HOUSE OF ASSEMBLY

Thursday 7 July 2005

The DEPUTY SPEAKER (Mr Snelling) took the chair at 10.30 a.m. and read prayers.

SITTINGS AND BUSINESS

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

That the sitting of the house be continued during the conference with the Legislative Council on the Correctional Services (Parole) Amendment Bill.

Motion carried.

The Hon. K.A. MAYWALD: I move:

That the sitting of the house be continued during the conference with the Legislative Council on the Statutes Amendment and Repeal (Aggravated Offences) Bill.

Motion carried.

TAFE, MOUNT GAMBIER

Ms BREUER (Giles): I move:

That this house congratulates the community of Mount Gambier, the staff of TAFE and the volunteers and students who have now achieved 100 years of locally provided adult and technical education.

It is some time since we were in Mount Gambier, but I have to say that one of the highlights of my visit was visiting the TAFE campus and the new regional campus of the University of South Australia. This year, Mount Gambier celebrated 100 years of the provision of technical education. It seems that every 100 years Mount Gambier has had something to celebrate in the education sector. Around 100 years after Mount Gambier was named by Lieutenant James Grant from on board the *HMS Lady Nelson*, the School of Mines was established. Another 100 years later, the University of South Australia has established a regional centre in Mount Gambier. I am not sure whether I will be around to see what happens in the next 100 years, but I am certain that the education community of Mount Gambier will continue to go from strength to strength.

The public system of vocational education and training in Mount Gambier (which is now known as TAFE SA) celebrated its 100th birthday on 18 February 2005. From the School of Mines to TAFE, public vocational education and training in Mount Gambier has re-invented itself over the years and is part of the fabric that has made a very successful and strong community across the Limestone Coast region.

As part of the celebrations that were held in February, a time capsule was buried. The capsule celebrates this major milestone for everyone who has been involved with the campus since it began in 1905 as the Mount Gambier branch of the School of Mines. No doubt, in 100 years' time people will marvel at the historical significance of its contents.

The Mount Gambier TAFE SA campus, along with its network of campuses and learning centres across the South-East region, serves a population of 62 000. The region is historically and culturally rich, and it is famous for its wines, limestone caves, sinkholes and its wonderful seaside havens. TAFE SA's Mount Gambier campus has continuously contributed to the economic and social development of the greater South-East region, and I offer my congratulations to the local community, along with all the current and previous staff and students of the Mount Gambier campus, in achieving this.

The Mount Gambier TAFE campus now caters for over 4 500 students annually in courses ranging from modern expressive arts to traditional trades. Mount Gambier TAFE provides quality vocational education and training programs that are accessible and relevant to industry and community needs. The staff of TAFE SA Mount Gambier campus remain committed to supporting the growth of the regional economy by building partnerships with industries, customising learning programs, providing training for trainees and apprentices, and working closely with key regional organisations.

I have to say that one of the pluses of TAFE throughout South Australia is that it is able to respond to regional needs. Certainly, in my part of the state, Spencer TAFE has responded very well to industry needs, including mining needs, the steel industry, and the hospitality and tourism industries. It seems to be able to pick out what is important and put its students into those areas. So, congratulations also go to Mount Gambier for the work they are doing there.

Study pathways have been established between TAFE, local schools and the university sector in allowing young people to pursue further education options without leaving the region. As a country person, I am very aware of how important this is for country parents. It is becoming increasingly difficult for them to be able to afford to send their students to Adelaide for further studies. Parents on middle incomes find it almost impossible, if there are other children in the family, to be able to afford to send their children to Adelaide, pay their accommodation costs, their transport, set them up somewhere, buy them a computer etc., and let them get around the city. So TAFE has done an excellent job in keeping people in the Mount Gambier region.

The delivery of vocational education and training at Mount Gambier campus is supported by a comprehensive range of student services including counselling, learning support and employment referral. The video-conferencing facilities enable the Mount Gambier campus to link with other campuses across TAFE SA and to connect with national and international sites—again, video-conferencing was one of those wonderful assets that TAFE was able to acquire in the past and it has been fantastic for their regional campuses. One hundred years later the South Australian government continues to support the learning of people in Mount Gambier with a nationally outstanding public TAFE system.

While I was in Mount Gambier I visited the TAFE campuses, as I said, and I was able to see the new regional campus of the University of SA on site there. This is a wonderful partnership between TAFE and UniSA, and it has been incredible for the students there—they originally started out with 45, and I think they now have something like 80 students doing tertiary studies who have followed on from their TAFE studies. It is also a wonderful example for young schoolchildren to see this. These centres for regional engagement for the University of SA are, I think, certainly going to move in the future, and we are going to find a lot more of these. I hope that they are, in most instances, collocated with the TAFE campus, because they are able to use the facilities and it is a wonderful transition there for young students to go on to university courses.

Of course, once again I cannot mention TAFE or universities without mentioning my long-standing ambition to get teaching into the Whyalla campus of the University of South Australia, and I believe work is still going on behind the scenes there. I am passionate about this, and believe that, in

terms of the problems associated with getting teachers into regional South Australia, the only way we can do it successfully is to train them in the country. Once again, I urge the University of South Australia to consider putting teaching into the Whyalla campus of the University of South Australia. I think the program operating at Mount Gambier shows that it is able to be done, and the way they operate there is that they bring their lecturers in from Adelaide and Whyalla. That works very well, so I cannot believe that it is not possible for the University of South Australia to bring lecturers in from Adelaide. They do not have to base them there if they do not want to relocate there, but I think it is possible to bring them into the Whyalla campus. Down the track I would also like to see it happening in Mount Gambier at the other end of the state so that we are able to train our young people there, and also train mature age students who would very much like to be teachers. They have wonderful skills that they can put into the schools and into our young people but at this stage, because they are set up financially and economically in their home bases, it is not possible for them to pack up their bags and go to Adelaide to study. In the year 2005 it seems ludicrous to me that everyone has to go to Adelaide if they want to become a teacher.

Once again, I congratulate the Mount Gambier campus of the TAFE; I think you do a wonderful job. I know that TAFE changes lives, I know that TAFE courses change young people's lives, and I know that they change women's and men's lives. I know the thrill of being able to go into a TAFE campus and of starting to study—I always used to say to my students, 'I bet you were nervous last night, but just remember that everyone else is the same.' Most people are very nervous for the first couple of weeks after they start a TAFE course, they think that everyone else is much smarter than them; but all of a sudden they start to achieve, they get a good test result or they realise that they are able to do maths or computing, or one of those other subjects that they never considered they would be able to do. The increase in confidence and self-esteem for those people then sets them on the track; I have seen some wonderful results over the years and I know that the Mount Gambier campus has achieved similar results. My best wishes to everyone there, and I hope they have another very successful 100 years at Mount Gambier campus.

The Hon. M.R. BUCKBY (Light): I rise to support this motion. As the member for Giles has said, TAFE plays a particularly important part in the tertiary education of our students in South Australia. I well remember visiting the Mount Gambier TAFE campus when I was minister—it was an excellent campus, and the lecturers and staff there were very committed to their students in terms of delivering a quality education and also in terms of lobbying for additional facilities at the time, if I remember correctly. It is a pity that the member for Mount Gambier is not here this morning to contribute to this motion, but perhaps he will at some stage.

The member for Giles has commented on the role of TAFE in the community and the niche that it fills, and I totally agree with her. I see it in our Gawler TAFE campus, and there are many very committed lecturers there. In fact, a new building was built at the Gawler campus about four or five years ago which is now full in terms of classes and use of the area, and it is very difficult for someone to get into a class there because of the popularity of the classes and because of the excellent work that Heather Gordon is doing there in providing the courses that students and employers are demanding. I am quite sure it would be the same down at Mount Gambier.

One hundred years is a long time and, as the member for Giles has said, it is particularly pleasing to see that they have reached that milestone, that a quality education is being provided to young people and to people who often return to study. My wife was one of those; she started back at TAFE in a children's services course and moved on from there into human resources management. One of the beauties of TAFE is that there is a wide age range of people who undertake these courses and they cater for everyone in terms of being able to fit in—whether someone has children at home or whether they work. The flexibility available within TAFE is simply excellent. With those few words I reiterate my congratulations to Mount Gambier on achieving 100 years of adult and technical education, and we look forward to the same high quality level of education being provided in the next 100 years.

Mr GOLDSWORTHY (Kavel): I would like to take a couple of minutes to speak in support of the motion. One hundred years is an achievement for any institution, particularly in the Mount Gambier community. We enjoyed travelling to Mount Gambier a number of weeks ago for the first regional parliament to be held in South Australia's history. We found the Mount Gambier people to be very warm, friendly, welcoming and hospitable.

I do not want to be churlish, but it seems that the government has failed in one aspect of its endeavours to manage the parliamentary proceedings in Mount Gambier, because it was left standing at the starting blocks. It moved these motions in this place so that they could be debated during the Mount Gambier sittings but unfortunately that strategy failed. The Premier thinks that he was adept at managing the media, parliamentary proceedings and the whole situation, but unfortunately in this case he failed miserably. However, that does not take anything away from the importance of the motion.

As the member for Light said, there is a TAFE campus at Mount Barker, which is in my electorate. This is an outstanding facility for people who wish to expand their educational qualifications. One initiative which I think is of real benefit to the community in the Adelaide Hills is that for those students who, for whatever reason, are not able to engage in the day-to-day, semi-regulated environment of a secondary school, the Mount Barker TAFE campus has a program whereby those students can complete their secondary studies and avail themselves of other courses instead of attending what is arguably a regimented secondary school environment. In this way we can engage those students who otherwise would have fallen by the wayside, and they can avail themselves of a much more relaxed and less regimented or regulated environment of a TAFE college.

University can be pretty free and easy in the way that students are expected to attend lectures and tutorials in that they are not forced to present any work, it is left up to their own volition, but if they do not they suffer the consequences. In a secondary school environment teachers are required to endeavour to make sure that students do present their work. Of course, that happens for obvious reasons and there are obvious benefits to the students, but if some students have difficulty in engaging in that type of educational institution, Mount Barker offers an alternative course and, as I said earlier, I think this is an outstanding initiative.

I support the motion of the member for Giles. One hundred years of continued service to the community by any organisation in this state is a significant milestone, and I extend my congratulations to this TAFE facility in Mount Gambier.

Mr SCALZI (Hartley): I, too, wish to commend the member for Giles for this motion. I congratulate the community of Mount Gambier, the staff of TAFE and the many volunteers and students who have been part of this achievement of 100 years of providing adult and technical education in the local area. I think this is a great achievement. I would like to thank the staff of the TAFE college for taking the shadow minister (the member for Bragg) and me through the centre to see at first hand the facilities in the hairdressing and beauty centre and the arts centre as well as the retail centre which was established recently.

TAFE provides a great alternative for students who do not necessarily want to go down the university path. It is important that we provide flexibility in education. TAFE colleges in not only Mount Gambier but throughout the state must be commended for their VET programs which provide students at a secondary level with a meaningful alternative to engage them in further education. It is meaningful to them and it encourages them to further their education.

I am also impressed with the connections that the TAFE college has with private enterprise in the area. It is important that this be maintained because this collaboration between the state education sector and the private sector will ultimately deliver the best outcomes for students. It should not be regarded as us and them as often, unfortunately, the government tries to pitch when talking about state versus private education. We must stop having these demarcation disputes and put students first. I understand that there are many courses in Mount Gambier that do precisely that, put students first, and I commend them for doing so.

This is a motion that should have been debated and passed in Mount Gambier. I, like the member for Kavel, would like to thank the community of Mount Gambier for the excellent reception it gave us in the first regional parliament. I was also particularly impressed by and cannot talk about Mount Gambier without referring to the excellent youth initiative between the local council and community groups, which I attended the evening before we left.

The member for Mount Gambier can vouch for the successful program that involves youth, an initiative that allows young people to have a drop-in centre. I trust that the state government will look at funding such projects in the area, which are very much needed for young people. So, congratulations to Mount Gambier for 100 years of providing an excellent education opportunity for technical education and having that flexibility and the ability to engage students in today's challenging world.

The Hon. K.A. MAYWALD secured the adjournment of the debate.

MOUNT GAMBIER ROAD SAFETY INITIATIVE

Mr O'BRIEN (Napier): I move:

That this house congratulates the Mount Gambier and Districts Road Safety Group for its Australia-first road safety initiative to use trucks to carry signs with simple road safety messages across the country.

The Mount Gambier and Districts Road Safety Group is to be congratulated for its achievement in developing an innovative road safety campaign with potential nationwide benefits. The idea, generated at a group meeting in Mount Gambier fire station last year, has resulted in the delivery of a road safety initiative that has the potential to influence not only the people of Mount Gambier and Grant but also the entire nation. The group received $2 000 from the government's Community Road Safety Grants scheme last year to fund the project to pilot the use of trucks to display one of three simple road safety messages: 'Seat belts save lives'; 'Speed kills'; and 'Rest-Revive-Survive'.

Familiar with the presence of Scott's Transport trucks in Mount Gambier, a member of the group raised the idea after noticing that the hazardous materials caution sign displayed on trucks is not always utilised as the goods being transported are not always hazardous. Following this, a subcommittee of the group approached the company with its proposal. This resulted in an agreement for Scott's Transport trucks to display the road safety messages while not transporting hazardous materials. Drivers store a road safety sign in the truck so, once hazardous goods are delivered, the sign can be changed and the space used to promote road safety. The messages focus on the fatal five: speeding; drink driving; inattentive driving; failure to wear seat belts; and vulnerable road users. It is well recognised throughout the world that these are the major contributors to trauma and death on our roads.

The Mount Gambier and Districts Road Safety Group of 18 volunteers includes representatives of SAPOL, Mount Gambier District Council, Grant District Council, the Country Fire Service, the RAA, motoring clubs, motor cycle clubs, driver trainers, Drug and Alcohol Services and other individuals. The group began functioning as an incorporated group in April 2000 and was initiated by Transport SA as part of the Community Road Safety program. To keep this group and the 29 other functioning community road safety groups in the state informed about Transport SA initiatives and responsibilities, a Transport SA-employed regional employee and community road safety officer also attend the group's monthly meetings.

It is through this program that groups are able to apply for a grant of up to $5 000 each year from the Community Road Safety Grants scheme. The work of the Mount Gambier and Districts Road Safety Group has not gone unnoticed by local and state media, with numerous articles in the *Border Watch*, *Sunday Mail* and *The Advertiser* recognising the contribution to achieving road safety objectives. Members of the group should be congratulated for their ongoing commitment to addressing local road safety issues for the benefit of the wider community. The innovation and passion they have for their work is evident in their achievements, and assist to influence driver behaviour, potentially saving lives on our roads.

This innovation is to be celebrated and encouraged as it relates directly to target T2.9 of our State Strategic Plan, aimed at reducing road fatalities by 40 per cent by 2010. Incidentally, this objective is also a national objective that has been taken on board by all states and territories around Australia. In addition, supporting community road safety groups is an explicit action in the South Australian road strategy 2003-2010. Community road safety groups play an important role in addressing road safety issues on our roads, and the relationships developed as a result of their work are invaluable.

Mr MEIER (Goyder): Certainly I am happy to support this motion, too; and, likewise, to congratulate the Mount Gambier and districts road safety group for the Australian first road safety initiative to use trucks to carry signs with simple road safety messages across the country. We cannot do enough to promote road safety on our roads. I noticed in the paper this week that vehicle sales are likely to hit a new record of one million. The implications for our roads are not good because our roads were designed for the amount of traffic using them some 20 years ago. It is an area of the budget on which expenditure will have to continue to increase at a massive rate. Certainly any road safety initiatives that are undertaken can only be encouraged. I am pleased that at least the honourable member has identified this road safety initiative.

Mr WILLIAMS (MacKillop): Of course, I will support the motion before the house to congratulate the Mount Gambier and districts road safety group, but I would like to make a few comments. I did note that the mover of the motion talked about the State Strategic Plan and the government's target. He did acknowledge that it is a national target. In fact, the target was set by the ministers' national conference some time before this government came into power. It just reminded me of the so-called State Strategic Plan, which is a document that has cobbled together a broad range of targets such as this one which have been in place for a long time, and then they have pulled a few out of the air such as population target for the year 2050. It was interesting to note that one of the business groups made a comment last week that South Australia will not get within cooee of that particular target.

I reinforce the mover's comment about this being a national target and something that has been grabbed in order to try to put a little bit of meat into something of which the government seems to be very proud and highlight that there is not much in there of which to be proud.

I will talk about the road safety issue a little more closely. When the parliament was in Mount Gambier, one of the things that was highlighted was the impending road freight task that is looming across the South-East. That road freight task will be met, irrespective of what we do to cater for it. The heavy transports will be carting produce from across the South-East, largely through Mount Gambier to Portland, despite the fact that the government is doing nothing to provide the necessary infrastructure to accommodate that transport. The reality is that this will have a very serious negative impact on road safety in that region.

I would have liked the member to talk about and address what the government of which he is a member will do about that; and try to explain to the house why the government has gone missing on this subject. It was left to the South-East Local Government Association to put a submission to the AusLink program to try to get some funding to build major arterial roads—state roads. Where has Transport SA and the Minister for Transport been? I mean, we have had three different ministers in three years. Excuse the pun, but with regard to this issue, they have been asleep at the wheel. We do have an impending—

Mr O'BRIEN: Mr Speaker, I rise on a point of order and refer to standing order 98, which deals with relevance. We are talking about road safety.

The DEPUTY SPEAKER: Standing order 98 actually refers to question time.

Mr O'BRIEN: Sorry; whatever it is.

The DEPUTY SPEAKER: I admit that I have not been paying terribly close attention to the member for MacKillop's remarks, but I remind him of the need to be relevant.

Mr WILLIAMS: I thank you for your guidance, sir. From my reading of the motion, I think it is very relevant, in that literally we will have hundreds of these very trucks which we are talking about—notwithstanding the fact that they will all have the message emblazoned across them—travelling on roads across the South-East which were never designed to cope with that volume of heavy transport; and we have a government that is doing nothing about it. I think it is very relevant.

I thank the member for bringing this matter to the house so that I can inform members what is not happening in the South-East regarding the provision of infrastructure for a looming huge road freight task. We are not talking about a few trucks a day; we are talking about hundreds of extra trucks a day carting up to five million tonnes of extra produce within about four or five years through the towns of Penola, Nangwarry, Tarpeena and Mount Gambier to Portland. That is in addition to the freight already being carted on those roads. I thank the member for bringing this to the attention of the house so that we can debate this matter. I repeat: where have any of the three ministers for transport been—because they certainly have not been on top of this issue? They hoped that it would be taken over by the local government sector.

I can understand the local government sector having an interest in this, because we are to put this huge volume of heavy transport over local roads. Some of these roads need to be taken over by the state and brought up to the standard (that is the point I am trying to make), because that will save lives. Not only would it allow the economy of the South-East to meet its potential by ensuring that there is an efficient means of getting the produce to the port and, thereby, creating an economic benefit, but also it will have a road safety benefit—or it would have a road safety benefit if the government did anything about it, and that is the point. The government has not done anything about it: it has left it to the local government sector, but it is right out of its realm of responsibility.

I inform the house that a couple of weeks ago the South-East Local Government Association received a letter back from AusLink which stated that the funding it had requested to carry out an in-depth study (the in-depth study that should be undertaken by the state government) would not be forthcoming. But, of course, we have the Minister for Transport sitting on his hands doing nothing. The local member, the member for Mount Gambier, has said, 'We do not have to make a decision until the end of the year.' I have been arguing that we should have made a decision months ago, because even if we started today to build the appropriate road to carry the freight task that is heading for us (even if we had already made that decision), in my opinion, we would still probably not have enough time to construct the roads to be ready for when that freight task is on the road. That is the problem. The local member is saying, 'We do not have to make a decision until the end of the year.'

When we come to the end of the year, I guarantee that no decision will have been made, because no-one is down there doing the work. No-one is undertaking the relevant studies. No-one has been out to talk to the people who are growing these forests that will cause the problem. Tens of thousands of hectares of blue gums are growing in my electorate, and this has to be transported across what are currently local government roads onto a state government highway, which

was never designed to carry this freight, and through the city of Mount Gambier.

I hope that members of the government have gone out and had a look at the route coming down the Penola road into Mount Gambier, and the roundabout next to Frew Park and the Commodore Motel, along which route all these trucks have to travel to get onto Jubilee Highway and head off to Portland. If they looked at that route, they would have some understanding of what I am talking about. There are several plans and options, but no-one is out there putting in the work and discovering exactly what the best option would be. I would argue that that decision should already have been taken and that we should be out there doing preliminary work—getting things like native vegetation issues out of the way so that we can start constructing these roads. At the moment, nothing has happened, although I congratulate the road safety group: it has a large task in front of it, because the government has been derelict in its duty in this respect.

Mrs GERAGHTY (Torrens): I am pleased to join with the member for Napier in congratulating the Mount Gambier and District Road Safety Group. It is a pity that we heard only negative comments from the member for MacKillop. However, as I said, I am very happy to support the member for Napier's motion. I suggest that all the state's 30 community road safety groups should be congratulated. These groups repeatedly demonstrate their commitment and willingness to volunteer their time to address road safety concerns in their local areas. Their approaches are often unique and use local knowledge to provide meaningful projects aimed at the target group, be it pedestrians, cyclists, children or drivers.

Innovation in addressing some of these local issues has been one of the greatest advantages of the existence of these groups. For example, the Whyalla and District Road Safety Group sought to raise community awareness about the safety benefits of driving with headlights on during the day while travelling in country areas. In order to do so, the group developed a sign featuring the slogan 'See and be seen', which is displayed on all major roads exiting the town of Whyalla. As we know, when travelling at high speeds through often sparse terrain, driving with headlights on during the day makes approaching cars more obvious to other drivers. Since the signs were installed in 2002, the group has reported that the number of drivers using headlights during the day, as well as at night, has significantly increased; in fact, it has almost doubled.

Community road safety groups also have built on communication campaigns delivered by Transport SA, in conjunction with the Motor Accident Commission and SAPOL, by finding a means to display messages targeting the fatal five causes of road trauma. For example, the Crystal Brook and District Community Road Safety Group and the Wakefield Regional Road Safety Committee used government grants to develop steel road signs displaying road safety messages and targeting restraint use, excessive speed and drink driving. The installation of the signs, initiated by a community group, is a first for South Australia and has sparked interest locally as well as amongst other community road safety groups.

The Northern Area Council Road Safety Committee, which is based in Gladstone, sought to address a specifically targeted local issue that may affect a number of South Australian country towns. Familiar with problems caused by the growing presence of trucks in Gladstone during the harvest season, the group sought to develop a strategy to provide for the safety of local schoolchildren and tourists, while not causing major disruptions to the day-to-day activities in the industry. The resulting campaign was called Harvest Harmony, and it involved the local schools in the production of an information flier about road safety and harvesting trucks.

Perhaps one of the more renowned projects involved working with local high schools to develop a strategy to reduce the youth road safety toll. The project, which is called Home Safely, was introduced in September 2003 and involved teenagers signing contracts with their parents (I wish we had those when my children were teenagers). The contracts mean that teenagers—

Mr Scalzi interjecting:

Mrs GERAGHTY: I think it is a good idea. The contracts mean that teenagers can ring their parents at any time of the day or night if they feel that their safety is at risk by travelling in a car with someone else. My children rang us at any time of the day or night when they wanted to come home. Both this program and others delivered in the Barossa Valley proved successful in strengthening parent/teenager commitment to road safety. Transport SA began initiating community road safety groups in 1999, and maintains regular contact with groups through attendance at meetings. In doing so, the community road safety groups remain informed about the responsibilities and initiatives of Transport SA, while being provided with guidance, if required, to ensure group morale is positive and that they effectively facilitate the introduction of locally specific road safety programs in the community.

Annually they receive grants of $5 000 through the Community Road Safety Grants Scheme, which has proven to be effective and means that they can tap into local knowledge and encourage strong community linkages that assist to address road safety concerns. As part of the application process for a community road safety grant, each group is required to define the particular road safety problem in their area, develop a program for action, and undertake all the necessary negotiations, describe the expected outcomes of their plan of action, and stipulate the cost associated. This information is submitted to Transport SA, and following this it is evaluated by a panel of Transport SA officers and the community road safety consultant, who provide a recommendation to the minister as to whether the grant should be provided.

I have mentioned just a few examples of work being carried out by these groups, but it does not take away from the widespread commitment and dedication of all the state's 30 community road safety groups. Their success is evidenced by their admirable reputations within the communities that they serve. We owe our sincere thanks and appreciation to every volunteer and every community organisation for their continued efforts to improve safety on our roads. Their creative and innovative programs are invaluable and play a vital role in the government's aim to reduce road fatalities by 40 per cent by 2010. So, I am happy to support this motion.

Mr LEWIS (Hammond): I find the motion worthy but difficult to understand, not because of the concepts which, through the remarks that have been made to the chamber, have been explained by those speakers supporting it, but because of the choice of words which makes the message difficult to comprehend, in consequence of which, anyone who picks it up as a motion of this chamber will more clearly and easily understand it. I propose to amend the motion—and I am sure that the honourable member for Napier will

understand this; it is not gazumping him, or anything else. I therefore propose to amend the motion so that it would read: 'That this house congratulates the Mount Gambier and District Road Safety Group for the Australian-first road safety initiative to use road freight trucks to carry signs with simple road safety messages across this nation.' As it stands we have the ambiguous, unclear meaning by the use of the words 'to use trucks to carry signs'. That means in the advertising industry that we use trucks instead of trailers, because the advertising industry at present uses either trucks, trailers or motorbikes, the same as it has used sandwich boards for centuries.

Since the beginning of the 1800s, sandwich board bearers for a small fee walked up and down the streets of London, Hanover, and the capital of Austria, Vienna, advertising entertainment such as the opera and other things which burghers and merchants wanted to sell, such as good tailoring, or where to buy fine material of one kind or another, whether it was household furnishings, or china or kitchen equipment, and so on. It is for that reason that I believe the message which the member for Napier wishes to get across, and for which he commends the Mount Gambier and Districts Road Safety Group, is that he will use the billboards of the canvas covering the frame to carry the message and the rear panel on the back of a semitrailer to carry it—probably the most important place of all—so that, when travelling at 100 km/h, which is the limit of such vehicles, motorists in cars, which are allowed to travel on most national highway routes at 110 km/h, will approach the rear of the vehicle and read the message, and get the message. To that extent, it is useful and sensible to encourage the public thereby to slow down.

What the member for Napier means, if may I further explain, if it is not already clear, is not to have a special purpose-built trailer being towed behind the car, or a special kitted up truck for the purpose of carrying and advertising hoarding in each case. I think the member for Napier is intending to use the existing rear cover and side covers of trucks, semi-trailers and B-doubles as the hoarding board on which to, if you like, publish the advertising message. So that that becomes clear, I move the following amendment to the motion:

After the word 'use' insert 'road freight'; after the word 'trucks' insert 'to advertise'; delete the words 'carry signs with'; after the word 'messages' insert 'on the roads'; delete 'the country' and insert 'this nation'.

The motion would thus read:

That this house congratulates the Mount Gambier and Districts Road Safety Group for the Australian-first road safety initiative to use road freight trucks to carry signs with simple road safety messages on the roads across this nation.

That is the burden of my amendment. Without much more ado, can I say that I believe the initiative itself is outstanding. More particularly, it is going to have an impact opposite to the impact that has been referred to in government advertising, 'Think about the impact when you are speeding.' The impact here will be on the minds of the motorists, and it will, more especially than anything else that I have mentioned, be undertaken as a service to the public. I think that that is what the member for Napier is seeking to commend, the fact that it is not going to cost anybody anything, other than that the use of the space, provided by the members of this group, will be provided at no cost to the general public, no cost to any sponsor, and no cost to any individual. Indeed, it will reduce the cost to the nation because it will have an effect on the mindset of motorists that might otherwise indiscreetly, and unwisely, break the law and/or do foolish things that result in their severe injury and/or death, and damage to their properties, if not the severe injury, death and damage to property of others.

The motion itself is commendable, at least as much as the action being taken by the members of the group who have thought of it, and do it. I commend the member for Napier for bringing it to the attention of the house, and the attention of the public, as one hopes that this is such a non-partisan but sensible policy to be commended, not taken by any member in this place, but acknowledged by all members in this place who have a responsibility to the wider public to produce such policies. I thank the house for its attention, trusting that it gets the publicity it deserves.

Ms BREUER secured the adjournment of the debate.

WIND FARMS, SOUTH-EAST

Mrs GERAGHTY (Torrens): I move:

That this house congratulates the Wattle Range Council for their support for renewable energy generation, and notes the role of the Mayor, Mr Don Ferguson, and Chief Executive, Mr Frank Brennan, in working to increase investment in wind farms in the South-East.

I am very pleased to be able to move this motion. The Wattle Range Council has been working actively for many years to attract new developments to their district, in particular, the council has capitalised on its locational advantages. The council's proximity to the necessary transmission infrastructure and ample wind resources have attracted wind farm companies such as Babcock & Brown to Lake Bonney and International Power to Canunda. The Mayor, Mr Don Ferguson, and Chief Executive Officer, Mr Frank Brennan, are to be commended for their tireless efforts in attracting these companies to the region.

The Lake Bonney development involves 46 wind turbines with an output of more than 80 megawatts. This is enough energy to supply up to 40 000 homes with electricity and reduce annual greenhouse gas emissions by up to 200 000 tonnes. The first 22 turbines have been installed and the construction phase has generated many local jobs, with 60 people employed at the site at the height of construction. I know that the Minister for Energy was pleased to visit the Lake Bonney site in September 2004 to mark the commissioning of the first 22 turbines. A second wind farm at Canunda has been developed by International Power, with 232 megawatt turbines manufactured by Vestas Australia Wind Technology Pty Ltd. The Canunda wind farm was opened by the Premier of South Australia, the Hon. Mike Rann, on 7 April 2005.

The two wind farm developments in the Wattle Range Council will make a significant contribution to South Australia's target of 15 per cent energy consumption with renewable energy by the year 2014. The Rann government leads the nation in renewable energy. More than half of Australia's proposed new wind farm developments are planned for South Australia, and we already have the second highest wind farm capacity in the nation, which I think we ought to be extremely proud of. I certainly commend the efforts of the Wattle Range Council to secure these two important projects, which offer employment benefits for the local community and environmental benefits for the state of South Australia. In particular, I congratulate both Don Ferguson and Frank Brennan on their efforts and hard work. The minister tells me that they are not backward in beating

a path to this door to represent their area when an opportunity arises, and I am sure that the minister will have some words to say on that. I am very pleased to be able to move this motion.

The Hon. P.F. CONLON (Minister for Energy): I also wish to support the motion. I place on the record my appreciation of the great energy and vision of Don Ferguson and his Chief Executive, Mr Frank Brennan. I think it was only a couple of weeks after I became Minister for Energy, some 3½ years ago, that they invited me to a Chinese restaurant. I must admit that, when I first saw them I thought they were shady looking characters, but Don Ferguson and Frank Brennan turned out to be pillars of society. They had people from Babcock & Brown there on that occasion. When that dinner took place there were no wind farms operating in South Australia, let alone in the South-East, and we were about to commence work on the first of them at Starfish Hill. I sat down and listened to these characters. I have to say that Don Ferguson has a very direct approach, but he also likes to lubricate his argument with many bottles of Coonawarra red, which he claims is the greatest wine on earth. He put to me forcefully the argument that there was a huge future for the wind energy generation in the South-East, and he explained it all to me. I certainly appreciated their energy. It is a testament to the correctness of that viewpoint and that vision—and the persuasive effects of good red wine—that we now have in the South-East two of Australia's very large wind farms, which have been referred to by the member for Torrens.

