

The Hon. I.F. EVANS: We are not sure that it is worse—I am asking for the information. A better way of reducing the road toll is through driver training rather than simply increasing the penalty. I think driver training is by far the better way to reduce the road toll. I have put my children who have a licence through an advanced driving course, with the rest of their nephews and nieces, and it is a good investment.

I do not think double demerit points will make a lot of difference to driver behaviour. We should get rid of speed cameras and invest that money in radar guns and motorcycle police, because when they pull you over they have a far greater impact on driver behaviour than does getting an envelope three weeks later, when you struggle to remember where you were at that time. It is the fear of getting caught that is the deterrent, which means we need a greater police presence—it is as simple as that. If we had a greater police presence we would get a change in driver behaviour. This has had an effect interstate because they have flooded the long weekends or prescribed times with eight times the police presence. You do not have to be a Rhodes scholar to know that if you put eight times the amount of police on the roads you will get a change in driver behaviour. No-one has done an analysis of whether simply putting eight times the number of police on the road or getting double demerit points changes the behaviour. My view is that it is the former, namely, it is putting eight times the number of police on the road over the prescribed period, not necessarily double demerit points, that changes the behaviour.

On Monday, in the other place, the Hon. Paul Holloway tabled a response to a question from the Hon. Mr Cameron. It is a really interesting analysis of South Australia's speeding fine system. It shows that, of the 32 700 speeding fines issued over a period of three months, 30 000 were in the 60 km/h area. The accidents the government is trying to prevent are not in that area. The deaths are occurring, very significantly, on country roads, yet the speed cameras, which are meant to address driver behaviour and black spots, are concentrated in low speed venues and therefore deliver a higher return to the government. The sum of \$3 million out of \$3½ million comes from the 60 km/h zone. Interestingly, other means of detection, such as police cars, motorcycles and radars, attract the majority of speeding fines in the 80, 90, 100 and 110 km/h speed areas. It is my view that it is in those areas that the majority of fatal accidents occur.

I have come to the view that the more police we have on the beat monitoring the traffic—that is, the radar and motorcycle police—the more likely we are to achieve a reduction in speed and the number of accidents and, therefore, a reduction in deaths. It will have absolutely nothing to do with double demerit points. If you are driving along a country road and you see a police car, you will not say to yourself, 'I will slow down because I may get double demerit points.' However, you will say, 'I will slow down because I don't want to get caught, even if it's one demerit point.' I am

not necessarily convinced of the merits of the case. The government argues that it will make a difference, but logic dictates that what the government will do is very simple: on long weekends, it will swamp the roads with police, and it will have double demerit points, and say, 'Isn't it fantastic? It works.' Of course it works—not because of the double demerit points but because the roads are swamped with police. You have to ask yourself: why do they not do it on other weekends? It is that simple. However, the government will get its legislation passed, and the public of South Australia will be penalised.

As to some of the issues raised by other members, such as more uninsured drivers or drivers without a licence, a large number of those people will continue to drive. You have to ask yourself: what benefits have we achieved for the public, when there are uninsured and unlicensed drivers? For example, my son was involved in a minor accident. The lass involved said, 'Don't worry about it. There's not a lot of damage, and I'll fix it,' and then left. She was obviously uninsured and did not want to be involved in reporting the accident. There are many such people out there, and I think that this bill will increase their number, and that will be detrimental.

I think that it is only fair to the parliament that the minister table the report of the Road Safety Advisory Committee. It is a nonsense that we debate this measure without that information before us. In tomorrow's paper, on page 11, there is a scoop. It states:

South Australian motorists and passengers needlessly contributed to \$1 million of state revenue last year because they chose not to wear their seat belts.

I think that says a lot about the issue on which the government should be concentrating, as it alone contributes to a lot of deaths on the road. It comes down to detection which, in turn, comes down to police presence. My view is that you would have a far more positive and dramatic reduction in the road toll if the number of police administering the current laws were greater. I am not convinced that double demerit points will deliver the result the government wants, but a greater police presence will.

Dr McFETRIDGE (Morphett): I will not keep the house long at 12.50 a.m. I think the first thing that we could do in this place is stop having these crazy hours. It is okay, I will catch a cab home tonight and tram it back in the morning, but what about staff and other members who live at Mount Compass, Stirling and Houghton? I think a bit of sanity—not having to rush through legislation—would be appreciated by us all.

The other thing the government could do is look at unpaid fines. I understand there is \$106 million in unpaid fines. If the government collected that \$106 million, it would go a long way towards putting more police on the roads; and I will give some evidence about that. More police are needed on the roads. I will be supporting this rushed piece of legislation for one reason only; that is, Eduardo Alves. Eduardo was a 16-year old Rotary Exchange student. I was coming home from my vet clinic one night. There was a car upside down and six people were injured; and Eduardo was outside the car. I spent 20 minutes giving him CPR and 15 minutes in the ambulance giving him cardiac massage on the way to Flinders. Eduardo died. If this can prevent a needless death, such as that of Eduardo, I would be more than happy to support it.

The member for West Torrens gave an example of four young people speeding down Ashley Street, Thebarton. Their vehicle was estimated to be travelling at 180 km/h and it hit a Stobie pole and they were killed. I do not think those guys would have been doing that had they been aware that a copper was around the corner or there was a strong police presence out there. The Institute of Criminology has said that it is not the penalty that people worry about but, rather, the chance of getting caught. That is the deterrent: getting caught. How will they get caught? Because we will have police on the roads.

