

HOUSE OF ASSEMBLY**Tuesday 3 June 2008****SPEAKER, ABSENCE**

The CLERK: I inform the house of the absence of the Speaker.

LEGAL PROFESSION BILL

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security, Minister for Regional Development, Minister for Small Business, Minister Assisting the Minister for Industry and Trade) (11:01): I move:

That the sitting of house be continued during the conference with the Legislative Council on the bill.

Motion carried.

FIREARMS (FIREARMS PROHIBITION ORDERS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 1 May 2008. Page 3111.)

Mrs REDMOND (Heysen) (11:02): I indicate that I am the lead speaker for the opposition in relation to this bill, which has already passed the other place before coming to us. It is with some pleasure that I indicate our support for this bill because I think it does a couple of appropriate things. It is about the control of firearms and, of course, the control of firearms has been the subject of a fair amount of discussion in this state and elsewhere in Australia for a number of years, probably most notably since former prime minister John Howard's banning of firearms after the Port Arthur massacre some years ago.

One of the problems that has arisen in relation to firearms has been that many people in the community legitimately have an interest in firearms—members of shooting clubs and the like—and, no doubt, they have lobbied the government as frequently as they have lobbied members of the opposition in relation to the unfairness of some of the operation of the laws in relation to firearms. As I said, I am pleased that the effect of this legislation is to refocus (I think was the term used in the second reading) the attention of police, because it is not the people who are the licensed, legitimate firearms owners and who are involved in shooting clubs who are the problem.

The firearms which present a problem in our community are the ones which are usually not licensed anywhere, obtained by criminals through a black market system and used for criminal purposes. This legislation enables the making of prohibition orders against people who should not have firearms. So, instead of focusing on the firearms themselves and making all sorts of regulations about how they might be managed, the legislation sets out a regime wherein, basically, two levels of orders can be made in relation to the possession of firearms.

As I said, this bill has already passed the Legislative Council. In fact, I was interested to note that minister Caica introduced this bill and explained its second reading, I think in the absence of the Attorney, early in the month. One thing that was notable about his speech (for me, anyway, given my peculiar background before coming into this place) was that his second reading explanation was identical to that of minister Holloway in the other place.

It is remarkable to me for two reasons: first (and it is a very personal one), when I was in the business of writing speeches in relation to bills going before the New South Wales parliament, I was under strict instructions never to present the same speech. I had to write the same thing—sometimes quite a simple concept—in at least six different ways, because we actually read first, second and third readings—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: I could do that, as the Attorney points out, and I did; I had to do that. So, it was a little surprising to me to find that, after introducing the bill, the minister's speech was identical to that given in the upper house. However, I have noted on a number of occasions that the Attorney's explanation in relation to amendments moved in the other place and the response of the government would usually be word for word for what was said in the other place.

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: The Attorney indicates that he is wounded by my comment in that regard. The other thing that surprised me, though, was that, given the date of its introduction, this bill did not refer to the more recent incident. The second reading starts out talking about the incident at the Tonic Nightclub which, of course, occurred last year, and more recently we had, again, in the streets of Adelaide the shoot-out, and it is really that sort of thing which this bill is attempting to address. I welcome it, as I said, because it does focus police attention on the bad guys, not on the people who are the legitimate firearms owners. It is trying to make sure that the wrong people cannot get hold of guns or, if they can get hold of them, they can pretty soon be stopped because of the regime established in this bill.

The regime essentially sets up, as I said, a two-tiered system, wherein a police officer of the rank of sergeant or above can make an interim order. Thereafter, and within 28 days, that must be notified to the registrar, and the Registrar for Firearms can then decide whether that order should then be made into a full-blown order. It works, I guess, something like the current situation for people getting a restraining order. Normally, if they are in fear, a person can go to the police station and ask for a restraining order against a particular person. That may be issued immediately and served on the person against whom it is directed, but it does not become final until the matter goes before a magistrate and gets decided at that level. A similar sort of regime is established in this legislation.

As I said, it is primarily directed to people who have criminal intent in relation to weapons—firearms—but it is not entirely directed to those people. Another class of people need to be covered, that is, those for whom their mental state may make them unsafe or unfit to have possession of a firearm. Indeed, one thing done by this bill is that it introduces a compulsion on gun clubs and on medical practitioners to notify the registrar of people they feel fit into that category.

In terms of the second reading, I was somewhat surprised at the level of understatement in both second readings—in this house and in the other place—where, under the heading of 'environmental context', the following explanation is given:

In South Australia the majority of violent criminal behaviour with firearms does not involve legitimate firearms owners, nor legitimately owned, secured and registered firearms.

To me, that is a massive understatement, because there is no doubt that the vast majority of violent criminal behaviour is not carried out by legitimate firearms owners. It goes on to say:

There is some conjecture as to the quantity of illegal firearms circulating in the community.

I would be interested to know whether there is actually any conjecture. We all know that there are illegal firearms circulating in the community, but I do not know that anyone attempts to establish just how many there are. Certainly, when I had the so-called 'secret squirrel' meeting with a former bikie, he informed me that, if they wanted to have a hit against someone, their preferred method would be to bring in someone from overseas on a holiday, supply that person with a firearm (an illegal, unregistered firearm), have the deed done, and that person would leave at the end of their holiday. So, as I said, I was a little bit surprised at some of the comments made in relation to the conjecture about firearms in the community.

One of the interesting things about the proposed orders and the consequences of the orders was that some of the offences will apply not just to the people against whom the order is made but also to other people who may in some way be associated with them. So, if you look at the range of offences, once someone is subject to a firearms prohibition order it is an offence, obviously, for that person to possess a firearm or to attend at any shooting range or firearms dealership. It is also an offence to reside in premises if there is a firearm on the premises—and that clearly applies to the person against whom the order is made—or to bring a firearm onto premises where a person subject to a firearms prohibition order resides. To that extent, therefore, that could apply to any third party who knowingly comes onto premises where a person who has been made the subject of an order is residing. Similarly, it is an offence for a third party to supply a person subject to a firearms prohibition order with a firearm.

As was pointed out during the second reading, at the moment the law concentrates on specific firearms offences, and the consequence of that is that the sorts of offences that normally go to the Magistrates Court are generally the low end offences and many will be minor technical breaches of firearms legislation: not in terms of assaults and woundings and that sort of thing but things such as failure to keep a firearm appropriately locked up or keeping the ammunition with the firearm, and so on. So, those sorts of things tend to be dealt with summarily in the Magistrates Court—and there is no real reason that that should change.

The reality of the firearms offences charged against people who are involved in violent criminal behaviour is that often, in terms of negotiating plea arrangements and so on, the effect will be that the firearms matter actually disappears in the negotiations and is often withdrawn or not proceeded with. This bill promises a more (I hate the word) proactive regime, wherein the police will be entitled to approach anyone who is the subject of a firearms order to ensure that they do not have one about their person or in the place where they are residing. I have a couple of questions, and I note that there is an amendment on file so we will be going into committee and I will explore the questions further when we are in committee.

It struck me when I read that a person subject to a firearms prohibition order can be stopped and searched on site, but so can any vehicle, vessel or aircraft they are in charge of be stopped and searched. The question that occurred to me was: what if they are not in charge of it? Will that mean that the Mr Bigs around the place will employ a driver all the time so that the driver is always in charge of the vehicle, vessel, or whatever? Similarly, the place of residence of subject persons can be inspected at any reasonable time. One wonders at what point some place at which one is staying becomes a place of residence for the person involved.

The definition of 'possession of a firearm' is inserted, and it is to some extent extended so that a person has possession if they have 'custody of the firearm'—and that is quite straightforward—or 'has the firearm in the custody of another...or has and exercises access to the firearm'—so that broadens the scope of the legislation significantly—or 'occupies, or has care, control or management of, premises, or is in charge of a vehicle, vessel or aircraft, where the firearm is found'. There is quite a broad definition.

Then, unless the person, once found with that, is able to establish that that person did not know or 'could not reasonably expected to have known, that the firearm was on or in the premises, vehicle, it or aircraft...or that the firearm was in the lawful possession of another order he or she believed on reasonable grounds that it was in that person's lawful possession' they will be then taken to be in possession and, therefore, if they are subject to an order, guilty of an offence.

This bill does considerably expand, therefore, the ability of the police to directly approach and react to people who they believe may be in possession of a firearm by having them declare them subject to an order. And, of course, it is not the police themselves but the registrar who has to be satisfied on the basis of evidence or criminal intelligence that they can be made subject to an order.

I noticed also the change in the appeal processes. At present, a registrar's order can, I think, be appealed to the Magistrates Court. What will now happen is that there will be an appeal available to the administrative and disciplinary divisions of the District Court. I think it will be a much better mechanism. I have said on a number of occasions in this place that, in my experience, most magistrates have a vast ability to deliver summary justice. They have a very good nose for the truth, and they do by and large, I think, deliver well in relation to the hundreds of matters that come before each one of them on a weekly basis.

We do not have a great pool of people in our magistracy—there are some exceptions—who have a good understanding of administrative and civil law. I think, therefore, that the approach of moving it to the administrative and disciplinary division of the District Court will have the effect of providing a more structured appeal but also one where the appropriate considerations will be those that are taken into account, because at some stage there is a risk that people who specialise only in criminal law may not approach the task quite correctly in terms of an appeal from a registrar's decision.

Medical professionals and other prescribed people will be required to report to the registrar if they treat a person who has suffered a wound caused by a firearm. So, if someone has a wound caused by a firearm—and, potentially, that could be, for instance, in a bikie shootout—and they turn up at a hospital emergency department to get it treated, or they knock on the door of their local GP, or whomever it is, there is a positive obligation placed on that treating person to report that to the police. They also have an obligation to furnish the police with any projectile or fragment they remove from such a wound. Obviously, those twin obligations of reporting the incident to the police and providing the projectile, if there is one, to the police will significantly enhance the power of the police to follow up matters with appropriate investigation in a timely manner.

There are also some provisions in the legislation to place tighter controls on the manufacture of firearms. Indeed, it will become an offence to even manufacture a part of a firearm, although I would anticipate that there would be parts of firearms that might be available generally and one would wonder about how you would prove, if just a part is being manufactured, that it is

being manufactured for the purpose of being placed in a firearm. But, more importantly, there will be some provisions in the bill about aggravated offences.

As I understand the aggravated offences, they are that, if you are in possession of a firearm which is loaded or, in the case of those which have magazines, if you have a loaded magazine with the firearm, or if you have a firearm concealed about your person, any of those will constitute an aggravated offence, and the aggravation will lead to quite a significant increase in the penalty that can be applied, which goes to something like 15 years maximum imprisonment, from memory. The previous summary offence attracted a maximum penalty of \$10,000 or two years' imprisonment, and the maximum penalty under these aggravation offences is a \$75,000 fine or 15 years' imprisonment. So, that is a significant increase, and I think that is appropriate.

The police powers are also extended in relation to asking for information in order to obtain details about possession and ownership of a firearm. My understanding (and this really comes from the briefing rather than from the second reading explanation) is that two states and one territory (ACT, Tasmania and New South Wales) have legislated to issue prohibition orders only when a person is found to be illegally possessing a firearm.

At this stage, the Northern Territory, Queensland, Victoria and Western Australia do not have prohibition orders but, according to the briefing, the other states commended the idea at a legislative forum. I would expect that those states will therefore be looking very seriously at the scheme as it applies in those two states and one territory, compared with the scheme that will henceforth apply in South Australia.

It would seem to me that, if we are going to allow our police to really combat the sorts of illegal activities we are targeting (and I realise that a lot of this will be targeted at the outlaw motorcycle gangs), it is appropriate for the police to simply be able to issue that interim order and get that confirmed later by a registrar so that the possibility of avoiding a problem before it erupts is enhanced.

With those few comments, I indicate once again that the opposition supports the legislation. I think that it heads in the right direction. I think that there has been considerable concern in the community at large about people who might be inappropriate to be licensed to have a firearm. More commonly, of course, it comes to community notice if someone has a mental illness and is in possession of firearms a licence.

In fact, my understanding of existing law is that such a person could have their firearms licence taken away, but this will certainly make that likelihood much more immediate because of the provisions for the medical practitioners to have to identify and notify the person. I will be interested to hear from the Attorney-General in due course just how that will come about, because the vast majority of people who consult their general practitioner, a psychologist or a psychiatrist in relation to mental health problems would not have a firearm and would not have a licence for a firearm.

Therefore, either it presupposes that the medical practitioner will have to ask that question, 'Do you have a firearms licence?' and that the person will answer honestly; or it suggests that the medical practitioner will have to notify the registrar of every person who comes before them who has some sort of mental illness that might make them unfit to hold a licence, even if that person has never held a licence, will never hold a licence and is not interested in ever holding a licence.

That would seem to me to create an enormous amount of unnecessary paperwork, since 99 per cent of the community are not involved with firearms at all. I am a little curious as to how that will work in practice, but that is something that I am happy to explore further during the committee stage. That said, I indicate the opposition's support for the bill.

Mr HANNA (Mitchell) (11:27): I speak in support of the government's latest firearms legislation. As the member for Heysen said, this bill moves in the right direction, but the question with this series of changes to the criminal law that arises time and time again is whether it will have an unnecessary and unfair impost on innocent people. Naturally, one thinks of legitimate and responsible sporting shooters.

There are quite specifically increased responsibilities for those who run sporting shooters' clubs, and I think there are questions that need to be asked about those additional responsibilities. One can understand that if, for example, a shooting club manager becomes aware that one of the club's shooting members develops a mental illness that might cause them to act violently towards others, then it is fair enough that there be a responsibility to report that.

On the other hand, there is also an obligation there to report physical conditions that might increase the danger to others if that person is a shooter within a club. There will be real questions about how that will be implemented. It will be a difficult matter for judgment, I suggest, for those running shooting clubs who want to do the right thing, as to what to report in terms of the physical disabilities of their members. I know that the Sturt Pistol Club, for example, has a lot of elderly members who mostly seem to be able-bodied but some of its members have a range of disabilities. At least, it requires explanation from the government about what is meant by the physical incapacity that has to be reported if the sporting/shooting club managers are to fulfil their obligations under the legislation.

The other trend in some of the government's legislation is to have important decisions about people's liberties being made by an increasingly concentrated authority in a particular person. Concern has been expressed to me about the changes to the role of the Firearms Consultative Committee whereby it used to be the case that that committee would make a decision and then the matter would go before the registrar for Firearms, whereas now the registrar will make a decision and a firearms review committee will then act as a body of review.

In other words, that is an example of the decision having been with the committee now going to just one person and, if there is an issue there, it is exacerbated by the fact that an appeal then is available to the District Court, not to a magistrate, and we all know the additional expense and time that that generally involves. There are some fair questions to be asked about this legislation, although it heads in the right direction. No doubt, that will be pursued in the consideration of the bill in detail.

Mr PENGILLY (Finniss) (11:32): I rise to make a few comments in relation to this important legislation. The member for Mitchell, during the course of his speech, picked up on the aspect of the unfair impact on some people. In my electorate a number of people are involved with antique firearms, and they have come to me quite regularly and consistently over a long period of time with the concern that they are being discriminated against in respect of some aspects of firearms legislation that comes before this place. As they are uncomfortable and do not feel as though they are being heard, I urge the government and the minister to listen to those people and take note of them. I think the member for Mitchell covered the subject quite adequately.

I am in favour of the prohibition orders because these bikies, scoundrels and others around the place want to bring the state to its knees with their criminal intent. It gives me great pleasure to know that they will have an order made against them and that prohibition order will hopefully take care of some of the skulduggery that they get up to, so I think that is a step in the right direction. This measure has been a long time coming, and quite clearly a lot of work has been done on it. It is pretty clear that the prohibition orders will be used on bikies (although, sadly, they could well be used on sufferers of mental illness, for example, who pose a danger to themselves or the general public) and perpetrators of violent crime. We have seen ample evidence of that around the city of Adelaide lately and, despite a lot of huff and puff, people are still going out and doing these things, occasionally making the Adelaide city centre, as well as other areas of the state, a dangerous place.

Hopefully, the prohibition orders will be a step towards fixing that up as it goes along, and that includes hold-up offences, drug dealers and similar people in society who we are better off without. If there is some way possible to tie these people up in knots and limit their capacity to cause harm or have criminal intent, specifically in the state of South Australia, I am all in favour of it, quite frankly.

Prohibition orders will have a certain amount of control over people in what they do in regard to residing at premises where a firearm is present—and a host of other things. I say on the record that I, along with probably a number of my colleagues in this place, have a number of firearms. I think I have about 10 at home in a locked cupboard. I use a single shot .22 probably once a year, but I have had them for a long period of time and the fact of the matter is that if you live in the country—

The Hon. M.J. Atkinson: What do you use them for?

Mr PENGILLY: I will show you if you want to come out spotlighting with me, Attorney, but do not get in the way or you might get a crosshair on your head—no; I jest. The reality is, as the Attorney well knows, as the government knows and as members on this side know, a considerable number of people, particularly in rural South Australia, need to use firearms to go about their daily business.

The Hon. M.J. Atkinson: Tell the DPP.

Mr PENGILLY: I will not have to. If you keep interjecting it will all be on the record and the department will know anyway. The fact of the matter is that people have to go about their normal business and there are cases where they need firearms. The vast majority of firearms users are honest people who use weapons appropriately and properly and for what they are intended.

I return to the issue of the antique firearms owners. We have to be careful that people who choose to go about that pursuit are treated properly and that they do not feel threatened by aspects of legislation that come through. In summing up, I think there will be scepticism by some because there is a general distrust of the government—I think there is a pretty big distrust of this government about a lot of things, but more particularly on this issue.

The Hon. M.J. Atkinson interjecting:

Mr PENGILLY: If the Attorney wants to sit here and carry on with his normal amount of nonsense and not debate this bill sensibly and properly and, given that his government introduced it, he can be a fool if he wants to, quite frankly. However, I am putting a rational contribution to this debate.

The Hon. M.J. ATKINSON: I rise on a point of order. The member for Finniss referred to me as a fool and I ask him to withdraw.

The DEPUTY SPEAKER: I invite the member for Finniss to respond.

Mr PENGILLY: I probably did not need to say that. However, the fact of the matter is that if the Attorney wants me to retract—

The DEPUTY SPEAKER: Order! Please proceed. Do not make a speech about it; just act.

Mr PENGILLY: I retract the allegation, Madam Deputy Speaker. The fact is that we came here to debate this sensibly and not listen to what I regard as interjections that are not helpful and just blatantly political, while we are talking about a serious—

The DEPUTY SPEAKER: Please proceed with the debate on the bill.

Mr PENGILLY: I am talking about the bill. We have a serious issue here about the prohibition orders to be put on firearms, and I support that. I do not think the comments from the Attorney-General are at all helpful. They are not in the spirit of what this house is discussing about the bill in a sensible and balanced way. I do support the bill and I look forward to the introduction—

An honourable member interjecting:

Mr PENGILLY: I look forward to the Rann government getting busy and doing something against crime and seeing a few of these prohibition orders put in place so that the level of violence and criminal activity is reduced. Instead of talking about it the government should get busy and do something. I do not know about other people, but I am sick of hearing puff and blow and nonsense. If this is a step in the right direction, I support it.

Dr McFETRIDGE (Morphett) (11:40): I rise in support of the legislation. It is about time the government was given some real power to do a job that is well and truly overdue, and that is taking guns off criminals. I saw a bumper sticker a few years ago which stated, 'If you outlaw guns then only outlaws will have guns.' While severe restrictions on gun ownership have come in over the years, there is now a need to make sure that those people who do want to use guns for illegal purposes and have guns in their possession illegally are caught by the legislation that we have before us today.

This legislation has been worked on for a number of years. Chief Inspector Les Buckley, who has been working on this for a number of years, is a man of great integrity and has a great deal of common sense, and I am assured by the fact that he has been overseeing this legislation that it is a workable piece of legislation. It is up to the Rann government now to resource the police and make sure that they can enforce the legislation to the complete letter of the law.

As a firearms owner, I do find it a bit of an annoyance, I suppose, to have my licence renewed and my photograph taken every year at the motor vehicle registry at Marion. I suppose the biggest problem I have is the wait in the queue. Last time I went there (in November) there were 40 people in front of me. It took just over half an hour to get to the cashier, do the business and have my photograph taken. Then the licence is posted out. Every year I do that, and if the Minister for Transport, who I know is a keen shooter, could look at some way of perhaps streamlining that process, that would be appreciated.

The legislation before us today seeks to ensure that people who own firearms are using them legally. The ones using them illegally are not the ones lining up in the motor vehicle registry for half an hour like I do. I can cite a personal case in which an employee, whom I employed in my veterinary practice and who had no police convictions whatsoever, was married to a guy who, I suppose, was considered to be member of an outlaw motorcycle gang and, in fact, he was in gaol at the time I first employed her.