It is an unusually quick time when you look at Victoria and see how slowly these developments take place there and how quickly these things went from the vision by the local council to actually generating into the grid. It is a remarkable contrast between the capacity to do it here and the capacity to do it in Victoria, and it is a great testament to the cooperation of not only the Mayor and the Chief Executive but the local community. There are a few notable exceptions but, by and large, they are all very sensible people in the South-East, which helps—

Mr Williams interjecting:

The Hon. P.F. CONLON: Yes, there are notable exceptions like the member for MacKillop—no, I am just kidding. He is a much better bloke when he is down in the South-East. Up here he is always arguing with me and shouting at me. But when we go down to the South-East we find ourselves agreeing on things—usually when it involves investment down in the local community.

Mr Williams interjecting:

The Hon. P.F. CONLON: You reckon I'm a much better bloke when I go down there, too—there you go. I just wanted to say a few words to make sure that people understand that major investment does not just happen: it requires people like Don Ferguson and Frank Brennan, with a bit of vision. It also requires a supportive government, and required to be done this quickly, as well as a very sensible and facilitative approach from local communities—and that is indeed what we had.

I cannot pass on without saying that Don Ferguson also has other abilities. He likes to tip a racehorse from time to time and, lo and behold, he actually tipped a winner to me recently. So, I am very grateful for that. He claims it is the only one he has ever tipped me, but I seem to remember a whole lot of others that did not go quite as well. However, it is good to see that he had a winner with one of his horses. He also has a long list of other things he wants me to do—if I added it up, I think it is about half a billion dollars of roadworks. But, it is an illustration that Don is not shy about asking. But I have no doubt that we will continue with the Wattle Range Council into the future, and I have no doubt that I will continue to be regaled by the good hospitality when we are down there in the South-East.

In conclusion, I once again congratulate the Mayor and the Chief Executive, and I wish them all the very best. Don has been talking about not running again and retiring—he reckons he is getting on—but I do not think that is a good idea. I reckon he has a couple of decades in him. I will probably be out of this place before he finishes as a mayor down there. I commend the resolution to the house.

Mr WILLIAMS (MacKillop): It gives me great pleasure to support this motion. I want to take a few minutes to say how important it is for local people to work and keep working and never take no for an answer, and I think that is what this motion is about. Don Ferguson and Frank Brennan were approached a good number of years ago. In fact, one of the first public functions I attended after being elected way back in 1997—it was certainly early in 1998—was held in the Civic and Arts Centre, which is the name we give to what is basically the Town Hall in Millicent, which is in the heart of the Wattle Range council area. It was basically a public information session on the proposal to build a wind farm in the Wattle Range area, just south-east of Millicent, on the range above Lake Bonney, adjacent to the Canunda sea frontage.

I think another name needs to be mentioned, and that is Paul Hutchinson. Paul Hutchinson had the initial dream of building wind farms in South Australia. I came across him at the function back in early 1998. It was the first time I had met Paul, and I have seen him on and off over the years. He had the incredibly difficult task of convincing the people of the local region that wind energy was feasible and that that was the right spot to put a wind farm. He had to then convince the local land-holders that their land was a suitable place to put windmills and get them to come on board as well. So, he had a formidable task, and I can attest that he stuck to his guns over many years when there were a lot of doubters. But, two people who were not doubters were Don Ferguson and Frank Brennan. I think they could probably see the potential from day one, and started to support the work that Paul Hutchinson was doing then.

I would also like to inform the house that my colleague from Port Lincoln, the member for Flinders, had been working prior to that time to get wind farms established on the West Coast and Eyre Peninsula, and I am delighted that recently major announcements have been made to build significant wind farms in that part of South Australia—because, at the state political level, the first person to embrace this technology, to believe that it was feasible and that it should and would happen in South Australia, was the member for Flinders. In fact, the member came way down to Millicent—so virtually from one end of the state to the other—to be at that meeting, which she addressed, in early 1998. I believe she was also one of the people involved in making that initial breakthrough of convincing people that this was feasible, that it was worth fighting for and that is was something worth putting a lot of time and effort behind. That is the ancient history of this particular project.

I did not hear the first few comments of the member moving the motion, but I think she largely talked about the

International Power project which she said, I think, had some 46 windmills. If we take the number of windmills and the generating output, the larger project is the one that is still being constructed by Babcock & Brown, who were the first to get underway with their project, to sign up landholders to have windmills on their properties, and to start construction. They have started turning on windmills and putting power from their windmills into the grid, and they are still constructing windmills as I speak. It is now a sight to behold: driving from my home towards Millicent, as you come over the crest of the Mount Burr range at Mount Muirhead and look south-west you just see a line of windmills. I do not know what the speed is at the tip of the blades (it is considerably fast), but from that distance they all look to be slowly turning, and it is fantastic to realise that whenever they are doing that they are pumping vast amounts of absolutely clean energy into our grid.

The proposer of the motion mentioned that the Premier went down there and switched on a group of windmills, and it was an interesting day. Having been on site a number of times, I can attest that I have never been on the Canunda Range when it has not been windy—I have never been there when it has been still and there has been no wind—so I do not know if those windmills will ever stop, even for a couple of hours. We went there one day before there were any windmills, before any construction started, and it was one of those hot, balmy days when there was not a breath of wind in most of the country. However, as soon as we got up on the range—which is not a very big range, it is not very high—quite a breeze was blowing.

On the day the Premier came down, 7 April this year, International Power intended to have the Premier flick a switch, so to speak, and suddenly 20 odd windmills would start turning. As always on that site, the reality was that the wind was blowing fairly steadily and the people with whom I was speaking from International Power said that, notwithstanding the fact that it would be a nice television shot, they could not afford to have the windmills not turning while the wind was blowing, even for the half an hour or whatever it was that it took to organise everything. So, on the day only one windmill was left switched off to be turned on by the Premier because the others, I was informed, were pumping literally thousands of dollars worth of electricity into the grid every minute. That is a bit of background.

Babcock & Brown, International Power and other players have plans to build more windmills in that area, but I would like to come back to Wattle Range Council and its support for renewable energy. Don Ferguson and Frank Brennan have also been the champions of another project that Babcock & Brown are trying to get off the ground—that is, a bio-energy project whereby the waste, slash and timber residue left behind as part of the forestry process as the logs are taken out to be milled—all the waste, sawdust, bark, the small part of the logs which are left at the forest—is gathered and burnt to convert into electricity. They are currently working on that project, and I am absolutely certain that the minister, in his contribution a couple of moments ago, indicated that they have a whole heap of other things about which they keep beating on his door. I know for a fact that that is one of them, and it is one I have discussed with the minister when he has been down there on occasions. I know he has been talking with Don and Frank on that particular issue, and I sincerely hope that the project can get up—and get up in the near future. I have recently been told that that project will, in fact, get up but that there is a fair risk that it will not be in South Australia—it will possibly be at Heywood, not far over the border from Mount Gambier.

I would be disappointed, and I know that Don Ferguson and Frank Brennan, the Mayor and the CEO respectively of the Wattle Range Council, and all the rest of the council, who have been very supportive of what they have been doing, will be more than disappointed if that project eventually gets built in Heywood: they will be devastated, because they have been working on that one for a number of years.

There are also some issues there for the government to address. However, I certainly support the motion in congratulating those two men, the council, Paul Hutchison and the member for Flinders for the work they have done to bring a dream to reality.

STATUTES AMENDMENT AND REPEAL (AGGRAVATED OFFENCES) BILL

The Legislative Council agreed to grant a conference as requested by the House of Assembly. The Legislative Council named the hour of 10.45 a.m. on Thursday 7 July 2005 to receive the managers on behalf of the House of Assembly at the Garden Room in Old Parliament House.

WIND FARMS, SOUTH-EAST

Adjourned debate on motion of Mrs Geraghty (resumed on motion).

Ms CICCARELLO (Norwood): I would briefly like to speak in support of this motion and add my congratulations to both Don Ferguson and Frank Brennan whom I have known for many years through my involvement in local government. They are great advocates for their area. Renewable energy is very important, and it is great to see things happening in the South-East. The member for Giles and I visited a number of wind farms when we were in Mount Gambier. It is auspicious to add my congratulations today because Lake Bonney, as I have mentioned previously in this house, was named after the first mayor of Kensington and Norwood, Charles Bonney, and today (7 July) happens to be the anniversary of the constitution of Kensington and Norwood in 1853 as the first municipal council in Australia. So, Lake Bonney is famous for something other than renewable energy.

These majestic windmills have now proven to be a great boon to the South-East as a tourist attraction, because many people are visiting the South-East just to see them With those remarks, I congratulate Don Ferguson who, himself, I think could be considered a tourist attraction in the South-East. He is a wonderful gentlemen, very affable and always has a smile on his face. He is someone who has always been able to achieve pretty well everything he wants for the South-East.

The Hon. W.A. MATTHEW (Bright): I, too, join with other members of parliament to support this motion. In so doing, I congratulate the Mayor of the Wattle Range Council, Don Ferguson, and his Chief Executive, Frank Brennan, for their work on wind farm advocacy. In my role as minister for energy, I had many meetings with Don Ferguson, in particular, and also with Frank Brennan, usually with the member for MacKillop present as he was strongly advocating wind farms in the South-East.

I first took the issue of constructing wind farms in South Australia to cabinet in the year 2000. It is fair to say that there

were a number of cynics around the cabinet table at that time as well as a number of supporters, but I am pleased to say that the cabinet of the day gave me the latitude to explore two areas: bringing wind farms to this state and bringing wind farm manufacturing to this state, utilising both existing companies and attracting others to come here. It was my pleasure to meet with companies such as Vestas and NEG Micon and to bring those companies to Australia. In the case of Vestas, I went with its senior management to Canberra to meet with the then environment minister, Senator Robert Hill, who strongly stated the case for South Australia and encouraged Vestas to establish its manufacturing industry in South Australia.

I mention this because Mayor Don Ferguson had an involvement in this too. Vestas looked at sites that the Wattle Range Council believed were appropriate for manufacturing. Vestas was looking at establishing a blade manufacturing facility. The blades of modern turbines are slightly larger than the wings of a jumbo jet, so transport from overseas is expensive. Because of their size, they have to be placed on the deck of a ship, and this was a way of reducing that cost. The companies were attracted to the fact that the Adelaide-Darwin railway line had been negotiated and was under way through the auspices of the then Liberal government and they saw opportunities to actually send turbine blades to Darwin and from there export them to Asia and the United States.

So, the scene was set for a very attractive manufacturing enterprise. It could not be in an existing factory; a factory had to be specialist built because the air-conditioning had to be at a particular humidity and temperature to enable the lacquer on the blades (for want of a better expression) to dry to their greatest strength. When the Vestas officials came to the Wattle Range Council, the mayor was well aware that they were also to be the guests of the City of Murray Bridge which was vying to have the manufacturing facility established there. The Mayor of Wattle Range Council decided that it was a great opportunity not only to show the Vestas officials sites within his area, but he also perhaps had in mind that if he gave them a tour of the area they might be late getting to Murray Bridge and not have a chance to see enough.

The Vestas management told me this great story of them sitting in the back of the mayor's car, stopping for some country hospitality at a bakery, and eating pasties or pies out of a paper bag as they were shown the sites around the Wattle Range Council area and looking at their watches to see how late they were going to be for the Murray Bridge tour. They did get to Murray Bridge later than expected and were shown that city. The Vestas officials left Australia wanting to build a factory in South Australia. Similarly, NEG Micon officials were not looking at Wattle Range for their manufacturing enterprise but they left Australia equally wanting to build a facility here.

They were going to build the nasells, the shrouds for the engines. Vestas was so far advanced in its desire to build here that the matter went before its international board in Denmark and it held off its final decision subject to what happened with the state election that was to be held in 2002 in South Australia. Regrettably, the rest is history. The projects were lost and the manufacturing is now occurring in Portland, Victoria and in Burnie, Tasmania. Those factories were for South Australia. We lost those, and the reason we lost them is that the government that came in did not understand the issues. At the time we exited government there were 29 proposals for wind turbine development, mainly wind farms that were advised to our government in various shapes and forms.

I had already publicly stated before the election that the first two wind farms in South Australia would be the Starfish Hill wind farm and the Lake Bonney wind farm in the South-East. It was going to be interesting to see which was first, but I suspected it would be Starfish Hill because all approvals bar one had already been processed by the government. For Starfish Hill, the only remaining approval was the compulsory acquisition of an easement to allow extra capacity back to the power station. The document was drafted and was sitting on my desk. The day the minister was sworn in, I gave him a phone call and said, 'On your desk is this document. We couldn't sign it during the caretaker period. Your signature on it will facilitate the Starfish Hill wind farm. The wind farm is approved but obviously cannot operate without the cable connecting it back to the power station.' The minister signed that and rang back and told me that he had done it.

I then telephoned the Starfish Hill wind farm company and told it that its approval was finalised, as I undertook before the election that it would be. That is the rest of the full story behind Starfish Hill, and it is overlooked by this government. It does not publicly admit to that. The minister, of course, became a latter-day convert to wind farms. I can tell the parliament a bit of history about that, too. I have to say that the public servants within Energy SA were frustrated that they had a minister who did not believe that wind energy was going to be the solution for the future. The minister's conversion actually occurred in Spain. He was encouraged by his bureaucrats to attend an international conference in Spain, and we all know that bureaucrats can be fairly cunning in the way they try to influence ministers. I can tell the parliament some behind the scenes information as to how this current Minister for Energy was coached by his public servants.

They cleverly set up a dinner meeting involving the energy minister for Spain and also from the United Kingdom. I am told on good authority that our minister was very enthusiastic about having dinner with a minister from the United Kingdom. Spain prides itself on being a good wine-producing nation. South Australians, of course, know that we can produce far better quality at a much more competitive price. As it was relayed to me from very accurate sources within the Public Service, they ensured that our minister went off to that dinner meeting with two good bottles of South Australian red. As they put it to me, when he went off to that meeting he had one bottle of red under each arm and a big grin on his face,and they could just see our minister sitting at the table and saying with all due respect to his kind hosts, here was an even better vintage they could sample, and plonking the two bottles of South Australian red on the table.

I am told the minister had a very good meeting that day. He was very impressed by what the British energy minister had to tell him about wind farm development in the United Kingdom, which at that stage was very advanced. Equally, in Spain it was very advanced, and he came back from that dinner a wind farm convert. We can thank the ministers from Spain and from the United Kingdom for bringing our minister up to speed. He then had to pick up what was there by that time of the work that the previous government had done. Regrettably, by then it was too late. The factories had been lost, but there was still an opportunity for some of our existing local manufacturers to be involved in the pouring of the concrete pads upon which the turbines are installed and for some of the steel work but, unfortunately, we have lost

that specialist opportunity of building the nasells and blades in South Australia. For that, this government stands condemned.

I know that Don Ferguson is very disappointed that that opportunity was lost, because he had worked hard for that. The wind farm is in the South-East through the efforts of people like Don Ferguson and chief executive Frank Bennett. The member for MacKillop was very modest in his address, but he has put enormous effort into attracting those turbines to his electorate, and they are there in no small part through his efforts and equally through those of my colleague the member for Flinders. For as long as I have known her, the member for Flinders has been a strong advocate of wind energy. It was she who encouraged me to look at it and to take it to our cabinet. I have been very grateful for her involvement and for the people she introduced me to to enable us to get the information we needed to get projects under way. That has occurred.

To hear the government today, one would think that none of this occurred until it got into government. In fact, its coming to government actually stalled progress by at least a year and, as I indicated, lost us the manufacturing facilities. But full credit to Don Ferguson for sticking to his guns and ensuring that he helped in educating this minister to understand the benefits of wind energy.

Mr SNELLING secured the adjournment of the debate.

LIMESTONE COAST, SCHOOL PRIDE

Mr SNELLING (Playford): I move:

That this house congratulates all the schools in the Limestone Coast district on their participation in the government's School Pride initiative, which is providing nearly $750 000 to improve facilities for schools and preschools in the Limestone Coast district.

I would like to extend my personal congratulations to the schools in the Limestone Coast district for their involvement in and support of the School Pride initiative. As we all know, undertaking any type of maintenance work requires collaboration and cooperation from many parties. Projects such as those occurring across the state through the School Pride initiative would not be successful without the hard work and effort of the local community. Teachers, parents, governing councils, principals and the children all have to be supportive of the projects to ensure that they are carried out in a timely and safe manner. With this in mind, I congratulate and thank all schools in the Limestone Coast district and across South Australia for their cooperation in getting this major initiative off and running so quickly and efficiently.

Last year, the Premier and the minister announced the $25 million school pride initiative, the biggest one-off injection into school maintenance in more than a decade. We all know that this government was left with a huge backlog of school maintenance. The previous government neglected our public schools and left them run down and in desperate need of repair. Since being elected, the government has made education a top priority. The government has invested millions of dollars into reducing class sizes, improving literacy and numeracy, providing more counsellors and introducing initiatives to support children at risk of leaving school early. The government has made some great improvements. We are proud of our schools, and this school pride initiative will help the schools to create a fresh look that will reflect their important place in the community and the good work they are doing.

Our annual maintenance budget has been lifted to $12 million, and it is worth $2 million more per year than the previous government's budget. We also introduced a better schools program, which has invested an extra $17 million over three years into improving facilities; and this year, with the one-off $25 million school pride initiative, the maintenance budget is $40 million. This will make a huge improvement to schools across the state from the APY lands to Mount Gambier and Bordertown, to the Adelaide CBD. Hundreds of schools are currently undergoing a major rejuvenation. Schools from across the state are getting fresh coats of paint, new signs and upgrades and repairs to run-down classrooms, play areas and toilets.

Schools in the Limestone Coast district have benefited from this initiative and have been very supportive of the work being undertaken in their schools. In the Limestone district alone, more than $1 million has been spent to upgrade our public schools under the school pride initiative. Under this government's annual maintenance allocation, a further $1.2 million has been spent to upgrade schools in the district. This means that more than $2 million is being spent this financial year on improving the facilities in schools and preschools in the Limestone Coast district. I have been thrilled at the response to the subsidy scheme for painting and external repair in the district. Many schools have taken up the option for a 50-50 subsidy so that they can undertake even more repair and paint work on their schools.

Schools were all allocated an initial amount of painting and external repair, and then offered the opportunity of putting in their own funds, which the government would match dollar for dollar. Allendale East Area School, the Gordon Education Centre, Mount Gambier North Primary School and Naracoorte High School are among the schools in the district that have supported this subsidy scheme. Other major projects are also occurring in the district, including new office space for Akuna kindergarten; a new roof for Penola Primary School; an upgraded hard-play area for Millicent High School; and a car park upgrade for Carol Murray Children's' Centre. Some schools across the state have also taken up the opportunity to manage the project themselves; and as a government we will continue to investigate ways in which we can help local school communities make the decisions. Again I take this opportunity to congratulate the schools in the district for their collaboration and cooperation in the delivery of the school pride projects to the Limestone Coast district.

Mrs GERAGHTY (Torrens): I am also very pleased to support the member for Playford's motion. The School Pride initiative, which has been announced by the state government, is one of the most significant one-off funding investments for school maintenance in more than a decade. I know that schools in my own electorate have embraced this with great enthusiasm and have greatly appreciated the benefits that have come through this initiative. I put on the record that we are extremely proud as a government of this program, and our schools are benefiting greatly from it.

Ms CICCARELLO secured the adjournment of the debate.

SOUTH-EAST NATURAL RESOURCES CONSULTATIVE COMMITTEE

Mr KOUTSANTONIS (West Torrens): I move:

That this house congratulates the South-East Natural Resources Consultative Committee and the South-East community for their

efforts in removing the rubbish from sinkholes, thus reducing the pollution of the region's ground water.

When I was privileged enough to spend a few days in Mount Gambier in the South-East, South Australia's largest regional city, I was very impressed with the local community's pride in the area and their region. The South-East Natural Resources Consultative Committee (SENRCC) was formed in October 1994 in an attempt to decrease duplication and increase the coordination of natural resource management activities in the South-East region. The committee has representation on all major boards and agencies involved in natural resources management in the region. In 2001, the SENRCC was appointed to the interim natural resource management group for the South-East region. In this capacity, the group has developed the South-East natural resources management plan and associated investment plan to guide government investment in natural resources and projects in the region.

What is the project? The aim of saving the sinks is to protect ground water quality, rehabilitate significant caves and sinkholes and create community awareness that it is not appropriate to dump waste into these systems. Unfortunately, in the past people have used these sinkholes as a place to dump rubbish, because it is a matter of being out of sight—out of mind. Of course, we know that these are valuable natural resources, water being a very scarce commodity in the driest state in the driest continent in the world. This has involved going out and identifying the sites which have been affected by rubbish dumping, cleaning them out and revegetating.

Historically, the treatment of our caves and sinkholes has not been a cause for celebration. For instance, after the Ash Wednesday fires, the bodies of thousands of dead stock were dumped into sinkholes and caves, causing contamination. I am told that there are over 500 mapped and identified caves and sinkholes in the South-East, about one-third of which have been polluted by dumped rubbish. Sadly, some people seem unaware of the effects of dumping their waste into these systems and continue to dump household waste, fencing iron, water tanks and dead stock into these areas.

So, what is the local community doing to change this? SENRCC, Forestry SA, the South-East Catchment Water Management Board, Greencorp, local landowners and the District Council of Grant are working together to clean up some of the worst affected sites and to raise awareness of the issue. I had a coffee with the Mayor of the Grant district council, and he congratulated his local community on its initiative. He also informed me that his mother lives at West Beach. He visits her quite regularly, and she is very pleased with the representation that she is receiving!

Mr Scalzi: At a local level?

Mr KOUTSANTONIS: At a local level.

Mr Scalzi: You're a charmer, Tom.

Mr KOUTSANTONIS: That has never been said of me before. Recent efforts have seen the Circuit sinkhole cleared of approximately 30 tonnes of domestic waste, stone rubble, 20 or so cars, 630 kilograms of asbestos, fencing and roofing iron and even a kitchen sink. Currently, two sinkholes and two caves have been cleaned up as part of this project. Some 900 tonnes of rubbish has been removed from the site, of which 100 tonnes has been recycled. Another site has been targeted, and work on this site will begin in May.

SENRCC has contributed $40 000 towards this project, while another $30 000 of cash and in-kind support has been contributed to the project by Zero Waste SA, the South-East Catchment Water Management Board, Forestry SA and the District Council of Grant. Zero Waste SA is assisting SENRCC with the development of a community information campaign to encourage recycling and discourage the use of sinkholes as tips. Sinkholes are not naturally made rubbish tips. They often feature permanent or seasonal ground water, so any rubbish dumped in them has the potential to pollute the region's valuable ground water. I am told that much of the waste that has been removed from these caves and sinkholes to date was recyclable, and I encourage people to make use of their local recycling facilities to dispose of these materials properly. This project is a great example of what can be done by government agencies and the community working together to achieve a range of outcomes.

Other water quality projects that have been funded in the region through the current investment strategy that SENRCC is managing include:

- minimising salt accession in Padthaway; phase 1 is $500 000 and phase 2 (which is currently being implemented) is $136 000;
- protection of the Blue Lake, $147 500;
- Water Watch and community monitoring, $100 000; and
- environmentally sustainable management of dairying in the South-East (looking after effluent management and the effects on ground water), $50 000.

The South Australian government has introduced legislation to ensure that our natural resources are managed in an integrated way into the future. The new Natural Resources Management Board has been appointed and is preparing to take on its new role when the Natural Resources Management Act comes into operation this month. The new board will build on the work of SENRCC, the South-East Catchment Water Management Board and other natural resources organisations in the region to ensure the long-term sustainable management of the region's precious natural resources. The skills of the new members reflect the diverse economic activity of the region, which relies on natural resources. The skills of the new members include forestry, local government, business administration, primary production, pastoral land management, water resource management, pest, animal and plant control and conservation and biodiversity management. All members on this side of the house are extremely proud of the work we are doing to protect our sinkholes and our ground water in the South-East.

Mr Hamilton-Smith: Very well researched, Tom.

Mr KOUTSANTONIS: Thank you, member for Waite. Can I just say that I am against pollution and the causes of pollution—

Mr Hamilton-Smith: You've put a lot of work into it.

Mr KOUTSANTONIS: I have put a lot of work into it.

Mr Hamilton-Smith: You sank a lot of work into that hole!

Mr KOUTSANTONIS: I did sink a lot of work into that hole. When the regional parliament was held, a nearby sinkhole had been restored. The member for Enfield and I would often go for a walk to see how clean and beautiful it was. It would be awful to think that something as pristine and—

Mr Scalzi: Was that the one next to the council chamber?

Mr KOUTSANTONIS: Yes. At one stage, it was filled to the top with rubbish; it was used as a natural dump. Now it is pristine and beautiful and it is a major tourist attraction in Mount Gambier, which is a very beautiful city with wonderful people, great local representation and a very good

local Mayor. Also whilst I was in Mount Gambier, I had time to catch up with my very good friend Mr Gandolfi, who is the Liberal candidate for Mount Gambier. Can I just say in advance: my deepest condolences.

Mrs GERAGHTY secured the adjournment of the debate.

COUNTRY ROADS, HEADLIGHTS

Ms BREUER (Giles): I move:

That this house urges the Minister for Transport to request the Road Safety Advisory Council to consider the merits of the state government encouraging or mandating the use of headlights by motorists its on country roads.

I feel very passionate about this motion, because I think I drive more than anyone else in this place—apart from the member for Stuart, perhaps, who is probably on a par with me. I do over 100 000 kilometres a year on the highways in my part of the state and travelling to Adelaide. This motion is the result of my observations, as a politician, of traffic on our main country roads in South Australia over almost eight years—and prior to that, I guess, as a country person.

One of the issues I find—perhaps because of my advancing years, I am not sure—when travelling on outback or country roads is that it is very difficult to tell whether that little bump on the road ahead that you can see in the distance is a truck coming towards you, or is it a cow, as it may be in many areas in my part of the state, or is it a sheep or an emu or a kangaroo, or is it a car coming towards you? What is it? I find this in all types of weather conditions; it is not just in cloudy or overcast conditions. Whatever time of the day, it is difficult to see in the distance and to know what is coming towards you. To me, it is absolutely essential that cars, trucks, etc, out on country roads put on their lights during the day. As soon as I hit the outskirts of town, the lights go on. Once upon a time I used to think it was a bit of a pose when people drove around with their lights on, but I am now very aware of the safety issues and importance of this for country drivers.

There are two ways that this could be done. We could establish a law which would make it mandatory to switch headlights on in rural areas, on low beam, not full beam, of course, and that would be termed a 'a lights on policy'. That may require a change to the Road Traffic Act, but it could possibly be done through regulations. I think that that would need to be confirmed. The other way would be to establish an Australian design rule (ADR), which makes it mandatory for vehicle manufacturers to build automatic headlights when the ignition is on. These are generally called daytime running lights (DRL).

I know that there is opposition because of the bright conditions that we generally find on Australian roads, and this is often what is put forward as a reason for not doing it. But I do not agree with that. It does not matter how bright it is; you know when a car is coming towards you with its lights on. You know it is a vehicle and you do not have any doubts about that. You do not have to worry about whether it is a truck, a cow, or whatever. I believe that there has been some opposition in the past from the motorcycle lobby, and also the fact that countries such as the UK and Germany have not instigated this mandatory lights on. I am told that there are some problems with fuel economy with lights on—up to 2 per cent worth. I think that that 2 per cent is worth the safety aspects of having this legislation.

Having lights on is currently mandatory in some European countries in winter, typically in the northern countries where it is often dark and foggy, such as Sweden and Norway, and it is also mandatory in Canada. These rules apply in both rural and metropolitan areas. In France, lights on is voluntary, but it is certainly encouraged. In the USA most cars have DRL built into the car, that is, the low beam headlights come on when the car starts, and they switch off when the ignition is switched off. It is also true of some European models, for example the Volvo (however, who has a Volvo?), but this feature is removed for the Australian market. Currently, no other Australian state has mandatory legislation to provide for headlights to be used during daylight hours.

If South Australia was to establish it we may have issues with interstate drivers not being aware of the South Australian law, but I think we need to have a broad education program and signage on our roads in South Australia. At one stage, in Australia, we did have mandatory DRL for motorcycles, but the federal Liberal government removed this when it came into power in 1996, as a result of an election promise, but there was some intense lobbying by the motorcycle fraternity, which believes that it has the right to decide whether to put the lights on, and if everyone has them they will not stand out. Once again, I cannot agree with that. That is what we want: everybody to stand out. Some Australian cars have a version of DRL, for example, the Holden Acclaim, where you can leave your headlights switched on and they will come on when you turn on the ignition, and go off when you turn off the ignition. Telstra has DRL built into all of its vehicles, and has had for some years. You can buy kit for automatic DRL on many cars for under $100. Many of the new motorcycles have in built in.

Once again, I think that we need to have advertising; we need to have signage around. Many of the country communities have actually erected signs outside their towns. I do not know whether you launch, open, or what but, certainly in Whyalla I was there for the day that the sign appeared, and we had a bit of a ceremony to try and encourage motorists of Whyalla to put on their lights when they leave the outskirts because, of course, we are in those remote areas, and we certainly do have major problems with kangaroos and emus that get on the roads in that part of the state.

Rule 85 of the Road Traffic (Vehicle Standards) Rules 1999 (VSR) provides that a pair of daytime running lights may be fitted to a motor vehicle. When on the daytime lights must show a white or yellow light visible from the front of the vehicle, and it must not use over 25 watts of power. Daytime running lights must be wired so that they are off when headlights are on, except when a headlight is being used as a flashing signal. Daytime running lights are not mandatory under rule 85. If it were intended that daytime running lights be made compulsory, it would be necessary to amend the VSR, and this would require agreement with all other jurisdictions. It would also require an amendment to the Australian Design Rules (ADRs) to ensure that all future vehicles are fitted with the lights. I do not believe that any of these issues are insurmountable.

I feel very passionate about this, and I am sure that many of my country colleagues in this chamber would feel passionate about this also. We have occupational hazards that our city counterparts do not have. I suppose they have to compete with a lot more vehicles in the city, but it really is quite a worry when you go out and you travel as much as I do. One day something is going to happen, I am sure. I do worry; I certainly try not to travel at night in my part of the electorate because of problems with cattle, in particular, and with sheep and kangaroos in a lot of those areas. If you hit a

cow you really have very little chance of survival. There is a lot of traffic this time of year.

I was up in Coober Pedy last week, and then later in the week I went to Andamooka, and there are an incredible number of tourists in that part of the state at the moment, so the roads are really very busy. Once again, I think that, for the safety of not just of the local drivers, people like me who are using their highways all the time, but, when tourists come in, they need to be aware when vehicles are approaching, and they need to know what is ahead of them. Having the lights on just makes such a difference. They do not confuse you; they do not get in your eyes, or anything else, during the daytime. Basically, they are just something that you can see in the distance, and you know what is coming towards you.

So, I would urge very strongly that the Minister for Transport look at this issue, talk to the Road Safety Advisory Council, and consider the merit of this happening in South Australia. I believe that we could lead the country if we were to introduce this, and that it would save many lives. Yesterday was apparently a really bad day, with a number of people being killed in South Australia. Anything that we can do to improve road safety in South Australia, I think, is essential for us, and I urge that this be considered as a means of road safety for South Australia.

Mrs PENFOLD (Flinders): I rise to support this motion. A lot of concern has been expressed recently about the number of fatal crashes on South Australian roads. In March, we had the highest road toll for that month for 20 years when a total of 28 people died, including six who were killed over the Easter weekend. By mid-April, 48 people had died on South Australian roads, compared with 36 at the same time last year. Statistically, country roads are the most likely scene of crashes that result in death or serious injury. Figures from the Road Transport Department show that 58 per cent of fatal crashes and 47 per cent of serious injury crashes occur on rural roads. One of the issues for drivers on country roads is the visibility of oncoming vehicles from a distance.