The government should listen to the amendments being proposed. We should not be pinging people for relatively innocent momentary distractions from driving. They should be pinged for dangerous driving and going well over the speed limit. I hope the government looks at the amendments and the drug driving testing as an urgent matter, whether their legislation or this legislation. As others have said, statistics prove that it is a very serious issue. We have heard about the RAA's press release today. It states:

What we can say with certainty is that double demerit points during holiday periods will have no impact on road safety unless accompanied by massive increases in enforcement and public education. . . It will be wrong to legislate in this area if it could be shown that the same road safety gains could be achieved by the government simply committing to increased policing and public education.

As a fully financial member of the Australasian College of Road Safety, I had a look at the web site today and some of its enforcement penalties. It backs up the sentiments of most members on this side and certainly the RAA. The enforcement and penalty section of the Australasian College of Road Safety states:

The weight of enforcement should be directed to behaviours and locations that are known crash problems. Black spots should be looked at, policed and patrolled, and the road should be improved. . . Enforcement practices should be aimed as much at preventing infringements as detecting them. Appropriate measures can include information and education, speedometer checks and messages, warnings, and a high level of visible police presence on the roads. . . Severity of penalty should not be substituted for certainty of detection. There is little sense in applying a very severe penalty as a deterrent if the perceived probability of detection is so low as to make the likelihood of incurring the penalty negligible.

That is probably what will happen here. We will have double demerit points, but there will not be police on the roads, so people will still take the chance. We have heard other members talk about people taking a chance. People should be deterred from taking a chance by having police on the road, whether it is the four young fellows who died at Thebarton or other people out there speeding and driving recklessly. I hope the government listens to the opposition's arguments. I hope it takes note of the fact that we should not be out there trivialising this matter by pinging people for going one or two kilometres over the limit in a 60 km/h zone. This should be for dangerous driving and for exceeding the speed limit by, say, 15 km/h. They are the sort of things we should be looking at. But, above all, collect those unpaid fines, get the police out on the road and penalise the real crims.

The Hon. P.F. CONLON (Minister for Transport): I have to say that ending the debate will take a lot less time than listening to it. There have been some very lengthy contributions tonight from the opposition, and most of them I can sum up in a few minutes. The shadow minister's contribution was 2½ hours in length, and 1½ hours of it was devoted to a diatribe about what a bully I am. He may be right, but I am a bully he is certainly not frightened of, given

the 1½ hours he spent describing me in very colourful terms. I think it is very sad, given that all I did was bring before the house—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: He is still interjecting about what a bully I am. I will try to be as calm as possible, given the member's sensitivities. What the government has done is bring before the house a piece of legislation designed to do what has been recommended to the government by the police on two occasions after two tragic weekends on our roads. Having heard all the nonsense from the other side, I will be the first to say that I do not know whether this will reduce the number of deaths on our roads, but what I do know is that, after the Easter long weekend, Graeme Barton said that we should do this. On that occasion, I said that I would refer it to the Road Safety Council. While the Road Safety Council was considering it, and before I had any answer from it, we had another long weekend with another unacceptable number of deaths, and the police again, through Graeme Barton, recommended that we should introduce double demerit points and that it would reduce the road toll.

I do not know whether I am right in bringing this bill to the house, and I do not know whether it will reduce the road toll. I certainly do not think that the people on the other side know for certain. However, after two such weekends, and having been told that by the police, I am not prepared to ignore their advice. That is the long and the short of it for me in relation to this legislation. The people on the other side might think they are smarter than the police, and I may think the police did not get it right. But, having seen the figures from the Easter long weekend—having seen the tragic deaths—having heard from the police after that that we should do this, having seen another long weekend with tragic deaths and having heard from the police that we should do this, the opposition is braver than I am, because I am not going to come back to this place after another long weekend and find another series of deaths, after ignoring the police twice in a row. If opposition members want to do that, on their heads be it.

On the advice of the police, I have brought this bill to the house, and I will pursue it to its end. I hope we will be successful. At least I will rest easy knowing that I have done everything I can. Personally, were I not to do this—and it is not about the government—and we had another tragic weekend, I would feel very bad about it. The people on the other side can vote against it if they wish, but at least I will rest easier knowing that I have not ignored the pleas of the police in relation to this matter.

Those very smart people on the other side may well be right. They may know more about it than the police. But I can tell members that, having been in this place for a while, I am far more confident in the advice of the police than I am in the advice of the opposition. I have had a diatribe aimed towards me for not tabling a piece of information, which I do not have. I put this on the record again. I do not have advice from the Road Safety Council on double demerit points since I referred it to that council, and I can tell members that it would not matter if I did. It was referred to the council before the second of these tragic long weekends.

I repeat to the opposition: if it is the council's advice on which it relies, I do not understand it to have supported it. So, vote against it. Go right ahead and vote against it, but I have not in any way tried to mislead members opposite about that. The advice has not been made available to me, and it was advice that occurred before the second tragic long weekend

and the second time the police recommended to this government that we should introduce double demerit points. I really do not want to speak any longer because that is the long and the short of it for the government.