All their guns were registered in her name, so as far as the police were concerned there was no issue. To the best of my knowledge, she was complying with every piece of legislation that was required of her at the time, yet her partner would have had access to those guns when he came out of prison. So, it would have been a real issue for me to say that, if this guy had not have been rehabilitated in our prison system, he may have had access to the guns.

So, what is the answer in this legislation? I do not see it here. The onus is on the person who has the prohibition order to say, 'Well, I am a banned person, so you cannot have the guns, you cannot be with me.' These people were husband and wife. She had no criminal record whatsoever and she was quite legally able to own the guns. What is the answer there?

Whilst she may not have been able to keep the guns in the house, she could have had them in storage somewhere which, for all practical purposes, would not have stopped this fellow having access to the guns. He has been rehabilitated and I know now that he is a good member of society. He does not live down Happy Valley way any more. That scenario could present a problem, and so I ask for that to be explained to the house. With that, I strongly support the bill and, as I say, commend Chief Inspector Buckley for his work.

The Hon. G.M. GUNN (Stuart) (11:44): I rise to participate in this debate. I wish to address one or two comments in relation to the legislation. First, my concern is that there is the potential for people to be guilty by association. That in itself is a problem, because in a modern democracy if you comply with the law you are entitled to the presumption of innocence. I have no time whatsoever for the illegal activities in which some of these people are alleged to be involved—and we read about them in the newspapers and see them on the television—but you can put all the restrictions in the world in place and, unfortunately, they normally only restrict, effect or interfere with law-abiding citizens. The criminal element are not deterred.

I will give you an example. The honourable member for Schubert and I visited the Brixton police station in London (a fairly notorious area)—

Mr Pengilly interjecting:

The Hon. G.M. GUNN: No; I will leave that to the honourable member. We had a discussion with the head of the police there (about the equivalent of our commissioner) and he said to us, 'Have a look out the window, and see the illegal dealers down the street here.' They are bringing them in from Europe in container loads—even though it is illegal to own, possess or have anything to do with them. If you want one just go down the street and you can buy one.

They actually had police using surveillance cameras—similar to what we use to catch good people doing a few kilometres over the speed limit—not to trap people driving motor cars but to observe these characters carrying out these deals. Of course, in a country like Australia with our wide coastline there is always the potential for these illegal firearms; however, that is no reason to make it difficult for people who have a legitimate purpose.

Some of the current provisions in the Firearms Act are cumbersome and create difficulties—and I will give you an example. If you live out on a rural property from time to time, unfortunately, you get a visit from a friendly snake on your verandah—

The Hon. M.J. Atkinson: There is only one thing you can do.

The Hon. G.M. GUNN: I am fully aware of that, and I am coming to it. You are not supposed to have the firearm hanging behind the laundry door; you are supposed to have it locked up in a safe. So, you have to say to the snake—

The Hon. M.J. Atkinson: Please wait here.

The Hon. G.M. GUNN: Yes; please wait. That is how stupid it is.

The Hon. R.B. Such: It could be a harmless python.

The Hon. G.M. GUNN: Well, I say to the honourable member, if he steps out on his verandah and he has a king brown there, and your daughter-in-law has three little children, I do not

think you are going to determine whether or not it could be a python. I have never seen a python on Eyre Peninsula but I have seen plenty of king browns—and I tell you what, when you step on them you are quicker than Fred Astaire on your feet!

Notwithstanding that, when you know that there are snakes about people need to be able to do something about it—and the best method is a double-barrelled .410 because you can shoot one-handed. You can just walk up and go, 'boom boom', and you are rid of it. Females can also use them very easily; not like a 12 gauge that gives you a good thump on the shoulder.

Members interjecting:

The Hon. G.M. GUNN: No, not with a .410; you just go 'boom boom'. Double-barrelled, two triggers and you use 3-inch cartridges. I guarantee you can get one every time.

An honourable member: An axe works better.

The Hon. G.M. GUNN: Well, there are other methods. My father used to grab them by the tail and crack their heads off but I am not quite that brave, and I do not intend to learn. I have heard of people nearly having them attached to their ears because I am told they are not real happy when you grab them by the tail and try to crack their heads off. Nevertheless—

The Hon. M.J. Atkinson: It wraps itself around the handle.

The Hon. G.M. GUNN: Well, I do not know whether standing orders permit me, but I can tell the honourable member a funny story—and I hope you will give me a little latitude, Madam Deputy Speaker. Many years ago we were in our workshop, where my brother now lives, and we spotted a snake going under the bench. He grabbed it by the tail and heaved it out. Unfortunately, the snake hit one of our associates and half wrapped around him. Now, I have never seen anyone go straight up like an F111. That person was the most nimble I have ever seen him.

The Hon. M.J. Atkinson: How did the snake go?

The Hon. G.M. GUNN: The snake went to the promised land. It took some minutes to contain the person concerned. The honourable member thinks it is funny, but before last harvest I was home honing my skills for a few hours on how to be a farmer; my son had changed the filters on the header and started it up to give it a run, and I stepped behind it and he said, 'Look out', because a snake came out from the back of the header. I took one step back, hit the trailer and it took me a fortnight to be able to walk properly again.

You have to be prepared but, with some of the silly provisions that exist, you are not supposed to have the double barrel or single barrel .410 close at hand to deal with such situations. Other difficulties I see with the current legislation involve employees who are allowed to use firearms and who do not live on the property; are going home and coming back. Some of the provisions are right over the top and need some sensible changes. At the end of the day we will pass these laws. I have a firearms licence, A, B and C, and can own a certain number of firearms. I have them locked in a safe and it takes you 10 minutes to get them out and then you have to put them back and lock them up like Fort Knox. The foolishness of the exercise is this—

The Hon. R.B. Such interjecting:

The Hon. G.M. GUNN: Let me tell you. You go 100 metres down to the workshop and there is an oxy torch down there and most of these people are good with a hot hammer. All you are saying to them is: there is where all the firearms are. In the past we had them under our bed or in the wardrobe and no-one knew they were there, but now you have to have them locked in a steel safe. One bloke told me to put a sticker on it 'explosives', which I did, in the hope of deterring them from putting an oxy torch to it.

There is a need to ensure that this legislation is administered sensibly and fairly. Those bikie gangs terrorising certain parts of Adelaide should be dealt with firmly, as should a number of other people who have no regard for law-abiding citizens. We are passing draconian laws here, but we are not doing anything about disruptive tenants, who are terrorising, hassling and hindering. Every day members in this place are made aware of the activities of these people. Two people were seriously assaulted in Port Augusta over the weekend. You have these people jumping fences and stealing clothes, but we are not doing anything about this because the trendies, Girl Guides and others do not think that is important. Let them go—that is all right—but if you have a firearm you have the potential to be a villain.

Let us be even-handed and deal with these disruptive tenants who are harassing, hindering and making life unpleasant for a lot of hard-working taxpayers who spend most of their lives paying for their house but who have to put up with these scoundrels. It takes far too long to get rid of them; it should be one strike and you are out, because most of them are getting a subsidised taxpayer home and do not appreciate it. I have lost all patience with this lot and they should be put out quickly.

This measure is popular and I hope it has the desired effect and that common sense prevails. I sincerely hope that these laws are not made to unduly affect pastoralists, farmers and other legitimate users—people involved in gun and firearms clubs who are very keen on their sport and are good law-abiding citizens.

I hope the law will be enforced with commonsense, not a desire to bring as many prosecutions as possible or to make life difficult. In the time I have left here, I will be watching it very carefully. I do not want to start putting questions on notice, like I am about to do this week in relation to other elements in the police department. I do not want to have an obsession with other areas. A series of questions will be going on the *Notice Paper* and, unfortunately, they will keep someone busy, but one unreasonable act always generates another. I hope the purpose of this legislation is successful. My concern is that it is implemented sensibly and wisely in order to bring about the changes (which the community wants) without making it difficult for other people.

The Hon. R.B. SUCH (Fisher) (11:56): I welcome the general thrust of this bill but, like the member for Stuart, I do have some concerns about aspects of firearms control and administration in this state. I have been shooting since the age of 15. I am still a licensed shooter. Whenever I can, I shoot rabbits and foxes on properties owned by people I have known for more than 40 years.

I would like to address the focus of this bill. The reality is that a lot of legislation comes from particular incidents in the community—which can be a good thing but also not so good. We all can recall what happened after the massacre in Tasmania involving Martin Bryant when former prime minister John Howard tightened up the gun laws. I have no problem with most of the provisions, but some of them in my view were not well thought out; and I notice this bill is a reaction to a particular incident.

In relation to the Howard gun reforms—and I was a minister at the time—I can remember quite clearly that some of my colleagues did not know what the bolt of a rifle was yet they were making decisions about what one could or could not do with a firearm. One of the bizarre outcomes of the reforms was that centre fire repeating rifles were allowed but shotguns with a repeating capability were outlawed. Anyone who shoots rabbits or foxes knows that at times you have to shoot quickly the second time and third time. It is not easy with a single shot weapon to do that, obviously, because one has to reload. That is an example of how something was not thought out properly. There was an anomaly where centre fire rifles were allowed to have a repeat function but a shotgun was not.

I strongly support provisions to have firearms locked up securely. Like the member for Stuart, my firearms are locked away in a steel cabinet. They are more secure than that because other provisions apply. The ammunition is stored separately. Once again, it is securely locked in steel cabinets to ensure that there is no possibility of someone using it for the wrong purpose. I do not have any problem with that.

We are not talking about toys but, rather, things that can kill people, so we have to be very careful and we must have proper provisions in place. From what I understand, there seems to be little impediment for criminals to get hold of and use firearms. We have to be careful—and the point was made by the member Stuart—that in targeting these bad characters in the community we do not make life unbearable for the legitimate shooter, whether it be someone who shoots clay targets or hunts vermin.

We should not be creating a situation where they are treated, in effect, almost as de facto criminals. I have received several reports from constituents and others where some members of the police force have acted in what appears to be a fairly harsh way in coming to someone's home when there has been no real evidence and no suggestion that those people have been involved in any sort of criminal activity. Some members of the police force have taken a heavy-handed approach.

Even the correspondence from the firearms branch is somewhat heavy to ordinary licensed shooters. I am not expecting them to send out a letter with butterflies on it and kisses at the bottom, but there is an inference and a tone about some of the communication from the firearms branch

and what has been reported to me about the way in which some police respond to firearms inquiries, and so on, and visit homes. There is an unfortunate and unnecessary heavy-handedness about it, and that alienates good citizens who feel that, when pursuing a legitimate hobby or activity, they are being treated as criminals.

As I said, the bill primarily targets motorcycle gangs and others who are involved in serious crime and violence, and I welcome that. However, in a sense, the bill is tackling a problem at the second order level. It is the same as in the case of Martin Bryant. It was known when he was at school that he was dysfunctional; that he was experiencing difficulties and was headed for some sort of major problem down the track. So, we introduced some fairly tough gun laws to deal with the problem that related to someone's mind-set or level of dysfunction, and we punished the whole of the legitimate gun-owning community because some person like Martin Bryant in Tasmania did something quite wicked and evil.

Likewise, if there are evil, illegal activities taking place here that involve people in the community, we should be targeting them at the first level. I understand that is what the government is trying to do, and that is where the focus should be. The guns are a second level aspect of that criminal activity, but we need to tackle the first order of antisocial and criminal behaviour and give that priority, rather than the second level.

In terms of the way in which people use firearms, some of the provisions are not terribly sensible, and I made some submissions when the gun legislation was being reviewed. I shoot on a number of properties in the Mallee, where my family has known the landholders for more than 40 years. However, under the law, technically, I require written permission from each property owner to shoot on their property, which has to be renewed every six months. One might ask, 'What is the problem?'

Anyone who associates with farmers would know that they do not like paperwork and what they would call a lot of bull crap. So, technically, every six months I need to go around to all those farmers and say, 'Can you please sign a legal authorisation for me to shoot on your property?' I will not mention the language they sometimes use, but they regard it as somewhat bizarre that families I have known for 40 years have to go through this rigmarole every six months for me to legally shoot on their property.

People might say, 'Well, that is not a big drama.' Just to own a firearm is now a costly exercise, because the government makes sure that licence holders pay a hefty fee. I do not know what it will be next time it is renewed, but the government certainly slugs legitimate firearm owners heavily for the privilege of having a firearm. Once again, one could argue that that would not be so bad if some of that money was used to promote gun safety and provide facilities for people who want to, for example, shoot clay targets. However, to me, it is basically a revenue raiser and a means of getting money from legitimate gun users.

I support the overall thrust of the bill and, certainly, the focus on targeting those engaged in criminal activity. We now have a society in which most people are not familiar with firearms and I think that women, in particular, have a fear of firearms, and I do not think that is a sexist remark. Everyone should treat firearms with respect. I do not have a problem with having firearms properly secured, with the ammunition being locked up separately from the firearms. I do not have a problem with that at all, but I do express a concern from the feedback I am getting about the way in which the law is administered—and this is a point the member for Stuart made—that there can be an unfortunate approach to legitimate firearms owners; that somehow those people are almost in the category of being a criminal. It has now reached the point where people involved in the sport of shooting—and it takes various forms—almost feel as if they are de facto criminals simply by virtue of owning a firearm.

We do not want to recreate the Wild West, and we do not want a situation such as in America, where the firearms lobby has reached the point at which reason and rational discussion and action have gone out the window. We do not want the situation where anyone can walk down the street carrying a firearm and shoot it. We do not want that. I have seen that in South Africa, where you check in your firearms at the airport before you board an aircraft. I do not want to see that in Australia, where people have to carry firearms because they are fearful for their personal safety.

It is a question of balance between tackling the criminals who should not have access to firearms and ensuring those who have a mental illness do not have access, but at the same time allowing those who have a legitimate purpose to carry firearms, whether it be for recreational shooting under proper supervision and guidelines, for shooting vermin or for farming duties. I

support the bill, but I do ask that the whole issue be monitored and that there be no attempt to impose an unfair and unrealistic burden on legitimate gun owners and users.

Mr VENNING (Schubert) (12:07): I support this bill as does the opposition, but when we introduce change we always have to tread very carefully, particularly in matters such as this which can be very emotive. When we talk about firearms, it is easy to go off like a loaded gun—pardon the pun.

Mrs Redmond: Or half-cocked.

Mr VENNING: Or half-cocked, or as the butt of the joke. We could go on and on, but having rifled through my files I have seen quite a lot of information in relation to this issue over my 18 years here.

I am all about making it easier and safer for our police to address the criminal element in our community, particularly bikie gangs—not all of them but some of them, and some are quite lawless and they do not fear anything. I take my hat off to the police who go in and apprehend these people knowing that more than likely they will be armed.

Ever since the Port Arthur tragedy, firearms ownership has come under a great deal of scrutiny. Like the member for Stuart and other members, I own firearms and always have. I own shotguns, high and low powered rifles. I also had a Browning automatic shotgun, which I handed in. I thought that was rather silly because in the time it took to load the automatic shotgun (I think it held five shots), I could put a lot more shots through a double-barrel side-by-side than I ever could out of an automatic because I could load it in seconds. I thought it was a silly law because the Browning was a beautiful, magnificent, safe, single-barrelled firearm, but the law being the law, it went, sadly, and no doubt it was melted down.

I also had a pistol. Since my military days I have always had a pistol licence. I was a military trained and accredited small arms marksman; in other words, Deadeye Dick with a pistol. Therefore, I used to end up with the job of guarding the battery commander or the commanding officer because I had a concealed weapon. I was very pleased about this and I kept up my skills right until the end. I had a letter from the then commissioner, commissioner Salisbury (which I still have somewhere) to transfer the licence from a military licence to a civilian licence. I used it over many years to say, 'Hang on.'

I kept that licence until recently. Several ministers allowed me to keep it, but my own minister (who is still in this house) took it away—gone. I did belong to one of the gun clubs at Balaklava, but I did not keep up my membership, although I kept the firearm. Anyway, that has gone. Okay, that is progress, but I am very sad about that. In fact, I still have the weapon but it is welded up. It is a shame to see it welded and totally disfigured. I now have a monument to my former pistol licence. That is how it is, that is the law and I have gone along with it.

As the member for Stuart said earlier, most farmers own firearms as a critical tool for use in their farming operations such as protecting the family from snakes. There are many things for which a farmer would need to use a firearm, but snakes are one of the main reasons for possessing a firearm, especially when you have grandchildren, as I have, or even dogs. Snakes kill dogs very quickly because the dog does not realise the danger, and a quick bite even to a large dog from a large Australian brown snake can kill the dog. If I see snakes out in the bush, that is, away from the home, I leave them, but if they are anywhere near the house, particularly in the garden, I am sorry, the quicker they are gone, the better.

I used to use a shovel, until I missed one day and I had the snake coming at me. So, no more shovels. Talk about being quick: I was over that fence quick smart. You need nothing more than that to get the adrenalin going. Now I use a shotgun. The member for Stuart is right in saying that the correct thing to use is a .410 shotgun, which ladies can use. I am not sure whether my wife is allowed to use the one I own. The member for Stuart has advised me to purchase one of these just for that reason; that is, they are smaller and less powerful than a 12-gauge shotgun.

These laws do affect law-abiding owners of firearms. As the member for Stuart has said, we kept these firearms under the seat of the ute—and I used to have one under the seat of my ute. That is now absolutely totally taboo. I cannot understand the reasoning, because if I go out to shoot a couple of foxes which I know are there, I have to put it in the ute. If I am apprehended by the boys in blue, I can say, 'Well, I just put it there', but they can say, 'No, we saw it there yesterday', or whatever.

All these arguments can occur about having a firearm in a vehicle. It is a dangerous practice. I have seen them laying on the seat alongside the owner, which is not on; or worse, with the butt on the floor and the end floating around the cab. That is not on. With the jarring, it can discharge, and heaven forbid what can happen. I say that they should be under the seat, laying flat across the floor facing the outside of the vehicle (which is where they used to be kept), or in a properly made holster with the barrel pointing to the floor. These things can be done.

However, with the modern laws, we now have the cabinets as well. As the member for Stuart said, anyone breaking into your house knows what is in that cupboard straightaway. If they see a heavy steel cupboard, they know what is inside. It is not very hard to get them open, because all farms have an oxy torch—even a heavy jemmy bar will open them. I think the member for Stuart provided a piece of very good advice, which I will not repeat. I think that is very good advice and I will be doing just that.

A question arises in relation to the key to that cabinet. This is a funny one. Obviously the farmer's wife knows where the keys are kept, but when the law enforcement officer comes to check the cabinet, legally she is not supposed to know where the key is because she is not the licensed holder. Most women have been told to say that they do not know where the key is because they are not allowed access to the firearm—'My husband knows where the key is and I do not.' That has been a bit of a funny one, because often if women are home on their own, they need to shoot a fox in the chook house, but they are not supposed to have access to that weapon.

The Hon. R.B. Such interjecting:

Mr VENNING: Or the ammunition; exactly right. The legislation is quite clear about having a loaded weapon or a loaded cartridge in the magazine. The magazine is detachable from some rifles, so if a loaded magazine is lying separately on the floor or on the seat of a vehicle, I think it is still classed as a loaded weapon. All these things make it confusing to the average law-abiding citizen. The situation involving a prohibition order is quite different from that relating to an unlicensed firearm owner, and I say that because the laws in this bill are pretty heavy—I think the fine is \$75,000 and 15 years gaol.

All I can say is that I worry about the average citizen who gets apprehended because he has either forgotten to get a licence or never had a licence. There are still people who have grandpa's firearm—the old Hollis, double-barrelled. They still own it, have never had a licence and they do not care. They put it in the ute one day to do a quick job and they get caught with this firearm. When they are asked, 'Have you got a licence for this, sir?' and they reply that they have never had a licence, I hope that those sorts of people do not get the \$75,000 or 15 years. On the other hand, that person should be more responsible, and I am the first to say that. However, the fines are huge. No doubt that is the maximum fine; I would think there would be something in the middle. Another question to ask is: how do you know whether or not a person has a prohibition order? The Attorney might want to respond.

How do you know whether a person is prohibited? I suppose the police department would know, but is anyone else entitled to know? I think that a lot of these things could be clarified in the bill. The definition of 'fit and proper', too, will also now refer to whether someone has been found guilty rather than convicted of an offence. A new power is also being included whereby the registrar may require a medical examination (that is, a blood test) to decide whether someone is a fit and proper person. I presume that is to determine whether the person is a drug addict—why else would you want to do a blood test?

