

## HOUSE OF ASSEMBLY

Thursday 1 December 2005

The **SPEAKER (Hon. R.B. Such)** took the chair at 10.31 a.m. and read prayers.

### MEMBERS' REMARKS

**The SPEAKER:** The member for Unley may now take the opportunity to withdraw a remark to which the member for Hammond took offence, and when the member for Hammond comes in, he can withdraw his remark to which the member for Unley took offence.

**Mr BRINDAL:** When did the member for Hammond take offence to something I said?

**The SPEAKER:** He alleged that you called him some sort of animal. I will not repeat it.

**Mr BRINDAL:** It slips my mind. I certainly, sir, should not refer to other members as some sort of animal. I would probably get into trouble from the RSPCA. I unqualifiably withdraw if I suggested that the member for Hammond was some sort of animal. I will think of a more suitable way to refer to other honourable members in the future.

### GOVERNMENT ACCOUNTABILITY

**Mr BRINDAL (Unley):** I move:

That the house—

- (a) recognises the need for public accountability and its obligation to scrutinise the executive government; and
- (b) sends a message to the Chief Justice requesting that the transcripts of the Regina V Ashbourne case be provided to the Speaker to be laid on the table of this house.

I find that I have to speak first to this motion, and I want to put this on the public record because of the way in which the sessional orders now deal with matters that have not been dealt with. I had another matter that I wished to discuss first today, and I put it on the *Notice Paper* months ago. This motion was not my first preference today. Nevertheless, I move this motion for a very simple reason. It is not to cause malice to the government or embarrassment to the Attorney, or to anyone else, because everything that is in the transcript of that trial was public. It was publicly available, and we could have all gone down there and sat for days and days and days and listened to it all. I actually believe that one or two members of parliament, and perhaps a number of staffers, had nothing better to do than do that. Nevertheless, some questions arose in this house about aspects related to this trial. Some members of this house sought to get advice as to certain things that were said. Members of this house were then told, 'Yes, you can have the transcripts,' and it costs two, three or some scandalous—

**The Hon. G.M. Gunn:** It cost \$5 000.

**Mr BRINDAL:** It cost \$5 000 to get the transcripts. In my opinion, that is scandalous. First, how this or any government can justify \$5 000 for a few hundred pages of photocopying, when I presume it would cost about one cent per sheet to produce, and how they can say that the provision of transcripts at that price is recovery only and that it is not some sort of revenue-raising means, I do not know. It strikes me that if we look first at the fundamental question that our courts should be open and are open and, therefore, the evidence of the courts should be open to scrutiny by anyone who wants to see them, then we have an immediate question

as to why these transcripts cost \$5 000. But, the more immediate matter for this house is this: it is the nature of this house.

This house holds as its most sacred principle its right to freedom of speech; its absolute right in its committees and its deliberation as a house to call for people, to send for papers and to demand that people answer truthfully and accountably before this house without evasion or equivocation. It is a fundamental principle that this house cannot do its job properly unless it has information at its disposal. Yet, when some honourable members of this house sought from the Crown itself to get information, in the form of the court transcripts, we were told we could not have it. I think that it is wrong in principle and it is wrong in everything that this house is supposed to stand for. It is our duty not to interfere with the workings of the court, and we have standing orders and procedures which try to ensure that there is a separation of powers between the court, the legislature and the executive, and that is fair.

The courts are an arm of the Crown, one facet of the Crown, and the people are represented in this place, but this place is not an assemblage of the Crown, it is an assemblage of the people. The Crown is represented here by the executive government. The Crown is represented in the courts by the judiciary. The Crown in all its aspects answers to the people. It was a principle of the Great Revolution at the ascension of William and Mary of Orange, and it was part of what Charles I lost his head for. That was the fact that, in a democratic society, every parliament is sovereign. The voice of the people is what counts, and the Crown has no right to gainsay the voice of the people.

**The Hon. G.M. Gunn:** Or to interfere.

**Mr BRINDAL:** Or, as the member for Stuart says, to interfere, yet in this case, in seeking to send for papers we, the parliament of South Australia, have been told, 'No, you've got to pay \$5 000.' The fact is that we should not have to pay \$5 000. This house should be able to operate in the way it sees fit with all the information that it sees fit provided to it. For that reason I hope that this house will defend its right to freedom of speech.

*Members interjecting:*

**Mr BRINDAL:** Thank you, Ivan. That was very sensible of you. If you want to invoke quarrels among members, do it that way. For that reason, I believe that this house should support this motion, because the courts should be sent a message that, if this house wants something, this house is entitled to get it and we do not have to pay money for it, we do not have to go cap in hand. If we need it to further elaborate on our deliberations, then we need it and that is it. This house will decide what it needs, it will send for it and it will get it.

**The Hon. G.M. GUNN (Stuart):** I support the motion, because I well recall strongly opposing the actions of Attorney-General Sumner when they drastically increased the cost of getting transcripts from courts. It was a retrograde step, a step that should not be in place in a democracy. In a democracy, court transcript availability should not be based on one's ability to pay. Therefore, this house should have unlimited access to the transcript of any court proceedings without having to pay thousands of dollars. I put to you, Mr Speaker, as the custodian of the rights of the members of this place, that you have an obligation to ensure that these documents are available if members need them in their proper deliberations.

Further, this motion talks about public accountability and the obligation to scrutinise Executive Government. That in itself is another fundamental right. In the last couple of weeks I have had two occasions on which I have been denied the ability to raise issues in the Economic and Finance Committee. The government has shut the committee down. It did not want scrutiny of the land sale at Port Augusta and it did not want other scrutiny. However, it cannot prevent me from raising these issues at great length in other forums, where the people have the right to judge this inward-looking group. It is clear that the chairman of that committee was under instructions to shut it down if there was any embarrassment to her colleagues.

There are plenty of things to embarrass them, and the minister who is smiling there would be aware of some of them. Nevertheless, I support this proposition, because I have been very concerned for a long time that the availability of transcripts of court proceedings should not be based on the ability to pay.

**Mr SCALZI (Hartley):** I also support this motion and concur in the sentiments of both the member for Unley and the member for Stuart. This place is often referred to as the highest court of the land. If we are the highest court of the land, how can transcripts from the court not be made available to members of parliament? It is a fundamental right of democracy that, if we are to represent the community, we should be fully informed on matters that affect the community and our constituents, and it is important that we have the ability to fully scrutinise the Executive Government, not only for members of the opposition but also for members of government.

At the end of the day parliament, made up of the government, the opposition and independent members should be the supreme adjudicators of our democratic system. Transcripts, not only referring to this particular case, should be made available to all members of parliament. I will not hold up the house any longer. I think it is clear. It is a fundamental right, and transcripts are like many other documents that are made available to us. If we are going to use the economic argument, then we could cut back on the tonnes of paper that we have to go through each year as members of parliament. This is a fundamental right, and I agree with the member for Unley.

**Mr RAU (Enfield):** I wish to make two very brief points on this. The first is that it would be a very rare thing indeed for the scrutiny of the executive arm of government to be advanced one iota by members of parliament having access to the transcript of court proceedings. Normally, those court proceedings enable you to learn about whether someone has a sore neck after a car accident or whether their knee hurt after they fell over playing football, and other very interesting things for the people involved but hardly things that are going to advance the cause of scrutiny of the executive arm of government. The other point is that members may or may not be aware the transcript is not necessarily and automatically provided in cases these days.

As an economy, which I believe was instituted by the previous government, transcript is basically prepared only as and when required. Many cases do not require the preparation of transcripts. If this were to pass, it would also mean that cases where transcript would not necessarily ever be prepared, that is, prepared from the crude form (and I apologise to members of *Hansard* for describing it that way) produced by the machinery that the court reporter uses—it is not

automatically translated from that into a printed form. That involves time, money and considerable effort, as I am sure *Hansard* staff would attest to. While I am on my feet, I congratulate them on the great work they have done over the past four years. They make a fantastic effort to make sense of what goes on down here—extraordinary, in fact. I commend them for their efforts in relation to the member for Morphet, in particular, who has slowed down a little bit, I think. When we first got here he must have been an enormous challenge and, although what he has to say is often very interesting, it is very difficult to catch it all. But I digress.

The point is that there would be considerable additional expense involved in having transcripts automatically provided. Are we to be greeted each morning, as we attend at our electorate offices, with literally thousands of pages of transcript from umpteen cases that have been presented to us so that we can wend our way happily through drink driving charges, people with sore necks and backs, and so forth? I think that, if we are talking about some sort of accountability for the executive arm of government, the member for Unley might ponder in his retirement a better way of achieving that and perhaps let some of his colleagues know in the next parliament.

**The Hon. I.F. EVANS (Deputy Leader of the Opposition):** I will not hold the house long on this, but I want to put in context the member for Enfield's contribution. My recollection of where this motion came from was during question time when the Deputy Premier quoted from the transcript of the court case which is the subject of part (b) of the motion. The member for Unley took exception to the fact that, when the Treasurer was asked to provide the house with the transcript, which the Treasurer had at taxpayers' expense, his response was, 'The opposition has a budget through the leader's office. Go and buy it yourself,' or words to that effect. The member for Unley's view was, as I understood at the time, given that the transcript was central to a matter before the house, it would have been wise for the parliament to obtain the transcript and make it available rather than—

**The Hon. M.J. Atkinson:** No-one on your side has read it yet.

**The Hon. I.F. EVANS:** I think they have read it.

**The Hon. M.J. Atkinson:** They don't seem to remember it very well.

**The Hon. I.F. EVANS:** We will see what question time this afternoon brings.

**The Hon. M.J. Atkinson:** Yes, good. I look forward to it.

**The Hon. I.F. EVANS:** Yes, you always do.

**The Hon. M.J. Atkinson:** Love it.

**The Hon. I.F. EVANS:** Yes. The member for Unley was making the point that that would then save the taxpayer significant dollars because, if we buy a copy, along with the National Party, the Greens, the Democrats and Family First, the taxpayers will have paid out \$30 000 to \$40 000 for the same transcript, whereas the parliament could, for instance, buy the transcript and make it available, which would be a more sensible solution to the issue.

**The Hon. M.J. Atkinson:** What was your government policy when you were minister? I recall you gave us no transcripts, not even radio.

**The SPEAKER:** The Attorney is out of order.

**The Hon. I.F. EVANS:** We certainly did not fudge radio transcripts. So, when the member for Enfield says that it is about every court case and every transcript and that not all of

them are available, that really is not the point. In this particular case, because it was central to a matter before question time—in fact, the matter is still before question time—

**The Hon. M.J. Atkinson:** Yes, to no good effect.

**The Hon. I.F. EVANS:** No; it is to reasonably good effect. So, I clarify that that was the point the member for Unley was making, Mr Speaker.

**The SPEAKER:** I call the member for Hammond. However, before he speaks, this is the first opportunity I have had to ask him to withdraw a reference to the member for Unley to which the member for Unley took offence, which the member for Unley felt had an unfortunate connotation. I will not compound it by repeating it.

**The Hon. I.F. Evans:** The member for Unley has withdrawn.

**The SPEAKER:** Yes. The member for Unley has withdrawn his. I ask the member for Hammond to withdraw the reference to touching or feeling which were the words used yesterday.

**The Hon. I.P. LEWIS (Hammond):** Mr Speaker, to the member for Unley and all other members, without equivocation, reserve or shame, I withdraw and apologise for anything I have said from time to time which may have caused them offence.

**The SPEAKER:** Did the member for Hammond wish to speak to this motion?

**The Hon. I.P. LEWIS:** I did. I commend the member for Unley for having put this motion on the *Notice Paper*. Whilst recognising the ambit of the remarks honourable members have made about the motion before us, I strongly support the sentiments that are included in it and the broader general principles to which members have alluded in the course of their remarks. It is my belief that it is a waste of taxpayers' money and a bureaucratic nonsense to require parliament to purchase the proceedings of agencies of government, in one part, and separately but nonetheless, of equal importance to the parliament, proceedings in the courts and that all such proceedings should be made available by cross-agency payment, if you wish, but to the Parliamentary Library as a matter of course.

To require the funds in the first instance to be raised from taxpayers and put in to general revenue and then allocate them to the legislature so that in turn the legislature can make the transfer of the figures virtually—that is, not handing over notes or anything like that, but make the transfer of the figures of the sum of money—to the courts or any other government agency is all very fine, but it does not reflect the real cost or value of anything. It is just what happens to be the whimsical notion on the day as to what it ought to cost. There is no market for such things. There cannot be and, if there is, there is a monopoly supplier to the market and the monopoly is established by law. Any argument that that is the cost is a nonsense; it is a piffle. The real cost is not measured by what people have in fact expended in the agencies in which they work in the process of creating that record and there is no competition between people or agencies, for the record.

Secondly, the agency can then charge what it chooses, what it pleases, what its CEO believes is a fair thing in the budget papers, and that is a nonsense as well, because most of the folk who do that sort of work, in the past at least, have had no experience of how markets operate. No, it is not just the material referred to in part (b) of the proposition, but all such material as may be required by the parliament, or any

member of it, ought to be made at no cost to the member, or members, through the Parliamentary Library, downloaded on the intranet and printed off by the library for the member if the member wants it in hard copy form.

I do not believe that we should provide it on the terminals of all members of parliament so that they can, at their discretion, download it and print it, for the very reason that it would be possible to make a mess of some of the software and the hardware if a member, or someone in a member's office, improperly getting access to the intranet, decided to hack it and butcher it. You would not know who had done it. It is better that it be left exclusively to the library, where it would be available for scrutiny on the screen, to any member who wanted it, at a terminal at least partially dedicated for the purpose, and for the member to download and print it if they wanted to print the whole or part of it.

The other thing that I want to say about all that is that it is part of the same kind of problem that arises in the government's having a media monitoring service paid for by taxpayers and separate from the institution of parliament, where it is available to government ministers and members but to the disadvantage of non-government members, wherein the full transcript is immediately available to the government and their staffers but as a precis only to other people. If you want the full transcript for any reason whatsoever you have to go to some private agency to get it, which costs a hell of a lot of money, yet the essential research that you have to do on the full transcript (so you get your facts right when you are in here and you want to quote from those transcripts) is available to the government only. I just do not think that is a rational or fair situation. It is the irrationality of it that the public cavil at, that the public sees as ridiculous, and that the thinking public ridicules in consequence. The sooner that reform is introduced, the better. It will ensure a better standard of debate, because all honourable members will have to acknowledge that they could have got the facts before they shot off their mouth, if they had wanted to get those facts.

I will not go into the wider freedom of information debate, because that is not canvassed here. It is, however, based on that principle that such a proposition finds itself standing here. It is factual information—the information not necessarily being facts in itself, but the fact I refer to is that the statements exist. Whether they are statements of truth or not is beside the point. It is a fact that the proceedings occurred; it is a fact that the proceedings have been recorded; and it ought to be therefore possible for those proceedings to be provided to the house, not just in that instance in the narrow context, but in all such instances. I therefore trust the government will learn that what I was asking for, what I was saying for the last four parliaments, to my certain knowledge, and that which formed part of the compact for good government has not been delivered. It simply was an abuse of my trust. It is tragic—very, very unfortunately tragic.

**Mrs GERAGHTY (Torrens):** I move:

That the debate be adjourned.

The house divided on the motion:

AYES (22)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K. (teller)
Hill, J. D.	Key, S. W.
Koutsantonis, T.	Lomax-Smith, J. D.

## AYES (cont.)

Maywald, K. A.	McEwen, R. J.
O'Brien, M. F.	Rankine, J. M.
Rau, J. R.	Snelling, J. J.
Thompson, M. G.	Weatherill, J. W.
White, P. L.	Wright, M. J.

## NOES (20)

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

## PAIR(S)

Rann, M. D.	Buckby, M. R.
Stevens, L.	Hall, J. L.

Majority of 2 for the ayes.

Motion thus carried; debate adjourned.

### ASHBOURNE, CLARKE AND ATKINSON INQUIRY

**The Hon. I.F. EVANS (Deputy Leader of the Opposition):** I move:

That contingent upon the appointment of a select committee of the Legislative Council on matters relating to the Attorney-General, Mr Ashbourne and Mr Clarke, this house authorises the attendance of any minister called to appear before such a committee.

I moved this motion some months ago so that the Attorney-General and other ministers can have leave of the house to attend the select committee in the other place. At that stage the select committee had not been established. It is now clearly established. The Attorney-General's staff member is giving evidence as we speak.

**The Hon. M.J. Atkinson:** No; he has finished. He made a meal of Lucas.

**The Hon. I.F. EVANS:** Yes, I'm sure. The reality is that the Attorney-General is central to the select committee currently being undertaken in the upper house into the Atkinson, Ashbourne, Clarke affair. It seems only appropriate that the house give the option at least for the Attorney-General to make the decision to attend. If we do not approve the motion the Attorney-General could mount the argument that leave has not been granted. This motion simply gives the Attorney-General, or indeed any other minister, leave to appear before the committee. There will be moves in the upper house to allow the committee to sit once the parliament is finished. That will be a matter for the upper house to debate.

It is clear, when looking at this issue, that Mr Lockwood, Mr Karzis, Ms Pringle and Mr Clarke all have a different version of events from the Attorney-General. They all have given evidence to some degree that is different from the Attorney-General. The Attorney-General is central to this inquiry. There is no reason whatsoever why the Attorney-General would not attend the upper house select committee to put his case before the committee and answer the committee's questions. There is simply no reason that the Attorney-General would not do that.

The Attorney-General comes in here day after day during question time and makes statements that are sometimes right;

and then they often come back incorrect. It is appropriate that the Attorney-General seek to clear up this matter. It is appropriate that the Attorney-General make himself available to the upper house select committee, so that the select committee has all the evidence before it, and so the Attorney-General can put before the committee his version of events—or his latest version of events.

**The Hon. M.J. ATKINSON:** I have a point of order, sir. The member for Davenport is making a personal accusation against me saying that my version of events on this matter differs according to the forum. He should make that allegation by way of substantive motion.

**The SPEAKER:** The point that the member for Davenport made is very close. By saying something about the 'latest version' implies that the Attorney changes his story. That is pretty close to a reflection, but this is a substantive motion on that particular issue. The member for Davenport needs to be very careful not to allege something that he cannot substantiate.

**The Hon. I.F. EVANS:** If the Attorney took the opportunity to attend the upper house select committee, the version of events that the Attorney has put to this house could be put to the select committee, and it could be tested by questions from the select committee. There is no reason why the Attorney-General should not attend. This house should not prevent a minister's attending the upper house committee if the minister so wishes by not approving the motion. By approving the motion, we are giving the Attorney-General the option of attending. The Attorney-General is part of a government which claimed that it would be the most accountable, the most open and the most honest. It has not even finished its legislative agenda in relation to that issue.

It is clear that there are some issues for the Attorney-General to answer. If one of his staff is prepared to attend (a staff member who gave a different version of events than the Attorney-General), if Ms Pringle is prepared to attend, if Mr Clarke is prepared to attend and if Mr Lockwood is prepared to attend, why would the Attorney-General not be prepared to attend? It appears that, although those people who have a different version of the events are prepared to attend the committee, the Attorney-General, for his own reasons, has decided that he wants to close down the committee, or not have the committee sit or not attend the committee and give the committee that information.

All this motion does is to put it into the lap of the Attorney-General to go to the upper house select committee when it is sitting between now and the 18 March election. Let the committee question you, Attorney, let it hear your version of events and answer questions from the select committee.

**The SPEAKER:** There is a technical matter given that the select committee has been established. The member for Davenport might seek leave to change 'that contingent upon' to 'given'.

**The Hon. I.F. EVANS:** I seek leave to change 'contingent upon' to 'given' and 'such a committee' to 'a committee'.

Leave granted; motion amended.

**The Hon. I.P. LEWIS (Hammond):** The member for Davenport, the Deputy Leader of the Opposition, makes a sensible point in my judgment on such matters, but it is not in this particular case alone that I would be willing to support the proposition. Within the confines of this particular proposition, however, the member for Davenport restricted himself to a challenge to the Attorney-General alone. In my judgment, other ministers had intimate knowledge of those

events. I mean, goodness me, the Deputy Premier, the Treasurer, was the person who kicked it all off with his befuddled public utterances about what he believed might or might not have happened, and the directions that he then gave in his reference to the police as to what ought to be done in consequence.

Had it not been for the Deputy Premier's loud mouth none of this would have occurred; and, if the version of events that the Attorney-General has given us is the truth, the real foolish conduct and the mischief that has caused all this money to be spent is that of the Deputy Premier, since the Deputy Premier failed to determine to his satisfaction the truth of the matter before he said anything about it. He rushed off and said, 'Oh, someone forgot to use their toilet paper and we need therefore to have the police investigate whether it was warranted that they use toilet paper,' or whatever, and that 'there is a mess that needs to be cleaned up by some expert in the process and that we must discover whether some evil, some crime, has been perpetrated.'

It is not just the Attorney-General, if the Attorney-General at all. The starting point in these inquiries should have been with the Deputy Premier. The Deputy Premier's version of events should have been put on the record about how he came to the conclusion that there was something that warranted the expenditure of money which he knew would be undertaken, and the distraction and diversion of scarce government resources into what has obviously been a red herring, a goose chase, and a wild goose chase at that.

If, however, the versions of events that have been put before the select committee with the varying degrees of fact and accuracy as between those events is different from the version of the Attorney-General (but in some way or other on an assessment in the committee's own opinion collectively to be more credible than the Attorney's in the evidence that he has given to the house so far is that it will not be, it cannot be), there is something for the Deputy Premier to answer for in having set the whole goose chase on foot in the first place. If that is the case, the other witnesses who appeared before that committee might well be in contempt of the parliament. Indeed, that still could be the case. We will never know if no minister appears there and produces what they have as documented notes, records of the things they did, and the conclusions that they came to in consequence of their deliberations on the matter. It was not as if this matter was, upon discovery, immediately handed to the police, with the police being told, 'Find out if this is crook or not'—or to anyone else. No, there some machinations that went on for quite considerable time before any such call was made.

To my mind, as I have always said, the parliament ought to be allowed to use due process within the standing orders of each of the houses to discover such things. Indeed, the sooner the Legislative Council is made a proper house of review, where there are no ministers and where any such inquiry can be undertaken with the public having confidence in the process and what is likely to come from it, the better we will all be served by the expenditure that we make in the parliament.

The member for Davenport, the Deputy Leader of the Opposition, makes good points, and this motion in the general case is one which is long overdue. It is of considerable value to all of us, and to all South Australians, to make these modifications to the way in which parliament conducts its affairs separate from the executive in discharging its duties to the executive. And, if we need any evidence of that, then we can find it in the motion that we have just looked at,

motion No. 1 today. Clearly, honourable members see that. I have seen it, sir, and you have seen it. The government needs to be made properly accountable not for political gainsay but for the satisfaction of the public interest and providing the public with more accurate information—knowledge about what has happened and where it relates to the public interest. It is not what the public might think is interesting and entertaining but rather the protection of the interests of the public as taxpayers and as citizens who expect the parliament to make sound law. Also, it is for all members of the parliament to behave themselves in ways which bring credit to the institution to which we have been elected and, through that credit, to bring greater respect from, and greater participation in the democratic process by, all the citizens who know that they can have a far greater measure of trust in our proceedings and the votes that we take and the opinions that we each separately express about the matters that concern them, whenever we discuss them.

On occasion, the stuff that we talk about is of no real concern or interest to the public, nor does it protect the public interest. But this one certainly does, and my support for the member for Davenport, the Deputy Leader of the Opposition, cannot be construed, and must not be taken to mean, that I think the Attorney or any of the other witnesses any more or less likely to have said things that are unworthy of credit. It is simply a means by which we can determine, once and for all, whether the wild goose chase put on foot by the Deputy Premier was wisely put on foot, and that those who are part of it have been telling the truth or not and, if not, that they are dealt with according to the processes available to us as a society within this institution, and in the courts as needs be.

**Mr KOUTSANTONIS (West Torrens):** I rise to oppose this thing that the member for Davenport has moved. The hypocrisy of some members of parliament amazes me. When members opposite were in government, they would never have appeared in front of a select committee of another house, never would have moved such motions, and never would have supported such motions. The Liberal Party has a long record of supporting kangaroo courts. Kangaroo courts are evidenced in the way in which the member for Hammond was dealt with when he was a member of the Liberal Party—when, in breach of every rule that it has had in its entire establishment, the then premier simply threw him out without any cause for justice or natural justice.

Here we are again today with the member for Davenport, the aspiring leader of the opposition—he does not aspire to be premier yet: he aspires to be leader of the opposition—wanting our Attorney-General and other ministers to appear before a kangaroo court. The Liberal Party was offered an independent judicial inquiry with exactly the same powers as the one that brought down their former Premier. What did it say? It said, 'No, we don't want an independent judicial officer doing it: we want Rob Lucas. We don't want an independent jurist: we want Rob Lucas. If we have an independent jurist, oh my God, they might clear the Attorney-General.' So, instead—God forbid—they wanted independent, fair-minded people such as the Hon. Robert Lawson, the Hon. Rob Lucas and the Hon. Sandra Kanck to preside over the judgment and execution of our ministers.

**Ms Rankine:** So that truth does not get in the way.

**Mr KOUTSANTONIS:** It is not a matter of letting truth into this motion. This investigation has been based on hearsay, untruths and evidence from people who have other motives—

**Ms Rankine:** None of it is sworn testimony.

**Mr KOUTSANTONIS:** None of it is sworn, and when we provided evidence to the house that the upper house select committee has been misled by one of its witnesses, did they act?

**The Hon. M.J. Atkinson:** Demonstrably? No.

**Mr KOUTSANTONIS:** What did they do instead?

**The Hon. M.J. Atkinson:** They procured it.

**Mr KOUTSANTONIS:** The committee is not about finding the truth. It is not about establishing what happened. All the opposition is interested in—because it has no policies, it has no vision for this state, it has generated no mood for change within the electorate—is tearing people down, because it has no vision for this state. I think the people of South Australia deserve better than an opposition that has nothing to offer them but mud, ridicule, innuendo, lies and untruths.

I have to say, I have never seen an opposition more disorganised than the current one opposite. No wonder their federal colleagues are running away from them at a million miles an hour. No wonder the Prime Minister has washed his hands of the state Liberal Party in South Australia. No wonder they think you are a basket case; no wonder. Because, after the West Australian election, the Prime Minister said to the state Liberals there, ‘You can’t just turn up with four weeks to go’—

**Mr BRINDAL:** My point of order is relevance. This motion is quite specific: it has nothing to do with the Prime Minister or the Liberal Party.

**The SPEAKER:** The member for West Torrens can make some general points. I think it is within the context of scrutinising a minister. During private members’ time there has to be some opportunity for members to go a bit wider than may be the usual case.

**Mr KOUTSANTONIS:** Thank you, Mr Speaker. If the Liberal Party wants us to start investigating matters by a select committee, perhaps—just perhaps—we should establish some other select committees. I wonder how members opposite would feel if we established a select committee controlled by government members to investigate the past actions of some members opposite. I wonder how they would feel about that. Mr Speaker, I bet you they would be outraged. Perhaps we should establish select committees into how MPs conduct themselves. But, no, we are not about that. We are not about personal slurs, about what goes on in your personal life. We are not talking about what goes on in your personal life; we are here with ideas about how to govern this state.

As I was saying earlier, the Prime Minister said to the Western Australian Liberal opposition, ‘You can’t just turn up four weeks before a poll, vomit out your policies, and expect to get elected. It takes time.’ Personal attacks get you nowhere. I found an interesting article on page 2 of *The Advertiser* today by the retiring members back there on death row: the honourable members for Bright, Unley, Finnis, Newland and Goyder. This is what they had to say:

MPs need to ‘stick to the issues, not the personalities’ if the parties want to attract high-quality, young candidates, and regain the confidence of the public, they say.

That is right. They want to attract young candidates; that is why their youngest members are retiring. The youngest members are retiring, and the honourable member for Stuart stays on. That is their renewal. I would say, take the member for Bright’s advice: renew. All of you under 45 resign. Step aside for younger men and women in the Liberal Party; give

them a go. They probably have ideas; they probably have vision—

**The Hon. M.J. Atkinson:** Like Mr Moriarty.

**Mr KOUTSANTONIS:** Like Chris Moriarty; that is right.

*The Hon. M.J. Atkinson interjecting:*

**The SPEAKER:** The Attorney-General is out of order!

**Mr KOUTSANTONIS:** Mr Speaker, I found it interesting that members of the Liberal Party, rather than get up here today on the last day of parliament and debate a policy matter that they think is important for the people of South Australia, they say instead, ‘We want to tear down an honest man. We want to tear down an honest Attorney-General.’ Why do they want to do that? Because his policies are effective; because he is out there doing what South Australians want, and they hate it. They hate that we have introduced hoon driving penalties; they hate that we are DNA testing prisoners; they hate that we refused parole for McBride; they hate that we made Nemer face the sentence again—

**The Hon. M.J. Atkinson:** Isobel Redmond said Nemer should never serve a day in gaol.

**Mr KOUTSANTONIS:** The member for Heysen said Mr Nemer should never have faced a day in prison. They hate the fact that we stand up for ordinary South Australians on issues of law and order; they hate the fact that we are now the party that best represents the community’s views on law and order, so what they try and do is, rather than attack the message and put up alternative policies, they tear down the messenger. I will wait until question time today to see what we are going to talk about. Will it be our AAA credit rating? No, Mr Speaker. Will it be our hospitals? No, Mr Speaker. Will it be education? No, Mr Speaker. It will be about who said what to whom.

**The Hon. S.W. Key:** Maybe.

**Mr KOUTSANTONIS:** Maybe. Or maybe they will just try and throw mud at the Premier. Maybe there will be a last-minute accusation. Maybe in the adjournment debate tonight they will just throw out some accusation that we cannot respond to. Mr Speaker, I will give them one more word of advice. In the last federal parliament, before the Howard government took control of the Senate, a select committee was set up, and they subpoenaed the Prime Minister’s staff to attend the Senate. The Prime Minister then rang the Leader of the Opposition, and Senator Faulkner and Senator Minchin agreed that it was a dangerous precedence to start subpoenaing ministerial staff to appear, and the Labor opposition agreed. Even though we would have got the headline of the day, even though we would have got the story of the day, there was a larger issue at stake.

We need those who serve us to do so without fear or favour. I must say that the Liberal Party has set a dangerous precedent. Perhaps we will start calling former electorate officers to come and give evidence. Perhaps we will do that now. I think that we should wait until after the election. I think that we should wait until there is a new leader of the opposition. I think that we should wait to do that. Because if you want to go down this path, if you want to go into the gutter, some of us will follow, and I can tell you that the ones who follow are better at this than you are.

**Mr WILLIAMS (MacKillop):** I will address the house only briefly, but it is necessary to correct the record and the rantings that have just been delivered to the house. What fascinates me is when the member for West Torrens gets up and talks about other people in this place playing the man and

not the ball. That fascinates me because he is a past master at playing the man as are many, many of his colleagues. The only interest that members of this side of the house have in this and every other matter that we raise is the impact of public policy on the state of South Australia.

We are not interested in besmirching anyone's character: we are interested in the impact of the way people go about running this state. That is of grave concern to me and to members on this side of the house. Let me correct the incorrect statement made just a few moments ago that we were offered a judicial inquiry with the same powers as occurred some years ago in South Australia. Let me be a little bit technical. The powers offered were probably the same, I will not dispute that, but the terms of reference were very different. Everyone knows, and I want it on the record, that the terms of reference were that the inquiry would be into the process that happened and not into the events that occurred. The opposition and the people of South Australia are interested in the events.

They are interested in the events because a lot of people out there want to know whether or not they are being served by a corrupt government. That is what they want to know. That is what this motion is about. It would give permission for a minister to go before the select committee and give his evidence. By way of interjection, the Attorney-General and the member for West Torrens have suggested that incorrect evidence, misleading, false evidence was given to the committee—

**The Hon. M.J. Atkinson:** Yes, that's correct. And we've established that.

**Mr WILLIAMS:** 'Established,' says the Attorney-General. I do not know how it has been established. I will wait and see how the committee reports. I think that the committee will determine the veracity of the evidence that has come before it, and that is the proper place for it to be determined. I would not expect the Attorney or some of his henchmen to say anything other than that it was false and misleading evidence. I will wait and see what the committee has to say, and then it may or may not be appropriate for some people to suggest that the committee got it right or wrong.

The other thing I want to correct is that the Attorney is trying to imply that the government has a tough stance on law and order, and this comes out of the government all the time with reference to the Nemer case. It was the Liberal Party spokesman on law and order, our shadow Attorney-General, who immediately called for that case to be reviewed, well before the Attorney-General or the Premier took it up. I would like to correct another matter. The member for West Torrens talked about a precedent being set in the parliament in Canberra by calling prime ministerial staff before a Senate select committee. This motion has nothing to do with ministerial staff.

This motion is not demanding that the minister go before the upper house select committee. It is seeking to give permission for the minister to go before the upper house select committee; that is all it is doing. The minister could still say no, but at the moment what is happening is that the minister is saying 'I can't go before the select committee. The house rules, the house traditions, the current practices of the house prevent me from going.' This motion is not about telling the minister he has to go: it is about simply giving him permission. The object of the motion is then to allow the minister to make a decision whether or not he will go before

that committee rather than take the easy way out and say 'I can't go because of the practices of the house.'

**Mr HAMILTON-SMITH (Waite):** I support the motion because, from my experience of life, when accusations of this kind are made the best and proper course is always to have them out in the open, to deal with them quickly, and to do so in an honest, open and accountable way. I think the right thing to do with all these allegations that have been made for the accused would have been to commission an independent judicial inquiry, not only with broad powers but with wide terms of reference. That would have enabled the truth to have been ascertained in a fair and balanced way.

**The Hon. M.J. Atkinson:** Which it hasn't been.

**Mr HAMILTON-SMITH:** Correct. It would have depoliticised the matter and would have enabled all the witnesses to have been examined and for the matter to be dealt with expeditiously. That would have been the appropriate course. For reasons known only to itself, the government chose not to follow that course. Its spin was that it would agree to a judicial inquiry but, as we all know and as my colleagues have pointed out, although the powers were broad the terms of reference for that proposed inquiry were so narrow as to render it ineffective. It would have had no potential to get to the nub of the issues and accusations that had been raised.

I would have thought that it would be in the government's interests and the Attorney-General's interests to have ensured and supported wider terms of reference that did get to the core of the accusations made. Unfortunately, the government blocked that. The government did not want a fully independent judicial inquiry with such powers and with such wide terms of reference, leaving the parliament with little choice but to pursue the other avenue of a parliamentary committee in the upper house which, as has been pointed out, is highly politicised. That is correct. It has been a regret in this parliament that both the standing and select committees of the parliament I think have been dragged down to the point where they have become largely spurious and, quite often, diminished.

That is an inevitable consequence when important matters that affect the integrity of the parliament and, indeed, the integrity of ministers have to be dealt with in the highly politicised environment of standing or select committees. However, I think that is a consequence that the government has brought upon itself by refusing to agree to the independent judicial inquiry with wide powers and wide terms of reference that I mentioned earlier. The effect has been to drag down this place. I also think the effect has been to damage, to a degree, the office of the Attorney-General. I think that is regrettable. I think an honourable thing to do is always to consider that the office one holds is far more important than the person who holds it and, for that reason, I think the right thing to do would have been to clear the air on this quickly and effectively in a very open and transparent way. I think the government's resistance on that issue has led to the sequence of events that has subsequently transpired, and that is regrettable, indeed.

I get back to the point that the judicial inquiry with wide terms of reference and powers was needed in the best interests of the parliament and in the best interests of the office of the Attorney-General, because it is in all of our interests to uphold that office. Personal careers and ambitions, holding on to power for the sake of it, can never be more important than public respect for the institution of the

parliament for all the officers and office bearers therein. For that reason, given that the only credible option to fully explore the facts in this matter was the upper house select committee, given the government's position on a widely empowered judicial inquiry, the motion should be supported by the house so that the Attorney can have his say in that forum.

It seems to me that the Attorney is more than capable of defending himself and more than capable of putting forward his version of the truth to that committee. As others have pointed out, many other witnesses have given alternative versions of the facts, times and events that are linked to this matter. I cannot understand for the life of me why the Attorney would resist appearing before this committee. As I said, he is capable of handling himself and does not need guidance and support. Why not go forward and deal with it? Why not face it? I acknowledge that it is not the most preferred vehicle to get to the truth, but the government resisted the better vehicle, and this is the only one we have. I commend the motion to the house.

**The Hon. M.J. ATKINSON (Attorney-General):** I am not going to appear before an inquiry that no Liberal minister would have appeared before and I am not going to appear before an inquiry where an absolute majority of the select committee has already declared their findings on the central issue. I do not know that I could have done any more to make myself available than I already have. I was interviewed by the head of the Premier's department, Mr Warren McCann, contemporaneously with the allegation. He sent his material to a former crown solicitor of Victoria and then had it reviewed by a Queen's Counsel at the Melbourne bar. I was then interviewed at length by the police investigating the matter. I was never a suspect and they told me so. It is on the record. I was proofed by the Office of the Director of Public Prosecutions and put forward as a witness of truth for the prosecution. A jury acquitted Mr Ashbourne. All this material has been published.