According to a report on this issue by research engineer, Carleen Reilly-Jones, for the Roads and Traffic Authority of New South Wales, errors of perception cause up to 80 per cent of accidents. The use of daylight running lights increases the conspicuity of vehicles, which reduces the detection distances of approaching vehicles. These lights could be dimmed headlights or separately installed daytime running lights that are turned on as soon as the ignition is turned on. Reilly-Jones states:

> The term 'conspicuity' means 'clearly visible, striking to the eye, or attracting notice.' This is a key to why daylight running lights work so well on vehicles—they not only made the vehicle easier to see, but they also catch the attention, drawing your eye to the presence of another vehicle, improving detection of vehicles in both the central and peripheral vision areas. If a vehicle is approaching, from say out of the corner of the eye, it may be seen as part of the total picture in the field of vision, but not picked out as an important feature. With lights on, attention is drawn to the oncoming hazard, and action can be taken.

I believe this to be particularly the case at dusk on country roads, with the setting sun flickering through the shadows of the roadside trees, obscuring oncoming cars, along with kangaroos wombat sheep and cattle that, unfortunately, cannot be fixed as easily. When vehicles use the lights during the day they appear to be closer and travelling faster than those which are not. If a vehicle appears to be closer and travelling faster, other drivers will exercise more caution. This could be significantly improved by requiring all drivers to use daytime running lights.

Overseas experience has shown that the use of such lights can result in a significant reduction in fatal crashes. A study in Canada in 1997 compared crash rates in the same year for cars with and without daylight running lights. They found an overall reduction of 5.3 per cent, mainly due to reduction in crashes of vehicles travelling in the opposite direction.

A study in the United States compared crash rates of specific GM, Volvo, SAAB and Volkswagen cars before and immediately after daylight running lights became standard equipment on these models. The results suggest a reduction in crashes between target vehicles and other vehicles in excess of 5 per cent and a reduction in vehicle and pedestrian collisions of about 9 per cent. A study in Texas in 2002 reported on a trial involving a campaign to encourage voluntary use of headlights during the day. Crash rates in the area where the campaign was run were compared with crash rates in neighbouring areas over the same period and showed a reduction of 58.7 per cent for fatal crashes and for serious injury crashes on major roads.

Daytime running lights may also make it safer for pedestrians and cyclists. In Sweden and other countries that have high daylight running lights usage rates, pedestrian and cyclists accidents have fallen. This appears to be due to the fact that lit vehicles are more visible to pedestrians and cyclists.

Carleen Reilly-Jones wrote in her report that it was a myth that vehicles travelling out of the sun with their lights on would be harder to see than those that were not lit, stating:

> Research shows that this is not the case. Vehicles with daylight running lights are more visible, even with the sun behind them.

The case for daytime running lights to be used on motorcycles is even more compelling than it is for cars, as motorcycles are smaller and less visible than cars. Laboratory studies and field trials have shown that motorcycles equipped with daylight running lights are more easily seen than those without. Studies on the causes of motorcycle crashes have shown that motorcycles involved in crashes were less likely to have been using daylight running lights than other motorcyclists. When compulsory headlight use was introduced in Singapore, it resulted in a significant reduction in fatal crashes and serious injuries.

Recently, the RAA publicly expressed its support for use of vehicle lights during the day. Traffic and Safety Manager, Chris Thomson, said the RAA was convinced there were benefits for drivers in country areas in particular. One of my constituents, John Foster of Coulta, has done extensive research on this issue and he found that daylight running light units can be bought for a small cost and take about half an hour to fit. These units turn the lights on after the car has started and turn them off when the engine stops. The lights run on 60 watt power so there is no glare. In his initial research a few years ago, he found the ongoing cost to the motorist would be about three dollars a year for extra globes and fuel. I support the motion.

Ms THOMPSON (Reynell): I wish to commend the member for Giles for bringing this motion to the attention of the house, and I also commend the member for Flinders for the research that she has done to add to the considerable research already undertaken by the member for Giles. I simply want to speak about my experience in Western Australia where, although it is not mandatory to use head-

lights during the day, there has been for some time a very strong government campaign promoting the use of headlights during the day.

When I visited a wind farm in Albany and had to drive all the way from Perth in a strange environment, I noticed the value of the motorists in Western Australia using their lights during the day, and it was pretty universal that people did that. It made me recall that when I bought my Mitsubishi Lancer (of which I was very proud), my brothers came around to have a look at it. My brothers are great outdoor blokes, and nearly all of them have four-wheel drives that they regularly take across the Simpson on such expeditions, and they are very experienced in driving on country roads. They immediately said, 'It's lovely, but why did you get a silver one?' I replied, 'Because its nice and it doesn't get too hot. Why not?' They told me that it cannot be seen on country roads. I became much more alert to the prevalence of silver cars on country roads and the difficulty I have in seeing them—not having young, vibrant eyes any more. I have certainly put that together with my—

The Hon. M.J. Atkinson: But they're lovely.

Ms THOMPSON: I agree with the Attorney; they certainly are lovely eyes—but they are not as young and vibrant as they used to be. I have put that message from my brothers together with my experience in Western Australia and see that, particularly in relation to silver cars and other cars that are inclined to be absorbed into the sunlight, the idea of using lights on country roads would be very helpful. I support the members for Giles and Flinders, and I particularly commend the member for Giles for her initiative in relation to this matter. I urge the Road Safety Council to seriously consider this initiative and the experience in Western Australia where, as I have said, it is not mandatory but is very comprehensively used. I was told that it has been effective in cutting down the number of crashes on country roads. I do not think that is the only thing in Western Australia—I also noticed that they are much better than we are at driving in the left-hand lane, as well as giving way to traffic needing to move in to join the traffic flow. So, I think they are some good examples of the value of road safety campaigns, and I commend to the Road Safety Council this initiative for the use of lights on country roads.

Motion carried.

UNIVERSITY OF SOUTH AUSTRALIA, MOUNT GAMBIER

Ms BREUER (Giles): I move:

That this house congratulates the University of South Australia for its growing commitment to the South-East, which has seen 85 students begin their degrees this year as full-time or part-time students in nursing, social work, and business and management information systems at the university's new centre in Mount Gambier.

I referred to some of this in my previous motion today, when I talked about the TAFE campus at Mount Gambier, which collocates with the new University of South Australia. At the beginning of March this year, 85 students enrolled at the University of South Australia's new centre in Mount Gambier to begin their degree studies as full-time or part-time students in nursing, social work, and business and management systems. Assuming a similar enrolment each year, the University of South Australia in Mount Gambier could grow to 300 to 400 students within a few short years. This is in addition to the existing presence of Deakin University and the very substantial TAFE presence in the South-East.

People living in the South-East of South Australia now have more opportunities to pursue a tertiary education without leaving their communities. It is becoming more and more difficult for country people to send their children to Adelaide to undertake tertiary education, or for mature age students to get involved in tertiary education if they need to come to Adelaide, and I referred to this issue when I spoke to the motion celebrating TAFE's 100 years. In recent years, there have been calls to establish a new university building in the South-East. While this is a noble aim, the economic reality is that the cost of establishing a brand-new campus would be prohibitive. Established universities bring with them access to a wide range of services, such as comprehensive libraries, and online services.

TAFE has just celebrated 100 years of delivering high-quality practical education and training in the South-East. The collaborative model that has been developed in the South-East and elsewhere is the answer for future education and skills in regional communities. So, partnerships involving existing universities, the state government (through TAFE SA), the federal government and the local communities are very important. In the South-East, the federal government provided 40 full-time equivalent HECS places for the new campus. UniSA's Mount Gambier centre is based at the Wireless Road campus of TAFE SA. Lectures are delivered by university staff in Adelaide, via TAFE's video link, and tutorials are delivered in Mount Gambier by TAFE staff and suitably qualified local professionals. Other lecturers are flown into the community from Whyalla and Adelaide.

The local community has certainly shown that there is a demand by enrolling in all available places. Initially, they expected to have 40 students, but the number very quickly went up to 85 students. The number of students enrolling is very encouraging and is certainly a measure of local enthusiasm for these academic opportunities. They established a very solid foundation for growth for higher education in the region. For its part, the University of South Australia is very happy with the current situation, stating that collocating with TAFE is sensible for this start-up operation. It would be premature to suggest a stand-alone university. Students at the campus are able to access the cafeteria and library facilities, as well as other facilities, at the TAFE campus. Should the feasibility study currently under way prove the need for continued and growing need for higher education delivery in the region, UniSA will consider developing new infrastructure to accommodate such growth. When I was in Mount Gambier, I was shown areas where that might be possible, and I visited the campus to have a look. Certainly, any new accommodation would be built in conjunction with the TAFE campus.

I believe there are many advantages of shared university and TAFE facilities. Students are exposed to different cultures on the one campus, and that is very important, particularly for young students. It also encourages the development of articulation arrangements between institutions. When I was a TAFE lecturer, I worked in vocational education, which is the preliminary for students coming into the TAFE campus, where there is an opportunity for them to do some of the basics they missed out on because they left school early, or because it is a long time since they were at school. We were then able to encourage them to go into TAFE certificate and diploma courses. Very often from there

they went on to further education at the Whyalla campus of University of South Australia.

One particular student I remember started off in my introduction to the work force course for women. She had been a housewife for many years, and she wanted to do something with her life. She enrolled in my course, and I encouraged her to complete that course. She was very nervous at first and thought she would not be able to do it. I encouraged her to complete that course, although she was very nervous at first and thought she would not be able to do it. I then encouraged her to go into the childcare course at TAFE, which she did—once again thinking that she would not be able to do it, that she would not be smart enough and would not be able to complete that. From there she went on and completed a degree in early childhood—which was, at the time, available at the Whyalla campus of the university—and she is now a director of one of the early childhood centres in Whyalla.

This was a very common story, that that articulation did go on and people were able to build on the studies they had already achieved and get credit for it in further courses. It involved not just studies and qualifications; it also gave people the confidence to go on, so I think the arrangement with TAFE is an excellent one. There is certainly a seamless transition for students between the TAFE and university.

This has been an excellent project for the South-East, and I mentioned before, when I talked about TAFE, how difficult it is for country students to go to Adelaide to study. Nursing is one of the courses being offered at the university in Mount Gambier—and we have a huge shortage of nurses in country regions, because attracting professionals to our country regions is very difficult—and social work is also being covered at the university's campus in Mount Gambier.

I know from the Whyalla campus that wherever I go in my part of the state I will find nurses and social workers who have been trained at the Whyalla campus—they move out from there and go out into regional South Australia. I therefore know that this is what will happen in the Mount Gambier region, and it will alleviate some of the problems they have down there with shortages of professional staff. Business and management information systems are also essential, as our culture is becoming more and more dependent on them, so people down there will be able to qualify and move out into those areas as well. It will alleviate the problems of professional shortages.

Once again, when referring to the university, I will talk about teaching. I believe that we could put teaching into the Whyalla campus of the University of South Australia. There is certainly the potential for teaching at the Mount Gambier campus as well. I can see no reason why lecturers cannot be brought in from the metropolitan area, from the Adelaide campuses of the University of South Australia, and taken to Whyalla and Mount Gambier—and we could train teachers. I know (and I am sure the member for Flinders will agree with this) that our principals just about cry from September through October to November every year; you ring them up and they are almost crying, trying to attract teachers into our areas. It is almost impossible; and to get mature, experienced teaches is just about a miracle. We get a lot of new graduates who are very good, and we are prepared to train them, but we have lots of skills out in our regions that we could use in our schools. So, we would love to see mature age students trained locally. They cannot afford to pack up and go to Adelaide to live while they do their three years of study down there. This is certainly an issue that I will continue to push.

I have had a bit of criticism from the University of South Australia, saying that we do not expect this from Flinders University or Adelaide University. I do not care; I would welcome those universities in our region. However, the fact is that we have the University of South Australia there, they have a presence in Whyalla and in Mount Gambier and cover both ends of the state. So, let us do something positive and give an opportunity for our young people and our mature age students to get into that area. Let's help our principals to staff their schools.

Once again, I congratulate the University of South Australia and the people of Mount Gambier for the way in which they have embraced the university campus down there, as well as the way in which TAFE has embraced it and allowed it to be part of their site. This is one of the best things that has happened in regional South Australia for many years, and I look forward to many positive results from it in the future. I know that it will change people's lives and that it will give greater opportunities for people in that region.

Mrs GERAGHTY secured the adjournment of the debate.

MOVING ON PROGRAM

Mrs PENFOLD (Flinders): I move:

That this house condemns the government for continuing to underfund the 'Moving On' program for young disabled people.

In response to public campaigns organised by Dignity for the Disabled, their spokesperson David Holst, and pressure from the opposition, the government has been dragged kicking and screaming to address the plight of those people with disabilities in our community.

I dispute the minister's assertion made in *The Advertiser* this week that Dignity for the Disabled is a front for the Liberal Party. I for one have only ever had contact with campaigner David Holst at the first rally.

Mr Koutsantonis interjecting:

The DEPUTY SPEAKER: Order!

Mrs PENFOLD: However, I would like to take up the minister's offer to find a solution to the lack of funding for the disabled. I suggest he talk to the Premier about having the significant funding being put towards opening bridges redirected to address the funding shortfall for the disability sector.

Mr Koutsantonis interjecting:

The DEPUTY SPEAKER: Order!

Mrs PENFOLD: I understand that the Public Works Committee has found that almost $90 million could be saved by building fixed bridges, and I therefore suggest that the Dignity for the Disabled people should lobby for the funding that has been budgeted for the opening bridges, which are not really needed. The government can instead build fixed bridges and put the $90 million towards fixing the issues for the disabled that are so desperately needed. The proposed recurrent funding saved by not having opening bridges would go a long way towards helping with recurrent funding requirements for the disabled.

Figures from the Productivity Commission show that South Australia has the lowest per capita disability funding in the country, with just a 7 per cent increase over the past five years compared with 26 per cent nationally. David Holst has said that an immediate $100 million is needed—an amount most caring people would prefer went to the disabled than to bridges. He estimated that of the 95 000 disabled in

South Australia 35 000 have severe and multiple disabilities and about 10 000 require around-the-clock care.

Funding for disability services in this budget has been announced with great fanfare, but it raises questions rather than gives answers. Certainly, everyone is grateful for small mercies, however when the banquet table is loaded it is rather difficult to be grateful for crumbs.

Moving on is a very valuable program for disabled teenagers and young adults as they learn living skills such as preparing meals and shopping and it gives them meaningful activity and social interaction. Importantly, it gives their carers a break and the chance to do the sorts of things the rest of us take for granted. On Eyre Peninsula we have only one Moving On program which is run by LEPSH in Port Lincoln. The program was going to close on 30 June this year because the funds to run the program were insufficient and LEPSH could not continue to bear the cost. I refer to a letter written by the Board of Directors of LEPSH to the Minister for Families and Communities dated 27 April 2005. It states:

> The department's offer of a 6 per cent increase in funding for 2005-06 is acknowledged.

The funding was backdated to 1 January 2005. The letter continues:

> That offer brings the total funding to near wages cost for one year at the current rates, but does not recognise that the real cost of running the program with the additional costs of administration, program materials, fuel, vehicles, electricity and building hire and maintenance is much more. It should be obvious that when there is a CPI rise for staff in July then the program funding will fall further behind the real cost.

The $20 000 additional administrative support announced in the budget will allow the program to continue in 2005-06. However, both this funding and funding for a bus with a lifter are one-off contributions. So, the plight of the Moving on program has been merely staved off. There is no long-term commitment by this government to the needs of people with a disability, their carers and their families. Recipients are grateful for the funding announced in the budget which (with limitations) will enable the Moving on program to continue for a further 12 months. However, it must be emphasised that, since this is one-off funding, the people of LEPSH will have to go through the whole time-consuming process of applying for funding again next year.

I repeat: there is no real commitment by this government to adequately fund the Moving on program. This makes it very hard for LEPSH to plan for the future, and gives no certainty for those employed in the program or for their clients and their families. Unexpected costs are a fact of life. A recent cost that organisations like LEPSH now face is the cost of having police checks for the volunteers who work with our disabled people. LEPSH have been advised that their volunteers do not qualify for free SAPOL checks because the organisation receives some government funds. This is an anomaly that needs to be addressed as quickly as possible. When large sporting clubs which turn over large sums of money can get a free service and when a small charity in receipt of some government funds cannot get support from this government for its volunteers something is very wrong.

The Moving on program was a Liberal government initiative set in place in 1997 in response to the need to provide alternatives to employment for young disabled people leaving school. It is one of the many effective programs introduced by the Liberal government to assist the underprivileged, the poor, those unable to care for themselves—in fact, all vulnerable members of our state. We achieved this despite the state's financial bankruptcy left to us by Labor in 1993. Due to good financial management by the Liberal state government and sound economic policy by the Liberal federal government, state finances are now healthy. There is no impediment to the government to adequately fund disability services, in particular, the Moving on program.

I understand that the original program was indexed to inflation with an additional amount added annually in recognition of the additional numbers expected to come into the program each year. Now we have a state government rolling in funds from a number of sources. The reduction in debt brought about by the previous Liberal government made available millions of dollars formerly spent on interest payments, resulting in the state's credit rating being lifted and again cutting the interest bill.

Revenue from the GST which, incidentally, Labor strongly opposed—but I have not heard any Labor governments refuse to accept—is much greater than the funding they would have received under former financial arrangements with a provisional $3 449 million—that's $3.449 billion—in 2005-06 coming to our state alone. There are also windfall gains from land tax, stamp duty and other state government levies and charges. Labor ministers are just having difficulty in planning constructively for the long term.

An amount of $64 000 for a bus equipped with a lifter sounds good until one looks at coping with the operational and associated costs. Moving on in Port Lincoln has hired buses for outings as it is imperative for the sound mental health of clients that they go out into the wider community and attend events. So, the money for a bus is welcomed, but who is going to pay the running costs? Does this mean another battle or further fund-raising efforts by parents and other carers who are already stretched physically, mentally and emotionally by the demands of looking after a mentally disabled person?

Disability programs need to be planned on a permanent basis and funded adequately so that parents, carers and all involved can give their time and energies to their charges. As one parent said, 'We need recurrent funding.' A meagre amount of only an extra $9 million per year for recurrent funding was approved in the last budget. The Moving on program has been of immense benefit to participants and their carers as it enables them to cope with the almost unrelenting demands of caring for disabled children.

However, it is not just the Moving On program that needs improved funding. There is also an urgent need for respite care, more supported accommodation and at-home support for families. These are some of the issues being pushed by David Holst. I congratulate him on his continuing campaign for more funding for the disabled and their families. I will continue to support him and disabled people and their carers whenever I can and I suggest that closing the unnecessary opening bridges that are already in the budget would help the government to find the desperately needed $100 million in funds and recurrent funding for the disabled. I move this motion for the disabled, their families and carers.

Dr McFETRIDGE (Morphett): I rise to support the motion of the member for Flinders. Early last year, the member for Flinders and I met with many families and friends of people who are afflicted with severe disabilities. There was a rally in Victoria Square. We marched with them down King William Street and there was a rally in front of Parliament House, and I was accused of turning it into a political rally for base political purposes. Let me give

members a bit of background on my involvement with Dignity for the Disabled. I went to a meeting with that group where a lady stood up and gave a bit of history about her family and the pressures she was under, and she said that she had considered murdering her child and committing suicide. I was really shocked at this. I was given the opportunity to speak to the meeting and I asked how many other people had considered murdering their children and committing suicide to end their woes because they saw no other way out. I was absolutely shocked at the response. At least one-third if not more people put their hands up and said that they had considered this.

I am not attributing blame to any particular government. One of the good things about having come into this place at the last election is that I can put pressure only on what is happening now, although I can give members 10 billion reasons why the last government found it difficult to fund every program to the extent that we may have wanted and why there were opportunities lost. We hear the government saying, 'Why didn't you do this? Why didn't you do that?' We must remember where we came from. When the Liberal Party came to government in 1993 there were severe difficulties there. We lost the AAA rating because of the mismanagement by the Labor government. We have got it back now because of the management of the federal government and the state Liberal Government. This government has money. It has more money than it knows what to do with.

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order!

Dr McFETRIDGE: It has billions and billions of dollars. If the government of the day accuses the previous government of doing nothing, that is wrong.

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: The member for Torrens will come to order.

Dr McFETRIDGE: The government of the day accuses the previous government of not doing enough, but where did we start from? We did not start with a truckload of money. We did not get the billions and billions, the $2.2 billion extra in funding from the federal government. We hear them bleating loud and long over there about not having enough money for this and that. They have enough money to build opening bridges at $100 million extra. This government, the highest taxing government in the history of South Australia, has $8 million a day, each and every day, pouring into state taxes. Then there are the truckloads of GST coming across the border. Members opposite opposed the GST, but what do they do now? They rake it in. It is pouring in.

I just could not believe it on Monday when the Minister for Disability, Jay Weatherill, on radio described David Holst, the champion of Dignity for the Disabled as 'a rich businessman'! Is there something wrong with being successful in life? To attack Mr Holst is absolutely disgusting. It is a disgrace. Then an item in the paper says that disability minister Jay Weatherill said that the decision showed the group was clearly a front for the Liberal Party. He was talking about the decision of Dignity for the Disabled to put up candidates at the next election. The member for West Torrens said they were only in marginal Labor seats. I know Mr Holst well and I know these people well. I have spoken to them and marched with them. No Labor member came down there with us. I know where these people come from. They are not backing any political party.

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order!

Dr McFETRIDGE: This is the 'me' syndrome, and I have no problem with that, because if members opposite put themselves in their shoes and in their families' shoes for one minute they would be aware of the problems they are having. I am not saying that enough was done in the past, there may have been opportunities missed, but I am saying that when you have the opportunities, when you have the financial resources that this government has, do not shoot the messenger. Help them out. Offer them a way out. Do not offer false hope. Do not say that money is going to be there when it is not a real solution. What do members opposite do? They attack the messenger.

I can stand up here and have people on the other side attempt to bully, intimidate and berate. We know the history of this government, its bullying, its tactics and its intimidation. We remember Cora Barclay. I urge the government to be very aware of what it is doing when it is picking on the innocents, the naive out there; those who do not have this protection of privilege to stand up here. I urge this government to remember Penny Easton; remember David Kelly; because when they were used for political purposes, the media came in and they could not stand it. I urge this government to be very careful about how it handles these delicate issues. These people are under huge strain. They cannot be used as victims for political purposes. Certainly, the members on this side—

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order! There has been too much interjection from members on my right. The member for Morphett does not really need my protection, but it is impossible to hear anything he is saying with the—

Mr Goldsworthy: Squawking.

Dr McFetridge: Cacophony.

The DEPUTY SPEAKER: —cacophony that is coming across the chamber. I bring the house to order. We have only a couple more minutes. I ask that the member for Morphett be heard in silence.

Mrs GERAGHTY: On a point of order, I ask the member for Kavel to withdraw the comment that he made. I think it was deliberately sexist and offensive.

The DEPUTY SPEAKER: I did not hear the comment that the honourable member is referring to.

The Hon. M.J. ATKINSON: On a point of order, sir, I think I can help you. The comment was that the member for Torrens was squawking. 'Squawking' is a verb that can only relate to a bird or animal and it is always unparliamentary to imply that a member is an animal, you will find from Erskine May.

The DEPUTY SPEAKER: I do not think it is unparliamentary but, if the member for Kavel wants to withdraw to facilitate things, I encourage him to do so.

Mr GOLDSWORTHY: Actually, the member for Torrens was incorrect—

The DEPUTY SPEAKER: No, this is not an opportunity to engage. The member for Kavel can either rise to withdraw or sit down: one or the other.

Mr GOLDSWORTHY: In deference to the members on the other side of the chamber, if it has offended them I will withdraw.

The DEPUTY SPEAKER: Thank you. The member for Morphett.

Dr McFETRIDGE: Thank you, Mr Speaker. Now that my time has been wasted—saved by the bell!

Debate adjourned.

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

PITJANTJATJARA LAND RIGHTS (MISCELLANEOUS) AMENDMENT BILL

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

TRAFFIC LIGHTS

A petition signed by 450 residents of South Australia, requesting the house to urge the government, as a matter of urgency, to install traffic lights at the junction of Hillendale Drive and the Golden Way nearest MacIntyre Road, due to increased traffic flow and accidents in the area, was presented by Mr Brokenshire.

Petition received.

DISABILITY SERVICES, FUNDING

A petition signed by 58 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.

AUSTRALIANS AIDING CHILDREN ADOPTION AGENCY

A petition signed by 12 residents of South Australia, requesting the house to urge the government to immediately reverse its decision to close the Australians Aiding Children Adoption Agency, was presented by Mrs Penfold.

Petition received.

QUESTIONS ON NOTICE

The SPEAKER: The house will come to order! I direct that the written answers to the following questions on the *Notice Paper*, as detailed in the schedule I now table, be distributed and printed in *Hansard*: Nos 388, 421, 422, 444 to 446, 493, 501, 502, 504 and 510.

POLLS

388. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

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

A poll is defined as 'an analysis of public opinion on a subject usually by selective sampling'.

During the 12 months to 14 February 2004, the Land Management Corporation (LMC) sponsored research by Harrison Market Research pertaining to the proposed Port Waterfront Redevelopment project which involved both the use of focus groups and telephone polling.

The purpose of the research was to understand the local and metropolitan wide awareness and perception of the proposed Port Waterfront Redevelopment.

The polls showed there was broad awareness of the proposed redevelopment and there was support for the redevelopment of the waterfront around the inner harbour.

421. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

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

On the basis that polls are an analysis of public opinion on a subject, usually by selective sampling, I am advised that the Department of Trade and Economic Development conducted one poll in the last 12 months.

The Department commissioned Harrison Market Research in July 2004 to explore the opinions of expatriate South Australians and others living in Sydney or Melbourne about moving to Adelaide. The market research (telephone survey) involved 14 focus groups moderated by a Harrison's consultant in Sydney, Melbourne and Adelaide and a telephone survey in Sydney and Melbourne at a total cost of $45 000.

The research focused on identifying and exploring drivers on what might encourage a move to South Australia rather than another state and test creative advertising and marketing material being considered. The findings were subsequently used to develop the *Adelaide. Make the Move* advertising campaign.

422. **Mr HANNA:** Have any polls of the South Australian public been conducted by, or on behalf of, the Minister or the Department over the past 12 months and if so, what are the details and results of each poll undertaken?

The Hon. J.D. LOMAX-SMITH: The Minister for Mineral Resources Development has provided the following information:

This answer relates to the Minerals Resources Group within Primary Industries and Resources SA (PIRSA).

While it is not strictly an opinion poll of the general public, a mail survey of 600 South Australian opinion leaders is currently underway, jointly sponsored by PIRSA and the South Australian Resources Industry Development Board (RIDB) and managed by the Marketing Science Centre within the University of South Australia.

The survey questionnaire was mailed, with a covering letter from the Minister, on Monday 14 March 2005. At the time of preparing this response (10 May 2005) the responses were being collated and analysed by the Marketing Science Centre and it is anticipated the results will be ready for release late May/early June.

The purpose of the survey is to seek input and opinions from prominent opinion leaders across the community to maximise benefit to South Australians from the state's minerals and energy industries. The results of this survey will assist the RIDB to provide advice to the government on the minerals and energy industries and to provide relevant information back to those in the community with an interest in the resources sector in SA.

In order to ensure that the opinions of a broad range of South Australians were canvassed, the following categories were included within the survey, in consultation between the University of SA, RIDB and PIRSA:

Commonwealth politicians
State politicians
Community organisation members
Education
Environment
Indigenous community members
Women's group members
Media
Charitable organisation members
Church members
Members of local government
Non-mining business officials
Performing arts
Political advisors
Public servants
Service organisation officials
Sporting identities
State politicians
Union officials

Your attention is drawn to the fact that all members of State Parliament were sent copies of the questionnaire and it is hoped that they took this opportunity of having input to the shaping of future minerals and energy policy.

The results of the survey will be publicly available once they are finalised and analysed by the sponsoring organisations.

LUCAS, Hon. R.I.

444 and 445. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

The Hon. S.W. KEY: No written representations from the Hon. R.I. Lucas have been received by the Department of Further Education, Employment, Science and Technology or myself.

446. **Mr KOUTSANTONIS:** How many written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents have been received since March 2002?

The Hon. S.W. KEY: A records search of correspondence received since March 2004, when I became the Minister for the Status of Women, found no written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents.

The Office for Women has effectively functioned as a discrete unit of the Department for Human Services (DHS) from 1 July 2002 to 30 June 2004, and of the Department for Families and Communities (DFC) since 1 July 2004. Responses from other portfolio areas relating to DHS and DFC have been provided as separate responses to this series of Questions on Notice from Mr T. Koutsantonis MP.

The Office for Women has received no written representations from the Hon. R.I. Lucas MLC on behalf of South Australian constituents since 1 July 2002.

OLYMPIC DAM PROJECT

493. **Mr HANNA:**

1. Since the commencement of the Olympic Dam Project and up until 31 December 2004, what has been (in 2004 dollars)—
   (a) the total revenue raised by the Project;
   (b) total royalties and total payroll tax, respectively, paid to the South Australian government; and
   (c) the South Australian government's total financial contribution to the Project?
2. Approximately, how many gigalitres of Great Artesian Basin water has the Project used in its operations since its commencement?
3. In 2004, what was the Projects—
   (a) annual electricity consumption in megawatt hours;
   (b) electricity consumption as a percentage of total South Australian consumption;
   (c) annual emission of greenhouse gases in carbon dioxide equivalent tonnes; and
   (d) greenhouse gas emission as a percentage of total South Australian emission?
4. What will be the estimated percentage increase in South Australian electricity consumption and greenhouse gas emission, respectively, if the proposed expansion of Olympic Dam proceeds?

The Hon. J.D. LOMAX-SMITH: The Minister for Mineral Resources Development has provided the following information:

1. (a) The total revenue (sale of all products less expenses) since the start of commercial sales in 1988 is around $8.23 billion (2004 dollars).

(b) Total royalties paid since startup is approximately $265 million (2004 dollars).

Due to confidentiality requirements, Revenue SA is not at liberty to provide a figure for the total payroll tax paid to the South Australian Government with respect to the Olympic Dam Project, as this sort of information is confidential. I am therefore unable to provide an answer to this part of the question.

(c) The South Australian Government's total financial contribution to the project in 2004 dollars has been:

(i) $7.96 million in payments to Roxby Downs Municipal Council to support community services (these payments are required under Clause 29(3)(b) of the Schedule to the *Roxby Downs Indenture Ratification Act 1982*.)

(ii) $78.9 million (again in 2004 dollars) in capital expenditure on infrastructure, such as hospital, school, police station, facilities for sports and arts, and so on. It should be noted that the *Roxby Downs (Indenture Ratification) Act 1982*, specified the provision of infrastructure up to the value of $145.24 million in 2004 dollars ($50 million in June 1981 dollars).

2. The Olympic Dam Project has used approximately 119 gigalitres of water from the Great Artesian Basin since project startup in 1984.

3. (a) Olympic Dam's total electricity consumption in 2004 was 3 066 terajoules or approximately 852 GWh.

(b) The Olympic Dam operation consumes electricity equivalent to approximately 7.4% of total electricity sales in South Australia. This figure has been calculated based on Olympic Dam's total electricity consumption in 2004 (i.e. 852 GWh) as a percentage of total customer electricity sales in South Australia for 2003/04, which was recorded in the Electricity Supply Industry Planning Council's Annual Planning Report for June 2004 as 11 580 GWh.

(c) WMC publishes on its web site that Olympic Dam's emission of greenhouse gases in 2004 was calculated as 1 018 128 tonnes carbon dioxide equivalent (CO_2-e).

(d) According to the Australian Greenhouse Office, every kWh of electricity in South Australia is responsible for 0.960 kg CO_2-e of greenhouse gas emissions. On this basis, greenhouse gas emissions resulting from electricity used for the mine is estimated at about 818 000 tonnes CO_2-e. In 2004, from information published on the web by WMC, Olympic Dam also used 839 TJ of diesel, 846 TJ of LPG, 300 TJ of coke and 426 TJ of other energy sources, resulting in an approximate total greenhouse gas emissions of 1.018 million tonnes CO_2-equivalent. Although published SA emissions data for 2004 is not yet available, it is estimated that this represents about 3% of the total South Australian greenhouse gas emissions in 2004.