This bill includes a very much widening net. Certainly, I do support the legislation, but I hope that parts of it can be clarified. The problem is that the law must be administered by the police force, but we often have conscientious, over-zealous policemen who can cause people a lot of embarrassment and angst as a result of their over-activity. Firearms are an essential part of many of our communities, particularly farmers, and not just for killing unwanted feral animals, such as snakes, but also for the humane killing of road kill. When I carried a firearm in the vehicle, often I would see that someone had hit a kangaroo. There is nothing worse than leaving a dying kangaroo on the side of the road.

It is even worse having to find something to belt them with and knock them unconscious. I could never do it. However, if I had the firearm, I would give it a pat and, between the eyes—bang! That is the end of it, and it is the only humane way to do it. It is so much easier with a pistol. You never missed with a pistol, because you just placed it on the head and—bang! That is it. I used to kill pigs. The Attorney-General probably remembers the 'Bertha, the Pig' story. I used to breed pigs many years ago, and the only humane way to kill a pig is with a pistol. It is the only safe way,

because the animal is moving. Try to shoot a moving pig in the back of a ute with a rifle—it is pretty hard. There is nothing worse than half doing a job. I support the bill, but with some reservations.

Mr PEDERICK (Hammond) (12:19): I, too, rise to support the bill. However, I also acknowledge that we must protect the legitimacy of shooting clubs, which have had to comply with many rules and regulations, especially since the Port Arthur incident. They all comply as clubs (especially members of black powder clubs who travel around the country shooting at events) and in terms of keeping their guns and ammunition secure in their vehicles.

How they keep them locked up in cages on their utilities is a quite intricate process. In the electorate of Hammond we have black powder clubs and pistol clubs. As the member for Morphett explained, they have very strict guidelines to keep pistols and it is having an effect on people joining these clubs but, if they are keen enough, I guess they will go through the process to be part of these clubs. There are also rifle clubs and clay target clubs in my area. The Wilkawatt gun club has quite a few members.

Mrs Redmond interjecting:

Mr PEDERICK: Yes, the Murray Bridge rifle club at Monarto has a very professional set-up next to the freeway where they hold their events, and I am proud to be a sponsor and patron of that club. I acknowledge that I am also a licensed gun owner. I have a couple of shotguns in the cupboard. I think it was a mistake to show my wife how to use the .410 to shoot snakes—

The Hon. M.J. Atkinson: If you don't make it here one day—

Mr Venning interjecting:

Mr PEDERICK: Yes, absolutely. I am a fair sized target, I guess, as the member for Schubert says. But it brings to mind, as the member for Schubert said, the legality of it should my wife need to shoot a snake, and would she be allowed to? I think reality might come to the fore if she had to protect my two young boys, especially if they were home on their own with mum, and she would have to do it.

I note that this legislation will target criminals and the ones who are not tied up with holding legal weapons. It is reasonably common knowledge that criminals import illegal weapons, and I think these prohibition orders will go a long way towards pulling up that practice. I think it would be very tough to pull it up completely, but it is certainly a good move towards that. I notice the legislation gives clubs the power to evict people whom they believe could be mentally and physically unfit, and to report them.

Mrs Redmond interjecting:

Mr PEDERICK: Yes; they are compelled to report whether these people are unfit in any way and I, too, share concerns that these people will not be professionals, but I guess they will have to use commonsense and work out who they report and who they do not report.

I notice in the bill that you cannot own a firearm that has had the identification removed, and you can be caught purposefully removing identification. That is a good part of the bill, but I would like to make another personal comment. When I purchased one of my shotguns it was still in the box when I took it straight to the police station and threw it on the counter. It was completely unusable because it was in several sections. I did all the registration process and took it home.

Within a couple of weeks I had a phone call saying that there was a problem. I said, 'What is that?' and they said, 'The numbers do not match.' I said, 'It is not my issue, because that gun was taken straight to the station and put on the counter.' The number had been misread by the officer. So it is a bit of a two-way street. We fixed the problem, and I commend the police for chasing it up, but I completed my obligations. The registration process needs to be completed effectively, otherwise people may find down the track if it is not picked up early in the piece that it is alleged that they had a firearm not appropriately registered.

I note that there are rights of appeal, which I think is a good process. You can appeal interim orders, and there can be a review by the firearms review committee as a second stage. After that, you can appeal to the District Court if you do not think the prohibition order is applicable.

Obviously, another part of the bill relates to the manufacturing of firearms or firearms parts, which you cannot do unless you are in a licensed business or dealership. That is certainly the right way to go with the legislation. We do not want people making zip guns and the like.

Also, as far as reporting is concerned, employers and medical practitioners must report unsafe situations associated with firearms. This opens up a very broad net so that people who are in an unfit state cannot own firearms. Medical practitioners must report the gunshot wounds of people who may present to a hospital, and if there is some suspicion, such as, obviously, it is not easily explained as a shooting accident—spotlighting on a farm, or something—they need to report it to the appropriate authorities—the police, and so on.

I note that this bill helps address the issue of illegal firearms, and it will make this state a safer a place, but I hope that legitimate gun owners are protected. As other farming members—the members for Schubert and Stuart—have said, guns are an integral part of farming life and are used for vermin control. Farmers do the right thing; they keep them in locked cupboards. They keep ammunition stored in a locked cupboard in a safe place, but they do need to run their daily affairs. With that, I commend the bill.

Mr WILLIAMS (MacKillop) (12:26): I will be brief—

Mr Kenyon interjecting:

Mr WILLIAMS: All right, I will not be brief. I want to raise one issue in particular, because it is something that has annoyed me for many years ever since the Howard government's national gun buyback. It was a pretty handy move, but I do not think that it has actually impacted too greatly on the bad guys, but it has impacted very greatly on the good guys. We also instituted some other national gun laws at the time.

One in particular which really annoys me and other legitimate firearms users and owners is that, from time to time, somebody is encouraged to purchase a new firearm, or another firearm, maybe on the second-hand market. One of the stipulations under our firearms legislation is that if I go to purchase the firearm I have to order the gun and make arrangements to purchase it and then wait 28 days; it is a cooling off period. I understand that the logic behind this is that if somebody had an aberration and had a notion that they were going to menace somebody, or do somebody some harm with a firearm, it would prevent them from running down to the shop to the gun dealer, purchasing the firearm, and creating some sort of mayhem. In 28 days they might settle down a little bit and come to their senses.

I understand that that is the logic behind this particular issue. I can accept that, but I think it is a bit of nonsense. I cannot accept the fact that, if I have locked away in my gun cupboard at home a gun of a specific type, say a .22 calibre rifle, which is probably the most popular firearm in the state, and I want to purchase another firearm of the same calibre and, ostensibly, the same sort of gun for one reason or another, I have to wait 28 days to take delivery of it. I must admit that 12 or 18 months ago I purchased another .22 calibre rifle, having already owned one. The rabbits in the back garden were avoiding the one that I owned, and I thought I would get one that was a bit more accurate.

An honourable member interjecting:

Mr WILLIAMS: It was the gun, of course. I purchased one, and I thought it was an absolute nonsense, having already owned a gun of that type and calibre, that I had to wait another 28 days to take delivery of the new rifle. It can only be described as an anomaly in the legislation. I can see no reason why a registered firearm owner, already holding a certain type of firearm, cannot go and buy another—

The Hon. M.J. Atkinson interjecting:

Mr WILLIAMS: In response to the Attorney-General's inane interjection suggesting that I might go and buy an arsenal, I do not have a problem if he thinks that if somebody goes into a shop and orders 25 rifles of any particular calibre somebody might ask a question, and they might be prevented from doing so.

The reality is that you can accumulate an arsenal over time; you just have to wait 28 days. My understanding is that there is nothing stopping me from going to half a dozen gun dealers, or to a hundred different gun dealers, and buying half a dozen guns from each of them, so long as I wait the 28 days.

The point I am making is that this is a serious matter for genuine firearm owners and users, and I just think it is a nonsense. I wish the Attorney-General would take it on board and maybe look at changing the law. There are a couple of other minor issues which do impact adversely on genuine firearm owners and which could be sorted out without having any deleterious effects on

the intent of the principal piece of legislation as well, and it disappoints me that the government has not sought to fix them up. With those words, I conclude my remarks.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (12:31): The member for Heysen asked: will medical practitioners, including psychiatrists, be required to ask whether a person will use a firearm? The answer is that there is no mandated requirement. The medical practitioner's role is to conduct a risk assessment of the risk to the person (the patient) or other people. If an immediate risk is apparent, the medical practitioner should contact police on 000. If the risk is a suspicion that harm may occur at some time in the future, written notice can be provided to the registrar for investigation. This is already imposed by section 20A of the act, and the current reporting obligation has just been recast a little.

The member for Mitchell asked: in what circumstances would clubs be required to report a physical infirmity of a member? Clubs are required to report concerns to the registrar only if they believe that a person has a physical condition which would put him at risk of harming himself or which would put others at risk. Also with clubs, if the risk is immediate, a call should be made to 000. If it is not immediate, a report should be submitted to the registrar for investigations.

A review of the whole Firearms Act has been completed, and a recommendation has been made to rewrite the whole Firearms Act, and the process of rewriting those changes will occur after these the priority amendments are passed.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mrs REDMOND: I have a couple of questions on this clause, which is essentially the interpretation and definitions clause. The first one is in relation to the definition in subclause (11), that is:

After subsection (1) insert:

(1a) For the purposes of this Act, 2 persons are **close associates** if—

Then paragraphs (a) to (h) describe those who might be regarded as a close associate. Paragraph (b) onwards talk about being in partnership and things to do with corporations, body corporates, trusts and so on. My question is about paragraph (a), '1 is a relative of the other'. I want to know how one defines 'relative'. Is it a relative by blood or marriage, and does it include, for instance, kinship? Where I am heading with this is, for instance, if you have a de facto relationship, is that person a relative? If there is an Aboriginal kinship, is that person going to be classified as a close associate?

The Hon. M.J. ATKINSON: It does include one relative by marriage, namely, the spouse. It includes domestic partners, which the member for Heysen is trying to drive at with the term 'de facto'. It does not include the broader Aboriginal kinship relationships. We think that would be casting too many burdens on them.

Mrs REDMOND: I have a further question on that particular aspect. If it only includes a spouse, does that then preclude, for instance, a son-in-law and so on, and do the police or your advisers see any potential difficulty with the definition being cast as narrowly as it is?

The Hon. M.J. ATKINSON: We will go with what we have.

Mrs REDMOND: Clause 4 inserts two new subsections (13) and (14). In particular, I wanted to explore the wording at the end of subsection (13), where it provides:

In deciding whether a person is a fit and proper person to have possession of a firearm or ammunition or to hold or have possession of a licence for the purposes of this Act, regard may be had to the reputation, honesty and integrity of the person and of people with whom the person associates.

I want to get some clarity about what is intended and how that is going to operate. I note that it does not use the term 'closely associates', although we have inserted the definition above of 'close associate'. By reason of the fact that you have used a different term by using 'associates' rather than 'closely associates', that suggests in a legal interpretation sense that there is a difference in those two terminologies. To what extent does someone have to associate and who will determine the reputation, honesty and integrity of the people with whom (potentially a perfectly innocent person) the person associates and how are they going to get the evidence of that?

The Hon. M.J. ATKINSON: The idea is to clothe the registrar with authority to take a broad view. We would think it would be relevant to the registrar's deliberation that an applicant associates with a member of an outlaw motorcycle gang, for instance, but we allow the registrar the authority to weigh these associations.

Mrs REDMOND: I have another question in relation to—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: I thought I said that.

Mr Venning: Just go on. School's out.

Mrs REDMOND: School's never out for the Attorney and me. As to subclause (12), some reference was made to the fact that we are changing the term 'convicted' to 'found guilty', and I was a little puzzled by the explanation given in the second reading, where it states that the bill provides for the expansion of the term 'fit and proper person' by altering the reference from being 'convicted' of an offence under the Firearms Act to having been 'found guilty' of such an offence. This will allow for the application of previous offences where a person has been convicted without penalty in the assessment process. It seems to me that, if they had been convicted without penalty, they have nevertheless been convicted and, therefore, I did not understand why that change occurred and what practical difference it makes.

The Hon. M.J. ATKINSON: It is common for magistrates to find an accused person guilty and then proceed not to record a conviction, and I think that is what—

Mrs REDMOND: So, it refers to no conviction recorded rather than convicted without penalty, because they are two different things.

The Hon. M.J. ATKINSON: Yes, I think the member for Heysen may be right again.

Clause passed.

Clause 5.

Mrs REDMOND: I have a question relating to the definition of 'health professional', which provides:

(3) In this section—

health professional means—

- (a) a medical practitioner; or
- (b) a psychologist; or
- (c) a person of a class prescribed by regulation.

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: No. I am just a bit puzzled as to why a psychologist is mentioned specifically but a psychiatrist is not because, very frequently, people who are suffering from mental illness would be referred to a psychiatrist who can prescribe medication and so on. Whilst I accept that they could obviously be included by the regulation, I am puzzled as to why one specifically mentions psychologists but not psychiatrists.

The Hon. M.J. ATKINSON: Well, it caught the member for Heysen here! A psychiatrist is, of course, a medical practitioner.

Clause passed.

Clauses 6 to 11 passed.

Clause 12.

Mrs REDMOND: I have a question that is, again, really directed to the drafting of the amendment in clause 12, which amends section 11 of the act (possession and use of firearms). I want to know what are going to be the prescribed firearms in paragraph (a), which is where the firearm is a prescribed firearm and where the maximum offence applies (\$75,000 or imprisonment for 15 years). What is a class C, D or H firearm? I should tell the committee that I am a Deadeye Dick and, in fact, I did a Defence Reserve course known as Exercise Executive Stretch some years ago with my PA.

The Hon. M.J. Atkinson: Was it paintball or live ammunition?

Mrs REDMOND: No, it was live ammunition at a target at the Edinburgh base, using the standard assault rifle that the Australian Defence Force uses. My secretary hit the target somewhere a couple of times with her ten rounds but I got a bullseye on every one, so she has been very well behaved ever since we went away on that course together!

I fired guns on properties in my younger days and, at least in those days, I did have a fairly steady arm and a pretty good eye. However, that said, I have never owned a firearm and have no desire to own a firearm. I do not think I would ever want to shoot firearms at anything these days. However, I am curious as to what the classes are that are to be prescribed, because I assume that one has in mind some specific firearms for the prescription of such a heavy penalty of \$75,000 or imprisonment for 15 years. I am curious about what the class C, D or H firearms are.

The Hon. M.J. ATKINSON: Prescribed firearms are described in the regulations by clause 8 as follows:

- (a) automatic firearms;
- (b) mortars, bazookas, rocket propelled grenades and similar military firearms designed to fire explosive projectiles;
- (c) firearms having one or more barrels of less than 330 millimetres in length (but not handguns, air rifles, air guns or power heads);
- (d) shotguns having one or more barrels of less than 450 millimetres in length;
- (e) air rifles and air guns having one or more barrels of less than 250 millimetres in length;
- (f) firearms having an overall length of less than 750 millimetres (but not handguns or power heads);
- (g) firearms (but not handguns) designed to be reduced in overall length by folding, telescoping or any other means to a length of less than 750 millimetres and then to be capable of being fired;
- (h) firearms designed to fire projectiles containing tear gas or any other lachrymatory substance—

An honourable member interjecting:

The Hon. M.J. ATKINSON: Lachrymatory; if you had done any Latin you would know that it is designed to make you cry—

or any nauseating substance or poison (but not firearms designed to tranquillise, immobilise or administer vaccines or other medicines to animals);

- (i) firearms designed as, and having the appearance of, other objects;
- (j) homemade firearms.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: C, D and H. Class H means handguns. Class C means:

- (a) self-loading rim fire rifles having a magazine capacity of 10 rounds or less; and
- (b) self-loading shotguns having a magazine capacity of five rounds or less; and
- (c) pump action shotguns having a magazine capacity of five rounds or less,

and includes receivers of firearms defined as class C firearms by a preceding paragraph but does not include revolving chamber rifles or receivers of revolving chamber rifles.

Class D means:

- (a) self-loading rim fire rifles having a magazine capacity of more than 10 rounds; and
- (b) self-loading centre fire rifles; and
- (c) self-loading shotguns having a magazine capacity of more than five rounds; and
- (d) pump action shotguns having a magazine capacity of more than five rounds.

Mrs REDMOND: On that same clause, new subsection (7c) provides:

A person will be taken to be carrying a firearm or magazine if the person has the firearm or magazine on or about the person or if it is under the person's immediate physical control.

I would take it, for instance, that if we used the member for Schubert's example of having it under the front seat of the ute when he is driving it then that would clearly come within the ambit of the clause, but is it under the ambit of the clause if it is locked in the cupboard referred to by the member for Stuart? I am just curious about where one draws the line about 'immediate physical control', given that we are talking here about the aggravated offence provision.

The Hon. M.J. ATKINSON: It is taken from the Summary Offences Act, where it has been the subject of judicial interpretation in connection with offensive weapons cases. What I am instructed to say is that it would mean close proximity and exclusive control, but I expect that it will be the subject of legal argument as factual situations present themselves in court.

Clause passed.

Clauses 13 to 26 passed.

Clause 27.

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

Page 19, lines 35 and 36 [clause 27, inserted section 26C(1)(a)]—Delete paragraph (a) and substitute:

(a) a decision of the registrar that has been affirmed by the Firearms Review Committee; or

It is my purpose to persuade the committee that this is a technical amendment.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: Good, that helps in my purpose. Currently proposed section 26C(1)(a) provides that a person aggrieved by a decision of the Firearms Review Committee to affirm a decision of the registrar may appeal against the decision. This amendment clarifies that the aggrieved person is appealing against the decision of the registrar, who makes the substantive decision about the licence, and not the committee that affirms the registrar's decision.

Mrs REDMOND: In light of that fantastic explanation, I am happy to support that amendment and endorse its fast passage.

Amendment carried; clause as amended passed.

Clause 28 passed.

Clause 29.

Mrs REDMOND: Clause 29 inserts sections 27, 27A and 27B and I want to explore section 27A. This section has the obligation to report on unsafe situations associated with firearms by a medical practitioner, and it provides that if a medical practitioner has reasonable cause to suspect that the person they are seeing in their professional capacity is suffering from a physical or mental illness or condition, or that other circumstances exist, such that there is a threat to the person's own safety or the safety of another associated person, and that the person has, or might be intending to acquire, a firearm, the medical practitioner has to make a report to the registrar.

I have several questions regarding how this will operate in practice, because it seems to me (as I have already indicated in my second reading contribution) that most people do not have firearms and do not intend to acquire them. In fact, a medical practitioner asking that of someone who otherwise has no thought about a firearm and who has a mental condition does not seem to me to be the right way to go. It may well be that if you have a medical practitioner in the country treating people who might have firearms, and be known to have firearms, then that is common sense; however, if you are a medical practitioner in the Attorney-General's electorate, for instance, presumably most people there do not have firearms (just as they do not in my electorate). Therefore, how is the medical practitioner to know? Further to that, is it also the case that paragraph (a) talks about the person's own safety or the safety of another person but not the community at large; not a Martin Bryant situation? I am just a bit curious as to the practicality of this section.

Progress reported; committee to sit again.

[Sitting suspended from 12:59 to 14:00]

SUMMARY OFFENCES (DRUG PARAPHERNALIA) AMENDMENT BILL

His Excellency the Governor's Deputy, by message, assented to the bill.

STATUTES AMENDMENT (REAL PROPERTY) BILL

His Excellency the Governor's Deputy, by message, assented to the bill.

SERIOUS AND ORGANISED CRIME (CONTROL) BILL

His Excellency the Governor's Deputy, by message, assented to the bill.

APPROPRIATION BILL

His Excellency the Governor's Deputy, by message, recommended to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

VISITORS

The SPEAKER: I acknowledge the presence in the gallery today of students from St Marys College (guests of the member for Adelaide) and students from Marryatville High School (guests of the member for Bragg).

GLENSIDE HOSPITAL REDEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 22 residents of South Australia requesting the house to urge the government to retain the areas known as precincts 3, 4 and 5 of Glenside Hospital to ensure they continue to be available as open space and recreational, together with mental health services.

HOUSING TRUST WATER METERS

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 502 residents of South Australia requesting the house to urge the government to ensure all Housing Trust households are provided with their own individual water meters in order that they might monitor and control their own water use and pay SA Water for the accurate and appropriate usage.

KING STREET BRIDGE

Dr McFETRIDGE (Morphett): Presented a petition signed by 1,161 residents of South Australia requesting the house to urge the government to fund the cost of replacement or repair of the King Street Bridge in Glenelg North at its earliest convenience.

INDEPENDENT COMMISSION AGAINST CORRUPTION

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education and Children's Services, Minister for Tourism, Minister for the City of Adelaide): Presented a petition signed by 58 residents of South Australia requesting that the house urge the government to establish an independent commission against corruption which would investigate corruption pertaining to the state of South Australia.