This is quite extraordinary, because I think it is the only investigation in the history of the state where unproved statements—all the raw material—have been released. All of the proof statements have been released, and there are hundreds upon hundreds of pages of court transcript where everyone gives evidence on oath. I am available every day in question time to answer the opposition's questions. I attend news conferences where members of the media can ask me what they will, and I answer the questions. No falsehood has been found in anything I have said about this matter. The evidence given to the committee has been given by people who are known pathological enemies of me and my family, one of whom in particular has threatened to burn down my family home. One in particular continues to communicate threats to me. The evidence has been hearsay by their own admission or hearsay upon hearsay or demonstrably false innuendo.

We have established that Mrs Pringle was never going to be a witness in the case in the defamation trial. She has lied to the select committee. We have established that Mrs Pringle did not speak to me on Friday 15 February 2002. The archived phone records show it. Mrs Pringle has lied to the select committee. We also, I think, know that Mrs Pringle did not tell the police when they were investigating this matter what she told the select committee a week ago, but I await further and better particulars on that. Despite the select

committee being treated with contempt by witnesses—witnesses lying to the select committee—far from—

**Mr HAMILTON-SMITH:** On a point of order, the Attorney has accused witnesses unable to defend themselves of lying and he has claimed that those lies have been proven and established. They have not been proven and established. That may be the opinion of the Attorney, but in the interests of the parliament—

**The SPEAKER:** Order! The member is debating now.

**Mr HAMILTON-SMITH:** I ask that you call on the member to clarify and perhaps withdraw his assertion—

**The SPEAKER:** Order! The member is debating. Within this chamber members have considerable privilege, I guess, that does not extend to the normal citizen, and I think the Attorney can make reference to what he believes to be false statements made to a committee which, as I understand it, are not made on oath in any event. But the Attorney needs to be careful.

**Mr BRINDAL:** I have a further point of order, sir. As we are all sworn to uphold the dignity and traditions of this house, if the Attorney is genuinely of that belief, and I assume that he is, is it not incumbent on him or on this house—

**The Hon. M.J. ATKINSON:** I made a statement yesterday.

**Mr BRINDAL:** —no—to inform the select committee that we believe its work may be tainted?

**The SPEAKER:** I do not think it is an obligation, but I guess it is something the Attorney can do if he so chooses.

**The Hon. M.J. ATKINSON:** I made a ministerial statement on the matter yesterday and asked the other place to act on the clear contempt of its procedures. This is a select committee that requires parliamentary privilege because, as soon as it loses the ability to defame people under privilege, its deliberations will end because it has no evidence that can be led that does not require the protection, the shield, of parliamentary privilege.

For instance, Mr Lockwood tells the committee that he had a continuing correspondence with me: that is demonstrably untrue. Mr Lockwood tells the committee that he had interviews with me, and long face-to-face conversations with me, and many of them: that is just simply untrue, and he does not even bother to produce the letters or give us times or dates. But it is taken on face value and retailed in the media under parliamentary privilege. Of course, the one document that never seems to feature is the document which is publicly available where my solicitor faxes Mr Clarke's solicitor and says, 'We are willing to withdraw our action if you withdraw your action, and we each bear our own costs and there are no other terms to the settlement.' Mr Clarke's solicitor faxes back and accepts that, full stop, full stop, full stop.

There are 21 terms of reference, and it is pretty clear the select committee is not going to get near a majority of them, that it is not going to report before the election, and it will not report after the election. It is essentially a publicity stunt. There is no attempt to get to grips with most of the terms of reference. They include such trivial terms of reference as: did I ring journalists to point out an error in their reporting of the trial? Yes, I did, and the ABC ran a correction. There is a complete lack of procedural fairness in the way the committee operates. There will be no report, and the Hons Sandra Kanck, Rob Lawson and Rob Lucas have already disclosed their findings on the principal matters. They are not open to persuasion.



No Liberal Party minister ever attended such a select committee during all the years of Liberal government in my lifetime. If the Liberals formed a government after the 18 March election, they would take the same view that the government is now taking. I am available to answer questions about that, but I will not subject myself to a vicious, malicious, dishonest and corrupt witch-hunt.

**Mrs GERAGHTY** secured the adjournment of the debate.

### MEMBERS' PRIVACY RIGHTS

**Mr BRINDAL (Unley):** I move:

That this house affirms its belief that its members have a right to privacy in their personal morality and private conduct, and that such matters are no concern of either house of this parliament, except where that conduct is either illegal or impinges on the member's ability to perform their duties, or when such conduct might be damaging to the parliament.

I move this motion with a heavy heart, because it is probably the last motion I move as a member of this state parliament. I find it regrettable that such a motion has to be moved.

I do so in light of not only events that have happened to me, and the actions of the media in respect of matters that have happened to me, but also matters that have happened to other members of this house in the course of this parliament; and the way in which the procedures of this house have been used by some to get messages out into the media, protected by this parliament, which are defamatory, scandalous and damaging. One of them, in particular, is that matter, sir, which you forced the member for Hammond to withdraw—standing in here and suggesting that I had had a sexual encounter with a person of the mental capacity of an eight or nine year old. It was unfounded, malicious criminal defamation, but the member for Hammond, because of the form of this house, can get away with it. It can be reported in the media; and then he apologises and withdraws. That is not what this parliament should be about. This parliament should be better than that.

If I speak for myself, I speak not only for myself. I speak for other members—virtually all male members—who were under suspicion because someone was trawling around trying to suggest that we were paedophiles. I speak for myself because of late the Festival of Light—who I fully intend to pursue, if I can legally; although I doubt it has the assets to give me what I want—has suggested that I have suggested, again, that there were paedophiles in this place. When I announced that I was going to resign I said, 'This place is full of human beings with all the foibles and all the humanity of human beings; and people who have visited brothels.'

There was a select committee some years ago and evidence was taken in camera. Names of MPs were in the report which was tabled in this parliament. It was immediately sealed. It is now in the vaults of this parliament. When, some years later a subsequent parliament wanted to get access, we were denied access because a previous parliament had sealed it. That was done because the argument of this parliament was that matters of personal morality did not impinge on their public office, even though at least one of the members consistently voted against prostitution reform, having visited a prostitute.

That is but one example. I could go through many, but I will not. I believe that, generally speaking, the morality of members is their private business, but it was a very coarse attempt in the course of this parliament to suggest that that was of public interest; and, for the sake of members who are

continuing, I draw their attention to what appeared in an editorial. If they do not regard it with fear and trembling there is something wrong. The editorial of *The Advertiser* in justifying itself stated:

Brindal is a publicly elected official. Therefore, his morality is a matter of public record and electors have a right to know because they might want to change their vote, if they know.

If that is the standard for elected officials in this or any parliament some of us had better fear, not because we do anything wrong but, rather, because we are as human as any other South Australian. It is a matter of public record that I once forgot to re-register my car; big fuss. I parked out the front and got a parking fine; big fuss. I was slow in paying my bill for the JPSC. I am sure the member for Hammond, if he would like, can bring up that matter; I don't care. I am not very good with money. Paul Graham, the person I reputedly had an affair with, is not very good at handling money. He is lucky because he has the Public Trustee. I have to struggle through. I find it difficult sometimes because I tend to pay things that I want to.

The point is that *The Advertiser* has said that the morality of people in here is open for public scrutiny. It is not; it should not be. It should be a matter for us unless it impinges on the performance of our duties. Can any member honestly say that I have ever hidden that aspect of my life? I have not chosen to publish it; I have not chosen to discuss it openly, but I have never hidden it. At Phillip Satchel's farewell I alluded to it (without denying it)—and several hundred people were there who bear witness to that fact. No person in this house can say it has ever affected my vote. I have consistently stood up for causes in which I believed.

The government knows that the Premier himself gave me some credit for helping to get the Mullighan inquiry on to the table. I pay the penance of the damned. If I were to have been inclined towards children, if I were to have been a paedophile, why would I be so vigorous in trying to get this matter prosecuted? I abhor that sort of behaviour. But I will not believe and I will not countenance that any member of this chamber, or any member with whom I have ever served, was guilty of that. I just do not believe it. We were subjected to that sort of innuendo, quite consistently, and driven by people who sit within this parliament; and aided and abetted by people who use the facilities of this parliament to put that forward. It is not right.

It is not right because, if our morality is to be open to scrutiny, our morality should be open to scrutiny in full and perfect knowledge of the situation. It should not be that the media reports what they want to report—the salacious bits that concern a high profile member of parliament—and take it out of context. It should not be that the media, knowing Paul Graham has got an advanced first aid certificate, knowing Paul Graham was in the showgrounds on patrol for St John's Ambulance Brigade independently, chose not to report it or photograph it, preferring, rather, to allude continually to a mental incapacity. It should not be that the paper refers to a 24 year old youth, which is a wrong and incorrect legal use of the term for a 24 year old adult male—especially when half the reporters in this town are about that age anyway and would hate to be described as youths.

It should not be that Paul Graham, in hiding from the media, is thought to be mentally incapacitated, but not so incapacitated that he cannot swear a full statutory declaration running to some 300 and something clauses. It should not be the fact that Paul Graham was seeking refuge with a man who has been allegedly his boyfriend for the last two years. It

should not have been that that was not relevant. It should not have been not relevant that the picture of Paul Graham that appeared in the media was deliberately cropped. It was taken from a gay magazine in April or May this year, and it showed him with the man (with whom he was living when he was in refuge) at a gay venue months before.

In fairness to the media, they reported some things but they tended to be glossed over. They reported, for instance, that Mr Graham was known to be homosexual. They reported that he sought out the company of younger people. They never bothered to report that he was not one of my electors. They never bothered to report that while I technically met him in my electorate office, it was not a matter in any way related to my duties as a member of parliament, nor at any time did I have any involvement with Paul Graham in respect of my duties as a member of parliament. That was ignored.

It was ignored, and that is why I stand in this place to say that the media needs to be particularly careful, and so do we. I have pondered what happened to me. Shakespeare said, 'The evil that men do lives after them, the good is oft interred with their bones.' For the sake of three occasions (each lasting about 20 minutes) and for the sake of a meeting with someone 10 times in my 57 years of existence, I am reduced to this. My life is judged not on anything else I have done, but on this one aspect of my life of which I am not proud and of which I am ashamed in so far as it is a reflection on any of you who I call my friends.

I deserve to have done better by you and I deserve to have done better by my family, but I will not cop why I think this happened, and that is what I want to talk to this house about. I think this happened because I think that Paul was himself abused as a child. This came about because someone went to the media, walked up to the media, after contacting people in this building. The first that I knew about it was when I received a phone call from someone who said simply, 'Either you resign within 24 hours or we have got a number of private phone numbers of senior ministers in the government.'

I am not in any way saying that the government inappropriately behaved, nor did it ever receive a call: I am talking about the threat. Phone calls were to be made to senior members of the government and 'we're going straight to the media unless you resign within 24 hours'. Why? Because the person making the phone call is a 55-year old who currently has a 20-year old boyfriend whom, he tells me, he trawled on the internet at 18. However, somehow he is objecting to the fact that I was forming a relationship with his 24-year old son—not only that I was forming one, but the minute the son told him (and, in fact, it is not a son; there is no relationship at all in law) that he knew me, he tried to talk me out of meeting Paul, and you have to ask why.

Subsequently, I received a number of phone calls to my office, and those phone calls were made by two women whom I do not know and with whom I have never had dealings. One worked with Mr Graham when he was a carer. Mr Graham was a carer in an Anglicare home; and Mr Graham, as a foster carer, was given the care of three boys—which is interesting that a single gay male should be entrusted with the care of three boys. Each of those boys, not being related by blood, has turned out gay. Even the gay community will tell you that the statistical probability of that is totally extraordinary, yet that has not come under scrutiny, that has not come under question.

I believe that what has happened here is that I have been subject (in the words of Rex Jory) to a witch-hunt solely for

the purpose of paedophiles covering up their activities. I believe Ralph Graham to be a paedophile. I believe Ralph Graham to have predated at least two of the three boys that he raised, and I believe Ralph Graham to have caused this problem and to have run away and hidden from what I believe is his criminal activity. I do not say that lightly in a place where I am protected: I say that only because I believe that it is time that the true facts were aired.

I will be taking the information that I have got, the evidence of the two women, one of whom described Mr Graham as 'evil', and I quote her. She suggested that she knew that he was predated the boys, but she had no proof; she could do nothing. The other woman, who was completely independent, made the same assessment. The gossip in the gay community, which is extraordinary (it exceeds the gossip in this house, which is something), certainly confirms my statements. I am not saying, 'I know.' I am saying that I am concerned. I do not mind any member of this house suffering the penalty for their own actions.

In so as far as I am suffering the penalty for my own actions, I have no objection at all, but I will not sit by if I think that something is wrong and cop what has happened to me and not say, 'I think it is wrong.' I share it with members solely for this purpose: if we descend to what we have been made to descend to in this term of parliament, there is something very wrong with this house. If people in the past went to brothels, so what? That is half the population—not half the population, a percentage of the population. I must be careful what I say, because, you see, when I was retiring, I said, 'I know men in this place who have chased boys.'

So, that is the next big thing. I meant boys. I am 57, and anyone under 40 is, in my opinion, a boy. Therefore, that is what I meant. As some of the women talk about 'going out with the girls', it was said in that context. So, the Festival of Light writes an editorial saying, 'Brindal has again admitted there are paedophiles in parliament.' It is rubbish. It is absolutely scurrilous rubbish. No legitimate media outlet pursued that story. They all knew what they meant. I spoke to a couple of the editors and it was left there. But regarding this constant wish to make us better than we are, if anyone in this place wants to put up their hand and say that they are Jesus, they are without sin, and they can afford to throw stones, let them.

*Ms Ciccarello interjecting:*

**Mr BRINDAL:** Vini—the member for Norwood, sir, is sort of doing something. I do not know what. In my opinion, I have served with a lot of people in this house and many of them are honourable—

**The Hon. K.O. Foley:** What about me?

**Mr BRINDAL:** Some are less honourable. Many of them—and the Deputy Premier is a classic—play politics very hard and in a way that I have not always approved of. For all of that, that is part of what this place is about, and there is nothing wrong with that.

**The Hon. K.O. Foley:** So, am I honourable or not so honourable?

**Mr BRINDAL:** You will have to see if you have served on Executive Council for three years, and wait until Mike tells you.

**The Hon. K.O. Foley:** I learned from you. You are the biggest ratbag ever to sit on a committee. You are my mentor.

**Mr BRINDAL:** Yes. The point that I am making is this: there are rules in this place and those rules should be adhered to. There are rules about the way in which we are combative and engage in combat, but there are also ethics and morals

that transcend decency. I do not know how many members are aware but journalists, generally, are not bound by privacy laws, and a lot of the provision of the law, because the public has a right to know. So, the various parliaments have said, 'Look, journalists are not bound by the law because they have a code of ethics.' Interestingly if journalists do not adhere to their own code of ethics, there is no penalty. So, they are exempted from the law because of a code of ethics, which they can then ignore without penalty. That makes no sense to me, and I am not either criticising journalists. I am criticising the lack of rigour in pursuing matters of fact.

I conclude by saying that if the person whom I was thought to predate is so vulnerable, why has this government not intervened? Because this government knows that he is not vulnerable. Why will he be at the Edinburgh Castle hotel tomorrow night, trying to pick up further people my age, and he has been for the last few weeks? If he is vulnerable, if I have made a mistake, he should be protected but, according to the police who have treated him as a 24-year old adult, he is not vulnerable. According to me, he is not vulnerable. He is a nice person. I think he has been himself predated, and I think he remains the victim of a circumstance in which he was raised. So, I tend to refer these matters to the paedophile task force, and to Mr Justice Mullighan, but I want them on the public record because I think that there has been too much of this in Adelaide. There is an underbelly in Adelaide which I do not like, and this parliament is not part of it, but this parliament suffers because of it, and I think we should do something about it.

Time expired.

**Mr RAU (Enfield):** I strongly support the sentiments behind the motion moved by the member for Unley. Whilst I was listening to him I thought it was perhaps useful to reflect on the way in which, in earlier times, people in public office were treated, not just here but everywhere. I recall that in the 1930s and the 1940s in the United States, there was a very remarkable man who was president. He was elected for four terms—the only person ever to be elected for more than two terms—and he served his country with great distinction, but he was confined to a wheelchair for some years prior to the time that he entered office of the President of the United States. Particularly in those times, a person with a disability such as that would not have got past the first of the primaries, but Franklin Roosevelt, through incredible guts and fortitude on his own part, managed to make it look like he was able to stand up, and the media at the time always photographed him sitting down, or waving from a car, or perched up (usually with one of his sons supporting him by one of his arms) and that man made an enormous contribution.

Taking it out of the question of personal, which is a different matter that I will touch on briefly, the question is, would the world have been a better place if Franklin Roosevelt's disability had been the subject of intense public scrutiny immediately prior to the 1932 election? Would the world have been a better place if he had not been elected to serve during those periods, because that may well have been the consequence of his disability having been exposed and, through that exposure, becoming an issue in itself in the election. Can anyone say that because he spent most of the 12 years sitting in a wheelchair, he did any worse job than he could have done in any event? My point is simply this: that there are some things which will vary according to time, which are people's own business, and they are things that should be left their own business.

I strongly agree with the sentiments contained in the honourable member's resolution where he says, 'unless, of course, this involves illegal conduct' or we might say for people holding executive office, questions about conflict of interest and various things of those sorts, I accept that. But once we move out of that arena, it is foolish for anybody in public life to drag anybody else in public life into these sorts of mucky stupid matters. It demeans public office for all of those involved, not only the protagonists in the debate, and it also means that the public becomes distracted to the point where they think that public office and public service is all about whether a person has never done anything wrong. The honourable member for Unley made such a good point, that is, there are not a lot of people like Jesus Christ floating around, who have never, ever made a mistake in their lives. I ask the rhetorical question: is there anyone who ever sat in this room who has never done anything that they do not wish they had not done? I do not expect an answer from anybody.

**Mr Brindal:** The member for Norwood.

**Mr RAU:** The point that I am trying to make is that we are all human; we all have failings; we all make mistakes. Some of those mistakes may be deeply disconcerting from a personal point of view, but they do not necessarily interfere with our capacity to discharge our responsibilities in this place at all. So, that distinction needs to be observed for the sake of this place and for the sake of a functioning respectable democracy. As I said, I strongly support what the member for Unley is trying to achieve with this motion. The only thing that I would say in respect of his own particular case—about which I do not pretend to know any detail, and upon which I do not pretend to pass any judgment—is that, for reasons that I think I understand, he ultimately was responsible for that initially receiving public attention. But, I understand that, had he not done that, perhaps he would have been in a circumstance completely beyond his management. I do not question his judgment in making that—

**Mr Brindal:** I do now.

**Mr RAU:** It is not for me to do it, anyway. That is a personal judgment for the member for Unley. The point is that I do not think any of us would want to be in a position in which the member for Unley has been placed and the particular circumstances of his discomfort, but there is any range of possibilities that could confront anyone of us and place us in a similar position. I take another current media story: the lady has just been released in Bali, Michelle Leslie. Taking her story at face value, what if one of us is at a function one night and somebody drops a couple of tablets in your man bag—I do not have one, actually, but if I did have one—in my pocket and out I go, and there is a random check of some sort, because of the terrorist laws they are looking to see if I have a bomb, and they discover that I have two ecstasy tablets and, all of a sudden, there I am in a difficult situation.

There is any number of possibilities as to how these things might arise, but I really do say with great sincerity that all members of the house, I think, need to reflect on the very important matter that the member has brought forward, and to be mindful always that there is a distinction between the public role and any individual's private and personal affairs. I think it is a matter of deep regret that those lines should be crossed. In recent times, in a very modest way, I have had some experience of this courtesy of a member of the other place who persists in making remarks about my wife. That, hopefully, has been dealt with satisfactorily, but the point is that this is not good enough. All of us need to be very

mindful of these important principles, and I strongly support the motion put forward by the member.

**Dr McFETRIDGE (Morphett):** I rise in support of the member for Unley's motion. The last four years for me has been an extremely steep learning curve. Somebody said to me that I am putting on weight, and I said, 'No, I'm just getting a thicker skin'. That is a Di Laidlaw line, and I thank Di for it because she has given me some good advice about my personal conduct in this house on the way I should approach issues. Two of the most eloquent and succinct debaters in this house have preceded me; that is, the member for Unley and the member for Enfield. I hope to aspire to their ability to be clear and precise in debating legislation in this place. That is what it is all about. It is what we do in this place to represent South Australia. It is not about our own personal issues, our own personal lifestyles, unless they are criminal or they interfere with our roles in this place.

In terms of the role of the media, I was recently reading a book entitled 'What the media is doing to politics'. It discusses the David Kelly case in England where the scientist who was a whistle-blower on some of the issues surrounding weapons of mass destruction in Iraq was put under so much pressure that he committed suicide. Well, we do not have to go that far; we do not have to go overseas. We saw Penny Easton in Western Australia, Greg Maddox in Queensland, and recently we have had John Brogden in New South Wales. What the media and what this place can do to people should never be underestimated. We should be able to conduct ourselves with a clear conscience, and represent those who have elected us to this place with a clear conscience and represent all of their views, not some sectarian or radical group. I am not a delegate in this place; I am a representative. I represent all the views of my electors, and I try to represent them as fairly as possible.

In conducting myself in this place and in my private life, I try and uphold my own principles, so that if my life is examined by anybody, whether it is in this place or outside, I have nothing to fear. There are some things in my life and I would have liked to have done differently. I have nothing to be ashamed of, but there are things that I would have done differently. I just ask that members in this place and the media recognise the fact that today they are in a very, very powerful position. In my maiden speech, I said the most totalitarian despot is public opinion in a democracy. And that is what it is all about. It was my maiden speech and I talked about the role of the media. In my last speech in this place in this term I am talking about it again. And I am not having a go at the media, it is not their fault, but there are times when life is just not fair.

Life was not meant to be easy, but it was meant to be delightful, and there are times in this place when it is certainly not delightful. I just hope that in the next term in this place, if the electors of Morphett give me the opportunity and the privilege to represent them, that things do improve, that the people in South Australia are represented by people in this place who do want to do their job. I guarantee that there is not one person in this chamber who does not want to serve to the best of their ability the people who elected them. They are not here for a joy ride. You would never do that. It is a tough job; it is a hard job; and it is a job that has a lot of privilege with it. I am just an ordinary bloke with an important job. I ask that everybody in this place recognises the fact that there are issues that can damage people very severely. I

will finish on that. I support the member for Unley on this motion.

**Mrs GERAGHTY:** I move:

That the debate be adjourned.

Motion negatived.

**Mr BRINDAL:** I thank the government for its courtesy on that matter. I would like to thank the members who spoke. I am sure that others, if we had had more time and it was a different day, would have joined the debate. I particularly acknowledge the contribution of both the member for Morphett and the member of Enfield. That was gratefully listened to and I hope the house takes some notice. In closing, I note that T.S. Eliot wrote:

This is the way the world ends  
Not with a bang but a whimper.

I really do hope that this house will take this motion and some of its lessons to heart. We are not here as ourselves. Whether you are here for 40 years or so, like the member for Stuart, or for one term, we are here simply as custodians and what we do comes from what this place has been and determines what this place will be. If we as its ultimate champions of democracy let the media get away with irresponsible reporting then, as the member for Morphett says, democracy is the loss. This is the bastion of the protection of democracy. It does not matter if they do not report one word of this debate. It has been said, it has been written down and it has been recorded that 47 ordinary citizens in this state had an opinion and were elected by people to hold an opinion.

If only one person reads it in 20 years' time and says, 'That was interesting,' then we have done our job. I conclude with one further little remark to emphasise the point made by the member for Morphett that it is not only written stuff, it is innuendo; it is the use of the word 'youth'; it is the use of 'affair' as opposed to 'friend'; it is 'in his electorate office'. It is words, but it is also photos. The photo that appeared, as I said, was cropped. That is an image. Channel 7 photographing my pyjamas in the back of my car: I do not know what that was supposed to prove. But photographing pyjamas in the back of my car in the middle of my being in a sex scandal creates an impression.

My niece told me of her bridesmaid, who is doing journalism at one of the universities in Adelaide. They were discussing this matter, as it is obviously a matter of what the journalists did and how they did it. I know that *Media Watch* was interested in it, and it did not take it off but I was swamped by Brogden, as members would understand. The point is that, of all those students listening, 80 per cent said, 'Well, it was written down in the media, therefore it's got to be true.' When I spoke to Graham Cornes, who I saw in the corridor, he said, 'You can't excuse your actions.' When I actually was speaking about it, because we did not have an argument or anything, he obviously had swallowed the line that this was an intellectually retarded child. It is just not right.

However, it is impressions that do us harm. It is words that do us harm. It is images that do us harm. And they are calculated to sell papers. I thank the house for its consideration and close by saying to the media that we all have to go home and sleep at night. We do not pass laws in this parliament to hang people. In fact, many of us asked to hang people by most of our electorates would resign rather than do it. On the night that someone hangs in this state, there are 47 people

in this house and 22 people upstairs who will equally have been the hangman. We wear that seriously, and we do not do it.

Journalists, when they go home at night, should spare a thought for the consequences of what they do and cease to excuse themselves on the ground that 'I'm only doing my job.' You might only be doing your job, but you owe as much responsibility to the people of Australia as does every member of this house, and I hope that some of you will remember it in the future.

Motion carried.

### MAKYBE DIVA

**Mrs PENFOLD (Flinders):** I move:

That this house congratulates Tony Santic, his family, Lee Freedman and Glenn Boss on the fantastic record win by Makybe Diva in the 2005 Melbourne Cup.

When Tony Santic's Makybe Diva won her third Melbourne Cup, the first time such a feat had been achieved in the 145 years in which this race has been held, an Australian legend was born. At the parade in honour of Makybe and the Santic family held recently in Port Lincoln, I was not the only one in tears and not really understanding why. We have had a tough and very emotional year on Eyre Peninsula, with the Wangary fire in particular but also with shark attacks, people lost at sea and even murders. So, that beautiful summer day on the green lawns by the sparkling blue sea, celebrating a fantastic win with thousands of cheering people and happy children, was emotionally overwhelming for many of us.

Makybe certainly captured the imagination of the nation, but particularly so on Eyre Peninsula. I think the people feel that she is one of us because, like us, she is a bit of an outsider who has proved to be a winner. She symbolises the success of the fishing industry and the people who took the risks and responsibilities of developing it, making the sleepy town of Port Lincoln renowned for its fishing industry and its wealth. Drawing attention to the town and the region in a very positive way that no marketing guru could ever do, it was just what was needed for the morale of the people from the region who have been through so much recently. I thank the city council, the Forster family and all who helped to organise that fun day.

Makybe Diva now joins Phar Lap in the psyche and racing history of our great nation. The mare has a massive girth which is considered a sure sign of extraordinary heart and lung capacity. Phar Lap's large heart was considered a significant factor in his winning ability. Jockey Glen Boss rode his favourite flawlessly, holding back in the field, as is his custom, then racing to the lead past all other contenders to fly past the winning post in a thrilling heart-stopping style that brought a roar of jubilation across Australia and abroad. Carrying equal top weight of 58 kilograms, the mare ran 3 200 metres in three minutes and 19.17 seconds.

What does a jockey do in those all important three minutes? If you are Glen Boss, you talk to your horse. The result proved that the horse and rider understood each other perfectly. In describing the race, Glen Boss said, 'I was giggling at the mile. I've never enjoyed a race so much. She was cruising and she did it all.' In a tribute to the Santic family at the Port Lincoln celebrations in front of a packed crowd, Glen made a heartfelt presentation to Tony. In his speech, thanking the family for their faith and commitment in him to take Makybe to the heights, Glen presented Tony with a golden whip, the trophy awarded to the jockey winning

the Melbourne Cup. Glen said that he was fortunate to have won three of these prestigious trophies with Makybe, so he has kept one each for his children and the third he wanted to give to Tony. But he did quip that one day he would love to win another one for his wife.

Lee Freedman took over as the mare's trainer when the initial trainer, David Hall, accepted an invitation to move to Singapore and then Hong Kong. Makybe Diva's success is a tribute to their abilities as trainers. Lee described Makybe Diva as the best thing since sliced bread. He said, 'What she's done for me, the people and for Australia is history.' In the short walk to the winner's podium, he and owner Tony Santic confirmed what they had discussed earlier—Makybe Diva's retirement from racing. Mind you, at the recent celebrations in Port Lincoln, Lee jokingly implored Tony to reconsider Makybe's retirement, saying that the mare still had more in her as a racehorse. Tony said that if he never had another win in his life, he would not complain, but it is hard to envisage a man with his vision and drive standing still.

Makybe Diva's swansong season contained many highlights such as the winning of the Cox Plate in October—a race that many purists rate above the Melbourne Cup as a test of a racehorse's greatness. The mare's story is an encouragement to all who are written off as being of little value. Tony Santic bought the mare's dam, Tugela, in foal to Desert King, at a bloodstock sale in Great Britain. Tugela foaled at Britton House Stud in England in March 1999. Tony was advised to sell the foal, a filly, because it would always be six months behind the other horses she would race against. At auction the foal did not even get a bid, let alone reach the reserve, and Tony refused to give her away, so he brought her to Australia with Tugela. Tugela produced a colt by Redoute's Choice that fetched an Australian record of \$2.5 million at this year's Easter sale.

The Diva's bloodlines contain many champions. Her dam, Tugela, a dual Group 1 winner in France, was sired by Riverman who was twice champion sire in France. Her granddam's sire, Roberto, was an English Derby winner whose progeny includes Cup winner Al Talaq. Other winners in her ancestry were Katsura by Northern Dancer, a five-time champion sire in England and the USA, and mare Noble Fancy by dual UK sire and Prix de L'Arc de Triomphe winner Vaguely Noble. The Diva's sire, Desert King, won the Irish Derby and has proven a good sire of stayers including Desert War and Lachlan River. Now Makybe Diva will take her place, hopefully, as a breeder of champions alongside Tugela and Tony's Smytzer's Lodge Stud near Geelong, although I would love to see her in Port Lincoln.

I recognise and thank the government for its pledge of funding to put towards a memorial in Port Lincoln to this wonderful mare. The depth of feeling and emotion attached to Makybe Diva will be captured in history and part of that folklore will include that this incredible horse, while never having set foot in Port Lincoln, is truly one of ours. Tony and Chris Santic have announced to the world that Makybe's sentimental home is Port Lincoln. Port Lincoln is their home and that is where the cups and the Cox Plate live. I am delighted that a trust fund will be established, through the council and the Eyre Regional Development Board, to accept donations so that anyone in the broader community can contribute to this historic memorial. I am also hopeful that this memorial will provide the stimulus for, and be part of, a bigger memorial perhaps in the form of a hall, wall or floor of fame (maybe all three) that can commemorate the other great success stories that we have accumulated in the region

over very many years—somewhere, where the young can go and think, ‘If they can do that, then so can I’ and where their elders can reminisce about days gone by. The old court house that has been suggested may be just the place as it is so central and accessible, and it would be very appropriate to have the local history group as the custodians.

The 2005 Melbourne Cup also saw the birth of another Eyre Peninsula legend with three of the first four placed horses connected with Eyre Peninsula. Second place horse, On A Jeune, is owned by Phillip McEvoy and Kevin and Graham Moroney, all of Streaky Bay and now of Strathalbyn, and trained by former Streaky Bay identity Peter Montgomerie, also formerly of Streaky Bay and now of Strathalbyn. Phillip said that he and his partners were very happy with the way their horse ran. ‘He finished 11th in the Melbourne Cup last year, so to come second on only his second try was a big call’, he said. It is predicted that On A Jeune will continue to improve. Phillip’s son, Kerrin McEvoy, rode fourth placegetter Leica Falcon. He was just beaten into the position by the third placed New Zealand horse Xcellent. Kerrin rode the 2000 Melbourne Cup winner, Brew, and was then snapped up by the world’s biggest stable, Godolphin. He is currently based in England and rode more than 80 winners last season. A number of these were over two miles—the same distance as the 3 200 metres of the Melbourne Cup.

Victoria does not have all Eyre Peninsula’s glory. Some of it attached to South Australia when Chickaloo won the \$50 750 Listed Mistral Classic at Morphettville on the same day. Chickaloo is owned and trained on the West Coast. He was bred and is raced by Gerald Schlink, originally from my home town of Lock, and trained by Darryl Carrison. The five year old will go back to Port Lincoln where he will be freshened for the Christmas Handicap at Cheltenham on 26 December.

Meanwhile, along with Tony Santic, we will all settle back into the humdrum of daily living. Tony says he enjoys horse racing and breeding, but his passion is fishing, and he will be going back out there again to work. Congratulations to Tony, his wife Chris, Glen Boss and Lee Freedman for creating a piece of Australian history with Makybe Diva’s third Melbourne Cup win. We are all proud to be associated with them and their success.

**Ms BREUER (Giles):** I rise to support this motion of the member for Flinders because I have some claim to Eyre Peninsula, as she does, in that I have always believed that Whyalla is part of Eyre Peninsula, and I know that the people in Whyalla feel very strongly that we are part of Eyre Peninsula and part of that state. I guess we are all united in our feeling that we tend to get ignored quite often because of our distance from Adelaide, and we have issues because of that distance that lots of communities do not have. So I know it was some pride that the people of Whyalla felt when Makybe Diva won the Melbourne Cup a few weeks ago. We certainly shared in that pride with Port Lincoln on the day.

I do not know anything about the horse racing industry and I was stunned to hear what the member for Flinders was saying, the names of the horses she quoted, and the things that are happening. I do not take the slightest bit of notice of the horse racing industry apart from Melbourne Cup day and, even then, half the time I do not know which horses are in the race. But I have to say that this year, for the first time, I really took an interest in the race. I really hoped that the horse would win, and I even put a bet on the horse. I have not collected the winnings—I have probably lost them by now—

but I certainly shared that day. I went to my first Melbourne Cup luncheon for many years (about 30 years, I think), and sat and watched the race and got as excited as everyone else in South Australia about the horse’s win. It was a wonderful occasion and a wonderful event, and it was wonderful to think that the horse had connections with Eyre Peninsula.

Eyre Peninsula certainly has had a terrible time this year with the bushfires, and I was there at the time and the next day, and I have followed up with a number of visits since then. I have seen what the community went through and have understood the pain and anguish. Of course, it is again at the forefront of their minds with the current inquiry, and you wonder where it is ever going to end. The trauma for those people who lost loved ones or who were involved in fighting that fire was incredible. So this was a really good news story for them, and I think every single person felt pride on that day and felt happy to see what happened.

It is interesting to hear some people’s comments, and I do not know why, but people thrive on bad news stories, even when you get a good news story, and this probably follows from what the member for Unley was talking about before. People love bad news stories and, even when you get something as wonderful as this win (the third year straight), there are still the knockers who will try to say that it was not really a local horse and it was not really a Port Lincoln horse just because a fellow lives there. That is absolute rubbish! We do not care where the horse was born or whether it was trained there, or whatever: we can lay claim to it, and certainly Port Lincoln can lay claim to that horse.

I am very pleased to congratulate Tony Santic. He is well-known in the area and is a local fisherman. Of course, the fishing industry has contributed much to Eyre Peninsula and to its economy. A few years ago—10 or 20 years ago—Eyre Peninsula was struggling, because the whole of our conditions were down. We were losing population and things were rough. Along came the fishing and aquaculture industries, and the change on Eyre Peninsula is incredible when you go and visit small communities now. I remember about three years ago I went to Smoky Bay, and I had not been there for 10 or 15 years. I could not believe I was going to the same place, because of the aquaculture industry and the buildings that had risen. It was incredible to see. The fishing industry that Tony is involved in has been wonderful for our communities. We have been able to keep young people there and our communities have been able to grow again. There have been new buildings everywhere, and it has been wonderful. It is wonderful that a local person involved in that industry has had such a magnificent win and such a wonderful honour.

I think the idea of the statue is fantastic. Once again, people have knocked this. They have said, ‘Why would the government put \$100 000 into this?’ I think it is important for governments to put money in. Sometimes governments have to contribute to things and build things. I think having a monument in Port Lincoln is a great idea. You go all over the world and everywhere you see monuments, statues, buildings, arches and all sorts of things. Why should we not have them in Australia as well, and why should we not have them in Port Lincoln? I would be very happy to go down there, have a look at the horse and share the community’s joy in it. So I also think that is a great idea.

Once again, I congratulate the people involved—Tony Santic and all the others—and the people of Eyre Peninsula. I also congratulate the member for Flinders for moving this motion. I think it is important to recognise it, and I fully support the motion.

**Dr McFETRIDGE (Morphett):** I had Makybe Diva, On A Jeune, and some other nag that is still running in a trifecta on Melbourne Cup Day. I won a few dollars on On A Jeune, although not as much as the member for West Torrens, I understand. I backed Chickaloo at Morphettville, and what a great race that was. They all have West Coast connections, and it is great to see South Australian racing producing the results that it is; and I claim Makybe Diva, with her connections here, as a product of South Australian racing. Certainly, with On A Jeune from the West Coast, and Gerald Schlink with Chickaloo, what better examples could you get of the workers of the world, the punters, getting out there and having great success?