I am informed that every tonne of uranium oxide concentrate converted into fuel for a power station saves about 38 500 tonnes of carbon dioxide, relative to coal. Olympic Dam produced just over 4 400 tonnes of uranium oxide concentrate in 2004, to be turned into electricity in countries all around the world. That same amount of electricity produced by coal fired power stations would have burnt some 70 million tonnes of coal and this would have released approximately 170 million tonnes of carbon dioxide into our atmosphere.

4. WMC has not yet made a final decision to expand Olympic Dam and, if so, in what manner and to what extent. It would therefore be inappropriate to attempt to accurately forecast electricity generation and consumption by Olympic Dam after the proposed expansion.

As outlined above, with direct greenhouse gas emissions from Olympic Dam of around 1 million tonnes CO2 equivalent, this represents a net saving of around 169 million tonnes of greenhouse emissions.

MYPONGA/SELLICKS HILL WIND FARM

501. (4th Session) and 618 (3rd Session) **Mr HANNA:**

1. Did a draft report produced by Planning SA in September 2003 recommend that the proposed Myponga/Sellicks Hill wind farm be rejected and if so, why?
2. Was this recommendation contained in the final report by Planning SA and if not, why not?
3. Was Cabinet made aware of the content of the draft report before approving the development and if not, why not?
4. Why was the same question on notice (number 618 asked in the previous Session) not answered?

The Hon. J.D. LOMAX-SMITH: The Minister for Urban Development and Planning has provided the following information:

1. I am advised that in accordance with the Major Development provisions of the *Development Act 1993*, a draft Assessment Report was prepared by Planning SA in September 2003, to assist the former Minister for Urban Development Planning in forming a view on the Myponga/Sellicks Hill Wind Farm proposal. It advised that it not be approved on the basis of the high scenic amenity value of the location.

2. Planning SA is not responsible for issuing a 'final' Assessment Report. Under the Major Development provisions of the *Development Act 1993*, it is the Minister for Urban Development and Planning who prepares and releases the Assessment Report. This report sets out the Minister's view on the proposal. It is entirely appropriate that the former Minister formed their own view, which is a clear requirement of the legislation.

In making a decision on the Myponga/Sellicks Wind Farm, the former Minister concluded that the visual impact of the proposal was acceptable in the hierarchy of other important considerations, which included the delivery of economic benefits to the State and the opportunity to increase alternative energy production and use. This decision is consistent with the Government's aim to meet a State Strategic target to reduce our dependency on traditional energy sources through the development of alternative energy sources such as wind power.

3. Cabinet processes are confidential and as such I am not at liberty to discuss this process. I am also not able to comment on my predecessor's consideration of your questions.

GOVERNMENT EMPLOYEES

502. (4th Session) and 611 (3rd Session) **Mr HANNA:**

1. Why did some Government Agencies advise their employees prior to the Public Sector-wide work stoppage on 26 March 2004 that they could make application for approval of absence on that day or they may be absent on that day for duty outside approved timed, or without approval using recreation leave, flexitime and TOIL?

2. Would gaining such approval or use of such leave on that day mean that absent employees would not be recorded on the Australian Bureau Statistics Return as taking industrial action?

The Hon. M.J. WRIGHT:

1. Pursuant to Section 47(1) of the *Public Sector Management Act 1995*, a direction was given to portfolio and other agency chief executives that those employees of the South Australian Government employed pursuant to the Public Sector Management Act who failed to perform their duties as a result of a work stoppage on 26 March 2004, by absenting themselves from their workplace without approval, and in consequence or furtherance of industrial action, were not to be paid salary for the day (or relevant part of the day) during which the employee failed to perform their duties.

Employees have entitlements to apply for leave of absence. Because of the possibility that some employees may have made an application for leave of absence on 26 March 2004, detailed guidelines in relation to employee absences were provided to relevant chief executives for consistency of approach in managing absences on that day, being the day upon which a public sector wide all day work stoppage had been planned.

Those guidelines advised that employee applications for leave of absence on 26 March 2004 should only be approved if the Chief Executive was satisfied that the purpose of the leave was unrelated to the industrial action.

2. Leave of absence should only have been approved where the chief executive was satisfied that the leave was unrelated to the industrial action. Any such approved leave would not be recorded on the Australian Bureau of Statistics Return.

3. Questions On Notice lapsed due to the prorogation of Parliament on 12 August 2004.

INDIGENOUS CONSULTANT

504. **Mr HAMILTON-SMITH:**

1. What is the role, function, desired outcome and total cost of the indigenous consultant appointed to assist in the development and implementation of a state based strategy to develop indigenous screen-based talent and production?

2. What is the background, qualifications and experience of this consultant and does this appointment duplicate or incorporate the work undertaken by Yaitya Makkitura?

The Hon. M.D. RANN: I have been advised of the following:

1. The SA Film Corporation's aim, in appointing an indigenous consultant, is to develop a broad and balanced overview of the current state of the indigenous screen industry in South Australia.

The ultimate desired outcome is an active, productive and successful indigenous screen sector. The consultant will be expected to work closely with the indigenous screen community in order to identify the needs of, and existing opportunities for, indigenous practitioners. This information will inform the development of a State-based strategy to support indigenous screen organisations, individual practitioners and programs, including a set of protocols for the screen industries.

The SA Film Corporation has budgeted $15 000 for this consultant.

2. An appointment to this position has not yet been finalised, because the person initially appointed had to withdraw due to an unexpected change in work commitments.

The successful appointee will need to have an understanding of the indigenous communities and the arts sector, as well as experience in research, consultation and report preparation.

Yaitya Makkitura will be one of a range of groups and individuals asked to contribute to the discussions along with PY Media, another indigenous screen culture organisation, and the Port Augusta-based organisation Umeewarra.

TOURISM COMMISSION

510. **Mr HAMILTON-SMITH:** Will the South Australian Tourism Commission continue to sponsor the Best Tourism Restaurant Award as part of this year's Awards for Excellence and if not, why not?

The Hon. J.D. LOMAX-SMITH: The South Australian Tourism Commission will sponsor the *Best Tourism Restaurant* category, the winner of which will be announced at the 2005 Tourism Awards for Excellence function on 1 August 2005, conducted by Restaurant & Catering SA.

HOON DRIVERS

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

Leave granted.

The Hon. M.D. RANN: I rise to update the house on results emerging from the government's new hoon driving laws. The laws were passed across South Australia from February this year, when police quickly started filing reports on hoon behaviour. Further arrangements were soon finalised so that the impounding of hoons' so-called precious wheels for 48 hours could be done from 2 May. Importantly, courts also have the power to lock hoon vehicles away for even longer. The new offences target drag racing, burnouts, doughnuts, wheelies and music that blares from car speakers. The law also targets those who organise such events. Hoon laws are about protecting lives and property and, importantly, giving peace to long-suffering residents affected by the stupidity of a minority of drivers. I am sure that members and many of their constituents—

An honourable member interjecting:

The Hon. M.D. RANN: —no, they are the latest figures—will be pleased to know that, since the legislation was first introduced in February, hoons have been reported on 259 occasions. Of even greater interest is that 61 vehicles have been impounded for 48 hours—amazingly, 38 of those last month. So, 61 vehicles already have been impounded under our hoon driving legislation, and 38 vehicles were impounded last month—and, of course, that was the first full month's operation of the government's hoon driving laws. For those who said that the laws would not work, already hoon drivers are having their cars taken away from them. This is a win for South Australians—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —against the intrusive burnouts, wheelies and blaring music that unnecessarily invades their lives. These figures are as at the end of June. However, South Australia Police continues to be on the lookout for hoons, and their behaviour will not be tolerated. The message is getting through: already 61 hoon drivers have had their vehicles impounded.

DEFENCE INDUSTRY

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

Leave granted.

The Hon. M.D. RANN: I rise today to update the house on our efforts to reinforce South Australia's position as the defence capital of Australia following today's excellent job figures. Winning the $6 billion air warfare destroyer contract obviously is a huge coup and a huge opportunity not just for today's working age South Australians but also for their children and their children's children. But I see the air

warfare destroyers as just the start of a huge defence push by South Australia and the state government.

I want to alert the house to some things that will be happening tomorrow. About $55 billion worth of defence contracts will be coming up over the next decade, and winning a high proportion will help us to reach our strategic plan target to double the size of our $1 billion defence sector and to boost employment from 16 000 to 28 000. Defence's Land 121, or Project Overlander, is the $3 billion contract to acquire, modify and maintain army vehicles and trailers. It forms a perfect match with the building of the war ships. Such South Australian companies as Tenix Land Division and General Dynamics Land Systems are in a prime position to bid for and win a large chunk of this work. This project was identified as key in our South Australian Defence Plan, which was launched last March, and our bid will be headed up by the Chief Executive of the SA Government Defence Unit, Rear Admiral Kevin Scarce.

Project Overlander will replace the Australian Defence Force's wheeled, non-armoured field vehicles and trailers. The ADF's field vehicles and trailer fleet is the backbone of its war fighting force. The fleet is required for combat and combat support operations, which cannot be undertaken by standard commercial vehicles. Project Overlander's first priority will be the replacement of approximately 1 300 of the ADF's field vehicles in high readiness units, a contract that we expect will be let around 2007, with the last vehicles delivered in 2011. This will be followed by a contract in 2007-08 to replace the remaining 4 000 to 7 000 field vehicles for the remainder of the Australian Defence Force. As with the AWD project, the government intends to support the development of this precinct through infrastructure, skills development and collaboration programs.

This brings me to tomorrow's activities. Another exciting project for us is to have relocated to Adelaide a 1 600 strong army battalion. Given the advent of the Adelaide to Darwin railway as a means to move equipment and personnel rapidly north, together with South Australia's huge advantages as a location for army personnel and their families, I am hopeful of attracting an army battalion over coming years. Of course, it is very expensive to station a battalion in the Far North of Australia or in the eastern states because of massive housing costs.

Tomorrow evening I will host a discussion involving South Australian business leaders, Lieutenant General Peter Leahy AO, Chief of the Army, and other senior leading officers and generals of the Australian Army to talk about the advantages of choosing Adelaide as the site for a battalion. Sources including KPMG have found that South Australia provides an enviable lifestyle alongside a low cost of living and low costs of operation for large organisations such as the army. We have abundant land close to the city to station a battalion, test and maintain equipment, train military personnel, a sophisticated defence and automotive industry, and key centres of research and development excellence, including, of course, the Defence Science and Technology Organisation. It is not just about the 1 600 soldiers: it is also about their families; it is also about the support, servicing, catering, cleaning and everything that goes along with that.

These are just some of the opportunities towards which we are working to secure South Australia's rightful place at the forefront of the defence of Australia into the future. I look forward to meeting with the generals tomorrow. We are making a concerted effort to win an army battalion to be located here in South Australia.

PUBLIC SERVICE SALARIES

The Hon. M.J. WRIGHT (Minister for Administrative Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. WRIGHT: The Full Bench of the Industrial Relations Commission of South Australia handed down its arbitrated decision on the dispute between the government and the salaried public sector, represented by the Public Service Association. The decision provided for two salary adjustments in October 2004 and October 2005 on the following basis: ASO1 to ASO3, 4 per cent; ASO4 to ASO6, 3.75 per cent; and ASO7 and above, 3.5 per cent. The only difference between the government's pay offer and what the Full Bench has ordered is that salaried public sector employees in classifications between ASO4 and ASO6 will receive an extra 0.25 per cent. This decision creates a great opportunity to put behind us disagreements over pay claims and continue to work with our great public servants and the PSA to deliver the outcomes that our community wants and needs.

Members interjecting:

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

PAPERS TABLED

The following papers were laid on the table:

By the Premier (Hon. M.D. Rann)—

Public Sector Management Act 1995—Section 69—Appointments to Ministers' Personal Staff

By the Minister for the Arts (Hon. M.D. Rann)—

Adelaide Film Festival—Report 2004.

ATTORNEY-GENERAL

The SPEAKER: Order! In accordance with standing order 52, I have accepted a motion, which is expressed as an urgency motion, put before me by the Leader of the Opposition, which I will now read:

That this house expresses its lack of confidence in the Attorney-General as the first law officer of this state and calls on the Premier to replace him immediately.

The chair accepts the urgency motion, and requires four members to stand in support of it.

Honourable members having risen:

Members interjecting:

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

Members interjecting:

The SPEAKER: Members who speak after the house is called to order run the risk of being named on the spot. The debate is limited to one hour, and each member speaking is limited to a maximum of 15 minutes.

The Hon. R.G. KERIN (Leader of the Opposition): Today I rise to put to the house that the Attorney-General should either resign forthwith or be sacked. South Australia deserves a legal system in which it has confidence. South Australia deserves a system of justice that actually works.

An honourable member interjecting:

The SPEAKER: Order! The member is out of order. This is an important matter and should be heard in silence.

The Hon. R.G. KERIN: This Attorney-General has brought this justice system to the brink of chaos. We have an Attorney who has no respect among the legal fraternity. He has not respect from the judiciary, he has no respect from the head of the Parole Board, he has no respect from the DPP or

his office, and he has no respect from the broader legal fraternity in this state.

He is an Attorney-General who is there for reasons other than that he can do the job. Despite the fact that he is not worthy of the job, he has been kept in it by the weird factional deals that characterise this government: the weird factional deals that also lock in the members for Chaffey and Mount Gambier to the extent that this week they supported the cover-up terms of reference passed in the house. This week—

Mr Snelling interjecting:

The SPEAKER: Order! The member for Playford is warned.

The Hon. R.G. KERIN: He is one of the Attorney's political offspring. This week is a wake-up call to the Premier that he must act. Even the union movement—a foundation of the Attorney-General's own party, of his own support base—has come out and said, 'On your bike, Mick,' and gone public on the fact that he should be sacked, and is useless as an Attorney-General. That is another first for our eccentric Attorney-General who has scored first in all the wrong areas.

This state has stumbled along for two years with the chief legal officer under a giant cloud of incompetence and unsuitability. He is a chief legal officer bereft of support within the whole of the legal community. He was forced to stand aside in mid-2002, when it was found that the government had been hiding for seven months allegations of corruption involving the Attorney-General and the Premier's own chief adviser, Randall Ashbourne. The government had hidden the fact that the Attorney-General and Randall Ashbourne had been holding secret negotiations to end legal action against the Attorney-General by former MP Ralph Clarke and, in doing so, removed the potential for financial damages. Questions are still unanswered about those dealings: huge questions that go to the heart of honesty and probity at the highest level of government.

If the government and the Attorney-General had nothing to hide, we would see an open and frank inquiry into this fiasco, but the government refuses to allow proper examination of the role of the Attorney-General and others in this cover-up. The only conclusion that anyone can logically draw from this is that the government has a lot to hide.

The tabling of the McCann report this week, 2½ years after it should have been tabled, again shows the extent of the improper behaviour involved, and demonstrates that this government has been far less than frank about those highly questionable dealings of late 2002. This government does not want answers to some incredibly fundamental questions. For example, who told the truth to the court in the Ashbourne case? Was it the Attorney-General or his adviser, George Karzis? That is, did Randall Ashbourne raise the issue of board appointments with the Attorney-General?

The Attorney-General says no. Mr Karzis says yes, because he was in the room at the time, and that is an extremely important question to which we need an answer. Another fundamental question is why Randall Ashbourne told the McCann inquiry that he discussed board appointments for Ralph Clarke with the Attorney-General? The Attorney-General denies that those discussions ever took place. Who is telling the truth? Why won't the government (and that includes the members for Chaffey and Mount Gambier) at least let a resolution be found to those two major discrepancies in evidence? Those discrepancies leave a smelly cloud hanging over this government and this Attorney-General.

They are just two of dozens of questions arising out of the negotiations of late 2002 that still have not been answered. This government hid this issue for seven months. It was secretive, when its response should have been to report the matter to the police at the time, not wait until later on. After hiding the matter for seven months, the government sought advice on what could and could not be released, and they were told by the Solicitor-General that they needed to go straight to the Anti-Corruption Branch. Surely, members opposite must by now be getting very tired of the gaffs, fumbles, eccentric behaviour and the games being played by the Attorney-General.

In the stashed cash affair, we witnessed several things. One was a minister with absolutely no idea about what was going on within his portfolio. We witnessed an Attorney-General whose evidence, behaviour and decision making showed zero consistency. We saw an Attorney-General who, whenever the pressure was on, tried to blame someone else and showed not only no loyalty to his staff but also an ability to turn on and destroy people, with no compassion or dignity whatsoever. We saw an Attorney with the worst memory I have ever seen. As I said at the time, he made Carmel Lawrence look like Barry Jones on *Pick A Box*. We witnessed daily evidence from an Attorney who showed no real interest in his job. The most talked about incident was when he read the form guide during a meeting with the Chief Justice. If that is any gauge of the interest the Attorney was showing in his job, that in itself is an indictment of the role of the Attorney.

The stashed cash affair again left many unanswered questions and, again, the Attorney-General was in the midst of much disputed evidence in another foot in the cow patch for this government. The Attorney's role in the stashed cash affair—forget the rest for a moment—leads to only one of two conclusions: either he did not tell the truth or he is totally incompetent. Either way, he should be sacked or he should resign.

There are countless other skirmishes that demonstrate the inability of the Attorney-General to do his job as South Australia's senior legal officer. I could talk for hours, but my time is limited, about disputes with the legal fraternity; interference in local government—and that could go on for quite a long time; interference in union elections; eccentric stunts; factional deals; the knifing of factional foes; approaches to upper house members; efforts to remove the Hon. Ron Roberts from the other place; and many other activities that are not consistent with the traditions of being the state's senior legal officer. However, I will quickly focus on the events of this week.

This week we witnessed a new low from the Attorney. We have become accustomed to seeing this government well and truly play the man rather than the ball. But, when the Attorney-General uses a ministerial statement to personally attack and intimidate the Director of Public Prosecutions, we have arrived at a new low in standards. We all realise that this government is having great difficulty coming to terms with the fact that the Elliot Ness it appointed as DPP is actually independent and is acting independently, which is a worry. What a problem for this government to have a DPP who will not be intimidated and will not simply toe the government line. The government cannot take it. You should have seen how much support the DPP has won out there in the community, despite the Attorney-General's attempts to personally vilify the DPP this week.

We now have a looming crisis in the state that must be addressed. The Premier, who is less than happy with the DPP, has instructed that the DPP must communicate in writing, rather than talk to his ministers. Sir, how can this possibly

work? This week we have seen clear evidence that the DPP cannot be confident that his letters and memos to the Attorney-General will not be leaked for base, crass political purposes. This point alone shows the need for a new Attorney-General to be appointed, one who can actually work with the DPP, because the opposition and most South Australians hope that the DPP 'ain't going anywhere'. Despite the government's intimidation of him, this DPP has enormous support to stay exactly where he is, and the government can start toeing the line. He will not be intimidated, and he will not become a patsy for this government, despite the bullying.

Furthermore, this government needs to totally rebuild its relationship with a legal system that has been dogged by interference, underfunding and political point scoring. A new Attorney may be able to do that if the Premier and Deputy Premier stop interfering.

Again, this week we saw the Attorney-General up to his old tricks of telling the house one thing while the media is there, for public consumption, and then coming back to the house once the media has left to admit that he had given incorrect information. This is an absolute abuse of this house and of parliamentary privilege. One indiscretion like this might be excusable and two start to become a worry. However, as you, sir, would have noticed, this Attorney-General has become an absolute serial offender at misleading this house and then coming back later on. It is totally unacceptable and not consistent with the traditions of this house or with the Premier's own ministerial code of conduct, on which he has refused to ensure that ministers toe the line.

On Tuesday, after 24 hours to check an answer, the Attorney-General came back and told this house:

> I can make one assertion without fear of contradiction: no-one in my office passed on the memo to Nick Alexandrides.

One hour later, once the media had packed up and gone, the Attorney-General snuck back into the house to admit that his Chief of Staff had given the memo to Mr Alexandrides. Surely, after having 24 hours to check, the Attorney-General should not have given the absolute assurance that he did that no-one in his office passed the memo, without at least talking to his Chief of Staff. This shows an absolute contempt of this house and again shows that the Attorney-General has either willingly misled the house or is totally incompetent. He can take his choice—either way, again, he should go.

To show the bipartisan support for my motion, I give the last word to the colleagues of the Attorney-General. The Australian Workers Union secretary, Wayne Hanson, the nominated spokesperson for the four Labor-affiliated unions representing a combined 30 000 workers (he is speaking for 30 000 workers, which is more than the Labor Party membership, I think) issued an unprecedented media release headed, 'On your bike, Mick'. It states:

> Mick Atkinson has stepped off his bike into a freshly-laid cow pat and, no matter where he walks, he's leaving dirty footprints. Unfortunately for Labor, the excreta is beginning to stick.

The union statement said that Labor was attracting 'too much attention for all the wrong reasons' because of Mr Atkinson's 'eccentric personal characteristics'. The Premier must act quickly to appoint a new Attorney-General and start the long haul of repairing the damage this government and this Attorney-General have done to the confidence of the people of South Australia and the state's judicial system. In the interests of the state, I ask all members to support the motion.

The SPEAKER: Order! The Minister for Transport.

The Hon. P.F. CONLON (Minister for Transport): Thank you, Mr Speaker.

Members interjecting:

The Hon. P.F. CONLON: I will be, don't worry.

Members interjecting:

The Hon. P.F. CONLON: Are you ready? Have you calmed down? This is a big day isn't it? This is your last sitting day, so it's a big day.

An honourable member interjecting:

The Hon. P.F. CONLON: Oh, we're bruised.

Members interjecting:

The SPEAKER: Order! The house will come to order. The Minister for Infrastructure.

The Hon. P.F. CONLON: They are very rude, sir. We were all here yesterday. We know what is going on today because we saw what happened yesterday. They lay awake all night thinking, 'How can we avoid this happening again? How can we avoid having to ask more questions, because that didn't really work, did it—it was awful. We'll come up with a device for getting rid of question time and then we'll get out of here for our holidays.' What we have just heard for 15 minutes from the Leader of the Opposition—he is their leader, he is their very best—

An honourable member: Where's your leader?

The Hon. P.F. CONLON: Where's our leader? He is doing very nicely indeed. What we saw was their very best, and what did we hear? Absolutely nothing new—nothing new whatsoever. We have gone back to Kate Lennon's trust account. What did we hear but the distinct thwack of leather on dead equity. Regarding the competency of attorneys-general or legal spokespersons, forgive me, but I don't think it was our AG whom I heard on 5AA the other morning making a grovelling apology to a member of the leader's staff. I hope that apology was good enough, because the area their spokesperson went to was very dangerous legal ground, especially when you don't have the cabinet to pay your legal fees if you stuff up with a defamation. It is very dangerous. We know why that grovelling apology was forthcoming from their legal spokesperson: because he made a bit of a blue.

I would just like to point out in response to all this rubbish, the myriad allegations, that this Attorney has my confidence and my support. He is a very fine human being and a very fine Attorney. He was named as a witness of truth by the DPP. They took our Attorney in and said, 'You can believe this man; we ask you to believe him.' That is why—

Mr Brokenshire interjecting:

The SPEAKER: Order, the member for Mawson!

The Hon. P.F. CONLON: What have we heard since then? Of course, the old Kate Lennon trust account and a long list of matters including interfering with unions and interfering with local government—

The Hon. M.J. Atkinson: Too much on talkback radio.

The Hon. P.F. CONLON: Yes, too much on talkback radio. We have had this shotgun spray of allegations, and the only thing they missed out was that apparently he is not responsible for the introduction of European carp, but he may well have been on the grassy knoll on that fateful day in Dallas. It is pathetic—absolutely pathetic!

The Hon. K.O. Foley interjecting:

The Hon. P.F. CONLON: Yes.

Members interjecting:

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

An honourable member interjecting:

The SPEAKER: Order! If members think they have a great ability with words, they have an opportunity to speak, not to interject. The Minister for Transport.

The Hon. P.F. CONLON: The other thing he is accused of is leaking documents that have been tabled in the house. That is a unique allegation. One thing I am confident of is that we will not hear the deputy leader talk about allegations of leaked documents—I am very certain of that. I have every confidence in our Attorney for the same reasons that the public has confidence in this government. I will list the reasons why I have confidence in this Attorney. I have confidence—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I have confidence in this Attorney because he introduced broader DNA testing, which is another tool to help police catch criminals, something which I am told the member for Bragg was not all that keen on, did not think was necessary. Well, we did that.

Dr McFetridge interjecting:

The SPEAKER: Order, the member for Morphett!

The Hon. P.F. CONLON: I have confidence in our Attorney because he removed the ban on the statute of limitations that prevented us prosecuting child sex offenders earlier than 1982. I have confidence in the Attorney because he gave people better laws to defend themselves in their homes against home invaders. I have confidence in the Attorney because he introduced the ban on knives in clubs and pubs, to make the community safer for our children. I have confidence in him because he had the courage to take on the bikies with anti-fortification laws, something that members opposite did not do in 8½ years. I have confidence in the Attorney because he introduced the very effective hoon driving laws. I have confidence in this Attorney because he pursued in opposition and introduced in government laws to stop the drunk's defence, something that members opposite were happy to do for years. I have confidence in this Attorney because of criminal asset confiscation, a very good law, and again he took on the bikies in crowd control. I could stand here for hours and tell you why I have confidence in the Attorney.

Mr Brokenshire interjecting:

The SPEAKER: Order, the member for Mawson!

The Hon. P.F. CONLON: This stuff about the legal community not liking him: I am a lawyer myself and I love the bloke; terrific bloke; great friend of mine. He has one shortcoming: he is an Eagles supporter! I think perhaps we could solve the problem, because apparently the way you solve the problem is that, if he is not a good enough Attorney, maybe we should give him a 45 per cent wage increase, increase his status, and he will do a better job! But we think that he is doing a fine job.

Members interjecting:

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

Mr Goldsworthy: You're going nowhere.

The SPEAKER: The member for Kavel will be going somewhere in a minute. The house will settle down. The Minister for Infrastructure.

The Hon. P.F. CONLON: I look forward to seeing who they trot out as their second best on this issue.

Members interjecting:

The Hon. P.F. CONLON: I am the leader of government business: that is what I do best. The issue is a very material one about who is second best over there, because there is a large number of candidates. For me they are about last among equals. If it is the member for Waite who has another crack, I point out to him and correct him from earlier debates that McGee was not acquitted and Nemer was not acquitted. I defend, I support and I congratulate the Attorney on some of the interfering of which he has been accused. Members opposite accused the Premier of interfering. I congratulate and support the Premier for interfering in the Nemer case. The DPP's office hated it; did not like it. You know what they hated most of all—that we were right.

Mr Brokenshire interjecting:

The SPEAKER: The member for Mawson.

The Hon. P.F. CONLON: The full court said we were right. The people of South Australia knew it was an outrage that a man could approach an innocent person with a handgun, shoot him in the eye and walk off with a bond.

Mr Brokenshire interjecting:

The SPEAKER: I warn the member for Mawson.

The Hon. P.F. CONLON: They knew it was an outrage. The Premier had the courage to intervene, and I support the Premier and the Attorney and have confidence and high hope that if the circumstances arise they will do the same thing again.

Mr Brokenshire interjecting:

The SPEAKER: The member for Mawson has been warned. The next time he will be named and the chair will take a tough line. The Minister for Infrastructure.

The Hon. P.F. CONLON: This is a dismal attempt by a dismal opposition. Members opposite have sat there and, in dismay, have watched the state succeed, the economy grow, the airport finished and the employment figures set records. They have seen our economic performance outstrip that of the other states and they have hated it. They have hated the fact that their own federal Liberal colleagues chose us as the best place to build the air warfare destroyers. They hated it! They hated it to the extent that Rob Lucas in another place criticised the government for spending the money on the infrastructure to win the bid. That is the bitterness from which they drink. They hate that. What they know is that they are making no traction on the issues that concern South Australia.

What are they doing? They are trying with the worst scatter gun allegations against an honourable person to divert South Australia and the government from its course. We will see the course and we will continue to grow this economy and to lay down infrastructure and a future, regardless of these idiotic distractions. I will touch on a few points they made because they have trotted out the same tired old stuff. They talk about unanswered questions. Let me tell members what happened in the recent set of events. There is an inquiry into the one matter in which I think there is relevance; that is, whether it was appropriately handled by the government in sending it off and to whom it sent it. Let us look at what happened once the matter was sent to the police. What we had before that was Warren McCann and the Auditor-General who could see nothing wrong in it. It then went to the police and the police investigated it.

We are not actually sure that the police ever thought anyone should be charged. What we do know is that the DPP thought only one person should be charged. Even more importantly, what the DPP said was that, in charging that person, they relied on the Premier, the Deputy Premier and the Attorney-General. When they called those people, they said to the court, 'These are people whom we believe, who are truthful and who are telling the truth and we ask you to believe them.' That is what they did. However, members of

the opposition, who are desperate for an issue, do not agree with Warren McCann, the Auditor-General, the police, the DPP and the lawyers—they know better. They know in their heart of hearts our decent Attorney-General has not done anything wrong. They talk about being open—I mean, please, the hypocrisy of it.

Do members know how we got a Clayton's inquiry at all, with any powers at all? Because the Independents supported it—and they are being castigated by the opposition for supporting the same thing again. They are the ones being castigated for being entirely consistent. I supported the powers of the Clayton's inquiry. One group is being entirely consistent. There is another group over there which, in government, struggled to hide everything that came their way and every piece of openness was wrenched out of them. The Clayton's inquiry was far too far for them to go, but once they slide into the opposition benches, of course it is not nearly good enough. Far too far to go when you are in government: not nearly good enough in opposition. One party has been consistent and two individuals have been consistent, because what they have supported on this occasion is what they supported in the previous government.

Do members know what the problem is? Members have to understand the mentality of the Liberals. They own things; they are born to have things. What they have never been able to accept is these people who have taken these seats that they reckon they own and who are not voting with them—never forgiven them for it. The truth is that those seats are owned by the people of South Australia. These two individuals have won their seats on two occasions, and I am very confident that they will win their seats on the third occasion. I think this is an absolute nonsense. It shows an opposition bereft of any questions to ask us on any matter of importance to the people of South Australia. It shows an opposition with absolutely nothing new to offer and it shows an opposition that is so irrelevant to the people of South Australia that I am very confident that, at the next election, the people of South Australia will do the Liberal Party the biggest favour it can get and reduce them and wipe out some of them.

They talk about factional deals—I mean, come on. I will tell members about animosity in a party. Mike Rann, with no majority, has served longer as premier than Dean Brown got with a record—and they want to talk about our having done deals and animosity. This is a nonsense. The government has faith and confidence in the Attorney-General because he is doing the things in which people of South Australia are interested—and that is what they hate. They hate the fact that we did the right thing on Nemer; they hate the fact that we did the right thing on McGee. But we will keep doing the right thing.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): That was a pathetic attempt at trying to defend the Attorney-General. I would not want the Minister for Transport trying to defend me in a court any time. He does not even know the subject matter. He brought up these examples, and let us look at some of the examples—

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order, the Minister for Transport!

The Hon. DEAN BROWN: —of what a marvellous Attorney-General the present Attorney has been. He raised the issue of Nemer. It was the Hon. Robert Lawson who shamed them into challenging it before the courts. He brought up the case of the pre-1982 sex offenders.

Members interjecting:

The SPEAKER: Order! The member for West Torrens will not thump the desk, or he will be named.

The Hon. DEAN BROWN: As his next classic example, the Minister for Transport brought up the fact that this Attorney-General had gone back and opened up pre-1982 sex offenders. Who had shamed and pushed him into that? The Hon. Andrew Evans. Then, of course, there is the issue of the bikies and the bikie gangs, and we know that he has taken a feather duster to them, with no effective result whatsoever. Then, of course, there is the most recent classic example that this government is clutching onto as its initiative, and that is hoon driving. Who brought in the proposal with respect to hoon drivers? None other than the member for Mawson. It was this party that dragged this Labor government screaming to do something about hoon drivers.