It is about discharging the obligations as we see them. I stress that I do not want to come back to this place after another long weekend having ignored the advice of the police and having a series of more deaths on the road. I can tell members what would happen if I did do that: the opposition would be calling for my resignation. That is what would happen. But, of course, politics is rarely honest, is it? I place on record my genuine regard for the contribution of the member for Morialta, who, I think, was honest and sincere in her approach to this and who has a genuine regard for it.

I stress to the member for Morialta—and I do not know whether this is right—that I am not ignoring the police. I said to them after one weekend, 'I will refer it to the Road Safety Council.' After the second weekend they came back, and I am not prepared to ignore them again. I am prepared to introduce what they have asked me to introduce. I appreciate that the member for Morialta has been absolutely genuine in her contribution, and I think it was worthwhile listening for anyone. I also appreciate the views of the member for Stuart, who has been absolutely genuine about this.

I do not agree with him, but I do agree that it is an unfortunate aspect of our laws that they apply (as they must apply) evenly in the same way to every person when I think that, in many respects, people on country roads have a far better understanding of their responsibilities. They learn how to drive vehicles large and small at an earlier age. I remember, from personal experience after the Eyre Peninsula bushfires, the two very young people (certainly younger than the age lawfully required to drive a motor vehicle) who drove themselves to safety out of those bushfires.

Ms Breuer: And shut the gates on the way.

The Hon. P.F. CONLON: And shut the gates on the way, I am told. The truth is that we must apply the laws evenly across the state in the same way to everyone. It has been said that this bill has been rushed into parliament, and it has. I am the first to accept that. It has been rushed into parliament because we would like to introduce this before the June long weekend. I appreciate that the opposition has, at least, supported our being able to do that. It will be interesting to see how this bill goes in the upper house.

I want to address a couple of other points; and, without wanting to provoke people, a number of opposition members said that it is all about policing. It is not about this. They criticised the level of saturation policing. Saturation policing is about getting people out there over time, and it is exactly the numbers asked of me by Sir Eric Neal. I am happy to be corrected, but I believe it is correct. These are the numbers that were told to me by Sir Eric Neal after discussions with the Road Safety Council and, in particular, John White. It is the amount of money they would need to do saturation policing on long weekends and public holidays.

I am more than happy to be corrected by either of those individuals, but we sat down and committed those funds. I say to those of the opposition who wax lyrical about the fact that we should not do this, that we should do more policing, I point out that they dropped police numbers in this state to historically low numbers, and we have increased police numbers in this state to historically high numbers. I know it is the duty of the opposition to criticise, but I think a little recognition just for the sheer facts of the argument would be—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: He likes that because he recruited a few just before they left office. Let us have a look at the numbers at about the mid-point of the 8½ years of your government—I think that is a good indication—and you will see that they were historically low—no-one can argue about that.

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: I am not suggesting for a moment that you are not bona fide in this, but I come back to the point that this legislation has been rushed into the parliament, and we have done that for a very good reason. The Deputy Premier and I and the government witnessed two shocking long weekends in a row, and I must say that it was put quite misleadingly by I think the shadow minister that the government suggested this, but that is simply not true. The history of this is that after the dreadful Easter long weekend Graeme Barton of the police suggested that we should have double demerit points, and it was suggested again after the recent second tragic long weekend. The report that the shadow minister so much wants to see was—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: Well, what I have said to you is that, if you rely on that report to support this legislation, do not support it, because I do not understand the Road Safety Advisory Council to have supported it on that occasion. My understanding—and not having seen anything from them, this is my advice—is that they did not support double demerit points. I indicate to you in the spirit of honesty—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: They did not. I say this to you, and this is something that I did not know. The only thing I have seen is the agenda paper written by the Department of Transport which suggests that they should not support them on balance for a whole range of reasons. After that time—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: You would like to see a lot of things, but you can assume, if you like—and vote this way—that the Road Safety Advisory Council opposes it. Sir Eric Neal supports it as head of that body; the police support it, and the police have suggested to us that we should do it, and I am not prepared to ignore them, but you can if you wish.

Mr Brokenshire: A bit of transparency.

The Hon. P.F. CONLON: A bit of transparency—

Mr Brokenshire interjecting:

The SPEAKER: Order! The member for Mawson gave a 2½ hour contribution, I believe; he does not need to add to it, and I think the minister is getting a little repetitive, too.

The Hon. P.F. CONLON: I will deal with the opposition's amendments. I certainly cannot support the amendments of the shadow minister on matters that have nothing to do with this bill.

Mr Brokenshire: The sunset clause.

The Hon. P.F. CONLON: I will come to that. I have gone out on a limb because, as we all appreciate, we have brought this to the parliament quickly. My view is this: I do not know whether this will work, but I am not prepared to ignore the police. Therefore, I am prepared to accept a sunset clause. I have not run it past my caucus, but I hope they will support me on it. Clearly, we want it to work. Some of the contributions from the opposition were to the effect that this is revenue raising. I assure the parliament that this will cost the government money. You will get no revenue from cancelling licences or demerit points. The Hon. Michael Wright (a former minister) said that this will cost money.

