HOUSE OF ASSEMBLY

Wednesday 14 March 2007

The SPEAKER (Hon. J.J. Snelling) took the chair at 2 p.m. and read prayers.

FISHERIES MANAGEMENT BILL

Her Excellency the Governor, by message, assented to the bill.

SUPPLY BILL

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

QUESTIONS

The SPEAKER: I direct that the written answers to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 170, 173 and 178.

MULTICULTURAL SA

170. **Mr HAMILTON-SMITH:** With respect to Translating and Interpreting Services:

(a) by how much did the actual expenditure of $522 000 in 2004-05 exceed the budgeted amount and why did this occur;
(b) why did the estimated result exceed the budgeted amount by $149 000 in 2005-06;
(c) does the Government expect an overspend of the budgeted amount of $61 000 in 2006-07 and if so, why has a higher amount not been budgeted for; and
(d) what is the current staffing level and what is their individual employment status?

The Hon. M.J. ATKINSON: I have received this advice:

(a) For sub-program 4.2, the 2004-05 net cost of services of $522 000 exceeded the 2004-05 revised budget of $108 000 by $414 000. This was mainly owing to:
- the original 2004-05 budget not recognising a proportionate share of corporate overheads expenses, such as I.T., H.R. and Finance. This was owing to M.S.A. transferring to A.G.D. after program reporting began. This had the effect of increasing the actual net cost of services compared to budget.
- lower than budgeted revenue, which also had the effect of increasing the actual net cost of services in 2004-05. This lower than budgeted revenue was partially offset by some expenditure savings.

(b) For sub-program 4.2, the net cost of services for the 2005-06 Estimated Result exceeded the net cost of services for the 2005-06 Budget by $151 000.

This increase was mainly owing to an increase in 2005-06 budgeted expenditure for the payment of a T.V.S.P.

(c) For sub-program 4.2, the 2006-07 budgeted net cost of services is not expected to exceed $61 000.
(d) I refer the member to the response to question 168.

173. **Mr HAMILTON-SMITH:** What financial allocation from the 2006-07 Budget will be invested in language training for migrants, how many such programs are currently in operation, are they working effectively and what are the respective participation levels.

The Hon. M.J. ATKINSON: Multicultural S.A. has no financial allocation from the 2006-07 Budget for language training for migrants.

Language education and training for migrants is provided by the Department of Education and Children's Services (DECS) and the Department of Further Education, Employment, Science and Technology (DFEEST).

MUSLIM REFERENCE GROUP

178. **Mr HAMILTON-SMITH:** What are the key elements of the SA Government Muslim Reference Group Plan, what are the endorsed actions and how much will it cost to implement in 2006-07?

The Hon. M.J. ATKINSON: The Plan prepared by the South Australian Government Muslim Reference Group includes these elements: media, interfaith dialogue, public awareness, community support, and addressing physical/verbal abuse. The Reference Group proposals included suggestions that could be carried out in the short, medium and long term.

The principal concern raised by the Reference Group was the portrayal of Muslims in the media. Indeed, even before the Group had finalised its advice to Government, it provided interim advice stating that it was unanimously agreed that there was a need to take a proactive role in working with the media to promote a balanced awareness about Muslims and Islam in South Australia. In that context the Group appointed media spokesmen and did media training.

The endorsed actions address each of the elements identified by the Reference Group through a range of projects, some of which have already been fulfilled.

On 31 October, 2006, the Minister Assisting the Minister for Multicultural Affairs, the Hon. Carmel Zollo M.L.C., hosted the South Australian launch of the Media Guide: Islam & Muslims in Australia, at Parliament House. The launch was attended by journalists, members of the Muslim Reference Group, members of the South Australian Multicultural and Ethnic Affairs Commission, Tasneem Chopra, from the Islamic Women's Welfare Council of Victoria, and Professor Peter Manning, from the University of Technology, Sydney. The launch provided a valuable opportunity for members of the media to establish links with members of the Muslim community and to gain new insights into reporting on issues and events involving Islam or the Muslim community.

On 27 October, 2006, the Premier hosted an Eid Al Fitr reception. Eid Al Fitr, or the Festival of Breaking the Fast, marks the end of the Islamic Holy Month of Ramadan and the culmination of a month of fasting for Muslims. Fasting is one of the five pillars of Islam and is considered obligatory upon all able Muslims.

Some elements of the plan will be carried out over the long term.

The original terms of reference of the Group were based on providing short, medium, and long-term plans for improving community relations and interfaith-dialogue. It is now timely to reconvene the group and ask them to consider any future actions. The Government will write to members of the Reference Group inviting them to meet in April. This meeting will provide an opportunity to comment on the implemented actions and suggest any future things they believe the Government could do.

The total cost for 2006-2007 is expected to be about $100 000.

COMMON USER FACILITY

In reply to **Mr HAMILTON-SMITH** (Estimates A, 24 October 2006).

The Hon. K.O. FOLEY: Five consultancies were undertaken in developing the business case for the Common User Facility infrastructure. KPMG submitted one report in April 2005, at cost of $50 000. KBR submitted one report in October 2004 at a cost of $58 076. EconSearch submitted one report in August 2004 at a cost of $1 800. Ernst and Young submitted two reports (September 2004 and November 2005). The cost of these two reports was $137 000.

The total cost of the five consultancies in developing the business case was $246 876.

SHARED SERVICES

In reply to various members (Estimates A and B).

The Hon. K.O. FOLEY: The Shared Services Reform Office within the Department of Treasury and Finance will undertake a data collection process early in 2007 that will establish the baseline corporate services costs for agencies.

This data will include the total costs, activity levels and FTE staffing numbers for categories such as Finance, Information Technology, Payroll, Human Resources and Procurement.

Total baseline costs for all corporate services will also be collected but not necessarily for all possible individual components.

DISABILITY FUNDING

In reply to **Mrs REDMOND** (22 November 2006).

The Hon. J.W. WEATHERILL: In 2004-05, a significant number of NGOs listed in the other category received one-off grants as part of the distribution of a total of $25 million one off grant funding provided by the South Australian Government to organisations involved with the provision of services to people with disabilities. Normal funding levels resumed in 2005-06 and as a consequence, there is an overall reduction in total funding provided to NGOs in 2005-06, including the other category, when compared to the 2004-05 financial year. The Auditor-General's Report 2006, Volume 2, Table 9.3, on page 460 lists Department for Families and Community funding to Non-Government Organisations in 2005-06 and includes the category 'Other', the details of which appear below.

Organisation	Amount $'000
The Salvation Army	842
Townsend House Inc	692
Catherine House Inc	687
Enhanced Lifestyles Inc	668
Bedford Industries Inc	558
Community Bridging Services (CBS) Inc	506
Community Living & Support Services (C.L.A.S.S.) Inc	486
Royal District Nursing Service of SA Inc	390
The Brain Injury Network of South Australia Inc	368
Amandus Lutheran Association with Disabled Persons SA Inc (Shimron House)	364
Sisters of St Joseph Ain Karim Ltd (Ain Karim Community)	359
Riverland Respite and Recreation Service Inc	349
Helping Hand Aged Care Inc	339
Royal South Australian Deaf Society Inc	330
Technical Aid to the Disabled (SA) Inc	325
Alabricare SA Pty Ltd	317
Skill Teaching and Resources Inc	314
Anglicare N.T.	305
Barossa Enterprises Inc	272
Amata Community Inc	265
Disability Information and Resource Centre Inc	254
Italian Benevolent Foundation (SA) Inc	245
Disability Services Commission	237
Holiday.Explorers Inc	224
Interchange Inc	204
Multiple Sclerosis Society of South Australia Inc	204
Multi Agency Community Housing Association Inc	201
Loved HCS Pty Ltd	192
Pukatja Community Inc	189
Miroma Cottage Inc	186
Diocesan Association for Intellectually Disabled Persons Inc	183
Aboriginal Prisoners and Offenders Support Services Inc	180
The Trustee for Joyan Management Discretionary Trading Trust	177
Living Skills Inc	176
Muscular Dystrophy Association Inc	176
Baptist Community Services (SA) Inc	
The Flinders University of South Australia	169
The Trustee for Tavlor Family Trust	163
Neami Ltd	153
Country North Community Services Inc	142
Nganampa Health Council Inc	137
Riding for the Disabled Jennibrook Farm	116
Down Syndrome Society of South Australia Inc	114
Kura Yerlo Council Inc	110
Sasrapid Inc	110
Windsor Gardens Vocational College-Prev	108
The Suzanne Marshall Trust	107
Workers Educational Association of SA Inc	107
Arts in Action Inc	104
Tauondi Incorporated	104
Aboriginal Sobriety Group Inc	101
Gail Lyn Jacobs (St Eliza's Respite Support Facility)	91
Avail Inc	90
The Trustee for Geoff O'Connell G S C Trust (Gawler Supportive Care)	88
Arthritis Foundation of South Australia Inc	85
The Trustee for D Sutton Family Trust	85
The Trustee for the Clark Rest Home Discretionary Trust (Glenelg Supportive Care)	83
Street to Home	80
Volunteering of SA Inc	80
Tracey Deanna Stewart (Adelaide Interim Care)	79
ACROD Ltd	78
Australian Institute of Health and Welfare	71
Silverlea Community Care Inc	71
The Ranch Inc (Eleanora Centre)	70
St Michael's Trust	69
The Trustee for Buckton Family Settlement (Walkerville Lodge)	69
Bayroad Holdings Pty Ltd	68
G R and B C Watt (Brighton Ocean Grove Rest Home)	66
Lions Hearing Dogs Inc	64
The Trustee for Lambert Village Trust	64
Hill Family Trust (Prospect Residential Care Service)	61
Disabled Peoples (Whyal12) Incorporated	59
M J and C M Ryan (Rosewater Lodge)	57
Adelaide Hearing Consultants Pty Ltd	56
Physical and Neurological Council of South Australia Inc	56
Chris Starts Family Trust	55
Giro Family Trust	55
Parent Advocacy Inc	52
The Trustee for the Scannell Family Trust	52
Mafra Respite Services Inc	50
Australian Huntington's Disease Association (SA & NT) Inc	49
CM Liston Enterprises Pty Ltd	48
De lonno Investments Pty Ltd	48
G Kutek & RA Kutek (TLC Rest Home)	48
Fernds Enterprises Pty Ltd (Brighton Supported Care Services)	47
BW Millard & CJ Millard (Winsdor Grove Lodge)	47
P K Moroney Family Trust	47
The Trustee for Pledger Investment Trust (Rose Terrace Grove; Peppertree Grove)	47
Aged & Community Services SA & NT Inc	45
Independent Disabled Persons Assn Inc	44
Cora Barclay Centre	43
Spina Bifida & Hydrocephalus Association of SA Inc	42
The Aged Rights Advocacy Service Inc	40
Anglican Community Care Inc	39
Restless Dance Company Inc	38
The Trustee for Foley Family Trust (Auldana Retirement & Rest Home)	37
Meialeuca Centre Inc	37
Robubs Pty Ltd	37
Torchio Family Trust	7
Tullawon Health Service Incorporated	37
Physical & Neurological Council of South Australia Incorporated	36
P & C N Sumner (Mandeville Lodge)	36
Centre for Ageing Studies	35
The Broughton Art Society Inc	35
Tony Doyle	35
The Trustee for Supportive Care Trust	34
Anddia Pty Ltd	32
Southern Junction Community Services Inc	30
NPY Women's Council	27
Property Trust & Other (Auswide and Pacific Mutual Investments)	27
Aboriginal Youth Action	26
Cobham Hall Pty Ltd	25
Tri State Care and Respite Inc	22
Family Advocacy Inc	21
Wakefield Regional Council (Brinkworth Management)	20
Community Information Strategies Australia Incorporated	20
Council on the Ageing (South Australia) Inc	20
No Strings Attached Theatre of Disability Inc	20
The Trustee for Laube Family Trust	17
Beach Road Artworks Inc X	15
Viva SA Inc	15
Kasalina Pty Ltd	14
Physical Disability Council of SA Inc	14
FWS Employment Services Inc	13
Mowbray Nominees Pty Ltd	12
Brian Burdekin Clinic	10
TG & MK Holland—Emily Grove Supportive	

Residential Facility	10
Wynwood Nursing Home	9
Disability Advocacy & Complaints Services of SA Inc.	8
Rotary Club of Adelaide Inc	8
Union of Australian Women Inc	6
Career Systems Inc	6
Shelter SA Inc	6
Disability Action Inc	5
Early Childhood Intervention Association SA Chapter Inc	5
Haemophilia Foundation South Australia	5
International Women's Day Committee South Australia Inc	5
Kurruru Indigenous Youth Performing Arts Inc	5
Liberation Collective (Ms Silver Moon)	5
Murraylands Youth Sector Network	5
RPH Adelaide Inc	5
Southern Domestic Violence Service Inc	5
Better Hearing Aust (SA) Inc	4
Kiwanis Bus Service Inc	4
Morgan Media Pty Ltd (Christmas Party for Special Children)	4
Lepsh Inc	3
Life Education SA Inc	3
Riverland Domestic Violence Unit Inc	3
Aboriginal Catholic Ministry	
Migrant Women's Lobby Group	2
Nunkuwarrin Yunti of SA Inc	2
Ocean View College	2
Mafra Respite Services Inc (Wilde Retreat)	2
Adelaide Survivors Abreast Inc	1
Boystown (Qld)	1
Christian Family Centre Inc	1
The Cobdogla & District Club Inc	1
Community Business Bureau Inc	1
Debbie Harrigan [Alberton]	1
Gawler Neighbourhood House Inc	1
Glandore Community Centre Inc	1
Irati Wanti Campaign Office	1
Lower Murray Nungas Club Inc	1
St Vincent de Paul Society (SA) Inc	1
Spark Resource Centre Inc	1
Spastic Centres of South Australia Inc	1
St Ann's Special School	1
The Rotary Club of Adelaide West Inc	1
University of Technology Sydney	1
Vietnamese Women's Assoc SA	1
Weena Mooga Gu Gudba Inc	1
Youth Education Centre	1
Youth Sector Network	1
Other Total	17 404

SCHOOLS, FINANCIAL ASSETS

In reply to **Dr McFETRIDGE** (Estimates B, 18 October 2006).

The Hon. J.D. LOMAX-SMITH: The Department of Education and Children's Services has provided the following information: the financial assets referred to are school Governing Councils' investments held in other banking institutions (eg: BankSA, Commonwealth, ANZ banks), instead of with the South Australian School Investment Fund (SASIF). These funds are usually held in deposits ranging from three months to several years.

As at 30 June 2004 (reported in the 2003-04 Actual results), the investments held by schools were $8.594 million as current assets (investments to mature within 12 months) and $0.861 million as non-current assets (investments due to mature in greater than 12 months).

As at 30 June 2005 (reported in 2004-05 Actual results), the investments held by schools were $3.927 million current and $0.905 million non-current.

Each year balance sheet budgets are adjusted through opening balance journals to reflect the actual finishing position of the previous financial year. Hence, the budget for 2005-06 was modified to reflect the actual finishing position of 30 June 2004 ($8.594 million), and the 2006-07 budget has been amended to reflect the actual finishing position of 30 June 2005 ($3.927 million).

The reduction in these investments is, in part, due to schools electing to invest in SASIF (reflected by an increase in the cash and cash equivalents budget).

PRIMARY INDUSTRIES EMPLOYEES

In reply to **Hon. R.G. KERIN** (Estimates A, 25 October 2006).

The Hon. R.J. McEWEN:

Surplus Employees as at 30 June 2006

Department/Agency	Position Title	Classification	TEC Cost
Department of Primary Industries and Resources SA	Administrative Officer	ASO-1	$43 444
	Administrative Officer	ASO-1	$43 444
	Human Resources Consultant	ASO-5	$76 810
	Manager, Strategy Spatial Systems	MAS-3	$104 598
	Greenhouse Services Officer	OPS-1	$43 444
	Animal & Plant Control Consultant	PSO-2	$76 810
	Farm Hand	GSE-1	$39 490
	Technical Officer	TGO-1	$43 444
			TOTAL: $471 484

In reply to **Hon. R.G. KERIN** (Estimates A, 25 October 2006).

The Hon. R.J. McEWEN:

Positions with a TEC of $100 000 or more

Between 30 June 2005 and 30 June 2006

I refer the honourable member to the Auditor-General's supplementary report for the year ended 30 June 2006, which contains the Department of Primary Industries and Resources audit report. Note 6 on page 121 provides information on the number of employees with a total employment cost of $100 000 or more.

Positions abolished:

No positions that have total employment costs of $100 000 or more were abolished during 2005 06, within the Department of Primary Industries and Resources, relating to my ministerial responsibility.

Positions created:

Department/Agency	Position Title	TEC Cost
Department of Primary Industries and Resources SA	Director, Grape and Wine	$127 735

PAPERS TABLED

The following papers were laid on the table:

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

Regulations under the following Act—
Supreme Court—Vexatious Proceedings
Rules of Court—
District Court—Admission of Facts

By the Minister for Health (Hon. J.D. Hill)—

Controlled Substances Advisory Council—Report 2005-06
National Environment Protection Council—Report 2005-06
Regulations under the following Act—
Controlled Substances—Packaging of Poisons.

WATER RESTRICTIONS

The Hon. K.A. MAYWALD (Minister for the River Murray): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.A. MAYWALD: I rise to advise the house about changes to watering times under level 3 restrictions. Level 3 restrictions were introduced on 1 January 2007 as a key component of a wholesale response to the current drought situation. With daylight savings soon to end, I advise that changed watering times will be introduced to ensure that South Australians can continue to water efficiently and in daylight. As of 25 March 2007, the new hours will be as follows:

- even-numbered houses can use sprinklers from 6 a.m. to 9 a.m. and 5 p.m. to 8 p.m. on Saturdays, and odd-numbered houses for the same hours on Sundays.
- sprinklers are still banned on weekdays.
- hand-held hoses with a trigger nozzle and drippers can be used between 6 a.m. and 9 a.m. and from 5 p.m. to midnight on any day.
- watering cans and buckets may still be used at any time.

Permits will continue to be available for elderly customers who, on request to SA Water for a permit, may be granted an additional hour's watering in the morning and/or evening. These new times will ensure that no person need water in darkness unless they choose to do so.

It is important to note the outstanding response of South Australians to the drought with water consumption currently well below the 10-year average despite South Australia recording one of its hottest months on record during February. From 1 January to 12 March this year metropolitan water consumers have used 37 009 megalitres. For the same period during the last drought in 2003 water use was 50 372 megalitres and in 2006 it was 46 711 megalitres. I am sure the house will agree that that is an outstanding response, and we thank the community for the way in which it has approached the drought.