ANSWERS TO QUESTIONS

The DEPUTY SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard*.

TRANSPORT, ENERGY AND INFRASTRUCTURE DEPARTMENT

313 Dr McFETRIDGE (Morphett) (20 November 2007). Which land, buildings and facilities have been declared surplus to the department's requirements and when will they be disposed of?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy): I provide the following information:

A number of residential and commercial properties, road and rail land have been declared surplus since 1 July 2006 by the Department for Transport, Energy and Infrastructure. A number of properties have already been disposed of and others are awaiting disposal. I provide a list detailing which land, buildings and facilities have been declared surplus and the relevant disposal details.

HAMMILL HOUSE

In reply to **Ms CHAPMAN (Bragg—Deputy Leader of the Opposition)** (27 October 2007).

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The upgrade of Hammill House is in 3 construction stages. Stage 1 was completed in December 2006 and Stage 2 was completed in March 2007.

Additional funding is required to complete Stage 3.

Country Health SA has engaged a consultant to report on the work required to comply with the 2008 Federal Government standards.

The provision of aged care beds is a Federal Government responsibility and the Department of Health has written to the Federal Government seeking ongoing recurrent funding for all residential aged care places currently funded by this State including those at Hammill House.

HAZARD DEFAULT NOTICE

In reply to **Mr WILLIAMS (MacKillop)** (27 September 2007).

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education and Children's Services, Minister for Tourism, Minister for the City of Adelaide): A default notice can be issued under the provisions of the Occupational Health, Safety and Welfare Act 1986 by a teacher, only if they are an elected health and safety representative. It must be issued in accordance with section 35 of the act, where consultation with management has to occur first in relation to the matter.

A default notice is not generally issued against a person but could identify behaviours that risk the safety of others.

The process in DECS for resolving safety hazards, where the issue is unlikely to result in immediate and significant danger, includes:

the employee using the site's hazard reporting system with appropriate action to resolve the issue

- the manager consulting with employees, elected representatives, Health & Safety Committee, and the department (if relevant)
- the health and safety representative issuing a written notification of hazard stating the concern and timeframe to address the issue
- further consultation between the health and safety representative and management to resolve the issue through conciliation or mediation
- the health and safety representative issuing a default notice if the matter is unresolved
- management challenging the notice or resolving the issue within the timeframe specified (may make use of external mediators)
- involving a SafeWork SA inspector to resolve the challenge or to resolve the issue if action is not undertaken to the satisfaction of the health and safety representative
- the SafeWork SA inspector acting to resolve any occupational health, safety or welfare matter that remains unresolved and may issue an Improvement Notice or a Prohibition Notice
- the default notice may lapse when the issue is resolved or the issue no longer poses a risk to safety.

AUDITOR-GENERAL'S REPORT

In reply to **Mr WILLIAMS (MacKillop)** (13 November 2007).

The Hon. M.J. WRIGHT (Lee—Minister for Industrial Relations, Minister for Finance, Minister for Government Enterprises, Minister for Recreation, Sport and Racing): Program funding can be utilised on the training of all employees in the targeted sectors, both union and non-union members. In most cases, the projects being offered under the program are fully funded and the issue of fees should not arise. In limited cases, the program funding was provided on the basis of a contribution from others and it is possible, albeit unlikely, that some charges may be applied. The deeds do not specifically address the issue of differential charging for the provision of training.

GOVERNMENT REVIEW

In reply to **Dr McFETRIDGE (Morphett)** (27 September 2007).

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management): In 2006, a report was provided to the Aboriginal Lands Parliamentary Standing Committee (ALPSC) titled 'Status Report on Monitoring the Royal Commission to Aboriginal Wellbeing'. It was formally received by the ALPSC on 29 May 2006 as noted in the annual report by the ALPSC 2005-06 Appendix B.

VISITORS

The DEPUTY SPEAKER: I acknowledge the presence in the gallery of Madam Christine Rothhauser, the French Honorary Consul.

CHILDREN IN STATE CARE INQUIRY

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:06): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: In November 2004, the Hon. Ted Mullighan QC, a former justice of the Supreme Court, commenced the Inquiry into Children in State Care. During the course of the inquiry, Commissioner Mullighan took evidence from 792 people who said that they were victims of child sexual abuse and determined that 242 of those people were children in state care at the time of their alleged abuse. On 1 April, I tabled the final report from the inquiry before the house. As I stated when I tabled the report, it chronicles account after account of children robbed not only of their innocence but also of their past, their present and their future. The narratives of the sexual abuse of children make sickening reading for anyone.

Before tabling the report, I met with some survivors of abuse in state care and became acutely aware of the impact that these abhorrent actions have had on their lives, both then and now. I was also told of the massive impact that their experiences had on the lives of those around them. But I was also told that the inquiry itself and the respectful and empathetic way in which Commissioner Mullighan approached the delicate task of getting people to tell their stories was a powerful step in a healing process; in restoring dignity and self-respect to some of the survivors. As one person told me after having lived a life in fear of speaking of his abuse: 'I thought perhaps for the first time in my life someone would be willing to hear my pain.' And so today I will announce the next step in that important healing process.

The first commitment I made on tabling the Mullighan report was that I would move a resolution in parliament making an apology on behalf of the government and the people of South Australia and all previous parliaments and governments of South Australia to those who were abused as children in state care. Over the past two months, the Minister for Families and Communities has consulted with many survivors about the appropriate form of an apology. Heads of churches and other institutions involved in providing care to children in state care in the past also have been consulted.

Today I wish to announce that an apology will be offered on behalf of this parliament and past parliaments on 17 June. The formal apology will be followed by a small ceremony in Old Parliament House to mark the occasion, which will allow leaders of the government, members of parliament and heads of churches and other institutions to come together with the people who experienced that abuse.

The survivors of abuse in care who have made themselves known to government will, of course, be personally invited to witness the apology. Survivors of abuse in state care who seek to be involved may make arrangements to attend through the minister's office.

It is obviously important that this be a bipartisan acknowledgment of the past cases under previous governments of all political persuasions where vulnerable children under state protection have been subject to abuse. I hope that the Leader of the Opposition will join with me both in supporting the making of the apology and in the ceremony afterwards.

For the children whose innocence was so devastatingly taken away from them, an apology is profoundly important. It is fundamental to the restoration of their dignity and self-respect that they understand that we as a government and as a parliament and on behalf of all South Australians are sorry. Quite simply, they are owed an apology.

Only by finally acknowledging this past can we help to ensure that these same mistakes are not repeated in the future, but acknowledging it alone is not enough—we must take steps to ensure that our most vulnerable children are protected. That is why this morning, the government announced the single biggest increase in child protection and alternative care funding in this state's history. Today we announced a further \$190.6 million over four years to help keep South Australia's children safe, to intervene early to support families when children are at risk of abuse or neglect and to support the carers of our most vulnerable children.

This funding includes \$124.5 million over four years to ensure that children in care are in appropriate accommodation, a key concern of Commissioner Mullighan; \$28.2 million over four years on early intervention—to allow families to stay together with the appropriate supports, even in difficult circumstances; \$15.6 million to provide extra case workers and carer supports to foster and relative carers; and a further \$4.6 million to boost carer payments over and above the average 26 per cent increase we provided in 2007-08. These people, who open their homes and their hearts to abused children, deserve our gratitude and recognition.

We have been rebuilding the child protection system since we got into office and found it failing. We have always taken seriously the need to protect our most vulnerable children. Today's announcement makes clear the strength of our commitment to them.

PAPERS

The following papers were laid on the table:

By the Deputy Speaker—

Report of Public Works Committee entitled Victoria Park Demountable Pavilion which has been received and published pursuant to section 17(7) of the Parliamentary Committees Act 1991

By the Deputy Premier (Hon. K.O. Foley)—

Directions to the Commissioner of Police—Pursuant to Police Act 1998

By the Minister for Transport (Hon. P.F. Conlon)—

Regulations under the following Acts—
Motor Vehicles—Drink Driving and Drug Driving Demerit Points
Road Traffic—Drink Driving and Drug Driving Expiation Fees

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

Regulations under the following Act—
Legal Practitioners—Fees
Rules of Court—
Magistrate Court—Warrants under the Road Traffic Act 1961
Rules—
Legal Practitioners—Ethics and Professional Responsibility

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

Natural Resources Management Council—Report 2006-2007—Volumes A & B
SA Water Depot Land at Thebarton—pursuant to Section 23 of the Adelaide Park Lands Act 2005
Regulations under the following Acts—
Controlled Substances—Administration of Drugs of Dependence
Environment Protection—Fees and Levy

By the Minister for Consumer Affairs (Hon. J.M. Rankine)—

Regulations under the following Acts—
Building Work Contractors—Revocation of advisory panels
Liquor Licensing—Mannum
Plumbers, Gas Fitters and Electricians—Revocation of advisory panels

SECURITY INTELLIGENCE SECTION

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:13): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: I ask the house to forgive any grammatical errors as I translate into the language of the lower house a statement that has been prepared for the upper house.

The Police Act provides that any direction given to the Commissioner of Police must be published in the *Government Gazette* and laid before each house of parliament. The activities of the Security Intelligence Section, formerly known as the Operations Intelligence Division of the South Australia Police, are managed in accordance with ministerial directions issued by the then minister of justice, on 1 July 1999, with the concurrence of the minister for police.

Although those instructions have served well executive and operational requirements, experience in the contemporary environment indicates a need for an update to provide for the efficient and effective application of timely and appropriate counter-terrorism strategies and obligations relating to the protection of information.

The existing directions also no longer accurately reflect SAPOL's current nomenclature and organisational structure. The current directions are cumbersome and are counterproductive to efficiency, particularly given the restructuring that created the Security Intelligence Branch. Shortcomings with the current directions include:

- An outdated definition of terrorism.
- Difficulties arising from differentiating between intelligence, information and library information.
- The need to consider the impact of changes in the security environment, including the partnerships between government and non-government agencies.
- The need to update the nomenclature.
- The need to reflect the current structure of the Protective Security Service.

The current directions specifically refer to 'Agreement of 1982' between the Australian Security Intelligence Organisation (ASIO) and SAPOL, which was approved by the Governor in Executive Council in September 1982.

This agreement requires updating as the existing definitions do not reflect current federal legislation and many recently enacted federal terrorism laws are not included in the agreement. Since 1989 there has been significant changes in government structures—various functions and essential services have been privatised, while other government services are now provided through partnerships with private business. The telecommunications industry and airports have both seen substantial deregulation.

Government departments such as the commonwealth Department of Immigration and Citizenship (DIAC) and Department for Correctional Services (DCS) both use private contractors to assist in the running of detention and corrections facilities. Much of the state's critical infrastructure is now owned, managed or operated by private companies. Other government agencies have been created to deal with security issues, including the Department of Transport and Regional Security (DOTARS) and the Attorney-General's Security and Critical Infrastructure Division (SCID).

In addition, Emergency Management Australia (EMA) and defence have more substantial roles in national security and deal directly with the states in a number of areas, for example, Border Protection Command. Apart from the obvious need to update the names of the agencies listed, the directions and determinations need to address the issue of releasing intelligence and information outside of government in the current terrorism and security context.

The ministerial instructions (as currently constructed) have served their intended purpose over a significant period of time. However, since the most recent amendment to the instructions during 1999, the contemporary terrorism environment has changed immeasurably. It is therefore appropriate that the instructions are amended to ensure their continuing relevance and practical workability in line with law enforcement requirements. These directions will provide for more efficient and effective functioning of the State Protective Security Branch.

Pursuant to section 6 of the Police Act 1998, I hereby table the following directions to the Commissioner of Police relating to the control and management of South Australia Police.

KINGSTON, CHARLES CAMERON, EXHUMATION

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (14:18): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: Under the Local Government (Exhumation of Human Remains) Regulations 2005, as Attorney-General I am responsible for granting licences for exhumation of human remains, if applications meet the criteria according to law. The process to obtain an exhumation licence is that an application is made in writing to the Attorney-General to exhume remains. This is most often requested by a funeral director on behalf of a family wishing to move remains, for example, to a plot near other relatives or to be re-interred overseas.

Last week, the exhumations of former South Australian premier, Charles Cameron Kingston, former state MP, A.A. Edwards ('Bert' Edwards) and Genevieve Gray came to public prominence. Exhumations are usually private affairs that receive little or no attention from the media. In this case the public interest was high.

I can advise that four exhumation licences were requested by the one applicant. As the applicant has now disclosed himself publicly, I can inform the house that the applicant was Mr Malcolm Simpson. Although he is described in the media as a 'prominent local businessman', Mr Simpson was not known to me. A formal application letter was received in January 2007, although I was made aware of the intention to request exhumation in early 2006. At that time, an officer of my department told me of the foreshadowed application. He advised me that he was informed of it through his dealings with the Adelaide Cemetery Authority while conducting other, unrelated Attorney-General's Department work. Mr Simpson is part of the Kingston Research Group, whose members also include:

- Malcolm Simpson's sister, Kharma Sandra Annear;
- Mr Jim Everett, an Adelaide Cemeteries Authority consultant;
- Dr John Bannon, a historian and authority on Charles Kingston;
- Mr David Faber, a historian studying Bert Edwards; and
- Mr Lincoln Tyner, a local documentary maker.

The research group is being assisted by Maciej Henneberg, Professor of Anthropological and Comparative Anatomy and Head of the School of Anatomical Science at the University of Adelaide; and his wife Renata, who is also a scholar.

On 10 May 2007, as Attorney-General, I granted licences to exhume and then reinter the remains of four people as requested. I granted the licences because the applications complied with the law, and I took into consideration that Charles Cameron Kingston, as a former premier, attorney-general and founding father of the commonwealth—

The Hon. M.D. Rann: And of the South Adelaide Football Club.

The Hon. M.J. ATKINSON: And of the South Adelaide Football Club, and I received an SMS from the member for Mawson about that, but I will not mention it on this occasion. Charles Kingston has a very important place in this state's history. We as South Australians should know our history, and that history should be accurate.

I can advise the house, however, that when I was first told of this request I had serious misgivings about whether it was appropriate. That is why I set specific conditions in addition to the standard measures imposed for exhumations. This was designed to ensure that, if the exhumations were to proceed, the public interest would be preserved by protecting heritage, health and the remains of those not involved in these applications. I took advice from legal policy officers in my department on this application, and there was consultation and consent from the usual relevant parties.

I agreed to the exhumation on facts as presented to me and because there were sound historical and lawful reasons to do so. In all exhumation requests I write to the cemetery owner where the remains are interred and request its views. A letter is also written to the Department of

Health, and that agency has an environmental health officer present at all exhumations. If there are no objections, or once any objections are resolved, a licence is signed allowing the exhumation.

In addition to the above standard measures on this matter, I imposed additional conditions, that:

- known descendants were identified and consulted and consented to the exhumations;
- Heritage SA was consulted and agreed to the request, particularly about the treatment of historic items, including the Kingston vault, headstones and coffins; and
- the two relevant cemeteries were consulted and agreed to the exhumations.

It was also discussed with the applicant that permission would be granted only if the exact locations of the individual remains could be ascertained. This was a lengthy and proper approval process and was not undertaken lightly.

No special treatment was afforded to the applicant in this case. If anything, the conditions imposed were more thorough and onerous. I have been advised by agencies involved in the three exhumations so far that all licence conditions have been obeyed.

I can inform the house that I have written to the applicant, Mr Malcolm Simpson, about the fourth licence, which permitted the exhumation of Kevin Kingston. Kevin Kingston was the adopted son of Charles Kingston. Mr Simpson has informed my office that Kevin Kingston's remains are believed to be interred in one of three coffins in the Kingston vault, but which of these coffins contains his remains is unknown. I have therefore requested that no action be taken to interfere with the remains in any of those three vaults. To do so risks disturbing remains that are not the subject of an exhumation licence, and that would be a breach of the regulations.

Since the exhumation of Charles Kingston's remains has become public, I have been approached by descendants of his wife's family (his wife was Lucy Kingston (nee McCarthy)) and his brother's family (his brother was Strickland Gough Kingston (known as 'Pat' Kingston)). Descendants of these people complained about footage showing the exhumation that was telecast by ABC News and commercial television networks as part of their nightly news services.

I was surprised by the distribution of this footage, given that Mr Malcolm Simpson, in his letter of 15 January 2007, explained that, although the ABC was proposing to film the project, its footage would be screened in a documentary when the results of DNA tests were known. I quote:

The ABC is interested in a number of aspects of the project and would propose to film it at all stages in anticipation of matters of historical or scientific interest emerging. Depending on the outcome of the tests, a documentary for national screening, including interviews of all aspects of the project, would be produced.

These distant relatives also expressed concern that they were not informed before the exhumation. I have met them and conveyed that extra stipulations were made on my instructions to identify descendants but that their position as relatives by marriage or non-direct descendants of the deceased fell outside the stipulations for consultation.

In meetings with Mr Cameron Stuart (a great-grandson of 'Pat' Kingston), he told me that he did not believe the bodies should have been disturbed for forensic examination. I agreed with Mr Stuart that the remains of deceased persons should be treated with dignity and respect; however, we agreed to disagree on my decision to permit the exhumations.

Mr Stuart has also asked that I look at reviewing the regulations to compel consultation with relatives in such matters (that is, relatives other than descendants), and I am seeking advice on any necessary changes to the law.

I express my apologies to the McCarthy and Stuart families that they were not contacted and involved in the process. I believed cogent and compelling reasons, within the bounds contemplated by the law, exist to allow the exhumations, and I still hold that view.

I now table the letter I received from Mr Malcolm Simpson in January 2007 and a statement by Mr Cameron Stuart prepared for *The Advertiser*.

WOMEN'S AND CHILDREN'S HOSPITAL, BREAST CANCER

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:29): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: On 23 November last year, the Children Youth and Women's Health commissioned Professor David Roder of the Cancer Council of South Australia to conduct a review into the incidence of cancer amongst staff at the Women's and Children's Hospital.

The preliminary review investigated the incidence of cancer amongst female staff who were employed at the Women's and Children's Hospital campus during the eight-year period between 1 January 2000 and 31 December 2007. Yesterday at 2pm during changeover of staff from morning to evening shift, staff were informed of the preliminary findings from this review.

Professor Roder has not yet completed his report as he believes more work is needed to verify the data. The preliminary findings show that there was no increase in the incidence of breast cancer for women working in the majority of areas in the hospital. However, an elevation of breast cancer cases was identified for women working in the Queen Victoria Building. That building was opened in 1995.

Professor Roder indicates that in the Queen Victoria Building over eight years there have been nine more cases of breast cancer than we would expect to see in a workforce of this size, and also that there have been eight fewer cancers diagnosed than would be expected for other cancer types. Professor Roder advises that all present indicators are that this unusual cancer pattern has been a random occurrence.

There is nothing unusual about the breast cancers in terms of their microscopic characteristics or the ages of the women affected, and that is the advice that he has provided. No link was found between breast cancer incidence and the length of time that staff at the Queen Victoria Building had been employed. There were a number of differences between these results and those of the ABC building in Brisbane. I am advised that, in Brisbane, the cancer elevation was at least six times higher than expected for a workforce of that size and age distribution.

Also the increase related mostly to younger women and the results showed that women who worked in that facility for longer had a greater risk of contracting cancer. Professor Roder is currently seeking the advice of international epidemiology experts to assist in finalising details of his report. In the meantime, the government will conduct an independent environmental audit of the Queen Victoria Building which opened, as I said, in 1995. However, at this stage, there is nothing in the preliminary findings that shows that the increase is caused by something in the actual building.

The audit will be undertaken by Health and Safety Environment, and I am advised that they will be starting next week. Yesterday both staff and the unions were briefed. Staff were briefed once the staff changeover began at 2pm to ensure that the largest number of staff would be available. I understand something like 150 staff attended. The public health system's first concern, of course, is for its staff, contract staff, volunteers and patients. While these results are only preliminary, I believe that staff—and the department certainly has that belief—have a right to know about issues relating to their personal health.

The hospital, of course, will continue to support its staff, contract staff and volunteers by providing counselling services for them and their family throughout this process. Of course, it is a timely reminder for all women, particularly in that age group, to ensure that they have regular checks through BreastScreen SA, which is a wonderful organisation, as I am sure all members would agree. I also table the three documents that were produced by the Children's, Youth and Women's Health Service yesterday. One is a media release entitled 'Epidemiology Expert Delivers Preliminary Findings'; another is a statement dated 2 June from the Acting Chief Executive entitled 'Preliminary Findings: Review of Incidence of Breast Cancer at WCH'; and the third is a general information sheet prepared for the staff Q&A entitled 'Information on the Independent Breast Cancer Review'.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. P.L. WHITE (Taylor) (14:35): I bring up the 28th report of the committee on NHMRC: Ethical guidelines on the use of assisted reproductive technology in clinical practice and research 2004.