Last time—that is a fantastic thing to say about a horse—Makybe Diva won the Melbourne Cup, I understood that she was not a big mare and stood about 15 hands, but I have since been corrected. She is a big, roomy mare. She is out to stud now, and is a seven year old. I would be ensuring that a stallion is working overtime with her because the foals would be worth millions of dollars. I look forward to backing her offspring, whether they be colts or fillies, once they hit the racetrack. Kerrin McEvoy should not be forgotten, because there is always a human element in racing. Besides Tony Santic, Lee Freedman and Glen Boss on Makybe Diva, Kerrin McEvoy was on the fourth horse. Who remembers the fourth horse? I would say not many of us; I don't. My horse is still running about fifth, I think.

What a great effort; what a fantastic effort. It is another classic example of fantastic sporting results in South Australia. In relation to sporting results, I will digress to a news release of the Minister for Recreation, Sport and Racing (Hon. Michael Wright) issued yesterday. The press release states:

Wright lobbying to secure Socceroos game for Adelaide. We have the best soccer stadium in the nation—Hindmarsh stadium.

What a wonderful thing to read. I hope the Premier and the Minister for Recreation, Sport and Racing are as supportive of horseracing in this place as they profess to be of soccer. The Socceroos had a fantastic win in Sydney. According to the Morgan polls, 8.5 million people watched the Socceroos in Sydney—I assume on television in the pubs and clubs around the place. Nearly 500 000 people in Adelaide alone watched the Socceroos. What a fantastic result it was. It is some 30 years since they last achieved entry into the World Cup. It is fantastic that John Aloisi and Tony Vidmar—great South Australians—will be in Germany for the World Cup. Let us hope that they have the power of Makybe Diva; that they have the heart of that mare. Let us hope they can kick goals—

*Mr Williams interjecting:*

**Dr McFETRIDGE:** —and win against the odds, as the member for MacKillop said. I guarantee that, if the Uruguayans had had their way, if the pundits have their way, I think Australia is at 100 to one in the betting on the World Cup. Makybe Diva's odds will never be 100 to one; they never would have been. She has always been a top stayer. The Socceroos have the ability to stay; they overcame the odds and they went against all the critics. The Uruguayans let off fireworks and car alarms. They had to cut off all the alarms in the hotel. The same with Makybe Diva: they said they had to water the track so the horse could run. That is absolute rubbish. Makybe Diva is a racehorse and the Socceroos are supreme human athletes. They are the very best we will ever see. I know others in this house want to speak

on both Makybe Diva and the Socceroos. We may not get time to move the motion on the Socceroos, but I think there is a great comparison between the animal athletes and human athletes we are seeing.

South Australian connections are there, and we will claim them. We hope to see the Socceroos at the fantastic Hindmarsh stadium, just as we see fantastic horses such as Chickaloo racing at the wonderful Allan Scott Park. Once again, I thank Allan Scott for his support of racing. Let us hope that we see the same support for racing and soccer from the government.

**Ms CICCARELLO (Norwood):** I support this motion congratulating everyone about this wonderful horse. I must say, like the member for Giles, I know nothing about horseracing, but on Melbourne Cup day for the first time I went across the road to Finn MacCool's Irish Pub, where people were helping people like me who knew nothing about how to place a bet. They were explaining what I needed to do, but I was asking them, 'Who should I bet on?' They then told me that they could not give me that sort of advice, but I did put \$5 each way on Makybe Diva and I won \$27. After that I thought that perhaps I could have invested a lot more.

*An honourable member interjecting:*

**Ms CICCARELLO:** There we go; some people are smarter. I would also like to endorse what the member for Morphett said about the Socceroos. Also, I congratulate Tony Santic, and I know that he loves soccer as well. Two weeks ago the Socceroos certainly made us all proud. Everyone—

*Mr Scalzi interjecting:*

**Ms CICCARELLO:** I did.

*Mr Scalzi interjecting:*

**Ms CICCARELLO:** Will you keep quiet. Everyone who saw the match described it as a battle, which is not necessarily—

*An honourable member interjecting:*

**Ms CICCARELLO:** No, I will not get distracted—inappropriate. Everyone knows that football is Uruguay's great passion. Obviously, its players were exhausted from the first game they played against the Socceroos on home soil. Our players were also very resolute, and when they played in front of 80 000 people they succeeded after so many campaigns had ended in disappointment. I think that 3.4 million Australians watched the deciding penalty shoot-out in the five capital cities alone.

A green and gold army around the world were watching the Socceroos and cheering them on. I know that people in venues in Britain and, certainly, Italy were cheering them on. It is ironic that a sport which has suffered so many difficulties in Australia is now responsible for two of the nation's most famous sporting moments. There was the heartbreak of November 1997 when Australia had qualification snatched away in the dying minutes of its match against Iran at the MCG, and then we had that extraordinary match in Sydney. We know that the hero, Mark Schwarzer, also helped Australia to victory in another penalty shoot-out in the World Cup qualifier against Canada in 1993.

He may never have played for the Socceroos because, for many years, his mother wanted to return to Germany after his parents migrated to Australia. Thankfully, they stayed. Next year Mark Schwarzer will be on his way to Germany as a Socceroo. Tim Cahill ran himself into the ground at Telstra Stadium. Cahill's father was born in England and his mother is from Samoa in the South Pacific. At the age of 14 he played for Samoa for just a few minutes in an under-17

tournament. Unknowingly, he had barred himself from ever representing Australia but, after a campaign which lasted several years, FIFA (the sport's governing body) finally gave him permission to wear the green and gold in January 2003.

Adelaide's own Tony Vidmar was another hero. Along with his partners in the Socceroos defence, he helped restrict Uruguay to just one goal over the two matches. He then stepped up and successfully converted the penalty during the shoot-out. This is Vidmar's fourth World Cup campaign. He famously wept when the third one ended in defeat in Montevideo four years ago. At 35 years of age, Vidmar had been written off by more than one critic. Lucas Neill, the defender who was given the man of the match award after the game, also has a great story. His father is Protestant and his mother is Catholic.

That does not sound particularly remarkable until you know that Neill's Protestant father grew up in Northern Ireland and came to Australia to escape its social tensions. Neill's Catholic mother also has Irish roots. Archie Thompson did not play in Sydney, but he did start for the Socceroos in the first match in Montevideo. Thompson was born in New Zealand, and his mother is Papuan. His family moved to Australia literally weeks after he was born. Thompson played his club football in Australia's A league. He is selected in the 23-man squad despite there being over 100 Australians playing professionally in Europe. His inclusion should give the new A league even more credibility.

The squad also included Ahmad Elrich, whose background is Lebanese Muslim. Unfortunately, Elrich did not see any game time against Uruguay, but he has played in other qualifiers, which helped Australia reach the decisive play-off. Of course, I am delighted that three players of Italian background were prominent for the Socceroos. Marco Bresciano scored the goal which levelled the series in Sydney, and I am sure that everyone knows that Adelaide's John Aloisi scored the winning penalty in the shoot-out. Vince Grella (the other Italo-Australian) played every minute of both matches. He made the best comment after the game when he said, 'It's just an unbelievable feeling. I'm a very lucky person, so I'll make sure that I honour the Australian shirt every game I play.'

**Mr Koutsantonis:** What about Stan Lazaridis?

**Ms CICCARELLO:** Stan Lazaridis did not get to play. Stan is—

*Mr Koutsantonis interjecting:*

**Ms CICCARELLO:** He was injured, so he did not get to play, but he is a great player and he has had a great career in the United Kingdom. Australia clinched a place at the World Cup finals in the most dramatic way. With Australia moving to the Asian Football Confederation and with a promising new national competition (the A league) now established, football's future in this country seems assured.

With the A-League now established, football's future in this country seems assured. The match will live long in our memory with the high drama of the penalty shoot-out, preceded by 120 pulsating minutes. It was easy enough to get a sense of the atmosphere in Telstra Stadium by watching it on television. People I know who were at the match have told me that they have never experienced such a noisy and passionate Australian crowd. Australia's captain, Mark Viduka, has played in plenty of big matches for club and country, but after the game he said, 'The crowd tonight was unbelievable. I have never seen a crowd like it.' I have mentioned some of the many players who have made Australia so proud, and who reflect our nation's multicultural

flavour. Most have parents who migrated to Australia after leaving their respective homelands. Indeed, Mark Viduka was part of a large contingent of players in the team who have a Croatian background. Perhaps it was also appropriate that a Dutchman, Guus Hiddink, coached Australia. Next year marks the 400th anniversary of Dutch contact with Australia, as it was in 1606 that Willem Janszoon made the first recorded sighting of any part of the Australian coastline. Exactly four centuries later, the Socceroos will be part of the World Cup finals in Germany, and Guus Hiddink's navigation skills played a great part.

The player's stories are Australian stories and now those players are also Australian heroes. Football was already attracting higher levels of junior participation than rival codes, and the increased exposure of the World Cup finals should play a part in encouraging young players to stick with the sport. Also, as a member of the Asian Football Confederation, the Australian national team will now play more regularly, and the signs are that the new A-League will continue to succeed. I am certain that even Australians who have been sceptical about the sport enjoyed that great match as much as the rest of us did. I hope that they will appreciate the benefits of our nation becoming more competitive in the most international of sports. I congratulate the Socceroos and the football federation of Australia on their achievement and look forward, even more than I normally would, to next year's World Cup finals in Germany. I hope that Italy and Australia are not playing in the same sections.

I remember in 1982 the euphoria in Adelaide when Italy won the World Cup and there was a spontaneous gathering of tens of thousands of Italians in Victoria Square. They marched down King William Street wearing the red, white and green, and were cheered by many people who were watching the sport. I am sure that with Australia getting into the World Cup we will see that again. I would like to congratulate the Socceroos, and I would certainly like to congratulate Makybe Diva for having experienced that third great win in the Melbourne Cup. I am sure that she will produce a lot of great progeny, whether they be mares or colts. Congratulations, again, to Tony Santic for all he has done for South Australia, not only in the sporting field but also, as the member for Giles said, with aquaculture and fishing. I would also like to thank the member for Flinders for moving this motion.

**Mr SCALZI (Hartley):** How do I put everything in one minute? I commend the member for Flinders for the motion congratulating Makybe Diva on her third Melbourne Cup win. I am short enough and small enough to be a jockey, so I will not go further, and I coached soccer at Marden High School for seven years, and I have always followed soccer. The member for Norwood referred to 1982. I am an Australian from Italian background and I was proud when Italy won the World Cup but that paled into insignificance when I saw Australia win a few weeks ago, so that they could go into the World Cup in Germany. I remember when Johnny Warren was in the soccer team that took the Socceroos to Munich, and it is great to see that Australia, after failing to be in the final teams for the World Cup, has finally made it. I look forward to seeing the Socceroos at Hindmarsh Stadium, and to see the great results so that we can again celebrate horses and soccer teams.

Motion carried.

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



**ASSENT TO BILLS**

Her Excellency the Governor, by message, assented to the following bills:

Cape Jaffa Lighthouse Platform (Civil Liability),  
Corporations (Commonwealth Powers)(Extension of Period of References) Amendment,  
Criminal Law Consolidation (Criminal Neglect) Amendment,  
Local Government (Financial Management and Rating) Amendment,  
Mile End Underpass,  
Mining (Royalty) Amendment,  
Statutes Amendment and Repeal (Aggravated Offences),  
Victoria Square.

**VISITORS TO PARLIAMENT**

**The SPEAKER:** We welcome visitors today from Underdale High School, hosted by the member for West Torrens, Mr Koutsantonis, and visitors from the Department of Education and Children's Services, hosted by our Education Officer, Ms Penny Cavanagh. We welcome those visitors, and trust that their visit is interesting and informative.

**BUS SERVICES, GULFVIEW HEIGHTS**

A petition signed by 200 residents of South Australia, requesting the house to urge the government to introduce a bus service in the area between Wynn Vale Drive, Kiekebusch Road and McIntyre Road, Gulfview Heights before the expiry of this term of parliament, was presented by the Hon. I.F. Evans.

Petition received.

**AMBULANCE STATION, McLAREN VALE**

A petition signed by 115 residents of South Australia, requesting the house to urge the government to construct an ambulance station at McLaren Vale immediately to reduce response times and help prevent the potential loss of life, was presented by Mr Brokenshire.

Petition received.

**DISABILITY SERVICES, FUNDING**

A petition signed by 19 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.

**EGGS**

A petition signed by 2273 members of the South Australian community, requesting the house to urge the government to facilitate a 'Buy South Australian Eggs Campaign' and seek assistance from the Australian Competition and Consumer Commission to investigate the practice and food safety of dumping interstate eggs in South Australia, was presented by Mr Brokenshire.

Petition received.

**REPLIES TO QUESTIONS**

**The SPEAKER:** I direct that the written answers to questions, as detailed in the schedule I now table, be distributed and printed in *Hansard*: 204, 299, 316, 512, 516, 517, 519, 520, 521, 558 and 603; and I direct that answers to questions without notice be distributed and printed in *Hansard*.

**VACSWIM PROGRAM**

204. **Dr McFETRIDGE:** How much State Government funding has been spent on swimming and vacation swimming programs targeted at primary school age children in each year since 2000?

**The Hon. M.J. WRIGHT:** The Office for Recreation and Sport (ORS) conducts the annual Vacs swim program in January each year.

Vacs swim is a water safety initiative and is specifically targeted at children aged five years and over. The program is conducted at approximately 160 locations across the state and in 2004 22 455 participants were involved.

There were 15 345 country participants and 7 110 metropolitan participants in Vacs swim 2004. Seventy-eight percent of participants were aged between five and 10 years old.

Management of the program has been outsourced by government since 1997 and managed by a contractor in accordance with strict performance and quality guidelines.

Funding to Vacs swim since 2000 amounts to the following: (for consistency these amounts exclude GST):

Vacs swim 2000	\$480 476	Vacs swim 2001	\$480 000
Vacs swim 2002	\$480 000	Vacs swim 2003	\$484 373
Vacs swim 2004	\$486 242		

Funding for the 2005 Vacs swim program has been negotiated with the contractor and amounts to \$436 242.

ORS has advised that the Department of Education and Children's Services conducts swimming programs in schools targeted at primary aged children during school terms.

**GRANT PROGRAM REVIEW**

299 (4th Session) & 356 (3rd Session) **Dr McFETRIDGE:** Since the year 2000—

1. Has a Ministerial Task Force, chaired by the Minister, been established to review grants money program guidelines and principles and if so, when did this occur, what were the objectives, its findings and recommendations, and have they been implemented?

2. Has a Statewide Sport and Recreational Facilities audit been undertaken to identify the physical resources and needs of the South Australian community and if so, when was it undertaken, who were the auditors, and how much did it cost and if not, why not?

3. What Departmental strategies and programs encouraging work place fitness have been implemented and what have been the outcomes?

**The Hon. M.J. WRIGHT:**

1. A Grant Program Review was undertaken to review the effectiveness of the current funding programs and to consider ways to improve the current principles, criteria and guidelines.

A Ministerial Advisory Committee was established to represent the views of all sectors of the recreation and sport industry during the Review process. The role of the Ministerial Advisory Committee was to:

- provide advice and direction to the Strategic Working Group on the data collection process and information sources available;
- promote the importance of the Review to industry and provide support and assistance with information dissemination as required;
- present a consistent position on issues related to the Review and where necessary, formulate and undertake action to address the issues;
- provide an industry based perspective on key issues; and
- provide a report to me including recommendations relating to the Review objectives.

The Ministerial Advisory Committee included representatives from ORS, Sport SA, Recreation SA, Local Government and the commercial sector.

In addition, a Strategic Working Group from ORS was established to undertake the specific tasks required to service the Taskforce and conduct the project.

Through an open industry consultation process, all sectors of the recreation and sport industry had the opportunity to provide comment and direction in relation to the Reviews Terms of Reference.

The final report from the Ministerial Advisory Committee was delivered for my consideration in December 2002.

In April 2003 public comment was invited on the recommendations contained in the final document.

Recommendation	Decision/Comments
<p>In relation to the funding programs generally</p> <p>1. It is recommended that ORS grant programs should continue to achieve outcomes related to sport and active recreation programs (rather than non-active recreation outcomes).</p>	<p>Recommendation is accepted and will be implemented.</p>
<p>In relation to the Active Club Program:</p> <p>2. It is recommended that the organisation eligibility criteria be broadened to include community based not-for-profit organisations that are conducting programs and services that meet sport and active recreation outcomes.</p> <p>3. It is recommended that the notional allocation of funding equally across the 47 state electorates be discontinued.</p> <p>4. It is recommended that grants be allocated based upon the relative merits of each application, which should include the use of appropriate socio-economic indicators.</p>	<p>Recommendation is not accepted.</p> <p>Recommendation is not accepted.</p> <p>Recommendation is not accepted.</p>
<p>In relation to the Community Recreation and Sport Facilities Program:</p> <p>5. It is recommended that the program principle be changed to read “to ensure the provision of sustainable facilities that meet community needs”.</p> <p>6. It is recommended that the maximum funding amount for regional level facilities be increased to \$500 000.</p> <p>7. It is recommended that an annual fixed application period be introduced.</p> <p>8. It is recommended that the project eligibility criteria be broadened to include the funding of feasibility studies.</p> <p>9. That the existing assessment criteria to be amended to include the use of appropriate socio-economic indicators when assessing the need for the project within the community.</p>	<p>Recommendation is accepted and will be implemented.</p> <p>Recommendation is accepted in part – the maximum funding amount will be lifted to \$300 000.</p> <p>Recommendation is accepted and will be implemented.</p> <p>Recommendation is accepted and will be implemented.</p> <p>Recommendation is accepted and will be implemented.</p>
<p>In relation to the Management and Development Program:</p> <p>10. It is recommended that funding be segmented into three streams:</p> <ul style="list-style-type: none"> <li>· Stream 1—State Association/Peak Body support</li> <li>· Stream 2 – Special Initiatives Program</li> <li>· Stream 3 – Targeted Initiatives Program</li> </ul> <p>This recommendation is subject to priority being given to Stream 1 and that the level of priority be determined by ORS following industry consultation.</p> <p>11. It is recommended that under Stream 1 – State Association / Peak Body support:</p> <ul style="list-style-type: none"> <li>11.1 That funding be distributed to state associations and peak bodies through the development of a categorisation system, whereby organisations with similar characteristics (or comparable capacity) receive similar levels of funding.</li> <li>11.2 That ORS works in consultation with industry representatives on the development of the categorisation system.</li> <li>11.3 That funding be used to respond to the identified core priorities of the organisation that are consistent with government policies and priorities.</li> <li>11.4 That funding under this approach be structured to allow a flexible system of financial support.</li> <li>11.5 That reporting obligations of funded organisations be simplified under individual cooperative agreements.</li> <li>11.6 That funding be allocated for up to three-years.</li> </ul> <p>12. It is recommended that under Stream 2—Special Initiatives Program:</p> <ul style="list-style-type: none"> <li>12.1 That funding be used for a range of strategic and innovative programs and services.</li> <li>12.2 That any not-for-profit agency that oversees the delivery of sport and active recreation services and programs to the wider community be eligible to apply for funding.</li> <li>12.3 That specific reporting obligations be detailed in an individual funding agreement between ORS and the recipient.</li> <li>12.4 That funding be allocated for up to three-years.</li> </ul> <p>13. It is recommended that under Stream 3—Targeted Initiatives Program:</p> <ul style="list-style-type: none"> <li>13.1 ORS has the capacity to seek ‘expressions of interest’ on targeted initiatives.</li> </ul>	<p>Recommendation is accepted and will be implemented.</p> <p>Recommendations are accepted and will be implemented.</p> <p>Recommendations are accepted and will be implemented.</p> <p>Recommendations 13.1, 13.3 and 13.4 are accepted and will be implemented. Recommendation 13.2 is not accepted.</p>

- 13.2 That any person, group or entity seeking to provide sport or active recreation services should be eligible to apply.
- 13.3 That specific reporting obligations be detailed in a individual funding agreement between ORS and the recipient.
- 13.4 That funding be allocated for up to three-years.

In relation to ORS Grant Administration Procedures

14. It is recommended that ORS streamline its administrative procedures to ensure that grant recipients are able to access grant funds in a more timely manner. Recommendation is accepted and will be implemented.

All accepted recommendations have been implemented.

There will be no changes to the notional allocation of funding across the 47 State electorates.

A total of 56 public submissions to the Grant Program Review were received, of which 39 were from sport and recreation organisations.

2. A Statewide Facilities Audit has been completed by the Office for Recreation and Sport (ORS) with the assistance of a committee made up of representatives from the recreation and sporting industry. The Audit is an inventory of over 300 facilities that provides a range of information on each facility, including location, age and sports provided for. It also details facilities at the international, national, state and regional levels.

The Audit will be continually updated by ORS and will be used to provide the base data to assist to undertake strategic planning for recreation and sporting facilities.

The cost of the Statewide Facilities Audit was met from existing budgets within ORS.

At present the Department for Administrative and Information Services (DAIS) through the Office for Recreation and Sport (ORS) is reviewing workplace physical activity models of best practise, nationally and internationally, to develop a comprehensive workplace physical activity program for implementation across business units within the department.

One such strategy involves the use of pedometers to increase walking levels of employees. The pedometer program will mirror the '10 Grand Steps' program developed by the Department of Health (DH) (Health Promotion SA). After the initial success of '10 Grand Steps' with a pilot group of DH staff<sup>1</sup>, the program is now being rolled out across the rest of DH. The program has also been rolled out within ORS and the Policy Planning and Community Service business units within DAIS.

<sup>1</sup>Data collected over the four week period of the program indicated that the average number of steps taken each day increased by 10 per cent and the number of days that people walked at least 10 000 steps increased by 18 per cent. In addition, almost 75 per cent of the participants increased their walking levels during the four week period (N=283).

### BAY SHEFFIELD

316 (4th Session) & 559 (3rd Session) **Dr McFETRIDGE:** What assistance is currently being provided by the Office for Recreation and Sport to the City of Holdfast Bay and the South Australian Athletic League to move the 'Bay Sheffield' back to Colley Reserve for this year's event?

**The Hon. M.J. WRIGHT:** The government through the Office for Recreation and Sport (ORS) provides financial assistance to sporting organisations for the conduct of regional, state, national and international events in South Australia.

Through the 2004-05 Statewide Enhancement Program, ORS allocated an amount of \$8 000 to the SA Athletic League toward the conduct of the Bay Sheffield. The SA Athletic League was successful in receiving \$3 000 toward the 2005 Bay Sheffield event through the 2005-2006 Statewide Enhancement Program.

### GOVERNMENT EXPENDITURE

512. **Dr McFETRIDGE:** Why hasn't the State Government allocated expenditure to the sealing of Light Beach Road since relocating the State Rifle Range to Lower Light?

**The Hon. M.J. WRIGHT:** The public access road near the facility falls under the care, control and management of the District Council of Mallala and as such, all concerns regarding the maintenance of the road should be directed to the Council.

### SPORTING FACILITIES REVIEW

516. **Dr McFETRIDGE:** How much State Government funding was allocated in 2004-05 on a detailed review of sporting facilities in this State, has the review been completed and if not, how much has been allocated in 2005-06 to complete this review?

**The Hon. M.J. WRIGHT:** The State Sporting Facilities Strategy (review of sporting facilities) was allocated a budget of \$100 000, which has been expended and resulted in the development of a draft report by the Office for Recreation and Sport (ORS). ORS is currently developing a paper to go out to the community for consultation. Once comments have been received ORS will finalise the Strategy.

### SPORTS PROGRAMS EXPENDITURE

517. **Dr McFETRIDGE:**

1. What is the 2005-06 budgeted expenditure for the three additional high performance sports programs and what are the details of these programs?

2. What is the total cost of retaining the existing national sporting programs at the National Elite Training Centre?

**The Hon. M.J. WRIGHT:** The three additional programs added into the SASI Sportsplan program are Men's Artistic Gymnastics, Trampoline and Sailing. These new programs have each attracted additional resources and funding from the respective national and state sporting organisations for investment in this State into a partnership program with SASI for the benefit of our local athletes and sports. The 2005-06 SASI allocations to these sports programs are \$35 000 for Men's Artistic Gymnastics; \$85 000 for the National Trampoline Program (program operational costs and venue hire) and \$20 000 for the Sailing Program. In addition, the national and state sporting organisations of these respective sports are providing funding and resources to these programs to the value of \$100 000 for Men's Artistic Gymnastics and Trampoline and \$80 000 for Sailing. In kind support is also included for the provision of a coaching boat and a storage container for the Sailing Program.

The National Sporting Programs in the Australian Institute of Sport (AIS), (Cycling, Trampoline and the new AIS Beach Volleyball) have been retained in Adelaide as a result of the quality service capacity and partnership with SASI as well as the unique athlete training and living environment advantages of Adelaide. In the 2005-06 budget the Government committed an additional \$308 000 to SASI to enable it to provide enhanced support and services to these programs as well as to SASI's existing centre of excellence programs and national training centre programs.

519. **Dr McFETRIDGE:** What are the details of the sporting and recreational groups that have been allocated funding in 2005-06 under the Sporting and Recreational Community Facilities Grants?

**The Hon. M.J. WRIGHT:** No funding has been allocated in relation to 2005-06. The 2005-06 Community Recreation and Sport Facilities Program opened August 2005 and closed September 2005. All applicants are expected to be notified in December 2005.

### RECREATIONAL SERVICES ACT

520. **Dr McFETRIDGE:** How will the Department of Recreation, Sport and Racing assist associations in developing liability waivers in 2005-06 under the amendments to Recreational Services (Limitation of Liability) Act 2002 and avert the cancellation of major sporting recreational events?

**The Hon. M.J. WRIGHT:** In the last Parliamentary Session the government passed amendments affecting Section 9 of the Recreational Services Act, the section that says recreational services provider can only modify a consumer's liability by using a safety code.

The revised Section 9(2) now allows a recreational services provider to use another method (eg a waiver) to modify liability if there is no safety code in place, until 1 August 2007.

The affect of this amendment is that sport associations are now not required to develop a safety code and that major sporting events can proceed using alternative methods to modify liability until 1 August 2007.

During this time the legislation will be subject to review.

The Office for Recreation and Sport (ORS) is also investigating options for sports to develop safety codes, which includes the option of formatting and registering existing rules and by-laws as a safety code.

ORS continues to work with recreation bodies to develop a process where they can assist their member organisations to develop and register safety codes.

#### OFFICE FOR RECREATION AND SPORT EXPENDITURE

521. **Dr McFETRIDGE:** With respect to the 2005-06 Budget Papers—

1. Why has budgeted revenue from 'Other' sources increased from \$3.4 million to \$4.6 million in 2005-06?

2. Why has budgeted expenditure from 'Other' sources decreased from \$18.5 million to \$16.5 million in 2005-06?

3. Why have employee expenses increased from \$4.9 million to \$7.66 million in 2005-06, has there been an increase in full time employees and if so, what are the details and what other factors have contributed to this increase in expenses?

**The Hon. M.J. WRIGHT:**

1. Office for Recreation and Sport (ORS) budgeted revenue from "Other" sources has increased from 2004-05 to 2005-06 primarily as a result of increased revenue from the Sport and Recreation Fund being transferred to ORS to fund increases in ORS grant programs. This increase in funding to ORS is as per changes to the Gaming Machine Act (1996).

2. "Other" expenses have decreased from 2004-05 primarily as a result of additional grants funded by the Sport and Recreation Fund being offset by a reclassification of expenditure from "Other" expenses to employee expenses, and supplies and services.

3. Employee expenses have increased in 2004-05 as a result of reclassification of expenditure to reflect actual expenditure patterns. The size of this increase is not representative of a significant change in FTEs. Increases in FTEs at ORS are generally associated with increases in funding provided by external parties.

#### STATE ELECTION

558. **Mr VENNING:** What role will the Office of the Upper Spencer Gulf, Flinders Ranges and the Outback at Port Augusta have during the forthcoming State election campaign and will its facilities or employees be available to promote the current State Government or endorsed candidates?

**The Hon. M.D. RANN:** I am advised that the Office of the Upper Spencer Gulf, Flinders Ranges and Outback located in Port Augusta will play no role in promoting endorsed candidates during the forthcoming State Election.

#### PLANNING SA

603. **The Hon. M.R. BUCKBY:** What are Planning SA's future zoning plans for the broad-acre agricultural land on the western side of Tanunda?

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

The land on the western side of Tanunda is zoned *Primary Industry (Barossa Valley Region)*. Any new development in the area would therefore need to be consistent with the requirements for this zone.

The Planning Strategy for Regional South Australia seeks to preserve the area's prime agricultural land from urban uses.

#### DRUG DRIVING

In reply to **Mr WILLIAMS** (Estimates Committee B, 21 June).

**The Hon. M.J. WRIGHT:** The Minister for Transport has provided the following information:

1. The State Government released draft drug driving legislation for public consultation. Following this consultation, a Drug Driving

Bill was introduced into Parliament on 14 September 2005 to provide for saliva and blood testing of drivers for prescribed drugs.

2. Testing for drugs in fatally injured drivers/riders show that, on average, for the period 2000-04, 23 per cent of drivers and motorcycle rider fatalities tested post-mortem had either THC (the active ingredient in cannabis) and/or methamphetamine in their blood at the time of the crash.

#### VICTOR HARBOR LAND

In reply to **Mr WILLIAMS** (7 November).

**The Hon. M.J. WRIGHT:**

1. I am advised that the land was acquired to increase the buffer zone distance around the existing wastewater treatment plant site in response to more stringent Environmental Protection Authority requirements. Part of the acquired land therefore has served as a buffer zone.

The acquired land has been used for grazing of horses pending ultimate consideration of the future use of the land upon decommissioning of the existing wastewater treatment plant.

A small portion of the land has been transferred to the City of Victor Harbor for construction of the Ring Road.

2. I am advised that the City of Victor Harbor is in the process of making final amendments to a Plan Amendment Report that proposes to rezone portion of the acquired land to residential. The PAR will then be forwarded to the Minister for Urban Development and Planning for authorisation and gazettal of the zoning changes.

The land has not been subdivided apart from the creation of the Ring Road over portion of the acquired land.

#### WORKERS REHABILITATION AND COMPENSATION FUND

In reply to **Mr WILLIAMS** (7 November).

**The Hon. M.J. WRIGHT:** A total of 75 section 42 (Redemption of future liability to pay income maintenance and/or medical expenses), section 43 (Lump Sum Payments on account of permanent disability) and section 44 (Lump Sum benefit paid to spouse following death of worker) lump sum payments have been made for the Government Workers Fund in the 2004-05 financial year. See below table for individual payments.

Table: Lump Sum Payments Debited Against GWC Fund In 2004-05 Financial Year			
	Section 42 Redemption of	Section 43 Lump sum payments	Section 44 Lump sum ben-
efit	future liability to pay income maintenance and/or medical expenses	on account of permanent disability	paid to spouse following death of worker
1	200.00	1 527.58	193 462.50
2	200.00	1 708.80	193 462.50
3	300.00	2 081.66	
4	1 000.00	4 492.50	
5	1 000.00	5 338.94	
6	1 000.00	5 798.32	
7	8 000.00	10 587.65	
8	8 000.00	13 141.80	
9	8 291.20	15 820.00	
10	9 000.00	19 879.92	
11	20 000.00	24 486.00	
12	20 000.00	25 109.70	
13	21 000.00	26 472.60	
14	29 000.00	31 143.76	
15	30 000.00	51 740.07	
16	31 500.00		
17	32 000.00		
18	35 000.00		
19	35 000.00		
20	37 500.00		
21	40 000.00		
22	40 000.00		
23	40 000.00		
24	45 000.00		
25	48 829.30		
26	50 000.00		
27	50 000.00		
28	50 000.00		
29	52 000.00		

30	52 150.00	49	100 000.00
31	53 000.00	50	100 000.00
32	55 400.00	51	100 000.00
33	60 000.00	52	100 000.00
34	60 000.00	53	100 000.00
35	60 000.00	54	100 000.00
36	70 000.00	55	102 500.00
37	70 000.00	56	110 000.00
38	70 000.00	57	140 000.00
39	71 000.00	58	200 000.00
40	75 000.00	Total	3 282 870.50
41	75 000.00		239 329.30
42	75 000.00	TOTAL of all payments	3 909 124.80
43	80 000.00		
44	80 000.00		
45	90 000.00		
46	90 000.00		
47	100 000.00		
48	100 000.00		

In reply to **Mr WILLIAMS** (7 November).

**The Hon. M.J. WRIGHT:** The actuarially assessed estimate of outstanding liability as at 30 June 2005 for lump sum payments from the Government Workers Compensation Fund, for claims reported prior to 30 June 2004 is \$16.1 million (gross).<sup>1</sup>

Breakdown by portfolio in table below.

Portfolio by Entities	Total Gross Liability
INDUSTRY, TRADE AND REGIONAL DEVELOPMENT PORTFOLIO TOTAL	34 302
ADMINISTRATIVE AND INFORMATION SERVICES PORTFOLIO TOTAL	106 121
PRIMARY INDUSTRIES AND RESOURCES SA PORTFOLIO TOTAL	155 835
TRANSPORT AND URBAN PLANNING PORTFOLIO TOTAL	42 723
FAMILIES AND COMMUNITIES PORTFOLIO TOTAL	918 684
JUSTICE PORTFOLIO TOTAL	7 256 078
PREMIER AND CABINET PORTFOLIO TOTAL	372 553
TREASURY AND FINANCE PORTFOLIO TOTAL	69 327
ENVIRONMENT AND CONSERVATION PORTFOLIO TOTAL	343 291
EDUCATION AND CHILDREN'S SERVICES PORTFOLIO TOTAL	5 632 927
EDUCATION, TRAINING AND EMPLOYMENT PORTFOLIO TOTAL	1 041 663
INDEPENDENT ENTITIES TOTAL	143 382

<sup>1</sup> The gross figure of \$16.1 million is reported in the report of the Auditor General June 2005. Page 115.

### SA POLICE

In reply to **Hon. R.G. KERIN** (11 April).

**The Hon. M.J. WRIGHT:** Crown exempts are evaluated in the same manner as private sector exempts.

WorkCover evaluations are not required each year. The frequency of evaluation is determined by the level of compliance, health and safety performance and risk profile.

### CHERIE BLAIR GALA DINNER

In reply to **Mrs HALL** (8 February).

**The Hon. M.D. RANN:** I was invited by the national organisers of Mrs Cherie Blair's tour, Markson Sparks of Surry Hills, New South Wales, to attend a dinner in Adelaide at which she was to be the guest speaker, to help raise funds for the Children's Cancer Institute Australia. I accepted the invitation and was accompanied to the dinner by Ms Sasha Carruzzo and a member of my staff. There were no costs to Government for my attendance, or that of Ms Carruzzo or my member of staff.

On the day of the function, I made a personal donation to the Adelaide Women's and Children's Hospital to assist with research into the side effects of chemotherapy in children.

I have been advised that the former Minister for Health, the Honourable Lea Stevens MP attended the Cherie Blair dinner at her own expense.

The Band of the South Australian Police performed at the function as part of the formal proceedings and three specialist police officers attended the dinner whilst performing security duties. In both instances, the SAPOL staff were attending as part of their operational duties and no payments were made.

### LOCAL GOVERNMENT ANNUAL REPORTS

**The SPEAKER:** Pursuant to section 131 of the Local Government Act 1999, I lay on the table the annual report 2004-05 for the Adelaide Hills Council, the District Council of Le Hunte, the District Council of Lower Eyre Peninsula, the City of Marion and the District Council of Yankalilla.

### PRINGLE, Mrs E.

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

Leave granted.

**The Hon. K.O. FOLEY:** On 24 November this year Mrs Edith Pringle told a select committee of another place that the Attorney-General had told her in November 2002 that 'a deal had been done' with Mr Ralph Clarke and that it 'involved board positions for Ralph'. These assertions were widely reported as fact. On Tuesday of this week, the member for Bragg asserted that Mrs Edith Pringle had spoken to police in July 2003 and offered evidence relating to the inquiry into Randall Ashbourne.

I have been advised by the Commissioner of Police that Mrs Pringle did have a conversation with an officer of the Anti-Corruption Branch on 4 July 2003. The information that she provided was assessed, and no further contact with her was deemed necessary. She was not interviewed. The notes of the conversation show that Mrs Pringle made general observations on the process of appointments to government

boards. She said she was aware of this information, having previously worked in the Premier's department. She also made references to employment practices of MPs with regard to staff in electorate offices, again based on her personal experiences.

Anti-corruption officers assigned to the Ashbourne inquiry determined that further investigation of the information provided by Mrs Pringle was not warranted, nor was further contact with her necessary. The officers concerned had already made inquiries into the boards and committees database and appointment processes. I have the utmost confidence in both the officers of the Anti-Corruption Branch and the Commissioner of Police, and any assertion that they failed to follow up evidence presented to them is not only false but malicious.

### WATER USE

**The Hon. J.D. HILL (Minister for Health):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** Today I have announced a major step by government towards ensuring security and equity of access to water for industrial, commercial and irrigation users of the ground water resources of the Central Adelaide area. The Central Adelaide area stretches from Outer Harbor in the North to Noarlunga in the South and to the Western Mount Lofty Ranges in the East. Groundwater in the Central Adelaide area is an important resource for industrial use and for irrigation of recreational grounds and crops. Currently, no management regime exists to manage and protect the long-term sustainability of this resource for current and future users. I have today issued a Notice of Intent to Prescribe which initiates a period of consultation on the proposal for long-term management of these vital resources. The consultation process will include a series of stakeholder meetings throughout the region during January and February 2006.