In the past four years South Australia's population has also increased by 38 000 people and, in that time, our daily water consumption per person in the metropolitan area has fallen by 68 litres per person per day. Average daily consumption per person has fallen from 455 litres per person in 2001-02 to 387 litres per person in 2005-06. This is a great achievement by water users in South Australia, and I encourage all residents to continue to look at how they can further improve water efficiency inside and outside their homes.

LEGISLATIVE REVIEW COMMITTEE

Mrs GERAGHTY (Torrens): I bring up the 20th report of the committee.

Report received.

QUESTION TIME

WORKPLACE ACCESS

The Hon. I.F. EVANS (Leader of the Opposition): My question is to the Minister for Industrial Relations. Why is the government considering changes to the law to give unions access to all workplaces even if no union members are employed at the workplace? Industry groups have raised concerns with the opposition that the government is considering new regulations that will allow unions access to all workplaces. The opposition has been advised that the new regulations will allow unions to enter any workplace to discuss issues with members of the union or anyone who is eligible to become a member of the union. Industry groups advise that this will give unions access to all workplaces.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): As the leader said, we are consulting about that. Of course, this government—unlike the federal government and its WorkChoices—will consult all stakeholders with regard to any changes.

MINING BOOM

Ms BREUER (Giles): Will the Premier update the house on the latest news about the state's mining boom?

Members interjecting:

The Hon. M.D. RANN (Premier): I think the message from the people of South Australia is that they want us all to be dignified; and I hope that for both sides this will be a demonstration of the future. Last week I revealed to the house the Fraser Institute's survey which showed that out of 65 we had gone—

Mr Williams interjecting:

The SPEAKER: Order! I am sorry to interrupt. The member for MacKillop is warned. The Premier.

The Hon. M.D. RANN: Of course, I am sure members opposite would be aware of coverage in the national media since then about the fact that South Australia out of 65 jurisdictions in the world has gone to fourth in the world in terms of mining prospectivity. The Deputy Leader of the Opposition queried the bona fides—as opposed to the mala fides—of the Fraser Institute, even though it is accepted by mining companies as being the tick against performance. I am interested to hear what she will say today because today I am not quoting the Fraser Institute.

I am delighted to inform the house that South Australia's record-breaking mineral exploration boom is continuing, with the latest Australian Bureau of Statistics figures—and I was given these figures moments ago—showing that expenditure during 2006 was almost double that of 2005. The December quarter ABS statistics released today put the value of mineral exploration in South Australia at $191.4 million for the calendar year 2006 compared with $99.4 million for the 2005 calendar year. Members should recall that 2005 was a record: now we have gone to virtually doubling it. In order to be accurate—because I always try to be accurate—it represents a 92.6 per cent increase in just 12 months. South Australia's percentage share of national exploration expenditure has also increased from 8.8 per cent in 2005 to 13 per cent during 2006.

Expenditure on petroleum exploration in South Australia is also booming, with the ABS data—the ABS, not the Fraser Institute—putting the 2006 calendar year figure at $146.9 million compared with $93.8 million for 2005. These figures are further concrete evidence that our pro-mining and pro-business attitude and key initiatives, such as the plan for accelerated exploration (PACE), are being welcomed by miners and explorers around the world. In the spirit of bipartisanship and a kinder, softer, gentler government, I challenge members opposite to compare these exploration figures with their period in office.

The ABS data shows that mineral exploration expenditure in December 2006 was $59.1 million, up from $51.1 million

in the previous quarter and a significant increase from the $39.5 million recorded in the 2005 December quarter. Exploration drilling undertaken by BHP Billiton at its Olympic Dam site accounted for $77 million worth of South Australia's exploration during 2006—so interjections that it is all Roxby are totally untrue. Expenditure levels for greenfield exploration on a yearly basis has improved by $15.3 million (or a 54.6 per cent increase) from 2005 to 2006. One of the major commodities of focus over the last year has been uranium, with South Australia capturing 56 per cent of the national exploration expenditure for this commodity. Also, copper and gold have been highly sought after in South Australia.

I inform this parliament that I will address the ALP's national conference on this issue later in April—as the Senior Vice President and, also, as Premier of South Australia. It is good news. It was the Fraser Institute last week. It is fantastic news for mining. We had the best news for mining in this state's history last week. That was disputed by the opposition. Today, it has to dispute the Australian Bureau of Statistics.

WORKPLACE ACCESS

The Hon. I.F. EVANS (Leader of the Opposition): My question is again to the Minister for Industrial Relations. Are the proposed changes in regulations allowing union access to all workplaces, when combined with the $3 million union grant scheme announced just prior to Christmas, a way of giving unions the access and resources they need to build union membership and undermine federal WorkChoices legislation in a federal election year? The government has announced a $3 million grant program that is accessible only to unions. It is now consulting on expanding union access to every workplace, and industry groups have raised concerns with the opposition that these changes are all about undermining WorkChoices.

The Hon. M.J. WRIGHT (Minister for Industrial Relations): I think the federal government is doing a good enough job of undermining its own federal legislation, without our assistance. I have spoken about the partnership grants previously. Of course, what I have not drawn to the attention of the house is that, from my recollection, the federal government provides grants to small business in regard to occupational health, safety and training. That is to be welcomed. Why would you not also provide financial assistance to unions to run training for those people at the coalface? Sure, small business has a responsibility—and so do workers at the coalface.

EARLY CHILDHOOD DEVELOPMENT CENTRES

The Hon. L. STEVENS (Little Para): My question is to the Minister for Education and Children's Services. What progress has been made on the government's policy to put in place a number of early childhood development and parenting centres?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Little Para for her question. I should mention that she has had quite a major leadership role in the development of early children's development services in this state in her former role as minister for health, and I thank her for that.

Our children's centres are a practical example of the Rann government's approach to ensuring that services are provided by government in a way that is tailored to the real and everyday needs of parents and children. This represents one of the major reform agendas of our government, and is important since it follows research and a major review of early children's services in 2004 when many parents and workers—in schools, childcare centres and preschools—said they wanted better integration and delivery of services. Based on the information collected from the review, the government announced the establishment of 20 children's centres as early development centres.

I am pleased to inform the house that today, along with the Premier, the Minister for Families and Communities and the Minister Assisting in Early Childhood Development, as well as the local member (Lea Stevens), I had the pleasure of attending the official launch of the first of these centres, the Elizabeth Grove Children's Centre. This children's centre will provide 30 additional childcare places and respond to the increased need for child care in that community. It will also offer preschool, early entry for children with additional needs (they will be able to start at the age of three years), out of school hours care, parenting groups, playgroups (including a father's group, specifically), as well as access to early intervention and assessment programs such as speech pathology. In addition, one of the key elements of this activity will be to have parenting programs and educational support programs for families.

The campus will also include a kids, youth and family services program, run by Children, Youth and Women's Health Service, for families who live in the Playford or Salisbury area to promote healthy families and communities and to raise children in safe and positive environments. Children's centres also are currently operational at Enfield, Angle Park and Hackham West. Wynn Vale will be opened shortly following the completion of its building works, providing 45 additional childcare places for that community, as well as a range of the other sorts of services I have described. Children's centres provide universal, integrated and accessible early childhood programs that promote and improve health, education, development and wellbeing for South Australian children and their families.

Our children's development centres will respond to the needs of the local community but also will include the care, education, parenting support and health checks, as well as social work and other advice, that is so needed in each specific community. Construction is underway for a children's centre at Taperoo and planning is in progress for centres at Cowandilla, Renmark, Port Augusta, Murray Bridge and Gawler.

I am pleased to inform the house that I have recently approved feasibility studies for new centres in Campbelltown, Marion, Woodcroft and Salisbury. Late last year a statewide process took place to look at the integrated early childhood services that we already have in our schools and preschools and the results of this process have helped inform the final sites for the last five children's centres. This will also help to inform further work in this area and to ensure that integrated early children's services are available across the state.

The government believes the early years are vital in a child's life and the investment we make in those years will pay dividends not only throughout the life of that child but also in our community in terms of stability in adulthood and chances for employment and further education. We are absolutely committed to making sure that South Australia is the best place in Australia to bring up children and that we are family-friendly and enable our children to star, because

clearly, as I have said before, the worst brain-drain our state can suffer is when our children do not reach their potential.

WORKPLACE ACCESS

The Hon. I.F. EVANS (Leader of the Opposition): My question is again to the Minister for Industrial Relations. Minister, for five years of your government unions have not needed access to every workplace and they have not needed the $3 million grant program. Why do they now suddenly need these in this, a federal election year?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): We are still out there talking about the first one, and we will always consult in respect to that first item. In regard to the grant funding, the partnership program, we have identified an area where we think it is important to put a grant program in place. We have targeted those areas where there are the greatest injuries and put in $3 million over the next three years. As I said, the federal government, from memory—

Mr Williams: It's a rort.

The Hon. M.J. WRIGHT: The shadow minister says it's just a rort. He calls it just a rort, of course, because it is money going to the unions. This is another example of the opposition's hatred of unions. If you do anything to support unions or if you do anything to support the people at the coalface, it is a rort. This will be fully audited, and there will be set criteria that will need to be worked against. From memory, the Howard government has provided something like $7 million to small business to help with occupational health and safety training. We are providing $3 million over three years for the people at the coalface, whether they be truck drivers, childcare workers or nurses, so that those people are better trained in occupational health and safety to ensure fewer injuries. Surely that has to be a positive thing.

BUSINESS SURVEYS

Ms BREUER (Giles): My question is to the Treasurer. Will the Treasurer provide a summary of the findings contained in recent independent surveys of business and consumer confidence in South Australia?

The Hon. K.O. FOLEY (Treasurer): I thank the honourable member for her question. As an avid reader of the *Financial Review* I keep up to date with—and, Smitho, I am up to page 6. I am up to page 6, Smitho. I have only read it once.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: I am struggling to understand it. That was a delightful interjection from the deputy leader. I like that one, that was nice. She is a cheerful member of this house and I enjoy the repartee.

Members interjecting:

The Hon. K.O. FOLEY: Grow up! Two widely known and independent confident surveys were released on 27 February: the BankSA State Monitor and the Sensis Business Index. Both surveys showed very strong economic results for this great state of ours, South Australia. The BankSA State Monitor is a survey of 300 consumers and 300 businesses across the state, with 100 index points being a neutral reading. South Australian consumer confidence is currently—wait for this—125.6 index points, the fifth highest reading since the BankSA State Monitor began nearly 10 years ago.

In this report, the Managing Director of BankSA and also—I think I am right in saying—the Chairman of Business SA say:

> Confidence in the direction of the state and low unemployment rates are providing great reassurance.

Let us hear that again from one of our state's leading business leaders, Mr Rob Chapman:

> Confidence in the direction of the state and low unemployment rates are providing great reassurance.

I can understand that members opposite, properly going about their duties as members of the opposition, will attempt to find ways to criticise this government. We have to accept that because that is our Westminster system. That is the theatre of this chamber. When we have statements such as those coming from objective industry leaders, with due respect to my good friends and colleagues opposite, I think they outrank them in terms of their worth.

Similar to consumer confidence, the business confidence index for February 2007 is 120. The CEO of BankSA, Mr Rob Chapman, goes on to say:

> Business owners are increasingly confident about the climate for doing business in the state, the direction of small business and our mix of industries. This is reflected with more expecting to hire staff in coming months.

What a glowing endorsement for the economic skills and direction of this government.

Further to that, the Sensis Business Index publication, released the same day, tracks the activities and confidence levels of small and medium enterprises (SMEs). The results are derived from a survey of 1 800 SMEs nationally, including 225 small to medium sized enterprises here in South Australia. Particularly for my colleagues opposite, South Australian SMEs recorded the second-highest increase in confidence: up 13 percentage points to 60 percentage points.

An honourable member interjecting:

The Hon. K.O. FOLEY: Not at all. Business confidence in South Australia rose sharply in the last quarter and was higher than the national average. Again we have an independent report saying that business confidence in South Australia rose sharply in the last quarter and is higher than the national average. Again, this is a glowing endorsement of this state's economic management skills and the direction in which we are leading the state.

South Australia's SMEs reported improvements in both sales and profitability in the quarter, with their expectations for the next quarter being even more optimistic. SMEs in South Australia also reported growth in employment and wages during the quarter. Confidence in business investment in this state is at an unprecedented level. We are not a government that brags about achievements of the past; we are a government that wants to be optimistic and confident about opportunities going forward.

In that light, a recent ABS (Australian Bureau of Statistics) publication reports that businesses expect capital expenditure in 2007-08 in South Australia to be 15 per cent higher (18 per cent higher nationally) than their expectations a year earlier. Further, Access Economics reports that the value of investment projects under consideration in South Australia is at its highest level in five years. These results are not surprising considering the amount of investment that is coming into expenditure horizons in the near future: the air warfare destroyer, Olympic Dam, the mining boom, Iluka, the

investment by Oxiana, and all the projects our Premier has talked about before.

This economy is very, very strong, and it is going to grow stronger under this government. Having said that, I accept that the opposition has a role to play under our Westminster system of criticising and carping. That is understandable, but I hope those in this chamber who report the news—outstanding journalists as they are—will ensure that the independent observations of true experts are those that get currency from this place, not the whingeing and whining of Her Majesty's opposition. As I said, I appreciate that is the role that oppositions play, so please do not be offended by those remarks. They are said constructively.

HEALTH AND SAFETY GRANTS

The Hon. I.F. EVANS (Leader of the Opposition): My question is again to the Minister for Industrial Relations. As the union movement has no legislated liability or responsibility for training for occupational health and safety in the workplace, why are unions receiving the $3 million grant program and not employers, who are responsible under various acts?

The Hon. M.J. WRIGHT (Minister for Industrial Relations): When asked before in the house about this particular line of funding, I spoke about why we did it. We have identified those areas where there are the greatest injuries and we have allocated $3 million over three years—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. WRIGHT: —for additional training at the coalface, and we think it is a very important facet. As I have also said, from memory I think we already have something in place provided by the federal government in regard to providing training for small business—$7 million. That is not such a bad thing. We have not criticised it. We are saying that there should be balance.

HOUSING SA TENANTS

Ms BEDFORD (Florey): Will the Minister for Housing explain what changes Housing SA will be making to its management of disruptive tenancies?

The Hon. J.W. WEATHERILL (Minister for Housing): Today I released a discussion paper on the management of this question of disruptive public housing tenants. There has been a range of debate over some years now about this question, and the government made an initial response to the recommendations of the Statutory Authorities Review Committee, which looked into this question. However, we have determined that it is necessary to take a further step in relation to this issue.

First, all new tenants will be given a 12-month probationary tenancy, so a six-month tenancy reviewed at six months. This will allow Housing SA to make a more detailed assessment of tenant behaviour over a longer period before confirming an ongoing tenancy. Further, a new specialist team will be formed to manage tenants with significant disruptive behaviour, and their role will be to investigate complaints of behaviour, to work with tenants with behaviour issues and to ensure that relevant supports are in place before we move to the process of concluding a tenancy where that behaviour continues to be a difficulty.

I also pay tribute to a range of members in this house. I have been kept informed by members on this side of the chamber, many of whom have electorates with Housing SA tenants. In particular, the member for Enfield has been a regular correspondent about these matters, and I hope that the new specialist team will be able to respond to a number of matters that he has raised with me.

A further new initiative is the notion of acceptable behaviour contracts, which will be introduced where there is a history of disruption. This will require tenants to adhere to specific requirements regarding their behaviour. The terms of an acceptable behaviour contract will be incorporated into the tenancy agreement so that any breach will be a breach of the tenancy, thereby strengthening Housing SA's capacity to then seek orders from the Residential Tenancies Tribunal. Housing SA will make use of the form 2 process in the Residential Tenancies Tribunal. This process enables Housing SA to terminate the tenancy for breach of the tenancy agreement without first seeking orders of the Residential Tenancies Tribunal, so that will shortcut one of the difficulties that has emerged in the past.

The tenant may then be offered the alternative of a fixed-term tenancy in lieu of eviction, depending on the circumstances. We will also be exploring the possibility—and it may well be that the existing legislation is broad enough to cover that—of an alternative remedy to eviction to seek from the Residential Tenancies Tribunal. One of the things that I think we have observed about the tribunal is that there is a hesitancy in the tribunal to terminate a tenancy when the choice is, on the one hand, eviction and, on the other hand, a permanent life-long tenure. By providing the remedy of a fixed-term tenancy it may mean that areas where there is some doubt, I suppose, in the mind of the tribunal could be dealt with through this less harsh penalty. The various elements will be incorporated into a formal three strikes process which will ensure a shorter time between incidence and response. These measures are, of course, aimed at a very small number of tenants. The reality is that the lion's share of our tenants do the right thing and it is usually those tenants who bear the burden of this disruption in our communities.

For tenants who are having difficulties with their lives, there is a range of measures to support them, including Housing SA entering into a new memorandum of understanding with the Department of Health in relation to the mental health area, and a memorandum of understanding with the police to ensure that there is a clear understanding about the relationship between our two agencies in cases of disruption. This is a sensible, balanced approach to an issue that has been causing difficulty in our communities. I notice the member for Heysen arcs up. Her solution was, of course, the two strikes and you're out solution. It is almost common sense, is it not, that three strikes would be fair, so what does the opposition do? They go for something mean. They go for something miserable. Three strikes and you're out is fair. It is a well-known rule of fairness; but what does the opposition do? They have to slide in with something just a little bit mean.

HOUSING SA TENANTS

Ms CHAPMAN (Deputy Leader of the Opposition): My question is to the Minister for Housing. Will the minister now confirm that he is going to get rid of or evict the South Australian Housing Trust tenants at Royal Park, who are the subject of a petition in this parliament, and that he intends to move them without a 24-hour manager in place and shift them around every two years? Residents in Royal Park, in

fact a whole street, have signed a petition that has been tabled in this parliament in which they outline that they are seeking the removal of the tenants and, further, that they have forwarded multiple letters over a number of years to the Housing Trust and the minister. I have been advised by residents in Royal Park that they met with the minister on 9 March. The minister assured them that the tenants were going to be moved, but he would not indicate when or where they were going to be located. Residents have advised me further that the minister also said that the prison support service would be relocated every two years so as not to disrupt new neighbours for a lengthy period. However they would not be given 24-hour supervision in place.

The Hon. J.W. WEATHERILL (Minister for Housing): I thank the honourable member for her question. I am pleased to acknowledge that she has found Royal Park. I know it is a long way from Burnside, and it is touching to see her concern for Housing Trust tenants.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That's right; they were very pleased to see her down there.

The Hon. M.J. Atkinson: Shocked!