We do this only because, after two tragic weekends and after its being recommended by the police twice, we do not believe it is safe to ignore that advice, and therefore accepting the 1½ year sunset clause seems to us quite reasonable. If this cannot be supported after that time, if it does not appear to have been working, then I am happy to accept that it was not right. I think that is entirely reasonable. I cannot accept the amendments of the member for Stuart, as much as I like the fellow. Not only have those amendments been raised once before and been defeated in this place but I simply do not have the leeway of caucus to accept these types of amendments.

The Hon. G.M. Gunn interjecting:

The Hon. P.F. CONLON: If that happens, then this will be defeated and we will have to come back—and I hope that the next long weekend is not a bad one is all I say to the honourable member. The truth is that I cannot accept the other amendments.

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: Of course I cannot accept the drug driving amendments. Honestly, we are trying to do something genuine and what the opposition does with the drug driving stuff is insert a blatant political stunt. Members of the opposition know the position of the government. The position of the government is that it has put a bill out for consultation. It has received the result of that consultation and it would betray those people with whom we have consulted if we did not consider what they have said. It is such a shallow stunt. I will close because it serves very little purpose to argue the merits. I appreciate the contributions of some people on the other side.

I do apologise to the member for Mawson for having intimidated him to the extent that he needed to describe my bullying for 1½ hours. All I can say is that I did not scare him enough to make him shut up, did I? I certainly did not do that. I commend the bill to the house, but I close by stressing in all humility (which I do well) that I do not know whether this will work. What I do know is that, having been told by the people who do it at the coal face two weekends in a row to do this, I am not prepared to substitute my view for theirs. I am not prepared to go without at least trying to convince members opposite to do what they have told us to do. I am happy to accept the sunset clause because I think that is appropriate in the circumstances. I cannot accept the other amendments. I would really like to say it has been a good debate but honesty forbids.

Bill read a second time.

In committee.

Clause 1.

Mr BROKENSHIRE: On the basis that the minister has made it very clear that he will not accept the drug driving amendments, given the numbers in the house, I have no choice but not to proceed with that amendment.

The CHAIRMAN: I indicate to the committee that the amendments go outside the scope of the bill and therefore would be ruled out of order, in any case.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Mr BROKENSHIRE: I move:

Page 3, after line 26—

Insert:

(3h) Subsections (3d), (3e) and (3g) will expire 18 months after the day on which they come into operation.

- (3i) The minister must, before the date on which subsections (3d), (3e), (3f) and (3g) will expire in accordance with subsection (3h), cause a review of the operation of those provisions to be undertaken and must ensure that a report on the outcome of that review is prepared and laid between each house of parliament.

It is late. The minister has indicated that he accepts the wisdom of the opposition's amendment to have a sunset clause and a review. I thank the minister for supporting the wisdom of the opposition and I look forward to the bill's passing rapidly.

The Hon. P.F. CONLON: I indicate that I accept the amendment, but I am not sure about accepting the wisdom.

Mrs HALL: My question relates specifically to what occurred in New South Wales and Western Australia when they introduced their double demerits. In New South Wales, the initiative was considered to be reliant on high levels of police enforcement and the estimates are, as I understand it, that \$2.9 million was injected into providing 88 400 man-hours of enforcement for the trial period, and they spent something like \$2 million on media campaigning during the public debate. Will the minister outline, if he can, what sort of additional commitment and funding will be invested in this program for the June long weekend and, in particular, the additional man-hours that the police will need to commit to it and the media campaign?

The Hon. P.F. CONLON: That is a very good question. In general, \$1.54 million has been referred to. That is matched by something like \$200 000 (I will have to obtain the exact figure) a year extra out of transport plus some for this year, which I am not quite sure about, but we have already commenced this. The total amount is about \$2.5 million for the period. Sir Eric Neal spoke to me, and that is what was asked for by the police for them to do the saturation policing on those weekends. It is not disproportionate to the numbers in New South Wales, as I understand it. One does not hire extra police for the weekend. It is about getting those people out on overtime and those sorts of things. The hours, of course, do not come out of my agency; they come out of the Minister for Police's agency.

I am happy to provide that information as soon as I can obtain it, but I can assure the member for Morialta that this is precisely what the police asked for in terms of funding for those weekends. It may seem a small number in the bigger scheme of things, but it is about a small amount of time using existing resources and getting them out there in a saturation period, and we believe that it works.

In terms of advertising before the long weekend, should the bill be passed we will certainly have to abide by the provisions we have inserted in terms of advertising in the papers. However, I assure the member for Morialta that there will be advertising to alert people to the fact, because otherwise it does not work. What we all really want (and I appreciate what the member for Morialta's speech was about) is for people not to do these things any more. I will obtain the details for the member, but it will commence before then. We are doing it in what one might call a hasty way, but after what we have seen we want to do it before the June long weekend.

Mrs HALL: Would the minister be prepared to give a commitment that, in the advertising campaign he is talking about, all the multicultural media that is available between now and the long weekend will be included in the advertising buy, given that there is now an extensive coverage with respect to the multicultural community across this state?

The Hon. P.F. CONLON: Certainly I will give the member a commitment. It is not the sort of thing, as the member would know, that I would organise myself, but it seems to me to be a sensible thing and I give a commitment to ensure that we do that to the extent that it is possible in the time. I think the member is absolutely right.