Today's motion is about whether or not there is public confidence in the Attorney-General of this state and whether this person should be the first law officer of South Australia. I remember the Hon. Len King QC when I first came into this place, and what a marvellous example he set as Attorney-General of this state. He was man with incredible experience and capability in the law, and he was a person with dignity who upheld the truth. I cannot recall Len King ever getting into any of the sorts of situations in which this Attorney-General has become involved. Since I have been in this parliament I cannot recall any other Attorney-General having anywhere near the number of issues raised about them as have been raised about this Attorney-General.

The confidence of the public is being gradually eroded month after month after month as this Attorney-General seems to become embroiled in one serious issue after another: he has been dragged before the Supreme Court, and there has been the inquiry and the investigations over the stashed cash affair. I would like to touch briefly on some of those issues, because they are important matters, indeed.

The first issue is the Atkinson, Clarke, Attorney-General scandal, which first started in late 2002. It was not revealed to this parliament or publicly at first: it had to be dragged out some six months later. For an Attorney-General to have been involved in such an issue and not to have been brought out and exposed publicly and dealt with is a shame on the Attorney-General in not insisting on it and a shame on this Rann government. And that has gone on from investigation to investigation. It has involved a court case, and even this week we had the Attorney-General having to come back into the parliament and correct answers that he has given to the parliament. In fact, that is the second issue that I will take up. I cannot recall any single member of parliament who has had to come back into this parliament on so many occasions and correct their statements. Yet this member of parliament purports to be the Attorney-General of our state, the first law officer of our state, the person who will uphold the law and set an example to the rest of the state.

Then, of course, we had the stashed cash affair. The Attorney-General happened to be overseas at the time. He received a phone call, I think, from his chief of staff; he listened to it for a few moments and then dismissed the case and went on with his sojourn overseas. Despite very serious allegations being made by his chief of staff in terms of what had occurred with the Crown Solicitor's Trust Account, what did the Attorney-General do? He pushed the issue aside and said, 'Let's carry on with our trip through Europe.' Any minister, let alone the Attorney-General, would have immediately halted the trip and dealt with the issue—even if they had not come back—but he did not even ask for the

details of what the stashed cash affair was about. Then, of course, when he got back here, we heard, 'I'm sorry; I've lost my memory.' Never have I heard of an Attorney-General who has such a poor memory; it seems to fail by the moment, day after day, even though he keeps standing up in here and assuring us that he has a very good memory and can record all the details. We know, first, that he has had to come in and keep correcting his memory on so many occasions. And, secondly, of course, he has used the defence time after time: 'I do not know. I was not told.' Certainly, that was the sole defence when it came to the stashed cash.

Thereafter, we had the indignity of an Attorney-General, apparently as he was having a regular briefing with the Chief Justice, asking for the form guide and going through it. That is an insult to our court system; that is an insult to the Chief Justice; and it is a very sad reflection on the priorities of this particular Attorney-General—to ask for a form guide and to sit there and work through that form guide.

Then, of course, we have other issues as well. One that I think is extremely important is the ongoing conflict with the Director of Public Prosecutions. We have the Director of Public Prosecutions charged with the responsibility of getting out and making sure people are convicted where they have carried out a crime. We have the Attorney-General as the first law officer, and they are embroiled in an ongoing dispute that once again completely undermines public confidence.

How can the public sit out there and have confidence in the legal system of South Australia when, day after day, we have this brawl? We had the brawl over salaries earlier this week, an issue that I would have thought would be sorted out between the minister and the DPP. We had the brawl over a number of other issues in terms of telephone calls, visits to the Attorney-General, etc. It is eroding public confidence in our justice system here in South Australia but, most importantly of all, it has already eroded public confidence in the standing and the stature of the Attorney-General.

For 2½ years we have had an Attorney-General who has been embroiled in public disputes and controversy, one after the other, and no longer should this man be the Attorney-General of South Australia. The Premier, though, will not lay a finger on him because he is a key faction leader. That is the unfortunate part. He is a key faction leader and, therefore, has immunity, despite the extent to which he is dragging down public confidence in the Attorney-General's position.

I take the house back to Len King and the stature and dignity that he gave to the position. There could not be a greater contrast, as day after day we go through controversy after controversy with this Attorney-General. I urge all members to support this motion.

The Hon. M.D. RANN (Premier): Normally—and I know that members will give me the hush that is needed on these solemn occasions—a no-confidence motion is moved after the findings of an inquiry.

Members interjecting:

The Hon. M.D. RANN: Now, hang on a minute, that is the usual procedure. Regarding the inquiry that may or may not be set up tonight—because apparently some people on your side do not want a judicial inquiry—you have decided to actually give the verdict before the inquiry. One can only—

The Hon. P.F. Conlon: They rush in, shoot, and say, 'Put your hands up.'

The Hon. M.D. RANN: That's right; they rush in, they shoot and then they say, 'Put your hands up.' We have had this extraordinary situation this week, where we had yesterday 20 minutes of question time where the opposition was trying to prevent the Attorney-General from revealing that the shadow attorney-general had gone on radio to profusely and abjectly apologise for allegations that he made in respect to a member of my staff. It seemed odd, it had been out in public, it was on radio and the transcripts were out there. Why would you spend 20 minutes of question time trying to stop something which inevitably would get out? That is what this is all about. It is an attempt by the opposition to get a story up on the TV news, because they didn't yesterday, they didn't film yesterday, they didn't the day before, and so this is really about the Leader of the Opposition trying to shore himself up, because people are saying on his side—

Members interjecting:

The Hon. M.D. RANN: This was supposed to be his big week: crashed and burned on Tuesday, crashed and burned yesterday. 'So what are we going to do? We've run out of questions'—that is what was being said. The Liberal ran out of questions, so they said, 'I know, we'll have a no-confidence motion.' They know what the results of the no confidence motion will be but maybe somehow the TV news will think, 'We can always do that report that the no-confidence motion was lost on party grounds.' But this one will not be lost on party lines. It will be a total wipe-out. Having failed miserably so far this week, the opposition has been casting around for a way to get on the telly. That is what this is all about. It is not about substance. They ran out of questions yesterday. We stopped our side from asking questions in order to give the Leader of the Opposition a fair go, because he is a nice bloke. It is a diversion away from the problems that the Liberal opposition has in making itself relevant. But I want to say this now, on this last day of the session, that the Leader of the Opposition has my undying support; he has my total support; and sometimes he has bipartisan support. So, if it comes to a choice between the Leader of the Opposition and the member for Waite—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —we are sticking with the Leader of the Opposition, and he has my support. The Leader of the Opposition has been badly let down by his team. What is the thrust of the argument against the Attorney-General in the performance of his job? I will tell you what it is: they have said today that he has intervened and interfered in the criminal law. Well, thank God he has, and let me go through what this is really all about, because I totally support his absolute, profound role in a couple of interventions. Let us talk about them.

First of all, we stopped McBride, a convicted murderer, absolutely the filthiest piece of work who has been locked up—we stopped him from being let out, and we stood up to the Parole Board. That is what you are criticising, and we did the same to stop Watson being let out, another murderer and molester. Then we went on because we saw that an injustice had been done over Nemer. We had the guts, and we were the first government ever to knock back Parole Board decisions on releasing these filthy murderers. We had the guts to do it. That is his interference: to protect the public of South Australia.

Then, on the issue of Nemer, we knew that that was wrong. It might have been the law but it was not justice. Of course, what happened—and that is why the DPP's office is so upset with me and the Attorney-General, because we did the right thing on Nemer—and when we did, they said that

it would never fly in court. Remember what Rofe said, 'It will never fly in court.' But the fact is, that not only was it successful but it was upheld by the Full Court of the Supreme Court, and then by the High Court of Australia, and that is the difference between us and them, because they were prepared to let out the likes of McBride. They did not even want the worst killer involved in the 'family' killings to be DNA tested, and that is the difference.

Of course, there are other issues. We had the guts to have an inquiry into the McGee case. Those are our interventions, those are our interferences, and this Attorney-General has, more than any Attorney-General in the history of this state, reversed the trend of softening up the law. That is why he is disliked in some quarters of the law—because we have, bit by bit, gone through the criminal law and toughened up sentences. He is being criticised for being tough on law and order because you are soft on law and order, and that is why you want to bring him down.

We heard the grovelling apology of the shadow attorney-general yesterday. My advice to Lawson QC is to, 'Go back to what you are good at, which is conveyancing.' We should see what this is really all about: they are not now the main game in this state.

Mr MEIER: I rise on a point of order, Mr Speaker. My point of order is: is this the *Curly, Larry and Mo Show*, or is this an urgency motion?

The SPEAKER: Order! That is not a point of order. The Premier.

The Hon. M.D. RANN: I have had a good relationship with many attorneys-general over the years, but this is the one who more than any other since the Second World War has had the guts to toughen up on law and order, rather than the softly, softly approach of 'Let them out, open the door'—the revolving door approach—of the opposition. I am proud that we have an Attorney-General that stopped McBride from going free. I am proud that we have an Attorney-General who stopped Watson from being let out. I am proud that we have an Attorney-General who strongly supported the intervention over Nemer, because what was done was unjust. I am proud that we have an Attorney-General who totally supported an intervention in the McGee case, because justice is more important than the pettiness of lawyers.

We have seen in the last few weeks a shadow Treasury spokesman attacking the air warfare destroyer contract and the decision by the government to bid for the $6 billion deal. The Hon. Rob Lucas apparently, I am told, claimed that this was some kind of a waste of money. We have had the shadow spokeswoman on education attacking the Premier's Reading Challenge, which is one of the most popular literacy programs ever run in our schools and which is now supported by 80 per cent of all schools, both public and private. We have had the shadow attorney-general issuing humiliating apologies to my Deputy Chief of Staff.

This is what it is really all about—a diversion away from the real issues of the day and an excuse to whinge, whine about and denigrate an excellent Attorney-General. But, do you know what it is really about? It is that the court case that was held a few weeks ago did not go the way the opposition wanted. There are two words they did not like—not guilty. Yet, we are still prepared to have an inquiry, using the toughest powers that were forced upon the previous government—the Clayton inquiry—which, of course, they now believe is ineffectual. However, it brought down John Olsen. Of course, there was also the Anderson inquiry that brought down Dale Baker.

We are prepared to go to the same powers as the toughest powers that this opposition agreed to. But, what they have done is say, 'No, we are going to have a no-confidence motion, because we have run out of questions.' That is what it is all about: they have run out of questions, and it has been a bit quiet out there, so maybe the TV cameras might pick up on a no-confidence motion, involving a bit of noise on both sides. I am confident that the result of that no-confidence motion will be a defeat of it and for the opposition.

When I was first informed of the allegations concerning the Attorney-General and Mr Randall Ashbourne, I took immediate action. That is the thing. The investigation involved an inquiry by Mr McCann, advised by the Victorian government Crown Solicitor, Ron Beazley, and Mr James Judd, QC, and they said that that there were no reasonable grounds for believing that the Attorney-General's conduct was improper or that he breached the ministerial code of conduct.

Mr McCann was the Leader of the Opposition's head of department—he was appointed by John Wayne Olsen. The person he got to advise him was the former crown solicitor of Victoria. The McCann investigation and findings, and all the relevant material, were referred to the Auditor-General, the state's independent watchdog. They used to shred documents to avoid handing them over to this same Auditor-General; and it is this same Auditor-General who had to march through a huge conclave of media to come to this parliament to demand the right to be heard. We did not do that: we decided to hand over all the material to the Auditor-General, who said, 'In my opinion, the action that you have taken with respect to this matter is appropriate to address all of the issues that have arisen.' The allegations were later referred to the anti-corruption branch, and as a result of the investigation Mr Ashbourne was charged and subsequently found not guilty in a very short time.

The prosecution called the Attorney-General to give evidence in that trial. Under their duty to the court—and this needs to be explained to people who perhaps do not know anything about the law—the prosecution could not call the Attorney-General or any other witness unless they were of the view that he was a witness of truth. In other words if, following the investigation, there was any suggestion of any involvement by the Attorney-General, or any suggestion that he was not telling the truth about his involvement, then the prosecution could not have called him to give evidence. This is the key point. The prosecution not only would not have called the Attorney-General but it could not have called the Attorney-General unless they were of the view that he was a witness of truth. I also gave evidence as a witness of truth, as did the Deputy Premier and senior government staff.

The Attorney-General of South Australia has given exemplary service as the state's first law officer. He has had the guts to be tough on law and order; he has had the guts not to hand over to some kind of law reform commission, some kind of milksop group that would say, 'We know more about the criminal law than the parliament, the government or the people of this state.' He has delivered on a law and order agenda that has made South Australia a safer place. Crime is down, according to the official statistics: sentences are up. The Attorney-General has presided over massive increases in resources to the prosecution of crime in this state. Of course, the thing that was so important was the massive widening of DNA testing not only for those convicted but also for those charged with offences.

The DPP's office (not the DPP himself) has had an increase of 43 per cent in real terms since this Attorney-General was appointed. Of course, the opposition talked about the relationship with the DPP; I will respect his independence but he will respect our independence as members of parliament and our duty as ministers of the Crown. When he comes out and says things such as that his bid had nothing to do with salary, then we had a duty to the public interest to reveal the submission, which was nine-tenths about salary, and everyone knows that.

The state needs the member for Croydon to keep driving people's law reform in this state. He has my full support. I was very pleased to sign a contract with the Attorney-General and with Ivy Skowronski on behalf of the people of this state. There were a whole range of things that we promised to deliver and I think we have delivered about 19 of the 21 things that were on that compact, and we are proud to have done so. Before the last election we said that we were going to reverse the trend of being soft on law and order. Robert Lawson and Trevor Griffin were soft on law order; we are proud to be tough on law and order, and I am proud to support this Attorney-General.

Honourable members: Hear, hear!

Time expired.

Mr BRINDAL (Unley): There can be no more serious debate that takes place in this house today, and I wonder at some of the antics of those opposite. Sir, I have not interjected and I ask that my point be heard. The Attorney has, so far as is possible across the divide, been a friend of mine, but that has nothing to do with the fact that I stand in this place along with my colleagues to demand his resignation, because he has not failed me as a friend but he has failed this house and the state of South Australia as Attorney-General.

I thank God that when I face my judges I will not have ninny and nonny to defend me, because the two grandstanding performances that we saw defending the Attorney-General of South Australia must go down with infamy in this parliament as pathetic. That the Attorney-General is a witness of truth was attested to by the courts. Therefore, that the Premier and the Deputy Premier are also witnesses of truth was attested to by the courts. They appeared for the prosecution. Why then did a jury of 12 ordinary South Australians take less time than it takes to have a cup of tea to find the whole Crown case not proven—that Randall Ashbourne was innocent. So much for them as witnesses of truth. Let us touch on the Attorney-General as chief law officer—

The Hon. K.O. FOLEY: On a point of order, Mr Speaker, the member for Unley has just said that the Premier and I told lies before a court of law. That is the import of what he said: that we told untruths. I ask him to withdraw.

The SPEAKER: Order! I do not believe the member said that. He should clarify the point.

Mr BRINDAL: No-one interrupted the debate hitherto with points of order; I am not surprised that the Deputy Premier would seek to employ that tactic. The point regarding the Attorney-General as chief law officer is that, according to the minutes of a meeting (20 December 2002 at 12:30 p.m.) which have been circulated to this house, present were the Premier and the Treasurer, and they were later joined by the Attorney-General. At that meeting:

> The Treasurer advised that his Chief of Staff, Cressida Wall, has just told him Randall Ashbourne had spoken to her to find out about boards and committees for Ralph Clarke.

Later, when joined by the Attorney-General, there was a discussion about whether this had amounted to a breach of the Criminal Law Consolidation Act. There was no discussion by the chief law officer of this state as to whether the Summary Offences Act or the whistleblowers act had been breached. If the Attorney-General were to look at the whistleblowers act, he would see that it is quite clear that the Attorney-General, the Treasurer of South Australia and the Premier of South Australia failed in their duty under that act.

An argument can be put that no penalty applies under that act to a breach of the act, but a penalty does apply, and that is that the Attorney-General is held—as is the Premier and the Treasurer—to the highest standards of accountability. There is no notion before this house that the Attorney-General, the Premier or the Deputy Premier can violate any statute of this state. The Crown is seen as being a model citizen, and if any member of this house fails that test that member should answer not only to the house but to the people of South Australia, because it is the most heinous violation of trust.

If any member of this house reads the whistleblowers act, it is quite clear. The whistleblowers act says that when Cressida Wall reported to the Deputy Premier, he had no choice under that act but to report that to the Anti-Corruption Branch. He failed to do so. The Attorney-General failed to give him that advice. He not only failed to do that but he failed also to report the matter to the Anti-Corruption Branch. For that, and for that alone, the Attorney-General stands guilty and tainted. I use the words of somebody much more erudite than I: you have tarried in this place too long; get you gone. I call on the Independent members who feign independence to vote as they have voted before to uphold the dignity of this house and truth.

An honourable member interjecting:

Mr BRINDAL: The member for Mount Gambier can call 'Rubbish.' The citizens of South Australia will hold him to account at the next election, as they will me and as they will every other member of this house.

Members interjecting:

The SPEAKER: Order! The Treasurer is out of order. The question is that the house note grievances. I call on grievances. I need to explain no vote is taken on this under standing order 52. At the completion of one hour, the matter stands withdrawn.

STANDING ORDERS SUSPENSION

The Hon. I.F. EVANS (Davenport): On a point of order, I move:

> That standing orders be so far suspended as to enable me to move the notice of motion previously given in relation to the authorisation of ministers to appear before a select committee of the Legislative Council on matters relating to the Attorney-General, Mr Ashbourne and Mr Clarke forthwith.

The SPEAKER: There being an absolute majority of the whole number of members present, I accept the motion. We are dealing with the suspension first.

Members interjecting:

The SPEAKER: Does anyone wish to speak to the suspension motion?

The Hon. I.F. EVANS: Yes, sir.

Members interjecting:

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

Members interjecting:

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

The Hon. K.O. FOLEY: They can't even get this tactic right!

The SPEAKER: The Treasurer is grossly out of order and should sit down immediately or he will be named. The Treasurer should apologise for that, after the Speaker has called the house to order.

The Hon. K.O. Foley: I apologise, sir.

The SPEAKER: I pointed out that in relation to the earlier matter, the matter of urgency, no vote is taken under standing order 52. Members should read it.

The Hon. M.J. ATKINSON: On a point of order, was the request for the motion to be in that form so that there was no vote a request made by the Liberal opposition?

The SPEAKER: No.

Members interjecting:

The SPEAKER: Order! Members who speak after the house is called to order will be named. I said that earlier and I will enforce it. I made the point that, under standing order 52, there is no vote taken on the matter of urgency. The matter we are dealing with now is the motion for suspension. Does any member wish to speak either for or against the suspension?

The Hon. I.F. EVANS: Yes, sir. In speaking to this procedural motion, I will not hold the house long but I think it important that we suspend standing orders today so that we can debate authorising ministers to attend a select committee if the upper house agrees to establish a select committee during its proceedings. There is a notice of motion in the upper house about establishing a select committee, moved by the Hon. Robert Lawson and, if the legislation that is attempting to deal with the Ashbourne, Clarke and Atkinson matter goes the wrong way and is a closed inquiry, an option is for the upper house to set up a select committee.

Therefore, we need as a house to deal with this matter today so that we can suspend standing orders today and, if the house so chooses, can authorise the ministers to attend that inquiry, if it is the wish of the upper house to establish it. One of the options for the legislation for the Ashbourne, Clarke and Atkinson inquiry is that it may not be an open inquiry. If the government seeks to make it a closed inquiry, a cover-up, then an open select committee is a possibility that provides more openness than the government would be providing under the other matter.

The Hon. P.F. CONLON: On a point of order, the honourable member is debating the matter that would come after a suspension, if it were granted. He is not debating the actual suspension.

The SPEAKER: I do not believe the member for Davenport has transgressed in that regard, but he needs to focus on the justification for the suspension, and I believe he has done that thus far.

The Hon. I.F. EVANS: Thank you, Mr Speaker. If the upper house so chooses to establish a select committee, it is important that that committee has the information available to it as early as possible. By suspending the standing orders today and authorising, through the support of the motion, the ministers to attend that select committee (if it is so established), we as a house would be helping to facilitate the information going to the committee at the earliest opportunity. If it is going to be established tonight in another place (and we do not know that), this is our only opportunity as a house to deal with a suspension of standing orders so that we can then debate a motion about whether the ministers are then authorised to be witnesses before that particular committee. It is important that, if we do suspend standing orders, it would be on the *Hansard* record, as would the support of the motion, if that was the wish of the house.

That would be a good thing, because then the Attorney would not be able to use his three standard excuses. He would not be able to say, 'Crikey, I've not heard of the authorisation'; 'I do not know of the authorisation'; or 'I simply cannot recall the authorisation.' I urge the house to support the suspension of standing orders so that, if the upper house deals with the select committee, the position of the house is known. This is the only day—the last day of sitting—and the only time we can do it—

The Hon. P.F. Conlon: No, it's not. It's because you buggered it up again—and I will explain why.

The Hon. I.F. EVANS: This is the most timely, then. This is the most opportune time to deal with it because the other place may be dealing with its motion tonight.

The Hon. M.J. Atkinson: Time's up.

The Hon. I.F. EVANS: It is 10 minutes, I understood.

The SPEAKER: The member has made the point and he is starting to become a little repetitious. Does anyone wish to speak against the suspension?

The Hon. P.F. CONLON (Minister for Transport): It is very simple why we would oppose the suspension of standing orders—

Members interjecting:

The Hon. P.F. CONLON: 'Wah, wah, wah, wah'—when they are finished. It is very simple, sir—

Mr Brokenshire interjecting:

The Hon. P.F. CONLON: It is very simple. What they want to do is put their debate into government business. We have a lot of trouble getting business through the Legislative Council as it is, which is why they want their debate in government business time. That is what is wrong with this motion—I do not care about the merits of it. What is wrong with this motion is this—

An honourable member interjecting:

The Hon. P.F. CONLON: Well, why don't you just listen and I till tell you how you got it wrong again. Here is the truth of the matter. Last week, in one of their stunts, they got together all the opposition members and the various people in the Legislative Council who are not Labor members and talked about how they were going to force a select committee. They have known about it for a couple of weeks. If they wanted to do this, all they had to do was come in here and give notice on Monday to do it in private members' time, which would have been appropriate. The fact is that, with their usual tactical genius, none of them thought of it until now. We suspend standing orders for good reason, not because the opposition are tactical morons. The truth is, sir, that if they knew last week they wanted a select committee they could have given a notice of motion and they could have brought it on in private members' time, but they chose not to. We will not suspend government business to cover up the deficiencies of an opposition in their tactics and strategy.

The house divided on the motion:

AYES (20)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C.	Buckby, M. R.
Chapman, V. A.	Evans, I. F. (teller)
Goldsworthy, R. M.	Gunn, G. M.
Hamilton-Smith, M. L. J.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	McFetridge, D.
Meier, E. J.	Penfold, E. M.

AYES (cont.)

Redmond, I. M.	Scalzi, G.
Venning, I. H.	Williams, M. R.

NOES (25)

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

Majority of 5 for the noes.

Motion thus negatived.

GRIEVANCE DEBATE

MULTICULTURALISM

Mr SCALZI (Hartley): On 15 March this year, along with a number of other MPs, including the Hon. Carmel Zollo, now a minister, and others involved in serving the multicultural community, I was honoured to receive an award from the Federation and Ethnic Communities' Councils of Australia for my commitment and contribution to Australian multiculturalism—

The Hon. M.J. Atkinson: What about Vini?

Mr SCALZI: And the member for Norwood was there as well. Today it is with regret that I bring to the attention of the house a matter of the cynical manipulation of multiculturalism. My comments are not directed towards my ALP opponent, the candidate for Hartley, Grace, who, like me, is an Australian of Italian background, but rather towards the Premier who likes to portray himself as the champion of multiculturalism. The mainstream media may not yet be aware of how he plays on multiculturalism and manipulates the communities, and the ethnic media is too polite. Let me give you an example from an endorsement letter sent out in Italian and English by Premier Rann. It says, of the candidate:

> She is a smart, dedicated person from a good Italian family, and with her husband, Miles, is bringing up her daughter. . . with a strong sense of what it means to be an Italian.

This letter was brought to my attention by several of my constituents who find it offensive. One said, 'What does it say about my family? Does it mean that there are bad Italian families?' Another said, 'I would never allow a letter like this to go out,' and I can assure this house that I would not. What is the Premier actually implying? Would the Premier write in the same way to other cultural and religious communities stating that the candidate came from a good Aboriginal family, a good Greek family, a good Jewish family or, indeed, a good Chinese, Indian, Dutch or Welsh family—any number of diverse backgrounds that we have in South Australia?

Many see this as patronising and offensive politics and a cynical misuse of multiculturalism for the Premier's own political ends. The Premier has turned a normal democratic process into a gladiatorial contest. Further, the Premier writes in his PS:

> I have included an Italian translation on the back of this letter in case you would like to pass it on to other members of your family.

What might carry more weight than this condescension towards the multicultural and indigenous community would be more government support for community languages in our schools and more funding for the development of culturally sensitive and linguistically appropriate aged care, especially important for sufferers of dementia who often lose capacity in second and subsequent languages. These migrants and Italians have a greater percentage in the ageing population, and they have special needs. There is nothing in the letter about that, addressing those needs. Instead, at election time, Emperor Mike Maximus Rann appears in his media cloak posturing as the new Dunstan. He tries to manipulate multiculturalism as he has tried to do with the regional communities, teachers and the health system, but the people know the realities and can see through the rhetoric.

I say to the Premier: you are not a Don Dunstan; you are the great pretender and you can no longer put smoke over people's eyes. Multicultural communities deserve better, and he should apologise to all South Australians of migrant background that have made such a significant economic and cultural contribution to our multicultural society. This type of letter has no place in 2005. It is offensive, and I ask the Premier to apologise. I also look forward to an apology from the Minister for Multicultural Affairs, because there is no place in a democratic society and a multicultural community to put up with this nonsense.

Time expired.

LOCHIEL PARK

The Hon. P.F. CONLON (Minister for Transport): I rise to speak briefly on two matters. I must say, though, you know how some people are light relief: Joe is light-weight relief. Joe, I come from a good Irish family and, believe me, some Irish families are not as good as mine.

Mr Scalzi: You are patronising. What about a good English family or an Irish family?

The Hon. P.F. CONLON: As soon as Joe manages to contain his excitement, I would like to speak about something in his electorate. It is a matter of disappointment to me that the member for Hartley has been consistently and repeatedly critical of what the government is attempting to achieve at Lochiel Park. The people know the history of Lochiel Park. It is a beautiful piece of open space which the former Liberal government—

Mr Scalzi: Look at page 3 of the Messenger.

The Hon. P.F. CONLON: —I am going to refer to page 3 of the Messenger, Joe—intended to carve up into residential allotments. That was the plan of Joe's former government. When we came to government, we set out to do some things. We made a commitment to preserve all the open space and to build a green village where the buildings are now. That is something for which we have never been supported by the member for Hartley: he has only criticised. Again, he criticised us yesterday, alleging that it was a smokescreen of some kind and that there was nothing in the budget to do it. Just for the benefit of the member for Hartley, I point out that the LMC does it and funds it from revenue of its ongoing operations. The master plan will be finished next month, and then we will go off to consultation with the council and the community—as we should. We will build a green village, and we will preserve all of that land that the Liberals wanted to divide up.

At least I can say this: the project has some very strong supporters in the local community. Margaret Sewell is a glowing supporter. What we are doing at Lochiel Park—in saving the land, not dividing it up as the Liberals wanted to and building a green village—is supported by Grace Portolesi, the Labor candidate for Hartley, and she is a strong supporter for what we are doing at Lochiel Park. So, I say to the people of Hartley that they have a very clear decision to make at the next election: the current member for Hartley, who has been critical of what we are attempting to do, or Grace Portolesi, the Labor candidate, who has been thoroughly supportive of what we are trying to do. I think it is important that people are aware that there is a clear case, and a clear difference between the two. I can guarantee that, if we are returned, this project will proceed, and we will protect those parklands forever by law. That is what we will do. Grace Portolesi is a supporter: Joe does not want us to do it. The people can make their decision.

The other thing that I want to talk about is that, apparently, the shadow minister for transport has been to a transport conference for a few days and has come back and told everyone that there is a correlation between spending on road infrastructure, and road safety and deaths, and some other things as well. I would like to say two things about that: it is regrettable that he did not attend the conference while they were in government, and then they might not have given us 8½ years of neglect on road infrastructure as compared with the massive investment that we have laid down in the infrastructure plan on road infrastructure. It is regrettable that it was only when he got to opposition that he decided to wag a week of parliament by going to a conference, because maybe such information might have better informed their approach.

My thoughts are with the relatives of the victim who was killed on Bakewell Bridge very recently. It is a project that we are committed to doing in this government. It is something that I would otherwise not have mentioned except for the silly attacks by the shadow spokesperson for transport. What disturbs me is that, while we are committed to doing that, the Liberal Party has preselected, in the seat of Ashford, the person who is leading the campaign for us not to proceed with those works. So, do not come in here and talk the talk about spending more on infrastructure and then have your pre-selected candidate campaign to prevent us from repairing one of the worst safety spots in South Australia. We will proceed with the Bakewell Bridge but, again, the people of Ashford can make a decision between a Liberal Party that says one thing and runs candidates who do another, and a Labor government that is committed to laying down road infrastructure.

PUBLIC TRANSPORT

Mr VENNING (Schubert): As most members would know, I have just returned from a quick trip to Europe as the invited guest of the international wine industry. Whilst I was away, I took the opportunity to investigate several issues which have direct relevance here in South Australia. One of those areas that particularly took my interest was public transport. One needs to visit Europe to learn one startling fact, namely, that in the area of public transport the world has left us behind. In France, I was in total awe of their trains, trams and electric buses. Their TGV train is absolutely unbelievable—to be sitting in a train doing almost 300 km/h, hearing absolutely nothing and having an absolutely smooth ride was just numbing—the technology is there. It is a popular service.

To travel 600 kilometres in a train in under three hours is something I had never contemplated. However, even more impressive than their trains are their trams. Five cities in France now have these brand-new trams that are manufactured in France. I took particular interest in them because I know we will very shortly be taking delivery of new trams, which I understand are the Bombardier-style tram. I noticed straightaway a distinct difference between the photographs of the tram we have purchased and what I was seeing on the main streets of Bordeaux, Paris, Lyon and several other cities. So, I made some investigations. When I mentioned the Bombardier tram, they said, 'Sorry, that's a different class of train altogether. It is not in the same league as these.'

When you have a look, you can soon tell that that is the case. These trams are within inches of the ground, so you can step in and out of them easily. Not only that, these are maximum width trams, and also they do not have split-level floors—the floors are flat. Not only that, they turn sharp corners. When we turn trams here on North Terrace out of King William Street, the trams will have to take a huge wide bend because the trams we have bought are not designed to go around corners. When you see these trams, they are small biscuits joined together on concertina hinges. They have been designed to run around the heritage streets of these cities, and they do it very well.

I am amazed that, when we have one of the widest corridors available in King William Street and down to Glenelg, we have chosen the narrowest trams available. Why have we done that? Because they can be delivered before the election. Do you know why? Because no-one else wants them. We got on the end of a Victorian order for trams they did not want. They let us have these trams, and in their place they have purchased the French trams—the trams we ought to have bought. Politics aside, that concerns me. I was told, 'If you're not very careful, in buying these trams you will lock yourself into narrow trams for the life of your system.' I have been trying but have been unsuccessful in getting an answer to this question. If we have locked ourselves into narrow trams with a long wheel base and ridgey floors which is too high to get in and out of, I will be very concerned.