The Hon. J.W. WEATHERILL: Shocked, indeed, to see the member down there. But it is good she takes an interest. There were a few factual errors in her presentation. Of course, they are not Housing Trust tenants; they are in fact tenants of the Aboriginal prisoner support group. In fact, the tenant of the Housing Trust is the Aboriginal Prisoner and Offender Support Service, so it is a sub-tenancy arrangement. The second error that the honourable member made in her recitation of the facts is that she somehow suggested that there has been a policy change in relation to these questions. Of course, the APOSS was located there by the previous Liberal government, in my electorate, the electorate of Royal Park.

An honourable member: You should return the favour.

The Hon. J.W. WEATHERILL: That's right; there is a tempting relocation. But it is important, of course, to have opportunities for people who are being released from prison to have a place to go to settle into the community.

I think the other error the honourable member made was the suggestion that there was this one tenant who has been causing this problem for five years. Of course, numerous tenants have been through this particular property, and some of them have participated in that property without there being any incident. The point that I made to the neighbours in the street when I met them last week and who are constituents of mine is that it is important to move these particular houses around from time to time because, unfortunately, they can become known as houses where people can congregate, and that can also mean that other people become aware that they are houses that can be the subject of making some unfortunate connections with people who have perhaps been part of the prison community. It is necessary from time to time to move those houses.

It is also the case that this particular house was not located in a fortunate place: it is located in a suburban street next to two families with young children. It will always be the case with houses of this sort that we need to be careful about where they are placed. The agency has decided that it is appropriate to find another opportunity for the prison support service to carry out its work and that is something which I fully support.

FRINGE BENEFITS PROGRAM

Ms FOX (Bright): My question is to the Minister Assisting the Premier in the Arts. What is the government doing to increase the participation in the arts by people aged under 30, particularly during the Fringe festival?

The Hon. J.D. HILL (Minister Assisting the Premier in the Arts): I thank the member for Bright for her question and I acknowledge her great interest in the arts in South Australia. Members opposite may not know of this but in South Australia we have a great organisation known as Fringe Benefits. It is an innovative free program which encourages young people aged between 18 and 30 to attend more arts performances and activities, live music, films and exhibitions. It is a fact of life in South Australia that the majority of people who attend most of the arts activities we have belong to older generations, so we were very keen to try to get younger people to attend. It is managed by the Adelaide Fringe, which is working with arts companies and other events to offer great discounts and offers to young people. By showing their Fringe Benefits 'dog tag', members have access to discounted tickets to visual and performing arts activities, plus benefits at pubs, clubs and retail outlets as well.

These offers are sent to members every week via email and SMS messages, and information about arts and entertainment events is also posted on a dedicated website. Gig guides can also be downloaded to mobile phone via Podmo. Seventy arts and entertainment organisations are now participating in this program, and many of the events are offered free to Fringe Benefits members. The initiative was launched in June last year and, by last Friday, during the opening of the Fringe, Fringe Benefits has attracted 3 787 members. We know that in the first six months of Fringe Benefits, 29 per cent of members had attended three or more events under the scheme. For Fringe Benefits members, the most popular art forms are theatre (24 per cent of members), live music (25 per cent), and comedy (23 per cent), while dance and visual arts both rate at 13 per cent.

As a result of the government's commitment to Fringe Benefits, more young people are attending arts activities—some for the first time—and we are continuing to build audiences for the future. We are continuing to promote Fringe Benefits throughout this year's successful festival as a great way for young people to save money and get involved in the arts. I would encourage members to use this facility as an opportunity to promote themselves amongst their younger constituents. I am sure it is something about which many young people would not know and would appreciate hearing about it. We are allocating as a state government $50 000 a year for this initiative and the Australia Council has agreed to support it through a grant of $25 000 for two years.

TAXI INDUSTRY

Mr HAMILTON-SMITH (Waite): Since the Premier advised parliament on 16 May 2003 that he would personally take charge of security in taxis and accept responsibility by forming the Premier's Taxi Council (which he chairs), what has he achieved to make cabs safe for both passengers and drivers?

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON (Minister for Transport): I want to be very calm about this. It is—

The Hon. K.O. Foley: It's their job to ask those questions.

The Hon. P.F. CONLON: Yes, it is their job to ask those questions, but it is regrettable that the member for Waite has run around exciting hysteria as much as possible about the safety of people, particularly women, riding in cabs, and talking about—

Members interjecting:

The SPEAKER: Order!

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: And he continues to behave like an officer and a gentleman in this place, doesn't he? A little bit of decorum, please.

Mr HAMILTON-SMITH: I rise on a point of order, Mr Speaker. The previous speaker (speaker Lewis) ruled very clearly that aspersions against people based on their military service were inappropriate in this place and, in fact, were unparliamentary. I seek your ruling, sir.

The SPEAKER: Order! Well, yes, if the Minister for Transport was casting an aspersion. The minister referred to the member for Waite as an officer and gentleman. I do not think that is an aspersion. Perhaps if the Minister for Transport could get on with the answer rather than talking about the member for Waite.

The Hon. P.F. CONLON: Sir, I will do that, but it is important that, if I am to get onto the answer, the member for Waite control himself and not make his usual hectic and loud interjections. The member for Waite has been running around trying to terrify women from getting into cabs, and referring to 50, 60 sexual assaults—

An honourable member interjecting:

The Hon. P.F. CONLON: —well, 62, he says—trying to magnify the fear factor. The truth is—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: Well, it is actually not what the police said. The honourable member interjects because he cannot help himself. It is not what the police said. Just last week the police said that women should not be frightened of taking taxis. I do not know whether he heard that, but that is what the police said last week. What I understand is that about 10 charges have been laid arising out of those events, and many of those events were subsequently referred to the—I cannot remember the name of the board—taxi disciplinary council as disciplinary matters. Whenever one does this—

Ms Chapman interjecting:

The Hon. P.F. CONLON: Well, it is important to tell the truth. I have always taken that approach in political life. It is important to tell the truth. The truth is that, since—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: They are really tired—all the fake groans, all the interjections. The truth is that, since we came to government, we have introduced a range of things, as well as talking to the industry.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Really, sir. I have a two year old, so it does not make it too hard dealing with this sort of behaviour but you would expect better.

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: Come on!

The SPEAKER: Order! The minister will get on with his answer and members on my left will hear it in silence.

The Hon. P.F. CONLON: Since coming to government, and particularly since a number of these matters have come to our attention, we have introduced a range of safety measures—the most important safety measures ever taken in the industry. The introduction of personal identification numbers for drivers late last year, despite what had been the resistance of some in the industry earlier, meant that we can identify the driver of any cab for the first time. We have a system whereby, at the start of any shift if they want to use one of the three radio dispatch units, drivers are required to log on.

We did a compliance blitz just a couple of weeks ago. We checked 800 cabs over the weekend. There was 100 per cent compliance with the PIN numbers—the most important safety measure introduced ever. We have had a regrettable number of incidents in cabs, but I point out that there are eight million safe rides a year. We have had a regrettable number of incidents, and those people should be caught. The only time that people who commit those things are not caught is when the person in the cab cannot identify in any way even the cab company. We do not ask an enormous amount, but I urge people catching a cab: please be able to identify the company, because then we can identify the driver and the police can take appropriate action.

Frankly, because of the hysteria that the member for Waite is trying to generate, I will be meeting one of the police officers tomorrow to get a full proper briefing on the nature of all the matters that have happened. Despite what the member for Waite said last week and what he said in here, I stress that a police representative, as I understand it, told people not to be worried or frightened about catching cabs.

CONSUMER SCAMS

The Hon. P.L. WHITE (Taylor): Will the Minister for Consumer Affairs inform the house about the latest initiatives to help protect people from being a victim of scams?

The Hon. J.M. RANKINE (Minister for Consumer Affairs): Thousands of Australians continue to be bombarded by electronic phone and postal scams. Swindlers and fraudsters become increasingly sophisticated in targeting unsuspecting people in our community, and scams are a widespread problem that can have devastating effects on individuals who respond to them. It is important that people know how to recognise these scams—which often are quite ingenious—and that they not respond to them. I am told that over the past two years scams and bogus schemes formed the highest number of complaints received by the Office of Consumer and Business Affairs; and these include pyramid schemes, phony lotteries, electronic scams and old scams that have resurfaced. Often scams have been adapted for email and SMS distribution.

I am pleased to inform the house that South Australia has joined a four-week national campaign which is designed to help people protect themselves from being targeted by fraudsters. The campaign, called, 'Scams target you—protect yourself', each week will have its own theme based around four key messages: protect your money, protect your phone, protect your computer and protect your ID. People will be given advice which will provide crucial and simple precautions to help them protect their hard-earned money against this insidious and growing crime. One of the best ways in which to combat this kind of fraud is to ensure that people have the knowledge to take the steps necessary to prevent being caught out in the first place, and people can best protect themselves by following a few simple principles: never respond to an email asking for your pin or password; never send money to someone you do not know or trust; and only

invest with licensed financial service providers. If the scheme seems too good to be true it probably is. This should ring an alarm bell that it is a scam, and people should not part with their hard-earned money.

I am pleased to say that over 40 private sector partners from the finance, telecommunications, IT and other industries, and a number of community groups, have joined this particular four-week campaign. All are determined to fight this growing crime. By working together in this way we can identify trends, develop prevention strategies and provide a stronger voice to warn consumers of the potential dangers of various scams as they emerge.

TAXI INDUSTRY

Mr HAMILTON-SMITH (Waite): Does the Minister for Transport genuinely believe that reports of sexual assaults in taxis have been generated by hysteria; and what advice does he have for the victims and their families? The government was reported on ABC Radio on 7 August describing the opposition's response to news of sexual attacks in the taxi industry as 'generating hysteria' and the minister has repeated those remarks today. However, last week police revealed publicly that the number of alleged assaults was 58, and just last weekend four additional reports were made. Police are now investigating more than 62 individual reports of assaults in taxis.

The Hon. P.F. CONLON (Minister for Transport): Again, it is a failure—even the question and the explanation is a failure—to deal honestly with my comments. The honourable member asked whether I genuinely believe that those people are hysterical. I never said that. The explanation shows what I said. The explanation said that for political purposes the opposition has been trying to create fear and hysteria.

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: The man can be as hysterical about it as he likes. The truth is that I have great sympathy for those victims. We have taken the matter very seriously. We conducted an audit a couple of weeks ago, but it will not assist—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: You know, sir, these are the people who were complaining last week about insects. I am trying to ignore the member's 'You are a disgrace' interjections, but these are the people who were complaining last week about behaviour. Let everyone see it.

The Hon. M.D. Rann: There will be a big story in the 'Tiser about it.

The Hon. P.F. CONLON: Yes, a big story in *The Advertiser* about their behaviour. To say I do not treat them seriously is offensive, but it is not the first time. If you understand the proforma of this guy, a few months ago—is Rory here?—he was demanding that I attend the funerals of crash victims. This is the approach the guy takes to politics. So, when I say that the member for Waite has been trying to produce hysteria and fear, I just say he has got form.

Mr HAMILTON-SMITH: My question is again to the Minister for Transport. How much will he raise on behalf of the government from the sale of 15 new taxi licences, and will the government spend the money on improving passenger and driver safety in taxis? The opposition has been advised by taxi industry sources that the government will receive close to $4 million from the sale of 15 new taxi licences alone, as well as significant sums from licence fee charges, GST and other taxes on the taxi industry.

The SPEAKER: I point out that the explanation, in fact, answered the question. The Minister for Transport.

The Hon. P.F. CONLON: I have heard the member talk about these other taxes on the taxi industry previously, and I am very interested to find out what they are. I think the Treasurer is very interested to find out what they are because he cannot remember getting them. What will they raise? I have to say that maybe I am a failure as a minister, but I do not know. We have to take them out to the market and see what the market pays for them. The fear campaign by the member for Waite, we assume—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: The campaign by the member for Waite, we feel, will take some price off them in the marketplace but the simple answer is we do not know until we get them. If the member for Waite believes that we are generating revenue out of the taxi industry, I would like him to come back and show us the figures, because that is not the case.

Mr HAMILTON-SMITH: The taxi industry will love the answer to that one. My question is again to the transport minister. How many taxi industry inspectors are employed by the government, and are they employed full time on monitoring the taxi industry for safety and quality standards? The opposition has been advised that there were once 10 inspectors checking on taxi industry matters but that the number may have been reduced to four or fewer. Concerns have also been expressed that these four, or fewer, inspectors are not deployed full time on taxi industry duties.

The Hon. P.F. CONLON: I can get the exact figure, and I will get it for—

Mr Hamilton-Smith: Don't you know already? This has been going on a year.

The SPEAKER: Order!

The Hon. P.F. CONLON: Really, sir, he tries my patience. I will get the exact figure.

Members interjecting:

The Hon. P.F. CONLON: I do so love their forced laughter, because can I calmly say they have so little to laugh about on that side? I enjoy their approach to politics. They are something like an under 10 football side. Poor old Christopher Moriarty tries to get them all to play in their positions but, as soon as the game starts, they are all chasing the ball for themselves.

Ms CHAPMAN: I have a point of order. The question, of course, was in relation to the taxi industry.

The SPEAKER: Order! Yes, I uphold the point of order. The Minister for Transport.

The Hon. P.F. CONLON: In my defence, sir, can I say that if they do not interject I will not get off the topic. Let's do a deal: if you do not interject I will not get off the—

Mr Hamilton-Smith interjecting:

The Hon. P.F. CONLON: He is not happy, sir, that's it. Goodness me, if he was a tommy ruff he would be in the boat by now. Where was I? I will get the exact details, but let me make it plain: I do not know of any other compliance blitz similar to the one conducted by our government a few weeks ago. I have never heard of one—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: See, he can't stick to a deal for more than a few seconds.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Sir, I am not going to go on until they stop interjecting.

The SPEAKER: I remind members of the opposition that interjecting is contrary to standing orders. The Minister for Transport also needs to know that responding to interjections is also contrary to standing orders.

The Hon. P.F. CONLON: Sir, I take that because I try to learn something every day—continuous improvement. We will get the exact detail, but no-one has done—

Members interjecting:

The Hon. P.F. CONLON: Mr Speaker, if I cannot respond I am not going to attempt to yell over them because it is they who provoke the bad behaviour.

Mr HAMILTON-SMITH: I will have another go at trying to get an answer from the Minister for Transport. Has the government received advice—

The Hon. P.F. CONLON: On a point of order, sir, if members expect us not to stray from it they cannot abuse standing orders every time they get up and ask a question.

The SPEAKER: Yes; indeed. The member for Waite needs just to ask his question.

Mr HAMILTON-SMITH: Has the minister received advice that a lack of confidence in the taxi industry could result in an increase in drink driving, and what action has the government taken to prevent this? In an interview in early March the Police Commissioner, Mal Hyde, acknowledged that people might attempt to drive home after a late night out, rather than risk a cab trip, following a string of sexual assaults in cabs. He said:

> You can understand that they will be looking for alternative means of travel and one of the concerns we have is that people might drink and drive.

The Hon. P.F. CONLON: I certainly have not been given that advice. I heard what the Commissioner said, like the honourable member did. I also heard what the police said last week, and their advice is that it is safe for people to ride in taxis. As I have pointed out, there are eight million uneventful trips per year. One of the most important things I can do to keep confidence in the taxi industry is to present the facts in a balanced fashion, instead of the fearmongering by the opposition. It is regrettable that we have to answer the fearmongering of the opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: But there is no doubt that the opposition has one point of view and the police have another; I prefer the point of view of the police.

LEGAL SERVICES COMMISSION, DUTY LAWYER PROGRAM

The Hon. S.W. KEY (Ashford): Will the Attorney-General please advise the house on any developments in the Legal Services Commission duty lawyer program?

The Hon. M.J. ATKINSON (Attorney-General): The duty lawyer service of the Legal Services Commission serves an important role in ensuring that no person appearing on a criminal matter in the Magistrates or Youth Court is denied access to appropriate legal advice and assistance, owing to financial difficulties, lack of understanding of court procedures or as a result of disadvantage experienced owing to language, age, cultural background, health problems or gender. More than 11 157 duty solicitor services were provided in the 2006 financial year, up from 9 998 in the previous year. Those services include providing minor initial representation on remand, bail and simple pleas to people on their first appearance in court on criminal charges, as well as providing free legal advice outside the courtroom.

The Legal Services Commission has, in the past, provided regional duty lawyer services through its own staff to the Magistrates and Youth Courts located at Whyalla, Port Augusta, Coober Pedy and Pitjantjatjara lands in the far north-west of South Australia. Duty lawyer services at many other regional courts have been provided by local solicitors pro bono. I am pleased to advise the house that on Thursday 8 March I announced the extension of the duty lawyer regional services on a trial basis to additional regional Magistrates and Youth Courts. The service has been most successful and is deserving of additional resources. The pilot programs have already commenced in the Mount Barker, Mount Gambier and Millicent Magistrates and Youth Courts. I expect that the service will also be commenced in Kadina and Maitland in the near future.

The Rann government has built new state-of-the-art courts in Port Pirie, Port Lincoln, Berri and Victor Harbor. We have restored to Mount Gambier and Port Augusta the resident magistrates who, without a murmur of dissent from the Liberal backbench, were taken away by the previous Liberal government. Later this month, hearings will commence in the beautiful new government-built Port Augusta courthouse.

SCHOOLS, AUSTRALIAN SCIENCE AND MATHS

Dr McFETRIDGE (Morphett): My question is to the Minister for Education and Children's Services. Why have government grants to the Australian Science and Maths School been cut by nearly $500 000; and, given that the school has today been internationally recognised, will the funding be reinstated? It was announced today that the Australian Science and Maths School has been awarded a bronze medal by the Commonwealth Association of Science, Technology and Maths Educators.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I also am very proud of the Australian Science and Maths School because it, above all, recognises excellence in one of the really special new learning environments for young people, in that it offers opportunities in an area where there is clearly a shortage of people with appropriate skills. Certainly the young people who attend the school come from many walks of life and are given opportunities they would not previously have had. I commend the people involved in developing that centre.

In terms of the budget, I believe that all schools in the state have had a consistent budget over the past years and there has not been a massive drop in funding to any school. If the member for Morphett believes there has been a change, I am happy to look into it.

INTERDOMINION CHAMPIONSHIPS

Mr KENYON (Newland): Can the Minister for Racing update the house on the outcomes—20 words to go now—resulting from the government's support for the 2007—10 words now—Interdominion pacing and trotting championships held at Globe Derby Park?

The Hon. M.J. WRIGHT (Minister for Recreation, Sport and Racing): Not the best race caller that I have heard. The government provided financial assistance of $250 000 towards the promotion and marketing of this major sporting event.

The Hon. K.O. FOLEY: I have a point of order, Mr Speaker.

The SPEAKER: Order! The Deputy Premier has a point of order.

The Hon. K.O. FOLEY: I am trying to listen to the answer but the house is very loud and unruly. Sir, I wonder if you could ask them to settle down.