Mr BROKENSHIRE: Briefly, as a point of clarification, the minister talked about over and above the \$1.54 million that has been announced over four years through the SAPOL budget for saturation policing during these periods and that Transport SA also is contributing above the \$1.54 million. I think the minister said it would be a total of \$2.2 million?

The Hon. P.F. CONLON: No, about \$200 000 a year.

Mr BROKENSHIRE: So it would be about \$600 000 a year over the four years for saturation policing, based on 1.54 plus 800 over four years.

The Hon. P.F. CONLON: It is about that.

Mr BROKENSHIRE: Can the minister get the details?

The Hon. P.F. CONLON: It is about that, but I will get the figures.

Amendment carried; clause as amended passed.

New clauses 5, 6 and 7, and schedule.

The Hon. G.M. GUNN: I move:

After clause 4—Insert:

5—Amendment of section 98BD—Notices to be sent by Registrar

Section 98BD(3a)—after 'section 98BE' insert:
or lodge an appeal under section 98BF

6—Amendment of section 98BE—Disqualification and discounting of demerit points

Section 98BE(1)—after 'this section' insert:
and section 98BF

7—Insertion of section 98BF

After section 98BE insert:

98BF—Hardship appeals where double demerit points incurred

(1) If—

(a) a person who holds a licence is given a notice of disqualification as a result of incurring demerit points; and

(b) the demerit points incurred consist of, or include, demerit points incurred in accordance with section 98B(3d);

the person may appeal to the Magistrates Court against the disqualification.

(2) The appellant and the Crown are entitled to be heard on an appeal under this section.

(3) If the Magistrates Court is satisfied by evidence given on oath by or on behalf of the appellant that the disqualification would result in undue hardship to the appellant, the Court may allow the appeal and order that the disqualification be removed (in which case any licence held by the appellant at the time the disqualification took effect is to be taken to be in force again).

(4) Where an appeal against disqualification has been instituted under this section, the disqualification and any related cancellation are suspended until the determination or withdrawal of the appeal.

Schedule 1—Related amendments to *Road Traffic Act 1961*

1—Amendment of section 53A—Traffic speed analysers
Section 53A—after subsection (2) insert:

(3) A traffic speed analyser (other than a traffic speed analyser that is mounted in a fixed housing) must not be used to measure the speed of vehicles on a road unless 1 or more signs advising of the use of the traffic speed analyser are displayed in positions where the drivers of vehicles approaching the traffic speed analyser are likely to see them.

2—Insertion of section 81

Before section 82 insert:

81—Cautions to be issued in certain circumstances

(1) If—

- (a) a person, being the holder of a driver's licence in South Australia, is alleged to have committed a minor traffic offence; and
- (b) the person has held a driver's licence in South Australia for a continuous period of not less than 10 years immediately preceding the date of the offence; and
- (c) the person has not, in the period of 10 years immediately preceding the date of the offence been convicted of, expiated or been issued a caution under this section in respect of, any offence of which the driving of a vehicle is an element (other than a prescribed offence),

a member of the police force must caution the person against further offending and no further proceedings may be taken against the person in respect of the offence.

(2) In this section—

minor traffic offence means an expiable offence against this Act in respect of which demerit points are prescribed under section 98B(1) of the *Motor Vehicles Act 1959* if the number of points so prescribed is not more than 2;

prescribed offence means an expiable offence against this Act in respect of which no demerit points are prescribed under section 98B(1) of the *Motor Vehicles Act 1959*.

3—Amendment of section 175—Evidence

Section 175(3)—after paragraph (ba) insert:

- (baa) a document produced by the prosecution and purporting to be signed by a member of the police force and certifying that 1 or more signs advising of the use of a traffic speed analyser were displayed during a specified period in specified locations is, in the absence of proof to the contrary, proof of the matters so certified;

Basically the first part of the amendment is a notice to the Registrar of Motor Vehicles and the rest deals with disqualification and discounting of demerit points. The core of the amendment deals with hardship appeals. No matter what anyone says, these unfortunate events which are going to happen will inflict double penalties on people, and they will be unfair and unreasonable. I will give one example, and I hope everyone listens. If someone goes past a road train, particularly in the passing lanes, and the road train or B-double semi-trailer is doing 100 km/h, you have to go over 110 km/h because you have to get past them. Is someone going to get pinged and lose double demerit points and lose their licence? I want to know. I draw to the adviser's attention the answer that the Commissioner of Police gave to me when he was sitting here during budget estimates. I want it made clear today that there will be some commonsense. That is why the amendment is moved. I say to members sitting around here that, when one of their constituents comes to them and they have been the victim of these outrageous events that are going to happen—

The Hon. I.P. Lewis: Stupidity.

The Hon. G.M. GUNN: Stupidity—they will blame themselves and those who are the architects of this. If you put forward these sorts of unreasonable courses of action you must expect other unreasonable acts to be taken. Let me repeat clearly and precisely in my case what I intend to do. I will have no hesitation in using this place if my constituents who are isolated by long distances lose their licence in the sorts of instance that I am mentioning today, and there will be others. There is no harm in anyone doing 120 km/h on these isolated bitumen roads. The former minister knows that they are built for people to travel on them at 130 km/h.

The Hon. P.F. Conlon: But you have never done that, have you, Graham?

The Hon. G.M. GUNN: Well, have you?

The Hon. P.F. Conlon: No.