QUESTION TIME

FUELWATCH

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:35): Does the Premier support federal Labor's proposed FuelWatch scheme and has the state government received advice that such a scheme will increase petrol prices in South Australia and fail?

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:35): There is an element of *deja vu* in this. I seem to remember the Liberals condemning us in South Australia for not introducing FuelWatch; so, once again, you do not ever have a memory that goes beyond last night's news.

CLIMATE CHANGE

Ms CICCARELLO (Norwood) (14:36): Can the Premier please inform the house about the first sector agreement under the Climate Change and Greenhouse Emissions Reduction Act 2007 and other relevant climate change initiatives?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:37): I thank the honourable member for Norwood for a very good question. On 22 May, I signed the wine sector agreement with the South Australian winemakers and South Australian grape growers at the London International Wine Show. This agreement is the first sector agreement under the Climate Change and Greenhouse Emissions Reduction Act 2007 and follows the signing of a memorandum of understanding last September with Business SA which will facilitate agreements with small to medium businesses in our state.

The agreement with the wine industry is important for two reasons. Firstly, it demonstrates that the wine industry is serious about tackling climate change and will work with the state government in reducing its carbon footprint in support of the target in the legislation which is to reduce greenhouse gas emissions by 60 per cent of 1990 levels by 2050. Secondly, the agreement will help ensure the industry remains competitive in a market where consumers and retailers are increasingly sensitive to the carbon footprint of their wines.

Just to put that into context, I was in Britain a couple of years ago and met with wine buyers and wine writers and what I was told then was that we were seeing changes in the consumer patterns in Britain and that, whilst obviously quality and price would be important and whilst it was also important for British consumers to know the story of the wine and to know about the character of the winemaker and the character of the region, increasingly they would want to know about the attitudes of that winemaker, that region and that industry to global warming and what actions they intended to take—for instance, how many carbon miles were involved in exporting bottles of wine or litres of wine from South Australia across the world.

This is very important because it will help ensure the industry remains competitive in a market where consumers and retailers are increasingly sensitive to the carbon footprint of their wines. The UK is Australia's largest wine export destination. Of the nearly \$1 billion of Australian wine sold in the UK, South Australian wines make up a massive 72 per cent of the market, I am informed. Tesco, the largest supermarket customer for South Australian wine, is currently undertaking a project to measure the carbon footprint of 30 products on Tesco's shelves. The giant supermarket chain is aggressively pursuing a greener living campaign and it has recently started freighting its wine stocks from Liverpool to Manchester by barge in order to save on carbon emissions. The message is clear. Our wine export industry must adapt to climate change and growing consumer awareness or risk market failure. 'Go green or wither on the vine' was the message I got in Britain.

This agreement is a critical first step towards ensuring that our local wineries are not left behind in a highly competitive global market. The goals of the agreement are to improve energy efficiencies and to develop other greenhouse gas reduction strategies in order to position South Australia as a world leader in new technologies and product innovation sensitive to climate change. The government is working currently on a number of sector agreements with industry and business that I hope to be signing over the coming months.

This is about the government taking a leadership role and working collaboratively with business and industry to prepare for the carbon-constrained world. We know that a national emissions trading scheme will be established by the end of 2010, so governments and industries must start preparing now.

South Australia is also taking a leadership role in renewable energy technologies. With only 8 per cent of the nation's population, South Australia has nearly 47 per cent of the nation's installed

wind generation capacity. We are home to more than 80 per cent of Australia's total investment in geothermal energy, with the first geothermal electricity to be produced, I am told, by January 2009 from a pilot plant.

I am further advised that currently we have nearly 40 per cent of Australia's grid-connected solar capacity. I hope to see that grow with the start of the new feed-in scheme on 1 July, where households and small consumers will be rewarded for installing solar panels by paying them double the retail price for the surplus energy they return to the grid; and I thank the Minister for Energy for his strong support.

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: The Leader of the Opposition says that Labor has killed the solar industry. Let me remind him of the figures. By next year 20 per cent of the power in this state will come from sustainable energy, putting us in a world leadership position.

The Hon. P.F. Conlon: Recognised around the world.

The Hon. M.D. RANN: Recognised around the world. If members opposite do not believe me, they should go and talk to David Suzuki, David Milliband, Tony Blair, Mikhail Gorbachev, Robert Kennedy Jnr or Al Gore.

Members interjecting:

The Hon. M.D. RANN: And go and talk to Arnold Schwarzenegger. My message to Arnold Schwarzenegger is: 'I'll be back. I'll see him in the movies.' The new Goyder Pavilion at the Royal Adelaide Showgrounds will—

Members interjecting:

The DEPUTY SPEAKER: Order! The Premier will be invited to resume when the house comes to order. I have received complaints about the heat in the house, and I have no wish for the house to become even more heated. In the interim, I have asked the attendants to open the door to the chamber and I will consider it respectful if people remove their jackets. The Premier.

The Hon. M.D. RANN: The new Goyder Pavilion at the Royal Adelaide Showgrounds will house Australia's largest rooftop installation of solar panels. With the state government providing \$8 million for the project, I am told the installation will be around five times the size of the nation's next largest installation at Melbourne's Queen Victoria Market.

Members interjecting:

The Hon. M.D. RANN: I know you like this because the previous Liberal government put in \$35 million for the Royal Adelaide Showgrounds, and we are making an \$8 million commitment for the biggest solar array on any rooftop in Australia—five times bigger than that in Melbourne, which is currently the biggest.

The installation will complement the environmental features already part of the new pavilion, which includes the capacity to capture and store 3.5 million litres of stormwater run-off in an underground tank. I am very pleased that we are doing that—10,000 square metres of solar array; from memory, 1,000 kilowatts producing 1,400-megawatt hours of power a year. Of course, that comes down to saving 1,400 tonnes of greenhouse gas emissions. It is fantastic that the Royal Adelaide Show will be a real national and international showplace for green technology and green design.

One of the earliest environmental initiatives of this government (in fact, I am going to write to Arnold Schwarzenegger about this one), which has attracted great support from many South Australians, including school students and young people, is the Urban Forests Million Trees Program. In 2003, we began planting 1 million native trees in a series of urban forests across metropolitan Adelaide to combat climate change and protect our local biodiversity. I want to pay tribute to the Deputy Premier for his support for this initiative.

On the advice of one of our thinkers in residence, Herbert Girardet, we decided to turn it from 1 million to 3 million. Today I had the pleasure of planting the 1.5 millionth tree to mark the halfway mark, with well-known conservationist Terri Irwin and her daughter Bindi and her son Robert. I am very pleased that the family decided to name the tree 'Steve' after their late father. I was pleased to be able to invite the family to come back in about a year or 18 months' time to welcome the pandas to South Australia, because I know that members on all sides of this house

look forward to that ringing cry on that day when we all say, 'Go pandas.' I commend these initiatives to the house.

SOLAR ENERGY

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:47): My question is to the Premier. In light of his answer to the earlier question, does he support Labor policy to means test the rebate on solar panels, and does he believe that the move is good for South Australia's solar energy businesses? Solar shops across the state have publicly reported an 80 per cent sudden downturn in trade since Labor's decision, which he supports.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:47): Solar producers today must be delighted at the news of the biggest solar array in Australia: 10,000 square metres of solar panels. Of course, I will make sure that there are Liberals present at the opening, because I know they love the show—and they must be so pleased that 40 per cent of the nation's solar power is here in South Australia. I remember the bizarre attitude of the Leader of the Opposition towards greenhouse gas reduction legislation. One day it was not enough and the next day: oh, no; it was going to destroy the economy. For goodness sake! Does anyone take this man seriously? All he wants, if he becomes premier of the state, is a hall of mirrors. But he will never be South Australia's sun king.

SOLAR ENERGY

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:48): Madam I have a supplementary question. In light of the Premier's answer to my last question, can he tell the house how many millions of tonnes of carbon per annum will now be added to South Australian skies as a result of Labor's decision to means test the solar panel rebate, and will those millions of tonnes be offset by his announcement today of solar panels on the top of a building in Wayville?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:49): Can I say this. If you have 8 per cent—

An honourable member interjecting:

The Hon. M.D. RANN: You talk about substance: that is something you are not used to. We have Australia's first feed-in laws coming in on 1 July (and we remember the attitude of the opposition towards that), which will pay people double the price for the solar power they produce.

I will make this confident prediction; that we will continue to lead Australia in geothermal, solar and wind power because, unlike your government where there was not one single wind turbine, by next year we will have 20 per cent of our power coming from sustainable energy—20 per cent—world leaders. Under your government just six years ago, not one single wind turbine was in operation.

The Hon. P.F. Conlon: There was one at Broken Hill that didn't work and one in Coober Pedy that didn't work.

The Hon. M.D. RANN: Yes, there was one in Coober Pedy that did not work. The Liberal Party on sustainable energy can only be regarded as the greatest bunch of phoneys, because one day you supported our legislation—sorry, I do not want to mislead the house. We remember the day when the Liberals would not support our legislation to reduce greenhouse gas emissions because they said it was not strong enough. Then the next day when the business community and people from the federal Liberal Party rang up, they came in and said it would destroy the economy. They are rolled gold phoneys on sustainable energy, and everyone knows it.

Members interjecting:

The DEPUTY SPEAKER: If opposition members on my left want to waste question time they can, but I will call somebody only when there is silence in the chamber. The member for West Torrens.

AAMI STADIUM

Mr KOUTSANTONIS (West Torrens) (14:51): Thank you, Madam Deputy Speaker. My question is to the Treasurer. Is the Treasurer aware of any alternative views on the South Australian National Football League's upgrade of AAMI Stadium?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:52): On Sunday the Premier—

Members interjecting:

The DEPUTY SPEAKER: Order! Treasurer, please wait for the call.

The Hon. K.O. FOLEY: Sorry.

The DEPUTY SPEAKER: The Treasurer.

The Hon. K.O. FOLEY: Thank you, Madam Deputy Speaker. On Sunday, the Premier, the minister for sport and I announced a \$100 million government contribution to the redevelopment of AAMI Stadium. The redevelopment includes enhanced roof coverage. The aim is to have 70 per cent of all spectators under cover, including the back of the grandstand area for the patrons who use the bar, food and toilet amenities at the back of the grandstand; improved dining, bar and toilet facilities; a new convention centre and western grandstand upgrade; improvements to the stadium entrances; new corporate suites; and expanded administration offices at the site. The redevelopment of AAMI Stadium is the preferred option, and the government, I might add, has been in discussions for many months.

Members interjecting:

The Hon. K.O. FOLEY: I stand to be corrected on the length, but if the opposition leader honestly believes that this is a reaction to his statement, he really is in a fantasy land.

Members interjecting:

The DEPUTY SPEAKER: Has the Treasurer completed his answer?

The Hon. K.O. FOLEY: I am just having trouble shouting above the members opposite.

The DEPUTY SPEAKER: Thank you, Treasurer; you may resume.

The Hon. K.O. FOLEY: The government has been in discussion with the SANFL for a long time about many aspects relating to the upgrade of Football Park and its future needs. Indeed, we have provided both financial assistance in the past and have been kept abreast by the SANFL of its expectations and requirements for the expansion and upgrade of that stadium. On this side of politics, we happen to think \$100 million on Football Park is a more prudent expenditure than in excess of \$1 billion of public money that would be required to build on a greenfield site somewhere in the city—if a site existed, I might add. The other question is: where would you find a greenfield site, given that we have already committed to the building of the new Adelaide hospital?

I was asked at the press conference what the views of the opposition would be. I said, 'I reckon that today they will support it. The Leader of the Opposition, today he will support it and tomorrow he will oppose it.' Well, what an incredibly clever bloke am I, I could almost sense exactly the wording of the Leader of the Opposition.

True to form, the Leader of the Opposition did not disappoint. According to *The Advertiser*, on Sunday the Leader of the Opposition supported the government's contribution to the redevelopment of AAMI Stadium. Less than 24 hours later, of course, he was backing away, calling for a cost benefit analysis. He told ABC 891 morning presenter Matthew Abraham:

I want to compare that with the cost benefits of a city stadium.

He also said:

I suspect it'll be more than a hundred million Matt...the AFL itself has said 250 to 300 million; others have said 400 million to refurbish West Lakes.

I do not know who the 'others' are, but, anyway, he went on to say:

...we could finish up having to spend five or six hundred million on West Lakes to get it up to the world class standard...I want to compare that with the cost benefits of a city stadium.

He has now said that it will cost somewhere between \$500 and \$600 million: that is his estimate. He now wants to compare that. But, then again, later in the day, on FIVEaa he said:

...if it's going to be West Lakes we need a significant plan to make it last for 50 years, not \$100 million, the AFL itself was talking 250 to 300...I just think we need to have a cost benefit study on this because I think there's going to be hundreds of millions of dollars more to be spent.

What are you saying? What is the position of the opposition? It is bizarre. He will say something different on any radio program. He will say something different to any media outlet, and he trips over his comments.

For the record, already on the public record, the AFL Chief Executive, Andrew Demetriou, told ABC 891 on 12 May:

...we commissioned a study with the SANFL last year and out of that...we realised it (AAMI Stadium) needs some \$150m to \$200m to be spent on that stadium.

They have done their analysis, that is what they need to spend—unless genius over there does not believe the work of the SANFL and the AFL. What we have said as a government is: 'Capped; limited; no more. Our contribution is \$100 million to that program.'

The balance of that program will need to be met by the SANFL through its borrowing capacities and through other avenues, be that the AFL, the federal government, or whatever other mechanism they choose to implement. We provide \$100 million. Our \$100 million contribution will fund the new roof, dining, bar and toilet facilities, and improved entrances. The commercial enterprises will be funded by the SANFL at a later date.

When the Leader of the Opposition goes on about this cost benefit analysis, let us remember the article in the *Sunday Mail*, which again I think was quoted in *The Advertiser* in the last day or so. The Leader of the Opposition went out and got a consultant, and that consultant said that a city stadium would only cost \$520 million—and I cannot believe that the print media of this state actually bought this—but they then said that we cannot tell you who the consultant is and we cannot show you the consultant's report. Why—commercial in confidence.

They have gone out and got some dodgy consultant's report where the guy is not even prepared to put his name to it or release it. That somehow is a substantial piece of work done to cost up a city stadium. He wants us to do a cost benefit analysis, he wants the AFL to do a cost benefit analysis and he wants the SANFL to do a cost benefit analysis, but he does not do one. He just comes up with a number out of the air. Subiaco, on the last advice I was given, is costing in excess of \$1.5 billion.

Mr Hamilton-Smith: Rubbish!

The Hon. K.O. FOLEY: He says 'rubbish'. The Leader of the Opposition best ring Alan Carpenter—

Mr Hamilton-Smith: You are dribbling. It is not \$1.5 billion, and you know it.

The Hon. K.O. FOLEY: Madam Deputy Speaker, the Premier of Western Australia has made it very clear to me that the Subiaco redevelopment is costing \$1.5 billion.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: So, what is the component of the oval worth? If you honestly believe—

Mr Hamilton-Smith: What is the stadium component?

The DEPUTY SPEAKER: Order! The Leader of the Opposition will come to order.

The Hon. K.O. FOLEY: To build a brand new stadium with a roof in the city will cost at least \$1 billion.

Members interjecting:

The Hon. K.O. FOLEY: Madam Deputy Speaker, can I have some protection, please?

The DEPUTY SPEAKER: Order!

The Hon. K.O. FOLEY: The Subiaco project is \$1.5 billion-plus. As the leader said, that includes other amenities in that project. The oval component—

Members interjecting:

The Hon. K.O. FOLEY: Madam Deputy Speaker, can I have some protection please?

The DEPUTY SPEAKER: Treasurer, I invite you to resume your seat every time you need the chamber to come to order, and you will be given the preference of the call. Treasurer.

The Hon. K.O. FOLEY: All the advice I have been given and all the experience shows that a city stadium is going to cost at least \$1 billion.

The Hon. P.F. Conlon: We know where to put it.

The Hon. K.O. FOLEY: We would know where to put it: we have already committed the site to a hospital. We actually think a hospital is better value than a football stadium at \$1 billion.

Members interjecting:

The Hon. K.O. FOLEY: This guy makes up these numbers. No-one in the football world I speak to who has experience in stadium construction honestly believes you could build it for half a billion dollars. The Leader of the Opposition will say whatever he likes to get a headline. What I say to the Leader of the Opposition is: show us your consultancy report. Will you show us that report?

Mr Hamilton-Smith: During the campaign.

The Hon. K.O. FOLEY: Oh, during the campaign.

Mr Hamilton-Smith: You gave your costings two days before election day. Two days!

The Hon. K.O. FOLEY: The Leader of the Opposition says he will show us the consultancy report during the election campaign. Show it to us now. Let us have a look at it.

Mr Hamilton-Smith: You show us yours and we will show you ours.

The Hon. K.O. FOLEY: What a lightweight outfit is the opposition, and the Leader of the Opposition will say whatever he likes, whenever he likes, to whomever he likes. He changes his position daily, and I think the public of this state is catching up with him on that.

AAMI STADIUM

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (15:04): In light of the Treasurer's answer to the earlier question, I ask the Treasurer this: has he obtained an absolute guarantee that the \$100 million for the upgrade of AAMI Stadium will definitely ensure that the venue complies with all FIFA requirements for World Cup and international matches? FIFA technical requirements for a world standard stadium state, at clause 2.9:

The ultimate location would probably be a large city-centre site with good access to public transport, major roads and motorways and parking that can be used by others when games are not being played.

Clause 4.2 states:

The playing field must be absolutely smooth and level.

AAMI has an extreme camber and would require significant works to the ground surface, and spectators at AAMI are too far away from the playing surface to meet FIFA's technical requirements further explained in its documents.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:06): Do you honestly think it is good public policy and a wise use of taxpayers' money (\$1 billion at least) to build a stadium for two or three games of soccer? Are you honestly suggesting that that is—

Mr Hamilton-Smith interjecting:

The DEPUTY SPEAKER: Order! The Leader of the Opposition will come to order!

The Hon. K.O. FOLEY: If I did my homework! The government does not believe that expenditure of at least \$1 billion of taxpayers' money, in lieu of building a new hospital, for a handful of games of soccer, albeit potentially, maybe, in 2022, is a worthwhile expenditure of taxpayers' money. We just do not happen to think that is a particularly good use of taxpayers' money. You campaign on a football stadium; we will campaign on a hospital. I think the public know what they prefer of their governments.

Mr Pisoni interjecting:

The Hon. K.O. FOLEY: You can have both!

The Hon. P.F. Conlon: And a set of steak knives.

The Hon. K.O. FOLEY: Yes; a set of steak knives thrown in. Don't worry about our credit rating; that will go down the tube.

Members interjecting:

The Hon. K.O. FOLEY: Oh, fair dinkum, you would bankrupt this state within the first or second budget. It would be back to the bad old days with this lot, where this state could not balance its budget and could not keep a AAA credit rating—and all the good, hard work we have done as a government with the financial management would be just down the drain. All the hard toil that we have done as a government to repair our state's finances would be out the window under this lot. They would go off and build footy stadiums and whatever.

The Hon. P.F. Conlon: They do have a track record on soccer stadiums.

The Hon. K.O. FOLEY: Yeah; they like those soccer stadiums. On Sunday, Leigh Whicker, the executive commissioner of football in this state—

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: Do you want the answer? Are you listening?

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: Well, I'm giving you the answer. Do you want the answer? Leigh Whicker, the executive commissioner of football in this state said that the SANFL Football Park has been audited by FIFA and that the work it is undertaking is in line with FIFA requirements. I do not think that audit has been—

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: What does that mean? The SANFL has said that it believes that the work it is doing at its stadium will be more than sufficient for FIFA requirements. They have been audited. I do not think the audit has come back has it, Michael?

The Hon. M.J. Wright interjecting:

The Hon. K.O. FOLEY: No; the audit has not come back. That is what the SANFL has said; you will have to go and ask the SANFL.

AAMI STADIUM

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (15:09): My question is to the Minister for Recreation, Sport and Racing. What advice did the minister's department provide to him on the \$100 million proposal to upgrade facilities at AAMI Stadium and was it consistent with the government's decision?

The Hon. M.J. WRIGHT (Lee—Minister for Industrial Relations, Minister for Finance, Minister for Government Enterprises, Minister for Recreation, Sport and Racing) (15:10): Of course, a lot of work was done in this area. We see this is a priority for the government, and that is why we have come forward with \$100 million. As the Deputy Premier has already said, the roof will be a key asset, as will the entry and exit gates and the new catering facility in the western grandstand. This is good priority.