The SPEAKER: Yes; the house will come to order. The Minister for Recreation, Sport and Racing.

The Hon. M.J. WRIGHT: I am advised that the primary focus of the promotion and marketing program supported by the government's funding was the attraction of spectator sport as well as the promotion of our state. Approximately 10 000 people attended Globe Derby on Saturday 13 January to witness Australasia's premier harness racing event. This year's dual state format of the Interdominion Championships was unique, with the first of the qualifying heats held at Moonee Valley in Victoria and the remaining heats and the grand final conducted at Globe Derby.

The Interdominion has a long and proud history and was last held in Adelaide in 1997. Since 1938 Adelaide has hosted the Interdominion on 10 occasions and each event has attracted the best horses, trainers and drivers from throughout Australia and New Zealand. This year was no exception. The pacing and trotting events for the Interdominion carnival had a combined prize money pool of $1 million, which is the highest ever offered in this state, and it contributed to attracting quality fields in all events.

I would like to put on record my congratulations to the committee and staff of the South Australian Harness Racing Club, and to the board and staff of Harness Racing SA, the controlling authority for harness racing in South Australia. It was certainly a great pleasure for me, on behalf of the government, to be able to present the prize. The Attorney-General was also there, as he said, as were other members of parliament. With the government's support, combined with the split format and early new-year time slot, the SA 'A Brilliant Blend' 2007 Interdominion was rated one of the best.

NATURAL RESOURCES COMMITTEE

Mr RAU (Enfield): I move:

That for the remainder of the session the committee have leave to sit during the sittings of the house.

Motion carried.

GRIEVANCE DEBATE

HOUSING SA TENANTS

Ms CHAPMAN (Deputy Leader of the Opposition): After ignoring key recommendations from a report outlining ways to deal with disruptive tenants and rubbishing the opposition's disruptive tenant policy, the Rann government has backflipped, announcing it will adopt a policy that was first suggested to it three years ago. I bring this matter to the attention of the house because this morning when I woke up I heard of the announcement of the government's three-strike policy. This was very interesting—and, at first blush, very pleasing—to hear. We then find, however, that in fact they have only announced that they have published a disruptive behaviour strategy discussion paper. There is no bill; there is no actual proposal; there is no initiation to occur. There is merely the publication of their disruptive behaviour strategy.

This government has been here for five years. We have been waiting for five years to deal with disruptive tenancies. I am advised that in 1998, under the previous government, there had been a disruptive tenant policy which effected a 'three strikes and you're out' eviction of tenants who were wilfully disobeying the terms of their lease. This government, which has been in power for five years, received in November 2003 a report of the Statutory Authorities Review Committee which, in recommendation 21, urged the government to adopt a 'three strikes and you're out' policy, but the housing minister, the Hon. Jay Weatherill, who has had this report sitting on his desk collecting dust for the last three years, has done nothing. In fact, the minister claimed that the current arrangements for disruptive tenants were adequate by saying:

People who insist on doing the wrong thing, we don't hesitate to kick them out. We have a rule of thumb: three strikes and you're out.

Clearly, the government have failed to act on this rule of thumb, as other members of the house and I are aware of numerous cases where disruptive tenants are getting away with antisocial and disruptive behaviour. It is all well and good for the minister to come in here and say that the overwhelming majority of Housing SA tenants comply with the rules, do the right thing, look after their properties and are good to their neighbours. That is fantastic and we applaud that but, for good, decent people who live in South Australia, whether they are also a Housing Trust tenant or whether they are a commercial tenant in a neighbouring property or the owner of that property, it is unacceptable that they should have to put up with the behaviour of a minority. Yet this government has consistently failed to do anything about this matter.

How disappointing to have heard that announcement this morning and then read the detail and find that all they have really done is announce another consultation, another discussion paper, more talking. Yet there it is in black and white in the report of the Statutory Authorities Review Committee, chaired by their own Hon. Bob Sneath of another place, and they have failed to do anything for over three years. The government has ignored the three-strikes policy recommended by the committee, and it criticised the opposition's initiative when it announced in 2005 a two-strikes policy for disruptive tenants, which the government claimed was policy on the run, lacked credibility and was fundamentally unfair. However, the government has failed to come forward with a policy.

I say that we have here an opportunity for the government to come forward, to bring us the legislation and let us get on with this matter and protect tenants. There is one other aspect here, and that is the government's announcement that it will exclude from this a tenant who is disruptive but who has a mental health problem. In my experience, and I am sure in the experience of other members of the house, many people who are disruptive, who are undertaking antisocial behaviour, who are threatening, who are acting in a manner which sometimes

is criminal but sometimes just purely obnoxious, do suffer from a mental health condition. That is a given, but what we have is a situation where a significant number of those disruptive tenants will be exempt under the government's anticipated move. Until the government puts real dollars into this matter to properly resource these people, the problem will not be resolved. Here we hear today, notwithstanding this grand announcement, that the Royal Park people, the whole street that has signed a petition for this parliament, have been told that the tenant which is next to them, which is a government agency in a Housing Trust property, is just simply going to be moved to another suburb, and the problem is moved to another district. That is a disgrace.

RED ROOSTER, CHRISTIES BEACH

Ms THOMPSON (Reynell): I was disappointed to learn just over a week ago that a Red Rooster store was to be established across the road from Christies Beach High School, and I commend *The Advertiser* for raising this issue this morning in response to contacts from the high school. I was contacted by the chair of the governing council, Pam Borthwick, a person who has contributed greatly to both that school and the southern community over many, many years. Ms Borthwick only learnt of this construction through a parent who saw a fence being put up around the area where she parks when she picks up her children from school at night and inquired of the contractors what was happening, and they told her that it was to be fenced off to allow a Red Rooster to be established. Ms Borthwick was pretty shocked when the parent ran straight back across the road to tell her about it and see what she knew and if there was anything that could be done.

She was particularly concerned because this Red Rooster is at the end of the school pedestrian crossing, so it is where children are going, and there is also an entrance to a large community facility, in the form of the Onkaparinga Council Chambers, the Southern Health Village, a tavern and Colonnades Shopping Centre. So it is an intersection that is already somewhat problematic, and the idea of having takeaway drivers going in, in addition to all the other traffic, is something that is not welcomed.

However, even less welcome would be the aromas. Whether you describe them as enticing or disgusting is up to you, but the aromas that would be drifting across the road to the high school, with the classrooms immediately adjacent to Beach Road, is also a problem, particularly given the emphasis that the school has been putting on healthy eating. Ms Borthwick was pleased that on the next day and over the next few days she had many students coming to her also to complain and saying that this was against everything they had been trying to do. They said that many of them would resist it but that they knew some would not, and, besides, when we are sitting looking at an apple we do not necessarily want to smell Red Rooster.

This morning I was contacted by a representative of our Community Foodies group. Community Foodies is a peer support group who have undertaken a course in nutrition and in training the trainer. They go around to all sorts of grass-roots organisations, talking about nutrition and showing people how to shop and cook cheaply and nutritiously. So why all this concern suddenly? Upon asking my colleagues about how many of them had a fastfood outlet immediately adjacent to a school, it appears that, in fact, this is not the normal trend. For some reason with fastfood outlets, maybe they have been careful where they went, or maybe it just has not been commercially viable, but the only ones that we could come up with were: across West Terrace, quite a large road, and across Golden Way, again another large road, not a little school pedestrian crossing such as on Beach Road. So there does seem to be an issue here, and the school has now raised the issue of the planning provisions, which prevent a range of establishments, relating to the activities that we do not want near schools, from being located near schools. So as from today I have already started consulting as to whether there should be a planning response to this, in view of the community's focus on obesity.

That raises the issue of the importance of laws to back up issues in the community. We hear all this stuff from the federal arena about it being a private matter. Our current federal government does not think it appropriate to put limits, let alone bans, on the advertising of junk food during children's television times. These things all link together. Do we need to look at planning laws to stop facilities such as these interfering with our policies, programs and dollars that the state government has committed to support healthy eating in schools; and how should our federal colleagues be reacting to this? I think they should be taking action.

Time expired.

NATIVE VEGETATION COUNCIL

The Hon. G.M. GUNN (Stuart): Last Friday, following the very interesting debate on the Native Vegetation Council, the minister was interviewed on the *Country Hour*, and a question was raised about the Native Vegetation Council being unable to comment on the criticism. The minister indicated that that was not correct. At the end of the program, the Native Vegetation Council apologised, saying that it had misinterpreted the advice from the minister's office. I put it to members that the Native Vegetation Council has not only misinterpreted advice from the minister, it has also misinterpreted the act and the regulations and the welfare of the citizens of this state. These people have an agenda based on arrogance. This is another example of the sort of treatment that they mete out to people, but on this occasion they have got caught with their hand in the till. It is important that the people of South Australia are aware of the attitude these people have. The quicker we are rid of them, the better, and the sooner someone else can be given the opportunity to administer some sensible legislation in this area.

The second matter is that recently a meeting was held in Port Augusta by concerned councils about juveniles. I refer to an article in the local newspaper, *The Transcontinental*, which states:

> Mayor Joy Baluch brought together Mayors from a number of regional and metropolitan councils to discuss the issue of youth delinquency on Thursday. . . The meeting was attended by the Mayors from the City of Playford, Town of Gawler, the District Councils of Ceduna and the Lower Eyre Peninsula along with the Hon. Ann Bressington MLC.

I have been advocating for a long time that there is an urgent need to give councils the power to bring in a sensible form of curfew. It will be expensive, but not half as expensive as allowing the situation to continue and to get out of control with these young people ending up in the correctional services system. That is where they will end up, unfortunately.

We have eight and 10 year old children roaming the streets at 2 and 3 o'clock in the morning. Why are they there? What

are their parents doing? What is the end result? They know that the police have limited powers, and they are being used by older groups to be in the forefront. As the mayor said, if you see them walking around with a wooden stick, they are not going to carpentry lessons. She is absolutely right. They are breaking into people's homes. People are getting assaulted and they are generally causing disruption to the community. The time has come to forget about the do-gooders and those who are living on the system and other hangers-on and malcontents who reap rewards from the sort of programs which we currently have and which have failed.

We want to ensure that these young people are not on the streets. We want to protect the long-suffering public against this sort of outrageous behaviour and apply some common sense. It is no good saying that there is not a problem. There is a problem. The Mayor of Port Augusta is right. She has my full support. This is just like the statement that we had from the minister today about the associated problem of disruptive tenants. These people have no regard for the welfare of other people in their street or locality. They do not respect people's privacy or property. They go on their merry way knocking down fences, pulling out letterboxes, throwing stones on roofs, generally partying all night, vandalising cars and terrifying elderly people.

Everyone thinks you should turn the other cheek to them. It is clear in my view that they are getting subsidised accommodation from the taxpayer. They should appreciate it, they should respect it and they should behave themselves. If they do not behave they should be out. There is no place for these people. Long-suffering taxpayers—people who have worked all their lives to pay for their home—should not have to put up with this behaviour. I give an example of one of my constituents who had a concrete brick thrown through the back window of his car. When he went out to investigate he was accosted. He was knocked to the ground and he was kicked. He had his jaw broken. They stamped on his mobile phone. They could not prosecute the person because the lawyer said, 'Well, how do you know it's not his brother?' What sort of circumstance is that? This was an aged person—well over 70 years of age. That was how this poor man was treated.

Time expired.

ABORIGINAL HEALTH

Ms BEDFORD (Florey): Early last Friday morning a small group of people gathered at Tarndanyangga for the launch of Reconciliation SA's program for this very special year, 2007, the fortieth anniversary of the 1967 referendum. I acknowledge that the house does meet on Kaurna land and that we respect the traditional owners of this land, the Adelaide Plains. Reconciliation SA has put together an exciting program of events, and I urge all members to attend as many as possible.

The referendum saw basic rights return to South Australia's indigenous citizens—the right to vote being one of those rights. That is a right that most South Australians take for granted, of course, like the right to a basic level of health and health services. I draw the attention of the house to an open letter published in *The Australian* on 11 December 2006 which called for an end to the national scandal in indigenous health. Australia's leading health, human rights, aid and development organisations urged the Prime Minister, state premiers, territory chief ministers, parliamentarians and the general public to commit—really commit—to a plan to achieve health equality for indigenous peoples within (and I think it is a fairly generous term) 25 years.

Hopefully, this is not just another plan, because indigenous people have seen many plans over many years. This new plan must be backed by new money delivering new and additional services from the very beginning. Like many, the signatories to the letter are deeply concerned that Aboriginal and Torres Strait Islander peoples have not shared in the health gains enjoyed by other Australians in the past 100 years. It is a national scandal that indigenous Australians live 17 years less than other Australians and that indigenous children are dying at almost three times the rate of non-indigenous children.

Indigenous Australians die from preventable diseases, such as rheumatic heart disease, which has been eradicated amongst the rest of the population. Also, they have lower access to the primary health care and health infrastructure that the rest of Australia expects and takes for granted. The rates of other conditions, such as kidney disease and diabetes, are shocking. Services on the lands are limited; and, when forced to attend medical facilities in the city, indigenous peoples do not always have the support of families and often lack the services of an interpreter.

Indigenous Australians continue to suffer needlessly and die earlier. Efforts must be intensified and the indigenous health crisis treated as a national priority. There are already countless national commitments and policies to address indigenous health and inequality but they seem to be missing appropriately-funded programs targeting the most vulnerable. There are many stories of indigenous success and high achievement from which we can learn and celebrate. We also need to place and promote indigenous workers in as many roles as possible. The open letter states:

> Achieving health equality will, at minimum, require:
> - measures to ensure equal access for indigenous peoples to primary health care and health infrastructure;
> - increased support for developing the indigenous health work force;
> - a commitment to support and nurture indigenous community controlled health services;
> - a focus on improving accessibility to mainstream health services for indigenous peoples;
> - an urgent focus on early childhood development and mental health, as well as chronic illnesses and diseases; and
> - supporting the building blocks of good health, such as awareness and availability of nutrition and fresh food, physical activity, healthy lifestyles, the provision of adequate housing and the other social determinants of health.

And, rightly, the authors of the open letter point out how inconceivable it is that, in a country as wealthy as Australia, we cannot make real improvements in a crisis affecting fewer than 3 per cent of the population. I also note a report in *The Advertiser* of 20 February this year describing the chronic rates of dental disease amongst Aboriginal children. A five year South Australian study of children under 10 published in the *Journal of Paediatrics and Child Health* found that 78 per cent of indigenous children have dental disease, describing the results as the poorest dental health results measured, with disease both more prevalent and more severe. We must take heed of reports such as these and take immediate action.

My office is contacted too regularly by indigenous constituents who are struggling to find appropriate housing, and most recently it has been contacted about the federal government's changes to CDEP. These changes came about as a result of the 2006 'Indigenous potential meets economic

opportunity' discussion paper whereby it was proposed that in major urban and regional areas across Australia the CDEP program be replaced by additional STEP (Structured Training Employment Projects) programs. For many local families, this means that they will no longer be able to complete their work and studies at the wonderful arts centre in Salisbury called Marra Dreaming. Rather they will be required to attend a STEP program at CDEP in Cavan, increasing travelling time and disrupting studies already underway.

Due to these changes we will also see the demise of the Mount Serle project, which facilitated young men with violence or aggression problems, or drug or alcohol addictions, to be working and training away from their community and to be working on Mount Serle Station in the Flinders Ranges. There they worked hard and, most importantly, learnt more about themselves, their addictions and how they could change their lives for themselves and their families.

Time expired.

KANGAROO ISLAND SPONGE BEDS

Mr PENGILLY (Finniss): I have to let the house know that I was absolutely amazed last night when I saw on the television news Mr Chris Thomas from the Department for Environment and Heritage make an amazing announcement about a wonderful discovery in Backstairs Passage of some new sponge beds. For the life of me I cannot understand why the government has chosen to make this amazing announcement about sponge beds in Backstairs Passage and to detail the fact that satellite imagery has picked up all these wonderful things in wonderful places. I fully support the investigation of coastal waters off South Australia. However, in this case it is an absolute snub to Mr John Lavers of Kangaroo Island and Dr Scoresby Shepherd who used to work for the government some years ago.

Mr Lavers was on the original committee of the Encounter MPA. Mr Lavers went onto that committee for one purpose alone; that is, to have the sponge beds protected. It is absolute nonsense and total fabrication for the government to announce they have just been discovered. Dr Scoresby Shepherd was diving there for 30 years. Mr John Lavers and a number of other divers from around South Australia who are interested in these things have known about them for 30 to 40 years. They are on either side of Backstairs Passage surrounding Fleurieu Peninsula and just off Penneshaw. Although I have not been down to see them, I have to admit, they are fascinating coastal sponge beds and to say they have just been discovered beggars belief. Divers have known about them for many years. People are interested in that sort of thing as much as they are interested in land-based bush and scrub. They know about and look after these areas, but they do not blow their bags about them. Everyone knows they are in deep water. I would think we have gone way past making special announcements on new discoveries when people with practical experience who know about these things and have dived on them for years have chosen not to make them public.

Mr Lavers, who is an interesting and experienced diver, has been diving for around 50 years—and still dives. Mr Lavers specifically joined the Encounter committee to ensure that these two sponge beds are incorporated into the Encounter Marine Protected Area when it eventually happens. I would like Mr Thomas from the Department for Environment and Heritage, in particular, and the government to apologise for saying that they discovered these areas: they did not discover them. They are just trying to grab some media attention and blow their bags about it. I think it is a further sign of exaggeration and a gross misleading of the truth on this issue.

Mr Pisoni: It's Rann-standing.

Mr PENGILLY: You are quite right: it is Rann-standing. I applaud the efforts of Mr Lavers, the knowledge of Dr Scoresby Shepherd and the countless divers from Adelaide, Fleurieu Peninsula and Kangaroo Island who have known about these things for years but who have not said anything about them. They are aware of them and they love to dive and look at the sponges, and those sorts of things. They actually have practical experience of these waters around South Australia, and that is far more important, in my mind, than grabbing a media slot on a Tuesday night and running around with a piece of paper to say that you are an instant expert.

In my view, these people who have been diving know where these places are, and there are countless others in South Australia. I can tell members that, off the coast of Kangaroo Island in D'Estrees Bay, there is an area where fresh water comes out of the seabed in the old Murray Canyon. The fishermen there have known about it for years, and they suspect it is the Murray River coming up through there, although no-one knows. There is an area with a very good crayfish bottom where you cannot catch crayfish because it is fresh water. The water is a different colour because it is fresh water. It is absolutely amazing.

If they went and checked a few of these things by asking the fishermen and the divers, they would find out a lot more without spending enormous amounts of state resources on investigations that they may not need to have. It is in the best interests of all of us to have terrific areas around the state, and I support that, but this is stupid.