Prescription would allow water to be allocated within sustainable limits, improve security of access to water supply and give greater security for investment and provide for water trading. Prescription would also provide greater security for investment into establishing aquifer storage and recovery schemes. The proposal does not affect mains water, home rainwater tanks and water for stock watering and domestic household use. I have also placed a temporary moratorium on new commercial, industrial and irrigation water use to prevent further degradation while the long-term management needs are determined. Current water users will be authorised to continue to take water at their current level of use.

New water using developments that were initiated prior to the temporary moratorium, but are not yet operating, may be authorised under certain circumstances. If we move to prescription, all stakeholders will have the opportunity to contribute to water allocation planning which determines how available resources will be used. Sustainable water management is essential to build the foundations for future prosperity and economic growth for the state while sustaining healthy environments. This initiative is closely linked with other state government initiatives such as the Waterproofing Adelaide Strategy, the National Water Initiative, the management of the River Murray and South Australia's Strategic Plan.

### PAPERS TABLED

The following papers were laid on the table:

By the Minister for Transport (Hon. P.F. Conlon)—  
Emergency Services Administrative Unit—Report  
2004-05

By the Attorney-General (Hon. M.J. Atkinson)—  
Courts Administration Authority—Report 2004-05  
Justice, Department of—Report 2004-05  
Multicultural and Ethnic Affairs Commission, South  
Australian—Report 2004-05  
State Electoral Office, South Australia—Report 2004-05  
Rules of Court—  
Magistrates Court—Police Disqualification

By the Minister for Health (Hon. J.D. Hill)—  
Abortion Reporting Committee, South Australian—Report  
2004-05  
Children, Youth and Women's Health Service—Report  
2004-05  
Coober Pedy Hospital and Health Services Inc.—Report  
2004-05  
Institute of Medical and Veterinary Science—Report  
2004-05  
Mid North Regional Health Service Inc—Report 2004-05

By the Minister for Environment and Conservation (Hon.  
J.D. Hill)—  
Dog Fence Board—Report 2004-05  
River Murray Catchment Water Management Board—  
Report 2004-05  
Soil Conservation Boards, South Australian—Report  
2004-05

By the Minister for Administrative Services (Hon. M.J.  
Wright)—  
Public Works Committee Report, Response to the—Eyre  
Peninsula Water Supply Upgrade

By the Minister for Industrial Relations (Hon. M.J.  
Wright)—  
Occupational Health, Safety and Welfare Advisory Com-  
mittee—Report 2004-05

By the Minister for Education and Children's Services  
(Hon. J.D. Lomax-Smith)—  
Children's Services—Report 2004-05

By the Minister for Housing (Hon. J.W. Weatherill)—  
Aboriginal Housing Authority, South Australian—Report  
2004-05  
Housing Trust, South Australian—Report 2004-05

By the Minister for Consumer Affairs (Hon. K.A.  
Maywald)—  
Consumer and Business Affairs, Office of—Report 2004-05.

### PUBLISHING COMMITTEE

**Ms THOMPSON (Reynell):** I bring up the Publishing  
Committee's report for the fourth session.  
Report received.

### ECONOMIC AND FINANCE COMMITTEE

**Ms THOMPSON (Reynell):** I bring up the 58th report  
of the committee entitled 'Public Liability'.  
Report received, and ordered to be published.

## QUESTION TIME

### HEALTH CARE SYSTEM

**Mr BROKENSHIRE (Mawson):** My question is to the  
Minister for Health. Will the minister explain why a woman  
who was admitted to the Royal Adelaide Hospital suffering

a severe asthma attack ended up receiving very heavy-handed force by several hospital security guards? The opposition has been given a statutory declaration from a woman who was airlifted from Wallaroo Hospital to the Royal Adelaide Hospital on 11 November, suffering a chronic asthma condition and placed in intensive care. The woman, who wished to be discharged on Saturday 12 November, had arranged for her son to collect her; however, when she was advised that she would be detained at the hospital for a further 72 hours, she became understandably distressed. The woman wished to have privacy and closed her curtains, which were immediately opened by a nurse. She then went into the ensuite to compose herself. In the statutory declaration, the woman states:

I was in there approximately for two to three minutes, then in burst five security men. They were beefy blokes. They then body slammed me to the floor. They twisted my arms and legs and held me to the floor. One guy had his hand around my throat and knee in my face. They lifted me up and threw me onto the bed and started to tie me to the bed, as I was struggling to the maximum. They took a pillow and took the pillow case off and held a plastic-coated pillow over my entire face. I had trouble breathing once again but they didn't care. I was screaming and yelling at this time. They then got the pillow case and one person either side of the bed pulled it across my throat. During this time, I was tied up to the bed.

The woman was subsequently untied by a nurse and apologised to by both the patient advocate and a social worker. I am advised that a doctor examined her and took notes and details of her injuries. She was found to have soft tissue injury to the base of her neck and left top shoulder, plus a severely bruised right elbow. The woman goes on to say in her declaration that, despite being assured a doctor was on his way to attend to her injuries, it was not until the following morning, some 16 hours after the assault, that the doctor came to visit her. By this time she was in a ward. The patient further advises that she has never had any history of mental illness or any need for psychiatric support.

**The Hon. J.D. HILL (Minister for Health):** Another day in the house and another attack on the public health system. I am not aware—

*Members interjecting:*

**The Hon. J.D. HILL:** I can tell the house that I was not in the hospital and I was not doing the things that are alleged to have been done. What the opposition is saying is that nurses and doctors misused their positions in the hospital to mistreat a patient. That is what they are saying. They are attacking the doctors and nurses in our health system. This is based on the claim of a person who has given a statutory declaration, presumably to the shadow minister. I have not seen it. I would be happy to have a look at it and have an inquiry made into the circumstances.

## TEACHERS

**Ms CICCARELLO (Norwood):** My question is to the Minister for Education and Children's Services. Given the vital role teachers play in the education of our children, what initiatives has the government put in place to support teachers in South Australia?

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I thank the member for Norwood for her question, because I know she supports public education and all our teachers. We value teachers and recognise they play a really significant role in helping and giving mentorship and leadership to young people in their lives and shaping their futures. Through our four-year, \$670 million deal for education negotiated through our recent

enterprise bargaining process, we are extending access to our smaller class size initiative to every reception, year 1 and year 2 class in the state. We are providing a minimum 14 per cent pay rise for most teachers, and providing an extra \$1 million in initiatives and strategies to help teachers with student behaviour management in schools. The Rann government is, once again, giving teachers the job security they deserve. Since coming to government, we have made permanent 2 000 teachers and school staff previously on contract and without a permanent job and unable to get not only job security but also access to mortgages.

From next year, in addition, we will trial a new classification within the education system which will reward and pay extra funds to high quality teachers. It is critical to welcome and support young teachers in the role, especially during the first years in service, and to support that we are funding \$1 million as a four-year initiative which aims to support teachers starting out in their career, to retain our best teachers in the system for longer and attract teachers to country schools. The initiative includes: orientation kits produced for each country region to help new teachers understand what is available and who they should contact and what is important in the area; and, in addition, induction days and workshops to support and mentor new staff.

In addition, the state government is providing our teachers with better incentives to work in South Australian country schools, with initiatives including \$2 million in scholarships to give rural students financial help to complete their teaching degree and then return to a job in a country school. Some 174 teachers in training are currently being supported through this program. As well as this, we have cash incentives being offered to teachers who take up work in more than 300 South Australian rural and remote schools and preschools, with these incentives being paid over five years to give a top-up salary of \$6 500 extra a year. This government wants to ensure that our teachers have access to ongoing professional development in order to keep them at their peak throughout their career. We value, respect and compliment our teachers because they are our greatest resource—and, unlike those opposite, we know it.

**The SPEAKER:** Order! The minister does not need to add debate.

## HOSPITALS, MODBURY

**Mr BROKENSHIRE (Mawson):** Will the Minister for Health confirm that Modbury Hospital is planning to shut down surgery for several months from late December due to underfunding for surgery, which will mean the cancellation of cancer surgery and semi-urgent surgery? I am advised that Modbury Hospital has been underfunded for the level of surgery required at the hospital and, as a result, the CEO at the hospital has applied for more funding. I am further advised that the state government will not commit to more funds, so the hospital is proposing that the Christmas-New Year shutdown of surgery will cover several months. Surgical teams at the hospital have indicated that cancer surgery, semi-urgent surgery and non-urgent surgery will be cancelled due to the requirement to shut down theatres.

**The Hon. J.D. HILL (Minister for Health):** I seem to recall that this is the public hospital that was privatised by the former government. Modbury Hospital was privatised by the former government. This is the hospital that the former government—the Brown Government—privatised.

*Mr Williams interjecting:*

**The SPEAKER:** Order, the member for MacKillop!

*Mr Scalzi interjecting:*

**The SPEAKER:** Order, the member for Hartley! Members will be in trouble if they do not abide by standing orders. The Minister for Health has the call.

**The Hon. J.D. HILL:** Thank you, Mr Speaker. In relation to funding, the state government since it came to office in 2002 has put 13.5 per cent more funding in real terms into our health system. It has never been funded as well as it is at the moment. We have more doctors and nurses, and more operations happening in our hospitals—

**Mr BROKENSHERE:** I have a point of order, sir. My point of order is standing order 98. We need answers to the question on Modbury.

**The SPEAKER:** Order! The honourable member has made his point of order. The minister needs to address the issue of Modbury Hospital.

**The Hon. J.D. HILL:** Thank you, Mr Speaker. I am putting it in a broad context. There is more funding for our health system. All hospitals have to operate within a budget, as does every organisation within government. As to the particular details in relation to Modbury, I will be happy to get a report for the honourable member.

**The Hon. R.G. KERIN (Leader of the Opposition):** I have a supplementary question.

*Members interjecting:*

**The SPEAKER:** Order! Members on the leader's side are so noisy it is hard to hear what the leader is saying.

**The Hon. R.G. KERIN:** I have a supplementary question. Given that today is the last day of sitting, will the minister give a guarantee today that there will not be a shutdown of surgery for several months at Modbury Hospital?

**The Hon. J.D. HILL:** I think I answered that question. I said that I would get a report for the honourable member.

*Members interjecting:*

**The SPEAKER:** Order! The house will come to order—and that includes the Treasurer.

**The Hon. K.O. Foley:** Sorry, sir.

*Members interjecting:*

**The SPEAKER:** It is the last sitting day and members are expected to act in a dignified manner.

*Members interjecting:*

**The SPEAKER:** Order! Members talking over the chair will be able to go shopping for Christmas shortly.

## DRUG DRIVING

**Ms RANKINE (Wright):** Will the Minister for Transport advise the nature of the penalties for a first offence under new drug driving laws, and is he aware of any confusion about the penalty?

**The Hon. P.F. CONLON (Minister for Transport):** Recently, we passed through both houses of parliament the new drug driving laws. I was asked whether there is confusion. Regrettably, there is serious confusion amongst some legislators in this place as to the nature of the penalty for a first offence under the new drug diving laws. The member, who until recently was the shadow spokesperson for transport, got on the Leon Byner show, after the bill had passed the Legislative Council and before it was dealt with in this house, and referred to his long-standing view that the penalty for a first offence should be the same as .08 for drink driving. He declared that they had achieved that in the Legislative Council the night before. He said:

The advice I have got is that the Liberal Party, Nick Xenophon and Andrew Evans got together to ensure that the key amendments—and, look, the other amendments, we will worry about them down the track. . . but there is one key amendment and that amendment is that if you are proven positive for illicit drug driving your first offence be treated exactly the same as a category 2 blood alcohol .08.

That is after the amendments in the Legislative Council. Strangely enough, those very same amendments, when they were treated in this place, were explained by the member for Schubert who, of course, has pursued the matter for some-time. The member for Schubert said of that amendment:

. . . it did not happen in this case. I know that the minister would not accept that—

I am quoting from *Hansard*—

and that is why it is not part of the amendments. We deliberately pulled it out. It does not appear in these amendments.

It seems that there is a very serious confusion of mind between the frontbench and the backbench on this matter, but I inform the house that, in fact, the backbench is correct.

**The Hon. I.P. LEWIS:** I rise on a point of order, Mr Speaker. As I understand it, it is not proper for any honourable member to engage in debate of a matter that has already been before the chamber whether in question time or any other time, or explicitly quote from that debate in the record, and those—

**The SPEAKER:** Order! Yes, the Minister for Transport must be careful not to revisit the actual debate.

**The Hon. P.F. CONLON:** No, sir. What I am trying to do is to explain to the member for Mawson just what his party did do, and, very importantly, what the effect of those amendments are. The member for Schubert on this occasion was not confused, he actually got it right. The amendments do not do what Mr Brokenshire went on the radio and said that they would do and did do. They just didn't. He got on the radio and said, 'We've achieved it. We've made the government back down. We've got our amendment up', except that he missed. He was walking around and talking like John Wayne and shooting like Mr Magoo. The member for Mawson was doing his usual cheap trick: trying to do wedge politics and ending up giving himself a wedgie.

**The Hon. D.C. KOTZ:** I rise on a point of order, Mr Speaker. I refer you to standing order 127: reflection on members.

**The SPEAKER:** I do not believe that this comes into the category.

**The Hon. P.F. CONLON:** Sir, the penalty is as was pursued by the government, it is as was stated by the member for Schubert, it is not as was claimed on public radio by his front bencher. The only point I make is that if this person wants to be the Minister for Health, it is important that he understands how to read legislation and understands the effect—

**Mr WILLIAMS:** I rise on a point of order, Mr Speaker. Question time is for members to ask ministers questions—

**The SPEAKER:** Order! It is not the time for members to make statements. What is the point of order?

**Mr WILLIAMS:** The point of order is: what responsibility to the house does the minister have for this diatribe?

**The SPEAKER:** Order! That is debate. The minister is—

**Mr WILLIAMS:** I refer you, sir, to standing order 127.

**The SPEAKER:** Order! The minister is debating now.

**The Hon. P.F. CONLON:** Can I conclude, then, by saying that I want to urge the house—

**Mr WILLIAMS:** I rise on a point of order, Mr Speaker. You have just ruled that the minister is debating, and he stood



up and said, 'May I conclude'. He wants to carry on with his nonsense.

**The SPEAKER:** Order! It is not an opportunity for members to make a statement. If it is a point of order the point of order will be dealt with. I said that the minister was starting to debate; he is now concluding the answer.

**The Hon. P.F. CONLON:** I just want to conclude, sir—  
*Mr Williams interjecting:*

**The SPEAKER:** Order! The member for MacKillop will be named.

**The Hon. P.F. CONLON:** I have got to tell members that they will have to finish like Bernborough, won't they? They will have to have a big finish. The only point I make completely relevant is that, perhaps, when the shadow spokesperson for health trots out more allegations in this place we had better treat them very carefully.

**The SPEAKER:** Order! That is debate.

#### ASHBOURNE, CLARKE AND ATKINSON INQUIRY

**The Hon. R.G. KERIN (Leader of the Opposition):** Did the Attorney-General make a telephone call to Edith Pringle on Thursday 14 November 2002, the exact same day he agreed to settle his defamation case with Ralph Clarke?

**The Hon. M.J. ATKINSON (Attorney-General):** I released my telephone records yesterday. I am well aware of what the content was. It lasted 10 seconds.

#### INDUSTRIAL RELATIONS LEGISLATION

**Ms BEDFORD (Florey):** My question is to the Minister for Industrial Relations. What is the government's response to the member for Davenport's call for the government to declare its position on the work choices legislation, and has the government received any response to its call for the opposition to state its position on the work choices legislation?

**The SPEAKER:** Order! The minister is not responsible for the opposition, so he has to be careful in answering.

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** I thank the member for her question. On 8 October the member for Davenport called on the Premier—

**The Hon. I.F. EVANS:** On a point of order, sir: if, by the Speaker's own admission, the minister is not responsible for the opposition's policy, how is the question in order?

**Ms Bedford:** That is not the question.

**The SPEAKER:** Order! The question had several parts to it.

**The Hon. M.J. WRIGHT:** All I am doing is responding to what has been asked by the shadow minister. On 8 October, the member for Davenport called on the Premier to make clear the government's position on the federal government's changes to work laws. The government has made its position on the Liberal's changes to work laws very clear, indeed. In the government's submission to the Senate inquiry, I said:

The so-called Work Choices Bill should be scrapped and the South Australian government urges this committee and this parliament to reject these radical and divisive changes.

So, the position of the government on the Liberal work laws is very clear. We have said that they should—

**The Hon. I.F. EVANS:** On a point of order, Mr Speaker: there is motion before the house on this matter that is yet to be concluded.

**The SPEAKER:** The minister needs to be careful not to transgress in that respect, but he can talk about the issue of industrial relations.

**The Hon. M.J. WRIGHT:** It is ironic that we are asked by the opposition what is the government's response, and then when we go to answer it in the parliament, members opposite want to take points of order. We need to know what are the opposition's policies when it comes to the federal government's position with regard to the industrial relations laws?

**Mr BRINDAL:** On a point of order: I thought the object of question time was for us to ask the executive government questions, not for the executive government to question the opposition.

**The SPEAKER:** There is some latitude. A minister can pose some questions, but he should focus on the specifics of the question that was asked.

**The Hon. M.J. WRIGHT:** The Premier made reference to the fact that the Western Australian Liberal leader said he would relish the opportunity to copy the Liberal's IR changes into state law. The Premier called on the Leader of the Opposition to tell South Australians whether he agrees with the Prime Minister's new industrial relations laws by copying them into state laws if he became Premier. These are important questions. As a government we have made our position crystal clear. Unless these questions are answered, South Australians are entitled to assume that the opposition's policy is just like it is in Western Australia, that it will copy the Prime Minister's attack on working families into state law. To the best of my knowledge, the government has had no response from the Leader of the Opposition. We want to know what are the opposition's policies. It is time that it tells us the truth. It could not tell us the truth about ETSA but it must tell us the truth about—

*Members interjecting:*

**The SPEAKER:** Order! The minister is debating now.

#### ASHBOURNE, CLARKE AND ATKINSON INQUIRY

**The Hon. R.G. KERIN (Leader of the Opposition):** My question is again to the Attorney-General. Given the call that the Attorney-General made to Edith Pringle was within hours of the case being settled, was the purpose of the call to discuss with Edith Pringle the fact that an agreement to settle the case had been reached?

**The Hon. M.J. ATKINSON (Attorney-General):** Look—

*Members interjecting:*

**The Hon. M.J. ATKINSON:** No; the Minister for Police just gave a statement on that. Another complete falsehood from Mrs Edith Pringle—a third complete falsehood. Not only apparently because there was a 10-second call the day before the case was settled, not only was I called then, but I also managed to collapse five minutes of narrative into 10 seconds of message.

*Members interjecting:*

**The SPEAKER:** Order! That ability could be practised in here by both sides.

**The Hon. R.G. KERIN:** I have a supplementary question to the Attorney-General. The Attorney-General has just told us that that call on 14 November was made the day before there was any settlement of the case. It says in the Ashbourne

case court transcript that the issue was settled on 14 November. Which is correct?

**The Hon. M.J. ATKINSON:** I told the house yesterday, and gave the house very strong evidence of what Mrs Edith Pringle was ringing around everyone about, including a Liberal MP, and including the member for Enfield's office. Mrs Pringle had nothing to do whatsoever with my case with Ralph Clarke. She was ringing around about Bob Ellis's book *Goodbye Babylon* in which the allegedly ungrateful member for Enfield had referred to her 'as a bit of a drama queen'.

**The Hon. R.G. KERIN:** I have a supplementary question. I ask the Attorney: was the agreement to settle her case made on 14 November, as he told the court, or 15 November, as he told the house?

*Members interjecting:*

**The SPEAKER:** Order! The member for Taylor.

*Members interjecting:*

**The SPEAKER:** The house will come to order. Question time is ticking away. The member for Taylor.

### ADOPTION

**The Hon. P.L. WHITE (Taylor):** My question is to the Minister for Families and Communities. What are the impacts of the recent House of Representatives' inquiry into the adoption of children from overseas on South Australian families?

**The Hon. J.W. WEATHERILL (Minister for Families and Communities):** I thank the honourable member for her question. South Australia recently provided a submission to the House of Representatives inquiry into the adoption of children from overseas. Members in this place may recall that this has been the subject of a lot of effort by my agency over the past 12 months. The House of Representatives inquiry was tabled on 28 November this year. Whilst most of the recommendations are matters for the commonwealth, there are some very positive implications for adoptive parents in South Australia.

In the submission that the South Australian government made to the inquiry, we highlighted that the current requirements for the provision of maternity payment are often difficult for adoptive families to meet. It means that adoptive parents are unable to claim the payment if they are placed with a child over the age of two years. The South Australian government submitted to the inquiry that adoptive families should have the same rights and obligations as any other Australian family. I am pleased to report that one of the main outcomes of the inquiry is the recommendation that adoptive families should have the same access to commonwealth benefits and arrangements as any other family in Australia. This is a massive step forward, and it is one for which South Australia can claim credit.

It is also worth noting that there were some negative remarks made by the states rhetorically by the Hon. Bronwyn Bishop where she remarked that there was an anti-adoptive attitude in a number of states. It is worth pointing out that in South Australia, along with Tasmania and the ACT, we now have the highest rate of inter-country adoptions in Australia, which is in line with the rates of adoption in many comparable countries, so we do not believe that criticism can be levelled at us. I must say that the in-sourcing and arrangements we are making to ensure that adoptive children and, indeed, their families are receiving support are proceeding well.

### ASHBOURNE, CLARKE AND ATKINSON INQUIRY

**The Hon. R.G. KERIN (Leader of the Opposition):** Did the Attorney-General discuss with Mr George Karzis the evidence he was to give to the upper house select committee prior to his appearance after breakfast this morning?

**The Hon. M.J. ATKINSON (Attorney-General):** Did I discuss it with him after breakfast? Did I discuss it with him at all?

**The Hon. R.G. KERIN:** Yes.

**The Hon. M.J. ATKINSON:** No.

### PARLIAMENTARY REFORM

**Mr SNELLING (Playford):** Can the Attorney-General provide the house with information that he may have received from members about parliamentary reform?

**The Hon. M.J. ATKINSON (Attorney-General):** This has been a parliament with members brimming full of ideas for constitutional reform, principally, of course, the member for Hammond. I can tell the house that that new man, that new age man, the member for Waite, wrote to me, and I understand every member of the previous parliament, about this very matter of parliamentary reform. For the benefit of current members, who may have let the important points made by the member for Waite about parliamentary reform slip their mind, the member for Waite wrote:

Reform of parliament, particularly in regard to the role of the Legislative Council, has been a matter of ongoing debate and concern for some time.

**Mr BRINDAL:** On a point of order, if I heard the Attorney correctly, this was a letter written to members of a previous parliament by a previous member and does not bear on this parliament.

**The SPEAKER:** It does not mean that the Attorney cannot refer to it now.

*Members interjecting:*

**The Hon. M.J. ATKINSON:** Why do members of the opposition not want to hear this? Just because they are trailing by 10 goals in the last quarter and they are only interested in playing the man.

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

**The Hon. M.J. ATKINSON:** The member for Waite continues:

A government elected with a majority of House of Assembly seats cannot at present implement its mandate to govern without the concurrence of a Legislative Council.

**The Hon. I.F. EVANS:** On a point of order, there are five bills currently before the house, including one on the reform of the upper house. This is a matter for debate on that bill.

**The SPEAKER:** Order! It is not impinging on that.

**The Hon. M.J. ATKINSON:** The government of which he was a member could not govern without the concurrence of the Legislative Council, elected at a different time in accordance with different arrangements, which can amend or block key government legislation except money bills. The member for Waite continues:

This circumstance establishes impediments and barriers to effective governance which, in my view must be remedied.

For some of us, he will be our commander! I can also advise the house that the member for Waite was diligent enough to supply every member of the previous parliament with a copy of a 144-page discussion paper on Legislative Council reform

that had been prepared by the honourable member's parliamentary intern. When rereading the member for Waite's letter earlier today, I was pleased to note his comment that reform of the Legislative Council, and again I quote:

... is not a matter for vested partisan or individual interest but one of conscience and concern for the state of South Australia.

Sadly, the pro tem Leader of the Opposition does not share the member for Waite's view of the other place. He said last week that the Legislative Council provides not an impediment but the safety and security of a house of review to safeguard against the power and sometimes stupidity of governments. If members opposite had had the vision to vote for the member for Waite in the recent leadership contest, we would have the benefit of a bipartisan position on this very important constitutional matter. Needless to say, we are indebted to the diligence of the member for Waite, and I look forward to his rallying behind the Premier, as he then will still be, in his commitment for a referendum to reform the Legislative Council in 2010.

And I am pleased to tell the Leader of the Opposition in response to an earlier question that the settlement was filed on 15 November.

#### ASHBOURNE, ATKINSON AND CLARKE INQUIRY

**Ms CHAPMAN (Bragg):** Will the Minister for Police confirm to the house that Gary Lockwood, former electorate officer to the member for Florey, has lodged an incident report with the Anti-Corruption Branch alleging that, in particular, the Attorney-General had attempted to interfere in his continued employment? Gary Lockwood gave evidence to the select committee on the Ashbourne, Atkinson and Clarke affair on Wednesday 19 October and said:

... I spoke to Superintendent Peter Simons. I informed him of the attempted interference in my continued employment with Frances Bedford MP and asked him to report a similar incident with Robyn Geraghty on 24 November 2003.

**The Hon. K.O. FOLEY (Minister for Police):** I have to say that one of the things that has saddened me in recent weeks in this place is what is clearly in my opinion as the Minister for Police the attempted politicisation and abuse of the Anti-Corruption Branch in SA Police. It is clear that somebody can make a phone call. You know, Mr Lockwood, the person who said he was held captive in the Catholic cathedral—

**Ms CHAPMAN:** I rise on a point of order. There was no reflection on the police in this question. The question was whether the Minister for Police knew of this matter.

**The SPEAKER:** Order! No, the member does not repeat the question.

**The Hon. K.O. FOLEY:** No, I do not know about it and, as I have said previously, I will get a report on this matter, as I always do. We had Edith Pringle come before the select committee and give a whole lot of nonsense to the select committee which members opposite grabbed hold of. Some media channels, particularly that esteemed entity *Today Tonight*, of course, published memories as fact, only to find out today that Ms Pringle did not give that evidence, from what I am told, to the police.

**Ms CHAPMAN:** On a point of order: at no time have I mentioned the evidence in relation to Ms Pringle and, therefore, my point of order is regarding relevance.

**The SPEAKER:** Order! The minister has a little bit of discretion in answering this. I do not believe that he has gone beyond the bounds of a reasonable answer.

**The Hon. K.O. FOLEY:** I am attempting to express, as police minister, a concern I have that there is an attempt by some people, including members of the opposition, to misuse the Anti-Corruption Branch of SA Police by making silly and—

**Mr BRINDAL:** On a point of order: the imputation of improper motive in answering a question is disorderly, sir, and that has just been done.

**The SPEAKER:** The Minister for Police has to be careful not to impugn improper motive.

**The Hon. K.O. FOLEY:** As we have found consistently, it is particularly when the member for Bragg comes forward with her dramatic statements, they are often—if not always, but certainly in most cases—found to have no basis in fact and not to be correct. Of course, that does not bother an opposition on the last sitting day of parliament. You have no policies. You have no vision.

**The SPEAKER:** Order! The minister is now debating. I call the member for Giles.

**Ms CHAPMAN:** I have a supplementary question.

**The SPEAKER:** I have called the member for Giles. I will come back to the member for Bragg.

#### AMBULANCE SERVICES

**Ms BREUER (Giles):** My question is to the Minister for Health. How is the government improving ambulance services for South Australians?

**The Hon. J.D. HILL (Minister for Health):** I am very pleased to take this question from the member, and I acknowledge her great interest in the health system. The South Australian government has committed over \$17.2 million over the past four years to capital works and upgrading IT dispatch systems in South Australia. We have already announced three new ambulance stations to be built next year in Murray Bridge at a cost \$1.3 million, in Port Adelaide at a cost of \$1.4 million and at Elizabeth at a cost of \$1.3 million, and all are expected to be completed by the end of 2006. Over the past four years that we have been in government, we have recruited an extra 100 paramedics to service the ambulance system.

In 2005, there was a nationwide survey of ambulance customers and users which found that 98 per cent were satisfied or very satisfied in the time taken to answer their emergency call and the standard of the treatment given. Feedback from the survey also showed that 97 per cent were satisfied or very satisfied with explanations given them by the paramedics and 98 per cent with the ambulance dispatch operator taking their call; 95 per cent were satisfied or very satisfied with the time taken for the ambulance to respond. Overall, 98 per cent of ambulance users were satisfied or very satisfied with the service received. SA Ambulance ranked equal first in this country.

Today I inform the house that the government will provide \$840 000 over two years to build a new regional ambulance station at Port Pirie. Construction will begin early next year and is expected to be completed in 2007. The new building will be located next to the new State Emergency Services regional headquarters and the MFS. As to the Port Pirie ambulance team, in the last financial year of that team, the service helped 1 700 patients including paramedic and intensive paramedic support to volunteer ambulance crews

at Crystal Brook, Port Broughton, Gladstone and Booleroo Centre.

Volunteer ambulance workers were recognised at the SA Great Regional Awards on 24 November 2005, with the Fleurieu and Kangaroo Island ambulance volunteers taking out the group category. I acknowledge their work and, indeed, all the great work of ambulance volunteers in South Australia. Great credit goes to all of them in the zone (which includes Goolwa, Strathalbyn, Yankalilla, Meadows, Kingscote, American River, Penneshaw and Goss), as well as the staff who helped in the training.

**The SPEAKER:** I advise camera crew in the gallery that any filming of any activity here, other than a member on his or her feet, is against the rules and that persons doing it run the risk of being charged with contempt and will have their privileges of attendance in the gallery withdrawn. The member for Mawson.

**Mr BROKENSHIRE (Mawson):** I have a supplementary question to the Minister for Health. Given that the minister did not announce any ambulance station builds in new locations, how does the minister believe rebuilds in existing locations will address the 24 per cent increase in response time delays in the last annual report?

**The Hon. J.D. HILL:** The member refers to the most recent ambulance report, which indicates there is a slight increase in time in responding. But let me tell the house that the ambulance service has, in the last few years, established a new way of responding to calls. It has in fact established two categories. The categories are category—

*Members interjecting:*

**The Hon. J.D. HILL:** Sir, they ask questions and when you try to tell them the answers all they want to do is catcall and make rude interjections. It is appalling. They are rude—very rude, indeed. There are two categories. Category 1 is 'confirmed immediate life-threatening cases' and category 2, which requires 'emergency response with the potential to develop into a life-threatening case if not attended in a timely manner'. In relation to category 1, the fact is that the time taken to address category 1 has reduced. In July 2004, the service responded to 90 per cent of category 1 cases in 13.32 minutes, whereas in July this year it responded in 13.01 minutes. So, in the urgent cases, in the category 1 cases, there are improvements in the response times.

## BULLYING

**Ms CHAPMAN (Bragg):** Thank you, Mr Speaker, for allowing a supplementary question to the Minister for Police. I ask him the question as the Treasurer. Given the Treasurer also has responsibility over electorate office staff, will the Treasury investigate, as a priority, and report back to the house before the parliament rises, whether in fact there was a report made and, if so, what action he intends to take in relation to interference in the employment of the electorate officer of the third party member of parliament?

**The Hon. K.O. FOLEY (Treasurer):** Perhaps some members opposite would like me to report back on all issues that have been referred to me as Treasurer over the last four years? Fair dinkum! I am happy to oblige!

**Ms CHAPMAN:** Mr Speaker, I have a point of order.

**The SPEAKER:** I take it that is the answer. The member for Bragg, do you want to ask another question?

**Ms CHAPMAN:** No, my point of order is that it is not for the Treasurer to ask the opposition questions. If he cannot answer, let him sit down.

**The Hon. K.O. FOLEY:** Mr Speaker, I have been reminded by my office that the issue of Mr Lockwood as it relates to the police has been answered—by me apparently, but I will refresh the memory of the house. I refer to correspondence from the Commissioner of Police to me. It states:

I refer to the attached question without notice by the Hon. J. Hall and the Hon. R. Kerin regarding allegations of bullying by the Hon. the Attorney General towards two female MPs.

A complaint by the Hon. R. Lucas—

surprise, surprise—

was received at the Anti-Corruption Branch. . . on 21 October 2005 in relation to allegations made to the Atkinson/Ashbourne/Clarke select committee by Mr Gary Lockwood on 19 October 2005.

Members should remember that Mr Gary Lockwood is the person who said in that committee that he had been imprisoned by the Catholics in the Catholic Church office next to St Francis Xavier Cathedral in Wakefield Street. Mr Gary Lockwood in the same evidence also said that he had been the victim of an attempted murder when a car drove at him in the streets of Bowden. That is the sort of person we are talking about.

**The Hon. P.F. Conlon:** I point out the Attorney-General does not drive!

**The Hon. K.O. FOLEY:** The important point, which goes to show how abusive of the system the opposition is, is that Mr Lockwood alleged that the Attorney-General had acted improperly in November 2003 and April 2005 by attempting to pressure the Hon. Robyn Geraghty and Hon. Frances Bedford, respectively, to sack Mr Lockwood who had been working in their electorate offices. The matter has been examined to determine whether a criminal investigation is justified. At this stage a criminal investigation is not warranted. How many times must we have these unsubstantiated, disgraceful, politically motivated allegations by members outside and inside this parliament—

**Mr BROKENSHIRE:** I have a point of order, sir, and I refer to standing order 98.

**The Hon. K.O. FOLEY:** In conclusion, how many times must we have—

**The Hon. R.G. KERIN:** I have a point of order, sir.

**The SPEAKER:** The Minister for Police has concluded his answer.

*The Hon. K.O. Foley interjecting:*

**The SPEAKER:** Order, the Treasurer is out of order!

*Members interjecting:*

**The SPEAKER:** The house will come to order!

*The Hon. K.O. Foley interjecting:*

**The SPEAKER:** Order! The Treasurer will not talk over the chair.

*Mr Venning interjecting:*

**The SPEAKER:** And, likewise, the member for Schubert.

*Members interjecting:*

**The SPEAKER:** The house will come to order!

## SCHOOLS, St MARTINS

**The Hon. R.G. KERIN (Leader of the Opposition):** Will the Premier report back to the house on what action he has taken and the outcome of that action in relation to an issue at St Martins School at Mount Gambier? On 5 May 2005 the Premier was asked why he had not acted on

allegations against a former teacher at St Martins School at Mount Gambier. At the time he was advised as follows:

Statements have been provided and letters written to the Premier, the Deputy Premier and several other ministers, including the Minister for Education, the Attorney-General and the local member about this matter. . .

In his response, the Premier said:

Yesterday. . . a parent [of one of the children] in the gallery approached me. . . I sat down with him and took details of the claims that he made, and I will be taking up those matters with the South Australian police.

Constituents from Mount Gambier have asked that I ask for an update.

**The Hon. K.O. FOLEY (Minister for Police):** I am the Minister for Police.

*Mr Brokenshire interjecting:*

**The SPEAKER:** The member for Mawson knows that any minister can take an answer.

**The Hon. K.O. FOLEY:** I will get a response for the leader very quickly.

*Ms Chapman interjecting:*

**The Hon. K.O. FOLEY:** I have to confess that I am not as smart as the member for Bragg. I try hard, but I am humble—

**Mr BROKENSHERE:** I have a point of order, sir, and I refer to standing order 98.

**Mr BRINDAL:** I have a point of order, sir. The deputy leader is misleading the house. He said he is humble: everybody knows that is not true.

*Members interjecting:*

**The Hon. P.F. Conlon:** I think he got you!

**The Hon. K.O. FOLEY:** You know what? After 12 years you've got me, Brindal!

**The SPEAKER:** I think the Deputy Premier has answered it.

**The Hon. K.O. FOLEY:** No, I was going to say humble and modest, but—

*Members interjecting:*

**The Hon. K.O. FOLEY:** I am happy to let the member for Unley go out with a win. I do not know what the question was now. I will get a report and come back to the house.

## WORKCOVER

**The Hon. R.G. KERIN (Leader of the Opposition):** My question is to the Minister for Industrial Relations—and I hope I have more luck. Given the dire financial plight of WorkCover, and the fact that its unfunded liability has increased tenfold under this government to \$646 million, will the minister rule out that a Labor government, if re-elected, will reduce WorkCover entitlements for injured workers?

**The SPEAKER:** The chair will rule out questions that involve comment. There was clear comment in that question. The leader is warned not to do it again.

**The Hon. M.J. WRIGHT (Minister for Industrial Relations):** The former government left WorkCover in a mess, and we are recovering the position.

*Members interjecting:*

**The SPEAKER:** Order! The minister was debating.

## MENTAL HEALTH

**The Hon. I.F. EVANS (Deputy Leader of the Opposition):** My question is to the Minister for Health.

**Mr Williams:** You'll have to wait until he's finished his phone call.

**The Hon. I.F. EVANS:** Phone a friend, is it, mate? Will the minister confirm that mental health's Acute Crisis Intervention Service underspent by \$449 000 last year, and that the government has refused to approve the under-expenditure as a carryover?