WORLD FOOD EXCHANGE

Mr PENGILLY (Finniss) (15:10): My question is for the Minister for Tourism. Can the minister advise what happened to the World Food Exchange, a week-long event to be held at the Convention Centre this month? On 26 July last year, the minister told this house:

In addition to promoting South Australia, the World Food Exchange will be promoting the concept of ecologically sustainable produce and, increasingly, consumers around the world expect their food to be sustainable, not only in the way it is produced but also in the way it is marketed and the logistics involved in getting it to the table.

The event was listed on the SA Tourism events calendar as being held over a week in June 2008 at the Adelaide Convention Centre. Convention Centre staff have told the opposition that the booking was cancelled and moved to the Hilton. The South Australian tourism calendar now lists the event as being held for five days from 22 September to 26 September, but the Hilton Hotel staff have told us that the event booking has been cancelled although they still hold a booking for lunch. Who is the minister taking to lunch?

An honourable member: That's one long lunch.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education and Children's Services, Minister for Tourism, Minister for the City of Adelaide) (15:12): I am very happy to explain to the member: as he stated in his explanation, the dates were changed.

WOMEN'S AND CHILDREN'S HOSPITAL, BREAST CANCER

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:12): My question is to the Minister for Health. On whose authority was the information from the investigation into breast cancer incidences at the Women's and Children's Hospital released to the media, an investigation that the minister advised the house in November last year was being undertaken by his Department of Health? Will the minister now table the preliminary review and explain to the house why the victims were not informed of the public release of this information?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:13): I thank the Deputy Leader of the Opposition for her question. As usual there are a number of assumptions in her question which one needs to go through. If I can recall all of the questions, I will go through them in order.

The first question was about on whose authority the public statement was made yesterday. The public statement was made by the acting head of the Children's Youth and Women's Service, Ms Gail Mondy. She would have done that in consultation with the CE of the health department. My office was advised that that was the process that was going to take place. I certainly supported that.

The reason the statement was made to the media is because a meeting of 150 staff of the hospital was held yesterday at approximately 2 to 2.30 to give them interim information about the report as I have mentioned in my ministerial statement already. It would have been naive in the extreme to think that a meeting of 150 staff at the Women's and Children's Hospital would not have led to some media speculation about the nature of the report, so it was prudent—and I certainly supported this approach—that a general statement be made to the community about what was in the report.

The second question, I think, related to the 'interim report' as the member put it. There is no interim report. The reporter who is undertaking the review for the service, Professor David Roder, had been talking about his work with the committee that had been established for that purpose, so there was as I understand it some discussion in the service about whether or not that interim information ought to be conveyed to the staff.

It was believed that it was important to let the staff know what he had found, so that information was passed on. There is no interim report as such; the information was conveyed. I have tabled in the house today three documents, which are the only documents that I have relating to this, and they are the only documents, I think, that are in existence. There was no document from Professor Roder, as I understand; if there was one, I will see if I can get it for the member.

But the point is that his report has yet to be completed. It has to be assessed by independent, international epidemiologists to ensure that the process he went through—the questions he asked and the overall scientific nature of the research—was done in accordance with the best science and the best protocols. So, that will happen. How long that takes, I cannot answer, but we thought it was important that staff know the interim arrangements.

The implication of the third question was: why weren't the victims told? The point is when one talks about victims that suggests a set of circumstances where one is a victim. I guess one could say in a general sense that anybody who has cancer is a victim and, if it is in that sense that the member is referring to it, I can accept it. But if she is drawing a conclusion that there is some link between what the hospital has done at the building and the cancer, and therefore those staff are victims in that sense, then I think she is drawing a conclusion that, according to the report by Professor Roder, is unlikely to be made.

The people who have the cancer are not known to the health service, they are not known to Professor Roder because, quite properly, their rights as individuals to have privacy are protected. In the process of doing his research, Professor Roder used the cancer register in South Australia, which is a very good research document, and 1,000 or so persons who had worked there or had been volunteers there who had their names checked against that cancer register and then the information was found; so, none of the staff of the hospital or the professor have the names of the list of the people who have the cancer.

That is not to say that individuals are known to individuals who work in the hospital; of course, that would be the case. But in any event, all of those who have cancer have been offered support and, of course, anybody who has worked in the hospital or has been a volunteer in the hospital who is at all concerned has been offered support as well, but there was no way that the so-called victims, as the member described them, could have been contacted in advance because they were not known to the hospital or any of its employees.

HOSPITAL STATISTICS

Mr KENYON (Newland) (15:18): My question is to the Minister for Health. What does the Australian Institute of Health and Welfare's hospitals statistics report show about the South Australian health system?

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:18): I thank the member for Newland for his question. The Australian Institute of Health and Welfare's hospitals statistics report, which was released last Friday, confirms that South Australia has a very good health system. The report shows, amongst many things, that we have more public hospital beds per capita than any other jurisdiction in Australia and that 90 per cent of all patients on elective surgery lists in South Australia are operated on within 206 days and, in that regard, we are second only to Queensland. This means that we have the second greatest number who are dealt with in the shortest amount of time. The median waiting time in our emergency departments is 26 minutes, which is amongst the lowest waiting times in the nation.

On the whole, the report shows that the South Australian health system is in good shape. Nonetheless, there is always more that can be done. We are continually working to increase the capacity within our system and the rapidity of our reform. The new commonwealth government's elective surgery waiting list reduction plan has provided this state with an additional \$13.6 million to undertake 2,262 extra elective surgical procedures this year. This money, in conjunction with the \$55 million commitment over four years that was made in the last state budget, means that we are on track to clear completely the long-term waiting lists by the end of this year.

As at September 2007, 1,793 overdue patients were on waiting lists. As at 30 April this year, I can announce that only 269 of these patients remained waiting. This year we are on track to perform 39,700 elective surgeries in all categories, which is 5.9 per cent more than the 2006-07 figures contained in the report and 11.6 per cent more than the 2001-02 figures. According to the 2006-07 figures, 50 per cent of patients received a hip replacement within 111 days (which is the third quickest in the country) and 50 per cent of patients received a total knee replacement within 171 days (which is the fourth quickest in the country).

Since last year, however, we have worked with the orthopaedic network of clinicians, as well as other categories of elective surgery, to develop strategies to address the waiting list and to aim to address the long waits by the end of this calendar year. On estimated data for the 2007-08 financial year, the total number of knee replacements performed has increased by 33.3 per cent since 2001-02—so over the six years we have been in government we have increased the number of knee replacements by one-third—and hip replacements have increased by 31 per cent (a similar figure).

The government has also committed significant resources to update the physical infrastructure of our public hospital system, which will assist both elective and emergency care. The Flinders Medical Centre, for example, is undergoing a \$153 million redevelopment, which will include an expanded emergency department and new operating theatres. The Lyell McEwin Hospital is undergoing a \$336 million transformation, which is doubling the number of beds and modernising the hospital. The major piece of infrastructure in our program of modernisation is our commitment to building the most advanced hospital in Australia—the \$1.7 billion Marjorie Jackson-Nelson Hospital—which will provide more beds and more patient services.

Stage 2 funds from the commonwealth government's elective surgery waiting list reduction plan will be used to commence development of Modbury Hospital and the Repatriation General Hospital elective surgery sites in accordance with South Australia's Health Care Plan. Also, we have proposed fitting out a decommissioned theatre at Flinders Medical Centre to provide additional theatre capacity to meet growing demand in ear, nose and throat, plastic and general surgery. In addition, we will be purchasing new equipment across a range of specialties. Across the system as a whole we have attracted an extra 699 doctors and 2,406 nurses over the five years between 2002 and 2007. Keeping our health system performing strongly requires continued extra funding and a strong reform agenda so we can use the funds we have to the best of our ability.

HOUSING SA

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:23): Will the Minister for Housing explain why a garden watering system has been installed on a multiple dwelling Housing SA property on Greenhill Road, Eastwood, when water restrictions are in place prohibiting the use of sprinklers and at a time when the government refuses to provide individual water meters to tenants?

I attended a 20-unit Housing SA property at Greenhill Road last week to view a new electronic watering system that has been installed in the front garden. It is a sprinkler system. I was informed by one of the tenants that they advised the Housing SA maintenance workers that the watering system leaked and, notwithstanding that, they proceeded with the installation and placed a bark chip enhancement along Greenhill Road. The tenant then complained that he and other tenants had not been provided with individual water meters and he was concerned that people living alone would have to pay for large families living in other units.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Families and Communities, Minister for Aboriginal Affairs and Reconciliation, Minister for Housing, Minister for Ageing, Minister for Disability, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (15:24): I think I have heard it all. We now have a complaint about the upgrade of Housing Trust property by the tenants. I do not know whether this is a complaint about shared water meters—if it is, why does the deputy leader just not ask about it—or a complaint about the fact that Housing SA is presumably doing much-needed upgrades to Housing SA property. It is a bit hard to follow this question. If it is about infrastructure improvements to Housing SA properties, what on earth is the member complaining about?

Ms Chapman interjecting:

The DEPUTY SPEAKER: Order!

Members interjecting:

The Hon. J.W. WEATHERILL: Presumably, a sprinkler—

Members interjecting:

The DEPUTY SPEAKER: Order! The Minister for Housing does not have a loud voice today, and I am having difficulty hearing him. When the house comes to order, I will invite the minister to resume.

The Hon. J.W. WEATHERILL: I will make some inquiries about this appalling travesty that we visited upon this community by seeking to upgrade their property—

Ms Chapman interjecting:

The DEPUTY SPEAKER: Order, the deputy leader!

The Hon. J.W. WEATHERILL: —with a new electronic watering system. I will obtain an answer about that and bring it back to the house.

FEDERAL ELECTION

Mr GRIFFITHS (Goyder) (15:26): My question is to the Treasurer. Will the state government now be funding the \$861 million worth of commitments that the Rudd government promised South Australia during the 2007 federal election campaign, which were not provided for in the recent federal budget?

The Rudd Labor government's budget has failed (and I emphasise that word) to provide funding for a range of promises made during the federal election campaign. These included: \$260 million towards building desalination plants in Adelaide and the Upper Spencer Gulf, with no specific mention of the works in the budget; upgrades for South Road, the Victor Harbor Road and the Dukes Highway—of \$590 million of road and rail funding promises about \$86 million will flow through to South Australia; the establishment of two specialist health clinics in Adelaide's northern suburbs for defence families; \$20 million to be spent on establishing a manufacturing centre at Mawson Lakes; the delivery of \$11 million in community grants for Adelaide's northern suburbs—with no apparent mention in the budget papers.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:27): I now appear to be responsible for the federal budget as well as the state budget.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Can you just let me answer it without gibbering, please.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. K.O. FOLEY: I will get a detailed answer for the member, but I can say this (if I can remember the list that he went through). The government has yet to agree that we will partner BHP in the Upper Spencer Gulf desalination plant, because BHP has not yet fully scoped the project, and nor have we.

Mr Hamilton-Smith: It's all up in the air at the moment: is that what you are saying?

The Hon. K.O. FOLEY: No, it is not what we are saying. It is just that BHP has not finalised all the details as it relates to the desalination plant and has not even done the EIS for it as yet.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: You can ask me that as a separate question. I do not know whether these guys understand budgeting, but the feds will not give us money until we have something to spend it on. With respect to the desalination plant for the state, we will be in a position to make some very important announcements about that very shortly. That is a project that we are committed to but, again, we are yet to sign any contracts. The federal government will not provide that money to us in any budget before that happens. However, having said that, I think it is part of its \$10 billion, anyway. I believe the member mentioned the South Road and other road projects. Has he heard of AusLink 1 and 2?

Mr Griffiths: Yes.

The Hon. K.O. FOLEY: These projects are involved in AusLink 1 and 2, I think, in the out years. These things are not built very quickly. With respect to the \$20 million for the manufacturing centre, my understanding, from advice I have been given, is that we are now working with the commonwealth on the details for that; where it will be and how it will operate. However, again, you do not receive that money until you begin delivering the project. What were some of the others?

Mr Griffiths: A specialist health centre in the northern suburbs.

The Hon. K.O. FOLEY: Let us wait and see. I do not have the exact detail on that. What are the others?

Mr Griffiths: There was \$11 million in community grants for Adelaide's northern suburbs.

The Hon. K.O. FOLEY: I do not know about that. If the federal Labor government made \$11 million of community commitments to the northern suburbs, that is their problem, not mine. I cannot answer for them on that. You might want to get one of your colleagues in Canberra to ask what the process is in relation to that. Are there any more?

Mr Griffiths: That is the extent of my questions.

The Hon. K.O. FOLEY: I have answered the question.

STORMWATER INITIATIVES

Mr WILLIAMS (MacKillop) (15:30): My question is to the Premier, but the Treasurer might care to answer it. What specific investments has the Rann government made since 2002 for stormwater capture, aquifer recharge and reuse? A stormwater authority exists to manage flood mitigation with no responsibility for stormwater capture, aquifer recharge or reuse. The Minister for Water Security has stated that stormwater is a local government responsibility, yet the federal member for Makin, Tony Zappia, revealed on Radio FIVEaa, on 23 May 2008 that the 'Rann Labor government was taking the cheap and easy option by not capturing stormwater in Adelaide'.

Following the release of the state Liberal's plan for stormwater capture and reuse, the Minister for Water Security changed her mind and claimed that state Labor had made extensive investments in this area. However, no confirmation can be found of such an investment in any budget paper since 2002.

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security, Minister for Regional Development, Minister for Small Business, Minister Assisting the Minister for Industry and Trade) (15:31): Thank you, Madam Deputy Speaker, for the

opportunity to answer this question. How extraordinary and what a hypocritical position when this opposition, when in government, cut the funding for stormwater to local government—cut the stormwater funding.

The Hon. R.J. McEwen interjecting:

The Hon. K.A. MAYWALD: Forgot about that; forgot the stormwater funding. Believe this; this is an opposition that went to the last election with a plan to have a plan on water by 2009.

Members interjecting:

The DEPUTY SPEAKER: Order! Minister.

The Hon. K.A. MAYWALD: That was their policy.

The DEPUTY SPEAKER: It is very difficult to hear when there is dialogue across the chamber. Minister for Water Security.

The Hon. K.A. MAYWALD: I am quoting their policy and that is right, we are not missing anything because there is nothing in their policy. That is the problem for the opposition. The opposition went to the 2006 election with a plan to have a plan.

Members interjecting:

The Hon. K.A. MAYWALD: I have before me 'Stormwater Harvesting—Securing Our Water Future', Liberal Party South Australia May 2008. It is a great photo of the shadow minister for water security. It is obviously a slimming version.

One of the things that I find most curious about this document is that, even on the first page, it quotes the Waterproofing Adelaide strategy three times, it quotes the SA Water website a fourth time, and then it talks about 'Aquifer Storage Capacities in the Adelaide Region' by Hodgkin from DWLBC. This is wonderful stuff. The entire document is based on the Waterproofing Adelaide strategy and the information that was determined by that strategy.

Once this government reinstated funding to stormwater—because stormwater, believe it or not, even under the previous government, was the responsibility of local government—what did they do? They cut the funding. They cut the funding and then they went to the 2006 election saying, 'We'll have a plan to have a plan about water by 2009.' The best they can cobble together at the moment is a copy of what we have presented, and what this existing government is currently working on.

Let me look at all the projects that they have listed. All the projects that they have listed in their documents are projects that are currently under investigation in partnership with local government. If we were to believe the opposition, these types of projects would have been established and up and running yesterday because they would have built them overnight. They have the capacity to understand the aquifers, they have the capacity to know how much they can hold, they have the capacity to understand what treatment is necessary, and they have the capacity to understand how much land is needed to treat the water through wetlands before it can be placed in storage.

They already know all that because they believe that they can be built yesterday. Well, that is dreamland. Let us talk about what the state government is actually doing. This state government first and foremost—No. 1—reinstated the funding. That is the first thing we did. We righted the wrong of your government which reduced funding to stormwater.

Mr Williams interjecting:

The Hon. K.A. MAYWALD: Yes, shadow minister, you were in this parliament when that happened; you were part of that government that did it. As far as what the South Australian government is doing regarding stormwater, in 2007 the state parliament passed the Local Government (Stormwater Management) Act which enabled us to establish the Stormwater Management Authority. This brings together all the partners necessary to ensure these projects can be progressed. The Stormwater Management Authority is in the process of being transferred to the Office of Water Security, and through the Office of Water Security, it will play an important part in meeting our targets already announced in 2005 in relation to stormwater management.

This government has supported the Waterproofing Adelaide strategy. We developed a strategy which we released in 2005. Remembering that this mob was going to develop a plan to have a plan in 2006 by 2009, we released one in 2005. We have been partnering local government

in projects such as waterproofing the north and waterproofing the south. We are currently developing projects such as the Lochiel Park—

Members interjecting:

The DEPUTY SPEAKER: Order! Do members on my left want more question time?

The Hon. K.A. MAYWALD: We are working with the Campbelltown council on a project that will capture and reuse stormwater at the Lochiel Park green village. We are currently working with the Onkaparinga council, which will develop—

Mr Williams interjecting:

The DEPUTY SPEAKER: Order, the member for MacKillop!

The Hon. K.A. MAYWALD: —stormwater options for new developments—

Mr Williams interjecting:

The DEPUTY SPEAKER: Order, the member for MacKillop!

The Hon. K.A. MAYWALD: —in the south, but, of course, the southern suburbs are not on the radar for the opposition and this is why it is not aware of these projects. The Onkaparinga council has been working with the state government to secure federal government funding for a range of stormwater reuse and treated effluent reuse projects in the south. These are joint projects between the three tiers of government, which is most important. Had those opposite been involved, they would not have been a partner because they cut the funding—remember.

The other things we are doing include our supporting the Mawson Lakes project whereby stormwater is captured and stored in wetlands, and is blended with recycled effluent from the Bolivar waste water treatment plant and supplied by SA Water to customers for non-potable uses. This project is a joint initiative between SA Water, the City of Salisbury, Delfin Lend Lease and Land Management Corporation.

Currently, we have a number of other projects on which we are working such as the Adelaide Airport. We are working with a range of local governments in the south to deal with the Brownhill and Keswick creeks catchment areas. We are also working with local government on the Port Road catchment stormwater management plan. This is a proposed flood mitigation scheme which includes stormwater reuse and water quality improvement and, of course, part of the Cheltenham redevelopment also includes a stormwater reuse component.

The Gawler River flood mitigation scheme, which currently aims to provide the best possible flood protection area, and there are opportunities for us to also look at stormwater reuse with local government. I have mentioned that, right across the state, this government has been working with local government to enhance the capacity of local councils in regional areas to reuse stormwater and treated effluent.

In the last report released in relation to the nation's treated effluent reuse, in South Australia, and Adelaide in particular, 29 per cent of our treated effluent is being reused, when the national average is around 13. I have to say that is a mighty effort, and with the projects which we currently have underway, we are increasing that to 45 per cent. I know members opposite are jealous that their track record is: 'We cut the funding to stormwater and we had a plan for a plan in 2006 to be developed by 2009'—and that is their claim to fame.

MEDICARE LEVY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:39): My question is to the Minister for Health. How will our hospitals cope with the increased burden on the public health system as a result of the federal Labor government's decision to increase the Medicare levy threshold? An Access Economics report prepared by the Australian Medical Association states that the Medicare levy threshold is estimated to create a net saving of \$299 million over four years. This means that some 285,000 people will need to drop their private health cover by 1 July 2008 to achieve the savings measures. The minister is aware that that means they will be relying on public health services.

Mr Venning interjecting:

The DEPUTY SPEAKER: Order, the member for Schubert!

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:40): I thank the Deputy Leader of the Opposition

for her question. The question asks me really to comment on a commonwealth government decision in relation to a tax cut to a substantial number of South Australians, and I am sure all those South Australians who are beneficiaries of that tax cut are grateful, and no doubt they will be interested to know that the opposition is opposed to them getting that tax cut. I guess from time to time they will be reminded of that at appropriate times, and will no doubt be written to.

What will the impact of that tax cut be on the behaviour of those people and their actions in relation to private health insurance? I do not think we know at this stage, but we can make some guesses. My guess would be that the majority of those people in the short term probably will not make too many decisions at all. Over time, there would be, I believe, an expectation that a percentage of the people who are potential beneficiaries of the tax cuts will stop taking out private health insurance.

The advice I have is that the overwhelming majority of the people in this category are likely to be young, relatively healthy persons, and they are also likely to be ones who have taken out the minimum level of private insurance. So, in fact, the majority of those persons who will be the beneficiaries of the tax cut, if they do drop their private insurance, are unlikely to put much burden on the public health system at all, for two reasons. First, they are people who are unlikely to have chronic diseases or need of the hospital system for elective surgery. Secondly, those who are likely to have babies or are thinking about having babies will probably hold on to their insurance if they want to use the private health system for that purpose, but the majority of those people are unlikely to have any elective surgical procedures planned, so they will not be a burden on our system. The most likely burden will be if they need emergency work. Of course, most people, regardless of whether or not they have private insurance, go to emergency hospitals. So, the consequences of this I think are likely to be very slight.