Time expired.

CALL CENTRES

Ms FOX (Bright): I rise to speak today about a matter that causes me great concern, and that is the working conditions of people employed by certain call centres in this state. There are many thousands of South Australians who work in call centres providing services to the customers of banks, telecommunications companies and countless other service industries. For many of us, the call centre worker is the only human contact we will ever have with large billion dollar companies. Some of these companies treat their workers well, but it has come to my attention that certain companies do not. These companies are taking advantage of federal industrial relations laws that allow management to treat their staff like battery hens.

I was recently contacted by one such worker who recounted to me in detail her experience working for AGL. AGL recently came to the public's attention when it suddenly sacked 200 workers last year. It is worth noting that on 19 February this year (according to its own website, I might add) AGL posted its inaugural interim profit and, on a proforma basis for the six months to 31 December 2006, it posted revenue of $2.2 billion, a net profit of $134.8 million.

So, here we have a multibillion dollar company which, I am advised, gives its part-time workers eight minutes a day in what they call 'personal time'. If an AGL call centre worker needs to go to the toilet outside his or her scheduled break time, they have eight minutes during their shift to do so, and those minutes are strictly monitored. If they go over that time, it is recorded and workers are told they may not reach their targets and, of course, if they do not meet their

targets, they may be let go. So, imagine that you have to go to the lavatory, you carry out your business and you walk back to your desk. This can easily take eight minutes. So, woe betide the AGL worker who needs to relieve himself or herself more than once a day outside a scheduled break time. I am advised that the AGL 'weeing' rules are particularly rigid. At the Optus call centre in Adelaide, a worker told me they have 16 minutes of personal time a day. They are clearly living it up at Optus!

Astonishingly, this draconian attitude towards necessary bodily functions is not the reason the former AGL worker contacted me. She is concerned that AGL may be behaving in a less than honourable way towards their part-time workers who are on probationary contracts. I have since spoken to other call centre workers, who have told me similar tales. I am very worried that workers at AGL are being put on probationary contracts and at the very last minute—just a week or even days—before they are due to be made permanent, part-time staff, their contracts are either terminated or the probationary period is extended for indefinite amounts of time. If this is what AGL is doing, it means that the company has found a way of disposing of staff without having to pay them any entitlements at all.

The person who contacted me was sacked and frog-marched out of the building when she had just over a week of her probationary contract to serve. She had been on sick leave. She returned with a medical certificate and was sacked that very day. When she asked why, a number of reasons were given. Amongst them was the fact that the company felt she had taken too many sick days (sick days for which she had a medical certificate) and, more significantly, she was told that she had spent—wait for it—too much time on the telephone with customers.

It seems that AGL has a maximum call handling time of approximately 400 seconds, that is about 6 minutes and 40 seconds; any more than that and you are not churning through calls fast enough, and that is recorded as well. I now understand why they normally sound stressed and dismissive, because if somebody spends more than 400 seconds on the phone with me, he or she will be under-achieving.

This person who came to see me, who spent time on the phone with people trying patiently to help frustrated clients of a multibillion dollar energy company, this person was sacked for her efforts—out the door, no comeback, no rights, no nothing! That is astonishing. She was actually told that she spent too much time with the customers, the very people she was there to serve. I have, of course, encouraged this person to contact the Ombudsman, and I hope she does so. I want to express my disgust that this kind of thing happens under our noses. It is brutal behaviour, it is shameful and it is un-Australian.

PUBLIC WORKS COMMITTEE: WOODSIDE PRIMARY SCHOOL REDEVELOPMENT

Ms CICCARELLO (Norwood): I move:

That the 264th report of the committee, entitled Woodside Primary School Redevelopment, be noted.

In 2004, a master plan was developed for the Woodside Primary School. The school incorporates a stone building built in 1897 which presently accommodates administration; a solid brick building built in 1879, and extended in 1976, which accommodates the school resource centre, computer area and staff amenities; a DEMAC construction building which accommodates general learning areas and support spaces; four timber construction buildings erected in the 1950s and 1960s which are currently used for general learning areas; and a solid construction amenities block built in 1976. There are also two metal construction buildings erected in 2003 which are used for general learning areas and which will be retained in the redevelopment.

The redevelopment of the Woodside Primary School, at an estimated cost of $4.35 million (excluding GST), is to accommodate up to 230 students. It will include the removal of seven relocatable buildings and the provision of new junior, middle primary and senior primary school teaching blocks; provision of a standard primary school activity hall, incorporating the school canteen and student amenities; the upgrading and extension of the administration area; upgrading and extension of the resource centre; and civil works to improve the oval, car parking, hard play areas and stormwater drainage.

The project has considered the requirements of the Disability Discrimination Act and will be fully certified in accordance with legislative requirements. The redevelopment aims to provide modern, efficient and functional areas for the effective delivery of education to the community of Woodside. Its key drivers are to upgrade accommodation for the school, including oval and general site development, and to provide the school with a multipurpose activity facility. The design solution will replace all but two transportable buildings with solid construction facilities and upgrade the oval and site services. It will also provide a multipurpose activity hall and upgrade and expand the administration and resource centre areas to meet space entitlements and functional requirements.

Contemporary interior space planning principles and material selections will provide a best practice whole of life solution for each facility in terms of cost, health and maintenance. Temporary fencing will be erected to limit access by students and staff during the course of construction works. However, there will be times when a crossover of contractors, staff and students will occur, and appropriate management procedures will be put in place to suit those requirements. General teaching services will be maintained during construction, and temporary relocations within existing facilities will be established. The principal, school staff and the district director endorse the redevelopment and the scope of works in this project. The governing council and school staff have been closely involved with direct representation on the project development group. During the concept planning stage care has been taken to consult widely to ensure that the needs of all stakeholders have been considered.

The project will provide modern, upgraded educational accommodation and reduce the highest level of risk relating to hazardous materials. It will also meet legislative compliance requirements for disabled people and deliver DECS benchmark accommodation for the primary school students. The redevelopment will allow students to experience a variety of teaching methodologies and will provide opportunities for enhanced professional learning for all staff. The proposal will also improve the amenity of the site for the wider community and aesthetically improve the presentation of the site. Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr GOLDSWORTHY (Kavel): I, too, would like to speak to the motion of the member for Norwood in relation to the Woodside Primary School redevelopment. As the local member representing that district, I would like to make a few comments regarding this issue. The redevelopment of this school site has been a long time coming. It is an issue I have spoken about in the house on numerous occasions when the opportunity has presented itself.

I would like to cite an example of the terrible condition the school buildings were in. From memory, a year or two into my first term (in 2003 or 2004), I visited the school and met with the then principal, Mr Steve Stark (a very good principal, I might add), members of the school governing council and the greater school community. I was shown a building that I would estimate as being 35 or 40 years old. It was actually very similar to a building that was constructed at the primary school that I attended in the hills—Paracombe Primary School. It was the same style, size and format. However, what was really alarming was that one of the window sills had dry rot. There was a hole in that window sill several centimetres in diameter, large enough for a child to put its arm through. This was quite alarming, hence the need for reasonable steps to be taken to remedy that situation. That building was eventually removed from the site, and other temporary measures were put in place to cater for the needs of the school prior to the redevelopment taking place.

I congratulate and pay tribute to those people in the local district of Woodside who worked extremely hard to bring about the redevelopment of the Woodside Primary School site. As I said, Mr Steve Stark was the principal at the time. He is not at the school this year as he has been transferred to another place within the education system. However, I would like to congratulate and pay tribute to Steve and the staff at Woodside Primary School for their efforts and their contribution towards the redevelopment. The governing council also worked tirelessly, as did the general and greater school community. Their fundraising efforts were significant and they secured the funds required to see the proposed development take place. I have been fortunate to attend a number of those school functions and to be part of what was an outstanding community effort in relation to the project.

The area in which the redevelopment is to take place is bigger than the original school site, and property has been purchased adjacent to the existing site for the redevelopment to expand onto, and I have had a meeting with the principal and the members of the school governing council and inspected that property. The Adelaide Hills Council has also played a role in the redevelopment by closing part of the local road that ran into the school. That area has been turned into lawn with turf put down and a playground established there. Previously, the school site was split by a local road which ran between the two areas of the school, so the Adelaide Hills Council is to be congratulated on its efforts and contribution in making the local school environment far more workable and practical in an operational sense.

I am pleased that the project has come to the Public Works Committee. I am also pleased that it has been passed with a minimum of fuss and bother and that we will certainly see that redevelopment take place. I am always proud and honoured—I regard it as a privilege—to represent communities such as Woodside in my electorate of Kavel, as I am to represent all the communities in my electorate. From the day I was elected in February 2002, I have regarded it, and I will continue to regard it, as an honour to represent those respective communities.

In closing, I would like to talk about a couple of related issues in terms of educational needs, and I note that the member for Norwood—

The DEPUTY SPEAKER: Order! Member for Kavel, you are to speak only about the report of the Public Works Committee.

Mr GOLDSWORTHY: Certainly, and I have every intention of doing so, because the member for Norwood mentioned that part of the redevelopment incorporates a multipurpose facility at the school, and that issue goes right across the electorate. Other school sites need multipurpose halls as well, in particular Mount Barker Primary School, and I would like to make mention of that. It is really pleasing that part of the redevelopment of the Woodside Primary School incorporates a multipurpose hall because it is important that children, particularly in the Adelaide Hills, which has a wet, cold climate for a fair percentage of the year, running from April/May right through to September/October, have access to a facility where they can take part in recreation activities in an undercover area, and not have to go out and be exposed to the elements. The weather in the Hills is significantly colder and wetter than it is here on the Adelaide Plains, and it is very important that all education sites—all primary schools and high schools—have facilities such as that, including Mount Barker Primary School.

I support the motion before the house and entrust those who have charge of this project not to delay the works in any way, so that we see a new primary school established at Woodside for the benefit of the community and, more importantly, for the educational needs of our children.

Mr VENNING (Schubert): Very briefly, I again commend the committee on this report and note the words particularly of the member for Kavel. I want to raise a matter of importance in relation to this. I notice that the Public Works Committee has about eight or nine motions on the books here today. I am just wondering whether somehow the committee could bulk them up, so we can deal with them much more quickly. I would hate to think that by these motions waiting on the *Notice Paper* we were holding up the process in any way in relation to these public works, because that would be a tragedy. So I am just wondering what can be done to expedite the processes, because the member who is Chairman of the Public Works Committee has no way in the world of getting all these eight or nine up here today—and we are not here for another week. I support the motion.

Mr HAMILTON-SMITH (Waite): I also support the motion, as a member of the Public Works Committee, and indicate that the motion has the full support of the opposition and we look forward to its swift passage. And we can also deal with the next one very quickly if the member for Norwood would like to be brief.

Motion carried.

PUBLIC WORKS COMMITTEE: MARITIME SKILLS CENTRE

Ms CICCARELLO (Norwood): I move:

That the 265th report of the committee, entitled Maritime Skills Centre, be noted.

Today with this motion we will look at the Maritime Skills Centre, and then consider the way to approve the other reports and bring them forward. In May 2005 the Australian government announced ASC Shipbuilding Pty Ltd as the

preferred shipbuilder for the Navy's air warfare destroyers, one of Australia's largest and most complex defence projects worth up to $6 billion. Due to the complexity and magnitude of the work required for the project the Australian government stipulated access to the skilled work force to meet its requirements. It was the key determinant in selecting the successful bidder. The state government has made substantial commitment to work force development programs to support the skills growth required by modern shipbuilding. Contractual commitments with the commonwealth government with respect to the air warfare destroyer build program and systems centre exceed $20 million over the life of the project.

The centrepiece of these commitments is the establishment of a purpose-built Marine Skills Centre at Osborne to deliver trade and technical skills required for the air warfare destroyer project. The centre's main purpose is to develop skills for the ASC Shipbuilding work force, its subcontractors and associated companies. Where capacity permits, the centre will also be used for training, which is of wider benefit to South Australian industry, that is, the third party users.

The Maritime Skills Centre will be constructed on the corner of Veitch and Mersey roads, within the commercial and education precinct at Techport Australia. This is an internationally competitive shipbuilding and repair precinct under development at Osborne to support the air warfare destroyer build program and to attract other shipbuilding and repair opportunities. The works will involve development of a 1 035 square metre single storey training facility. It will include: entry and foyer; staff offices and facilities; student resource and breakout facilities; computer suites and computer training areas; laboratory and technical training areas; car parking and landscaped external areas.

The centre's development cost is estimated at $6 million and will be fully funded by the state government through the Port Adelaide Maritime Corporation. The Infrastructure Assistance Agreement with the commonwealth government commits the state to provide the land for the centre and to fund (to capped levels) the construction, fit-out and IT upgrades, and building and maintenance costs. ASC Shipbuilding will fund the operational costs of the centre for the life of the air warfare destroyer project. Ongoing management and coordination of the centre will be funded equally by the state and ASC Shipbuilding for the life of the project.

Skills attraction, development and retention will be critical to ensuring the success of the air warfare destroyer program in Adelaide and the state's defence strategies more broadly. The centre will provide training programs for both white and blue collar skills throughout the life of the air warfare destroyer build, and potentially for the ongoing repair, maintenance and upgrade lifecycle. The centre will deliver a large component of ASC's overall air warfare destroyer training requirements, including ASC corporate systems and processes, air warfare destroyer related upskilling of existing and new staff, and specialised training such as computer aided design, which is required to design, build and trial air warfare destroyers.

Where capacity permits, the MSC will also be able to be used for training, which is wider benefit to South Australian industry. The Maritime Skills Centre infrastructure provides critical support to the air warfare destroyer program which is expected to have a transformational impact on the South Australian economy. An analysis prepared in 2004 for the government's defence unit estimated that the project will inject $100 million into the state economy annually. It will create more than 1 000 direct jobs and a further 2 000 indirect jobs as part of the build contract. Construction of the centre is expected to commence in April 2007 and be completed by December 2007.

The committee has examined the viability of the centre. It is aware that the Australian employment level is high and this may affect the centre's capacity to attract sufficient interest for the courses it will offer. However, the committee is told that experience indicates that the iconic nature of the projects has led to very high demand for work with ASC. This is expected to be reflected in the demand for the courses associated with the ASC projects. The committee is also aware that the commonwealth government will not make a final decision on the air warfare destroyer design until July. In the event that other users cannot be attracted to the site, the centre would not be used to the same extent. However, the committee is also told that there is a commitment to the submarines' through life support program, as well as skills training demand for work already in the yard.

ASC has committed to full use of the facility for at least the first six years. The ASC shipbuilding is to be sold in 2008. However, the sale will include the sale of the air warfare destroyer program and the through life support program for the submarines. The committee is assured that the sale 'does not in any way open the door for transfer of the consolidation and systems integration of the air warfare destroyer'. The committee is also told that the state government strategy of providing the infrastructure, the system centre and the skills centre required to construct high-technology ships will make it very difficult for a new owner to take the work elsewhere due to the significant costs involved in duplicating these facilities and, based on upon this evidence, the committee accepts that the Maritime Skill Centre will remain viable. Pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public work.

Mr HAMILTON-SMITH (Waite): The opposition supports the report. We did raise some concerns about the common user facility and the skills centre in their totality. They are addressed in the *Hansard* of the committee's report, but we certainly want to see the centre thrive and succeed and we certainly want the air warfare destroyer project to do likewise, so we are very happy to fully support the motion forthwith.

Motion carried.

VOLUNTARY EUTHANASIA BILL

The Hon. R.B. SUCH (Fisher) obtained leave and introduced a bill for an act to provide for the administration of medical procedures to assist the death of a limited number of patients who are in the terminal phase of a terminal illness, who are suffering unbearable pain and who have expressed a desire for procedures subject to appropriate safeguards; and for other purposes. Read a first time.

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

That this bill be now read a second time.

It is with great satisfaction that I am able to move the introduction of this bill. I appreciate that for many members it is a contentious issue and I respect the views of those who do not support voluntary euthanasia. This bill differs from earlier worthy attempts but contains some positive aspects of

earlier legislation. The new bill provides that voluntary euthanasia can only be used if a person is in the terminal phase of a terminal illness and cannot get adequate pain relief from existing palliative care techniques. Members will recall that the earlier bills have used the definition of 'hopelessly ill'. My bill does not have that definition in it.

As just indicated, my bill relates to people who are in the terminal phase of a terminal illness, and I will explain shortly how that is verified. I acknowledge that palliative care techniques have improved, but there are still many people dying who cannot get adequate pain relief. Some of those diseases include motor neurone disease and some cancers, particularly of the head and the bone, and for some of those people there is not adequate pain relief. The bill which I have introduced differs from previous bills in that it does not provide for advanced requests. Under my bill, people cannot indicate that they want to access voluntary euthanasia in the future. The request has to be current and the person has to be in a mental state able to make a current request.

The reason I have done that, even though many people would want a more open definition and request procedure, is to ensure that, if passed, we have a law that has adequate safeguards, is very tight and cannot be misused or abused. The new bill requires two doctors—in contrast to previous bills which have required one doctor—to certify that the criteria are being met, that is, 'in the terminal phase of a terminal illness and cannot get adequate pain relief from existing palliative care techniques'; and it also requires two additional independent witnesses.

The bill specifically disqualifies any witness from being a beneficiary of the estate of the person seeking voluntary euthanasia. In the past, some people have argued that there may be individuals who would, if you like, have a vested interest in someone dying in order to benefit from the estate of that person. This bill specifically disqualifies any person who is a witness to the procedures and the request from benefiting in any way from the estate of a person who is seeking voluntary euthanasia. This bill, like earlier bills, has a range of other safeguards, including a monitoring committee; and this time it has the addition of a person representing the disability area as well.

We know from studies and surveys conducted recently—and we have known this for a long time—that a majority of Australians—80 per cent, according to the latest poll conducted by Newspoll in February this year; and the figure is slightly higher in Victoria where it is 82 per cent—support voluntary euthanasia. I guess it is fair to say that they support it with appropriate safeguards, and that is precisely what I am trying to do with this bill. As I have indicated, whilst palliative care can provide adequate pain relief for most terminally-ill patients, a small but significant number of people may not be able to get adequate pain relief.

I would not wish anyone to endure unbearable pain. I was a member of the Social Development Committee when it conducted an inquiry into voluntary euthanasia. That committee heard from people whose relatives, friends and loved ones had suffered in agony. I will not give those personal details here, but I think most members would be aware of instances where people have suffered and died in agony. I do not believe that anyone who cares about the wellbeing of their fellow human being would want to see someone suffer like that.