I have gone back and looked at the Public Works Committee papers, but the reports are not mentioned there, and I will certainly be asking further questions in the Public Works Committee. These trams are noisy. When these trams go around corners, because they cannot turn easily, there is this noise factor. I do not know what price was paid, but the Bombardier tram is probably cheaper. However, we have a tram that no-one else wanted. We have a narrow tram, and we have the widest corridors. We have a tram which is high and which does not have a flat floor. If we bought a tram purely because it can be delivered before the next state election, I will be very upset. No wonder people become very cynical. I applauded the government for buying new trams. It was a good idea, and I supported that. But, heavens above! For political reasons, we have gone and bought the wrong tram, and I hope it does not lock us into narrow trams forever. It is a disgrace.

BIRTHING SERVICES

The Hon. L. STEVENS (Minister for Health): I would like to talk about two matters, the first being birthing services in Gawler. I want to put on the record an assurance I gave at

a public meeting less than two months ago that birthing services would be maintained in Gawler and that women in Gawler can be confident of having their babies delivered at their local hospital. Over the last month since the public meeting, there has been an extensive follow-up with the doctors by the Department of Health, and I am told that during that time those doctors gave every indication of a promising resolution to the issue. I am disappointed in the decision of one of the obstetricians to resign when his contract ends at the end of the year, because they are very good jobs and both doctors have been offered an extremely attractive package that covered all the issues they had raised.

Gawler residents can be assured of our commitment to provide safe working conditions for all our health professionals. The department has responded to the doctors' safety and workload concerns, and recruitment of a third obstetrician to service the growing Gawler area is already under way—and we will be stepping that up now in the light of the resignation.

I recognise that it is everyone's right to choose to accept or reject an offer of employment, but I must say that it is disappointing that contract negotiations have been played out publicly in the media. This has caused a great deal of unnecessary alarm and distress for women planning to use birthing services at the Gawler hospital, and it has undermined confidence and caused instability in the community. I would like to reiterate that there is no secret agenda and no intention of removing birthing services from the Gawler hospital—in fact, the reverse is the case; we wish to improve the services.

I would also like to add that a great deal of hard work has been done in good faith to see this issue resolved, despite some regrettable hold-ups. I would like to acknowledge, in particular, the work of the Gawler Health Service board, the members of which, I should point out to those who criticise, volunteer their time to do a very difficult job in managing the health service—doing these contracts and working through these issues.

I would also like to say that we will be stepping up our recruitment efforts for obstetricians to ensure that these services continue, and I will be working, not with people like the deputy leader but with people like the Mayor of Gawler, Tony Piccolo, and his organisation, as well as the Gawler Health Service board and people in the community to ensure that these services continue.

On the other matter, I would like to respond to some misrepresentations that were made by the deputy leader of the opposition yesterday about the Central Northern Adelaide Health Service. His comments are typical in that he always tries to put a bad light on a good thing, and he continues with those comments in the face of their being refuted in the media; however, we have come to know that that is the way the deputy leader works.

The establishment of metropolitan regions is a positive move for the health system in South Australia, and is already leading to efficiencies—not creating inefficiencies, as the deputy leader attempted to assert yesterday. The 61 new posts referred to yesterday by the deputy leader are not additional posts; these positions replace the previous management structure of the nine separate health units and services that make up the Central Northern Adelaide Health Service.

For example, the five hospital CEO posts have been abolished and, instead, there is now one executive director of acute services across all the units; the five general manager posts are not additional to but, in effect, replace the deputy CEO roles that the main hospitals had. In fact, out of these 61 positions only two could be genuinely considered to be new—the executive director of mental health and the executive director of primary health care. The cost of these two posts has been compensated for by the deletion of posts elsewhere in the system.

The Hon. Dean Brown interjecting:

The SPEAKER: I warn the deputy leader!

The Hon. L. STEVENS: The chief executive of the Central Northern Adelaide Health Service has told me that he is confident that this new structure will deliver an approximately 25 per cent reduction in senior management posts within his organisation. I repeat: there has been no increase but a reduction, a decrease, in the number of salaried posts worth more than $100 000 in the region. I am also assured that the board is committed to reducing the cost of management. Further savings will be made over the course of the next year as the number of middle managers in the organisation is reduced, with more responsibility being devolved to front line clinicians.

Time expired.

GAWLER RIVER JUNCTION, PEDESTRIAN BRIDGE

The Hon. M.R. BUCKBY (Light): I rise today to speak on an issue that is affecting some students at the Gawler Primary School. This issue has been around for a while. It involves a pedestrian and cyclist bridge at the Gawler River Junction. The Gawler Primary School sits across from the South Para River. Many of the children who attend the Gawler Primary School come from Gawler West and have to cross the South Para River to gain access to the school. The bridge has been determined to be unsafe according to the Survey of Safe Routes to School and, as I understand, by other parties. This is an important issue for children who cross the river from Gawler West. I understand that funds were set aside by the Gawler Council, BikeSouth and TransAdelaide in May 2004—14 months ago—yet still no action has been taken on this issue.

I call on the Minister for Transport to investigate what progress has been made regarding this pedestrian and cyclist bridge, because at this stage there is no sign of any action being taken on this issue. This bridge is important not only to students but to other people in Gawler West who use it to cross the South Para River to gain access to the Gawler shops. As I have said, this issue is important because of the level of risk of injury to small children and others who use this transport corridor. So, I call on the minister to undertake some investigations to see exactly where this project is at and when it will be completed.

Having listened to the Minister for Health's contribution, I cannot allow the time that has been allotted to me to go by without expressing my disappointment that Gawler has lost Dr Cave interstate because of the department's inability to meet the deadline for the renewal of his contract and that of Dr Rattray. Negotiations have been going on for some 22 months, and it is a sad indictment on the department that this matter has not been settled. When this contract came up for renewal last time, the matter was settled in five months, but this time it has taken 22 months. This is not the fault of the minister. I think the minister has only been aware of this matter for a short time, and she is doing all that she can to ensure that these medical services are retained in Gawler.

However, the fact is that these negotiations should have been completed a long time ago. If that had been done,

Gawler would have been able to keep Dr Cave. We are now left with having to get two obstetricians to come to Gawler. As there is a shortage of obstetricians and gynaecologists Australia-wide, the government will be facing quite a challenge to gain the services of two doctors, because doctors with these specialist skills are being sought right across Australia. It is a sad indictment on the department that this contract has not been signed, and the women of Gawler have lost the brilliant skills of Dr Cave.

Time expired.

DISABLED, FUNDING

Mr O'BRIEN (Napier): Today I would like to talk briefly about several interrelated topics: a morning I spent last week at Elizabeth Special School; the impact having a profoundly disabled child has on the family life of my personal assistant, Peter Hoppo, and his wife Anita; the call for additional funding by David Holst and the group he has established, Dignity for the Disabled; and the recent cuts to personal taxation that became effective, coincidentally, on the day I visited Elizabeth Special School.

Peter Hoppo and his wife Anita have a severely disabled elder son who suffers from profound autism. The plight of Peter and Anita in caring for their son has been the feature of a story by Rex Jory in *The Advertiser*. I previously met with David Holst at Peter's instigation, because Peter's and David's situations are not dissimilar. Last week, again at Peter's instigation, I visited Elizabeth Special School where Peter's son is enrolled. At the school I met with a large number of mothers who, while absolutely lauding the facilities of the school and the level of care provided by the staff, recounted to me the difficulties they face day in and day out caring for a profoundly disabled child. Their difficulties were not dissimilar to those of Peter and Anita or David Holst.

These mothers with whom I had morning tea at Elizabeth Special School wish for more respite care to give them a break and allow them a little free time to engage in the type of activities that most husbands and wives and families take for granted. They were all fearful for the future, for the time when their child would not be able to attend school. They could see the balance of their own lives consumed with the day in, day out care of a disabled offspring. It was a concern that David Holst expressed to me and one with which I can certainly empathise. I said that my visit to Elizabeth Special School coincided with the day on which the first round of tax cuts took effect, that is, the $41.57 a week or nearly $2 100 a year additional to the take-home pay of Australia's top income earners. This is the nub of the matter.

Like David Holst, the mothers at Elizabeth Special School want assistance in the care of their disabled children, particularly in the years ahead when their offspring may not be able to spend a great deal of the day outside the home. They also realise that the capacity of organisations like the Autism Association to provide this assistance is limited, and they believe that there should be an expanded role for government. These mothers are also realistic enough to realise that these tax cuts make such an outcome more difficult to obtain. Substantial tax cuts for high income earners are at the expense not only of low income earners, a fact highlighted by Kim Beazley, but also at the expense of those members of the community such as the parents of the disabled who need government assistance.

We have a situation in Australia where, even though public polling indicates that the community would be prepared to forgo tax cuts to allow governments to address outstanding social needs, the neo-conservatives of the Howard government and the right wing commentariat in this country portray tax cuts as an unequivocal social good. Whereas the Europeans, as evidenced by the French rejection of the EC referendum, are able to consider issues such as the level of taxation against a conceptual framework of the type of society they wish to have, in Australia and other so-called Anglo-Saxon societies the legacy of Ronald Reagan and Margaret Thatcher is still a potent force within the parties of the right and large sections of the media.

The economist John Kenneth Galbraith, in his landmark book *The Affluent Society*, described a situation in the United States that now applies equally to Australia—that of a society comprising private affluence and public squalor. I believe, in light of calls by many groups within our society for greater public funding, not least those representing the most vulnerable in our society, the disabled, that we as a community should be seriously addressing the question of what percentage of the gross domestic product should be committed to the public good.

SITTINGS AND BUSINESS

The Hon. K.O. FOLEY (Deputy Premier): I move:

That the house at its rising adjourn until Monday 12 September at 2 p.m.

Motion carried.

CITRUS INDUSTRY BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 6 July. Page 3167.)

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

That the Legislative Council's amendments be agreed to.

I gladly indicate our concurrence with all but one of the amendments. Amendments Nos 1 to 5 further beef up the maximum penalty in relation to a number of matters under the citrus act, and I emphasise the maximum penalty. There are enormous risks in the biosecurity area across the nation and in this state in particular, as we have recently experienced with citrus canker in Queensland. To that end, I think that it is a possible signal to the horticultural community that we will take breaches in relation to the act in relation to biosecurity seriously. To that end, I am happy to support the amendments that beef up the penalties.

I indicate reluctant support for the amendment No. 6. This is to review the act after three years, rather than six. I was hoping to send a more positive signal to the community which has spent a number of years now debating this issue at length and looking for some certainty going forward. I believed in the original proposition I presented to this house that six years was the level of certainty, with the appropriate review time. I acknowledge, though, that that is not shared by our colleagues in another place. They would prefer the review to be after three years. Rather than drag out the

debate, I indicate our reluctant acceptance of that sixth amendment.

Mr WILLIAMS: I am pleased that the minister is accepting the amendments made in the other place. I will very briefly talk about amendment No. 1, which does concern me a little. I expressed my view that I do not know that the industry has done itself any great favours by going down this path. To be quite honest, I do not think giving the board additional powers, in fact powers to do virtually anything it sees fit, will help the industry at all. That amendment, as the minister has acknowledged, has been put in in the other place and the government is accepting it. I guess we get to live with that.

The only other amendment I will comment on is amendment No. 6, the one that the minister has just commented on. It is one that did concern me, but I did not make any comment about this aspect of the bill when it was before the house last time. The original clause said that the bill had to be reviewed within six years. It did not say that it had to be reviewed during that sixth year, which was a little open ended. Of course, we could have sat here and hoped that it would be reviewed much earlier. I am delighted that the other place has moved an amendment to ensure that it is reviewed within three years, and I am sure that the review will take place in that third year. I am as equally delighted that the minister has acceded to the wishes of the other place.

The Hon. K.A. MAYWALD: I also rise to offer my support to the amendments moved in the other place. In doing so, I would like to clarify some of the comments of member for MacKillop in relation to amendment No. 1. My concern also was that this amendment was very broad, but I have received advice from the minister that this is not the case and, in actual fact, it clarifies an existing provision within the act and does not expand the roles any further.

I understand that this amendment was moved as a result of an issue raised by Mr Ted Angove of Waikerie, who is a citrus grower and a citrus grower of some note. Mr Angove felt that, in exercising some of its functions, the board may be undertaking work that could be on sold to other industries in areas such as entomology and the like, and that the board in doing so should be able to seek remuneration as such. Whilst this amendment certainly clarifies it, it expands upon the functions of the board listed under item (j) in the functions, but it does not do any more than expand: it does not increase the role.

The penalties are maximum penalties. Certainly, it is the intention of this act to assist in industry development rather than be a policing act, and these penalties relate to the provision of information. The maximum penalty up to $5 000, I can support. The final amendment, amendment No. 6, talks about the time for when a review would be required.

As the Minister for Agriculture, Food and Fisheries mentioned, I would have preferred (as would many in the industry) to give the incoming board the opportunity to have one complete term without having to go into the review process, because we have been through four years of reviews and four years of working through these issues. The industry has worked extremely hard. The existing board has been in a holding pattern for much of that time and has been stymied somewhat in being able to get on with its job. We have undertaken a very extensive consultation process.

I would like to take the opportunity to commend everyone in the citrus industry who has participated in the process of reviewing this legislation and working towards a new future for the industry. I would particularly like to thank the citrus growers of SA, the board members and those people who worked on the steering committee to enable the industry to work together to come up with common solutions that they saw as the way forward for their industry. This is very much an industry-driven result, and I am very pleased that the opposition has supported the legislation. I thank opposition members for their support.

I would also like to thank all the growers who participated in the survey which was undertaken in the early days and which involved the 840 registered citrus growers. Just over 400 citrus growers returned those surveys, and there was overwhelming support for the retention of legislation in some form. However, the overall view was that the roles and functions of the board needed to be narrowed and more focused on industry development, bio-security, food safety and information gathering. It has been a lengthy exercise but it has been a good one, in that the industry has come to this conclusion and has developed this bill, which it believes is the way in which it needs to see its industry managed in this state into the future.

The citrus industry is experiencing some difficulties at the moment, particularly in the juice area. This new citrus act will enable the Citrus Board to get on with dealing with the research and development issues and providing opportunities for sharing information with the citrus industry to ensure that it can maximise opportunities that arise in the future. I am very supportive of this legislation, and I commend everyone who has worked so hard in the industry to make it happen, including those who attended public meetings and those who made submissions with respect to the process.

Motion carried.

PARLIAMENTARY SUPERANNUATION (SCHEME FOR NEW MEMBERS) AMENDMENT BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 6 July. Page 3177.)

The Hon. K.O. FOLEY: I move:

That the Legislative Council's amendments be agreed to.

Mr WILLIAMS: The opposition is delighted to hear that the government is supporting the very sensible amendments made in the other place.

Motion carried.

HERITAGE (HERITAGE DIRECTIONS) AMENDMENT BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 6 July. Page 3167.)

The Hon. J.D. HILL: I move:

That the Legislative Council's amendments be agreed to.

I indicate, for the benefit of the committee, that three amendments were moved in the other place. Two amendments were moved by, I think, the Democrats and one was moved on my behalf. We support all the amendments, and I commend the legislation to the committee. I thank all those who participated in the debate in both houses and the officers of the department for their assistance with the legislation.

Mr WILLIAMS: Once again, I would like to indicate the opposition's agreement with the amendments that were made

in the other place, and I am delighted that the government has agreed to them.

Motion carried.

CHILDREN'S PROTECTION (KEEPING THEM SAFE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 July. Page 3174.)

Mr LEWIS (Hammond): The legislation that comes before us in the form that has been drafted by the government is pretty much a part of the new twee language: it is not really about plain English but, rather, about plain politics. The language that is used is a statement of emotive attitude more than of what the law ought to say.

The so-called fundamental principles are a classic illustration of the point that I make—not all of it, but in the main that is what it is. It says that we must, in the course of the legislation, care for children in a way that allows them to reach their full potential. That is an object of the act, and to keep them safe from harm is also an object of the act. Yet, if you are going to have children develop to their full potential, the one thing that you do not want to do is subject them to the bigotry that can and does arise in some subsets of society, which may well be described by the politically correct as the culture of the family of the child.

The family's culture has nothing necessarily to do with the background from which the forebears of the child, not necessarily the parent, the grandparents or great-grandparents, may have come. It has nothing whatever to do with that. Indeed, in many instances it is a fairly romantic notion of what might have been in the minds of people today when they contemplate the country of origin of one or more of the forebears once removed, in consequence of which, if we had a Sudanese child here in this society of ours, that is, the child of parents whose forebears were predominantly in number from the Sudan, there would be some really quaint and, indeed, ridiculous improper practices to which the child would then be properly in law subjected.

I could name a number of other similar regional backgrounds from which folk have migrated to this country, but I will go even further than that and say that there are some historically invalid but nonetheless strongly advocated views of people who have some Irish blood, some Aboriginal blood and some other blood in their DNA, arguing that what they are doing to their children, or teaching their children, is in keeping with the cultural traditions of one or more of the tribes from which their forebears as Aborigines may have come.

I find it particularly ridiculous in this part of the legislation to contemplate the continued practice of sexual mutilation. I am talking about the sexual mutilation of males in this case, which is a practice of several tribes in the history of Aboriginal occupation of this continent that is still said to be part of the appropriate initiation of those boys who are to become men.

I do not think that this parliament ought to continue with such double standards. It has banned the sexual mutilation of females by separate legislation but does not ban the sexual mutilation of males where that mutilation is a practice that is in keeping with the culture of one or more of the forebears of the boy. I want to ensure that this house and the people of South Australia at large know that I am opposed to such practices, especially where those people who seek to perpetrate them do not have access to or knowledge of the Wiltjas, or other totems and symbols of authority, seniority and responsibility in the tribes from which they believe they have come. Those remarks about Aboriginal people are not made out of any disrespect whatever for the knowledge base and values of Aboriginal people other than that they militate against the reasonable, fair and just upbringing of the child in its best interest in the 21st century, where we all live in a global village.

Clause 4 goes on and refers to things such as the need to encourage, preserve and enhance the child's sense of racial, the child's sense of ethnic, the child's sense of religious, and the child's sense of spiritual and cultural identity. The child does not have any of those things, if you are a sociologist, unless they are imparted by parents and/or other people from the same background. They are not innate; they are imparted. Any scientist who has studied sociology will tell you that. So, you cannot encourage them to respect traditions and values of a community when, in fact, what is really meant is the ethnic ghetto. It is not a community, and it is improper to use such a term, because 'community' does not imply what I believe the government wants to imply. Indeed, new section 4(4)(c) is at odds with the other stated objectives in a fashion to which I have already referred and, equally, paragraph (e) is at odds with the 'child's best interests', to which new subsection (4) refers, in providing:

> the undesirability of interrupting the child's education or employment unnecessarily.

If you take a child to participate in what its parents claim is its gypsy heritage, then you are unnecessarily interrupting its education in the formal sense, and you are interrupting its capacity to become effectively and usefully employed, to attain a life that will enable it to earn for itself a living, and to support the children whom it may have when it becomes an adult. I do not particularly mind new subsection (5) in that clause other than that the child ought to be placed with an Aboriginal family that meets all the criteria for any other family when placement is under contemplation.

I also draw attention to new subsection (6)(f), which provides:

> (6) A child who is placed or about to be placed in alternative care. . .
>
> (f) if the child is in alternative care and under the guardianship, or in the custody, of the minister—is entitled to regular review of the child's circumstances and the arrangements for the child's care.

Well, that does not happen now. The department of FAYS, as it used to be known, and CYFS as it is now known, is the biggest bodgie outfit going in my experience in that regard. Indeed, it has been, in recent time, largely populated with people who have been appointed to those posts, mostly without rigour, and without adequate or appropriate qualifications, more by their political peers than by people of professional competence in the roles to which they have been appointed. The way in which they have behaved clearly illustrates the truth of what I am saying in that respect and, during the course of the committee stage of the bill, it might be appropriate for me to ask the minister some questions that will illustrate the points I am making. I will ask them now in the hope that the minister will address them. I see the minister is in the chamber; I thought for a moment that he had left.

I need to know from the minister by what authority the CYFS social workers make and continue to keep a girl a ward of the state when, by their own admission in the Youth Court on 13 February last year—and the case notes reference is 03/3476—there are no ongoing concerns of domestic

violence, nor are there even any allegations of emotional or any other kind of abuse against the lass's father, who is allowed only a few hours of supervised contact every week. I would like the minister to discover and explain how a father—indeed the father in this case, in regard to whom CYFS conceded in the Youth Court on 13 February last year that there were not even any allegations of emotional abuse—can have his child kept from his care and placed in the care of the minister, with access being given to the mother's partner, against whom FAYS at the time, now CYFS, confirmed there was physical abuse of a child—and enjoy, in the company of that mother and her partner, unsupervised overnight contact with that girl, especially since that is in direct contravention of Family Court orders?

I would like the minister to help me by explaining why since 2003 and the Family Care Meeting, and since the child was made a ward of the state and placed sometimes in foster care, the father has been given no family preservation plan by that department, nor has he been advised what he must do to see his child returned to his care, whilst a CYFS confirmed child abuser, partner of the mother, is allowed by CYFS to continue having ongoing overnight contact with that girl?

I would also like the minister to tell me, and the house, how FAYS, now CYFS, can explain its continued position, even though the department has assessed the father as posing no risk to the child and that domestic violence is neither current nor an ongoing concern. It seems to me that the minister needs to check out what I believe is the only reason that CYFS has for denying contact with the father in this matter, that is, that the father has made threats to CYFS about taking this case to the minister, to the media and to members of parliament. That is an allegation in a letter from Karen Harrison of Woodville CYFS on 10 June this year, where she states their concerns.

Those concerns are just that. They are merely expressions of opinion; they are very subjective and very rhetorical, and there is no evidence for them. They are in direct contravention, in some instances, to the statements which have been made by people far more expert than any social worker or field worker of CYFS who has had contact with the father and the mother. Indeed, quite clearly, the bias of these radical left-wing running dogs that are sympathetic to the ALP's left working in CYFS who are anti-male, anti-man and boy, in their approach to their responsibilities are allowed to continue doing as they please without question, against the interests and the rights of the child and the father, to contest the subjective judgments and the rhetorical statements of those workers. It seems to me that there is some kind of a factional allegiance between those people and members of the ALP left, both within this parliament and outside it. It is regrettable, in consequence, that children and men must suffer just because of that bigotry and prejudice.

If this legislation says that that is the kind of culture—and it appears that it can be defined as a culture—to which children of either sex should be subjected, as described in clause 4, then God help us, because the department cannot, and the minister does not seem to, understand. The next time a parent comes to me—a woman or a man—with claims about the subjective way in which field workers in Community, Youth and Family Services have behaved or, more accurately, misbehaved, in an unprofessional way, it will not be the first time. That is very unfortunate for the children and for the mental health of the parent who has been so improperly and unjustly treated.

If time had permitted me, I would have liked to have gone through the summary of the CYFS concerns expressed by Karen Harris, untested and incapable of being tested in the court. They would not stand up in a court of law because there is no evidence to back up many of them. But, time does not allow me to do that. I have outlined the queries I want answered. I equally challenge the ongoing capacity of the department to discharge the responsibilities under the present law and these proposed changes to the law. There needs to be a fair amount of clean-out undertaken within that department before it is even fit to look after dogs, leave alone children. It gives me no joy whatever to have to tell the house that that is my view of some of the people who have been employed as professionals in the service of the state in that department.

Time expired.

Dr McFETRIDGE (Morphett): I will not keep the house too long. The shadow minister (the member for Heysen) has done an excellent job presenting the opposition's points of view on this matter. The shadow minister has indicated that we will not be opposing the bill, although there are some matters of concern. As shadow minister for volunteers and local government, I have concerns in relation to one particular matter. As the shadow minister said in her second reading speech, we in South Australia have a proud record of volunteering. We have one of the highest levels of volunteering per capita (I think we have about 480 000 in total), and they contribute about $3 billion in kind to the state's economy. I know the government will not do anything to damage this position, but we do need to be well aware that there is concern out there that the imposts now being put on volunteers in all organisations to comply with codes of conduct is having a detrimental effect.

I have significant concern about section 8C, which provides:

> This section applies to an organisation that—
>
> (a) provides health, welfare, education, sporting or recreational, religious or spiritual, child care or residential services wholly or partly for children; and
>
> (b) is a government department, agency or instrumentality, or a local government or non-government agency.

The issue of police checks is one I strongly support. I have no problem with people checking my background; I have nothing to hide. As a member of the Rotary Club and having worked with some of the other organisations in my electorate, I would be more than happy to have my history checked out completely. I hope the code of conduct that will need to be put in place will not be like those proposed under the Recreational (Limitation of Liabilities) Bill, which had to be changed in this place, where emergency legislation was introduced to put waivers back into sporting codes of conduct for insurance purposes. This bill is far more important, because it deals with the safety of our children. So, we expect that some of the $210 million in funding the minister said will be put in over five years will be given to assist organisations, particularly sporting and recreational organisations, and local government, to form codes of conduct to make sure that they are able to comply with all aspects of this legislation, which we do support. I will flag one anomaly about which my office has been alerted and which we are investigating, that is, police record checks.

If you have been charged with an offence against children but you are then committed under the Mental Health Act, it is my understanding that the original charge (and it could be something as serious as paedophilia) is then not recorded on

a police record. If that is the case it is a very serious issue. How many people out there, how many foster parents and volunteers, have slipped through the system? I guarantee that 99.99 per cent of people out there in those situations are up front and there are no problems, but if even just one gets through the system that is one too many.

The whole direction of this legislation is to protect our children and I will do everything I possibly can to support the government in this. I feel very strongly about this issue and, as well as supporting the recreational sporting organisations and local government to get their codes of conduct in place and have the police checks carried out, we need to make sure that those checks are 100 per cent thorough and that not one person who should not be in a position of care with children gets through the net. On that point I will leave it to the minister; I see he is making notes over there and I trust that he will examine this, because it is a very serious situation and one that we need to look at.

Mr GOLDSWORTHY (Kavel): I, too, am pleased to make a relatively brief contribution. I do not want to hold up the house unnecessarily on this issue, but I think it is important to raise a couple of specific issues that have quite prominently come to my attention in my electorate. As the member for Heysen, the shadow minister, put very well last night, our position is that we support the general thrust of the legislation, but we do have some reservations about a number of issues and we will look to address these as the legislation passed through the house.

The name of this bill is the Children's Protection (Keeping Them Safe) Amendment Bill 2005, and there have been two specific issues that parents have come to see me about. I have written letters to the previous minister, the Hon. Stephanie Key (the issue was initially raised with her), and the old FAYS people have investigated and responded. It was a situation where the 14-year old daughter of a divorced mother, a mother who was on her own, decided to take off and live with a 28-year old male. I was not privy to how strong their relationship was, or how the household ran between the mother and daughter, but I formed a reasonably favourable opinion of the mother. Although mothers and daughters of that age do clash from time to time—and my family is starting to experience that with our 13-year old daughter, who is becoming reasonably wilful and the like—this girl decided to leave home and live with this 28-year old male. Obviously, a process took place whereby this lass became acquainted with this male, and he gained her trust to the point where he convinced her to come and live with him.

The mother went to the police, who basically said that they could not do anything about it. They said that they would go round to where they were living and make sure that the daughter was not being exposed to any harm. Well, what is the definition of harm? The police questioned both the daughter and the male and were told that the relationship did not involve any sexual activity. However, this girl was attending school at the time and her friends found a note in her locker describing the activities in which she and this 28-year old male were engaging—and it was clear from this note that there was some fairly strong sexual activity going on. The mother provided this evidence to FAYS, who basically said that they were sorry but there was nothing they could do.

The police said the same thing because, as we all know, the law is that the complaint has to be made by the person the offence is being perpetrated against. The mother cannot go to the police and lodge the complaint; the daughter has to, but if this 14-year old girl has been conned into this relationship by this sleazy, low-life individual and, for some bizarre reason, she thinks she is in love with him, she is not going to lodge a complaint with the police. The police might arrest him on some evidence that they gain, but when it goes to court the girl is going to be a reluctant witness. I rang the police officer involved in the investigation and he basically said, 'Look Mark, I am sorry but there is not much we can do. We can arrest him and charge him, but even before we get to court it will be thrown out because she is a reluctant witness. We cannot make her stand up in court and make her testify against this person.'

To me and to this mother and, I would guarantee, to the vast majority of the community, particularly this group called Parents Who Want Reform, this is totally unacceptable. To his credit, the policeman—and I commend him for this—approached this male person and, from what I understand, frightened the hell out of him, telling him that if this girl ever lodged a complaint in the future, he would be gone. I do not know whether that had any effect on this person, but this lass was living in squalor. This low-life and his brother were shacked up in this flat with this 15-year-old lass who ended up leaving school and getting a part-time job working on a checkout at the local Coles supermarket to support these two losers and, from what I am told, FAYS said that she is not at harm.

The mother of this lass made every effort to keep in contact with her daughter because she did not want to lose her. She went around to the flat, and she said that it was an absolute pig sty. To compound this saga, the police found some marijuana growing in the flat, but these two low-lifes put the blame on the lass because the penalty for cultivating cannabis is less for a minor. So, these two guys were using and abusing this young girl. Thank goodness, there is a brighter side to this story. The young lass eventually came to her senses and with her mother's help, encouragement and support—something which the department either was not prepared to do or could not do at the time (I hope this legislation goes some way towards rectifying situations such as this)—she finally came around to the realisation that she was totally wasting her life with this person and his no-hoper brother, so she left and returned to live with her mother. So, eventually it became a good news story.

This young lass who is now aged 17 realises that she has wasted two years of her life. It is absolutely disgraceful that the laws that we make and try to improve in this place are not enough to protect a vulnerable 14 or 15-year-old girl. I wrote to the previous minister (Hon. Steph Key) and I received a softly, softly placatory response offering the mother some counselling. What an insult to this woman who was going through all this grief, anguish and anxiety day in and day out to say, 'We can't do anything about your daughter; it's all right that she has shacked up with this bloke and is having sex—we can't do anything about that—but we will give you some counselling.' That is absolutely unbelievable. However, as I said, there is a happy ending to this story. Notwithstanding all the anguish, grief and anxiety that has been caused to this woman, her daughter has realised that this guy is a total loser—

The Hon. M.R. Buckby: A dipstick.

Mr GOLDSWORTHY: —a dipstick, as the member for Light says—and she has gone back to her mother. What is going to happen to the next 14, 15 or 16-year-old lass on whom this creep decides to prey? I ask the minister: what can

we do to stop creeps like this taking advantage of vulnerable young lasses?

The Hon. J.W. Weatherill: Let's send him to gaol without evidence. Let's just lock him up. Why don't we send the police around there and lock him up? For God's sake, you're a lawyer.

Mr GOLDSWORTHY: Parents should be able to lodge a complaint and further investigation should be able to be done, and parents should be able to stand up in court and give evidence.

The Hon. J.W. Weatherill: Why don't we just lock him up? In fact, why don't we string him up in the square?

Mr GOLDSWORTHY: You said it, minister: why don't we string him up in the square?

The Hon. J.W. Weatherill: What on earth is the state meant to do in that circumstance? What a nonsense!

Mr GOLDSWORTHY: All right. I have highlighted this issue, and I will now go on to the next matter, which involves clear evidence of a 15-year-old boy being physically abused by his father. This lad attends church, and the mother in a family that attends the same church went to FAYS (as CYFS was then known) and offered to look after this boy. She pointed out that she was in a stable relationship, that she had two or three other children in the family, that they knew this boy and that he wanted to live with them, but FAYS said: 'Sorry, the first option has to be supported accommodation; we're going to put him in a flat.'

The Hon. J.W. Weatherill: What nonsense!