**The Hon. J.D. HILL (Minister for Health):** As the deputy leader well knows, I am the Minister for Health not the Minister for Mental Health. I will happily get a report for him from my colleague in the other place.

## APPRENTICES AND TRAINEES

**Mr CAICA (Colton):** My question is to the minister for Employment, Training and Further Education. What progress is being made to increase the numbers of apprentices and trainees in South Australia?

**The Hon. S.W. KEY (Minister for Employment, Training and Further Education):** This is really good news for South Australia, because there has been a big increase in the number of new apprentices and trainees in South Australia over the last year. The new national figures show that 5 700 South Australians commenced apprenticeships and traineeships in the 12 months to June. That is a rise of 18.8 per cent on the June quarter last year, and is more than double the national rise of 9.3 per cent for the same period. I am particularly pleased (as, I am sure, members in this chamber are) to see that numbers of women commencing apprenticeships and traineeships in South Australia grew as much as 28.8 per cent in the year to June compared with 11.2 per cent nationally.

The rise in the overall number of South Australian female apprentices and trainees defied the national downward trend. South Australia's 4.2 per cent rise compares with a national fall of 5.8 per cent. Obviously, this an excellent result in the wake of our two young South Australian women who have taken out top national awards as the National Apprentice of the Year and the National Trainee of the Year, won respectively by mechanical engineering apprentice Christine Stock and child-care trainee Kylie Fleetwood.

The figures have been revealed in the latest national report on apprentice and trainee statistics released by the National Centre for Vocational Education and Research (NCVER) yesterday. The report also shows:

- the overall number of apprentices and trainees currently in training in South Australia has risen by 5.6 per cent on the same quarter last year to reach 33 800. This compares with the national fall of 2.2 per cent;
- traditional apprenticeships now account for 28.8 per cent of all current South Australian apprentices and trainees, representing a 7.1 per cent rise on the previous year;
- 18.2 per cent or more of South Australians completed their training in the June quarter 2005 than for the same period last year—again, ahead of the national figure of 10.9 per cent.

These figures show that South Australia is reaping the rewards of its sustained efforts to address industry skill needs and drive growth in traineeships and apprenticeships. It is particularly heartening because it demonstrates that the work force development initiatives are working, and employers are taking action to assist in reducing skill shortages in the traditional trades. There is also good news for South Australia, with our vocational education and training (VET)

system also beating the national averages when it comes to graduates getting jobs.

The annual Student Outcomes Survey, released by the National Vocational Education Research Centre, shows:

- 83 per cent of VET graduates are employed within six months of finishing their study, which is 4 per cent higher than the national average of 79 per cent;
- 91 per cent of VET graduates are either employed or enrolled in higher level full-time study within six months of graduating, which, again, is three percentage points higher than the national average of 88 per cent.

I think that we can be very pleased, although, obviously, we will always need to watch the apprenticeship and training area to make sure that demand and supply match. We are doing very well.

**Mr BRINDAL (Unley):** I declare a vested interest. Can slightly soiled and decidedly aged members of parliament apply?

**The SPEAKER:** That is not a point of order: it is more of a challenge.

**The Hon. S.W. KEY:** I am very pleased to answer that question because I have announced in this house a number of times that we are also making sure—along with the work that we are doing to engage young people, either in learning or earning or both or work—that we have an older workers' program called Mature Works. We also have a number of programs including a case management approach to make sure that workers who have been previously disadvantaged for whatever reason from getting full-time paid employment, or getting into training, have a chance to either change their careers (and I think that the member for Unley would be a wonderful candidate for those programs) and to also make sure that any further training requirements are part of the personal training plan for that particular older worker. So, the member for Unley's question is really important in that we need to make sure—being the oldest in age state in Australia—that we also have programs for the baby boomers.

#### ENVIRONMENT PROTECTION AUTHORITY

**The Hon. I.P. LEWIS (Hammond):** Has the Minister for Environment and Conservation yet received the briefing he told me he would get from the EPA as to why it is requiring the Murray Bridge council and, of course, the ratepayers, to dig up several metres of impervious clay beneath and surrounding their waste repositories—otherwise known as a rubbish dump—at a cost of several hundred thousand dollars and replace it with impervious clay no different to that which is being dug out?

*Members interjecting:*

**The Hon. J.D. HILL (Minister for Health):** It is a good question. Unfortunately it is based on an assumption which is not necessarily true, but it is a good question nonetheless. This question was raised with me by a number of members in the house a week or two ago. I have spoken to Mayor Arbon, and I told him that I would talk to the EPA on his behalf—

**The Hon. I.P. Lewis:** You had all the answers; you did not give him a chance to ask any questions.

**The Hon. J.D. HILL:** This is not true at all, and I think that is a very unfair reflection on me that you say this.

**The Hon. I.P. Lewis:** That is what I was told.

**The Hon. J.D. HILL:** It may well be what you think he said, but I know that I had a conversation with him. The city

council of Murray Bridge is in dispute with the EPA over how it should manage a waste management facility. The EPA told the council what the guidelines were sometime ago. The council objected to what it was told, and was told by the EPA, 'If you can prove that something else will work as well, we'll consider that,' and that process is under consideration. The EPA is not satisfied that the dump will be managed properly in the way in which the council wishes to manage it. All I can say is that the EPA is using best science, and best evidence to get a good outcome for this particular dump.

*Members interjecting:*

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

#### MELROSE EARLY LEARNING CENTRE

**The Hon. G.M. GUNN (Stuart):** I thank the house for their good wishes for the future. My question is directed to the Minister for Education—

*Ms Breuer interjecting:*

**The SPEAKER:** Order, member for Giles!

**The Hon. G.M. GUNN:** I do not need any help from the honourable member. I ask the minister will she give an unqualified assurance that the early learning centre and kindergarten, established by the previous Liberal government, will not close or have its services downgraded, and will she further ensure that the small rural schools that are under attack by the bureaucrats in her department who want to take away their future—

*Ms Breuer interjecting:*

**The SPEAKER:** Order, member for Giles!

**The Hon. G.M. GUNN:** The kindergarten to which I refer is Melrose, where the Premier took his cabinet on the very morning that the public servants announced that they were going to shut down the kindergarten.

**The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services):** I thank the member for Stuart for his question. He has discussed these matters with me on many occasions, and I have grown quite fond of him during our many discussions on this matter. I say that because his forthright appeals to my better nature have always fallen on eager ears, and I have tried to assist him in many ways, and give him assurances that, indeed, we have no reason to close schools in his constituency. It is not a plot by hard-working public servants because they, like us, have the best interests of children at heart.

*Members interjecting:*

**The SPEAKER:** The house will come to order! I know that members are getting very excited because it is close to Christmas. The member for Light.

#### GAWLER POLICE STATION

**The Hon. M.R. BUCKBY (Light):** Will the Minister for Police consult with the Commissioner for Police and discuss the possibility of reinstating a third permanent patrol vehicle in the Gawler region, along with the necessary officers to staff it? Gawler has once again suffered a spate of vandalism—

*Members interjecting:*

**The SPEAKER:** The house will come to order! The member for Light has the call.

**The Hon. M.R. BUCKBY:** Gawler has once again suffered a spate of vandalism in both its main business areas, Murray Street and Adelaide Road. In 2002, a third patrol vehicle was put in place; however, it was withdrawn after just

three months. Due to the recent population expansion in the area, Gawler is in desperate need of that third vehicle.

**The Hon. K.O. FOLEY (Minister for Police):** I thank the member for the opportunity to give an expansive answer on this government's commitment to more policing in South Australia. I heard the member for Mawson interject (as he always does) that we need more police. I remind members that when the Liberal government was in office, when the then minister for police—

**Mr BROKENSHIRE:** Point of order about relevance, sir. It was a very specific question.

**The SPEAKER:** Order! The minister will answer the question.

**The Hon. K.O. FOLEY:** The saying 'a very specific question' must come with that part of the front bench. There were less than 3 500 police in the heyday of the Liberal government; we are heading very close to 4 000 officers—an achievement for which Labor can be very proud, up there with our AAA credit rating.

**Mr BROKENSHIRE:** Point of order, Mr Speaker, under standing order 98. The question was about extra police in Gawler that they are not getting.

**The SPEAKER:** Yes; the police minister needs to focus on Gawler.

**The Hon. K.O. FOLEY:** I will focus on Gawler, sir. We are building a new police station in Gawler. What a tremendous commitment to the police resources of Gawler and the district of Light by this Labor government, because when it comes to police, there is no government better than us. The member asks if I will consult with the Police Commissioner. I do not want it to be taken that I would somehow attempt to interfere, direct or suggest anything to the Commissioner, because that is not what a police minister of this state should do. I will more than happily pass on the question from the member for Light, as I always do for all questions, and have the Commissioner for Police consider the views of the member for Light.

### WATERFALL GULLY

**Ms CHAPMAN (Bragg):** My question is to the Minister for Environment and Conservation. Will the government immediately instigate the removal of rock and rubble in the Waterfall Gully dam adjoining creek line and pay for the cost of the removal, as residents are now concerned that even light rain will cause flooding. The government has now publicly acknowledged that the rock, rubble and silt has come out of the state government park—unlike the Premier's recent comment—and it is estimated that there is now 26 000 tonnes of rock in that dam, and it will take 5 000 truckloads to remove it.

**The Hon. J.D. HILL (Minister for Environment and Conservation):** As all members know, the damage caused by the storm a couple of weeks ago was quite profound, and there were quite difficult incidents in relation to number of our national parks. Waterfall Gully received an absolute pounding. There is a lot of rock in what was the lake. We are looking at that issue and we are talking to our insurers about whether or not we can seek some support from them to do some of the work that is required, not just in relation to that particular element but a range of others also.

### HEALTH CARE SYSTEM

**The Hon. J.D. HILL (Minister for Health):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** In question time today, the member for Mawson asked me a question about a patient at the Royal Adelaide Hospital who provided him, I believe, with a statutory declaration. I have the following information for the house. I will call the patient Ms X. Ms X is a 42 year old woman who has chronic asthma and is well known to the Royal Adelaide Hospital. She is known to be non-compliant with her asthma treatment, and has had several emergency admissions to the Royal Adelaide Hospital, usually in an unconscious state.

She lives in a rural area. On Friday 11 November 2005, she was retrieved by helicopter by the RAH emergency retrieval team following an acute asthma attack. As she was unconscious, she was intubated and admitted to the intensive care unit for ventilation support. On Saturday 12 November, she had recovered sufficiently for the ventilator to be removed but she was still medically very unwell. At this point, she wanted to leave the hospital. However, in view of her medical state, she was detained under the Mental Health Act. Regrettably, she had to be restrained to prevent her from leaving the hospital. This is someone who is well-known to the RAH, I point out. On Sunday 13 November—

*Members interjecting:*

**The SPEAKER:** Order! The minister will take his seat until the house comes to order. Some members in here are well known to the chair because of their behaviour, too.

**The Hon. J.D. HILL:** Outrageous allegations have been made about this hospital and it is important for the house to know the facts. This woman was detained under the Mental Health Act. On Sunday 13 November (the following day), she was seen by the duty psychiatrist who confirmed the detention order for three days. The patient adviser was informed of the incident—

**Mrs Redmond:** An outrage!

**The Hon. J.D. HILL:** It is an outrage, says the honourable member. That means that the Mental Health Act should not be applied when somebody is suffering a mental health incident. A psychiatrist confirmed the order. The patient adviser was—

*Members interjecting:*

**The SPEAKER:** Order! The minister should just make his statement.

**The Hon. J.D. HILL:** Sorry, Mr Speaker, I was being provoked. This is a serious issue. The patient adviser was informed of the incident and spoke with Ms X. He arranged for her to be examined by a physician, in view of her complaints about being physically restrained. He also arranged for her to see a social worker.

### HOSPITALS, MODBURY

**The Hon. J.D. HILL (Minister for Health):** I seek leave to make another ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** In question time today the member for Mawson asked me a question about Modbury.

*Mr Brokenshire interjecting:*

**The SPEAKER:** The member for Mawson needs to steady down.

**The Hon. J.D. HILL:** I have said I will have this matter looked at, but the allegations made by the member for Mawson are unsubstantiated and, in fact, very—

**Mr Brokenshire:** A statutory declaration!

**The Hon. J.D. HILL:** By a person who has been detained under the Mental Health Act! The member for Mawson asked the question about Modbury. Modbury is a hospital privately managed by Healthscope but contracted to provide a certain amount of surgical activity. Healthscope has advised that the level of activity being performed at Modbury is running ahead of schedule, which is the subject of negotiations between Healthscope and the Central Northern Adelaide Health Service.

I can confirm, and this is what I am advised, that the Central Northern Adelaide Health Service has instructed Healthscope not to reduce activity beyond what usually takes place over Christmas. There will be no reduction in activity at Modbury beyond the usual slowdown that happens in hospitals due to leave arrangements over Christmas. So, the advice that the member for Mawson had was wrong.

### HOSPITALS, ANNUAL REPORTS

**The Hon. J.D. HILL (Minister for Health):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** Today I have tabled a number of annual reports. I am advised that the Auditor-General has not completed audited financial statements for the Central Northern Adelaide Health Service (CNAHS) and the Southern Adelaide Health Service (SAHS) within the statutory time frame, therefore they will not be tabled today. In the interests of transparency, the material provided by CNAHS and SAHS will be made available on their web sites. Once the audited financial statements have been supplied by the Auditor-General's Department, they will also be posted on the web and tabled in parliament.

### MEMBER'S REMARKS

**Mr HAMILTON-SMITH (Waite):** I seek leave to make a personal explanation.

Leave granted.

**Mr HAMILTON-SMITH:** Earlier in question time today, in answer to a question by a government member, the Attorney-General referred to a paper written five to six years ago on parliamentary reform. The paper included research work done by a parliamentary intern on possible reforms to the parliament. The Attorney, in his carefully worded answer, implied that the paper supported the Labor Party's position of abolition of the upper house. Any reading of the paper will show that that is not true. The paper does not recommend abolition of the upper house; in fact, the paper strongly supports the need for a bicameral parliament and for an upper house to hold the government accountable and responsible. I, therefore, reject any assertion by the Attorney that the paper supports the Labor government's proposition that the upper house be abandoned. That is not the case. Never has it been more needed than in the past four years.

### SITTINGS AND BUSINESS

**Mr BRINDAL (Unley):** On a point of order: the *Notice Paper* for today lists the Statutes Amendment (Relationships No. 2) Bill for completion of debate. I am not aware that the

bill has even been started to be debated, so I seek your clarification, Mr Speaker, because I believe that is misleading. Some of us would like to get on with that debate.

**The SPEAKER:** It is not a point of order. The debate is under way. Once the process is started by way of first reading and second reading, the process is well and truly under way.

### MATTER OF PRIVILEGE

**The SPEAKER:** Yesterday, the member for Davenport raised a matter of privilege to which I respond now. I am not entirely sure about the issues that the member for Davenport is raising. I have had a look at the documents he has provided. There seem to be two issues of particular interest that he focused on, namely, whether the commonwealth courts building was to be used for one week only or whether it was to be available to the Federal Court for the rest of the year. The Attorney-General has clarified what the latter is. The second issue was whether the building might be available for use by the South Australian courts. The Attorney-General said no in his answer, but I am not sure what the letter from the federal Attorney-General, dated 7 July 2005 as supplied by the member for Davenport, indicates in relation to that. It seems to be more about arguing the appropriate way to deal with defamation cases.

I will quickly read two sections from those letters. The first one is dated 10 November 2004 from the Hon. Philip Ruddock, Attorney-General, and is addressed to Attorney-General Michael Atkinson, which states:

I am pleased to say that your concern that courtrooms might be left unused for 51 weeks a year is unfounded. The High Court has advised that the courtroom which is to be available to the High Court when it sits in Adelaide will be available for the Federal Court at all other times.

In a more recent letter, which is basically about defamation laws, dated 7 July 2005 and addressed to the Attorney-General, Michael Atkinson, the federal Attorney-General, the Hon. Philip Ruddock, states:

I would be happy to discuss in greater detail how the matter of Court facilities may be advanced. It would in my view be very unfortunate if the question of juries in South Australia were to turn on the availability of such facilities particularly when, as I have indicated, the Australian Government is prepared to adopt a co-operative approach.

It is very difficult to see what the particular issue is that the member for Davenport is concerned about and, in any event, it would appear that the member for Davenport has the facts at his disposal in the form of these letters and, therefore, it is hard to argue that he or any other member is obstructed in carrying out their parliamentary duties. Accordingly, I do not intend to give precedence to a motion relating to privilege.

### GRIEVANCE DEBATE

#### GERARD, Mr R.

**The Hon. DEAN BROWN (Finniss):** Today I give what I suspect will be my last grievance and, in doing so, I say that over the past 26 or so years I have seen some scum delivered in this house, and I will comment on what I think has been the unfortunate trend in this house over the past 10 to 20 years compared to when I first came into the house. I will do that later. I was very disturbed at what I thought was one of the worst cases of that scum being delivered which occurred yesterday when the member for Napier made an allegation of corruption concerning Mr Robert Gerard for



which he did not produce one shred of evidence to back up that allegation. I read to the house the allegation that was made by the member for Napier. Frankly, I was surprised that he would stoop to such a low level of the gutter. The allegation was as follows:

... which now brings us to the interesting question of whether Robert Gerard round-robin industry assistance payments made to Gerard Industries by the former Liberal government by on-paying part of this grant money to the Liberal Party.

He had previously mentioned Mr Victor Lo in Hong Kong and Catch Tim.

As I said, he made the allegation, which is one of corruption, and did not produce one shred of evidence. Factually, the allegation is quite impossible and, as a member of this house who has some financial experience, he would have known it was financially impossible. He claims that industry assistance payments made to Mr Gerard by the former Liberal government were then passed to Mr Victor Lo, who then passed the moneys back to the Liberal Party. The payment by Mr Lo was made to the Liberal Party in late 1993 as a contribution to the state election campaign but was made, apparently, before the election campaign. The Liberal Party was not in government at that stage, so therefore it was physically impossible for the Liberal Party to have made any industry assistance payments to Mr Gerard for him to then pass the money on to Mr Lo. So, therefore, it highlights the extent to which the allegations made in this house by the member for Napier were absolutely scurrilous, and I ask him to apologise later today, because I think Mr Robert Gerard deserves that apology. So, might I add, does the Liberal Party.

We know that the member for Napier was clearly put up to this by heavies within the Labor Party, and I am surprised that he was prepared to sell, at such a cheap rate, his own integrity to make the speech that he made yesterday. Let me defend what Mr Robert Gerard has done here in South Australia. He has been one of the most generous business people to the South Australian community that you could find. In 1994, for instance, he was made chair of the Olympic Fundraising Appeal in South Australia for the Olympic Games. In fact, he raised over \$1 million in South Australia for the 2000 Olympic Games as chair of that committee. His wife was a member of a subcommittee that also raised money through the women's groups. I might add that I know Labor members of parliament have come along and praised the work of Mr Robert Gerard in raising money for the Olympic Games.

He also was chair of the Royal Adelaide Hospital Redevelopment Appeal Committee and raised \$4.5 million over 12 months. He has done some marvellous work for the Duke of Edinburgh awards. He is chair of the South Australian State Award Committee and deputy chair of the World Fellowship Australian Region. He is a chair of the Royal Zoological Society of South Australia and its foundation. He is a trustee of South Australian Business Vision 2010. He is a councillor of the Australian Business Arts Foundation and, of course, has been extremely generous to numerous sporting bodies in South Australia. There is probably no business person in the last 20 years to 30 years who has been more generous to the South Australian community, its arts, sporting bodies and general bodies such as the Royal Adelaide Hospital than Robert Gerard, and his wife Fay. I pay tribute in my last griever to the role that they have played here in South Australia—which, we know, has been honoured at

various stages by the Labor Party, yet they attack him under these circumstances.

Time expired.

**Mr O'BRIEN (Napier):** This morning on Radio 891 the Leader of the Opposition referred to a grievance I gave yesterday on the issue of Robert Gerard as a very disappointing speech. He then went on to say that it was all right for the government to stand alongside Robert when he sponsored the Clipsal 500 and whatever. He then claimed that the allegations against Gerard were untested, that he had been generous to South Australia and that he had been highly successful. He said it was a pity when high fliers get shot down.

No, it is not a pity when high fliers get shot down, because I have seen it at close hand. I was working at a reasonably senior executive level in Elders IXL headquarters in Melbourne at the time when John Elliott's travails commenced. Like Robert Gerard, he wanted to take on the world—'Fosterise it', was his expression. He had great influence in the Liberal Party and he was also a great contributor to motor racing in Adelaide. Both are similar, again, in having had longstanding legal battles with federal government regulatory authorities over offshore financial transactions; and both were undone ultimately as a result of those battles. In both cases, both men never pushed the matter to a point where the courts would have made a finding of guilt or innocence. In the case of Gerard Industries, the—

*The Hon. Dean Brown interjecting:*

**The SPEAKER:** Order, the member for Finnis!

*The Hon. Dean Brown interjecting:*

**Mr O'BRIEN:** Can I have protection, sir?

**The SPEAKER:** The member for Finnis will restrain himself. If there is a disruption when a member is giving a griever, the clock will be extended to offset it; so members are wasting their time if they disrupt a member.

**Mr O'BRIEN:** In the case of Gerard Industries, the Australian Taxation Office's findings against Mr Gerard still stand; and that finding, in its simplest form, is that he and his company engaged in tax evasion. The strength of the ATO case is probably best summed up by its action in taking a charge of up to \$250 million over Gerard Industries' assets in September 2003.

This brings me back to the point I made yesterday. Rob Gerard and Victor Lo are the subject of matters that have gained great prominence in the national media. This issue of tax avoidance has been on the front page of the *Australian Financial Review* for three consecutive days and *The Australian* for two days. Both newspapers have also devoted several inside pages to the issue. No serious journalist has suggested that the tax avoidance did not occur.

What should concern this parliament—and it is the matter I raised yesterday—is what light does this matter involving Robert Gerard and Victor Lo throw on the Catch Tim donation to the Liberal Party? This is not a case of shooting down a high flyer (as the Leader of the Opposition would like to infer) or an attempt to prolong the type of agony to which John Elliott has been subjected over the years. No: it is an attempt to complete a bit of unfinished business in this house.

Throughout early 1995, the then Leader of the Opposition (Hon. Mike Rann) doggedly attempted to get some answers out of the Liberal government as to the identity of the individuals behind the donation of \$100 000 from the Hong Kong-based company called Catch Tim. When he did discover that Robert Gerard and his business partner Victor Lo were behind the donation, the then premier Dean Brown,

in response to a question without notice, Tuesday 21 February 1995, said:

I am telling the public that I know nothing about Catch Tim and that Mr Gerard has no association with that company.

And this is the claim he is making about me at this juncture—

By drawing into his net the Clipsal company, the Leader of the Opposition seeks to smear a company which strongly supports many sporting and other activities in this community.

We now know about the round-robin by Mr Gerard and Mr Lo of moneys through sham insurance companies in Bermuda and the use of the Catch Tim company in a similar manner to avoid campaign donation disclosure requirements. The modus operandi used in both schemes is very similar, and it is behaviour that falls very short of the high ethical standards we must demand of corporate leaders, particularly those with political influence. These high ethical standards must be readily apparent if the corporate leader in question has been a government appointee to a major board, or his company has been the recipient of significant government funding.

#### FERNLEIGH GARDENS ESTATE PTY LTD

**Mrs REDMOND (Heysen):** I would challenge the member for Napier to repeat those comments outside the parliament—but that is not what I want to grieve on.

*Members interjecting:*

**The SPEAKER:** Order! The house will come to order. Members will restrain themselves.

**Mrs REDMOND:** Thank you, Mr Speaker. The topic on which I want to grieve is something that should be of concern to us all in here; that is, a matter concerning a retirement village and the inappropriate behaviour of an administrative authority running a retirement village. I speak today about Fernleigh Gardens Estate Pty Ltd. I have received information from a resident of that village. He supplied to me a copy of a letter he and his wife received from the solicitors acting for the administering authority. The administering authority in its letter purports to terminate this couple's right to continue to live in the village.

They do so citing sections of the act. They say that they are entitled to terminate the contract pursuant to section 7(1)(c) of the Retirement Villages Act on the basis that this couple has breached the agreement by which they have a licence to occupy a unit in the village. The letter then goes on to detail a series of 11 instances whereby it is claimed that the couple occupying this unit in the village has breached their agreement to live in the village. What is absolutely astounding about this is the type of allegation that is raised by Fernleigh Gardens Estate (through its solicitors) as to the things that people in Fernleigh Gardens, apparently, are not allowed to do.

The very first one is that they had called the Environment Protection Agency. They had caused the agency to be called out to the village, and that had somehow interfered with the village management. Whether or not it interfered with the village management, it is utterly impossible to countenance a situation where, simply because someone lives in a retirement village instead of their own private home, they are suddenly denied the right to call the EPA if they think it is appropriate. If the EPA reached the conclusion that calling it was not an appropriate response and that it was not prepared to investigate, or that, in some way, the caller is vexatious in making complaints is up to the EPA.

To suggest that because someone lives in a retirement village they no longer have the same rights as the rest of the community to involve the EPA if they think that it is an appropriate case for the EPA is just outrageous. The administering authority, Fernleigh Gardens Estate Pty Ltd, further complain that this person communicated directly with Primelife Corporation Limited. I took the opportunity to write to Primelife Corporation, because I understood that, in some way, the village was auspiced under that Primelife banner. However, in a letter to me, Primelife Corporation advises that it has a contract to manage only the financial operations of the retirement village, and that Mr Jim Michalakakis is the owner of the village.

So, Jim Michalakakis is the owner of the village and Fernleigh Gardens Estate Pty Ltd is the administering authority. Regardless, there is absolutely no reason and no basis in law why someone who occupies a unit in a village should be deprived of the right to contact any corporation they want if they think that it is appropriate to do so, and it can in no way be suggested that it is in some way a breach of their rights. It is outrageous to me that the owners of the retirement village should suggest that people cannot call the local council.

The council actually came and took some photos. I do not know what that was about, and I have not had the time to delve into the detail of it, but to suggest that someone who lives in a retirement village cannot contact the EPA, cannot contact people involved in the management of the village, cannot contact the local council and cannot do all the things that we in the community are entitled to do is simply outrageous. Again, it brings to light the misbehaviour of a number of these owners and administrators of retirement villages who take it upon themselves to make life a misery for the people who live in the village and who have in no way given up their rights as ordinary members of the community by moving into the village. The fact is that, normally, people living in villages will often be over the age of 55. Some people have lived in them for at least ten years, so they are probably over the age of 65, and they have had their rights purportedly denied by the administering authority of the village.

Time expired.

#### ABORIGINAL LANDS

**Ms BREUER (Giles):** Unfortunately, due to a family bereavement, yesterday I was not able to present a number of reports in this place. Today I would like to make some comments on one in particular, that is, the annual report for 2004-05 of the Aboriginal Lands Parliamentary Standing Committee. This committee has been very busy since its time in this parliament. We have done a great amount of work, and we have visited most of the Aboriginal communities in the state. The gathering of accurate information and valuable insights about conditions in Aboriginal communities has not been—and perhaps never will be—a simple and straightforward task. It has been necessary for the committee to look beyond the superficial, to reconcile contradictory accounts, and to challenge longstanding practices and assumptions. Persistent and dogged investigation has, I believe, enabled the committee to bring some clarity to matters of strong community concern.

To the outsider, many Aboriginal communities appear solely as places of difficulty and despair. Closer examination, however, frequently uncovers an unwavering determination

and astonishing achievements. Some of that fighting spirit and the success that can be generated are found in that report. It would be the height of arrogance for any committee of this parliament to presume that it has the ability in a matter of a few hours or a couple of days to discern a solution to complex, entrenched difficulties. I am pleased to report that the committee has resisted temptation to breeze in and out of Aboriginal communities, and the urge to try and impose its own ideas and priorities.

I acknowledge the hard work of the other members of the committee and, in addition, the Hon. Jay Weatherill for presiding over the committee during the Hon. Terry Robert's absence this year. It says a great deal about the Hon. Terry Roberts, Minister for Aboriginal Affairs and Reconciliation, that he has been willing to chair this unusual committee. Certainly, the committee's travels have provided opposition and minor party members with unprecedented access to information, that, it seems to me, on occasion, has been re-packaged as a question without notice, which makes one wonder why the Hon. Terry Roberts has put himself in this position? Why was he so determined to revive this committee after the opposition, when in government, had allowed its predecessors to disappear?

I believe that the Hon. Terry Roberts has opted for the political road less travelled because he understands better than anyone in this or the other place that the challenges facing Aboriginal communities cannot be fixed by one minister, however superb his or her efforts, and it will not be surmounted in the life of any government, however long it reigns. The Hon. Terry Roberts put himself in a position that somewhat cold-hearted political animals might see as vulnerable and one that should be avoided at all costs because he understands that we must work together—Labor, Liberal, Democrats, Greens—if real and lasting improvements are to be brought to some of the most disadvantaged and sidelined members of our community—which, of course, brings me back to the Aboriginal people of this state.

I want to thank all those communities and individuals who welcomed the committee, and who took the time to talk and explain to us something of their hopes, fears, struggles and frustrations. Again, I think the Hon. Terry Roberts showed that, and it was interesting to watch him in meetings with those communities. He sat there; he understood the issues; he listened carefully; and the respect that was shown by those communities paid great tribute to the Hon. Terry Roberts as minister. I think he has done an excellent job in his time in this committee. I also want to acknowledge Jonathan Nicholls who has been an inspiration. He is a dedicated, hardworking secretary of our committee. He is a delight to work with and a delight to travel with, and organising seven politicians and Aboriginal communities is no mean feat, and he has done an excellent job.

Yesterday I was also not able to report three committee reports from the Environment Resources and Development Committee, of which I am the chair, and I was sorry that I was not able to do that. I thoroughly enjoyed my time as chair of this committee. We have done a lot of work in the last four years, and we have produced a number of reports, and there was a considerable amount of work involved in them. I want to pay tribute to Philip Frensham the secretary of that committee, and thank him for the work that he has put into this. He has been wonderful support for me over that time, and has assisted me on many occasions, and helped me to work out what is happening on many occasions, and has been an excellent committee secretary for us. I certainly hope in

the next four years that I again will be the chair of that committee and that we will be working with Phil. I also want to acknowledge Alison Meeks, our research secretary, who has also produced some wonderful reports for us. She came in very green, and she managed to put together reports for us in this time, and we certainly are very pleased with the work that she has done. It has been an interesting four years in government after time in opposition and I have enjoyed every minute of it.

Time expired.

### MELROSE EARLY LEARNING CENTRE

**The Hon. G.M. GUNN (Stuart):** I am pleased to have the opportunity to speak in this grievance debate, and I am looking forward this afternoon to participating in another debate because I have some, I think, appropriate, comments to make about that unnecessary legislation.

**The Hon. S.W. Key:** The criminal procedure legislation?

**The Hon. G.M. GUNN:** No; I will leave that to others. I want to talk about the question that I asked the Minister for Education. I am pleased that the minister has accepted my wise counsel, and is not going to let those unseen people, who sit in that big ivory tower, interfere with small communities which are entitled to have some services. I am pleased about that, and I sincerely hope that the Minister for Transport will take an equally generous approach, because his predecessor stopped the sealing of the road between Blanchetown and Morgan—an unnecessary and unwise course of action. If he has \$50 million to put trams up in North Adelaide for the yuppies, he has \$1 million, or so, to fix those roads. What I would say to the minister is that, if he wants the trams, start digging up King William Street next week.

*Ms Rankine interjecting:*

**The Hon. G.M. GUNN:** And I say to the honourable member for Wright, if she wants to go out and start digging up King William Street next week—

*Ms Rankine interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. G.M. GUNN:** —she might, for the first time in her life, do something constructive. It would be a change. I know it would be unusual, but at least she may be attempting to do something good, because normally she is not very constructive.

The second matter that I want to talk about is that this enlightened group stopped sealing the road from Lyndhurst to Marree. A few months ago we had this wonderful announcement—3.9 kilometres. What a great effort in four years. They cancelled the program, then they took the gangs away. The Minister for Tourism is encouraging people to go to Dalhousie hot springs and enjoy themselves, but the only trouble is that you cannot get there. The road is that rough it wrecks your motor car. Try and drive up to Hamilton Station. But I say to the minister—

*The Hon. P.F. Conlon interjecting:*

**The Hon. G.M. GUNN:** That is right. Even a Toyota, minister; even in a government, blue-plated car, you will want to let the tyres down. I want to bring this to the attention of the house because I intend to bring to the attention of the electorate of Stuart that this government has stopped the road funding programs.

*Ms Breuer interjecting:*

**The Hon. G.M. GUNN:** The member for Giles thinks that is good. The member for Giles wants to gas the corellas. Last

time, out of 20 000, they gassed 40. They got 40 out of 20 000.

**The Hon. P.F. Conlon:** Let that be a warning to the rest.

**The Hon. G.M. GUNN:** Well, it is more than a warning. They did not even frighten them. They put the net up, and they did a wonderful job, and they got 40. Then they got the gas and gassed them. All I am saying is that there is a lot of hot air here. I think the honourable member normally spouts hot air; she would have asphyxiated them had she been there. I say to the honourable member, get the net out, go up to Melrose, go up to Wilmington and Quorn, and see how you go.

*An honourable member interjecting:*

**The Hon. G.M. GUNN:** I am enjoying it because I normally do not get on my feet and I am a man of few words. In the time that I have been in this chamber, it has taken a bit to get me on my feet. I had to work myself up to it last night. I thought, 'I've got to make this speech today. I really have to have a good rest.' However, I wanted to bring those matters to the attention of the house because I have enjoyed the 50th parliament, and I am going to really enjoy the 51st parliament. I am really going to enjoy the 51st parliament because it is a great challenge.

**The Hon. P.F. Conlon:** Why? Are we televising it?

**The Hon. G.M. GUNN:** Well, I am going to make a contribution. I say to my friend the minister that he has a long way to go before he makes a real contribution, but I am looking forward to his contribution when he starts digging up King William Street. That is what I am looking forward to. When he takes away the traffic lanes, when the people are banked up and police cars are flashing their lights trying to direct traffic, that is what I am looking forward to. It will be one of his greatest efforts. It will be as good as when Don Dunstan got Mr Brooding to do the transport review in 1970. We know what sort of nonsense that was.

**The DEPUTY SPEAKER:** Order! It is my great regret to say the member's time has expired. The member for Wright.

#### WRIGHT ELECTORATE

**Ms RANKINE (Wright):** It was interesting yesterday to hear the member for Schubert complaining about lack of funding. As we have been interjecting, people should go and have a drive through the member for Stuart's electorate. I have never seen so much money spent on roads in my life. The member for Torrens and I drove up there not so very long ago. There has been \$15.7 million spent on the road to Craddock. You could land a 747 on that road! It has one pub and three vacant houses. I have never seen better roads in the state anywhere. We do not have roads like that in this city. I am surprised that the honourable member has a road left to complain about. However, that is not what I was going to talk about today.

I talked briefly yesterday about some of the achievements in the seat of Wright, as well as some of the challenges that we face out there. One of the greatest challenges that I have faced in my eight years as local member is that of the provision of decent sporting and recreation facilities for our young people. I suppose it has been my greatest disappointment that during that time I have not been able to convince the Tea Tree Gully council to honour its obligations in relation to that.

We know how important sport is in engaging young people, in building their self-esteem, developing skills and

encouraging them to be part of the community and develop a sense of belonging. I have spoken many times about the 20-hectare district sports site that is now known as Golden Fields. I refer to it more as Barren Fields, because that is what it is. It sits there barren. It is clear that the council has an agenda for that land. It has played its cards a couple of times in relation to wanting to turn the community land it was given by the state government into housing. The council wants to turn it into profit. It has played lots of games in relation to this land and has been constantly letting clubs down. It has been making promises, stringing them along and letting them down.

The football club has relocated to Harpers Field. It was promised a lot in relation to that development and is now getting very frustrated. So also is the baseball club, which was promised a great development at Illyarrie Reserve as long as it backed away from its concerns about the development at Golden Grove. Now it appears that the crunch has come in relation to the baseball club, as well. I will refer briefly to a letter that I received from the secretary of the baseball club, sent to Mayor Purdon. It starts with an illustration of how the club was strung along, and states:

Your council announced some three years ago that Harpers Field would be the new home of football and baseball in the City of Tea Tree Gully and that purpose-built facilities would be developed. We have been attending Harpers Field Advisory Committee meetings and tonight was the first indication that this is now not the case. . . it was only a few months ago David Murray wrote:

Stockpiles of materials from the Kingfisher Wetlands Project have been set up at Harpers Field, which will ultimately be used for the initial formation of the sports field for baseball and football north of the temporary change rooms.

At a meeting with the South Australian Baseball League President Mr Kevin Jennings and the SABL General Manager Michael Carter, it was stated by David Murray:

The TTG Council would be providing for baseball at Harpers Field as a minimum the equivalent of what was now at Illyarrie Reserve plus two home run fences.

It was keeping the baseball club interested. It continues:

We as a club over the past three years have held back any requests to council for improvements [at Illyarrie Reserve] due to the promised move, and have also held back on applying for state and federal grant monies.

The council saved lots of money, but the crunch has come. The letter continues that, on hearing what the council now is doing or not doing:

. . . our committee members' reaction was that of 'disbelief, passed over, lied to, gutted, stabbed in the back' and many other comments that were not very complimentary to yourself, councillors and staff.