The Hon. G.M. GUNN: Well, the cops do. I see them driving along and they go past me.

Mr Brokenshire: Chasing someone.

The Hon. G.M. GUNN: No, come on! And, if you do not believe me, I will start taking the numbers and will let the parliament know. Because I am on the road a lot. They do not know what sort of motor car I am in. I use different vehicles, and I am very observant. You have tested me. I will come back to this parliament, and I will give you the numbers—

The Hon. P.F. Conlon: No-one is testing you. We agree with you, but we just can't do it.

The Hon. G.M. GUNN: No; this is commonsense, what I am putting forward. When you talk in the corridors people agree with you. That is how stupid the parliament has become. They agree with you and they know I am right.

The Hon. P.F. Conlon: Rory agrees with you.

The Hon. G.M. GUNN: Of course he does. Why doesn't he stand up and show a bit of guts?

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: Yes; and I am not going to be put down in relation to these matters and my constituents agree with me. Do not worry about that. They are sick and tired of this silly nonsense. There is an obsession with handing out on the spot fines for minor issues, yet we do not have enough coppers to get after the real villains. Last week they vandalised the Uniting Church in Port Augusta. Elderly ladies are petrified of these people racing up. You have riots in the streets. You do not have enough coppers. You do not blame four or five of them for not going there. Yet, you are going to saturate it and you want to take people's licences away unnecessarily and unwisely and without any reason.

I repeat what I said earlier. The same thing is going to happen here that has happened in the United Kingdom. I say to those who do not believe me, go and find out what happened there. This sort of stupidity was inflicted on the people and they rose up and had a gutful of it and the government had to amend it and take away some of these silly things, because the political consequences—and it is going to come to that, make no mistake—are going to rein in on this. One day there is going to be a marginal shift. Make no mistake.

The Hon. I.P. Lewis: It will cost the member for Giles her seat.

The Hon. G.M. GUNN: The member for Giles has gone anyway; it does not matter.

Members interjecting:

The Hon. G.M. GUNN: I am only stating a fact. I cannot help that. The member for Giles has been saying all sorts of unkind things to me, so I just thought I would officially farewell her.

The Hon. M.J. Wright: She speaks very highly of you.

The Hon. G.M. GUNN: Not always; sometimes she must get out of bed on the wrong side.

Members interjecting:

The Hon. G.M. GUNN: I have sat patiently here. The members opposite are the ones who want to go all night: not me. If I had my way, we would not be sitting past 12 o'clock. We could have put on a real bobsy show on these amendments here all night if you wanted to. The other part of my amendment is that, if you believe in reducing the road toll, if you want to stop people speeding, put the signs up before

the speed cameras. If you are not prepared to do that, we know you want to collect revenue. As I indicated in my second reading speech, there were some signs up, but they have been taken down. They have not been there for months. I want to know why. The poles are still up there.

These suggestions in my amendments are fair and reasonable, and they are what the public wants. Remember that we are legislating here, not to get a headline in *The Advertiser* and appease the Editor of *The Advertiser*. We are legislating to affect the welfare of the citizens of South Australia. This is going to be detrimental to a lot of them and, unfortunately, even when we pass this legislation, there are still going to be some of these unfortunate events—sad as it is for all those involved. I am someone who is on the road day and night, and I would hate to think how many kilometres I have driven in the time that I have been a member of parliament. It is millions.

The Hon. P.F. Conlon: Well, it's been 35 bloody years.

The Hon. G.M. GUNN: And not out.

Members interjecting:

The Hon. G.M. GUNN: I want to see justice for the people in outback and regional and rural South Australia. That is why I have moved these amendments, and I am firmly committed to them. Let me say this. I had people tell me in opposition years ago that I would never get some of the things that I have been successful in. I can say that, if we are successful at the next election, if the ministers want some things, they are going to have to do some deals. These would be top priority. One good deed always deserves another. When the numbers were close, I have had those quarter to six and half past six phone calls from premiers, and my attitude was this: 'You appointed the minister, not me; good morning.' But I will pick the right bill. I think that sort of comment is marvellous. The result was astounding. I have seen the wheel change. I have been called into the room next door, and people were tempted to admonish me. You speak to them in firm, Australian terms, which they cannot fail to understand when you are not a bit frightened of them or intimidated by them.

I can make a living without being in this place. That is one of the problems with this place: there are too many people dependent on the front benches. Their future is threatened. There are not enough free thinkers. That is why I will probably not be successful today, and more is the pity of it. But, I am right; the public knows that I am right. Before it is finished, those people who are advising the minister are going to have to wear some of this, whether they like it or not, because commonsense always comes to bear.

The Hon. P.F. CONLON: As a bloke who was born in Belfast and grew up in Port Adelaide, I would love to be able to accept the amendments of the member for Stuart, but I am afraid I have other responsibilities these days. There are two reasons why I cannot. One is that, as fond as I am of the member for Stuart, I am not sure whether the entire Labor caucus is, and I am not game to accept his amendments without running them past the Labor caucus. The second is that I understand the point he makes in terms of the amendments. I point out to the member for Stuart—I am sure he knows it, because he is a very astute local member—that, at present, when a person loses all their points, they can keep their licence by submitting to a 12 month good behaviour arrangement whereby they get two points back. If they lose the two points in that period, they double their disqualification. But if they get through it, they get their 12 points back.