Mr GOLDSWORTHY: The minister says it is nonsense, but why would that lady make an appointment to come and see me and tell me this? There is no reason for that lady to come to me and make those statements. I think the problem is that the minister gets contrary advice. He gets told things that perhaps people think he wants to hear. I wrote to the minister and, to his credit, he responded reasonably quickly. The response I got was no, that would not have been the case; that lad would have been given the opportunity initially to stay with the family. That is directly opposed to what that lady told me.

Why would that lady, an upstanding citizen in the district, an honest, reliable person, come to me and tell me something different from the advice that the minister has been given? I do not know: that is just a question that I ask. They were going to put him in supported accommodation, put him in a flat, pay his rent, give him some money to buy food and so on. I do not know what other support they were going to provide him, but a 15-year old boy living in a flat would need a heck of a lot more support than getting his rent paid and a bit of money for clothing and food. There would need to be significant support from the agency to assist him.

Anyway, there was a good ending to that story too, because FAYS actually came to its senses, after putting that lady through hell, basically, and he was allowed to live in that foster family situation. These are just two examples. There are other examples that I can give where I think FAYS and CYFS have acted appropriately. Let us be balanced about this situation: let us present a balanced argument. There have been a couple of other examples where I have had the parents come to me saying that the people from FAYS have been too heavy-handed but, when I have listened to the background information, I actually support the way the FAYS officers acted in those particular instances. However, those are only two examples that I can present to the house in the short period that I have available.

If you times that out by 46 for the rest of us here, plus the other place, plus all those other examples that never come to light, are never brought up with a member of parliament or someone else who can represent them in the community, there must be literally thousands and thousands of problems out there like this. As I said at the beginning of my contribution, we are happy to support this with some amendments. I just hope and pray that this legislation goes some way towards strengthening the laws to help those folk in those two examples that I have given the house today.

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

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

Motion carried.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I thank all members for their contributions and, in particular, thank the members of the opposition for their foreshadowed support for the bill. I note that they have one amendment on file that I indicate we will be supporting, not necessarily for the reasons advanced by the member for Heysen but for reasons that I will explain. I will briefly respond to the points raised in the debate by the member for Heysen but I will not respond in detail to those matters, because I am conscious that there are other amendments that may cause some debate and there may be some questions that emerge during the committee stage.

The first thing to respond to is the criticism of the objects clause and, in particular, the fact that the opposition intends to oppose the new objects clause. This is a very important clause that does now clarify that the primary responsibility in relation to the legislation is the care and protection of children, in keeping the children safe from harm. There is a confusion at the moment. There cannot be two paramount considerations. At one stage I think the member for Heysen suggested that the paramount consideration was in fact that the family must be paramount. There simply cannot be two paramount situations. What there can be is the paramount consideration being the best interests of the child and then a range of considerations that are directed to that fundamental end.

Of course, family preservation is a very important first step in that regard and is, indeed, the first step that is always taken by the department. Much has been made of the so-called adolescents at risk, and I know the member for Heysen was drawing on work that she has done with others in the select committee process in terms of juvenile justice. But what we are talking about here are children who have been abused. The child protection system is fundamentally directed at those children who are abused or vulnerable to abuse. Many of us have grown up in happy families, as I am very pleased to say that I have, but sadly that is not the case for everyone. While families can be the most wonderful places, some of them are also the worst of places.

I think that there is too much of a rosy view painted of some families. Some families are simply not places where children are safe, and we cannot shrink from our obligations to protect children in those circumstances. Of course, we must do everything we can to try to make sure that those families are able to cope, because often we know that the family's capacity to cope can very much be ground down by a range of other problems they may be experiencing in their life.

A modicum of support for a family may also remove some of the risks to a child. These are the difficult balancing acts that the legislation comprehends. However, we must be very clear that, at all times, the paramount principle is the best interests of the child and keeping the child safe from harm. It also needs to be said that most children want to live at home. In a sense, this responds to one of the points made by the member for Kavel. Most children want to live at home, and many children who leave home have experienced some upset or harm within the household. It is very rare cases in which the main issue is a relationship breakdown, despite love and commitment to the care of the child.

I am not suggesting that the member for Kavel's case was not a case of that sort, but I can say that they are very rare indeed. It is not a matter of forcing a child to then return to the home in those circumstances, because the child will simply run away again. These are children who have not committed a criminal offence. It is not a question of punishing them or somehow confining them in some way to a home in which they do not wish to stay. The question is trying to restore the relationship. Indeed, I was pleased to hear that the member for Kavel said that, in this case, the relationship had been restored. That is the essence here. In those cases where we are unable to prove harm, that is, where we do not have cogent evidence of harm being caused to the child (which is the essence of the cases that we are talking about) but we have a child in a circumstance which we believe is unsatisfactory and we would prefer them to be back with their parents, there is not, and there should not be, the threshold of intervention. The threshold of intervention should not be set at such a low level.

I must say I find it curious that, at one level, we are being told not to intervene in families, yet here we are being asked to set a threshold for intervention using the powers of the state to compel a child to be taken from one place and put in another place without any evidentiary base. There is a fundamental inconsistency between those two propositions. This act can only be about what the state can use its powers of compulsion to do. The state can use its powers to intervene in what would otherwise be private and domestic arrangements. I think it is generally accepted that the state should not be doing that, except in the most extreme circumstances.

We should be entitled to move into those domestic relationships and play that role only when we have an evidentiary basis on which to do it. We might have our suspicions, but the essence of these difficulties is the communication difficulties between parents and children.

I do not seek to minimise the complications and the difficulties of communications between parents and their adolescents, especially when there has been some upset or circumstances which have put pressure on that relationship. We attempt to restore that relationship. We try to assist people with the offering of counselling. I do not see the offering of counselling as offensive. People might feel that, when they are being offered counselling, somehow it is some sort of allegation of wrongdoing on their part, but it is not. It is very difficult to have the necessary communication skills, the coping skills or, indeed, the tactics and arrangements that are necessary to deal with difficult adolescents. These are very sophisticated skills that many parents, after long, hard and difficult experiences manage to gather. Other people can help them with that. That is all that was being offered in this case. I am very happy that there has been a successful outcome in this case.

I now turn to the suggestions made about the Aboriginal child placement principles. I think the member for Heysen suggested that these principles should apply to all children, not just Aboriginal children. She asked that my reasons be explicitly expressed. She also invited me to provide a copy of those principles, which I have now done. The simple truth is that these principles are universal. For instance, if a person from a non-aboriginal family had similar sorts of arrangements—that is, the similar kinship arrangements and community arrangements within a broader community such as the Aboriginal community—then the principles would apply in much the same way. The reason why they need to be specifically articulated is that we took children away and devastated this particular community. Therefore, it is incumbent upon us to satisfy that particular community in legislation of this parliament that it will never happen again.

We need to be clear. If that is not a good enough reason, then it is an important recommendation of the Stolen Generation's report which received bipartisan commitment at a federal level when it was tabled. This principle informs the broader community that Aboriginal children will be placed in this way, and it is to provide that sense of security about the fact that, sadly, this had not happened in the past. We did not respect these principles, even though we should have.

In relation to the powers that a court could make, I acknowledge the amendment to delete the term 'social'. This is the provision about the ability of social workers to undertake assessments. The member for Heysen did not think that social workers were the appropriate people to assess families, as they are not generally recognised as experts in a court. She will move to amend 'social worker' to be 'such person as the court may appoint'. We fundamentally disagree that social workers—or at least some of them, I think she was suggesting—may not be the appropriate people to assess families and their parenting abilities. They do it every day, and they do a tremendous job.

There are other recommendations of the Layton review that will be dealt with broadly when we come to amend various pieces of legislation relating to evidentiary provisions, so I do not seek to canvass that debate fully here. I think the member for Heysen's amendment really allows to court to use its own discretion about how it should treat the evidence of a social worker, and I think that, coupled with the provision that governs the operation of the Youth Court—that it should inform itself as it thinks fit and not be bound by technicalities or legal forms—would be sufficient to give us comfort that in an appropriate case a social worker would be able to participate in such an assessment.

I disagree with a number of the observations of the member for Heysen (which, I think, were repeated in extremis by the member for Hammond), which could be, I think, broadly described as 'social worker bashing'. I simply express my very strong view that I have confidence in the social workers who work for the department. I think they do a tremendous job. A series about tough jobs was run recently, and I do not know of a tougher one. These social workers have to deal with families that are in crisis and attempt to make very hard judgments about how to support those families, knowing that as soon as they go near the family they are likely to be blamed for anything that will go wrong in that family from that point onwards into the future—not just for the next year, but until the child no longer is a child. That is what happens with respect to social workers. Social workers have more accountability processes than one can shake a stick

at, and we have introduced a number of others in this legislation.

This is a group of professionals who have their work traversed by any number of people, including their supervisors, adverse events committees, child death committees, the guardian and the Ombudsman. These people are very thoroughly scrutinised, and all their work is scrutinised by the Youth Court. No children can be removed from a family, no intervention can be made, without the approval and supervision of the Youth Court. I utterly reject the criticisms that are made of these social workers, who do a tremendous job for our department.

Over a number of years, a reactive culture of blame (and this is the only sense in which I acknowledge that we need to change the culture within our department) has developed within these agencies, as they have felt that they have become the whipping boy, essentially, for the community with respect to the dysfunction within families in our community. I think that, to a certain extent, that has led them to become risk averse about the way in which they carry out their role. What we want is well trained professionals making brave professional judgments, and as community leaders we should be supporting them in that role and not becoming involved in cheap shots about the natural disappointment that parents express when children are taken from them in circumstances where they cannot yield their care. Nine out of every 10 of these complaints arises in a family law context, where the Federal Court has made a ruling awarding the guardianship of these children to one or other of the parents.

The other point that was raised by the member for Heysen related to mandatory reporting, and she made some observations about that matter. She asked for my response regarding the issues raised by Christian scientists in relation to the definition of 'minister of religion', but I note that she did not propose any amendments, and we are grateful for that. It needs to be understood that the exception that we placed in the legislation regarding confessionals was deliberately narrow, and I hesitated before even supporting that exemption. I was only prepared to support it in the context of receiving assurances from those churches that have confessionals in the ordinary understood sense of the word that they were putting protocols in and around those confessionals to ensure that they were not abused.

We have not received similar assurances from the Christian scientists. They have a very different process. They do not wish to be described as ministers of religion—indeed, I think they prefer to see themselves as practitioners in that the people who come to see them are patients. It could mean that the whole of that class of people, if we are not careful, could enable themselves to take advantage of this exemption to the mandatory reporting arrangements, which would be unfortunate.

I have received Crown advice to the effect that the definition of 'other minister of religion' is, indeed, potentially broad enough to cover their activities, but their notions of sacred communications would have to be communications in the nature of confessions, and we have not yet seen evidence which suggests that we should alter this exemption to somehow cover circumstances that the Christian scientists seek us to raise. However, I am prepared to receive further representations about that matter between the houses, because it may be that further issues will arise after they have considered our response.

With respect to the functions of the Chief Executive, I note the remarks that were made by the member for Heysen concerning the difficulties of defining 'bullying' and 'harassment'. In a sense, that is precisely why the Chief Executive should be giving consideration to promulgating guidelines about these matters to assist people. They are, of course, intended to be voluntary by their very nature, and these codes of practice will be developed and implemented in consultation with the relevant bodies.

There are many models for child-safe environments that we can draw on, and organisations that have particular expertise in this area, such as NAPCAN, will provide us with guidance. We will ensure that a dedicated project officer will be provided to do this work. In answer to the question of whether resources will be devoted to this, they certainly will.

In relation to the obligations of certain organisations, I note that that is also supported by the member for Heysen and, indeed, the opposition. However, she also proposes a number of questions: 1. Will any of the $210 million over five years be directed into assistance to organisations for compliance with these measures? As we indicated before, a dedicated project officer will work closely with all stakeholders in an effort to assist them in this regard. We have already undertaken some of this work, in consultation with the member for Wright, in her role as Parliamentary Secretary for Volunteers.

We have met with the head of Christian churches, Sports SA and Recreation SA, and information has been distributed to 800 individuals and organisations across South Australia. There is much more work to be done in that regard. We will, of course, ensure that we have regard to the different circumstances of small agencies, and that is explicit in the legislation. We are very mindful of the warning given to us by the member for Heysen about the impact on volunteer numbers if we overdo this, so that is why we are keen to have these discussions.

I am also mindful of the point raised by the member for Kavel in his contribution concerning the police record checks. Our starting point in relation to criminal history checks is that they are of importance but of limited utility. The truth is that not many convictions of a relevant kind, ones that would raise concerns about the welfare of children, are in fact made. Sadly, this is a set of offences the detection of which it is easy to escape, and it is only now that we are seeing many people face justice. There will be many people without records even though they may have committed acts of this sort. That is what led us to incorporate within the act something that was not recommended by Ms Layton in her review, at least in a legislative form, that is, to provide frameworks for child-safe environments. We believe that child-safe environments are much more than just police checks. It might be background checks into other disciplinary action that may have occurred in relation to a particular person. It may be spent convictions, and, of course, most importantly, the way in which an organisation goes about its affairs and how it allows children to remain supervised or not in certain circumstances.

I suppose that there is an ascending order of issues. The broad point is child-safe environments. More specifically, we can look at components of that, and police and record background checks are just one part of that arrangement. South Australia is leading a national effort to coordinate a national approach to sharing of information across jurisdictions in relation to police record checks, spent convictions, and the like. That work will inform the regulations that we ultimately promulgate under the child-safe environment head of power. So, I am mindful of the point raised by the member for Kavel, and it is being worked on in that context.

The next point that was raised by the member for Heysen was in relation to the Council for the Care of Children, and we have been warned about the size of the council. It does provide for a maximum number of people as for the Child Death and Serious Injury Committee. I note her remarks about the quota system, but she nevertheless supports the bill in its current form. In terms of the Child Death and Serious Injury Review Committee, she has raised points about the committee not straying into areas that should be the province of the Coroner or the police. Indeed, we certainly do not intend to do that, and agree with her observations in that regard.

The member for Heysen notes the observations of Ms Layton that the immediate review within 24 hours of the child's death could be important. We, of course, have an adverse incidents committee within CYFS that will take information and form its own opinion about systemic issues and needs for change on a much more speedy set of arrangements than could be possible for that undertaken by the Child Death and Serious Injury Review Committee, given that, in many cases, it will have to wait for the police and Coroner to complete their work. We are mindful of the obligation to act quickly, but we are also mindful of not messing up any police or coronial investigations.

The member then raises the important point of the confidentiality of the arrangements in relation to the patient-doctor arrangements. I might need to attract the member for Heysen's attention for this particular point because it is pretty complicated. Her concern was that one of the provisions constituted a threat to the doctor-patient confidentiality, and contrasted that to the fact we left those protections in place for solicitor, clients, parents and children, and also for the threat to prevent self-incrimination.

The short answer is that you need to understand that the purpose is getting at the bottom of child deaths. Some of the most cogent information is going to be held by doctors and, in particular, the conduct—or what doctors did or did not do in a particular case—will be a highly relevant matter. It will be less relevant, potentially, what a patient did or did not do, although that may be important in some cases, because we are looking at the systemic failures here.

There is no doubt that it is an important public interest to protect the patient/doctor confidentiality, but ranking it we believe that it needs to give way in this case, if this committee is to effectively carry out its function. In a sense, I think that the other public interest immunities that are protected are likely to supply less cogent information about the topics that are the subject of the work of the committee. We need to remember what we are seeking to get at here. We are seeking to get at systemic failure in relation to the serious injury or death of children, and one could not imagine too many higher public interests and, in this limited sense, we are suggesting that the doctor, who will be asked—or, indeed, compelled—to provide this information will be protected himself, or herself, from any criticism or liability that would otherwise arise from their handing over that information, through either their professional obligations or some other obligation of common law or statute.

One of the remaining two matters is raised by the member for Mitchell. He does not like the name of our bill, but we do. It is used advisedly. We have included the 'Keeping Them Safe' phrase because there was, in our view, an important message to convey that—and it is central to the objects of the act—it is the fundamental thing that separates the opposition and the government on this—

Mr Hanna: Marketing.

The Hon. J.W. WEATHERILL: No, it is more fundamental than that. They will not put that object in its terms in the legislation, and they will not do it because they think the family is paramount, whereas we think that the safety of children is paramount.

The rest of the honourable member's amendments, which I will now comment on, essentially remove any discretion for the capacity—once it has been determined that a child is at risk—for the next step to be taken in relation to that child, whether it be an assessment process or applying to the court for certain orders for care and protection. It deletes any discretion that the chief executive or the minister may have in relation to the care of children. It is simply unworkable for the legal responsibilities of powers under these sections not to have a discretionary element within them. It is essential that we have a care and protection system that can be enacted through the application of professional judgement and assessment, and the truth is that there is a step between forming a view about a child being at risk, and then using the powers of the state to intervene.

There is a very important set of considerations that can occur between those two steps, and it is really at the essence of the Layton review. What the Layton review was on about is that child protection is everybody's responsibility: parents and other organisations. It is not just the responsibility of the state to care and protect for children; it is not just the responsibility of this department to care and protect for children; many other agencies are involved and associated with families that can all lend a hand. A very important point was made by learned commentators in relation to the child protection system, and that is that, if we seek to engage in a legalistic approach in relation to every family, we will be investigating and intervening every time we form a suspicion about a child being at risk. We will have the equivalent of a hospital emergency room clogged with patients, never being able to work out which is the most serious one to treat.

Mr Hanna: It will force you to provide resources.

The Hon. J.W. WEATHERILL: No, it won't. In fact, this is precisely what has occurred in jurisdictions that have allowed their mandatory reporting to get out of control: the child protection notifications have increased exponentially, and they have such a clogged system that they cannot see the child who is at a real risk of harm as they try to sort through a morass of child protection notifications. It is to be fundamentally contrasted with the approach taken in other countries that have much better outcomes in relation to child protection notifications, where they deal informally by supporting families where there are suspicions of children being at risk, leaving the child protection agencies to deal with the cases where the children are at most serious risk of harm.

Mr Hanna interjecting:

The Hon. J.W. WEATHERILL: The truth is that we could spend all our resources investigating, and that is one of the fundamental criticisms of the current system. We spend all our resources investigating and none helping. What we find is that, just after we have finished investigating, we then get another notification and we re-investigate. So, we chase our tail, and no amount of resources can ever be pumped into a system of that sort to make it functional. So, it is an interesting point that the member for Mitchell raises, but I think it identifies the fundamental—

Mr Hanna: It is not functional now.

The Hon. J.W. WEATHERILL: This would worsen a number of the difficulties that we are seeking to address in our Keeping Them Safe policy, and it seems intuitively appealing on the face of it to say that we must investigate every case, but it would lead to a moribund system, and children at real risk of harm would be lost in a sea of notifications where we are investigating every family.

The government is exploring informal mechanisms of supporting families, such as universal home visiting services; sustained home visiting services; linking with non-government organisations; building a sense of community to ensure that people look after one another; and, fundamentally importantly, the role of the family. We cannot lose sight of that in all of this. I note that all members support the legislation, although some members have suggested that they oppose certain clauses, and I thank them for that indication.

Bill read a second time.

In committee.

Clause 1.

Mr HANNA: I move:

Page 3, line 3—Delete '(Keeping Them Safe)' and substitute '(Miscellaneous)'

I am sick of the government's spin and marketing in relation to a range of issues. It is certainly the case in relation to law and order issues, as well as a number of other issues—even in child protection. Why could this government not do the same as we have done in this place for about 150 years when bringing in a bill with a miscellaneous range of amendments and call it the Child Protection (Miscellaneous) Amendment Bill? Rather than doing that, the government has chosen to call it the 'keeping them safe' bill. We all know that it is there to sell the bill to the public. However, selling it to the public should rely on the substance of the bill, not the title. In my view, this sort of media appeal is to be rejected. We should be spending more time debating the substance of the issue. This sort of thing is a distraction, and it should be replaced with neutral terminology that is not so contentious as the title ascribed to this bill.

Mrs REDMOND: I indicate that the opposition agrees with the position taken by the member for Mitchell in relation to this matter. I have to say that in the period I have been in this place I have seen many examples in various bits of legislation of giving a bill some very attractive name that no-one could possibly disagree with. Who could disagree with 'keeping them safe'; who could disagree with 'integrated natural resource management'; and who could disagree with 'sustainable development'? It is all part of the marketing of this government, and I would have to say that this government is terrific in its marketing and its use of ploys in terms of the spin provided to the public. I indicate that we support the member for Mitchell's amendment.

Mr LEWIS: I am of the same view as the member for Mitchell. I mentioned during my second reading contribution this kind of thing being a part of the government's strategy to sell itself to the public. As I think the member for Mitchell has said, it is about spin and gimmickry. It does not make it any better for any children anywhere to have a short title of this kind. It is self-serving, and it does not really contain anything that contributes to a better understanding of the legislation or to the rigour with which the department administers its affairs, or indeed the way in which it would do it in the courts, whatever it does in the courts.

I commend the member for Mitchell and the proposition he has put, and I trust that the minister will see the good sense of sticking to the conventional. So help me, I could go into a whole lot of analogies with football and so on as to the kind of terminology that would be used to describe offences by umpires committed by one player against another on the field for which the player committing the offence is then penalised, and the manner in which that offence and breach of the rules is described when giving a penalty free kick. I will not go there.

Amendment negatived; clause passed.

Clauses 2 and 3 passed.

Clause 4.

Mrs REDMOND: I indicate, as I did last night in my second reading contribution, that the opposition believes that the objects as they are stated in the existing Children's Protection Act 1993 are appropriate. I do not think I am the only one with that view. A number of other speakers have indicated to the house, in the course of their contributions to this debate, that the difficulty we are now facing is that the pendulum has swung a bit too far. I accept what the minister is saying, and I understand the difficulty of the position of trying to balance the need for the safety of the child to be of paramount consideration.

Nevertheless, from my observation and that of many others of what is happening in the community at the moment, there are just far too many situations where young people who are placing themselves in danger are aided and abetted in doing that by the way in which the department currently interprets these provisions, rather than the department being in a position where it absolutely supports the parents in their right to raise their children.

I think it is appropriate for us to stay with the current objects because if we move to the new objects we move further down that path and it is just not acceptable that parents who are good parents, whose children have gone off the rails, should not get the absolutely highest priority in terms of the assistance they need to keep their children safe. I accept that there are bad or dysfunctional parents and parents who really should not have the care of children, but the other provisions of the legislation take account of that and make specific provision for dealing with that. This bill takes those provisions even further, but it seems to me that we should, nevertheless, remain with the situation as it is at present, spelling out, as we do in the current objects:

(1) The object of this act is to provide for the care and protection of children and to do so in a manner that maximises the child's opportunity to grow up in a safe and stable environment and to reach his or her full potential.

(2) The administration of this act is to be founded on the principles that the primary responsibility for a child's care and protection lies with the child's family and that a high priority should therefore be accorded to supporting and assisting the family to carry out that responsibility.

The Hon. J.W. WEATHERILL: We completely disagree with the member for Heysen's analysis of the effect of our amending bill. Good parents whose children go off the rails do get our support, and will continue to get our support. This bill is about protecting children who are in harmful or abusive relationships; the legislation is not about changing anything for those children who are having communication difficulties or who are, for some reason or another, no longer living in the family home. It is about protecting those—

Mr Hanna: It should be, shouldn't it?

The Hon. J.W. WEATHERILL: It could be; the state could intervene and have obligations to lock up these children, actually force them to live in their homes. That is the burden of what is being suggested we should do in some

of these cases. The state has no role in compelling people to do something when they have done nothing wrong and there is no demonstrable, evidentiary basis of harm that is occurring to that child. That is what we are dealing with here: there is no demonstrable evidentiary basis of harm that is occurring to the child.

Mr Hanna: When you have a 13 year old on the street you have some potential harm.

The Hon. J.W. WEATHERILL: Of course you do, and we always encourage them to go back to their family. This is what we always find in these debates: it is very glib to come in here and talk about the happy home lives in some of these cases, but in 99 cases out of 100 we find that there have been circumstances that have driven these children to leave their family. Children in loving homes stay in their home, that is—

Mrs Redmond interjecting:

The Hon. J.W. WEATHERILL: Ordinarily, that is what happens. There are very few cases—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Well, we are not going to change the whole child protection system, to turn around and put all our resources into dealing with questions of adolescents and their relationship with their parents. If we had a child protection system that was going to spend all its time and effort on managing relationships between parents and adolescent children, we would have such a diversion of resources that we would not be able to go anywhere near protecting children from being safe from harm. The concern of this legislation is children who are at risk of harm, and we have not changed anything that would allow us to continue to do what we do—that is, to try to restore the communications that break down between adolescent children and their parents from time to time.

Mr LEWIS: I would like to believe the minister's words and say how much I want that to be true—but it simply is not. The opposite is the case. I will provide some detail of where the department has frustrated the very things this minister has said this legislation stands for. This summary has been provided by Karen Harrison; I do not think she has been the caseworker on the matter the whole time but she has provided the summary and, in doing so, has written a whole lot of claptrap that must come from the records that have been kept by some of the field workers in CYFS, formerly FAYS. Her summary of their concerns is this:

> When CYFS became involved in 2001, both the father and the mother presented with mental health issues.

Well, I do not know that that is exactly true. She does not have any medical evidence to back it up—certainly where the father is concerned. The mother was involved in habitual drug-taking and so on. It continues:

> Their relationship was characterised by domestic violence—

not from the father's side, but she deliberately leaves that out; there has never been any accusation of violence made against the father—

> which the children witnessed.

Indeed, the violence was not only witnessed by the children; it was experienced by them. It was not only the father who was being bashed about; the kids were as well.

The next point she makes is that the father failed to return the daughter to the care of her mother. Well, he did that because the mother got involved in a relationship with someone who was on the record, who was already established, as a child abuser. There is no question about that; that has never been challenged. The federal police became involved to have the daughter returned to the mother. The only reason they got involved was because the father had sought to protect the child from both the mother and the abuser, the mother's new partner.

The next point on the record states that the father still displays signs of mental illness. Garbage to that! David is medically diagnosed by psychiatrists as being quite sane—nothing wrong with him—he is not ill. Because the man has suffered an injury to his scalp and his eyebrows are tucked back as a result of the removal of scalp tissue, it makes it look as though he is wide-eyed and a bit barmy to some people but, if you know the man, you know he is not in the least mad. If a person's appearance is to be taken as an indication of their sanity or otherwise and if it dictates the way in which we tend to respond to what are seen as difficult images, then God help us, because there are plenty of people in this place whose sanity would be questioned if you looked at their photograph or some of the expressions you see on their face from time to time—and I do not exclude myself from that list.

The next remark is that David stated to the worker that he has not been on his medication since approximately June 2004. The reason for that is quite simple: he did not need to be. His psychiatrist said—the person to whom he was compelled to go, not of his own volition—that this was a waste of public money. He gave him a prescription but said that it was a waste of his time and that it would not affect his health in the least if he took it. The father pointed out that his treating psychologist said that he no longer needed to attend any appointments, that he was not, in any sense of the word, aberrational or abnormal.

The next point is that there are serious allegations being made by each parent regarding the other. It was not the father who started the tit-for-tat stuff. The department's staff ought to have been able to see through that, but they chose to take the feminist view that it could not possibly be the mother.

Ms Breuer interjecting:

Mr LEWIS: Someone's got a pain in her pinny. The toilet is just out the door and down the corridor. The father is requesting unsupervised access to his daughter, but that has been refused. Why shouldn't he have unsupervised access? The Family Court directed that the daughter stay with the father, but the departmental worker has decided that she should not. The father requested additional access to his daughter, that she be allowed to stay with him overnight on weekends, and so on. The departmental worker is concerned about the father's ability to set boundaries for his daughter or to be consistent with these boundaries. The note states that the father's ability to remain consistent with the daughter is worrying as the daughter is constantly receiving mixed messages about what is okay and what is not. That is an emotive, unprofessional opinion. There was no evidence for it in any of the case worker's notes. This opinion has been expressed by the mother—that is where it came from—not from the child and not from any observed interactions. There is no other note of it anywhere in the case notes.

The father, to use the pejorative term used by Karen Harrison, made threats to the departmental officers that he would take his case to the minister, the media or a member of parliament. For goodness sake! That is not a threat. He is entitled to do that under the law. Why should he not? They feel threatened by its because they do not want the way they have badly handled the case exposed. The next entry is that departmental officers would be concerned if the mother did not remain on a community treatment order as this has been

the backbone to keeping her well; hence maintaining stability within the family. It is not the father who is ill. This clearly illustrates the point that the father has been making: he is not ill, but he has been harassed, belted up and otherwise compelled to defend himself. He is anxious about the fact that he is not allowed to have access to his daughter in the fashion directed by the Family Court.

Under 'relevant background', it is stated that the father has had an unsubstantiated allegation of sexual abuse made by the daughter's other sibling. 'Unsubstantiated' is the word. There were no grounds for it whatsoever, so why put it on the record and make it seem as though he had done something that might be wrong? If anything, it is more likely that the sibling was the person who had been making sexual advances to the sibling's half sister and wanted to divert attention from themselves. According to this report, it has been said by a past psychologist that the father has poor impulse control. What has that got to do with it? Nothing. The past psychologist had no grounds for saying that. She certainly had friendships with officers of the department, and this remark is probably more to do with the conversations they had than any observed behaviour.

The father made a submission to have a police check done on the mother's current partner, but the department has not bothered to do that. I think that is appalling. The next point in the written report is that it has been difficult for the department to work with the father towards addressing the department's concern while the father is seemingly consumed with his own needs. That is the department's opinion. It is not documented. It is their opinion that that is what the father is concerned about. That is not right; he is concerned about his daughter. All of the interviews and discussions that I have had with him over the years have led me to believe that. I have seen him with other children in social settings, children who know him well.

I do not see any of the kinds of things of which he is accused by the mother, which are documented by her mates in the feminist Mafia in the department, and I am disturbed by the fact that the minister has just said that, on the one hand, he wants the families to be reunited but, on the other hand, he prevents the only parent who is not dysfunctional from having access to the child to the extent that the Family Court has ordered it. And then you say this is keeping them safe: come on!

Finally, the point made in the record is that the mother has had numerous admissions in the past to psychiatric facilities, the last being in 2003. I rest my case. Why on earth was the child taken away without the court being told about it and put into the care of the minister and, indeed, made a ward of the state, and done so on a constant basis without regard for the child's opinion or for the submissions that the father was trying to make. Not all of us are articulate. Not all of us are as eloquent as those who may be elected to this place in the way in which we say things. So, it should not be expected that every father can argue as eloquently as someone here or someone who is practised in the art of conversation.

I can tell members that this man's intentions as a father are always in the best interests of his daughter, and his concern in the first instance that caused him to refuse to allow the daughter to go to her mother for a visit (and a visit overnight at that) is that the mother had begun living with a known child abuser. I think any father, indeed any parent, who knew that the other parent was cohabiting with a child abuser would be derelict in their duty if they did not try to prevent that risk of abuse from occurring to their child. I put that on the record as an illustration of the kinds of things that the department has been doing in the past.

I know the minister went there with good intentions, but it seems right now as though Sir Humphrey—and I do not want to be sexist about it: it might have been Lady Humphrey—has got his ear and has him conned into believing that everything is hunky-dory, that what he is doing is in the best interests of the children, and that he is protecting the children by the actions the department is taking. That is not true.

Mr Brindal interjecting:

Mr LEWIS: Maybe so. Yes, Sir Humphrey was a bear.

The DEPUTY SPEAKER: The honourable member has been speaking for 15 minutes.

Progress reported; committee to sit again.

SITTINGS AND BUSINESS

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

That the time for moving the adjournment of the house be extended beyond 6 p.m.

The house divided on the motion:

The SPEAKER: There being only one vote for the noes, the motion is carried.

HERITAGE (BEECHWOOD GARDEN) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

APPROPRIATION BILL

The Legislative Council agreed to the bill without any amendment.