Time expired.

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#### SITTINGS AND BUSINESS

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

That the house at its rising adjourn until Monday 19 December 2005 at 2 p.m.

**The Hon. I.F. EVANS (Deputy Leader of the Opposition):** I have an amendment to that motion which I now move:

That the house at its rising adjourn until Monday 30 January 2006 at 2 p.m.

There is large public support for the parliament to come back in the new year.

**The Hon. P.F. Conlon:** Yes, the Tiser.

**The Hon. I.F. EVANS:** Well, the media certainly have an interest, because the media is one of those instruments that helps keep governments honest. So, naturally the media would like the parliament to sit because there are lots of issues that are yet to be completed in this session. For instance, just on today's order of government business, there are 11 pieces of legislation listed for Thursday 1 December 2005 under orders of the day. If the government does not wish to debate those, that is ultimately a matter for the government. The opposition does not have the numbers in the house. We know that the government controls the house. The government has an arrangement with the Independents that they will lock into the government's position. So, the opposition is not in any position to win a vote on what is and is not debated in relation to orders of the house. There are 11 bills just on today that could be debated if we came back in the new year.

Private members' business items are already scheduled for Wednesday 20 December, so it is clear that the government has intended to come back at some stage because even government members have put items for debate on Wednesday 20 December. Clearly, the intent of the government members was to come back. I did not realise there were so many pages; this is amazing. Even orders of the day has 61 items that are already on the *Notice Paper*. Even the Speaker himself has an item for Wednesday 22 February which is the Dignity in Dying Bill. So, the parliament has already forecast that it is willing to sit again because it has adjourned matters to a future date.

It is clear that there are issues to which the government needs to be held to account. There is no reason why the government would not come back for two weeks in January so that the proper processes of democracy can be undertaken. The Auditor-General's bill sat around in this house for 3½ to four years. The government came in and said that this was a crucial bill and that the Auditor-General needs all these extra powers to undertake proper inquiries, and it was the government's decision to take that bill out of here and try to deal with it in another place, just as they did with the relationships bill. Why did the government take it out of this house and park it in the other place? Because they did not want to debate it at that time. Let us be very clear about that.

Everyone knows in this chamber that we do not have the capacity to beat the government on the motion as to what we debate. We simply do not have the numbers. We can count on that issue. Of course, we also have the bills on honesty and accountability that have simply not been debated within this chamber. So, there are lots of issues the parliament should come back to. We have an Attorney-General and the only thing that he can remember is what he has to forget. The only thing he remembers is what he has to forget. There will be issues that will flow between now and 18 March in relation to the Attorney-General. We have a health system with massive problems. The health minister resigned as a result. We have the damaging cabinet leak today of \$270 million in underspend. We should come back in January. There is no reason why we should not come back in January. I urge the house to support the amendment.

**The Hon. P.F. CONLON (Minister for Transport):** The shallowness of the contribution of the member for Davenport is demonstrated by the behaviour of the opposition this week

in this place. He cries crocodile tears for government business, yet he knows that twice this week we attempted to list the relationships bill for debate, and, for no other reason than the opposition simply did not want to debate it, they then took bills on two occasions, with which they agreed and got every one of their members to speak on, and, until such time as they knew that the relationships bill could not come on, they pulled the speakers. They simply were not interested in the merits of it—they were not interested in anything except making sure the business was not done.

This is an opposition that has had something like 240 sitting days, 40 days more in four years than they gave us in 4½ years when we were in opposition. The truth is they have not been a cooperative opposition. They have delayed and delayed and delayed. I stress the point that this week we could not even get a debate started on the relationships bill because of simple, shallow, delaying tactics.

*The Hon. I.F. Evans interjecting:*

**The Hon. P.F. CONLON:** Well, we listed it on Tuesday night and, suddenly, a bill that was going to take a few minutes—

**The Hon. I.F. Evans:** A few minutes?

**The Hon. P.F. CONLON:** —took the rest of the night.

*An honourable member interjecting:*

**The Hon. P.F. CONLON:** No, the parklands bill. Our understanding was that not many people from the opposition were going to speak on the parklands bill—until they learned we were going to do the relationships bill, then suddenly 20 Liberal Party members had a passionate interest in the parklands bill. They complain about—

**The Hon. I.F. Evans:** Even your members spoke on the parklands bill. Go and check *Hansard*.

**The Hon. P.F. CONLON:** I simply make the point to the member for Davenport that you had no speakers and, as soon as we were listing the relationships bill, suddenly they all wanted to speak on it. Country members suddenly had a passionate interest in the city parklands. Last night, we had a bill that had to be done—simply had to be done quickly—and that was the Dust Diseases Bill. I think the public would have been most disappointed in us if we had not passed that bill.

**The Hon. I.F. Evans:** It deserved the debate.

**The Hon. P.F. CONLON:** It deserved the debate. The reason it deserved the debate was it was coming on before the relationships bill. They do not want to get to the relationships bill.

**The Hon. I.F. Evans:** We had 24 hours' notice of that bill.

**The Hon. P.F. CONLON:** Hang on, remember this has been around for a year, but they had 24 hours' notice. Let me tell you about what has happened to the relationships bill. They do not want to hear from the member for Unley: that is what it is about. They do not want to hear from the member for Unley on the relationships bill so they have made sure that we cannot debate it. What on earth makes us think that after 242 sitting days if we give them eight more days in January they will change their attitude? They will not.

We have not had a majority in this place for some considerable period of time. Managing government business, I can assure you, has not been easy. I must say, it has got a little easier since the member for Davenport took over as Deputy Leader of the Opposition, and I will not say more than that. They complain about a bill they have blocked for three years. Why have we not passed it? Because they blocked it for three years and would not support it for three

years. The opposition has the numbers in the Legislative Council.

*The Hon. I.F. Evans interjecting:*

**The Hon. P.F. CONLON:** I have to tell you that you are right: we have to put a bill through both houses. That is right: it had to go to the Legislative Council.

*The Hon. I.F. Evans interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. P.F. CONLON:** If we get our way it will not have to in future because we will abolish the useless bunch up there. Sorry, sir—we will abolish that bunch of honourable members in another place if we get our way at some point in the future. But, until we do that, we have to put it through both houses. When it got there, it went like so many things did. It went there how long ago, and it came back this week. If they could not do it in all of that time, they are not going to do it in the next eight days. I might go back and get some quotes out of *Hansard* from when the Liberal Party was in government and we were in opposition, because they hardly ever sat.

The member for Mawson, as I recall, defended the right of the government to decide when it sits. The member for Hartley (the Lion of Hartley) defended the right of government to decide when it sits. The trouble is that they are born to rule on that side: they do not see us as having the right to be in government. The rules apply only to them. They obstruct everything we do. If we give them another eight days they will waste them, too. As I stressed before, their problem is that they have given more time than anyone else. Their problem as an opposition is that they do not have the capacity—and we cannot fix that by giving them an extra eight sitting days.

The house divided on the amendment:

AYES (21)

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.
Hall, J. L.	Hamilton-Smith, M. L. J.
Hanna, K.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
McFetridge, D.	Meier, E. J.
Penfold, E. M.	Redmond, I. M.
Scalzi, G.	Venning, I. H.
Williams, M. R.	

NOES (23)

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

PAIR(S)

Kerin, R. G.	Stevens, L.
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Majority of 2 for the noes.

Amendment thus negatived; motion carried.

### TERRORISM (PREVENTATIVE DETENTION) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

### TERRORISM (POLICE POWERS) BILL

The Legislative Council agreed to the amendment made by the House of Assembly to the Legislative Council's amendment No. 5 without any amendment.

### DUST DISEASES BILL

The Legislative Council agreed to the amendments made by the House of Assembly without any amendment.

### STATUTES AMENDMENT (CRIMINAL PROCEDURE) BILL

Consideration in committee of the Legislative Council's amendments.

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

That the Legislative Council's amendments be agreed to.

**Ms CHAPMAN:** I indicate that the opposition accepts the amendments that have been presented in another place. I note from the comments made by the Hon. Robert Lawson in another place during the debate in consideration of this matter that to say that the Law Society of South Australia indicated considerable disquiet with respect to the original draft bill of the government is, to say the least, an understatement. For those members who might be interested in that debate, the contribution by the Hon. Robert Lawson, and the detailing of what the Law Society had to say about the ambit, extent and drafting in relation to the new procedures, warrants attention if they are following the debate in this matter. Suffice to say, to some degree the issues raised by the Law Society have been accommodated by the amendments that have been proposed in the other place, and I am pleased to see that the government has shown the wise insight of the benefit of the amendments and accepted the same.

**The Hon. I.P. LEWIS:** Can I ask what the effect of the amendments will be?

**The Hon. M.J. ATKINSON:** Amendment No. 1 was moved by the government as a result of very extensive consultation with participants in the criminal justice system. The amendment is directed at the question of a sanction for failure to cooperate with a court order, to comply with a notice to admit facts. The bill as it stands says that an unreasonable failure may result in an increase in the severity of the sentence. Objection was taken to this notice as a matter of principle. The government is not convinced by these objections. The objections seem to be playing games. It is a common and fiercely defended practice for an offender to be given a reduced sentence for pleas of guilty and cooperation. There is no real difference. The offender who fights all the way gets, in effect, an enhanced penalty, but the proprieties must be observed so the government suggests a compromise amendment. It does not speak of sentence discounts because it is absurd to say that the offender gets an extra benefit if he does the court the favour of actually obeying the court order.

The purpose of amendment No. 2 is to make clear what was always intended, and what the bill always said: that the notice to disclose defences procedure is discretionary not mandatory, and is activated on application. Amendment No.

3 is a slight re-draft of the obligations of prosecution disclosure to make it clear that the obligation relates only to what the prosecution has available at the time it is made. Amendment No. 4 is moved at the request of the DPP. The amendment does two things: it applies the expert evidence disclosure regime to sentence as well as trial. That should be unremarkable to honourable members for it should be recalled that, in the McGee case itself, the expert evidence given at trial was also used in sentence. It also put a specific time of 28 days on the disclosure requirement for the sentencing hearing.

*The Hon. I.P. Lewis interjecting:*

**The Hon. M.J. ATKINSON:** Would you like more? I will give you more if you like.

**The Hon. I.P. LEWIS:** Yes.

**The Hon. M.J. ATKINSON:** Amendment No. 5, these sub-sections deal with the sanctions for failure to comply with the requirements of defence disclosure about expert evidence. The first sanction deals with the seeking of an adjournment. The bill provides that if the prosecution is ambushed by expert evidence, the adjournment must be given, and the prosecution controls the period of adjournment. All those consulted thought it too extreme to remove the discretion from the judge, so an amendment is suggested as a compromise. It gives the court a discretion to order an adjournment or a mistrial. There is a presumption in favour of granting of the adjournment, so it is not a free-for-all. The prosecution will get the adjournment unless there are very good reasons to the contrary. The second sanction for failure to comply with the requirement of defence disclosure about expert evidence concerns the rules of professional conduct. The government makes no bones about the fact that it will not brook attempts to sabotage its policy, as recommended by the Kapunda Road royal commissioner, and embodied in this procedure.

The bill makes advised non-compliance professional misconduct in a legal practitioner. The advice on consultation received from all quarters was that this went too far. The government's position maintains that a severe view should be taken of deliberate non-compliance with the regime mandated by the bill, and that it lies in the realm of professional misconduct. It does not resile from that position. The bill places that judgment in the realm of the disciplinary tribunal. As a compromise, this amendment is designed to mandate a hearing on the question of referral for a disciplinary hearing before the judge in question. The judge retains a discretion, but the onus is on the practitioner to make a submission on why referral for disciplinary action should not occur.

Amendment No. 6: the purpose of this amendment is to ensure that the invitation offered to the defence to address the court on the issues in the case should be made in the absence of the jury. The point should be made clear because the offer is only an offer, and if the defence does not wish to address the jury, the jury will otherwise be left wondering why this is so. That will place an unnecessary burden on counsel and the judge. All of this will be obviated if the invitation is made in the absence of the jury.

There are two amendments contained in amendment No. 7. The first amendment was requested by the police association. The association wanted to make explicit the standard to which the police officers would be held in undertaking this new duty. Failure to do so could be a disciplinary offence, so a standard is set. It reflects word for word the standard set for the performance of duties under the

police regulations. The second amendment is designed to remove any doubt about who is the chief investigator for the purposes of these amendments. It is the person appointed to be that person by the Police Commissioner.

Amendment No. 8: the bill put the formal disclosure provision at that time of committal. This was done by amendment to section 104 of the Summary Procedure Act. All of those consulted thought this was far too early in the process and it would not allow for the procedure to have any real value to the participants. This was, of course, the last thing wanted, so the operative amendment in clause 13 is no longer necessary and can be removed. That is what this amendment does.

The last amendment is amendment No. 9. The bill sets out the duty of the court when committing for trial to give the defendant a written notice in a prescribed form setting out his or her obligations in relation to, in particular, alibi evidence and expert evidence. This amendment is simply a redraft to make the obligation more precise.

Motion carried.

## STATUTES AMENDMENT (RELATIONSHIPS No. 2) BILL

Adjourned debate on second reading.

(Continued from 24 November. Page 4150.)

**Mr SCALZI (Hartley):** It is important to note at what stage of the parliamentary term we are debating this very important bill. Whilst members might blame the opposition or individual members for holding up this bill, I can assure this house that I was ready to speak last night. Indeed, one could ask the question: why did we not sit on Monday night? Why did we get up early on Monday instead of continuing with this?

**The Hon. M.J. Atkinson:** That is because there was an agreement between your side and our side.

**Mr SCALZI:** I note that the Attorney-General is interjecting, but I want to point out how many members of the government spoke to this bill before it was withdrawn and sent to the upper house like Pontius Pilate. Indeed, government members had every opportunity to speak to this bill before it was sent to the Legislative Council, a house that they want to abolish. I would like to give government members some facts about this matter.

**Mr BRINDAL:** Mr Speaker—

**The SPEAKER:** Order! Before taking the member for Unley's point of order, I remind the member for Hartley and other members that they are to speak to the bill and they must not be repetitious. If a member repeats what another member has said, that is also repetitious under standing orders, and they will be ruled out of order. The member should focus on the bill rather than talk about extraneous matters. The member for Unley.

**Mr BRINDAL:** My point of order was relevance, sir, but you have wisely ruled on it already.

**Mr SCALZI:** I was getting to that, Mr Speaker. I would like to put on the record that the Attorney spoke on 15 September, and I, along with the member for Waite and you, Mr Speaker, spoke on 28 October. The member for Mitchell has spoken and has made his position clear. He has been consistent and honest about this reform for a long time. In the other place, 14 members spoke in the second reading, and all members contributed to this very important issue. We are on the last day, and we want to complete this debate.

I have an analogy. In a new subdivision in South Australia, there is a newly completed group of homes in a quiet cul-de-sac. There are only four domestic residences in the cul-de-sac, each occupied by people living as we might expect in different domestic arrangements. Walking around this serene corner of our beautiful state in the early evening might give rise in the inquisitive or the nosy parker thoughts of just who might live within these dwellings and, perhaps, what they might be doing. None of our business is the reply of a fair-minded person, and that is as it should be.

Each principal relationship in these four homes deserves the protection of the law without fear or favour, just as each individual within also enjoys the protection and the benefits of the law in regards to their own person, their livelihood, their reputation, property and, most important of all, their privacy. For argument's sake, our dwelling is occupied by a married couple and their children. Their relationship is protected by federal legislation and a public contract. They can have children, rights to access reproductive technologies and adoption.

They can have children and have rights to access reproductive technologies and adoption. In the unfortunate case that their relationship might fail, they each have their interest and that of their children protected by federal law. Another home is occupied by a de facto couple. They enjoy almost the same range of entitlements and obligations as our married couple. Indeed, as far as anyone may know, they might as well be married. This is an important point to remember. The other two homes in this hamlet are occupied each by two adult persons of the same sex. In one case there is a sexual relationship but not in the other. In many respects, each enjoys similar entitlements as the other.

How would anyone really know which relationship was which, and whose business is it anyway? It has often been said that the government has no interest in what happens in a person's bedroom, yet we are now debating a bill that seeks to define relationships in terms of sexual activity, in terms of what is essentially, and should be, a private matter. This is a clear breach of privacy that is entirely unnecessary. At this point I would like to remind my colleagues of the principles behind the creation of the Family Relationships Act back in 1975. The government at the time moved to create a safety net or base line protection for heterosexual couples, their property interests and their offspring, where such couples were living in relationships that were, for all intents and purposes, as though married, but not normally so.

In my opinion, this was indeed legislation for the common good. It did not make a value judgment upon couples who, for whatever reason, had not chosen to formally marry but, rather, recognised the need for extension of protection of the law to those couples and their offspring. The same principle cannot be said to apply for this bill currently under debate, although it is fair to say that this need not be the case. I say that in foreshadowing my own amendments. In his verbal evidence to the Social Development Committee's inquiry into this bill in March this year, Archbishop Philip Wilson said:

The difficulty we face in modern society is that, living in a time of change, people often make changes in terms of the language used and, in effect, over a period of time that change of language begins to eradicate the original meaning that something may have had.

His Grace makes an acute observation that is effectively a warning to legislators. In striving for the common good for all South Australians, we must not fail to consider the possibility that future generations may view our efforts and interpret our decisions entirely differently from what we

intended. That is why we must strive for definitions that are as transparent, workable and general as possible. We should not seek to give rise to a definition of a form of relationship based on a sexual act, particularly when in doing so we further exclude a very similar relationship, namely, that of domestic co-dependant. Rather, in the interests of equity, simplicity, transparency and the principle of common good, we should seek to create definition that is sufficiently broad as to be a default-level protection for as many types of domestic relationships as possible.

The amendments made to this bill in another place by my colleague the Hon. Michelle Lensink, passed and consequently accepted by this government, fail the test of inclusivity and fairness. We now have a situation where the members of those two households in our little cul-de-sac, indistinguishable as to their domestic arrangements to the passerby, are treated entirely differently. In one case, the same-sex couple automatically enjoys protection and benefits of this legislation while the other needs to apply for recognition. How is this fair? How can we sit back in good conscience and allow this inequity to pass into law?

One need only think of a situation where, God forbid, one person is desperately ill and an authorised person, normally that person's partner, needs to authorise surgery. A married or de facto partner presenting as such would have no problem being accepted as next of kin, nor would the same-sex partner under the provisions of this bill. However, a domestic co-dependant who had been unaware of the requirements for registration in this bill may well encounter some difficulty. Indeed, it is unreasonable to expect that domestic co-dependants should be aware that they would need to make applications of some sort to avail themselves of the protections and benefits of this bill. If we can say that de facto heterosexual couples and same-sex couples have automatic access to these provisions, why not domestic co-dependants?

Remember that we are talking about default protection here. We recognise and promote prudent behaviour in all arrangements through appropriate, privately generated legal instruments such as wills and power of attorney. However, the bill we are debating is about base line defaults. It is either presumptive for all or opt-in for all: fair play for all or simply a cruel form of tokenism. Members of this place will recall my statutes amendment superannuation entitlement for co-dependants legislation, in which I attempted to extend entitlements under the six superannuation schemes to domestic co-dependants. I note that the Hon. Terry Cameron in another place attempted to amend this bill to a similar end, but without success. My bill was described by some as a mere caricature of similar bills standing in the name of the member for Florey at the time.

Even were this to have been the case, the same cannot be said for the efforts of the Hon. Terry Cameron, whom I applaud for his sense of fair play. Again, I feel compelled to appeal to the good conscience of members of this chamber to seek to act in the best interests of all South Australians by not supporting the continued entrenchment of unjust discrimination. I turn now to an email response to a question I had raised recently with the Commissioner for Equal Opportunity, Linda Matthews. I was querying whether or not there were any possible infringements under the Equal Opportunity Act presented by the various use of the presumptive model and the opt-in model within the bill for similar categories of persons. Her advice to me was inconclusive in respect of the act under the administration. However, Ms Matthews made the following observations. She said, 'Equal opportunity is



not always achieved by identical treatment.' I repeat: equal opportunity is not always achieved by identical treatment. I recognise that there may be some members who might try to turn Ms Matthews' words against me and against my position on this bill.

For those so minded, and for the benefit of all members, I simply invite the members of this chamber to consider the fact that this bill includes same-sex couples under the banner of 'de facto relationship' and, in doing so, it treats neither heterosexual de factos nor same-sex couples properly. Of the three relationship types under discussion—namely, heterosexual de facto, same-sex and domestic co-dependant—same-sex and domestic co-dependant are the most similar. In fact, removing the sexual activity dimension, they are virtually identical. So, why have we separated them and included same-sex in the wrong category? Same-sex couples are not de factos. The term 'de facto' refers to marriage. De factos are indeed de facto married couples—married 'in fact' but not 'de jure'. Same-sex couples are not to be considered to be married 'in fact', just as they cannot be considered married 'de jure' (in law). Heterosexual de facto couples can, and often do, formalise their relationships through marriage. Same-sex couples cannot. The characteristics of their relationships have far more in common with domestic co-dependants and are, by definition, a subset of this grouping.

I remind members that this government has sought to withhold adoption and IVF access from same-sex couples. Perhaps, in doing so, the Attorney-General is giving us a coded message that he agrees that same-sex couples and de facto heterosexual couples are, indeed, different in character. So, mindful of Ms Matthews' comments, I suggest that if we are to legislate protection and entitlements for relationships outside of those that we would traditionally recognise as marriage or marriage-like, that is to say, heterosexual de facto, then, as I have said before, we should be as broad as possible in the definitions we apply.

I cannot let this opportunity pass to address the members present without making reference to the matter of conscience. Some members opposite, no doubt, will be rolling their eyes in the realisation that Scalzi is once again mounting his stalking horse. I will accept that perhaps stalking pony might be more appropriate. Nevertheless, conscience and the ability to act in concert with one's own inner promptings and ethical framework is one of the hallmarks of a just society and something that has been codified by the United Nations and cherished by my party.

I note the Premier's federal Labor counterpart recently condescended to giving a conscience vote on the issue of the abortion drug RU486. I applaud Mr Beazley for doing so, particularly considering that women's reproductive rights are a Labor policy platform. I am not about to equate debate about abortion with the debate currently before us, except perhaps to say that both have quite serious consequences. What I will say is that the people of South Australia deserve to be fully represented by their local members in this matter so that, whatever the outcome, it can be most clearly recognised as being the will of the people represented by those present and not simply the will of caucus or the Premier.

In mentioning the member for Ramsay, I note that he is yet to speak on this bill even though there has been opportunity. I look forward to the Premier's comments. I hope he will give us and the people of South Australia a full explanation of why he supports the entrenchment of discrimination evident in this bill and why he has sought to deny his

colleagues their basic human rights of voting according to their conscience.

It is unfortunate and probably best described as the dark side of the human condition that some people will always be tempted to murmur about the status of a relationship of two persons of the same sex. In the Social Development Committee, and at other times, I have heard evidence that tells me that there are still those in our community who do not recognise the civil constraints of charity towards others. I recognise that this bill contains justice issues that should properly be considered in this place, but I do not believe that legislating relationships by defining them as something that they are not assists in any way towards lessening vilification and discrimination in the community. Equally, it is not fair or equitable to treat other non-sexual domestic co-dependants as a lesser relationship.

Let me return to our idyllic cul-de-sac, leaving my pony behind. Our four households will no doubt continue living out their four score years and ten, for the most part oblivious to all that we debate in this and another place. As with many of the entitlements and rights that we take for granted, they only come to mind when we need them. It would be a travesty if, at some time in the future, one of our four domiciles has need of the protection of the state only to find that the state has left them out in the cold.

I will not continue at length, but it is fair to say that I believe that this is important legislation, as it was when the member for Florey brought up her superannuation bill. I fought the bill because I believed as I do today that the same provisions should be extended to non-sexual relationships. This bill should not be about whether or not we support homosexuality. That is a private matter. That fight was won 30 years ago. I will be the first one to stand up and protect those who are discriminated against.

**Ms Breuer:** Tell me you are not homophobic.

**The SPEAKER:** Order, the member for Giles!

**Mr SCALZI:** Some of you might laugh, but I ask those of you who know me whether I have ever discriminated against people on the basis of sexuality, race or anything else.

**Ms Breuer:** But you've never stopped talking about it.

**The SPEAKER:** Order, the member for Giles!

**Mr SCALZI:** The member opposite does not understand—

**Ms Breuer:** I do understand. You're homophobic and that's all there is to it.

**The SPEAKER:** Order, the member for Giles!

**Mr SCALZI:** I ask the member opposite to withdraw the comments about homophobia.

**The SPEAKER:** Yes, the member for Giles should not reflect on another member. He has taken offence. She should withdraw that. The member only has to withdraw; she does not have to give a speech.

**Ms BREUER:** Yes, Mr Speaker. It is the last day of parliament and I would hate to be thrown out. I withdraw the comments.

**Mr SCALZI:** Thank you. Finally, I would like to say that good laws protecting relationships should be based on people's care and love for each other. Love is not restricted to sexuality.

**Mr Brindal:** No, it is not restricted to hypocritical Christians, either.

*There being a disturbance in the Speaker's gallery:*

**The SPEAKER:** Order!

**Mr SCALZI:** And I ask the member for Unley to withdraw that comment about hypocritical Christians.

**The SPEAKER:** Order! He made it as a general remark and therefore it is not out of order. The member for Hartley.

**Mr SCALZI:** Mr Speaker, as a Christian I forgive the member for Unley for his comment. I will conclude by saying this: as a teacher for 18 years in high schools, I saw the effects of students being homophobic and the slur they put on others, and I can tell members that I, more than anyone, fought hard to stop that sort of harassment. To label an individual is to subtract from their total human worth. An individual's humanity should be given. It should not be based on sexuality, or whatever. To label one individual is to subtract from their total human worth. My friends in the gallery are valued because they are individuals, and their value should be given. Their humanity and their rights of entitlement should be given. Nowhere have I said that they should not have equal entitlements. I support entitlements. It is the categorisation and the attack on privacy that should be in question.

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

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

**Mr BRINDAL (Unley):** Mr Speaker, it grieves me greatly to rise in this debate at quarter to five on what is the last day of sitting. It is a matter which the Premier of South Australia promised a community in South Australia he would address immediately on getting into government, a matter which on the last day is unlikely to pass this parliament because of the connivance of people on both sides of the house—not the majority on both sides of the house, but small groups of people on both sides of the house. I am glad that the member for Hartley as a Christian forgave me, because I promise the member for Hartley next time I go to church that I will pray that God forgives him and the other Christian hypocrites—I am not saying he is a Christian hypocrite, because he will object—who dare, under the guise of all sorts of sanctimonious hypocrisy, to sit in judgment on other people. It is a disgrace, and a disgrace for which one day they will answer before their God and their maker, and may God have mercy on their souls. The person that they follow preached the gospel of tolerance, the gospel of love and the gospel of forgiveness. When you read in the Festival of Light publication, with whom I have a legal problem, and a very big problem, that they associate the fact that I—

**The Hon. I.P. LEWIS:** Mr Speaker, I rise on a point of order. Do I understand the member for Unley to be saying that the remarks he is making are now in prejudice of a case he is bringing against the Festival of Light, in which case it is sub judice?

**The SPEAKER:** I took it that he is just indicating that he has a legal issue. If he has any proceeding he should be careful in what he says. The member for Unley.

**Mr BRINDAL:** I will be very careful, Mr Speaker, just to get it sharp enough. The fact is that when you read what is called *Festival Focus*, this issue has been portrayed, despite what the member for Hartley says in his contribution, as somehow protecting the sanctity of marriage. That is what it is about. It is about not giving certain human beings certain rights because somehow other human beings will have their rights taken away. It is called Proposition 32 in one of the states of the United States, where it was put as a proposition that by giving people who were same-sex attracted equal rights you in fact gave them superior rights. People died,

people were killed, and people were necklaced as that went through—and was passed narrowly—by a bigoted group of people, only to be struck down by the High Court of the United States. But, lined up against the bigots—

**The Hon. M.J. Atkinson:** That will be the Supreme Court.

**Mr BRINDAL:** Well, whichever court it was. Lined up against the bigots were the Catholic Church of America, the negroes of America, and a whole lot of other people who understand what persecution is and stand for justice, humanity and love and not bigotry, prejudice and hatred. When they say they are defending marriage, where were their voices when each state parliament progressively passed the concept of de facto marriage? Where are their voices when 50 per cent of marriages end up in divorce? Where were their voices when no-fault divorce was brought in? Everything else has undeniably undermined marriage, and now this bill has the great benefit—

*The Hon. M.J. Atkinson interjecting:*

**The SPEAKER:** Order! The Attorney-General will not interject, otherwise he might get divorced from parliament for a period of time.

**The Hon. G.M. Gunn:** That would be a good thing!

**Mr BRINDAL:** This bill to them will fundamentally undermine the concept of marriage. If the concept of marriage has been undermined by this or any legislature in this country it was begun decades ago. It continues to be done. The institution of marriage is fundamentally under pressure, but not under pressure because of this bill. It is under pressure because those people who want to condemn this bill do not do what they are supposed to do; that is, go out and teach people to live a better way of life. They would rather sit and criticise groups of people than get out there and practise what their master told them to do. I will not go on about some of the things that are in the recent articles in *Focus*. They are libellous and contemptuous, and they continue down Nazi-like lines of propaganda that is so much their characteristic. They are a disgrace—a disgrace to the Christian church.

Before I conclude on that, I say to them that they should check their own board, because I happen to have knowledge that at least one member of their board ignored continual complaints about a clergyman who was involved with sexual abuse practices and did not bother reporting it. He sits on the board of the Festival of Light. They do not say anything about that. They would rather comment that I was a CEBS leader, scoutmaster or school teacher and imply, as they do regularly—and this is the point of the bill—that every person who might be same-sex attracted is by definition a paedophile. What a load of cobblers! What is a load of prejudicial rubbish! People like that should not be in South Australia. South Australia was a paradise of dissent. They should be shipped off to somewhere like Van Diemen's Land or Sydney where con artists and criminals took their roots.

This bill does something for a group of people—a group of people that every other parliament in this nation has acknowledged—yet this bill comes into this house four years late and out of time. It probably will not get passed by this parliament—and what a tragedy. If it does not get passed by this parliament, I encourage those people with an interest in it to think what they will be doing at the next election. I am not making a partisan political speech—

*There being a disturbance in the Speaker's gallery:*

**The SPEAKER:** Order! There is to be no clapping in the gallery.

**Mr BRINDAL:** I am not making a partisan political speech, but there is a piece in the Bible that says, 'By your fruit you shall know them.' I encourage people to go through *Hansard* to observe people's attitudes and then to apply your judicious effort in political application of democratic political principles to getting the members you want elected to parliament. If the Festival of Light can squeak, then the gay community in this state should be able to roar, because one group of people has integrity and muscle and the other is a group of wimps who do not like to be criticised—and I will not say which is which, sir.

This bill is a good bill because it seeks to defend those people who have been disadvantaged. I find it amazing that people in another place and the member for Hartley have suddenly discovered this poor oppressed group—this group of people who is disadvantaged because they are two maiden aunts living together; because they are a father and son living together. All sorts of combinations have been disadvantaged for about five centuries but, in dealing with gay issues, suddenly they discover this group and cannot deal with gay issues, because we have to deal with this group concurrently. By that definition we should have dealt with gay issues when we dealt with marriage 100 years ago. May be we should have taken the examples of the church around the times of the Council of Nicaea when homosexual marriage was not only allowed in the church but also celebrated in the church.

*The Hon. M.J. Atkinson interjecting:*

**Mr BRINDAL:** Yes, I will show you. In fact, some of the learned fathers in the church did not preach against gay unions in the first 1 000 years of the church: go and look it up! Everyone today thinks that what we do is right. I put to the Attorney-General that may be some of the early practices of the church, being closer to when our Lord was alive, might be more referenced and a better, more reliable guide than what Mrs Phillips and her ilk tell us today. I do not know of any Christian doctrine that says that Mrs Ros Phillips is closer to God than was Jesus—who most churches teach was the son of God. I do not think she purports to be that. It is probably the only thing she purports not to be. The fact is that this bill addresses a number of human rights.

*The Hon. G.M. Gunn interjecting:*

**Mr BRINDAL:** I will get more than a chapter. It will be buy me a swimming pool, I would think. This bill not only addresses rights but also enforces obligations. There are a number of measures in this bill which I know some members of the gay community do not like. If the gay community was the promiscuous lot of 'ne'er do wells' that the Festival of Light tries to proclaim them, then they would not want this bill at all. Quite frankly, the sorts of gays portrayed by the Festival of Light are middle-aged people like me—'adulterer' was the word Mrs Phillips used. Well, I hope there are no more adulterers in her church because it actually applies to husbands who are unfaithful to wives with women, as well as with men.

*The Hon. M.J. Atkinson interjecting:*

**Mr BRINDAL:** Yes, I know, and I am ashamed. The fact is that middle-aged men like me, were they the predatory sorts that Mrs Phillips wants them to be, would entice boys into their custody and care, use and abuse them for two years and then kick them out. Why would they want to saddle themselves with the sorts of responsibilities that this bill would bring? Why would they want to do those things if their nature is predatory, and what they want to do is take control. Why would they want to assume the sorts of responsibilities that are incumbent on spouses; the sorts of responsibilities

that, if I was with someone and went to bed with them at night and told them they should buy this share, because I am in the government and I know, and they went out and bought the share, at present they can do it because there is no legal relationship and there is no duty of care on behalf of the member of parliament because those people are not related.

This bill imposes some obligations on gay couples similar to the obligations that exist on heterosexual and de facto couples. It is giving them obligations which other people must exercise and which they are mature enough to exercise, too; and probably do exercise more rigorously than much of the rest of the community by moral right, not by legal compulsion. I think that this bill has much to commend it. I remain disappointed that this house can be subverted by the will of a few people. I was disgusted last night, as I know many watchers of the parliament were and as I know many colleagues on both sides of the house were to see certain individuals on both sides of this house suddenly wax lyrical on all sorts of issues in which they have exhibited no interest previously in the 16 years I have been here. Suddenly, they are experts on everything under the sun because they know that this bill is coming on, and they insist on exercising their democratic right to speak ad nauseam and in the most boring fashion for as long as possible on every possible clause just so this bill will not be debated. If there is one thing that I have learnt in my 16 years in parliament, it is that this house is sovereign, and anyone, including members of this house who come into it and try to subvert the will of this house, subvert the will of the people of South Australia.

One thing is sure: whether or not this bill is voted on today, this bill has the numbers, as I understand it, to pass the vote in this house. I will not name them, but four Liberals will cross the floor at the second reading stage, and, I think, at the third reading stage to put this bill into law. That gives an absolute and clear majority to the government of South Australia. If it chooses not to exercise this majority today, on their head be it. But if they do not exercise this majority today, for any reason, I would be very careful when they came back to the parliament to make sure that they had the numbers, because if they do not have the numbers next time, I think that they have a real problem. You do not ignore an opportunity today and not pass it tomorrow. I will either be in the gallery, or I might reconsider my decision to retire. Nothing has tempted me as much as this, because I would love to come back and take on a few of the people in here for the hypocrites they are.

*There being a disturbance in the Speaker's gallery:*

**The ACTING SPEAKER (Ms Ciccarello):** Order! Members of the gallery, please, clapping is inappropriate.

**Mr BRINDAL:** I think it is quite nice. I should not encourage them, I apologise. Either in this chamber or in the gallery, I will sit here and have much pleasure in seeing this bill pass, because I am tired of the sanctimonious, the hypocritical, the squeaky wheels sending off enough emails each week to frighten many of my colleagues in here. I would say that informed decision in this house is on the side of this bill. I believe that some of those people, who may for various reasons not commit to voting for this bill, nevertheless privately can see the sense in it, but they feel constrained by other factors which are matters for their conscience.

The majority of this house believes in this bill. The majority of this house will pass this bill, and, if it is not passed now, then, by God, it should be passed as the first act of a new parliament. Those squeaky-wheel people who will go out and thank God for their victory today will have a

victory that is very short lived, and they will be just taking the name of God in vain. I want this debate to be as wide ranging and to go on for as long as it can, so I complete by saying that one of the articles in the Festival of Light newsletter talked about my loudly proclaiming my faith. I have never loudly proclaimed anything. I have, as I was instructed to do, never denied what I believed in. I have never gone out and proselytised. I have simply said what I was brought up to believe in, and I have never been ashamed of it, as the Attorney-General has never been ashamed of it.

I am absolutely contemptuous of any statement which would say that I have brought that church into disrepute. I will stand before my maker and I will answer before my maker, as the people in the gallery will answer before theirs, and I pray God that he will have mercy on their souls because Jesus taught against Pharisees. Jesus taught against people standing in the middle of the temple and saying, 'I thank God I am not as other people.' That is what he taught against. He taught against hypocrisy and he taught against hatred. He preached for love and he preached for forgiveness, and in the souls of people from the Festival of Light there is no love, there is no forgiveness: there is persecution; there is hate.