Knowing the member for Stuart and the people he represents, I am sure those intelligent people out there could manage to get through one year without breaking a traffic law. I think it covers the concerns of the member for Stuart. I understand that he may be able to get this up somewhere else. My view is that the member for Stuart, as much as I love him, probably would not have the support of even his own party for all these things. I may be wrong about that; we will find out. All I can say is that, while I admire the honesty and enthusiasm he brings to it, it is simply not something that I think we could accept. If your mob was in government, I do not think it is something they could accept either.

The Hon. I.P. LEWIS: May I also say in the same way as the member for Stuart has said, and with no less commitment, conviction or vehemence than he has used—and, if more is possible, then let the record show that it was with more—that he is right. The minister is wrong, and his stance is that of a wimp. He knows that what the member for Stuart is saying is correct. It will be a problem. The present law as it stands is idiotic, because it increases the level of risk and danger if you do not break the law when you are overtaking a long vehicle. You should be able to use the power that a car or any other vehicle has.

If you are going to overtake a vehicle travelling at 100 km/h on those roads where there are no overtaking lanes, then you need to be able to do that in the quickest possible time. You need to get out there, get past and get back in again where it is safe, instead of getting out there and staying out there at 110 km/h. The difference in the amount of time taken to overtake a long vehicle at 110 km/h as compared with overtaking it at 120 km/h, whilst the difference in speed is less than 10 per cent, is more than double. The distance that has to be travelled with two vehicles travelling abreast of each other occupying the whole space of the road is much greater. Altogether, the present Road Traffic Act and other associated regulations and acts—the Motor Vehicle Act in this case—are idiotic in that respect. They do not enhance the safety of users within the law. Indeed, they put them at greater risk.

I have not been here anywhere near as long as the member for Stuart, but I have been here for a fair while and I have had something of the same kinds of experiences to which he refers. Those honourable members who take the self-righteous view that this is politically correct today and we could not possibly do something different for fear that we would be criticised by journalists or whatever are foolish in the extreme. They are misguided in their belief that they are doing what is right by the public interest: they are not. What is right by the public interest is what good science supports, and good science in this case, and fairness in this case—both separate factors—is best served by supporting the case put by the member for Stuart and the amendments that he has moved accordingly.

Mrs HALL: The minister has said that he is unable to accept the member for Stuart's amendments, and I can understand the complications that trying to do so would cause. However, I wonder—as he is likely to be providing more information to the member for Stuart, if not accepting his amendments—whether I can ask the minister if he will get some more information for me. During my remarks earlier in the second reading debate, I drew the minister's attention to some material provided by the traffic intelligence section, and it dealt specifically with the comparison between the years 2002 to 2005, and the very dramatic comparisons between week day and weekend fatalities and crashes. I understand

that these double demerit systems are going to come in for long weekends. When you actually look at the figures, they dramatically show that nearly a 2:1 ratio is occurring in relation to week day crashes. I think that during the second reading debate I cited the figures and, in most years, and particularly in this year thus far, the ratio of fatalities, crashes and serious injuries taking place on week days, as opposed to weekends and long weekends, is more than 2:1. So, I would be interested if the minister can obtain from the police department, or from Transport SA, how they relate this information to their suggestion and their recommendation that we proceed with this double demerits proposal.

The Hon. P.F. CONLON: Certainly. The only point that I would make, as it was pointed out to me, is that the week day statistics that you talk about are Monday to Friday and, as a consequence, they include those days of the long weekend that are often the worse. I am advised that Fridays are often the worst day of all on a long weekend. Certainly, that was the case most recently at Easter. I am happy to provide that information. What I would say is that the simple Monday to Friday look at the data may be a little misleading in this regard, but we will certainly provide that.

Mrs HALL: Can the minister try to obtain a breakdown on each day of the five-day week?

The Hon. P.F. Conlon: Yes.

New clauses 5, 6 and 7, and schedule negatived.

Title passed.

Bill reported with an amendment.

The Hon. P.F. CONLON (Minister for Transport): I move:

That the bill be now read a third time.

The Hon. G.M. GUNN (Stuart): The bill arrives at this stage in an unsatisfactory form. It arrives after considerable debate and I now have to pin my hopes on the august and esteemed other chamber casting its wise reviewing capacity over it to make some improvements to what is, in my view, an unfortunate piece of legislation. Having attempted to improve it and not been successful, I and, I hope, others will be voting against the third reading to clearly indicate my displeasure at this matter. Let me again indicate that some of us will be making a very careful analysis of how this process takes place and the effects on long-suffering people. Let me assure members that they have not heard the last of it in this place by a long shot.

People who become the unwitting victims of it will have their day in this place, let me assure members. What other alternative do they have? People's rights have been taken away with these dreadful on-the-spot fines. If ever there was a piece of legislation where the parliament was not properly informed or had been misused and abused into becoming nothing more than a revenue exercise, it is with on-the-spot fines. It is verging on a public disgrace. Instead of using petrol pumps as a revenue collector they are using police officers issuing these things like confetti, dipping their hands in people's pockets with the massive fines that the minister wants to put up.