This bill allows people, whose conscience and religious beliefs allow it, to die in dignity through accessing the provisions of the Voluntary Euthanasia Bill. No doubt we will hear members in debate say that they cannot support it because of religious beliefs, and I do not have a problem with that. No-one is seeking to impose this measure on any person who disagrees with it as a practice and who disagrees with it professionally. No-one can be required to be involved through their professional work in voluntary euthanasia. Sometimes we hear people say, 'Well, within the Christian faith there are people who oppose it', but many people within the Christian faith support it.

I say with great respect that many people within the Catholic and Lutheran faiths strongly oppose voluntary euthanasia, but there are also people—not only within those faiths but also, for example, in the Uniting Church and other churches—who strongly support the right of individuals to exercise autonomy and to make that choice. What I seek to provide through this bill is for those whose religious views and conscience allow it to be able to access voluntary euthanasia as an option.

Dying is nearly always a difficult process. Clearly, it is a sad process. However, the reality is that it happens to all of us eventually. I believe that we should do all we can to allow people who want to die in dignity to do that. At present, people who have significant financial resources can fly to Switzerland and elsewhere to access the procedures of those countries. Two organisations operate in Switzerland, one of which has a practice similar to that which I am advocating, which is a very restrictive, limited option. The bill specifies that it is limited to those people who meet the very narrow criteria.

People have complained to me that my bill is too restrictive. One person emailed me saying that he did not want to live because life is not worth living. My bill does not provide or encourage someone in that situation to take their life. The bill has safeguards in relation to making sure that we are not simply allowing someone who is clinically depressed to want to take their life. Some people say, 'Well, anyone should be able to take their life at any time.' I am not supporting that broad approach. My approach here is very limited.

I have tried in this bill to put in as many safeguards as possible. There are people, not only in this chamber but in other places, who say, 'We do not oppose this on religious grounds. We are concerned because of safeguards.' I say to those people that, if they have safeguards which I have not put in this bill and of which they are aware, please amend the bill to put in those additional safeguards. However, if they are opposing it on religious grounds (which is fine, that is their right), please say so; do not pretend they are opposing it because it does not have the safeguards they want.

If people oppose it on religious grounds, say so. I respect people who say that. The local priest in my area has visited me. I get on very well with the Catholic and Lutheran communities in my area; I respect their views. They know the position I take. I am more than happy if people say, 'I can't support this because of my particular faith.' I say to those people, 'Please do not try to impose your religious views on other people for whom it is acceptable and for whom it is within their faith to access voluntary euthanasia.'

We hear the argument about the so-called slippery slope, that this is the beginning of the end. That is a strange argument, which I illustrate by quoting from an article in *The Age*. Written by Neil Francis, President of Dying with Dignity, he says that the slippery slope is an excuse not to help anyone at all and he uses the analogy of the federal government. The article states:

> The federal government is frequently asked to assist struggling nations that are in distress. There are a wide range of circumstances and some requests will be more compelling than others. Because our ability as a nation to help others is finite, we must make decisions about which requests we can accommodate, and which, with regret, we are unable to. To apply [the slippery slope] argument to international aid the government would say, 'Because we are unable to help in all, or even the majority of requests, we must protect ourselves and not provide any aid at all because we might be forced to deny some otherwise worthy cases.' In practice, there are countless instances in which governments make decisions about where to draw the line.

He goes on to say that people who trot out the slippery slope argument are trying to close down debate. The article continues:

> Applying the same principle to the state government's [Victoria's] action to reduce the speed limit from 60 km/h to 50 km/h, a slippery sloper would argue: 'The real agenda is to eventually force all cars off the road! You simply can't draw the line—what's next?'

He makes the point (and I agree) that you can draw the line. This bill does draw the line to say that voluntary euthanasia is available only if you are in the terminal phase of a terminal illness, not if you are having a bad day or do not like living simply because of some view of the world. It has very tight requirements. As I said earlier, it does not allow for advanced requests. One cannot put in writing, 'If I become a vegetable I want you to end my life.' The bill does not allow for that. It is a very tight bill with very tight provisions to ensure that any possible abuse is minimised. People might say that any law could be abused; that is true. There is always the possibility of someone abusing or misusing provisions. We are human and laws are drawn up by humans but, as far as humanly possible, this bill is as tight as it can possibly be. By taking out 'hopelessly ill' it avoids what I see in the definition as a degree of vagueness.

Some people say, 'What does "hopelessly ill" mean?' If a person is diagnosed by independent doctors as dying and in the final phase, the medical profession knows they are dying. A lovely chap named Bill came to my office this morning. He has lymphoma and he is dying, and doctors have told him that he has a few days to live. He is not seek seeking voluntary euthanasia; he can still get about. Medical practitioners and specialists can accurately determine whether or not someone has long to live and, importantly, determine whether or not a person can have pain relief. We know that pain relief can be ratcheted up to a point where a person dies—

Time expired.

Mr KOUTSANTONIS secured the adjournment of the debate.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: UPPER SOUTH-EAST DRYLAND SALINITY AND FLOOD MANAGEMENT ACT

Ms BREUER (Giles): I move:

> That the 60th report of the committee, entitled Upper South-East Dryland Salinity and Flood Management Act 2002 Report 2005-06, be noted.

This report has taken some time to present today, but this is the third such annual report on the Upper South-East program that the committee has prepared and presented to the parliament; and considering the amendments agreed to in this house for the Upper South-East Dryland Salinity and Flood Management (Extension of Period of Scheme) Amendment Bill, it is likely to be our last. This bill allows for the transfer of the parliamentary oversight function to the Natural Resources Committee. To date the ERD Committee has been responsible for the oversight role provided in the act. The ERD Committee has taken evidence from landholders and departmental staff, and visited the region to see first hand the progress and issues involved in the Upper South-East program. The implementation of this program has taken longer than initially anticipated; hence the bill to extend the act in recent times.

The committee has been informed that one of the reasons for this is that a more detailed and lengthier consultation process than initially planned is being undertaken for the establishment of the drains. The committee supports the increased consultation with stakeholders, believing it achieves a better outcome. During this reporting period landholders raised concerns with the committee regarding the construction of the drains, predominantly with respect to the proposed construction of the Didicoolum and Bald Hill drains. These landholders and residents are passionate about their land and the environment, as we saw from the demonstration held on the steps outside recently.

There are landowners in the region who are managing their properties well, including the salinity issue, and are concerned that drains will have a negative effect on their property and livelihood. However, there are other landholders with salinity and inundation problems who do not want the drains constructed. It is a very complicated situation, one that committee members, at times, had difficulty getting their head around. We took evidence and talked with the various landholders and departmental staff involved with the project. There are instances where, arguably, there is no one right answer and a variety of solutions is all feasible. It depends on your land management perspective as to which solution you embrace or support.

With respect to the Didicoolum Drain, the committee visited Kyeema, one of the properties where the drain is to be constructed, and spoke with a number of local residents who strongly oppose this drain. The committee advised the minister, on his request, that the drain should not be constructed on this property, suggesting instead that the drain be linked to the Wongawilli Drain through the ranges. This would provide a drain for nearby properties that desired and required it, while by passing landholders opposed to the drain. Following this advice, and advice from the program board, the minister decided to continue with the current plan for the Didicoolum drain. The committee was advised that the cost of the alternative it proposed was too great. It is the committee's understanding that consultation is still occurring as to the exact alignment of the drain.

Concerns were also raised about the Bald Hill Drain. Construction could have had the unintended effect of drying out the related wetlands. These concerns included the potential loss of two nationally threatened species. These wetlands contain the Southern Bell Frog, which the committee members saw on their visit to the region, and the Yarra Pygmy Perch. Following these concerns being aired, the minister reviewed the construction of the Bald Hill Drain project and has given an undertaking that the construction of the drain will be dependent on the construction of the Lower South-East connectors. These will connect drains constructed in the previous phase of the program with the Upper South-East drains and allow water to be diverted through these drains through the Southern Coorong Lakes, with the intent of preventing the drying out of the wetlands.

The expansion of the Upper South-East program to include the construction of the Lower South-East connectors project has extended the time frame for construction projects. This amendment to the program seems an appropriate solution to the committee, as it wants to ensure the continuous survival of wetlands in the region. Hence, the committee does not oppose the extended time required for the program.

I am pleased to advise that the minister does re-evaluate each drain prior to construction. Following consultation with stakeholders, it was determined that the Ballater East Drain is not required and, hence, will not be constructed. Not all drains are built for agricultural purposes. The proposed East Avenue Drain is set to be constructed for its environmental benefits, restoring environmental flows to the area.

It should be noted that not all landholders are happy with the progress and construction of the drains, and some are still sceptical about proposed outcomes. Not all are convinced that the drains work, and some are still opposed to their construction. Those who have raised issues with the Bald Hill Drain are still concerned about the impact this drain may have on the wetlands. Anecdotal evidence has been provided to the committee by the department of the improvement some landholders have experienced due to the construction of the drains, as well as some early quantitative data received from the Fairview Drain project (completed in the previous phase of the Upper South-East program). The committee is looking forward to seeing more evidence of the effect of these drains on the land and the environment.

This program is not all about drain construction, though this is causing the most controversy. Other projects within the program include the biodiversity offset scheme and the adaptive management framework. The officers involved in the biodiversity offset project continue to assess properties for their biodiversity value. Landholders are able to offset their levy payments by the value of the biodiversity contained on their land if they maintain it in perpetuity. The first management agreement between the government and a landholder was executed in February 2006. This management agreement is attached to the title of the property to ensure the biodiversity is maintained, even if the property is sold. A 15 year management plan has also been prepared for the vegetative areas. By the end of the reporting period, four management agreements had been signed. The minister is considering expanding the biodiversity offset scheme to other landholders in zones D and E of the program, as significant biodiversity value has been identified in these areas.

Data continues to be collected for the implementation of the adaptive management framework. This will determine the rate of water flow and frequency of discharge in the various drains in the region. This project will allow for the manipulation of water around the region to areas of most need. The levy continues to be collected, with the second instalment notice being issued in May this year. There is generally good compliance with the act and payment of the levy, with only 4 per cent of landholders not paying their levy or applying to participate in the biodiversity offset scheme. In the final quarterly report, the committee was disturbed to note that there had been some illegal interference with the drains and equipment. Compliance officers from the department are viewing these matters and will recommend appropriate action.

I take this opportunity to thank those landholders who provided evidence to the committee, showed us their properties and took the time to explain the issues—particularly those landholders who took the time to travel to Adelaide to give evidence to the committee. The committee very much appreciates your time and commitment to the issues. I also thank the departmental staff and the minister for answering our questions, providing evidence and meeting the committee while in the South-East. To past and current members of the committee—Hon. David Ridgway, Hon. Sandra Kanck, Hon. Gail Gago, the member for West Torrens, the former member for Light (Mr Malcolm Buckby), Hon. Mark Parnell, Hon. Russell Wortley, the member for Fisher and the member for Schubert—thank you for your work. Finally, thank you to the committee staff for your support and assistance in trying to understand these complicated issues. I commend the report to the house.

Mr WILLIAMS (MacKillop): I rise to make a couple of comments about the drainage scheme.

The Hon. R.G. Kerin interjecting:

Mr WILLIAMS: The member for Frome and I have just been quietly chatting in the back during the last few minutes, because the member for Frome has a lot of history with this scheme and probably understands it as well as any member of the house. Unfortunately, not enough members of the house understand the scheme and it is great to hear the member for Giles name past and present members of the committee who were involved in this report, because I am delighted that so many members of parliament are getting some insight into this most significant scheme.

The way the scheme has progress has disturbed me for a great number of years. I guess it had its genesis in the early 1980s when landholders started to notice rising dryland salinity on their properties and started talking about what was causing it and what possible solutions may be found, leading to a major environmental impact study which was handed down, I think, in 1992 and 1993. We have been making slow progress ever since.

In the meantime, what started out to be a drainage scheme to provide agricultural relief has turned into more of an environmental scheme, and that greatly disturbs me and a lot of my constituents. We heard the previous speaker refer to the drains in the Bald Hill area. In good faith, a number of my constituents in the Bald Hill flat have been paying their levy for a significant number of years now and they will see some drainage works but not what they were expecting or were led to believe, because the drainage works, a number of them argue, will not do much more than harvest fresh water and deliver it to some wetlands; they will do very little to ameliorate the salt problems that they are experiencing on their land.

That is one issue, and I just wish the department would get on with the scheme and deliver to the farming community, at least, what it said it would do. We heard mention of the Fairview Drain. I remember the member for Frome when he was the minister officially opening the Fairview Drain, probably in 1998 or 1999. It was the first drain, and a lot of people have claimed that the system is not doing what it was designed to do because the water generated out of the Fairview Drain is still quite a bit more saline than what we expected from the original projections.

The reality is that we have had a series of dry years, not only in the Murray-Darling Basin but right across the nation, including the South-East of this state, and the Fairview Drain has been generating much lower flows, particularly in winter and early spring, than what we would have expected when we started this project. Consequently, the level of flushing of the naturally occurring salts in the system, in my opinion, has not

occurred. I still believe that, when we see a change in the weather pattern and get a series of wetter years and more normal seasons, we will come to see the results that were expected when the scheme was first designed.

There are a couple of issues that really concern my constituents. The member for Giles talked about the Marcollet Drain, or the Didicoolum extension which would go down the old Marcollet watercourse. There are two groups of landholders there: one group is expecting relief at the southern end of that drain, and there are a couple of landholders who will be downstream as the drain progresses northwards who do not want a drain because they believe that their land is not subject to salinity and the drain will merely dry out their land, lower the water table under their land and, worse than that, put highly saline water across their property. They are most anxious about the long-term effects of that.

I have considerable sympathy with them and have always argued, as the member for Giles said, that the alternative proposal should be implemented: that is, to put another cut-in through the range to connect into the Wongawilli Drain. One of my constituents at Padthaway has been arguing for some time now that all these drains to the west of Padthaway are creating problems in the Padthaway area. Late last week he sent me a series of graphs from the wells that are monitored. There is a significant number of wells right across the region that have been monitored for up to and over 30 years in some cases. He sent me the monitoring results for six wells around the Padthaway area, four of which (he tells me) are at five-kilometre intervals along the Riddoch Highway. There is no doubt that the water table levels have fallen dramatically in the last 12 to 18 months, following a trend over a considerable period of probably five or six years and, in some instances, even longer.

I can say from the latest readings of the water table levels, which were done some time in 2007—I am not sure which month, but it would be over the last couple of months—that they are at or just below the levels reached in the last really dry period that we had in 1982—probably slightly lower. More disturbing than that are the levels from a couple of bores which are to the west of Padthaway along the Nyroca Channel, which is much closer to the Wongawilli Drain which is on the other side of the range. This particular constituent is arguing that the Wongawilli Drain is contributing to the drawdown of the water table in that area, and he is most anxious about what is happening to the aquifer in the Padthaway area, bearing in mind that the wine grape industry in that area probably accounts for an economic driver of about $100 million a year.

He argues why would we build another drain to exacerbate this problem to bring relief to—he is claiming—only about 5 000 hectares? I am using his words; I was speaking to him on the phone this morning about this very matter, so I will take his word. I am not exactly sure if that is the correct area, but he and a number of his neighbours and other people in and around Padthaway are very concerned that the drain will have a deleterious impact on that particular area.

I would like to comment on a couple of other things, if time permits. One is the plan to divert water from Bool Lagoon northwards along the old Bakers Range watercourse to some wetlands in the Bald Hill area as an offset to the proposed drain in that area. The reality is that there has not been a lot of water generated in and around the catchment of Bool Lagoon for a considerable number of years. I have been arguing that we need to have a management plan for that water. That is the third possible use for that fresh water out of Bool Lagoon. Currently it goes to Lake George and there has been a debate over sending it northwards up the Marcollet watercourse. I think we need a management plan so that we understand, before we go and spend another $14 million, exactly what we are going to get out of that and how we are going to manage those water flows, in particular different water scenarios.

The last thing I want to mention is the levy, which the chairman of the committee talked about, saying that only 4 per cent of people are either not paying or applying for offsets under the biodiversity offset scheme. Landholders in zone C who have been charged the levy, I think, have been handled very poorly by this government. I do not think they should have been charged the levy. I have constituents in the Keith area, in the hundred of Stirling, which is a big irrigation area—members may know that it is the home of lucerne—and a few years ago they took a 35 per cent reduction in their water allocations to try to help the basin in that area. Now they are being levied. They are being told that their previous clearing of the land caused the problem of too much water, and that is why we are digging in the drains. It is absolutely absurd. Those people are still suffering from falling water tables and yet they are being asked to pay a levy towards this drainage scheme, supposedly to get rid of excess water.

That happens to be the case right across zone C which runs right out to the Victorian border. A significant number of my constituents have been given a very bitter pill by this government with regard to this levy. I think my time is about to expire, so I will leave my comments at that.

Motion carried.

NATURAL RESOURCES COMMITTEE: MINERAL RESOURCE DEVELOPMENT IN SOUTH AUSTRALIA

Mr RAU (Enfield): I move:

That the eighth report of the committee, entitled Mineral Resource Development in South Australia, be noted.

The mining and petroleum industries have always been a critical sector of the South Australian economy. Discoveries of copper in Kapunda and Burra in the 1840s attracted large numbers of immigrants to the colony, and resulted in substantial infrastructure spending and provided employment for many South Australians. These discoveries underpinned the successful development and establishment of the colony.

Currently, South Australia produces approximately $2.4 billion worth of mineral and petroleum products per annum, with export sales of $1.65 billion per annum, making it South Australia's most valuable export commodity. Resource royalty receipts in 2004-05 were in excess of over $120 million. Over $100 million is now spent on exploration each year, and that figure is growing. The industry directly employs over 5 000 people, with more needed.

With the decline of some other sectors in South Australia, the mining industry's importance to the economic wellbeing of the state cannot be overstated. Furthermore, it has the potential to grow significantly. Through a combination of factors, including high world prices for resources and strong evidence of substantial mineral deposits, the state is experiencing a mineral exploration boom. A variety of factors will help determine the likelihood of this exploration boom becoming a mining boom. There are several significant mining projects in South Australia in the feasibility or pre-feasibility stage, including the expansion of BHP Billiton's Olympic Dam operation.

In addition to the economic viability of these projects, matters such as government regulation, availability of infrastructure, labour and accessibility to land, will also contribute to decisions to invest here or elsewhere. The Natural Resources Committee therefore believes that now is the time to examine the challenges and opportunities presented by this potential growth of mining in South Australia.

One of the most important challenges faced by the state will be to ensure that mining activity can proceed without detrimentally affecting South Australia's important environmental assets. This includes water resources, water quality and areas of high conservation value. The committee acknowledges that mining activities can use large quantities of water, resulting in significant local impacts on water resources. The challenge will be to ensure that the impact of future mining operations on the quality and quantity of the state's water resources are minimised.