We once as Christians were thrown to the lions. We once had rocks thrown at us. We were once the persecuted and despised of the world, and now that some Christians believe that they are the ruling classes, that they are in the ascendancy, they believe that it is their God-given right to persecute others. Well, as they were once persecuted themselves I would remind them that it does them no good to persecute people who do not deserve it. The Bible says that we are all created in the image of God; we are all his creatures. It is not for the Festival of Light to forgive me, it is not for the people in the gallery staring down to forgive me: it is for God. To God I will answer and to God alone, and the rest of you, I hope, I will not sit at the same table with. Either it will be a very big table or you will fry while I play the harp.

**The Hon. S.W. KEY (Minister for Employment, Training and Further Education):** I rise to indicate that members on this side of the chamber support the legislation. I particularly acknowledge that, due to the lack of time, the member for Adelaide is not able to contribute to this debate. On her behalf and on behalf of a number of members on this side of the chamber, I would like to make some points to contribute to the debate.

Over the past five years, same-sex partners have been recognised in every state and territory apart from South Australia. Since 2003, South Australia has provided recognition for same-sex partners but only in state superannuation laws. Federally, same-sex partners are also recognised in superannuation, immigration and anti-terrorism laws. Countries across the world continue to extend legal recognition to same-sex partners. When this bill was introduced, there were some 25 countries that recognised same-sex partners. Not only are same-sex partners recognised across the European union, some parts of Eastern Europe, the Americas, South Africa, New Zealand and the rest of Australia, but laws recognising same-sex partners are proposed in places as diverse as Poland, Romania, Slovakia, Taiwan, Ireland, Greece, Oregon, Italy and New York. Across the world today, same-sex partners are recognised fully or partially in 35 countries. Recognition is not nationwide in America, Italy and Argentina or Australia.

South Australia was once a pacesetter: now we are dragging our heels. Before the drafting of this bill in 2003,

the government had already conducted detailed consultation. The consultation had unprecedented interest with over 2 200 responses. Being one of the ministers, along with the Attorney-General, who received those responses, I indicate that, in addition to those responses, I also received, as did the Attorney, hundreds of letters from constituents, 90 per cent of which supported the fact that we needed to change this legislation and make sure that same-sex couples were recognised. According to the last Australian Bureau of Statistics census, there are at least 2 300 same-sex partners in South Australia, 300 of whom (again, at least) are raising children. For these 2 300 same-sex partners and their 300 children, exclusion from the law causes unnecessary and unfair disadvantage that cannot be remedied other than through legislation.

I think we need to remember that legislation also has a symbolic role, and this bill should send a strong message that we accept difference in South Australia and that we do not believe that the difference should lead to discrimination or disadvantage. The bill is also important in that it proposes to lower the co-habitation period from five years to three years in line with the rest of Australia; make it easier to seek a declaration before courts; and correct anomalies in some 20-odd laws that recognise married couples but do not recognise defacto couples.

Thirty years ago, South Australia led the nation when it came to recognising and accepting homosexuality, and now it drags far behind other places in Australia. Coincidentally, it was 30 years ago that parliament also enacted laws recognising de facto partners, again an Australian first. What better time—it could have been 30 years ago, in my view—30 years on in this parliament from when South Australia first embraced social acceptance of homosexuality and first recognised de facto couples in our law, that we have these changes to our legislation. Certainly, on this side, it is clear that we have political collaboration and shared commitment to social justice. We think that this legislation continues to help unite our community and that the parliament should support this bill. In closing, I am speaking for a number of people on this side who think it is absolutely essential that this law be introduced and passed.

**The Hon. P.F. CONLON** secured the adjournment of the debate.

**Mrs GERAGHTY:** Sir, I draw your attention to the state of the house.

*A quorum having been formed:*

#### SITTINGS AND BUSINESS

**The SPEAKER:** I advise members, many of whom may be listening in their rooms, that the parliament will now spend a little time on its traditional Christmas niceties. Before calling the Minister for Transport and the Leader of the Opposition, I would like, from the chair, to express my thanks and appreciation to all MPs for their efforts during this parliament. I am personally very proud of the members of this house. I believe that every member in here is a hardworking, decent contributor and, despite criticism in the media at times, I can vouch for the fact that every member in this house works very hard in the best interests of the people of this state. I will defend and speak on behalf of members at any time and anywhere regarding anyone who wishes to challenge that.

It has been a great honour to be the Speaker, and I acknowledge the work of the previous Speaker, the member for Hammond. I would like to thank all the staff of the parliament, not only the table staff but every staff member who contributes, whether it be in catering division, cleaning or whatever. All their work is very important and is appreciated by all members. I also acknowledge the excellent work done by our electorate staff. Collectively, they do a fantastic job on our behalf, for members and for the people of South Australia.

I acknowledge the way in which the Premier and all ministers have interacted with me. I acknowledge their integrity and goodwill. Likewise for the Leader of the Opposition and all members of the opposition and I—

*There being a disturbance in the gallery:*

**The SPEAKER:** People will not shout in the gallery, otherwise they will be evicted. I also acknowledge the efforts of the member for Chaffey, the Minister for the River Murray; the member for Mount Gambier, the Minister for Agriculture; the member for Hammond—

**The Hon. G.M. Gunn:** Do we have to put up with this, Mr Speaker?

**The SPEAKER:** No. They are leaving or, if they do not leave, they will be evicted. I acknowledge the member for Hammond, the Hon. Peter Lewis; and the member for Mitchell, Kris Hanna. I thank them also for their cooperation and support for the chair. I would particularly like to acknowledge the retiring members: the member for Finnis, the member for Bright, the member for Goyder, the member for Newland and the member for Unley. All of them have held high office of one kind or another in this place, and I wish them all the best in their retirement.

I wish all members the best and good luck in the forthcoming election. Obviously, I do not know the outcome, but I wish all members the best. I wish all members and their families a safe and enjoyable Christmas as they celebrate not only a special time for those who acknowledge the birth of Christ but also a family time. I call on the minister for Transport on behalf of the government, and then the deputy leader to speak on behalf of the opposition.

**The Hon. P.F. CONLON (Minister for Transport):** It gives me great pleasure to do this for the last time in the life of the 50th parliament. I, too, would like to place on record my thanks to all the staff in Parliament House—Hansard, of course, who have an extraordinarily difficult job. They have to put up with the race calling of the member for Morphett, and they occasionally have to put up with my desperate efforts to be heard above the excited interjections. I do apologise for any damage to ears that I have caused over the past four years. I thank you, Mr Speaker, the Clerk and the table staff, the catering staff, of course, and the attendants who make our jobs easy. They all seem to be there when you turn around and need someone. You do not even know that you have called them sometimes, but they all seem to be there. I thank the library staff. Some of us do read occasionally if we get the time. I thank the cellar master, who has done a good job, the finance manager and staff, the building services staff government publishers and parliamentary counsel. I think that South Australia has the best parliamentary counsel of any parliament in Australia. I think that our laws are expressed with great clarity.

I thank police security, drivers, electorate staff, ministerial staff and all those who work very hard to make sure that we are able to do the job that we are supposed to do. My humble

apologies to anyone I have left out. Is there anyone whom I have left out?

**The Hon. K.O. Foley:** Me.

**The Hon. P.F. CONLON:** I actually do thank the Deputy Premier, Kevin Foley. He has been a great friend and a loyal supporter to me throughout 8½ years in this place, and I have to tell you, loyalty is a great thing in politics. It is a wonderful, wonderful gift for a colleague to give you. Loyalty is a wonderful thing.

**The Hon. K.O. Foley:** It is a gift that keeps on giving.

**The Hon. P.F. CONLON:** It is a gift that keeps on giving; that's right. I place on record my gratitude to the partners of parliamentarians. They put up with an enormous amount. Some of them are going to see their loved ones a lot more frequently in the near future. I will not name all the retiring members because, frankly, I do not have ESP. But I do say to the five who are retiring of their own choice that it is a great luxury that they have. I have always been a marginal seat member, and I have never been sure whether I will be back in this place—and I am not sure whether I will be back next time. But it does keep you focused. I want to put on the record my thanks to John Meier in particular. He has been entirely honourable in every dealing I have had with him.

Despite the to-ing and fro-ing about our not sitting enough, we have sat an enormous number of days in the past four years—more than any of us have experienced for a long time. Perhaps Graham Gunn in one of the parliaments might have sat more sitting days, but I do not think so. It is good to know that the father of the house is going to come back and go into his 36th year. I thank the two deputy leaders of the opposition with whom I have dealt. I particularly congratulate the member for Davenport on his recent elevation. I do genuinely hope that he stays in opposition, but I do not do that with the any malice: I do it because I like being on this side. Congratulations. Can I thank all those who have cooperated in the place. I consider it an honour to be a minister in the Labor government led by Mike Rann and to work with my ministerial colleagues and my friends.

I particularly want to thank our whip. This job is extraordinarily difficult if you have a majority. When you have not had a majority, within no time that I can remember, the job of the whip is particularly difficult in a house that has a lot of Independents. I know that John Meier's job has equally been one of balancing a lot of conflicting desires. I give thanks to my own beautiful wife who has put up with a lot of this. Thanks to the Leader of the Opposition, all members of the opposition, my colleagues, the staff who work for us, and departmental staff of ministers who often work under difficult conditions.

Dorothy, we will miss you. Do not worry. As I said, Dorothy, it is a wonderful thing to be retiring of your own volition. I am hoping to achieve that myself one day. I am hoping not to be retired by any other means. It has been a tremendous honour to have been the government over the past four years. We hope to repeat that, of course, but naturally members on the other side would like to see that change. I apologise enormously to anyone I have left out. I understand that we will be departing from ordinary practice and that a couple of retiring members might have something to say with the leave of the house; it is fine by me. To all of you who are going or staying, I wish you all a merry Christmas, and a very happy and safe period.

Can I tell my friends in the fourth estate—and I do thank some of them—the notion that we are all off on holidays now

is one of the great frauds perpetrated on the reading public. I will issue this invitation, because I know that *The Advertiser* will have another silly story tomorrow. I am happy for any *Advertiser* journalist to spend the next fortnight with me examining my 'holiday', coming round and doing what I am doing. I am more than happy for any journalist, as long as they are prepared to keep confidences, to come and spend the next fortnight with me and enjoy my 'holiday'. I am sure that many of us here could extend that invitation. Perhaps the member for Davenport could take a few of them out door-knocking with him: that might be instructive for them. Having said all that, I wish everyone a very merry Christmas and a very happy festive period.

**The Hon. I.F. EVANS (Deputy Leader of the Opposition):** On behalf of the Liberal Party and the opposition, I support the minister's comments and pass on our thanks to all those involved in the running of this place, particularly the speakers and deputy speakers we have had during the term of this parliament. It is always a difficult role with a lot of pressure, and we do appreciate the commitment of the speakers and deputy speakers. To the Clerk, the Deputy Clerk and the attendants, particularly those in Centre Hall who put up with a lot, we certainly appreciate the efforts of all those people in that group. This place would not work if it were not for the untiring efforts of the Clerk, the table staff and the attendants who, even as we speak, are busy running around still working. We really do appreciate the way they keep this place running.

We thank the catering staff. To see what a good job they do you have only to look in the 'rogues gallery' and see the before and after entering parliament shots. To Hansard, our sincere thanks. It always amazes me how much better our speeches read than when they are spoken. I quite often pick up the *Hansard* and say, 'Gee, they've written that one up well.' We really do appreciate the efforts of all the Hansard staff, who do work under tremendous pressure. A lot of people forget that they work probably longer hours in the house than we do, to a large extent. The library staff, the cellarmaster, as the minister made reference to, the people in finance and the building services staff all underpin the great service we are given as members of parliament to make this place work on a daily basis.

Thanks to the government publishers and parliamentary counsel. I can only agree with the minister's comments. Our party's experience with parliamentary counsel both in government and opposition is that they are a fantastically friendly and professional group of people who really know how to deliver clear laws and go out of their way to make sure this place works. A very sincere thanks to parliamentary counsel. To police security and all the drivers, again a very necessary role, we thank them sincerely for their efforts over many years. I would also like to pay tribute to our retiring whip, John Meier.

John is one of the few members of parliament who entered this place a gentleman and who will leave it a gentleman. After 20 years of service that is some record to be proud of. On behalf of everyone, I hope that John, Ruth and family have a long and happy retirement. I know that the leader will make some comments about retiring members in a minute. To the whip's staff, to Leslee and all the other staff in the whip's office, we say a very sincere thank you. The whip's office, as Robyn Geraghty will know, is always under pressure trying to organise this place. They are dealing with egos and time constraints, and it is always an interesting

experience being a whip and being in the whip's office, so a sincere thanks to his staff.

Thanks go also to Robyn Geraghty. I can say most sincerely that in my dealings with her she has always held her word, and in that position that is absolutely crucial. This side of the house greatly appreciates the way that she carries out her role, and it is a credit to her. To all our electorate staff and the staff in the leader's office I say a most sincere thank you. They also work under increased pressure, particularly the staff in the leader's office who always have to produce those questions by the right time, the agenda for shadow cabinet, and everything else. It is a complex role and we most sincerely thank the staff in the leader's office. To my personal staff, a most sincere thank you. It has been a long four years, but I really appreciate their efforts.

The minister made mention of partners and family. On this side of the house we would also like to pay tribute to the great commitment of partners and family. I think that politicians' partners and families have put up with a fair bit for these four years, for all the reasons that we know. I will enjoy having a little more time to spend with them over the Christmas period. To all the members of the government, the cross bench and the Independents, thank you for the way the place has worked over the past four years. There has to be some level of understanding and agreement on the processes. We know we differ in policy areas, but the processes work well and we do appreciate that.

I would also like to thank all members of the Liberal Party for their efforts over the past four years. I wish them well over Christmas and the election period. I hope to see as many as possible back here, hopefully in increased numbers. Time will tell. I would also like to thank the Legislative Council. We have a relationship with the Legislative Council in this place. We have to work with it and we do appreciate the efforts of the Legislative Councillors. I also should thank the minister. Although I have been leader of opposition business for only two weeks, I have appreciated the frankness and relationship between the minister and Michelle, if he could pass on our thanks to Michelle for the way that we have been dealt with there. I take the opportunity to wish everyone a very safe and happy Christmas.

**The Hon. P.F. CONLON:** I knew that I would forget something. There are two things I must mention. Jan Shattock, in catering, is retiring after 21 years of service, and we wish her the very best. Extraordinarily, I find it hard to believe but I am told that Jan Davis has run up 40 years in this place. She must have started when she was six. I find it extraordinarily difficult to believe, but that is true. She has worked 40 years in this place. Not even Graham has done that: it is an extraordinary effort.

**The Hon. R.G. KERIN (Leader of the Opposition):** I agree with the sentiments that have been expressed by both the Leader of the House and the Deputy Leader of the Opposition. I also add our congratulations to both Jan Shattock and Jan Davis on their achievements. I rise to say a few words about our retiring members, who have made an enormous contribution to this state and this party over many years. First, I mention Dean Brown. Dean has been in this place for a total of 26½ years; he has had a couple of goes at it. As someone who has been premier, deputy premier, leader of the opposition, deputy leader of the opposition and health minister, amongst many other jobs, he is a person who will be prominent in the full history of South Australia. When he

became premier in 1993, there were a lot of challenges for South Australians at the time, and Dean took those head on. Dean Brown is going to leave here knowing that South Australia is a better place because of his contribution over a long period of time, particularly in his time as premier.

Dean is someone who has held high office for most of his time in this place. He has been a remarkable local member. I have always marvelled at the way that he has been able to balance the duties of a local member with his substantive positions within the party and the parliament. Without Dean, the parliament will not be the same and we certainly wish him well in whatever he now chooses to do. Certainly, he thought through very closely whether or not he would seek another term. I fully understand why he has made the decision and why he is pretty happy at the moment. I certainly wish Dean all the best.

I turn now to our other four members in alphabetical order. Mark Brindal has been here for 16 years. Mark made an impact as a minister for the River Murray and for water. They were two areas about which he was very passionate. Mark has been passionate about a range of issues over the years. Certainly, he will go down as one of the more colourful characters that this place has seen and, as the member for Unley, Mark has done a terrific job over a long time. We wish Mark all the best for whatever he chooses to do in the coming years.

Dorothy Kotz has also been here for 16 years. She has been a minister for various portfolios over that period of time, including the environment. Dorothy has always been a strong personality with strong views on a range of issues. She has been a fierce advocate for her electorate and a fierce advocate for many causes over time. One thing that I know about Dorothy is that you never have to wonder what her opinion is on something. She has been very strong for a long time. When Dorothy says something, she means it, and we appreciate that. Dorothy will now have time to get up to Stone Hut with Brian and do all the things they love doing. Thank you, Dorothy, for your enormous contribution to the parliament and the party.

**Honourable members:** Hear, hear!

**The Hon. R.G. KERIN:** We appreciate what has been an enormous achievement by you. Having to come in through a very marginal seat and hold that for such a long time has been a terrific effort.

Wayne Matthew has also been here for 16 years. He has had a variety of portfolios, including police, mining and energy. They are some of the areas that he has been most passionate about. He has certainly been a strong advocate for those portfolios. You knew in the cabinet or the party that, if Wayne had a portfolio, he would fight very hard for those areas in which he was working at the time. Wayne is one of those fortunate people who will leave here with 16 years' experience in this place and still have enough time for a long career somewhere else. I am sure that Wayne's experience will be well used in whatever future endeavour he takes on. He is still a young man. He has a young family. Wayne will continue to make an enormous contribution to South Australia. Thank you, Wayne, for an enormous effort. You came in here quite young and have made your decision to go out to make your mark elsewhere. We will be watching what you do and we appreciate your efforts for your electorate and your state.

John Meier has worked in this place for 23 years. I have to say—and, Robyn, you still have a few years ahead of you and I, like Iain, really appreciate the relationship we have had

with you—that John will probably go down as one of the great whips in history. I have never known a guy to be so totally reliable. I have worked with John as a member, minister, deputy premier, premier and leader of the opposition, and John Meier is the same every day of the week. He is totally and utterly reliable.

**The Hon. K.O. Foley:** There was that night with the red wine.

**The Hon. R.G. KERIN:** I can honestly say that, having worked with John for 12 years, I cannot remember one thing that John Meier ever said that he was going to do that he did not do. I cannot think of many others in the same category. As far as energy and loyalty are concerned, John Meier has not aged one day in that 12 years, so the whip's job is a pretty easy job, Robyn. I have really enjoyed working with John. He has been a terrific companion, confidant, friend, organiser and almost a guardian to the rest of us. John, in your decision to retire and move on, we wish you all the best. You are still a young man in many ways and we will watch carefully what you do. Thank you for your contribution and for what you have done for Yorke Peninsula and the Lower North, for which you have been a member. On top of that, you have been one of the really nice guys in this place and, as the deputy leader said, you came into this place a gentleman, you are leaving a gentleman and you have been a gentleman every day in between, apart from one little breach that the Deputy Premier spoke of. But he has done very well.

The Liberal Party is losing one other member at this election in the Hon. Julian Stefani. He was referred to in this house the other day. Julian has made a special contribution as far as multicultural events and small business are concerned. Basically, his contribution over a long period of time has helped those constituent areas where Julian has well and truly specialised.

Sir, I thank you for what you have done, and I thank everyone else. I will not go back through the full list. But, to everyone involved here, the members and all the staff, thank you very much and thank you for your efforts over the past four years.

**The Hon. K.O. FOLEY (Deputy Premier):** On behalf of the government, I add my comments about the retiring members. As I said before, I am humble. Since 1988 when I was but a humble (very humble in those days) junior (very junior) peripheral adviser to the former Bannon government—when no-one listened to my advice, obviously—and the greatest job I never got was when I applied to be John Bannon's economic adviser (that was one job I was so happy I never got), I have known Dean Brown. Dean (if I can be so bold as to break standing orders) was in the private sector in those days and was a good friend of Lynn Arnold. It was a time when I got to know Dean. He served in the parliament. It is a very adversarial environment that we live in but, Dean, whatever we may have said and done over the years, you have clearly been an outstanding contributor to public life in South Australia. You should be very proud of your career as a former premier and someone who has lasted so long in this place. It would be fair to say that, right up to the day of your retirement, you were probably, without wanting to make any particular point, an incredibly energetic, aggressive and effective member of the opposition.

But I also mention other members. I have known John Meier for a long time also, in different capacities. I wish Wayne Matthew well, and of course my good friend Dorothy, with whom I have enjoyed a particularly close and enjoyable

relationship. We have sparred just about every single moment that we have been in front of each other in this place. And, of course, who could forget Mark Brindal? These are people I have known on and off in different capacities for nearly 20 years, and it is a sad day when people retire. We will all do that, and you have all been very smart to make your own decisions on when you exit. Very few can do that.

**Mrs GERAGHTY (Torrens):** I will not canvass everyone but I wish everyone who works in this parliament merry Christmas and thank them all for their patience with us and the things that they do for us. I thank the whip staff, Carol and Val, who do a marvellous job and we could not do without them; and thank you so much to Michelle. I also thank my staff in my electorate office—David, Toni and our new trainee Bec. They are simply marvellous. I am very lucky.

Iain, I formally congratulate you on your position as deputy leader and look forward to the challenges that will come after the election.

John, can I say to you it has been an absolute pleasure to work with such a gentleman, and I am going to miss you. We have had some interesting challenges from time to time and we have managed to overcome them. But I will miss you, and I will miss your sense of humour and the way that we can talk very candidly to each other and there are never any ill feelings about anything. So I wish you well in your new life.

Dean, I wish you well in your new life as well. Wayne, I wish you well in your new life. Dorothy, I wish you well in your new life and I am sorry that we are not dressed as we were when we first met. Dorothy, I think, was the new member for Newland at the time, and I turned up at a function and, lo and behold, we were dressed in the same houndstooth suit. We knew straight away that we were in good company because we had such great taste.

To Mark, who is not here, I wish him well in his new life. To my colleagues, may I say it has been interesting. It has been fun, and I have to say I have learnt patience, which I thought I never had. To members opposite, I have enjoyed our challenges and the fun as well, and thank you. It is always a learning experience.

I also look forward to spending some time with my family. I have not seen my husband this week. I think one night he might have been the body in the bed but there was not one there last night, so I presume he went to Melbourne or somewhere, but I have forgotten. The dogs were good company, but I am looking forward to seeing my husband tonight.

**The Hon. P.F. Conlon:** ‘Bob, where are you?’

**Mrs GERAGHTY:** Yes, that is right. I might be putting out one of those calls. I wish everyone a very merry Christmas and happy New Year and, God willing, I look forward to seeing most of us back next year. What can I say? Let’s do it all again!

**Ms RANKINE (Wright):** I want to add my thanks to the staff of this building—all of them—and I wish them all a merry Christmas. But I also want to particularly congratulate David Lloyd and Jan Shattock on their service to this house, and put on the record how much I will miss Jan.

I wish all the members who are retiring the very best and say what a pleasure it has been knowing John Meier in the time that I have been in here. People have clocked up, as we have heard, a number of years, and they have certainly been great stayers. I also want to mark this occasion, the end of our

first term in government, by saying that this month is also the 20th anniversary of our Premier’s being in the South Australian parliament. My first encounter with Mike Rann was at an interview for the position as his personal assistant and, in his own special way, that was conducted at Rigoni’s over a bowl of pasta and a bottle of wine, with him trying to convince me that he needed looking after.

We have had some very interesting times over the past 20 years, particularly in the early years when it was just Mike and I. Both professionally and personally we have been through major changes and faced some real challenges—some amazing highs and some dreadful lows—but we have had great fun; we have had the occasional barney, generally when he has been wrong about something—but he is just a man.

I have had the very great privilege of being his friend for 20 years and seeing him go from political staffer to Premier. He is quite an extraordinary person. He has the energy levels of 10 people, despite having the most appalling diet and never exercising. He lives and breathes his work, his vision and his passion for South Australia. I look forward to seeing him come back here as Premier next year. I wish everyone in this place a happy, healthy and safe Christmas season.

**The Hon. D.C. KOTZ (Newland):** I want to add a few comments to the contributions that have been made tonight. Initially, I thank the Leader of the Opposition, the Deputy Leader of the Opposition and the ministers at the bench for their kind words. I thank all members in this building—and I mean the staff, the caterers, the building people and the finance people. Over the 16 years I have been here, these people have been quite remarkable. Even in that time we have seen quite a few changes through the different staff who have been involved throughout Parliament House. They actually do one of the best jobs I have ever seen. They have to put up with the whole group of us, not just from this house but also from the other house.

Hansard has been mentioned. I can recall over the years being on different parliamentary committees. I cannot imagine the amount of effort it must take to be able to record every word that anyone says in different voices and with different accents. It must be exceedingly difficult, but the Hansard staff manage under extreme difficulty, I would suggest, on many occasions. As someone else has always said: when we read *Hansard*, our speeches come out far better than we could have imagined. I thank them for that.

I do not want to take time by going through every single individual who is employed throughout this building, but they do have my sincere thanks. I recognise the work they have done. They have made working in this environment enjoyable. It can be exceedingly difficult, never knowing whether it is raining or hailing or whether the sunshine is high outside during the period we are in here.

I have a message from Nikki in the Blue Room. It is her 30th birthday on Saturday—and I had to make that announcement on her behalf. Those ladies down there have been absolutely tremendous. They make it easier for us to deal with simple things such as having a meal. Anthea, Nikki and Tracy in the Blue Room, you do a marvellous job down there—the same as every other person in this place.

Obviously, speakers and deputy speakers have difficulty with us, but I have thoroughly appreciated the job they have done over the years. When I was elected in 1989 it was with a 47-vote majority, which took eight days to work out. I can remember coming in as an opposition member and sitting on



these benches. The wonderful group of people who were in government continued to call me a 'oncer'. Well, of course, it is very nice to be able to say that after four re-elections their catchcries across the chamber were not exactly to come to fruition until I chose to leave.

It has been difficult to make that decision, but it has had to come at some time; and I am pleased to be able to make that decision on my own. I have been extremely proud to be a part of a Liberal government and a Liberal opposition in that 16 years. We have had some terrific leaders and premiers during that time. I feel very honoured to have been a part of government for the eight years that we were there. There will never be a moment in any day I have in the future that I will regret one moment of the decisions we took during that time. I think every Liberal that was a part of that government must continue to feel exceptionally proud, because what we did in the eight years was not expected to be done until about the 10 year period. I think we showed that we knew exactly what we were doing, even though we had been out of government for almost 25 years. I will never ever feel any regret for that period of time.

I will regret coming into opposition as I am going out from opposition. Having been there once before, it is not necessarily the best place to be. I have appreciated all the efforts and contributions from my colleagues during that time. This is not a place where people make friends easily, but certain relationships, which I do appreciate, have taken place and I will continue to remember them for a long time to come.

Family is very important in this business, as we all know, and they suffer, regardless of how we try not to make that happen. I have been married for 40 years. I do not know how Brian will accept having me around the house a little more than he has over the past 16 years. There will be interesting times there, as well, I can imagine. I do believe that relationships have developed with different people on the opposition benches, the government benches and from the Legislative Council, and I have appreciated that as well.

Robyn is quite correct. She was working for Peter Duncan at the time I was the member for Newland. We both had a marvellous houndstooth two-piece suit with a big red rose on it, and there we were under a white marquee tent, both looking glamorous in the same outfit. We laughed about it and we walked around together. I think I threw it out a few years ago, partly because of the catering problems in this place, as well.

I feel I have been very privileged coming to this country from Scotland when I was 10; being taken out of school by mum when I was 14; and not having the education many people have the privilege to have in this country of ours. I note that it is extremely important, but, also, it makes me feel very proud that in this country you can still achieve in so many different areas, and I do not know that that happens in too many other countries in the world. I step out of this role in March (unfortunately, it has to last until March, even though we are having our last night now), but I will carry a great deal of pride. I believe, too, that I came into this parliament with a degree of integrity, and I believe that I am walking out of this parliament with that same sense of integrity. I do thank you all for being a part of my life for 16 years and four months, as it will be. I wish everyone the best Christmas possible.

I hope that the outcome in 2006 at the 18 March election will mean that my wonderful candidate in Newland will retain that Liberal seat, considering that we are completely

surrounded by a Labor stronghold. We need to retain that bit of blue in that area of Newland. For all that, I also hope that the Liberals regain government (which, I think, it has a very good chance of) at that March election. Believe me, I will be wishing that from the sidelines until I see you all here again. I do wish all members in this chamber the very best for their futures.

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

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

Motion carried.

**The Hon. W.A. MATTHEW (Bright):** It gives me great pleasure to join my colleagues in what is to be my final address to this parliament. I listened earlier with interest to the words of the Leader of Government Business when he acknowledged the good fortune of the five of us who are retiring to be able to decide our own destiny and retire at a time of our choosing. He reflected that he is here in a marginal seat. As well as the member for Newland, I, too, was elected into a marginal seat by the very slender margin of 1.1 per cent. I came into this place after the 1989 election. I feel rather privileged that, despite the fact that the boundaries are far worse than when I was first fortunate enough to be elected here, the seat of Bright is still held by the Liberal Party by a margin of 5 per cent, and for that I am very grateful to the many constituents I have been privileged to serve over the 16 years.

While the suburbs have changed, I have never forgotten the reason I am here nor the people I represent in here. Over those 16 years, commonly I have represented for the entirety the people of Hove, Kingston Park, Marino, Seacliff, Seacliff Park, Brighton and South Brighton; and for shorter periods of time the people of North Brighton, O'Sullivan Beach, Sheidow Park, Trott Park, Seaview Downs, Seacombe Heights, Darlington, Christies Beach and Christie Downs. Such is the life of members of parliament these days, with the uncertainty of electoral boundary changes, that our boundaries tend to move quite considerably.

It has been a privilege to serve in this place, not only as a member of parliament for 16 years but also to spend some eight years of that time serving as a minister and cabinet minister, and for more than 14 of those years on the front bench. I must say that, in the last few months, it has been somewhat strange to sit back here on the backbench, in an almost observing position, and see the rest of the parliament; but at least it has been for only a short period of time. I am mindful of the fact that the members of the government who have served over the past four years have already spent double the length of time on the backbench in four years than I have spent in 16 years. I will watch the careers of some of those people with interest and see where their future may take them.

Also, over those 16 years I have seen an incredible change in premiers. In fact, I reflect on the fact that in 16 years six different premiers have occupied that number one seat in this chamber. When I was first elected John Bannon was premier, to be followed after the State Bank collapse by premier Lynn Arnold, to be followed after that magnificent 1993 electoral victory by premier Dean Brown who, in my view, had it not been for the folly of some others, probably would have still been premier today. Then we saw premier John Olsen, followed by premier Rob Kerin and today premier Mike

Rann. I have a word of warning to the current premier. We have seen six premiers over a period of 16 years and they have each served an average of less than three years. While that makes the current premier the only premier who has served the full four year parliamentary term, the time clock is ticking, and I look forward to 2006 and seeing premier Rob Kerin again restored to that position so that he can complete the agenda which he had too short a time to implement.

It was particularly a privilege to serve in that 1993 cabinet and beyond. We had a formidable task—in fact, one of the most formidable tasks that had been handed to a new government. The State Bank had collapsed, the debt was huge, our credit rating had sunk to an all time low and, in today's terms, there was a debt of more than \$10 billion—more than \$10 000 million. I am very proud to have served as part of a government that was able to restore the state's credibility and to reduce that debt to a touch over \$3 billion. It was able to reduce the unfunded superannuation liability, and it was able to move forward a range of exciting and innovative projects that are already a matter of public record.

No member of parliament is able to achieve what they what want to do nor undertake their duties without incredible support. A lot of people have assisted me over the years and, with the time available to me, regrettably, I can thank but a small handful. I would like to first turn to my personal electorate staff and name them for their assistance. Lyn Byrne assisted me in establishing my original electorate office, and over the past 16 years has often assisted me as a relief staff member, most recently only a couple of weeks ago. She also served as the personal assistant to Dean Brown when he was Premier, and has been of enormous assistance to me. Julie Markovic, who was my first official secretary, served with me for about 1½ years, followed by Kay Gaskin who worked for me for 13½ years—an incredibly long stint—and I am particularly grateful to her for the dedicated service she provided during that time.

As our staff levels were increased, Susie Graf has worked for me for the last three years and before that as a trainee, and I will come back to that in a minute. My present PA, Dana Gibson—who has worked for me for the last nine months, and will continue to do so until the election—has been seconded to my office from the Public Service, and also worked for me as a trainee. Those two last mentioned ladies were two of 18 trainees whom I have had the privilege of employing over my time as a member of parliament in my ministerial office and in my electorate office. So, I often had two trainees and, on one occasion, three at the one time.

It has been one of the great privileges as a member of parliament to give young people a chance, and to give them that start in life. In the case of those 18 people, most of them came to my office straight from school. In the case of Dana Gibson, my present PA, and Susie Graf, my researcher, both came to work in my office straight from school. They applied for the job through the government traineeship scheme, were successful at interview, and it has been a delight to see both of those girls mature into young women, in Dana's case to see her grow up over a 10-year period and get married. With many of those trainees, I have had the privilege and joy of going to weddings and christenings as they have married and had families, and continue also with their careers in the workforce.

I would encourage all members of parliament who are continuing on after the next election, to continue to support the traineeship scheme. I believe that the trainees who are trained in the offices of members of parliament, regardless of

political persuasion, have a unique opportunity to work in an environment where they have a diverse range of tasks and mix with a diverse range of people. I believe that we, as members of parliament, equip them with unique skills that can be of use in any workplace. Every one of the 18 trainees who has worked with me has finished their traineeship and gone straight into a job and I am very proud of that fact, and it is a tribute to my staff who trained them at the time, and also their hard efforts.

I would also like to pay tribute to my ministerial staff who supported me over my eight years as a minister. They are too numerous to mention but they know who they are. Particularly, I would like to pay tribute to the staff of the parliament: to the Clerk, to his deputy, to the table staff and the attendants. I can honestly say that in 16 years I have never had an altercation with any member of the parliamentary staff, who have always been happy to undertake their duties even when we are sitting at 2, 3, 4, or 5 a.m. and, as members of parliament, we have been privileged to have had the support of such dedicated people. Similarly, I pay tribute to the library research staff and the Hansard staff, who have shown enormous patience in my experience over the years in diligently putting down every word that is said in that place. I also know that some whose speeches are not all that lucid often look at the recorded word with amazement, not realising that they sounded quite that good. I know that the Hansard staff, with their airbrushing of comments, make the place look even more professional than it is.

I also thank the security staff who diligently undertake their duties and the catering staff. I should point out that a few weeks ago I weighed 16 kilograms more than when I entered this place. I am pleased to say that I have shed three of those. I have 13 more to go, and my resolution is that, by 18 March, I will walk out the same weight as I came in. So, I look forward to being back to my old fit self by the time I exit here. I would also like to pay tribute to the departmental staff who, again, provided me with assistance and support over my eight years as a minister. Many of those staff work for both sides of government, and I hope that the current government has found, as I did, that, regardless of which government is in power, public servants undertake their duties diligently, without bias, and, in my view, they operate in a way in which the state ought be proud.

I pay tribute to my wife Penny and daughters Chanelle, 19, and Vanessa, 17, who have sacrificed so much over the past 17 years (including my time as a candidate). I am looking forward to spending more time with them and my friends.

It has been a remarkable privilege and honour to have served in this place for the period of 16 years and four months as it will be by then. I know I surprised a lot of my colleagues by announcing at the age of 47 that I will be exiting parliament. I will have a birthday before I leave, and I will be 48 in January. Those who know me closely know that I made up my mind that I would be departing in 2006 some four years earlier, for I decided before the last election that, regardless of the outcome, this would be my last term in parliament. I believe that serving as a member of parliament is a moment in time to make a difference and I feel very privileged to have had my moment in time to have made a difference.

**DEVELOPMENT (MISCELLANEOUS)  
AMENDMENT BILL**

The Legislative Council agreed to amendment No. 7 without amendment, and disagreed to amendments Nos 1 to 6 and Nos 8 and 9 made by the House of Assembly for the following reason:

Because the amendments are undesirable.

Consideration in committee.

**The Hon. J.D. LOMAX-SMITH:** I move:

That amendments Nos 1 to 6 and 8 to 9 not be insisted upon.

It is with gratitude that the small steps forward have been achieved in the last few days in accepting the recommendations from the coronial inquest into the collapse of the Riverside Golf Club. But it is a pity that the bulk of the Development Act reforms have been lost, thanks to those opposite and in the upper house. There are several matters that I have not insisted upon with reluctance, but I recognise the lateness of the hour and the closing of the sitting does not allow us to debate these matters further.

Of course, I am not just speaking about the bill that was lost earlier this afternoon—I know that would be important to my constituents—but also the matters for the City of Adelaide which are of great significance dealing with heritage protection issues. The heritage protection issues were very significant. They would have protected a large number of buildings in the City of Adelaide and other suburban areas. It is a great disappointment that those opposite have gone out of their way—I believe with the support of Family First—to prevent proper local heritage protection by giving interim protection to those recommended properties. I will be telling my constituents about this, and pointing out why those measures have failed and why there is no proper protection for local heritage surveyed properties in North Adelaide, the City of Adelaide, Walkerville, Prospect and Ovingham, because it is a great disappointment that those opposite have found it impossible to support the people of Adelaide who have made it very clear that they want proper heritage protection.

**The Hon. I.F. EVANS:** I support the motion put by the minister, but point out that the opposition adopted the position put to us by the City of Adelaide.

Motion carried.