SPECIAL COMMISSION OF INQUIRY (POWERS AND IMMUNITIES) 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—Clause 3, page 2, lines 13 and 14—
Delete all words in these lines and substitute:
reference as set out in Schedule 1.

No. 2—Clause 4, page 2, line 24—
Delete paragraph (a) and substitute:
(a) section 18(3)(c) and (6); and

No. 3—Page 2, after line 26—
Insert:
4A—Hearings in public or private
The Special Commissioner may obtain evidence and evidentiary material for the Inquiry by means of hearings conducted in public or private.

No. 4—Clause 5, page 3, lines 5, 6 and 7—
Delete subclause (2).

No. 5—Page 3, after line 26—
Insert:
6A—Statements by witness not admissible against witness
A statement or disclosure made by a witness in answer to a question put to the witness, or in evidentiary material produced by the witness, for the purposes of the Inquiry will not (except in proceedings for an offence against this Act or for contempt) be admissible in evidence against the witness in any civil or criminal proceedings in any court.

No. 6—Page 3, after line 36—
Insert:
Schedule 1—Terms of reference

To inquire into and report upon the following matters:

(1) Whether the Premier or any Minister, ministerial adviser or public servant participated in any activity or discussions concerning:

(a) the possible appointment of Mr Ralph Clarke to a government board or position; or

(b) the means of facilitating recovery by Mr Clarke of costs incurred by him in connection with a defamation action between Mr Clarke and Attorney-General Atkinson

(The activity and discussions and events surrounding them are referred to in these terms as "the issues".)

(2) If so, the content and nature of such activity or discussions.

(3) Whether the Premier or any Minister or ministerial adviser authorised any such discussions or whether the Premier or any Minister or ministerial adviser was aware of the discussions at the time they were occurring or subsequently.

(4) Whether the conduct (including acts of commission or omission) of the Premier or any Minister or ministerial adviser or public servant contravened any law or Code of Conduct; or whether such conduct was improper or failed to comply with appropriate standards of probity and integrity.

(5) Whether the Premier or any Minister or ministerial adviser made any statement in relation to the issues which was misleading, inaccurate or dishonest in any material particular.

(6) The failure of the Premier, the Deputy Premier, the Attorney-General and the, then, Minister for Police to report the issue in the first instance to the Anti-Corruption Branch of the SA Police.

(7) Whether the actions taken by the Premier and Ministers in relation to the issues were appropriate and consistent with proper standards of probity and public administration and, in particular:

(a) why no public disclosure of the issues was made until June 2003;

(b) why Mr Randall Ashbourne was reprimanded in December 2002 and whether that action was appropriate;

(c) whether the appointment of Mr Warren McCann to investigate the issues was appropriate;

(d) whether actions taken in response to the report prepared by Mr McCann were appropriate.

(8) What processes and investigations the Auditor-General undertook and whether the Auditor-General was furnished with adequate and appropriate material upon which to base the conclusions reflected in his letter dated 20 December 2002 to the Premier.

(9) Whether adequate steps were taken by Mr McCann, the SA Police and the Office of the Director of Public Prosecutions to obtain from Mr Clarke information which was relevant to the issues.

(10) Whether the processes undertaken in response to the issues up to and including the provision of the report prepared by Mr McCann were reasonable and appropriate in the circumstances.

(11) Whether there were any material deficiencies in the manner in which Mr McCann conducted his investigation of the issues.

(12) Whether it would have been appropriate to have made public the report prepared by Mr McCann.

(13) The matters investigated and all the evidence and submissions obtained by and any recommendations made by the Anti-Corruption Branch of the SA Police.

(14) Whether Mr Ashbourne, during the course of his ordinary employment, engaged in any (and, if so, what) activity or discussions to advance the personal interests of the Attorney-General and, if so, whether any Minister had knowledge of, or authorised, such activity or discussion.

(15) Whether Mr Ashbourne undertook any and, if so, what actions to "rehabilitate" Mr Clarke, or the former Member for Price, Mr Murray DeLaine, or any other person into the Australian Labor Party and, if so, whether such actions were undertaken with the knowledge, authority or approval of the Premier or any Minister.

(16) The propriety of the Attorney-General contacting journalists covering the Ashbourne case in the District Court, during the trial, and the nature of those conversations.

(17) With reference to the contents of the statement issued on 1 July 2005 by the Director of Public Prosecutions, Mr Stephen Pallaras QC:

(a) what was the substance of the "complaint about the conduct of the Premier's legal adviser, Mr Alexandrides";

(b) what was the substance of the "telephone call made [by Mr Alexandrides] to the prosecutor involved in the Ashbourne case";

(c) what were the "serious issues of inappropriate conduct" relating to Mr Alexandrides;

(d) whether the responses of the Premier, the Attorney-General or any Minister or Mr Alexandrides or any other person to the issues mentioned in the Director of Public Prosecutions' statement were appropriate and timely; and

(e) whether any person made any statement concerning the issues referred to in the Director of Public Prosecutions' statement which was misleading, inaccurate or dishonest in any material particular.

(18) Whether it would be appropriate in future to refer any credible allegation of improper conduct on the part of a Minister or ministerial adviser (that has not already been referred to the police) to the Solicitor-General in the first instance for investigation and advice.

(19) If the reference of such an allegation to the Solicitor-General would not be appropriate (in general or in a particular case) or would not be possible because of the Solicitor-General's absence or for some other reason, who would be an alternative person to whom it would be appropriate to refer such an allegation in the first instance for investigation and advice.

(20) Whether Mr Alexandrides assisted in framing the Terms of Reference for the Inquiry proposed by the Government in the resolution of the House of Assembly passed on 5 July 2005.

(21) What action should be taken in relation to any of the matters arising out of the consideration by the Inquiry of these terms of reference.

The Special Commissioner must not, in the Inquiry or report on the Inquiry, purport to make any finding of criminal or civil liability.

Consideration in committee.

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

That the Legislative Council's amendments be disagreed to.

The committee divided on the motion:

AYES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F. (teller)
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Key, S. W.
Koutsantonis, T.	O'Brien, M. F.
Rankine, J. M.	Rau, J. R.
Stevens, L.	Such, R. B.
Thompson, M. G.	Weatherill, J. W.
White, P. L.	Wright, M. J.

NOES (16)

Brokenshire, R. L.	Brown, D. C. (teller)
Buckby, M. R.	Chapman, V. A.
Evans, I. F.	Goldsworthy, R. M.
Gunn, G. M.	Hamilton-Smith, M. L. J.
Kotz, D. C.	Lewis, I.P.
Matthew, W. A.	McFetridge, D.
Meier, E. J.	Redmond, I. M.
Scalzi, G.	Venning, I. H.

PAIR(S)

Hill, J. D.	Kerin, R. G.
Lomax-Smith, J. D.	Brindal, M. K.

PAIR(S) (cont.)

McEwen, R. J.	Hall, J. L.
Maywald, K. A.	Penfold, E. M.
Rann, M. D.	Williams, M. R.

Majority of 4 for the ayes.

Motion thus carried.

CHILDREN'S PROTECTION (KEEPING THEM SAFE) AMENDMENT BILL

Resumed on motion.

(Continued from page 3222.)

Clause 4.

The committee divided on the clause:

AYES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K.
Hanna, K.	Key, S. W.
Koutsantonis, T.	O'Brien, M. F.
Rankine, J. M.	Rau, J. R.
Stevens, L.	Such, R. B.
Thompson, M. G.	Weatherill, J. W. (teller)
White, P. L.	Wright, M. J.

NOES (16)

Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Chapman, V. A.
Evans, I. F.	Goldsworthy, R. M.
Gunn, G. M.	Hamilton-Smith, M. L. J.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	McFetridge, D.
Meier, E. J.	Redmond, I. M. (teller)
Scalzi, G.	Venning, I. H.

PAIR(S)

Hill, J. D.	Brindal, M. K.
Lomax-Smith, J. D.	Hall, J. L.
McEwen, R. J.	Kerin, R. G.
Maywald, K. A.	Penfold, E. M.
Rann, M. D.	Williams, M. R.

Majority of 4 for the ayes.

Clause thus passed.

Clauses 5 to 10 passed.

New clauses 10A and 10B.

Mr HANNA: I move:

Page 9, after line 7—Insert:

10A—Amendment of Section 19—Investigations
Section 19(1)—delete 'may cause' and substitute: must cause.

10B—Amendment of section 20—Application for order
Section 20—Delete 'may apply' and substitute: must apply.

One of the issues that is raised time and again by my constituents when these awful problems of neglected children, or children at risk, arise is that appropriate and prompt action is not necessarily taken by CYFS. That is not to blame individual social workers who are, one can assume, doing their best in the situation but, because there are not enough social workers doing the job, the objectives, which the government has just refined and put forward again in this amending legislation, cannot be achieved.

One of the people with whom I was dealing earlier this year said to me that there should actually be an obligation on the part of government (when there are children at risk, or neglected, or in an unsafe situation) to remove them from that situation, or place them in a safe situation, or in some way care for them so that they will not come to great harm. At the moment, the way that the legislation is written, it essentially allows the minister to make a decision at the minister's discretion. Why can we not make a stronger statement in the legislation to insist upon an appropriate level of care for our children at risk? My first amendment is to amend section 19 of the principal legislation, that is, the Children's Protection Act 1993. Subsection (19)(i) currently provides:

> If the Chief Executive Officer suspects on reasonable grounds that a child is at risk, the Chief Executive Officer may cause an investigation into the circumstances of the child to be carried out.

People in my community are saying that, if someone like the chief executive officer suspects on reasonable grounds that a child is at risk, then the chief executive officer should investigate the circumstances. Let us be plain: there are grounds for suspecting that a child is at risk. Of course, that is defined in the act, or, if it is not defined in the act, it is quite clear what it means. It might mean, for example, a 13-year-old girl living with a man in his twenties who is dealing in drugs; it might mean a young child sleeping on the streets; or it might mean a young child who consorts with teenage gangs that damage property, deal in drugs and steal things.

If such grounds are determined by the police or reported to CYFS, then there are reasonable grounds that a child is at risk. If the chief executive officer—in other words, the department—has a suspicion that that is the case, I say that the chief executive officer should have an obligation to investigate. It should be mandatory that the department investigate cases where there is a suspicion on reasonable grounds that a child is at risk. If you have those sorts of situations, I am saying that the department must get out there and look at it. That is not asking too much. I am not saying that the child must be picked up and taken to Cavan, or a police station, or a hostel or returned home. I do not know what the solution might be in a particular case. But, at the very least, if there are grounds to believe that a child is at risk, for goodness sake, are we not going to say that the department must go and investigate? The principle is plain.

It changes an option for the department—or, one might say, an option for the government—as to whether or not to investigate whether a child might come to harm into a duty on the part of the government to care for children if the knowledge has come to the government through the agency that there are reasonable grounds of a child being at risk. It is a simple proposition. It should be an obligation, not an option. If the government really wants to keep them safe, it must be an obligation, not just something that we might do if we have enough resources on a particular day.

Mrs REDMOND: I indicate that the opposition intends to support the member for Mitchell on this amendment. I know that when I first looked at the amendments proposed by the member for Mitchell they all looked fairly similar. Effectively, they all change, in a number of clauses, the word 'may' to 'must'. However, when I looked at the sections that are affected, it seemed to me that it is in fact appropriate to say 'if the Chief Executive Officer suspects'—so, there has only got to be a suspicion—'on reasonable grounds that a child is at risk.'

If the Chief Executive Officer suspects on reasonable grounds that a child is at risk, it seems to me reasonable to say, 'Well, then, the Chief Executive Officer must cause an investigation into the circumstances.' I notice that in section 19(2) of the act there is another 'may', but the member for

Mitchell has made no attempt to change that. Only in subclause (1) is he saying, 'If the CEO has a reasonable ground for suspecting that a child is at risk, it is entirely appropriate for the Chief Executive Officer to cause an investigation to be carried out into the circumstances of the child.' For that reason, we will be supporting the amendment of the member for Mitchell.

Mr LEWIS: I must say that I share the concerns of the member for Mitchell, and I support the remarks made in the same vein by the member for Heysen who speaks on behalf of the opposition here. The simple fact is that I know of young people where the opposite to what the minister says should happen is, indeed, happening. Post-pubic girls between the ages of 14 and 16 are taken into the care of the Crown, and the social worker or case worker in question places them in a motel where they are not just at risk but they are being encouraged to become sexually active.

If they are not being encouraged then, damn me, I do not know what it is. In circumstances where a case worker goes to bed with someone who is a minor, that is very serious; and, more especially, that person, whomever it may be, has the power to advise the CEO, and the CEO up the line signs off on it to give that person their—if you want to use the term—wicked way with the minor. There is something wrong; something stinks here; something is crooked. Nothing is being done about it, and the act as it stands is aiding and abetting that process. The concerns of parents are not being taken seriously. A recalcitrant, indignant, rebellious, young teenager is allowed to leave home and, at taxpayers' expense, with the full knowledge and support of the department at large, given the opportunity to indulge themselves in the manner in which I have suggested, to their complete detriment in every particular.

I reckon it is about time that the department applied some rigour and had a complete review of its existing staff structure, the manner in which they were recruited, and the kind of behaviour in which they are willing to engage, to get rid of those social engineers that are there—and if they are not social engineers they are certainly paedophiles. It is not good enough and, whilst the act says one thing, the reality produces another, and the minister seems—successively over the last decade and more—to have allowed the practices of which I complain, to which the member for Mitchell has drawn attention, and with which the member for Heysen has agreed in expressing her concerns, to continue and grow apace.

It just ain't right and it is not helping anybody make a better fist of their lives by encouraging rebellious post-pubic teenagers, or anyone else for that matter, to go off, leave either or both of their parents, and do as they please. Any wonder parents at schools are expressing concern in school council meetings. I am hearing that in my schools, and I am also receiving expressions of concern from parents all over the state, particularly here in the metropolitan area, that the department is failing in its duty as determined by law, and departmental staff are breaking other laws, particularly the criminal code, and allowing children to become adults, justifying their antagonistic and rebellious behaviour on the grounds that the departmental officer thought it was okay. Not good, not nice, not happy, minister.

The committee divided on the new clauses:

AYES (16)

Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Chapman, V. A.
Evans, I. F.	Goldsworthy, R. M.
Gunn, G. M.	Hanna, K. (teller)
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	McFetridge, D.
Meier, E. J.	Redmond, I. M.
Scalzi, G.	Venning, I. H.

NOES (18)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Conlon, P. F.	Foley, K. O.
Geraghty, R. K.	Key, S. W.
Koutsantonis, T.	O'Brien, M. F.
Rankine, J. M.	Rau, J. R.
Stevens, L.	Such, R. B.
Thompson, M. G.	Weatherill, J. W. (teller)
White, P. L.	Wright, M. J.

PAIR(S)

Brindal, M. K.	Hill, J. D.
Hall, J. L.	Lomax-Smith, J. D.
Hamilton-Smith, M. L. J.	McEwen, R. J.
Kerin, R. G.	Maywald, K. A.
Penfold, E. M.	Rann, M. D.
Williams, M. R.	Ciccarello, V.

Majority of 2 for the noes.

New clauses thus negatived.

Clause 11.

Mrs REDMOND: I move:

Page 9, lines 10 and 11—
Delete 'a social worker or other expert' and substitute: such person as the Court may appoint

This is quite a simple amendment if one looks at the provisions of proposed clause 11. It provides that the court can make an order. As I said in my second reading speech, we are quite happy for the court to be able to make an order about having a parent assessed, but we believe that it is not appropriate to provide that it be a social worker or other expert. I do not mean to hold all social workers accountable for the bad experiences that some people have had with some social workers but, nevertheless, it seems to the opposition that it would be fairer, in lieu of 'a social worker or other expert', to simply say 'such person as the court may appoint'. That is not intended to in any way detract from the court's discretion to appoint a social worker if they think that a social worker is the appropriate person, but there is almost an implication in the way it is worded at the moment that suggests that a social worker may be in some way the preferred person to make an assessment.

I know that many parents would find it somewhat disconcerting to have their parenting skills assessed by a social worker, and there may well be many other people who would be as well or even better qualified than a social worker. The amendment simply seeks to delete the reference to 'a social worker or other expert' and replace it with the words 'such person as the court may appoint' but leaves in place the essence of what the government is seeking to achieve, and that is to enable the court to order that someone be assessed as to their ability to parent, and that will be all to the good.

Amendment carried; clause as amended passed.

New clause 11A.

Mr HANNA: I move:

After line 15—Insert:
11A—Amendment of section 37—Application for care and protection order
(1) Section 37(1)—delete 'the minister may apply' and substitute 'the minister must apply'

(2) Section 37(2)—delete 'the minister may apply' and substitute 'the minister must apply'

I speak again to the principle that the state should take on the duty of caring for children where the minister or, indeed, the department have reason to believe that a child is at risk. It should not be an option: it should be mandatory. In this case, I am amending section 37(1) of the Children's Protection Act, which provides:

If the minister is of the opinion—
(a) that a child is at risk; and
(b) that an order under this division should be made in respect of the child to secure his or her care and protection,
the minister may apply to the Youth Court for an order under this division.

This covers a situation where a child is at risk, as far as the minister is concerned. So, the minister knows that there is a child at risk—whether it be of drug taking, being involved in crime, an inappropriate sexual relationship or whatever. The minister is also of the opinion that there should be a court order for the care and protection of the child. At the moment, it is an option for the minister not to do anything; the minister can ignore that risk. Even if the minister believes there should be an order for the care and protection of the child, an incompetent or lazy minister—and I am not talking about this one—could just do nothing. I say that it is mandatory, and that is what the community expects. The effect of my amendment is that the minister must apply to the Youth Court.

The Hon. J.W. WEATHERILL: I think it is a misunderstanding of the scheme of the act. There are other options short of going to the Youth Court for dealing with a child being at risk, and this preserves the discretion. Perhaps, in a proper case, a relative may be the appropriate person to care for a child on a short-term basis; it may even be a neighbour, as a short-term arrangement. If possible, we want to keep things out of the Youth Court. This is an enabling act. It enables us to go to the court when we need to seek the approval of the court to do certain things, but it is not mandatory that they are the only steps that need to be taken to ensure that a child is safe from harm. I think all these points misunderstand that a range of informal options ought to be explored. The system ought to have sufficient flexibility to ensure that we are diverted from court processes.

The CHAIRMAN: I inform the gentleman in the gallery that he must only film members on their feet. Having interrupted the minister, I ask that, if the member for Hammond is speaking on a mobile phone, as I think he is, he please leave the chamber. The minister.

The Hon. J.W. WEATHERILL: I have concluded my remarks, sir.

Mrs REDMOND: I thank the minister for those remarks because it partly answers the question I was going to ask. When I read the member for Mitchell's proposal in relation to this provision, what sprang to my mind was whether any other options were available. If there are other options, it seems to me that it is appropriate for the clause to remain as currently worded, that is, 'the minister may apply to the Youth Court for an order under this division.' Division 2—Care and protection orders, section 37(1) provides:

If the minister is of the opinion—
(a) that a child is at risk; and
(b) that an order under this division should be made in respect of the child to secure his or her care and protection
the minister may apply to the Youth Court for an order under this division.

I still think there is a problem with the way it is worded, as it currently stands. If the minister has reached the conclusion that the child is at risk and that an order should be made, what other option does the minister have? The minister has concluded that a care and protection order should be made. In what other way is it possible to get a care and protection order, other than by an application to the Youth Court? If there is another way that a care and protection order can be obtained, clearly it needs to stay 'may'. But, if the minister believes there should be a care and protection order in respect of the child, and has reached that conclusion, and there is no other way to get it but to apply to the Youth Court, it seems to me the member for Mitchell is correct and that it should read 'must'.

The Hon. J.W. WEATHERILL: In these sorts of cases it is as much a drafting issue as anything else. These are very limited discretions. If the relevant criteria are established, then the truth is that very limited discretion is left in the minister to proceed to seek the order. In some cases 'may' is probably better read as 'shall'. In this particular clause, it does leave very little discretion, but it leaves some discretion. There is very little discretion for the minister to proceed to the next step; that is, to make the application for an order. If having been satisfied that the child is at risk, and it is a proper case for an order to be sought, it is more likely than not that it will be made. In this case there is little additional discretion for the minister in that situation.

Mr HANNA: If a minister becomes aware of a child at risk and there are informal means of addressing the concerns, then let them be pursued. However, we are talking about a case where a minister is aware of a child at risk and believes that an order should be made for the protection and care of that child. I am saying that in those circumstances it should be nothing wishy-washy, not an option, but, rather, an obligation. I say that the minister is letting down the children at risk in South Australia if the government wants to run away from an obligation in respect of these children at risk.

Mr LEWIS: Under the provisions in this clause, I ask the minister what he is doing to ensure that the staff in the office are competent not only to fill in forms but also to supervise the lives of children at risk who, by definition, are still children—whether they are post pubic or pre pubic, or whatever other term one may use to describe that. I do not see that yet happening—and it needs to. What is the minister doing to ensure that the staff who are recruited are capable of doing the job and not abusing the position of trust? It is not just a matter of doing the job: it is also one of not abusing the trust. Why is it that the department has people who are habitual users of narcotics, for instance, on its staff?

The CHAIRMAN: The question is that new clause 11A be agreed to.

Mr LEWIS: I note the minister's silence. I remind the house that I still have another call, which I may choose to exercise, unless I can get the minister to respond to my inquiry. This is where the rubber hits the road and where the problems for the department are arising. It is not just about protecting the child, according to the way in which the law is written, from the risk to which they are exposed from any adult in the community, whether they are one or other of the parents or a partner of one or other of the parents. It is also about protecting the children from the idiots who have been recruited into the department. I again ask: what is the

department doing about renovating its staff lists to get rid of those people who are inappropriate in their present roles—particularly those who are using controlled substances as drug abusers and saying that it is okay? I have numerous examples over recent times, during the life of this parliament, where children have been given controlled substances by officers of the department and they get away with it. I am not talking about the kids getting away with it: I am talking about the staff, because they say it is a part of life.

The Hon. J.W. WEATHERILL: If the member for Hammond has any details of those matters I invite him to provide them to me or to the chief executive of the department. I am not quite sure what it has to do with this clause, but I am more than happy to hear any information of that sort and will follow it up. However, I have never seen an allegation of that sort—certainly, it has not been raised with me before these proceedings.

I did give an undertaking to the member for Mitchell that government members would be voting against this clause. There is one additional piece of information that I should give the committee and that is that it could, in the circumstances, be postulated that a Family Court order may have been sought, thereby obviating the need for the minister to seek an order.

New clause negatived.

Clauses 12 and 13 passed.

Clause 14.

Mr LEWIS: What attempt is being made by the minister to ensure that people who have committed offences relating to the use of controlled substances are not being appointed as guardians?

The CHAIRMAN: I am not sure whether that is relevant, but if the minister wants to respond I will not stop him.

The Hon. J.W. WEATHERILL: There are stringent processes for screening guardians to ensure that they are fit and proper persons to be guardians of children in the guardianship or care of the minister. Those processes would, amongst other things, screen for the commission of criminal offences.

Mr LEWIS: Does the minister mean to obfuscate by saying that, to get around those who have been issued with even expiation notices for the use or abuse of cannabis, where they are not required to give any evidence whatever that they have discontinued the practice? Why is it that that is considered appropriate, indeed acceptable, for people who are habitual users of controlled substances—narcotics, contraband, call it what you like, I do not care. It even extends to heroin. 'Oh, we're only social users.' That is garbage. Why is it that we allow such people to become responsible for the care of children? It is bad enough that they be parents but, in this case, they are being appointed by the minister under the authority of the legislation and allowed to continue to consider that that is an acceptable form of behaviour.

The Hon. J.W. WEATHERILL: I have no knowledge of appointments of that sort being made. If the member for Hammond has some information he could share with us, we can see whether there is something to investigate and whether there is a person who has been inappropriately appointed as a foster carer. I have no information of that sort. I would be very interested to find information of that sort. It is certainly not the policy of this government to appoint people who are not appropriate to be foster carers by virtue of their substance use or abuse.

Clause passed.

Clause 15, schedules and title passed.

Bill reported with an amendment.

The SPEAKER: The question is that the bill be now read a third time.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I would merely like to say in the third reading that this bill reflects the latest contribution that the government has made to the child protection agenda. Within three weeks of coming to office we commissioned the Layton review. The next major response we made was the allocation of significant resources to deal with a crisis that had developed within our child protection agencies, and the next substantial change was a budget, those measures together incorporating an additional $210 million to child protection in this state over five years. We also responded with our Keeping Them Safe policy that put in place a range of policy and legislative and non-legislative measures that set our response to the Layton reforms.

This most recent tranche of amendments to the child protection arrangements in this state is the next stage in the process. Indeed, there are further foreshadowed amendments associated with criminal and other evidential matters that are in the province of the Attorney together with me as Minister for Families and Communities. I believe that in this state we have adopted a very enlightened approach to child protection. There is no doubt that over a period of time our child protection system has fallen into some degree of difficulty, but it is working its way out of those days and we believe there is a new motivation and, indeed, excitement in the child protection agencies, a new sense of endeavour, and I think they are ably led by our new Chief Executive Sue Vardon and the new divisional Executive Director of Children, Youth and Family Services, Beth Dunning, who have done a tremendous job in taking early steps to turn this agency around.

I know that there is much more to be done, but we believe that we have made extraordinary strides in a relatively short period of time. I also pay particular credit to Julia Cranney, who has slaved long and hard over these legislative amendments. It has been a very difficult task in translating the Layton reforms into amendments. While we were, of course, assisted by her guidance, there was an enormous amount of additional work to turn those recommendations into actual legislative amendments.

I pay tribute to her and the inter-agency collaboration that has occurred to produce this important piece of legislation. I also acknowledge parliamentary counsel for their forbearance. There is nothing worse than drafting a bill for someone who thinks they are a bit of a lawyer. They tend to have their own ideas about how things ought to work, and I am sure I drive them crazy from time to time. We are very pleased that parliamentary counsel is a very tolerant bunch and puts up with ministers who think they know more about the law than parliamentary council. Thank you to everyone; and thanks to the parliament for passing this important piece of legislation.

Mrs REDMOND (Heysen): I will not hold up the house for very long; there is just—

Mr LEWIS: Mr Speaker, I rise on a point of order. What is the motion we are debating?

The SPEAKER: It is the third reading.

Mr LEWIS: To my certain knowledge, no-one has moved that it be read a third time.

The Hon. J.W. Weatherill: Yes, we did.

Mrs Redmond: Yes.

Mr LEWIS: The record will show that no-one has moved that the bill be read a third time.

The Hon. J.W. Weatherill: Yes, I did.

The SPEAKER: The minister I believe—

Mr LEWIS: He did not say anything.

The Hon. P.F. Conlon: Well, Peter, he did—and it doesn't matter what you think.

Mr LEWIS: I will check the *Hansard* record, and I think you will find that I am not mistaken.

The Hon. P.F. Conlon: Well, you are.

Mr LEWIS: I am certain that I am not.

The SPEAKER: All right; we will not enter into a debate. The member can make doubly sure, but I am confident that it was said.

Mrs REDMOND: I promise that I will not keep the house for long, but I want to put a couple of things on the record, largely in response to a couple of comments from the minister. First, I am pleased that some of these recommendations of Robyn Layton's report which are now 2½ years old are finally being addressed. It has seemed to me for a long time that it must have been somewhat frustrating for Robyn Layton to have become so profoundly involved in the issues arising in child protection in this state and to have produced such a magnificent report to then see it sit there for so long without some of the recommendations (which I believe to be relatively simple) being addressed. Secondly, the minister in response to one of the amendments moved by the member for Mitchell and to some other comments said that, in relation to these youngsters who leave home, 99 times out of 100 they are coming out of problem homes and they do need to leave, that there are difficulties in the home that force them to leave.

If that figure is correct, all I can say is that an awful lot of children must be leaving home. If I am seeing only one in 100 of children, then an awful lot of children are leaving home in this state. There are too many instances of children from good homes leaving home when they are in conflict with their parents. I agree that sometimes parents lack parenting skills, especially in parenting adolescents, nevertheless, they are from good homes and it is not a situation of their leaving home for valid reasons. They are leaving home because they are aided and abetted to do so by the department. I know that we lost the amendment concerning the objects remaining as they are in a division, but I would ask the minister to consider very carefully a number of issues raised by various speakers in this debate in relation to the rights of parents who are good parents and whose children go off the rails briefly.

It is my firm view that those children, our community and society generally would be much better served if we took a somewhat firmer line than we are taking now and ensured that they are raised in their families; and that the parents are supported rather than the state assisting the children to gain their independence at an age when they are really not ready to have it.

Mr LEWIS (Hammond): I, too, believe, as I said in my second reading contribution, that the bill comes out of committee to the third reading as a piece of legislation which, in principle, is much better than we have had in the past. To that extent, the minister is to be commended, as are those people who have taken seriously the task of reforming what the legislation said earlier. Those people began the process with the reference by the government (before this minister became the minister) to Robyn Layton, the reference which resulted in her report. That happened in consequence of the concerns that I expressed earlier in this parliament. They were concerns that then became shared by elements within the government, but not in such fulsome fashion as the concerns that I was expressing. Indeed, it was a partition, if you like, of the concerns that I was raising about the way forward from where we were in 2002, shortly after the government came to office.

I commend Robyn Layton and those officers of the department who, as the minister has pointed out, have done this work. It does not alter the concern properly raised by honourable members, not just by me, and to which attention has been drawn by the member for Heysen in her summary and contribution just made, and I commend her for doing that. My experience is pretty much the same as hers in terms of the principles and the obvious statistics that are involved. It is presently too much the case that it is simply taken on trust that everything a child, having left home, is saying is not only plausible but also fact. Even if it is not, the benefit of the doubt, where any doubt arises, is given to the child rather than to the parents. That is sad, because it means that very often a great number of those young teenagers whose lives could have proceeded in an orderly fashion if they were just compelled to stay with their families have become trashed through their own impulsive conduct—or misconduct—and then they seek to blame someone else a few years later.

That has been my experience, sir, and I am sure that it has been yours, and I know that the member for Heysen has had a number of people go to her office. I guess, because of the publicity that has been attracted to the remarks I have made about this from time to time, and especially during the last three years, I may have received more than other members. That does not mean that I am better; it just means that I have had a greater measure of information directed to me, and so a greater responsibility falls to me to investigate the circumstances of each of the incidents that are drawn to my attention; hence the number of files.

The minister can rest assured that he will hear from me about that matter. That is not a threat, and it is not intended to cause him to feel in any sense distressed by what I have said: it is not meant that way. If it is taken that way, then it is taken mistakenly. It is my genuine concern for lives that could otherwise be made more productive if they are just compelled to accept the fact that one will not achieve anything in life unless one is disciplined in the way in which one approaches it. This bill provides the means by which that should be possible but, in some instances, on the other side of it, it makes it too easy for the department to use subjective judgment and misjudge the situation to the detriment of all concerned—both the parents and, more particularly, the child in question.

Bill read a third time and passed.

CORRECTIONAL SERVICES (PAROLE) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I have to report that the managers of the two houses conferred together and it was agreed that we should recommend to our respective houses:

No. 1: That the House of Assembly amend its amendment by deleting from proposed subsection (2)(b) of section 66 '(but the regulations may not exclude a prisoner liable to serve a total period of imprisonment of 3 years or less)' and that the Legislative Council agree thereto.

Nos 2 and 3: That the Legislative Council no longer insist on its disagreement to these amendments.

SPECIAL COMMISSION OF INQUIRY (POWERS AND IMMUNITIES) BILL

The Legislative Council insisted on its amendments to which the House of Assembly had disagreed.

ADJOURNMENT

At 7.11 p.m. the house adjourned until Monday 12 September at 2 p.m.

Corrigenda

Estimates Committee A
Page 99, column 1, line 55—For '3 000' read '300'.
Page 113, column 1, line 36—or 'account' read 'accounts other than those'.