The committee believes that the mining industry should act as an example of best practice in responsible use of water resources and has recommended that efficient water management, including water re-use, be considered as an integral part of all mining and petroleum extraction ventures. The committee report also recommends that there be continuing monitoring of the impact of mining activities, particularly at Olympic Dam, on the Great Artesian Basin, to ensure ongoing extraction at current levels is sustainable.

Mining activities can also have a detrimental impact on areas of high conservation value. A significant portion of the state is covered within the public protected area system under the National Parks and Wildlife Act, the Crown Lands Act and the Wilderness Protection Act. These acts play an important role in the protection and maintenance of biodiversity and of natural and cultural resources. Reserves also provide for recreation and other activities. Most national parks and recreation reserves have joint proclamations to allow for other activities, such as exploration and mining. However, areas protected under the Wilderness Protection Act are inaccessible for exploration and mining activities.

Debate adjourned.

MOTOR VEHICLES (NATIONAL TRANSPORT COMMISSION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 March. Page 1963.)

Mr HAMILTON-SMITH (Waite): I indicate that the opposition supports the bill. It is a fairly brief bill. It was introduced by the member for Mount Gambier on behalf of the Minister for Transport on 7 March. It amends the Motor Vehicles Act 1959 to change the mechanism for the adoption of nationally agreed heavy vehicle registration charges. The bill seems to be purely administrative in nature.

I thank the government for its briefing, during which I was advised that the bill does not change the charges for heavy vehicle registration, nor does it change the process for setting those charges. Heavy vehicle registration charges are determined nationally by the Australian Transport Council based on recommendations by the National Transport Commission.

The bill is needed because there has been a change of policy in the way national transport reforms are made available for implementation by jurisdictions with the establishment of the National Transport Commission. The commonwealth will no longer amend the Road Transport Charges (Australian Capital Territory) Act 1993, and in due course it will be repealed. This bill amends the Motor Vehicles Act to remove references to the ACT act. Increases in heavy vehicle registration charges agreed to by the Australian Transport Council will be made publicly available by the promulgation of regulations under the National Transport Commission Act, and each jurisdiction will amend its own legislation to reflect the increases. In South Australia the Motor Vehicles Regulations 1996 will be varied to incorporate the nationally determined and agreed heavy vehicle registration charges. The bill also updates references in the National Environment Protection Council (South Australia) Act 1995 so that it refers to the National Transport Commission and the National Transport Commission Act.

We were advised that the government had conducted consultation on this with key stakeholders who felt it was purely administrative. However, we did conduct some consultation of our own, and I am delighted to find that that is the case. None of the principal stakeholders that we contacted had major concerns. There is an understanding in the minds of some stakeholders that there is a push to remove the ability for trucks to be registered under federal schemes and, therefore, when the federal government removes that capability it also needs to remove the listing of registration charges. States need a fallback mechanism to levy charges, and I suppose this is it.

Members, particularly country members, would be aware that heavy vehicle registration charges have been a hot topic over the past few years. The National Transport Commission (the NTC) proposed to the ATC that each state should impose several significant increases to registration charges for certain vehicle types, particularly B-doubles and larger. Some reductions for smaller vehicles, such as six-axle articulated trucks, etc., and the standard highway rig, were included. The argument has been that the larger trucks were doing more damage to the roads and therefore should pay more. However, the NTC failed to acknowledge that the tax take from industry vastly exceeds what is returned, and to change the registration relativities between vehicle types might lead to a shift in the fleet mix; for example, more smaller trucks and fewer larger combinations. This may have appeared desirable, as the community is not keen on big trucks, but, when other factors are added to the calculations—for example, the increased number of trucks on the roads, more drivers needed, increased safety risk to undertake the same task, environmental damage, reductions in economic competitiveness, etc.—the proposal soured and the position changed.

Industry members have had some concerns in this whole area, and I understand they have lobbied the government to vote against certain proposals, which we understand has occurred, but we note that there is concern amongst some stakeholders that some of the proposals might resurrect themselves in the near future. Registration charges were fixed under the older scheme and involved the rise of 2.9 per cent across the board to slightly more than CPI. With all that, we understand that the NTC is now investigating a new charging mechanism based upon technology and access and will take that proposal to the ATC in a year or so. The Productivity Commission's inquiry into road and rail infrastructure pricing—which I must say was a fairly hefty read—has dampened the call for road freight charges to be increased significantly so as to create a level playing field for rail, as it concluded that a road more than paid its share.

Having said all that, there are no specific concerns from industry stakeholders linked to the measure which, as I have explained, is largely administrative. We see no need for it to go into committee, and look forward to its swift passage. I commend the bill to the house.

Bill read a second time and taken through its remaining stages.

TOBACCO PRODUCTS REGULATION (SMOKING IN CARS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. M.J. ATKINSON (Attorney-General): I move:

That this bill be now read a second time.

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

Leave granted.

In the last 20 years evidence has grown to show that passive smoking (that is, breathing second-hand tobacco smoke) is dangerous to health.

Passive smoking is known to increase the risk of asthma, bronchitis, pneumonia and chest infections, as well as lung cancer and cardiovascular disease.

Children and babies are especially vulnerable as their lungs are less well developed. About 8% of new cases of asthma in children are attributable to passive smoking and the risk of respiratory and middle ear infections increases with exposure to environmental tobacco smoke. Passive smoking can also increase the risk of Sudden Infant Death Syndrome.

The Bill that I am introducing today is aimed at minimising the exposure of children to the harms of passive smoking while travelling in a motor vehicle.

Children can spend many hours per week in vehicles and the concentration of environmental tobacco smoke may be greater than in the home due to the more confined space. Additionally, unlike in the home, children are unable to get away from the smoke.

A recent study conducted in the United States of America has shown that concentrations of harmful particles from tobacco smoke in the rear seat of a car can be greater than that in a smoky bar. Concentrations during the time of actual smoking are greater than those considered to be hazardous to health.

This Government has already introduced laws to prohibit smoking in vehicles that are used for work purposes to help protect the health of workers. This new proposal will afford the same protection to children who are exposed to this harm while travelling in cars or other motor vehicles.

Media campaigns conducted in recent years advocating for people to make their cars smoke-free have reduced the numbers of people who smoke in their cars when their children are present. Despite these campaigns, as many as 30% of smokers who have cars continue to smoke in them when their children are present.

This Bill will ban smoking in cars when any child under the age of 16 years is present. A child 16 years or over who may be driving a vehicle will not be committing an offence if smoking in the car, providing there are no other children under 16 years present at the time.

South Australian police officers are authorised to enforce the *Tobacco Products Regulation Act 1997* and will be responsible for the enforcement of this ban when it comes into effect. Expiations notices (that is, on-the-spot fines) can be issued for breaches of this law. The expiation fee has been set at $75, which is the same as the expiation for smoking in other places where it is not allowed, such as indoor workplaces. The maximum fine is $200.

This Government is committed to reducing the harm from smoking and passive smoking and this is another strategy that will help achieve that goal. South Australia will be the first State or territory in Australia to introduce a ban on smoking in cars when children are present, which shows our determination to make the hard decisions to protect our community's, and especially our children's, health.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Tobacco Products Regulation Act 1997*

4—Insertion of section 48

This clause inserts new section 48 into the principal Act. That section creates a new offence of smoking in a motor vehicle (which has the same meaning as in the *Motor Vehicles Act 1959*) if a child is present in the vehicle. A ***child*** is defined as being a person who is under 16 years of age.

The maximum penalty for contravening the new section is a fine of $200, however an expiation notice may be issued instead of prosecuting, with an expiation fee of $75 applying.

Mr HAMILTON-SMITH secured the adjournment of the debate.

LOCAL GOVERNMENT (STORMWATER MANAGEMENT) 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 4, page 4, lines 22 to 29—

Delete subclause (2) and substitute:

(2) The objects of this Schedule are as follows:

(a) to ensure the proper operation of the Stormwater Management Agreement—

(i) by the creation of the Stormwater Management Authority referred to in the Agreement; and

(ii) by putting in place administrative and funding arrangements, and conferring powers, necessary for the proper discharge of State and local government responsibilities relating to stormwater management as stated in the Agreement;

(b) to ensure that environmental objectives and issues of sustainability are given due consideration in the discharge of State and local government responsibilities relating to stormwater management as stated in the Agreement.

No. 2. Clause 4, page 5, line 17—

After 'planning' insert:

(including policies and information promoting the use of stormwater to further environmental objectives and address issues of sustainability including the use of stormwater for human consumption, for the maintenance of biodiversity and other appropriate purposes)

No. 3. Clause 4, page 5, after line 17—

Insert:

(ca) to facilitate programs by councils promoting the use of stormwater to further environmental objectives and address issues of sustainability including the use of stormwater for human consumption, for the maintenance of biodiversity and other appropriate purposes;

No. 4. Clause 4, page 8, lines 29 to 31—

Delete '(and such objectives must be consistent with the objectives of the Stormwater Management Agreement)'

No. 5. Clause 4, page 8, after line 31—

Insert:

(ab) must set out appropriate public consultation processes to be followed by councils in the preparation of stormwater management plans; and

No. 6. Clause 4, page 8, after line 35—

Insert:

(2a) The objectives set out in the guidelines must—

(a) be consistent with the objectives of the Stormwater Management Agreement; and

(b) include—

(i) environmental objectives; and

(ii) objectives addressing issues of sustainability,

that are consistent with the objects of the *Environment Protection Act 1993*, the *Natural Resources Management Act 2004* and other relevant legislation aimed at protection or enhancement of the environment, the maintenance of biodiversity and the sustainable management of natural resources.

No. 7. Clause 4, page 13, line 34—
After 'land' insert:
by agreement with the owner or in accordance with the *Land Acquisition Act 1969* and any other applicable laws

No. 8. Clause 4, page 16, lines 12 to 21—
Delete proposed clause 27

CRIMINAL LAW (FORENSIC PROCEDURES) BILL

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

No. 1. Clause 3, page 4, line 7—
After 'Act' insert:
, unless the contrary intention appears

No. 2. Clause 3, page 4, line 18—
After 'spouse' insert:
or domestic partner

No. 3. Clause 3, page 5, after line 5—
Insert:
domestic partner means a person who is a domestic partner within the meaning of the *Family Relationships Act 1975*, whether declared as such under that Act or not;

No. 4. Clause 3, page 6, line 18—
Delete 'fingerprints from a person' and substitute:
prints of the hands or fingers of a person

No. 5. Clause 3, page 6, after line 20—
Insert:
spouse—a person is the spouse of another if they are legally married;

No. 6. Clause 3, page 6, line 25—
after 'volunteers' insert:
and victims

No. 7. Heading to Part 2 Division 1, page 7, line 26—
After 'Volunteers' insert:
and Victims

No. 8. Clause 6, page 7, after line 28—
Insert:
protected person means—
(a) a child under the age of 16 years; or
(b) a person physically or mentally incapable of understanding the nature and consequences of a forensic procedure;

No. 9. Clause 7, page 8, line 2—
After 'volunteers' insert:
and victims

No. 10. Clause 10, page 8, line 27—
After 'volunteers' insert:
and victims

No. 11. Clause 10, page 8, line 30—
After 'volunteers' insert:
and victims

No. 12. Clause 10, page 8, line 34—
After 'volunteers' insert:
and victims

No. 13. Clause 10, page 8, line 38—
After 'volunteers' insert:
and victims

No. 14. Clause 11, page 9, line 3—
After 'volunteers' insert:
and victims

No. 15. Clause 11, page 9, line 6—
After 'volunteers' insert:
and victims

No. 16. Clause 11, page 9, line 11—
After 'volunteers' insert:
and victims

No. 17. New clause, page 9, after clause 11—
Insert:
11A—Provision of information

(1) If forensic material is obtained from a person by carrying out a volunteers and victims procedure, the person who carries out the procedure must give the relevant person a written statement, in a form approved by the Attorney-General, explaining the right to request destruction of the material under section 38.

(2) However, failure to give a written statement under subsection (1) does not affect the admissibility of evidence obtained as a result of the procedure.

No. 18. Clause 24, page 13, line 22—
Delete 'If a forensic procedure is to be carried out on a protected person' and substitute:
If, in accordance with an authorisation under a Division of Part 2, a forensic procedure is to be carried out on a person who is a protected person within the meaning of that Division

No. 19. Clause 25, page 14, line 1—
After 'volunteers' insert:
and victims

No. 20. Clause 35, page 16, line 25—
After 'volunteers' insert:
and victims

No. 21. Clause 35, page 16, line 26—
After 'person' insert:
(within the meaning of Part 2 Division 1) No. 22.

No 18. Clause 36, page 17, line 7—
After 'volunteers' insert:
and victims

No. 23. Clause 37, page 18, after line 1—
Insert:
(9) If a senior police officer makes an order under this Division, the officer must make a written record of the order and the reasons for the order.
(10) If the respondent can be located, a copy of the record of the order must be given to the respondent.

No. 24. Clause 38, page 18, line 6—
After 'volunteers' insert:
and victims

No. 25. Clause 38, page 18, line 12—
After 'volunteers' insert:
and victims

No. 26. Clause 38, page 18, lines 13 and 14—
Delete 'because he or she was a child, may, at any time after reaching the age of 18' and substitute:
(within the meaning of Part 2 Division 1) because he or she was a child under the age of 16 years, may, at any time after reaching the age of 16

No. 27. Clause 40, page 20, lines 24 to 35—
Delete paragraph (b) and substitute:
(b) enter into an arrangement with the Minister responsible for the administration of a corresponding law of the Commonwealth or with CrimTrac, providing for the transmission of information recorded in the DNA database system kept under this section to CrimTrac for the purpose of that authority doing any, or all, of the following:
(i) causing the information so transmitted to form part of NCIDD;
(ii) comparing the information so transmitted with other information on NCIDD;
(iii) identifying any matches between the information so transmitted and other information on NCIDD;
(iv) transmitting information arising from such matches to the Commissioner of Police.
(3) In this section—
CrimTrac means the CrimTrac Agency, established as an Executive Agency by the Governor-General by order under section 65 of the *Public Service Act 1999* of the Commonwealth;
NCIDD means the database that is known as the National Criminal Investigation DNA Database and that is managed by the Commonwealth.

No. 28. Clause 42, page 21, line 16—
After 'profile' insert:
derived from forensic material of a person on whom a forensic procedure has been carried out in accordance with an authorisation under Part 2 Division 1

No. 29. Clause 44, page 23, lines 4 and 5—

Delete 'under this Act by the Minister and the Minister responsible for the administration of a corresponding law' and substitute:

by the Minister under section 40(2)

No. 30. Clause 46, page 24, line 33—

After 'volunteers' insert:

and victims

No. 31. Clause 47, page 24, line 39—

After 'procedure' insert:

, or refused consent under section 42,

No. 32. Clause 49, page 26, lines 6 and 7—

Delete 'under this Act by the Minister and the Minister responsible for the administration of a corresponding law' and substitute:

by the Minister under section 40(2)

No. 33. Clause 54, page 27, line 35—

Delete 'body; and' and substitute:

body,

No. 34. Clause 54, page 27, line 36—

Delete paragraph (c) and substitute:

and, on finding the body, the authorised forensic procedure may be carried out in accordance with this section.

No. 35. Clause 54, page 28, line 4—

Delete 'to carry out the forensic procedure authorised' and substitute:

to arrange for the authorised forensic procedure to be carried out in accordance with this section

No. 36. Clause 54, page 28, after line 8—

Insert:

(4a) A forensic procedure authorised under this section must be carried out by—

(a) a medical practitioner; or

(b) a person who is qualified as required by the regulations to carry out forensic procedures of the relevant type.

(4b) A person carrying out a forensic procedure authorised under this section may be assisted by a police officer or other person.

No. 37. Clause 56, page 28, line 34—

Delete 'Minister' and substitute:

Attorney-General

No. 38. Clause 56, page 28, line 36—

Delete 'Minister' and substitute:

Attorney-General

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I will summarise the changes set out in the schedule. During the third reading of the bill I indicated the government's intention to move amendments to deal with matters raised by the Commissioner for Victims Rights, and others. These and other matters have been dealt with by the amendments contained in the schedule. One of the matters raised was a change in the age at which a victim can give consent to a forensic procedure as a result of the amalgamation of the category 1 consent procedure and category 2 volunteer procedure into the one category of volunteers. The bill as introduced set the age at 18 years. The Commissioner for Victims Rights and victims groups argued that the age should be set at 16 years. The argument for reinstating the age of 16 years for victims is based on the age at which a person can consent to medical treatment.

Representations were made that 16 and 17 year old rape victims who seek help in confidence and agree to a forensic medical examination should have their privacy respected, as would happen if they were consenting only to a medical examination. The government has reconsidered the matter. Amendment No. 8 reduces the age at which a person is a protected person for the purposes of part 2, division 1 to 16 years, the effect being that a person can consent to a volunteer and victims procedure at 16 years.

A series of amendments changed the name of the volunteers procedure to the volunteers and victims procedure. These amendments were made in the other place in response to a submission from the Victim Support Service.

Amendment No. 4 amends the definition of 'simple identity' procedure. The original definition provides for the taking of fingerprints from a person. However, the definition of 'forensic procedure' earlier in clause 3 distinguishes between the taking of prints of the hands and prints of the fingers. The amendment clarifies the scope of authority to conduct simple identity procedures so that it covers prints of the hands or fingers of a person.

Amendment No. 17 inserts a new requirement so that a person who carries out a volunteers and victims procedure must provide the relevant person with a written statement in the form approved by the Attorney-General explaining the right to request destruction of the material. The provision will ensure that volunteers and victims are aware of this right, to avoid any technical problems that may flow if a statement is not given. Failure to give such a statement will not affect the admissibility of evidence obtained as a result of the procedure.

Amendment No. 23 requires a senior police officer to make a written record of an assimilation or retention order and the reason for the order, and to provide a copy of the record of the order to the respondent if the respondent can be located. The amendment is made at the suggestion of the Police Complaints Authority to assist with the audit process.

Amendment No. 27 clarifies the relationship with the commonwealth legislation, in particular the national crime investigation DNA database. The amendment makes it clear that the minister can enter into an arrangement with the commonwealth minister or CrimTrac for the transmission of information to form part of the national crime investigation DNA database.

Amendment No. 28 amends clause 42. This clause is intended to ensure that a person who has undergone a volunteers and victims procedure under part 2, division 1 has control of how any DNA profile obtained from the forensic material may be used. The clause is premised on a requirement that the relevant person's consent must be given before profiles can be stored on either of the volunteers limited purposes or volunteers unlimited purposes indices. The amendment ensures that the storage of DNA profiles derived from biological material of deceased persons whose identity is known on the volunteers unlimited purpose index is not affected by clause 42.