**TRANSPLANTATION AND ANATOMY  
(POST-MORTEM EXAMINATIONS) AMENDMENT  
BILL**

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

Amendment No. 1

Clause 5 (new section 25), page 5, before line 39—

Insert:

(3a) The Minister must—

(a) within 7 days after granting consent to a post-mortem examination of the body of a deceased person under this section, notify the State Coroner of the consent; and

(b) within 6 sitting days after so granting consent, cause a copy of the consent to be tabled in each House of Parliament.

Consideration in committee.

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

That the amendment of the Legislative Council be agreed to with the following alternative amendment:

Proposed new subsection (3a)—delete (3a)(b).

I indicate to the committee that the government does not support the amendment moved in the other place. The amendment from the other place does two things: it insists that the minister must, within seven days after granting consent to a post-mortem examination, notify the state Coroner of the consent. We are prepared to accept that. It is a meaningless request, but we are prepared to accept it. Secondly, with respect to paragraph (b), we certainly do not accept that at all; we totally reject it. That is a senseless amendment because it would cause the private details of the person on whom the post mortem was conducted to be laid before the house, and it would breach every possible conceivable privacy measure. It is an ill-conceived and poorly thought out expression by the other house.

My amendment would allow the committee to accept the first part and reject the second. I urge that amendment on the committee. I understand my staff has spoken to the Hon. Michelle Lensink, who moved this matter in the other place, and I understand that she will not insist upon her amendment, should my amendment be successful. In other words, the bill can be agreed to today by the other place.

**The Hon. DEAN BROWN:** I support the proposal. This is one of the two issues I raised in this house when the bill was being debated. I can understand the minister's concerns in terms of potential privacy issues if the details of any autopsy were laid formally before this house. The main issue I raised when the debate was here in this house was making sure that the Coroner was aware that this autopsy, ordered by the minister, had been carried out. I think the other issues I have raised have been canvassed. We have not pursued the issue of the consent form as a schedule to the act, but I think this issue is important. I am still disappointed that other amendments have not been achieved, but I am pleased that we achieved amendments to the penalties, so I support the final outcome as proposed by the minister.

Motion carried.

**SITTINGS AND BUSINESS**

**Mr BRINDAL (Unley):** It would be remiss of me not to say that I may be speaking under false pretences, given what has happened this afternoon, but I will give my farewell speech, anyhow. If I come back like Dame Nellie Melba, you will have to put up with two of them. The fact is that, if this is to be my last speech in this place, I leave with very mixed emotions. Like the member for Newland and the member for Bright, I came in as a result of the 1989 election. I defeated the then government whip, June Appleby. One of my first pleasurable experiences in here was to be congratulated by a number of government members because June Appleby was their whip, and a very formidable whip at that, and some of them thought well of me to be released from her discipline.

**The Hon. M.J. Atkinson:** Was I pleased to see you!

**Mr BRINDAL:** As the member for Croydon came in at the same election, I do not think he suffered under her oppressive yolk. I remember those days as being halcyon days.

*The Hon. M.J. Atkinson interjecting:*

**Mr BRINDAL:** I do not want to delay the house for long, so I hope the member for Croydon will not interrupt me. They were good days and days in good spirit. I remember that my maiden speech was given on St Valentine's Day. I wanted

a hook for my speech, so I went to David Jones and got calligraphied valentine's cards and surreptitiously put them on the front bench, on the desk of every minister, so that when they came in there was a valentine's card waiting with something written on it that was nondescript. I can remember in particular Susan Lenehan, who was then a minister, being beside herself, getting all excited that when she came in here there was a valentine's card. I used that in my maiden speech.

I also remember the Hon. Frank Blevins, whom I hold in great regard. It was St Valentine's Day and I can remember saying that I thought all the ministers appeared to have valentine's cards but he was a nondescript saint who ended up getting murdered in the most heinous way and that if I was getting valentine's cards from those behind me I would be very worried. It simply made the point. Frank Blevins was a great character and a great leader in this place: a very erudite man and a person for whom I have the highest regard. He was a fisherman, and on another occasion I got a little fish tank with some goldfish in and put it on his desk with a note saying, 'If you can't go fishing, you might raise these fish.' He had it shifted out.

The point I am making is that, while this parliament did its work and did it seriously, it was a place where people could have a joke and laugh with one another and enjoy each other's company no matter which side they came from. My disappointment in leaving this place is that in the last four years I have seen a meanness of spirit develop in this place that does not become this place or those who are members. It is one of the principal reasons why I am going. I believe that when you start to be diminished, because you enter the same meanness of spirit that those around you exhibit, it is time to get out and do something different. I am not blaming anyone: I am taking some of the blame myself; I am just saying that, when it is time to move on, you know. The early parliaments that I was involved in worked and worked well.

Like the member for Newland, I am proud of much that was done under Liberal governments. I am not quite as fulsome as her: I am disappointed in so far as there were other things we could have done and done better. We were not perfect: neither is any government that I have seen in here; but we did a good job. We did an honest job and we did the very best that we could. Like the member for Newland, I am proud of the colleagues who served in the ministry. I have had my ups and downs in the party to which I belong, because I have never tugged the forelock—

**The Hon. M.J. Atkinson:** If you had one!

**Mr BRINDAL:** That is true. I am sure that some of my colleagues, well after I have gone, will euphemistically describe me as a character, because that is a good way of describing someone you could never quite control and you were never quite sure of. If that is the appellation I get from my colleagues, I will be quite pleased. Being a Liberal is about sticking up for what is right and what you believe in and not being afraid, no matter what your colleagues say, of getting on with the job and doing what you believe is right. That is the difference between the two parties. I acknowledge the discipline of the Labor Party, how its members fight and argue in the caucus and come out here and all pretend that they are a unified choir singing with one voice.

That is not the Liberal Party, and long may you be so. While your discipline is a strength and some point to ours as disunity, it is one of the great strengths of this party. Howard calls it his 'broad church', and it is. It contributes because it is a broad church and you can see our failings and our faults, and that too is good for the government. It is part of the

political debate. All shades of colour are needed. Like the member for Newland and those who spoke before me, I want to thank those who have worked in here, the staff and people I have come to regard as friends. I am not going to name them, because they know who they are. They are staff in the leader's office, staff in the whip's office; people who I personally hold in the highest regard. Staff who are not here, like Richard Yeeles, one of the great chiefs of staff that any Leader of the Opposition has had.

There is a multitude of people, too many to name. In closing, I note that Tennyson said:

The old order changeth, yielding place to new  
lest one good custom should corrupt the world.

At the end of *Lord of the Rings* you have the impression that the world as we know it is changing. This institution is held in trust by each of us, and it comes from a great legacy, a great tradition, people like Sir Robert Nicholls, Sir Thomas Playford, Don Dunstan, Steele Hall and so many others who have been great premiers of this state, who have argued passionately for this state and who have made this state count. I was born on this plain when this city was the third city in the nation: Melbourne, Sydney and Adelaide. No-one would argue that we are now about the sixth city in the nation. I lament the fact that a place as good as this state finds itself in the state it is in. This parliament can do something about it. The next parliament cannot have the failings that this parliament has had. It has had its good points and its bad points. I think that we all acknowledge that. Those of you who have the privilege of serving in the next parliament hopefully will learn from the mistakes of this parliament and make the next parliament a better place. More importantly, hopefully the next parliament will reassert that the people of South Australia, through this parliament, have the right to sovereign rule of this state.

I, for one, am pleased that I am going at a time when our parliament is being diminished by a Prime Minister who is a centralist. I think that he is one of the great prime ministers since the Second World War at least—one of the all time great conservative prime ministers. However, I simply do not understand why he does not see that the great strength of this nation lies in the carefully structured dream of our forefathers, which was a central government in Canberra, states that are autonomous and local government under them. The Prime Minister is wrong. But, as long as this parliament passes legislation on the whim of the prime minister and COAG, as long as this parliament does not insist on its own place in the sun and its own rights, then this parliament will continue to diminish in stature, and people in here will get the superannuation they deserve.

Finally, I commend to the house those who are elected to the next parliament. I hope that the Leader of the Opposition again returns to the government benches. I wish no malice to my friends on the government benches, but you have been in power for too long. You did usurp it. You did not get elected other than by the will of a few Independents and, hopefully, after the next election, the balance will be addressed.

**The Hon. M.J. Atkinson:** Including my favourite one.

**Mr BRINDAL:** I did not mention, and I do not like the Attorney mentioning, what I think of particular candidates. I will not comment on any candidate. I will not endorse any candidate. I will simply say this: the people of Unley have chosen wisely in the past. I hope they have chosen some good members in the past. I hope that in the future they will equally choose some good members, and I remain disappoint-

ed that the Liberal Party did not choose some of the candidates who were on offer. Believe me, you should be very grateful on that side because, if it had chosen one or two other candidates, you would be in deep, deep trouble, because they were exceptionally talented.

### EYRE PENINSULA BUSHFIRES

**The Hon. P.F. CONLON (Minister for Transport):** I lay on the table a ministerial statement made by the Hon. Carmel Zollo in another place.

### CONTROLLED SUBSTANCES (SERIOUS DRUG OFFENCES) AMENDMENT 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 2, page 4, lines 1 and 2—  
Delete clause 2 and substitute:  
2—Commencement  
(1) Subject to this section, this Act will come into operation on a day to be fixed by proclamation.  
(2) Section 7(5) of the *Acts Interpretation Act 1915* does not apply to Schedule 1 Part 2A.
- No. 2—Clause 4, page 4, line 26—  
After ‘cannabis plant’ insert:  
or a cutting of a cannabis plant (provided that the cutting has been planted or otherwise placed in a growing medium)
- No. 3—Clause 4, page 4, after line 34—  
Insert:  
(ca) dry the harvested plant or part of the plant; or
- No. 4—Clause 4, page 6, line 5—  
Delete ‘believing that another person intends to sell the drug,’
- No. 5—Clause 4, page 6, line 36—  
After ‘finance’ insert:  
(including finance for the acquisition of the drug)
- No. 6—Clause 4, page 6, line 37—  
After ‘premises’ insert:  
or jointly occupying premises
- No. 7—Clause 4, page 7, line 5—  
After “finance” insert:  
(including finance for the acquisition of equipment, substances or materials)
- No. 8—Clause 4, page 7, line 6—  
After ‘premises’ insert:  
or jointly occupying premises
- No. 9—Clause 4, page 7, line 16—  
After “finance” insert:  
(including finance for the acquisition of the plant or equipment, substances or materials)
- No. 10—Clause 4, page 7, line 17—  
After ‘premises’ insert:  
or jointly occupying premises
- No. 11—Clause 14, page 15, line 33—  
After ‘children’ insert:  
and school zones
- No. 12—Clause 14, page 16, line 11—  
Delete “\$500 000” and substitute:  
\$1 000 000
- No. 13—Clause 14, page 16, after line 11—  
Insert:  
33FA—Sale, supply or administration of controlled drug in school zone  
(1) A person who—  
(a) sells, supplies or administers a controlled drug to another person in a school zone; or  
(b) has possession, in a school zone, of a controlled drug intending to sell, supply or administer the drug to another person,  
is guilty of an offence.  
Maximum penalty: \$1 000 000 or imprisonment for life, or both.

(2) If, in any proceedings for an offence against this section it is proved that the defendant had possession of a trafficable quantity of a controlled drug, it is presumed, in the absence of proof to the contrary that the defendant had the relevant intention concerning the sale or supply of the drug necessary to constitute the offence.

- No. 14—Clause 14, page 16, line 15—  
Delete ‘\$500 000’ and substitute:  
\$1 000 000
- No. 15—Clause 14, page 19, lines 40 to 44 and page 20, lines 1 to 3—  
Delete subclause (1) and substitute:  
(1) In any proceedings against a person for an offence against this Part relating to a controlled substance, the prosecution must establish that the person knew, or was reckless with respect to, the fact that the substance was or was to be a controlled substance.
- No. 16—Clause 16, page 21, line 15—  
Delete ‘32,’
- No. 17—Schedule 1, page 28, line 1—  
After ‘delete paragraph (b)’ insert:  
and substitute:  
(b) an offence of a kind that is required to be prosecuted, and dealt with by the Magistrates Court, as a summary offence under a provision of Part 5 Division 2 of the *Controlled Substances Act 1984*;  
or
- No. 18—Schedule 1, page 28, after line 1—  
Insert:  
Part 2A—Amendment of *Criminal Law Consolidation Act 1935*  
2A—Amendment of section 138A—Dealing in instruments of crime  
(1) Section 138A(3), definition of *crime*, (b)(i)—delete subparagraph (i) and substitute:  
(i) an offence of a kind that is required to be prosecuted, and dealt with by the Magistrates Court, as a summary offence under a provision of Part 5 Division 2 of the *Controlled Substances Act 1984*; or  
(2) Section 138A(3), definition of *serious drug offence*—delete the definition

Consideration in committee.

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

That the Legislative Council’s amendments be agreed to.

Motion carried.

### BOTANIC GARDENS AND STATE HERBARIUM (LIGHTING OF FIRES) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

### CHILDREN’S PROTECTION (MISCELLANEOUS) AMENDMENT BILL

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

*As to Amendment No. 18*

That the Legislative Council no longer insists on its amendment but makes the following alternate amendment.

New clause, after clause 10—

Insert:

- 10B—Amendment of section 19—Investigations  
Section 19(1)—delete subsection (1) and substitute:  
(1) If the Chief Executive—  
(a) suspects on reasonable grounds that a child is at risk; and  
(b) believes that the matters causing the child to be at risk are not being adequately addressed,  
the Chief Executive must cause an assessment of or investigation into the circumstances of the child to be carried out or must effect an alternative response which

more appropriately addresses the potential or actual risk to the child.

*And that the House of Assembly agrees thereto.*

As to Amendment No. 19

That the Legislative Council no longer insists on its amendment and makes the following alternate amendment.

New clause, after clause 10—

Insert:

10C—Amendment of section 20—Application for order  
Section 20—after its present contents (now to be designated as subsection (1)) insert:

(2) If the Chief Executive suspects on reasonable grounds that a child is at risk as a result of the abuse of an illicit drug by a parent, guardian or other person, the Chief Executive must apply for an order under this Division directing the parent, guardian or other person to undergo a drug assessment (unless the Chief Executive is satisfied that an appropriate assessment of the parent, guardian or other person has already occurred, or is to occur).

*And that the House of Assembly agrees thereto.*

As to Amendment No. 22

That the Legislative Council no longer insists on its disagreement to the alternate amendment of the House of Assembly.

### SITTINGS AND BUSINESS

**The Hon. DEAN BROWN (Finniss):** I want to say what a privilege and honour it has been to serve in this democratic institution of the South Australian parliament. It is something that all of us are privileged to have. We represent communities within the state. I guess that the fundamental lesson is always to understand that we are here to serve people within our electorates and the state. I think that all of us are honoured to do that.

I think back to the 1970s when I first came in, in 1973. In those days Graham Gunn was here. Graham Gunn is still here! I sat next to Ivan Venning's father, and the colleague who came in on the same day was my close colleague, Ted Chapman, father of Vickie Chapman. Looking back, one appreciates the experiences and the people you have met during that period.

My mentor was Tom Playford. Tom Playford had left the parliament at that stage but each Friday afternoon he would come down from the Hills in his old Holden and come into Parliament House for lunch (in those days all members ate in the dining room). Tom would sit down and have a discussion at leisure on a Friday afternoon for an hour and a half and give you Playford's parables. Playford's parables would go over what occurred in the war—how he secured electricity plants, how he secured the ammunition supply factories, and a range of other things—and how he was able to secure various companies for South Australia such as General Motors-Holden's, Phillips, Chrysler, Uniroyal (which is now Bridgestone), and others. Certainly, he was a person whose focus was on serving the state and seeing the state grow and prosper; and, without shame, I say that I guess Tom Playford was certainly the greatest South Australian member of parliament I had the privilege to sit and talk to. I always appreciated the way in which he seemed to have a lesson for younger members of the parliament.

Of course, I was here at the time when Don Dunstan was premier, and he was someone I admired particularly in terms of his oratory, the manner in which he took issues and portrayed those issues, and the enormous capacity in terms of getting through legislation. There were some great characters within the parliament in those days. Len King was the attorney-general. Hugh Hudson was minister for education, and minister for a few other things at times.

Tom Playford said that there are some fundamental rules that need to be appreciated within parliament as an institution. One was that you must have respect for each other. Second, it is important that you focus on the issues rather than personalities within this place, otherwise the place will be a lesser place. Also, you need to understand some of the unwritten rules. One that I remember that Tom Playford, and others, hammered into me at a very early stage was that any discussion within this building that was not within this chamber as part of public debate was always a private discussion. It did not matter what you said and what views you expressed, you would never, ever repeat within this chamber any of those personal discussions that might have occurred—even if it may have been a heated discussion within the corridor, the dining room, or elsewhere.

The other thing I appreciated was the tremendous respect that I felt occurred between members in honouring some of the institutions, such as making sure that if members came into your electorate you were always notified. These are some things that personally I would like to see again well and truly reinforced within this place. They are traditions that we pick up. Many of those traditions are carried over a very long period indeed, and I would hate to see any of those traditions diminished in any way. I think at times they have been. I think as a parliament we need to understand those traditions and unwritten rules, and make sure we re-establish them.

I give my thanks and respects to the many individuals I have been able to share this house with as members of parliament. I have named some of them, and there are many others indeed. I mention David Tonkin as premier, and working in his cabinet with his cabinet colleagues. I pay tribute to my personal staff during that period. My chiefs of staff included Richard Yeeles, Peter Anderson, John Scales and Pam Attwood. My personal secretaries, in particular, have been Dawn Story and Joan Foggarty (who is still my secretary). I think of the drivers I have had—in particular, I think of the late Steve South, who tragically died one night of a heart attack, and Warren Barstch, who had been driving me until recently for 11 years.

I also pay tribute to the parliamentary staff. I will not go through and name the different sectors, but this parliament should cherish its staff. It has staff who are dedicated and, at times, I think we do not understand or appreciate the pressures that they are under and we do not appreciate the enormous service they give to us as members. So, to the chamber staff, Hansard staff, those who maintain the building, catering staff, the library staff and other staff, I give my personal thanks for the way in which I have been able to interact with them over the 26½ years I have been in this chamber.

I cannot help but mention my own family. My family has been incredibly flexible and forgiving when it came to politics, particularly my wife Rosslyn, who has moulded her life around my political life. My two children have grown up knowing only politics. They were born when I was in parliament—the second one was born just before I came back, but all she can remember and, in fact, all both of them can remember is politics, parliament and having to forgo much at times because dad wanted this or that, or had to do this or that for politics.

I want to say how much I have appreciated working with my colleagues in cabinet. Many of those people are here today. I appreciate the friendships that have developed over that period, and I thank those members. I also acknowledge what I think are some long-lasting friendships that I have

developed on both sides of the house. I know at times I tend to be slightly abrasive. I have tried to focus on issues that I think need to be highlighted and improved. I guess some might interpret them as personal attacks, but I have tried not to do that. I have tried to focus on the issues. I would like to say how much I have appreciated the friendship from members from the Labor side, the cross benches and my own side over the years.

I also acknowledge the tremendous support of a lot of people from outside the parliament during my 26½ years, especially the support that I have had from my two electorates; my first electorate of Davenport, the eastern suburbs (which is effectively now the seat of Bragg), and, more recently, the electorate of Finnis. In many ways, as my wife points out to me, when I think of my electorates, the people and the friendships I have established, I almost become emotional in terms of the bonding that I have established between those local communities and the individuals involved, and the extent to which I have been able to help and work with them, as well as the support they have given and the friendships that have developed over the years. They are very special, indeed.

I acknowledge the thousands of people I have met. I particularly appreciate the honour of serving this state as premier. South Australia is a great state; we know that. I was one of numerous premiers. I point out that, in relation to a career path, I think Mike Rann is the 42nd Premier of South Australia. There have been about 16 or 17 Governors but only about 10 or 11 Chief Justices. My advice to young people is: if you want a secure, long-lasting career path, go for law as a Chief Justice rather than as a Governor; and you will find that being premier comes a remote third in terms of the chance to stay there.

I have many fond memories during that period, particularly as premier. I look back at some of the things that I and my colleagues have been able to establish for the state. I will not touch on them now. The important thing—and this applies to both Liberal and Labor governments—is to see the advancement of the state. I think it is something that we need to cherish. I said when I announced my retirement that I think we overstate the position of South Australia in wanting to say it is the greatest location for this and that. In so doing, we create a perception that we have an inferiority complex about South Australia. There is nothing to be ashamed of in South Australia. We are a great state. We are not the biggest and, invariably, we are not the best, but the important thing is that we are a community that lives harmoniously together. We have a very good lifestyle within this state—arguably, a lifestyle that many others would love to cherish. I think it is important that we grow, develop and expand those initiatives we have here, and realise that we are here as custodians for future generations.

I say that in terms of this parliament. We are custodians as members of parliament. Hundreds of members of parliament have gone before us. There are 47 of us here and another 22 in the other house. We need to put it into perspective. We are no more than custodians looking after and developing the democratic principles of this parliament, as well as securing the future for next generations within our state; and may our motives be as simple as that. I believe that we build, and continue to build, a better state. We have regard for each other and for those who are less fortunate within our community. Our role is to consider all the people within the community.

I thank my colleagues within this parliament. I appreciate the friendships that I have developed over the years, and I wish those who are remaining and coming back after the election well. I particularly appreciate the comments passed in the house tonight from other members. I have appreciated working closely with Rob Kerin in recent years. I appreciated working with him in cabinet, as well. I wish all members, whether they are remaining in the parliament or leaving, the very best in the future.

**Mr MEIER (Goyder):** I thank my colleagues for the kind remarks that have been passed through to me. I do not think they are deserving, but I will accept them in the spirit they were given and not reject them. It has been a pleasure to serve as the member for Goyder for just over 23 years. In one sense there will be a tinge of sadness in my going. In another sense I am looking forward to new challenges and a new life out of politics. I have many happy memories, and I have some that perhaps I will forget about, too. It behoves me to thank my constituents for having had sufficient confidence in me to re-elect me—maybe because I was in a relatively safe seat; that always helps. Nevertheless, I have been very fortunate to have been re-elected each time. I never took any election for granted. I guess that I am very privileged to be able to make my decision about when I wanted to step down. Certainly, 23 years and four months will be quite sufficient.

I just want to say two things about my first entry into parliament, although I do not want to hold people up unnecessarily. First, it shook out of me what I thought parliament was about. I thought that it was a very serious institution where everything had to be deadly serious. Before I came in here things had to be either black or white. I could not determine a grey in my senses. Certainly, I have had that shaken out of me.

I go back to the opposite speech to that which I am giving now, namely, my maiden speech. I certainly put a lot of preparation into. My colleagues said, 'Prepare it well.' I think it went for about three quarters of an hour. Back in those days we had up to an hour. I was reading the speech and I thought that I was doing a fantastic job. I sat where the member for Hammond sits now, and two of my colleagues sat where the members for Morphett and Light are sitting. They were giggling and laughing a bit. I thought it was very rude, but I kept going. I was saying things and, after a while, one of those colleagues (who happened to be Ted Chapman and Harold Allison), I think that it was Harold, came over and put a note in front of me which said, 'John, your fly's undone.' I finished the sentence and, then, very surreptitiously, my hand went down, and, of course, they were watching and I found that it was not undone. Those two darned fellows, Ted Chapman and Harold Allison, roared with laughter. That taught me a good lesson. I thought, 'Never take yourself too seriously in this place.' There must be a bit of brevity in here.

Also, when I was shadow minister for agriculture, fisheries and marine there was an occasion when a health bill was before the house. Michael Armitage, the shadow minister for health, was not in the chamber. Everyone said, 'Where's Armitage?' I said, 'Look, I'll get him.' Anyway, the whip, Stan Evans, was here, and he said, 'Look, I'll get him, but you just get started, John.' I had to make an unprepared speech on that health bill. I looked at it and it was bill No. 23. I flicked to bill 23, which was a big, thick bill. I said, 'Right, Mr Speaker, this is a very important bill. Certainly, it will require a lot of debate. I am not the lead speaker, but I want to make a few comments about this bill.' I said, 'Obviously

of great concern to us as an opposition—', and I then thought, 'What am I am going to say?', so I started talking about all the problems that existed in health back then when the Labor Party was in power.

Thankfully, about five minutes later, Michael Armitage came in and I said, 'I will not continue; I will hand over to Michael Armitage.' Michael Armitage got up and said, 'Well, Mr Speaker, as you know, this is just a rats and mice bill. It is there simply to clarify one or two issues.' I thought, 'What? It's as thick as thick.' Anyway, it was not item 23, it was item 22. That was a one page bill. I went up to the Hansard division that night, and I will not say that I interfered with *Hansard*, but, yes, the Hansard staff were very kind even back then. Anyway, I do not want to keep people here.

The 'thank you's' have been said to the general staff, and I will not go through those again. Thank you very much, indeed. I want to say thanks to my staff, particularly the whip's staff. I am not allowed to refer to people in the gallery, which is a great shame.

*Members interjecting:*

**Mr MEIER:** All right. I mention Leslee Robb, who happens to be wearing beautiful yellow today, and Kirsty Semmler. Thank you very much ladies for helping me get everything done and for liaising the way that you have. It has been a real pleasure. Leslee goes back to Stan's days, too. She really knew how things ran before I took over as whip some 12 years ago. Kirsty, certainly, has been very much part and parcel for the better part of three years now. Many thanks, ladies. I will not go into extra detail, but it has been a pleasure having you on board, and all the best for your future, too.

Talking about whips, it has been a real pleasure to have served with Robyn Geraghty as the Government Whip. We have got a trust in each other. I think that I had it fairly well with Murray, but it has been even greater with Robyn. We have understood everything 100 per cent. A comment was made a little earlier about last night, and I knew that Robyn did not let go for one minute. There was a bit of a misunderstanding. Robyn, it has been an absolute pleasure to work with you. I have had complete trust in you and, hopefully, you have had the same with me.

I think that only two mistakes were made, and one of those was when I miscounted and I had one too many members. I said to Mark Goldsworthy, the member for Kavel, 'Get down.' He said, 'I can't.' I said, 'Get down; I've made a mistake.' He had to lie down there. He said, 'You know, that journalist up in the gallery was looking at me the whole time.' I said, 'Look, if they make an issue of it in the news, I'll explain it away.' I can't remember the other one now, but it has been wonderful working with you, Robyn.

**Mrs Geraghty:** It was Trish White; she was pregnant and I made her get down on the floor. She could not get down far enough.

**Mr MEIER:** Everything worked out all right with her pregnancy. I was going to be very short, sharp and shiny. Thank you very much to my staff. It has been a real pleasure working with my colleagues over these years. First, I thank members on this side of the house. You have had to put up with me and I have had to put up with you. To members on the other side of the house, I know that we have had our differences occasionally. Even after 23 years, I am not quite certain how things should go on this stage. One of the aims that I have in the future is to write a musical, and guess what it will be centred on? The parliament. Hopefully, I will work on that in the next couple of years. It will not be the South

Australian parliament, just the concept of the parliament. Do not worry, I will not feature any particular people. We will see how we go on that.

It has been a great pleasure working with Rob Kerin as leader. Certainly, I wish him all the very best in the future. I think that it is self-evident that, after 18 March, he will be premier. Hopefully, there will not be too much dissension about that. To Iain Evans, the deputy leader, thank you, Iain, it has been nice working with you, too. I want to mention my four retiring colleagues (I am the fifth one). When Dean Brown was premier I was pleased to be his whip. Also to Dorothy, Mark and Wayne, it has been a great pleasure. I will miss you all. I had the privilege of serving under five Liberal leaders of the opposition; six premiers, both Liberal and Labor; and seven speakers. I will certainly miss my colleagues. That is the main thing I will miss. I will miss my staff and working with the people here, and I will miss the stairs, because they have helped keep me fit, and I love those stairs. Happy Christmas and every good wish to everyone here. May you all keep well and healthy in future years.

**The SPEAKER:** We have been privileged to hear the speeches of retiring members and I think it is unfortunate that over the years we have not recorded, by way of technology, the reminiscences and recollections of retiring members. One of the activities that the sesquicentenary will focus on is recording the recollections of not only the now retiring members but all members. It is unfortunate, for example, that we missed recording lengthy interviews with the Hon. Des Corcoran and the Hon. Ted Chapman. I think it is remiss that we did not get those interviews for posterity. Likewise, regarding former members who are still alive, such as the Hon. Steele Hall, we should make sure—

**Mrs Hall:** He is planning on being alive a bit longer, too.

**The SPEAKER:** Yes; I said the living. We should not allow those wonderful recollections and memories—and we had a taste of them tonight—to go without being properly electronically recorded. We will be in contact with current members, as well as those who are planning to retire.

#### **TRANSPLANTATION AND ANATOMY (POST-MORTEM EXAMINATIONS) AMENDMENT BILL**

The Legislative Council agreed to the amendment made by the House of Assembly to the Legislative Council's amendment No. 1 without any amendment.

#### **CHILDREN'S PROTECTION (MISCELLANEOUS) AMENDMENT BILL**

The Legislative Council, having considered the recommendations from the conference on the bill, agreed to the same.

Consideration in committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

I need to make the following remarks, which were crucial to the reaching of the agreement. There is a number of new processes that are provided for in the new bill, including an amendment to section 20 of the act to put in a new subclause (2). It is contemplated in respect of that new clause that there



is an undertaking given by the government, and by me as the minister, that forthwith the department will report in its annual report in relation to the number of matters where the chief executive suspects on reasonable ground that a child is at risk as a result of the abuse of an illicit drug by a parent, guardian or other person, and that it will report on the number of applications made, and the number of orders made under that section. There will also be a report in relation to the number of applications and orders made under the new section 37(1)(a) of the act, and also the number of applications and orders made under section 21(1)(ab) of the act.

The other remark I need to make is that, in relation to the new obligations there are imposed upon the chief executive, once having reached a certain state of satisfaction to undertake certain steps, there is the use of the term 'assessment', and was deliberately chosen and used in contradistinction to the terms 'investigation' and 'drug assessment', which is understood to involve a more forensic and extensive exercise. The reasoning behind that is to ensure that the assessment process can be carried out in a fashion which does not necessarily intrude upon a family, or in a way which may be counterproductive to the outcomes that are beneficial for the child suspected to be at risk.

**Mrs REDMOND:** I will make a couple of brief remarks. Can I say at the outset that it has been an interesting day to have a deadlock conference, which has proceeded since 11.15 this morning. I remember my first deadlock conference in this place. I arrived in the room and did not even have the time to put my papers on the table, and someone said, 'That's it, we're done,' and it was over. So I have had very little impression about deadlock conferences. As I have gone on to successive ones at least there has been a little bit more, but today's was certainly quite an exercise. I thank the minister and the other managers who were involved in the conference, from both houses, for genuinely trying to work towards some acceptable outcome, particularly in the case of the investigations clause, which was proposed by the Hon. Kate Reynolds. It was always the intention that, because 'investigation' was not defined as a term, it would encompass a broad range of things. The minister's suggestion of adding the words 'assessment of' has made that clearer, and I think that that is probably an improvement. I also thank him for moving some way on the issue of drug assessment. I am pleased that this Children's Protection Amendment Bill will now go through and will be the final and, maybe, the most important bit of legislation that we have dealt with in the whole session.

Motion carried.

#### SITTINGS AND BUSINESS

**The Hon. I.P. LEWIS (Hammond):** As one of the people in this place not belonging to any political party, I extend my season's greetings. All too often, I think that most of us forget the fact that Jesus is the reason for the season; I certainly do not. Part of what I want to say is to thank those people throughout the parliament who have worked to make the institution do what the public expect of us, even though their expectations are somewhat higher than what we manage to deliver very often. Nonetheless, nothing could be accomplished were not for the fact that each of them were willing to come and do their job each day, as it needs to be done. As the member for Finnis, the former Premier Dean Brown, has pointed out, it is not necessary, perhaps, to acknowledge all of them. During the last four years here, for me it has been fairly turbulent, though not in consequence of what has

happened within the parliament so much as what has happened outside it.

I do not need to recount what it was four years ago that drove us to make the decisions that had to be made to enable the state to have a government without the expense of an additional election. What I do point out is that I did not lose the election or win the election for either of the parties. I simply took what I saw in all probability as the most likely arrangement to provide stability and gave no undertaking for any other thing. I think that the truth of the matter is that that arrangement has provided stability. It also gave the people of South Australia the opportunity to contemplate constitutional reform and, along the way, considerable change has been effected that was well overdue, particularly with respect to those in the community who cannot protect themselves and whom we all rely on for our future, that is, children, where they have been exploited.

What the government has done is to be commended. It is a pity it did not do it sooner and do it in the fashion in which I had earlier suggested. There are still deficiencies in that. As I said earlier in these remarks, the greatest difficulties I have had have not been political difficulties, they have been associated with my determination that South Australia need not be a mendicant state. When I was first elected here, South Australia had a considerable number of the top 100 firms in this country operating in Adelaide as the city in the world from which they operated their head office. Amongst them was one that has recently gone, News Corporation, and there is Robert de Crespigny's Normandy Poseidon group. The only one that is left, in fact, is Santos, and that looks eagerly towards Sydney, its biggest customer. Increasingly, the people recruited to work in that organisation, I understand, do not see themselves as necessarily belonging to South Australia.

I put to the parliament, regardless of political allegiance, to all members in this house and the other house, that what we must do is create an environment that engenders the re-establishment of corporate head offices. Our universities have the ability to support that and we must, in partnership with them, encourage it to happen so that they are part of the real world that can generate the career opportunities for the brightest of our young people, enabling them to look upon South Australia as not only the place in which they are born, educated and grew up but also the place in which they can spend the rest of their lives. It ought not to be a place where you can do that only perchance you are a good doctor or a good lawyer, but a place in which you can do it if you are also very competent at doing business and willing to study to provide yourself with the conceptual tools.

As in all things, it is all very well to be well educated and have the conceptual tools and a clear knowledge of the science. Once you have got that, to be outstanding you must be an artist. I come back to that theme about the necessity for corporations to be established here at this Christmastime at the end of the 50th parliament, and say that those problems for me have come in consequence also of my determination to contribute something to that. The difficulties that have been heaped in my direction from people outside this parliament have not been fun to deal with. I am determined, nonetheless, to see it through.

We have immense mineral resources in this state. We are at least as prospective as any other part, and Sir Douglas Mawson made that point. One of the things that he knew and of which I am aware is the richness of this state's geology, putting it in simple lay terms. I hope that over the next few

months I can achieve in the first instance the very first step of significance in that direction. Standing here now, I have no intention of making this the last speech that I make in the parliament. I fully expect to be back in the parliament after the 18 March election next year.

I want to say of those members who are leaving that they have made their contribution to this place, each of them, and they are all members of the Liberal Party. With the exception of Dean Brown, I have known them for the whole of the time they have been here. No question about the fact that the member for Unley is one of the most articulate people in using the English language. He owes that much to his mother, and I am sure that she would be proud of what he has accomplished in that respect. His capacity to articulate ideas and use the language is very remarkable. The member for Newland has been fastidious in the way in which she has defined what her role will be, and set out to do it in a meticulous fashion. Dorothy Kotz is somebody I will remember fondly for the rest of my days, notwithstanding the fact that her views on many things are different in detail from those views I have expressed from time to time.

Wayne Matthew was a person who came to me before he was a member of parliament, seeking, on the nomination of the State Executive of the Liberal Party, some assistance in getting himself elected here. I happily agreed to provide it and worked in conjunction with the late Hon. Jamie Irwin to provide it. Jamie did a good deal more than I did, because he frequently managed his campaigns. I tried to encourage the people who were supporting me in my electorate also to support him with financial assistance. I am sure that that made it easier for him to mount those campaigns that saw him win, and win more successfully on each successive occasion.

The member for Goyder, John Meier, is a man whom nobody could doubt on anything. If John says it is so then to the very best of his knowledge it is. Everyone can take him at his word. I know history will treat his contribution to this

parliament very kindly indeed because of the way in which he set about not just doing the job ascribed to him without rancour, but also with diligence and without regard for what honour, glory or praise there may or may not be in the process of doing so.

I can further say that the likelihood of all the members of this place (other than those who have said they will retire at the next election) returning at the next election is pretty slim—not because I see any essential weakness but because it always happens. At election time there are things that come undone, come unravelled, and new faces arrive in this place to represent different electorates, for whatever reasons. I am equally sure that, on the balance of probabilities, that will be the case yet again. I think the reasons for it are probably in the desire of the government to excessively manage what happens in the public mind about policy and so on between now and 18 March without parliament having the ability to scrutinise it.

With those remarks, I commend the government for its attention to the urgent matters that have cropped up from time to time. Whether I have agreed with its policies or not is another matter, but it has dealt with them according to its lights rather than simply ignoring them. In doing so it has met the expectations of a considerable portion of the state's population.

Yet again I want to thank those people who have not just served the parliament, but who have particularly provided me with the assistance that has made it possible for me to do the things I have been able to do during the past year, and during the past four years altogether in the various roles I have had. I commend you, sir, for what you have done in that time as well. I wish you all a blessed and happy Christmas and a successful new year, whatever it is you may choose to do.

#### ADJOURNMENT

At 7.11 p.m. the house adjourned until Monday 19 December at 2 p.m.