We will have a fight over that and will move to disallow those regulations. They are not a fine: they are becoming an imposition on people. It is all very well for the people advising the minister on exceptionally high salaries. It may not be an imposition on them but it is on the average John Citizen. I am not going to let this pass and I am not going to sit idly by during the rest of my time in this place when these

unfortunate and unwise actions take place. If members think that the member for Hammond has been difficult from time to time, I can assure them that I will be difficult on this issue. I do not want to do it, but I will.

I will create some work for the people administering it, and it is not hard to do. I would sooner not do it and would far sooner be enjoying myself occasionally at home on the farm but, if it means putting in the weekends at the office, I will do it without fear or favour. I will keep two or three PAs going, working out how we can stick up for these people and try to get a bit of commonsense to apply. I oppose the third reading.

The Hon. I.P. LEWIS (Hammond): I am disappointed to find myself at this time—it being as near as damn it to 10 minutes to 2 a.m.—having to say much the same as the member for Stuart has said—that the legislation, as it came out of committee following discussion of it there, is completely unsatisfactory.

Today (or yesterday now) is the day on which it was noted in the media that Graham Kennedy had died. The strength of feeling that I have expressed and the terms I have used to express it are moderate compared to the language that man used in the course of his life. I say, again, that 'Minardi Mike' is as much to blame for the problems we have on the roads as any driver anywhere. Hooning around in fast cars for the sake of publicity in that fashion is a bad example to all the young males of this state of ours, and politicians ought not to get involved in it. It is bad enough for us to have that kind of motor sport which turns on those people who do silly things on the roads.

As I have said, we have not mitigated the consequences of it by this legislation, yet that is what the government wants to try to convince the public it has done. It will not succeed. I am quite sure that it will cost the ALP the seat of Giles, and it may well cost some other members like the Minister for Agriculture, Food and Fisheries their seat if they are known to support it. I do not think the government understands the strength of feeling there is abroad outside the metropolitan area against this kind of approach to using a stick on people. On its own it will not ameliorate driver behaviour in the way in which the minister and the government fondly hope. There has to be a greater police presence, and that police presence might be best illustrated by using cardboard cut-out candy cards along the highway—if you cannot afford the coppers, then at least put something out there that lets people think that that is happening.

It is public education and perception that will change things, not taking their licence from them. As I have pointed out, the sad consequence of the legislation as it stands is that there will be far more damaged property and a far greater number of injured people who can get no insurance. In a collision with a member of the general public who has suffered injuries and who has a licence, the other driver will not have a licence in far greater numbers than is the case at the present time. That is a major problem that the government has overlooked in the introduction of this punitive measure which does nothing to make the roads safer—certainly not in the fashion that the government imagines.

What is needed is further public education, further investment in the roads infrastructure, and further change in what is permissible. That is what is needed. The message at the moment is that you cannot get pissed but you can certainly go and get high. You can get stoked up on any other substance whatever other than alcohol and then go driving.

That in itself is testimony to the stupidity of this government, because it fears that it will offend too many people who have otherwise voted for it and would not vote for anyone else, and they will vote informal. That will reduce in some marginal degree the level of support it gets in those seats where it relies upon those votes.

They are the reasons why I strongly oppose the proposition and the arguments that have been put by government members, particularly the minister, in support of it. Those arguments are specious, fallacious and not based on good science. They will not achieve the result desired by the government, and the kinds of mindset that exist in members opposite will lead them further down the path of the futile exercise of the stick on this kind of behaviour rather than a carrot and/or the introduction of technology which would make the roads a safer place for all of us, which is the stated goal of the government in introducing this legislation. God knows now, after this five minutes at the third reading in summarising my view of the legislation, I will not hesitate to keep reminding government members and ministers who have some part in all this of their folly as we go into the next election.

Mr BRINDAL (Unley): As this bill comes out of committee, I have listened carefully to the contributions of my own colleagues, some of whom I presume will support this measure. I have listened to the members for Hammond and Stuart. I said that I did not have the spine to stand up against the government on a measure that I clearly think is wrong. Some of my colleagues will vote for this measure, but their very arguments have convinced me the government is wrong. This measure will unjustly penalise my electors in Unley and those in such places as the electorate of Adelaide because the burden of policing will probably not be done

where deaths are occurring in country South Australia but as a revenue raising measure in the city of Adelaide. Therefore, I will oppose the bill.

The Hon. P.F. Conlon interjecting:

Mr BRINDAL: It is not being a goose: the police will be out there very zealously policing it, getting more revenue and at the same time giving people double demerit points. More police, more infractions, more revenue: I am not the goose.

The house divided on the third reading:

AYES (30)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brokenshire, R. L.
Brown, D. C.	Buckby, M. R.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F. (teller)
Evans, I. F.	Geraghty, R. K.
Hall, J. L.	Hamilton-Smith, M. L. J.
Key, S. W.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K.M.
McEwen, R.J.	McFetridge, D.
Meier, E. J.	Rankine, J. M.
Rau, J. R.	Redmond, I. M.
Scalzi, G.	Snelling, J. J.
Thompson, M. G.	Weatherill, J. W.
White, P. L.	Wright, M. J.

NOES (4)

Brindal, M.K.	Gunn, G.M. (teller)
Lewis, I.P.	Penfold, E.M.

Majority of 26 for the ayes.

Third reading thus carried.

ADJOURNMENT

At 2 a.m. the house adjourned until Thursday 26 May at 10.30 a.m.