There is a greater potential consequence down the track because, if the pool of insurance funds is diminished and the high end users stay within the funds, the consequence of that will be upward pressure on the price of insurance. That, to me, is more likely to cause a significant impact on the public health system. When that will occur, of course, we cannot tell. That might be two or three years down the track. That relationship between the cost of private insurance and the number of people in the fund is something I guess the commonwealth government will have to address. But, in any event, we are now going through negotiations with the commonwealth over the Australian Health Care Agreement, and what we are looking for is an agreement which is based on a fair arrangement between the states. So, if we in fact do get more patients going through our public hospital system, we would expect the commonwealth to provide complementary suitable funding for it.

I am optimistic that these consequences will be minor in the short term and will feed into the Australian Health Care Agreement, and the commonwealth government will have to pick up the funding if there are any longer term consequences.

MARBLE HILL

The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:44): I lay on the table a copy of a ministerial statement relating to Marble Hill made earlier today in another place by my colleague the Minister for Environment and Conservation.

TASERS

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:45): I lay on the table a copy of a ministerial statement relating to Tasers made by my colleague earlier today in another place.

GRIEVANCE DEBATE

STORMWATER INITIATIVES

Mr WILLIAMS (MacKillop) (15:45): How delightful it is to have the opportunity to speak about stormwater after the Minister for Water Security refused to answer my question, principally because she could not answer it. My question was: what specific investments has this government made since 2002 into stormwater capture, harvesting, aquifer storage and reuse? Of course, the government has failed, and failed miserably, because it has invested very little.

Every time the minister stands up, whether it be in a public forum or in this place, she takes great delight in suggesting that our policy from the 2006 election was a policy to have a policy. I

have great delight in coming back to the minister and saying, 'We have released a number of policies since that time. We have recognised that we are in a drought, and we have recognised that water security is probably the most important thing for South Australia in this period, and we are not about running around making silly little glib statements like she does.'

I will read from the minister's website that I downloaded just before question time this afternoon. The website states that it is estimated that by 2025 we will be able to increase rainwater and stormwater use to about 20,000 megalitres per annum. It is important to note that, when the minister, like all the ministers in this government, uses the word 'we', she is actually talking about 'they'—'they' being people such as the Salisbury council, because the Salisbury council expects to capture and recycle 20 gigalitres of stormwater by 2010.

So, the target the government has for 2025 will already be met by the Salisbury council within two years. Again, I remind the house that the minister loves to use the royal 'we'. She is doing nothing, but she will claim the benefit and the kudos for the work that is being done by others.

Let me just repeat what Tony Zappia said about the Rann Labor government and stormwater harvesting, that is, that it is taking the cheap option. What is the cheap option? The cheap option is to spend money on flood mitigation, get the water into a concrete channel and run it down to the sea as quickly as possible. There is another reason we believe we should be harvesting stormwater. The minister probably does not realise that a few months ago the Adelaide Coastal Water Study was released, and that highlights and documents something we have known for a very long time, that is, that stormwater released into the Gulf St Vincent is one of the causes of the degradation of the seagrass beds off our coast—some 5,000 hectares of that has died.

The consequence of that is that we spend millions of dollars a year shifting sand up and down our beaches. That is just one of the consequences of not capturing, harvesting and injecting stormwater into the aquifers under the city for future use. We believe that something like almost 90 gigalitres of water, which is getting towards half of Adelaide's annual water use, can be captured from our stormwater run-off, cleaned up through natural reed bed filters, like the one the Salisbury council has constructed out at the Parafield Airport, and injected into deep aquifers under the city. Instead of building a new dam at Mount Bold for over \$1 billion, we are blessed with huge aquifers under this city, and they can be used. The Salisbury council has proved that you can pump water into these aquifers and extract it at a later date.

A four-year study by Peter Dillon and his colleagues at the CSIRO, down at the Waite, has proved that this water is eminently suitable for potable use and eminently suitable, following chlorination, to be put directly into our water delivery system. So, here we have a system we believe would obviate the need to spend over \$1 billion reconstructing the Mount Bold reservoir, over the \$304 million that has been earmarked to build a north-south pipeline to connect the northern and southern parts of our distribution networks, because we would have new storages right across the metropolitan area—storages that would be replenished every time it rained.

Even if we had a thunderstorm in the summer, we would get run-off. Because of the urbanisation and the hard surfaces, we get instant run-off from the city and the metropolitan area, and that water can be harvested, put into the aquifers and reused. But this government is very long on rhetoric, very long on the glossy brochure, but very short on action.

INTERNATIONAL MEN'S HEALTH WEEK

Mr PICCOLO (Light) (15:50): I would like to bring to the attention of this house that next week is International Men's Health Week, a week of activities and events across Australia designed to focus on the health and wellbeing of men in our community. The question may arise: why would we care about men's health and wellbeing?

Ms Bedford: For several reasons!

Mr PICCOLO: For several reasons. I will tell you more. We should all care about issues that impact on the individual's ability to lead a fulfilling life. Men are no different. While it is true that men still hold some advantages in some walks of life—

Members interjecting:

The ACTING SPEAKER (Mr Koutsantonis): Order! The member will be heard in silence.

Mr PICCOLO: Thank you for your protection, Mr Acting Speaker. It is certainly not true across the board. It is important to be concerned about men's health and wellbeing because men

are also, importantly, husbands, fathers, grandfathers, partners, sons, brothers and friends. We are not looking at men per se, but we are looking at men in terms of their relationships with other people around them. It is important to note that their health actually impacts on the health and wellbeing of those around them, so it is important that we pay attention to the health and wellbeing of men.

Mr Griffiths interjecting:

Mr PICCOLO: I'm glad that you do. I would like to mention some of the issues which have been brought to my attention. For example, men are more likely to die prematurely across all age groups than women. Men also have undetected diseases longer than women do. There are also lower levels of health literacy amongst men. More women have a stroke but age-standardised incidence rates indicate that more men have a stroke at a younger age. More men are likely to die from diabetes than females.

There is a higher overall incidence of cancer among men than women. Injury rate, for example, is twice as high for men as it is for females. Men account for more than two-thirds of all people with acquired brain injury. Men are also more likely to be smokers than females, are more likely to experience high blood pressure than females, and significantly more men are overweight or obese than females. More men report high risk alcohol consumption levels than females.

These are some of the indicators that show that we need to do something about men's health and wellbeing, and some things are being done. One of the things I would like to bring to the attention of the house is the Freemasons Foundation Centre for Men's Health, of which I am a patron together with the member for Fisher, and the foundation, in conjunction with the University of Adelaide, is pouring millions of dollars into men's health research.

The goals of the Freemasons Foundation Centre for Men's Health are to develop a comprehensive and multidisciplinary research program to improve men's health, to establish a men's health clinic that models best practice in the provision of integrated health services for men, to establish an early career researcher development program to attract high quality researchers from interstate and overseas, to develop an evidence-based continuing education program for health professionals with an interest in men's health, and lastly to establish a broad base of funding to support reduced strategic vulnerability of limited funding resources.

Some other things happening in men's health include a men's health course run by Dr Murray Drummond at the University of South Australia, a course which I have completed and which I would recommend to other people working in men's health policy. Also I would like to bring to the attention of the house the forthcoming men's health policy to be introduced by the federal government.

Just to give some context to the next issue that I wish to raise, five men a day suicide in this country, and the attention it gets is very minimal. If you contrasted that to five whales beaching on our coastlines every day, it would be making front-page news around the country. Why is it that five men suiciding attracts less attention than five whales suiciding around this country?

Professor McDonald from the Australasian Men's Health Forum said that there is an assumption in the community that men are doing quite well and do not need extra help. His view is that this is incorrect, and psychologist and author Elizabeth Celi said that it would be simplistic for a men's health policy just to focus on the physical problems. In her view, physical, psychological, social and family health must be included in any national men's health policy. She goes on to say that simple gender differences on men's health matters must be recognised and that men and women are different in their health needs. Unfortunately, the health systems in this country do not quite recognise that.

Time expired.

MARINE PROTECTED AREAS

Mr PENGILLY (Finniss) (15:55): Last week we saw yet another chapter commence in the marine parks issue in South Australia with a visit to my electorate by the Minister for Environment and Conservation, which I welcomed. I am very pleased that the minister saw fit to go out and start to try to commence some damage control on the almighty mess that has been marine parks in South Australia. This saga has been going on for a while now.

Last week, the minister—and I point out to the house that she did not undertake the usual protocols and let the local member know—went to Kangaroo Island for a day and a half and then to

Victor Harbor where she talked to selected groups of people, took people out to dinner and, generally speaking, tried to glean some information on where the community is coming from on the parks—and I commend her for that.

However, I am not so sure that the minister has been told everything that she needs to know on this whole issue, because one thing that did concern people on the Island who met with her was that she had little or no understanding of the impact of netting. Indeed, her comments were derogatory about net fishermen and the net fishing industry, in direct contradiction to the written evidence which proves that the type of netting we use here does not harm the bottom and does not damage the seagrass. That evidence has been sent to the minister, I understand, and I am sure that she will now take that on board.

I just get concerned that there are certain areas that push certain causes regarding this whole issue, and the netting industry seem to be the fall guys for everybody else. Hopefully, minister Gago will take that on board and she will understand that the netting industry does not harm the bottom with the nets they use in St Vincent's Gulf, Kangaroo Island and the surrounding waters.

Minister Gago did not really have any understanding. It was a fact that she had no idea that they fished for lobster in the Victor Harbor and Encounter Bay areas. She did not know that lobsters existed down there. I would have thought that after this amount of time in the position—

The Hon. M.J. Atkinson: How do you know that?

Mr PENGILLY: Because she indicated that at a public meeting, Mr Attorney, thank you. The former director of fisheries was there and he was the one who actually sounded her out on it at the meeting, for your information. Once again, I make the point that I do not know that the minister is being given enough information so that when she goes to these things she does not get caught in a trap. I think it is unfortunate that whoever is informing her and giving her material does not give her the whole balanced approach to this issue.

That takes me forward to where they are at the moment with the marine parks consultation and education process, which I also think is a very good idea. It has come a bit late like everything else. We are about two years down the track and they are just starting to go out to talk to the people they are going through the process of educating, and I refer particularly to young people for whom they are putting out information on World Environment Day.

They did that down at Victor Harbor at the reopening of the Whale Centre on Sunday. I was quite interested to walk through and see what they were handing out, and I pay credit to Mr Phil Hollow who is a very balanced and valuable member of the community who is working for the Department for Environment and Heritage on this whole marine parks process. If we had a few more Phil Hollows, I think you would get a lot more truth and a lot more balance into it. So, that side of it is good but the public education, particularly for young people, needs to be balanced.

I have an issue at the moment which took place last week with some of the education process on the island, not by the department for environment but by another organisation. Blatant propaganda was rammed down the throats of some schoolchildren who attended a function, but I will deal with that on another day. I think this thing has been turned around to some extent. We are yet to see the outer boundaries and, more particularly, the inner boundaries. It is a shame that we have had to wait so long to get some common sense.

Time expired.

SA AMBULANCE SERVICE

The Hon. L. STEVENS (Little Para) (16:00): I was very pleased to hear the recent announcement by the Minister for Health of nearly \$27 million over the next four years to SA Ambulance Service to pay for an extra 72 staff (which includes paramedics), additional ambulances and more equipment. I have always had the greatest respect for our ambulance service. As a former minister for health, I visited many stations to talk with staff about issues, their work and future plans.

However, in recent months I have had direct personal experience of the dedication and commitment to their job. As many members know, in December last year my husband suffered a serious heart scare at home. Soon after he felt unwell, he asked me to call an ambulance. The ambulance came, but on the way to the Lyell McEwin Hospital he suffered a cardiac arrest, which was managed en route by the crew—and Mike is here to tell the story. He is a very lucky man.

I put on record my thanks to the officers concerned. I am pleased that the Messenger newspaper took up this issue in National Heart Week a couple of weeks ago. When we spoke to the officers—Darren Brealey, Vashti Henderson and Andrew Martin—after things had calmed down at Lyell McEwin Hospital we were left in no doubt that if Mike had not been in an ambulance when he had the cardiac arrest he certainly would not be here to tell the story—and I would be saying different things today. I thank those officers, in particular, but I also pay tribute to all ambulance officers who are faced with serious situations.

I also pass on my thanks and appreciation to the staff of the Lyell McEwin Hospital and Ashford Hospital because Mike went on to have a double bypass operation—from which he has recovered. The other important thing—and the cardiologists have reiterated this—is that Mike was very fortunate in that for him everything was done correctly. He quickly recognised that something was seriously wrong. We got an ambulance quickly and the officers were there when the cardiac arrest occurred. The message for everyone is: do not muck around. If you know and feel that something is wrong, then you need to act quickly. You should not think, 'I will wait a few more minutes and it will be okay.'

A week or two ago we had our second experience with an ambulance. We had to travel from Tarlee to the Lyell McEwin Hospital on a Sunday. I travelled in the ambulance at that time. I have to say that, along with the driver, I was unbelievably stressed because of the number of motorists who did not pull over when the ambulance was coming behind them with its siren blaring and lights flashing. It was not just one or two motorists who were not getting out of the way but, rather, dozens of them. As we travelled from Tarlee on the country roads, through Gawler and along Main North Road, time after time, as the ambulance was coming from a long distance back with its siren blaring and lights flashing, people were just not moving. The final straw was when we were turning from Main North Road onto John Rice Avenue on its way to Lyell McEwin Hospital and someone pulled out in front of the ambulance.

I do not know why it happens. I do not know whether people are not aware of what is happening outside and they do not look in their rear vision mirror or whether they panic and do not know what to do when they are faced with that situation. I think it is time for greater awareness and greater education in terms of what one should do when placed in that situation. When an ambulance is transporting a person in a life-threatening situation, every second counts. I take off my hat to the driver who was under incredible stress while not only driving as fast as she could but also dealing with motorists who did not seem to know what was going on around them. We need to ensure that the community is fully aware of how they should act to help and not hinder.

FOOD ADDITIVES

Mr PISONI (Unley) (16:05): Last month we heard about the personal experience of the member Bright in relation to the charging of cakeage—a serious problem that the honourable member raised in this parliament. I stand to discuss a much more serious problem and I, too, reflect on my personal experience. I want to talk about the additives that may have been in that cake and the effect that additives are having on our children when they eat cake. In a lot of instances, those same additives are in the products endorsed by the Right Bite program in South Australia, not only in pie warmers but also in fridges and ovens in school canteens.

After a celebration of International Women's Day at my daughter's school, Amnesty International gave a presentation. Following the presentation, there were free doughnuts with pink icing for the girls to eat. As a young girl, my daughter was an asthma sufferer, but she has not suffered from it for seven years. However, under peer pressure from her girlfriends she had a doughnut, knowing full well that she should probably steer clear of those sorts of things because of the effect they have and, lo and behold, that afternoon she had her first asthma attack for seven years.

We were very concerned and wanted to look at what was in those doughnuts, so we asked for a full list of ingredients from the school, which we have received. Some of the ingredients are quite extraordinary. There were over 30 different ingredients and a list of numbers longer than an international phone number describing the additives. For example, additive 123 is linked to hyperactivity, asthma and eczema and has been banned in the USA since 1976. It is also banned in Russia, Austria, Norway and other countries.

Additive 124 is linked to hyperactivity and asthma and is banned in the USA and Norway, yet our children are eating these additives. They are not only contained in doughnuts, they are also in foods that are approved for sale under the Right Bite program. Additive 102 is linked to

hyperactivity, skin rashes, migraines, behavioural problems, thyroid problems and chromosome damage and is banned in Norway and Austria. All of these ingredients are in one doughnut.

An honourable member interjecting:

Mr PISONI: I would not eat the hole; that will give you wind! Additive colour 133 is brilliant blue, which is a suspected carcinogen and is linked to hyperactivity, and asthmatics should avoid it. It is banned in Belgium, France, Germany, Switzerland, Sweden, Austria and Norway. Additive 151 is linked to bowel disorders and hyperactivity, and asthmatics should avoid it. It is banned in the USA, Denmark, France, Germany, Switzerland, Sweden, Austria and Norway, but our children are eating it in our schools. Additive colour 155 is brown and is again linked to asthma and skin irritation. It is banned in the USA, Denmark, France, Germany, Switzerland, Sweden, Austria, Norway and Belgium. Additive 122 is linked to skin rashes and hyperactivity and is banned in Sweden, the USA, Austria and Norway. However, again, these are all available in our school canteens under the Right Bite program.

A lot of the Right Bite program foods have come in with lower fat, sugar and salt levels, but they have added extra additives to flavour them—so, we are seeing things such as light ham and light cheese products. School canteen menus boast about using these light products, which all contain things such as sulphur dioxide, which asthmatics should avoid, and ascorbic acid, which is a skin irritant and causes behavioural problems. These are important issues about what our children are eating in schools, and they need to be addressed.

LOWLY PENINSULA

Ms BREUER (Giles) (16:10): I rise today to speak about the growing sense of panic in Whyalla about the development of the Lowly Peninsula, which is near Whyalla. The Lowly Peninsula is a very important part of our community. The Santos site occupies one small area and has been there for some 20-odd years, but it is an important part of our community. Some years ago, I believe it may have been zoned industrial, but it has never been seen that way locally. What we are concerned about in Whyalla is the seeming lack of consultation on the development of that peninsula, which is a beautiful area.

The lighthouse, which has been there for well over 100 years, is featured in all the tourism and public relations material that is put out from Whyalla. Fitzgerald Bay, alongside the Lowly Peninsula, is one of the most beautiful areas in the state; you can look across at the Flinders Ranges from there. It also houses a number of fish farms. The cuttlefish aggregations are on the other side—the Weeroona Bay side. I think most people in this place are aware of the unique aggregation of cuttlefish that takes place every year. Dive teams and film crews from all over the world travel there—in fact, last week the BBC was there filming.

Why would you build an ore loading facility over the Great Barrier Reef, the whale watching area at Victor Harbor or the Great Australian Bight? So, why are we proposing to build an ore loading facility over these cuttlefish areas, which are well-known? I believe that, to date, some 60 expressions of interest have been received to build this jetty. However, of those 60 expressions of interest, only one company has come to Whyalla and consulted with our community and our council.

The expressions of interest were called for a couple of days after an information day was held in Whyalla in early May, which many in the community attended. They saw what was available there. The information day, I think, was as a result of concerns that were coming out of our community. It was an information day, but I believe that it is now being touted as a consultation day, which it certainly was not. About four proposals were shown to us on the day. Of all the people who went there (and I spoke to most of them), only two were totally in favour of the whole proposal. Most people have major concerns. It was not a consultation, it was an information day, and we really had very little opportunity to comment or make our feelings known.

I have previously discussed other options for this area, because we are not saying that we are anti-development in Whyalla. We understand that the mining boom is important to this state and to our community in Whyalla, and we are prepared to support it. What we are concerned about is that there are other options rather than just the wholesale development of that peninsula. However, we are not getting an opportunity to talk about it.

I fully back my council and community on this matter. I acknowledge that I am a member of the state government, but I am prepared to fight for my community as hard as I can. We do not want the peninsula turned into an ugly, industrialised place. We will no longer be able to access

any of the land around Whyalla because of the takeover by the defence forces; that is all going. The area that I am talking about is a beautiful environment, which people visit.

What we are really concerned about is that we will get one firm there, then another firm, and there will be a domino effect. The whole peninsula will be covered in tanks and buildings and conveyor belts and trucks will come and go. In a couple of years time we will see the whole area fenced off and padlocked and we will not be able to access that area.

What worries us is that we are seen as a dirty, industrial community and it does not really matter what they do out there. I tell members we are told that in Geraldton, for example, you can eat your breakfast off the ore loading facility out there. Come on! We live in Whyalla; we have lived with an industrial and environmental disaster for many years, with the pellet plant there and with the red dust. You will not convince anyone in Whyalla that you can load any sort of ore cleanly, particularly iron ore.

We want an opportunity to be able to talk about this. We want an opportunity to look at other options, such as developing the OneSteel harbour and developing land near the area there, some kilometres along the road where it is hidden from that peninsula. We want the opportunity to be able to discuss keeping that peninsula open for us as a community to use, as we have used it for so many years in the past.

Time expired.

FIREARMS (FIREARMS PROHIBITION ORDERS) AMENDMENT BILL

In committee (resumed on motion).

(Continued from page 3352.)

Clause 29.

The ACTING CHAIR (Mr Koutsantonis): The member for Heysen had asked a detailed question.