Amendment 31 amends clause 47. The clause currently only refers to the inadmissibility of evidence of a failure or withdrawal of consent to a forensic procedure. However, there is also a consent procedure in clause 42 that deals with storage of a profile on the database. The fact that a failure to consent to storage on the database could be led as evidence against a person could raise issues as to whether a consent is given freely or under duress. There is no justification for allowing this type of evidence to be led when evidence of the other matters covered in clause 47 of the bill cannot. Amendments 33 to 36 deal with the authority to conduct a forensic procedure on a dead person. As the bill was drafted, subclause (2)(c) has the effect that a police officer, accompanied by such assistance as the officer thinks necessary, can carry out a forensic procedure. There is no limitation on who can conduct the types of forensic procedure.

The amendments make it clear that a forensic procedure can be carried out on the body of a deceased person where a

senior police officer has authorised the forensic procedure. The amendments also clarify who can carry out such a forensic procedure; namely, a medical practitioner or a person who is qualified by the regulations to carry out the procedure of the relevant type. Amendments 37 and 38 amend clause 56 which deals with the compliance audits by the Police Complaints Authority. The amendments replace the reference to 'minister' with references to 'Attorney-General'. This is consistent with the Police Complaints Authority's general reporting responsibility to the Attorney-General. Amendments are also included to extend the definition of 'closest next of kin' to include 'domestic partners' consistent with the Statutes Amendment (Domestic Partners) Act 2006.

Mrs REDMOND: I am very pleased that the government has agreed to these amendments. Indeed, I note that some of them were moved by the government. I think, if nothing else, the 38 amendments indicate why it is good to have an upper house review these things and to put in some appropriate changes. Many of them are technical and minor things. The amendments of the Hon. Nick Xenophon, including 'victims' after virtually every mention of 'volunteers' is in line with where we all think we should be heading in terms of recognising the rights and interests of victims in dealing with criminal law matters, and so his amendments largely reflect that. The Attorney has already detailed the basis of the reasons for all the others. Whereas some of them are technical, others do make good amendments to what was proposed to make things much clearer and to improve (I think generally) the way that this bill will operate. I indicate the opposition is happy to support the government in its acceptance of these amendments.

Motion carried.

TERRORISM (PREVENTATIVE DETENTION) (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 21 February. Page 1837.)

Mrs REDMOND (Heysen): I indicate that I am the lead and, indeed, the only speaker for the opposition in relation to this bill and that, in spite of having no time limit, I do not intend to keep the house very long. The bill comes about further to some legislation that this house and the other house passed in 2005 and, in particular, we passed the Terrorism (Police Powers) Act and the Terrorism (Preventative Detention) Act. I seem to recall speaking on the Terrorism (Preventative Detention) Act, along with a number of other members, and expressing some concern that the very thing that we were trying to legislate to protect—being our freedom—might be the very thing which would be damaged by the legislation which we were then passing, but I did so nevertheless, supporting the bill on the basis that it was necessary to put in place certain regimes to enable the police to take appropriate action to prevent a terrorist act from occurring and to enable preventative detention orders to be made.

Indeed, with respect to the preventative detention orders, I had concerns, not about the misbehaviour of the police, or anything like that but about the possibility that people who are quite innocent could be caught up by the system. I am pleased to note that, although it is only a little over a year since this legislation was passed, no Police Powers Act authorisations have been made and, as I understand it, the only application under the commonwealth law is currently subject to an appeal in the High Court. I do not think that the result has come down in that appeal. In any event, it is not being used on any great number of occasions. As I said, I did support the bill when it came through.

My understanding of the reason for this particular legislation is that it came about originally as a result of a COAG conference. The Premier had agreed, along with the other state premiers and the commonwealth, that, because the commonwealth did not have legislative power to deal with certain things, the states should go away and pass legislation that was to be similar if not identical from state to state. The South Australian parliament duly passed the legislation, but then, before the commonwealth got around to passing its legislation, the Liberal federal party room decided that it wanted to put in place some further safeguards in terms of personal freedoms, and so on.

This legislation is therefore now being enacted to bring us into line with what the commonwealth ultimately passed, because what it originally proposed was what we passed in this state, and what we now have as law in this state therefore does not match what was ultimately passed in the commonwealth parliament. It does vary slightly from the commonwealth legislation, as I understand it. We differ on two points from the federal legislation: first, that clause 22 introduces an evidentiary provision, because the South Australian Supreme Court judges were apprehensive that a detainee could call on a judge to give evidence automatically rather than on substantive evidence. That is to be altered, and that does not match exactly what the commonwealth legislation says.

Secondly, clause 19, which relates to videotaping of interviews, is being amended to ensure that it is identical to the current South Australian legislation relating to videotaping of interviews rather than following the federal legislation, and I think that is sensible. Of course, the whole thing comes about because the commonwealth does not have the power to enact preventative detention orders because there is a constitutional provision that prevents the federal judges from issuing what are in effect executive or administrative orders.

State court judges have that power but the commonwealth judges do not have that power. Constitutionally they have power to make only judicial decisions; so that was the need for us to have the legislation in this state in the first place. There is a series of alterations, and I have tried to go through the bill and note where there are changes to the legislation. Most of them are relatively minor. For instance, clause 9 is the first substantive change. At the moment, an application must be made in writing setting out the facts or other grounds on which the police officer considers that the order should be made.

This new subsection also provides that there now must be a summary of the grounds on which the police officer considers that the order should be made. I assume the reason for having that, given that the police officer must set out the grounds, is that it could be used inappropriately to set out such complex and convoluted grounds that the person receiving a copy of the notice would not understand what they were being notified about. The new subsection provides that a police officer must also include a summary of the grounds. Subsequent to that is a provision which indicates that, notwithstanding the provisions requiring that summary of the grounds to go in, there is no need to disclose things which would jeopardise security and the national interest.

That sort of provision appears on several occasions in relation to the application for a preventative detention order,

the making of a preventative detention order and an extension of a preventative detention order. A series of amendments take that form. Also, a series of amendments require that, when orders are made, the nominated police officer—and that is a new definition in the legislation—must notify the Police Complaints Authority and give it a copy of the orders that are made. There has also been a tidying up of the basis upon which prohibited contact orders can be made.

At the moment, section 12 in the existing legislation allows for the application of an extension of a preventative detention order. Section 13 goes on to talk about a prohibited contact order. However, until now, the legislation has not spelled out clearly the basis upon which one could apply for a prohibited contact order—it was more or less implied by the terminology used in later subsections. What this does, and I think quite sensibly, is to amend it to say, 'Okay, here is the basis upon which the prohibited contact order can be made and thereafter we will deal with the mechanisms for that.' They are almost technical amendments.

The act clarifies a number of things. It extends South Australia's current legislation by requiring a person to be given assistance with contacting a lawyer, particularly if they have inadequate knowledge of the English language. If someone under the age of 18 years is detained, under federal legislation the detaining police officer has to notify the commonwealth Ombudsman. In the state legislation that is the reason for having these notifications to the Police Complaints Authority, because that is the equivalent for state purposes. There is a new section in the commonwealth act about prohibited contact orders, and the point of that section is the replacement of the very general test in subsections 105(15) and (16) with the list of possible grounds on which a prohibited contact order can be made. Once it is made, the Police Complaints Authority must be notified, instead of the commonwealth Ombudsman.

Under the commonwealth law the detainee has the right to make representations to the responsible police officer about getting the order revoked, and that right must be explained to the detainee. A number of these provisions are directed at placing more security into the system so that those who are potentially caught up by this legislation have not only rights under the act but also rights which are more clearly explained; they are given more assistance in relation to them; and they have the assistance potentially of the Police Complaints Authority because that authority will be formally notified of the position and the Police Complaints Authority will be given a copy of the order. I understand that there is also a provision for a detainee when being questioned to have an electronic recording of the questioning. In essence, all this bill does is tidy up what came about as more or less a hiccup where we pre-empted the commonwealth—

The Hon. M.J. Atkinson: We're so enthusiastic about complying with our COAG obligations.

Mrs REDMOND: We managed to introduce legislation in accordance with what we thought the commonwealth was going to do, but it turned out that the commonwealth did not do exactly what we thought it was going to do. There is no great surprise about the commonwealth doing that and, indeed, in this particular case I welcome it because in the earlier debate I indicated some misgivings. I guess it is always a matter of balance and one has to try to balance the interests of the wider community in ensuring that terrorist acts do not occur with the interests of the individual in having the freedoms we have always enjoyed. I have to accept that, post September 11, 2001, generally the community accepts that it is better to put up with some infringement of personal liberty in order to ensure, as far as possible, the safety of the community at large.

I indicate that the Liberal Party is happy to support this legislation. We do not think that any difficulty will arise in the couple of areas which are different from the commonwealth legislation—and, indeed, we approve of those two differences with the commonwealth legislation. I remember the member for Enfield giving a speech one night about some legislation we were passing in accordance with such a requirement. I think it came about from a COAG meeting. He was talking about an elephant and he said that (if we passed the legislation) it was a bit like saying that if it did not match exactly it was like saying the elephant had an ingrown toenail and therefore it is no longer an elephant. I thought it was quite a good analogy. It does not matter that we are departing in a minor way in two parts from what the commonwealth has in place. For the most part this legislation puts us into line with what the commonwealth has and, presumably, with what the other states have passed. Hopefully, it will have speedy passage through both houses.

Mr KOUTSANTONIS (West Torrens): I support the bill. I support preventative detention for acts of terrorism and what the commonwealth is doing to protect our borders. I have a read a few speeches about the Cold War and a bit of history about how we combated it. If one reads the Patriot Act that the US Congress passed in 2002, one notes that some rather restrictive and draconian measures have been put in place, all for national security in order to defend that nation against another terrorist attack. I will read from a speech that was made during the height of the Cold War by someone I admire greatly.

The Hon. M.J. Atkinson interjecting:

Mr KOUTSANTONIS: I admire Richard Nixon a great deal. The speech states:

> The very word 'secrecy' is repugnant in a free and open society; and we are as a people inherently and historically opposed to secret societies, to secret oaths and to secret proceedings. We decided long ago that the dangers of excessive and unwarranted concealment of pertinent facts far outweighed the dangers which are cited to justify it. Even today, there is little value in opposing the threat of a closed society by imitating its arbitrary restrictions. Even today, there is little value in ensuring the survival of our nation if our traditions do not survive with it. And there is very grave danger that an announced need for increased security will be seized upon by those anxious to expand its meaning to the very limits of official censorship and concealment. That I do not intend to permit to the extent that it is in my control. And no official of my Administration, whether his rank is high or low, civilian or military, should interpret my words here tonight as an excuse to censor the news, to stifle dissent, to cover up our mistakes or to withhold from the press and the public the facts they deserve to know.

He was speaking to a group of journalists and editors, and he went on to say:

> But I do ask every publisher, every editor, and every newsman in the nation to re-examine his own standards, and to recognise the nature of our country's peril. In time of war, the government and the press have customarily joined in an effort based largely on self-discipline, to prevent unauthorised disclosures to the enemy. In a time of 'clear and present danger', the courts have held that even the privileged rights of the First Amendment must yield to the public's need for national security.

That is in time of declared war. He continues:

> Today no war has been declared—and however fierce the struggle may be, it may never be declared in the traditional fashion. Our way of life is under attack. Those who make themselves our enemy are advancing around the globe. The survival of our friends

is in danger. And yet no war has been declared, no borders have been crossed by marching troops, no missiles have been fired.

Does that sound familiar? He continues:

If the press is awaiting a declaration of war before it imposes the self-discipline of combat conditions, then I can only say that no war ever posed a greater threat to our security. If you are awaiting a finding of 'clear and present danger', then I can only say that the danger has never been more clear and its presence has never been more imminent.

It requires a change in outlook, a change in tactics, a change in missions—by the government, by the people, by every businessman or labor leader, and by every newspaper. For we are opposed around the world by a monolithic and ruthless conspiracy that relies primarily on covert means for expanding its sphere of influence—on infiltration instead of invasion, on subversion instead of elections, on intimidation instead of free choice, on guerrillas by night instead of armies by day. It is a system which has conscripted vast human and material resources into the building of a tightly knit, highly effective machine that combines military, diplomatic, intelligence, economic, scientific and political operations.

Its preparations are concealed, not published. Its mistakes are buried, not headlined. Its dissenters are silenced, not praised. No expenditure is questioned, no rumour is printed, no secret is revealed. It conducts the cold war, in short, with a wartime discipline no democracy would ever hope to match.

Nevertheless, every democracy recognises the necessary restraints of national security—and the question remains whether those restraints need to be more strictly observed if we are to oppose this kind of attack as well as outright invasion.

For the facts of the matter are that this nation's foes have openly boasted of acquiring through our newspapers information they would otherwise hire agents to acquire through theft, bribery or espionage; that details of this nation's covert preparations to counter the enemy's covert operations have been available to every newspaper reader, friend and foe alike; that the size, the strength, the location and the nature of our forces and weapons, and our plans and strategy for this use, have all been pinpointed in the press and other news media to a degree sufficient to satisfy any foreign power; and that, at least in one case, the publication of details concerning a secret mechanism whereby satellites were followed required its alteration at the expense of considerable time and money.

The newspapers which printed these stories were loyal, patriotic, responsible and well-meaning. Had we been engaged in open warfare, they undoubtedly would not have published such items. But in the absence of open warfare, they recognised only the tests of journalism and not the tests of national security. And my question tonight is whether additional tests should not now be adopted. The question is for you alone to answer.

Not legislatively: he is giving them the choice. He continues:

No public official should answer it for you. No governmental plan should impose its restraints against your will. But I would be failing in my duty to the nation, in considering all of the responsibilities that we now bear and all of the means at hand to meet those responsibilities, if I did not commend this problem to your attention, and urge its thoughtful consideration.

On many earlier occasions I have said—and your newspapers have constantly said—that these are times that appeal to every citizen's sense of sacrifice and self-discipline. They call out to every citizen to weigh his rights and comforts against his obligations to the common good. I cannot now believe that those citizens who serve in the newspaper business consider themselves exempt from that appeal.

I have no intention of establishing a new Office of War Information—

it could be homeland security—

to govern the flow of news. I am not suggesting any new forms of censorship or any new types of security classifications. I have no easy answer to the dilemma that I have posed, and would not seek to impose it if I had one. But I am asking the members of the newspaper profession and the industry in this country to re-examine their own responsibilities, to consider the degree and the nature of the present danger, and to heed the duty of self-restraint which that danger imposes upon us all.

Every newspaper now asks itself, with respect to every story: 'Is it news?' All I suggest is that you add the question: 'Is it in the interest of the national security?' And I hope that every group in America—unions and businessmen and public officials at every level—will ask the same question of their endeavours, and subject their actions to the same exacting tests.

And should the press of America consider and recommend the voluntary assumption of specific new steps or machinery, I can assure you that we will cooperate wholeheartedly with those recommendations.

Perhaps there will be no recommendations. Perhaps there is no answer to the dilemma faced by a free and open society in a cold and secret war. In times of peace, any discussion of this subject, and any action that results, are both painful and without precedent. But this is a time of peace and peril which knows no precedent in history.

It is the unprecedented nature of this challenge that also gives rise to your second obligation—an obligation which I share. And that is our obligation to inform and alert the American people—to make certain that they possess all the facts that they need, and understand them as well—the perils, the prospects, the purposes of our program and the choices that we face.

No president should fear public scrutiny of his program. For from that scrutiny comes understanding; and from that understanding comes support or opposition. And both are necessary. I am not asking your newspapers to support the administration, but I am asking your help in the tremendous task of informing and alerting the American people. For I have complete confidence in the response and dedication of our citizens whenever they are fully informed.

. . . Without debate, without criticism, no administration and no country can succeed—and no republic can survive. That is why the Athenian lawmaker Solon decreed it a crime for any citizen to shrink from controversy. And that is why our press was protected by the First Amendment—the only business in America specifically protected by the Constitution—not primarily to amuse and entertain, not to emphasise the trivial and the sentimental, not to simply 'give the public what it wants'—but to inform, to arouse, to reflect, to state our dangers and our opportunities, to indicate our crises and our choices, to lead, mold, educate and sometimes even anger public opinion.

In closing, I will just say this: there was a speech made by President Kennedy in 1961, just after he was inaugurated, to a meeting of editors that was held in Washington.

An honourable member interjecting:

Mr KOUTSANTONIS: Yes, exactly. That speech was marked by the existence of the Cold War. He was not prepared to legislate to make changes involving homeland security and preventative terrorism orders. Basically, his argument was: when you are fighting an undeclared enemy and you are fighting someone who is prepared not to use the traditional rules of engagement, like the enemy we are fighting now, in the case of people who are prepared to give their own lives for a religious or nationalist cause, whatever it might be, to harm innocent civilians who are not military targets, the moment we change the type of society we are to combat them, there is an argument that we have already lost, because what is the use of changing your traditions, your customs, your laws, to combat an enemy who wants to change those things anyway?

We beat the communist oppression, we beat Soviet Russia, without changing our laws, without oppressing our freedoms, by using the rule of law, by being an example to the rest of the world about how a free society should work. One of those examples was West Berlin. Today we are changing our laws to have something called preventative detention. Sure, a judge has to be notified and the details of the case have to be spelt out to a judge, etc. Sure, you cannot get a lawyer for a while but eventually you will get a lawyer, and all the rest of it. But are we not sort of pushing the envelope? We are sort of pushing it back further and further.

Mrs Redmond interjecting:

Mr KOUTSANTONIS: Yes, I did, actually. I do support these measures. I do think these measures are important and I do support these measures privately behind the scenes in the caucus and here in the parliament. However, at what point do we repeal these laws? At what point do we come back and

say that the threat is now over? Or do these laws stay in place indefinitely? At what point do we say, 'Okay, the threat has been removed; let's now withdraw these laws and go back to the way we once were'? I know this bill will be exceptionally popular because I know my constituents overwhelmingly support these measures; however, how far does a state take its powers? How far do we take our liberties?

All I am saying is that there was a very clear and present threat throughout the entire Cold War from 1949 up until about 1989-90, and we defeated those enemies who were not wearing uniforms, who were not lining up to fight us in a traditional battle, although it might have ended up that way. Ultimately it was an ideological struggle and it was a struggle between two systems. This situation is similar; our fight against terrorism is a lot like that struggle. We are fighting a system of intolerant fanatics who believe that their system of religion and faith should be imposed upon others, and those who do not accept that are prime targets; and these people do not target the military, they target civilians.

I support this bill. I support the Attorney and the commonwealth for what they are doing. I support our anti-terrorism measures and I support our defence forces and our security services implementing these systems and keeping us safe, but I just hope that one day we can come back and repeal these laws because we do not need them.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT

At 5.35 p.m. the house adjourned until Thursday 15 March at 10.30 a.m.