The Hon. M.J. ATKINSON: Could I hear the question again?

Mrs REDMOND: Mr Acting Chair, I understand that the Attorney would like to hear the question again. It related to the first section of new section 27A, the obligation to report unsafe situations associated with firearms. The Attorney and I were agreed that a general practitioner in the country may well be aware of the likelihood of his patient owning firearms but, in his electorate or mine (or even yours, Mr Acting Chair), it may well be unlikely that the general practitioner would be aware of whether the patient consulting him owned a firearm.

My question was how this was going to operate in practice in terms of the ability of the medical practitioner knowing whether the person owned a firearm and was, therefore, someone to whom this clause should apply and that the medical practitioner should therefore report. If he is not to specifically ask each patient—and I suggested in the course of my question that that might be problematic at the least—then how is it going to operate in practice?

The Hon. M.J. ATKINSON: The answer is that a general practitioner does not know whether or not a patient owns firearms and, therefore, it is the policy of the government to urge general practitioners to report their suspicions often and for the registrar to check whether the patient is a person who owns firearms. Of course, one means I suppose is to ask the patient, but that might be giving things away; therefore, the member for Heysen's point is a good one. If she has a better idea for regulating this, let her share it with us.

Mrs REDMOND: I noticed that in the new section 27B below that, the same terminology is used: 'If a medical practitioner has reasonable cause to suspect'. Clearly in the case of a wound, where someone turns up with a gunshot wound, there would be pretty reasonable cause for suspicion and, as I said, in the country practice there would be pretty reasonable cause for the suspicion of the likelihood. I struggle with the idea that the ordinary suburban practitioner will either have to report everybody they consult, or they will have to make some inquiry of the registrar as to whether that person owns a firearm. I assume that the registrar would say, 'We're not allowed to tell you that because of privacy,' because that is the answer you get whenever you ask any government department for any information these days. No matter how sensible it might be for them to give you this information, they always cite 'privacy', and I always ask them specifically what provision of the privacy legislation and which privacy legislation and they never know. That having

been said, nevertheless they always respond with they cannot give you that information because of privacy.

If the general practitioner has a person who has consulted him, and let us say this person has come in and is showing signs of schizophrenia, clearly it would be inappropriate to allow that person either to obtain or to continue to hold a firearm licence, but is the way this is going to operate that with every person that comes in with that sort of mental illness, the doctor then has to make inquiries and then report, if the outcome of the inquiries is that the person does have a licence? Or is the way it is going to work that general practitioners in the city just will not bother, because it really would be safer for them not to say anything about firearms, rather than ask the person in particular whether they have a licence?

The Hon. M.J. ATKINSON: Reporting to the registrar is encouraged.

Clause passed.

Clauses 30 to 33 passed.

Clause 34.

Mrs REDMOND: In relation to clause 34, which amends section 35, the disposal of forfeited or surrendered firearms, I note that the proposal essentially set out in the new subsection (5) is that, if a firearms prohibition order applies to a person and the person surrenders the firearm, or whatever it is that is the subject of the order then, subject to paragraph (e), the registrar must retain the firearm. If it is only an interim order, then for the period that the interim order applies and, in any other case, presuming there is a full order, for the period allowed for an appeal and, if an appeal is instituted, then either the appeal has lapsed or it has been confirmed, or whatever has happened.

That is fine, I have got that. That is how long the registrar has to retain the firearm but, at the end of that period, if the person is subject to a firearms prohibition order, the registrar must comply with the requirements of the regulations as to the sale or disposal of the firearm—and I am using 'firearm' generally for all firearms, ammunition and so on—and pay the proceeds of the sale or disposal, if any, to the person.

First, whilst that is a perfectly acceptable thing, for instance, for the person who may have a mental illness and who reluctantly is forced to give up a firearm which they have had because of the mental illness which has come upon them, I take it that the effect of it is that, even if they were to be completely well again after that illness, they could never get that firearm back because the process will be that it will be disposed of.

The second part of the question is: how do we decide what is to be sold and what is to be disposed of in some other way? In theory, you could have a whole lot of firearms which were worth a lot of money and which belonged to a criminal, and it struck me as a little odd that we would be wanting to give them back the proceeds; or is the intention that we would have a separate application under criminal assets criminal confiscation?

It seemed to me to be a very broad brush to take that same approach through a whole range of people from the relatively innocent person who, through no fault of their own, has a mental illness and is required to give up their firearm through to the criminal who has it taken.

The Hon. M.J. ATKINSON: My advice is that firearms owners have an opportunity to sell the firearm and dispose of it that way. If they do not, then it is confiscated. We do not want police premises in South Australia ending up as armouries, and so the clear message of this law is that the guns that are confiscated are to be sold or destroyed.

Mrs REDMOND: That is the nub of the question. How does one decide what will be sold and what will be destroyed? Once they are confiscated—and I have no idea of the cost of guns, but presumably some of them could be quite expensive—do you sell them to a licensed firearm dealer and put it into the market somehow so that it becomes a licensed firearm available to legitimate members of the community, or are they all destroyed regardless of their value; and who decides?

There being a disturbance in the gallery:

The ACTING CHAIR: Order! I warn the adviser in the gallery to keep his remarks to himself.

The Hon. M.J. ATKINSON: The police would have the choice of disposing of the firearms through a licensed firearms dealer or going through the more formal government marketing method, probably auction.

Clause passed.

Remaining clauses (35 to 38), schedules and title passed.

Bill reported with amendment.

Bill read a third time and passed.

CRIMINAL LAW (SENTENCING) (VICTIMS OF CRIME) AMENDMENT BILL

Consideration in committee of the Legislative Council's message.

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

That the House of Assembly's disagreement to the Legislative Council's amendments be insisted on.

Mrs REDMOND: These amendments, of course, were passed by the other place with the support of the Liberal Party and, although I think we expressed in the debate in that place some concern with some of the wording, I think the intention was taken to be good. In moving his amendment, Mr Darley indicated that the difference between his amendment and the clause proposed by the government (this is in relation to the first one) is that it provides a wider definition of a prescribed summary offence. He also changed the reference to 'total incapacity' to a reference to 'serious harm'. I think, in essence, the government's position in the other house was that this would open the floodgates and there would be far too many people who would get the benefit of this legislation. The rest of the legislative councillors did not share that view and thought the floodgates argument was not a viable one.

The second of the amendments was one about which I had some misgivings, and I think again the Hon. Stephen Wade in the other place expressed a little concern about some of the wording. I think it was well-intended, although I can understand why the government would seek to avoid this provision. What the amendment sought to do was say that, if the court was going to impose an order of community service on an offender or impose a condition that someone perform community service in a bond and the court had been advised by the victim, in essence, that the victim would like the defendant to be required to perform community service in accordance with the section, the court could consider. I think the ultimate difficulty with the section was that, whereas we supported the fact that the court may make an order about what the community service should be in light of the victim's suggestions, the government took the view that it was going to allow just a bit too much input by the victims.

So, whilst I support the thrust of what the Hon. John Darley sought to move, and we supported it in the other place, there is certainly an argument to say that maybe it could have been better worded to achieve that intention, because I think it is not unreasonable to allow a victim to have some input in terms of suggesting what would be appropriate community service, and I think it needs to be obviously restricted not to doing it on private property—for all sorts of insurance reasons, if nothing else. Also, my experience of victims is that they actually do not want the offender anywhere near them, in any event. So I would expect the most likely outcome of allowing this sort of thing would be that victims would suggest, for instance, if they had been the subject of a graffiti attack, that the person would be required to spend some time cleaning off graffiti, or something like that. That does not mean that because the bill does not have this provision the court cannot order that, in any event. I think it would have been reasonable to allow the victims a little more input in the issue but, nevertheless, I understand that the government certainly has the numbers to control the vote in this house, and I will not take any more of the committee's time.

Motion carried.

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

That a message be sent to the Legislative Council requesting that a conference be granted to this house respecting some amendments in the bill, and that the other place be informed that, in the event of a conference being agreed to, this house will be represented at such conference by five managers, and that the Hon. M.J. Atkinson, Ms Ciccarello, Ms Fox, Mrs Redmond and Mr Williams be managers of the conference on the part of the house.

Motion carried.

PREVENTION OF CRUELTY TO ANIMALS (ANIMAL WELFARE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 March 2008. Page 2459.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:36): This bill has been debated in another place, where it was introduced by the minister responsible and through which it has passed. The government has indicated in its presentation of the bill that it is a modernisation of the act, that is, the Prevention of Cruelty to Animals Act 1985.

It also claims that the change in the title introduces an emphasis on animal welfare, as distinct from the emphasis being on the prevention of cruelty to animals. However, from the observations of the opposition, there appears to be little evidence of this in the actual amendments to the act. However, on behalf of the opposition, I indicate that, whilst we will be supporting a number of amendments, the general thrust of the bill is supported. The key aspects of the amendments are:

1. a massive increase in the penalties (in most cases, at least doubled);
2. an introduction of routine inspection of intensive animal farms;
3. making aggravated offences an indictable offence;
4. the most significant change is that the requirement of evidence prior to the inspection of properties in which animals are held is no longer required.

There are significant changes in the definition. As I understand it, the bill outlines that officers appointed under the act will be the main compliance enforcers, rather than police officers, notwithstanding that the bill makes aggravated offences an indictable offence. The bill also seeks to outlaw organised animal fighting.

I do not think there would be anyone in the parliament who has not supported in every way the thrust of the current act in its desire to protect against the imposition of any cruel conduct towards animals. We, of course, have the benefit of animals in our urban and rural communities. We have them as pets and companions. They provide and are held and bred for the purposes of our very significant human consumption requirements, and they also form a very significant part of our export industry and the economy of the country.

So, across the spectrum, they are a valued companion to humans. Where they contribute to food for the community is particularly an area where we must ensure that there is no opportunity for them to be dealt with in a manner which is cruel and unacceptable, whether it be in their detention or in their execution.

There is really, I suppose, a third significant area, and that is where animals are also part of some entertainments, some of which both we and clearly the government consider to be abhorrent and unnecessarily cruel activities, such as cock fighting and the like, where, as in this case, one bird is set against another bird and ends in a painful and cruel demise. That is seen to be unacceptable. On the other hand, there are many sporting activities, such as horseracing, rodeos and the like, where animals play a very significant part in the social infrastructure and sporting activities that we enjoy as a community.

However, in whatever activity animals are kept, tethered, bred or dealt with for the purposes of food production, economic gain, companionship, sporting or recreational activities, they must be dealt with in a decent manner, and we join the government in that sentiment and in the process of ensuring that that occurs.

I must say that on first blush of reading the bill when it was introduced I felt that, from the point of view of protection against cruel and clearly inhuman activity, there is sufficient provision in the bill to protect animals, for example, that may be kept where there is a failure to feed them adequately. Many of us are familiar with scenes of animals sometimes, for example, being kept in overcrowded, confined or cramped quarters or accommodation that is unacceptable in any fair assessment and/or they are deprived of food or water and/or they are cruelly tethered and the like. These are the sorts of activities where it is important for whomever is the authorised officer to be able to deal with the issue and urgently seek to intervene and protect an animals or animals.

In the original act, we exclude fish under the definition, and I read with some curiosity that they are still excluded. The poor old fish seem to have been ignored in this legislation. However, in the fear that I might lose every vote from the recreational fishing industry, I will not be moving any

amendment. However, I will say that it has always seemed curious to me that the disposal of fish in the commercial and/or recreational fishing is excluded. In fact, I wonder whether the goldfish that are left in the bowl too long or the tropical fish left in a garden pool that are kept without adequate aeration or filtration of the water or sustenance would be covered. They seem to have slipped through the net, so to speak. They are not covered at all, it seems to me, by the very definition. Aside from those curiosities, I hasten to add that have not heard of any wilful or recklessly negligent conduct on the part of people towards goldfish, but often when you look at this type of legislation, you do wonder.

Much debate occurred in another place. The Hons Michelle Lensink and Caroline Schaefer were two powerful speakers on behalf of the opposition, because it is fair to say that one of the significant areas of concern is whether this proposed legislation will adversely impact on the operation of rodeos, that is, events where horses, cattle and the like are involved in eventing, which usually requires that they be restrained or tethered in some way.

It seems to me that, on viewing some of these events over the years, it is usually the animals that win but, nevertheless, it is an event that is a significant part of our rural culture. It is also an important event for tourism, and it is an important part of the social structure in country regions. It has a national and international following and it is therefore something to be considered, because nobody wishes to adversely affect such an activity unreasonably.

It has also probably gained some attention because, at some events in recent years, representatives in the community have felt that this type of entertainment and activity is providing a forum in which horses, cattle, calves—stock—are, in some way, mistreated. That has been quite vocal, and it has had some media coverage. When these things occur, it is reasonable to consider whether legislation that is drafted is silent on how it may negatively impact on something. Amendments are foreshadowed to ensure that consideration is given to remedying some of those, hopefully, and they will be moved by the member for Stuart, who is of course a living expert on these matters. Those amendments have been drafted and members have had notice of, I think, some nine or 10 amendments that the member for Stuart proposes to move and address.

Many of them were presented in another place but rejected by the government, unreasonably, I think. On the face of it, it seems to be the government's intention not to adversely affect the operation of rodeos. We would ask, if the government is genuine in that regard, not to proceed with the bill, which is dressed up to be something but in fact is indeed to restrict the operation of rodeos to proceed in a humane and lawful manner. If it was seriously genuine in that regard, we would have expected that the government in another place would have leapt on a number of these amendments, and having failed to do so, and in fact vigorously opposed them, that the members of government in this house will take the opportunity to support the amendments that have been foreshadowed.

I do not propose to traverse each of them as to their extensive merits, but I do indicate that, as members are aware, they have been tabled and need to be considered. I will indicate, though, that on the minister's foreshadowed amendments on the definition of a qualified person, in particular the description of their training, that the government had accepted the Hon. Caroline Schaefer's amendment that inspectors should have some form of qualification.

However, in the government's drafting of this amendment, some technical issues were not taken into account and this amendment actually ensures that that occurs, and the opposition supports that amendment. There is a second amendment foreshadowed to expand the relevant action from 'the action' to 'any action'. The opposition has received that as a tidying-up of a technical matter and indicate that that will be supported.

Of the amendments that the member for Stuart has foreshadowed, can I say that the amendment to restrict prosecutions under the act to be commenced only by an inspector or a prescribed person is one of great importance to the opposition. This relates to the bill as it currently stands permitting third-party prosecutions, and that is not something that is open in many other areas of the law for third parties to come forward and to prosecute matters.

The law identifies regularly persons or groups of persons who, with certain qualifications (independence, integrity and the like) are deemed not only to be capable of understanding whether there has been a transgression of the law but also of being sufficiently unbiased to ensure—and this is not exclusively but generally—that they are fair in the prosecution of a matter, and that when you have that type of regime it minimises the opportunity for some zealot or extremist group (or representative thereof) to persecute a party or an operation or, in this case, an activity such as rodeo events when it is inconsistent with their particular view on whether it should be allowed at all.

Again, using that example, if there was an element of an animal liberation group, for example, who took the view that rodeo eventing was unacceptable, that it should be outlawed altogether and, in the knowledge that that has not been represented in the law—that is, it remains a permissible event and, indeed, an enjoyable event to many, or it was felt that the legal veil upon which the risk protection for animals in such eventing is inadequate or inappropriate—then they may be persuaded with the weight of that commitment to prosecute or persecute a party unfairly, cause inconvenience, disruption, unreasonable expense or hurt, and ultimately make threats of imprisonment, to a party in an intimidatory manner as a result of which they would disturb the peaceful continuation of such eventing. So, it would be a deliberate, wilful and destructive act and, if third party prosecutions are allowed in this type of arena where emotions run high and views are very diverse, then it is important that we keep some independence.

It would be like saying that a member of Greenpeace should be able, as the third party, to prosecute Japanese whalers. It is a highly emotive issue where there is diversity of opinion. There is an agreement internationally that the Japanese are able to harvest a certain number of whales. It is offensive and obscene to some people yet acceptable to others. There is a certain regime in place and in this circumstance, though, where some find it very offensive, then of course I suggest they would not be the impartial, unbiased party that would be involved in introductions of prosecution.

Therefore, it is important, especially in circumstances where an act or an activity attracts controversy and a high level of emotion, that the people who have the power to arrest, prosecute, intervene or regulate must be unbiased and, as much as possible, must be removed from the emotion of that. So, in that regard, it is important to the opposition that we maintain this position and that, in those circumstances, it is our view that it is important for this parliament to support that amendment. As I said, we have foreshadowed a number of other amendments. They will be traversed eloquently, I am sure, by the member for Stuart, the mover of the anticipated amendments. With those few words, I indicate our overall support for the bill.

The Hon. G.M. GUNN (Stuart) (16:57): I am sorry that I have to participate in this debate because some provisions in this bill are aimed fairly and squarely at my constituents and other rural people in South Australia who are hardworking, diligent people who should not be subjected to the scurrilous and unnecessary personal attacks which some of them have had to put up with over recent times. These small communities which run rodeos, and those people who are involved in the intensive animal husbandry industry, need common sense to apply.

Let's deal firstly with animal husbandry. I have in my constituency at Burra, Robertstown and Eudunda—and the honourable member for Goyder has one at Port Wakefield—two separate institutions where there are very large intensive animal husbandry production centres. These are highly sophisticated. They are involved in very extensive biotechnology, and it is absolutely imperative that people cannot, at random or at will, go into these facilities or you run the risk of destroying them.

The management of the one at Robertstown told me that there was absolutely no way that they are going to let anybody come in through the door. You will not have an industry. I do not know whether the minister or any of the backbenchers or the bureaucrats advising the government, who seem to have the poor minister absolutely hoodwinked in relation to these issues, have ever visited one because you have to have a shower and you have to get changed, and that process has to take place not just at one location but at each separate shed because if you get an outbreak you can wipe out the whole project.

These are very important sources of employment. They are highly sophisticated. They are strategically located not to be too close to one another. The management of the one at Robertstown has expressed grave concern about the long-term effects of this legislation and the effect it will have upon their particular industry.

I do not know where the minister's advisers have been and I do not know their aims and objectives. I think sinister people are involved. We hear from time to time from these irrational people who do not want live exports of stock. They do not want any form of intense animal husbandry. I wonder what they really want? It is no good people complaining (as they are now) about the high cost of food. If we put these measures in place, then we will create more expense.

It will get more expensive because people running these sorts of institutions will take only so much and then they will be gone. They will not be in this country. The bureaucrats themselves in the minister's department with their foolish ideas and objectives will be out of a job. I am surprised that we are debating this bill, because I thought we were living in a more enlightened and

responsible time. There are lots of things I do not know much about, but I have had some experience with these issues.

Then we come to those people who run rodeos, gymkhanas, campdrafting and other sorts of traditional Australian pastimes and entertainment. Who runs them? They are run under a code of practice from the Rodeo Association of Australia. Who are these people? They are ordinary, hardworking volunteers who freely give their time to provide entertainment and raise funds for their own community and the Royal Flying Doctor Service.

Let us look at where they are. There is a new one established at Port Augusta and then there is Carrieton, Wilmington, Spalding, Peterborough and others. On Sunday I was invited to a community event in Carrieton and I had the pleasure of opening the mural there. I told them that we would be debating this issue in the parliament and that I would be doing my best to endeavour to ensure that commonsense prevails. I told them that I knew full well that malcontents in the minister's office were pandering to outside extremists who wanted to put conditions in place to make life difficult for volunteers so that they would give the thing away. That is their objective.

I want the minister to answer this question this afternoon or whenever he responds: why is it that the Calgary Stampede, one of the biggest sporting events in the world, can operate at Calgary without a permit from the local government, the provincial government or the national government? They do not have to fill out silly reports and they are not involved with this sort of activity. Why is it that when we come to little South Australia we have to burden these people with all these foolish, unnecessary and unwarranted restrictions? At Calgary Stampede they have chuckwagon racing, as well as other events. If one goes to Edmonton and the United States, it is part of their way of life—as it is in rural South Australia. It is not unusual to ride horses and to participate in these things.

The contractors who own the stock would not allow them to continue to be used if they were getting injured or if they were not well treated. We should understand that clearly. Most of the animals are owned by contractors who take them from place to place. There are veterinary surgeons there. If members doubt me, they should talk to the doctor at Quorn (who is a great supporter) to see what he has to say. I wonder whether the bureaucrats in the minister's department can convince him that these things are bad. He would laugh at them, because they are foolish, naive people who have a nasty streak in them; and the nasty streak is to make life difficult for good, hardworking Australians.

Let me say one thing. There will be consequences for this legislation at the ballot box. We will ensure that every person in the rural areas of Stuart and Frome are fully aware of what is in this legislation and why. The people will be told that if they want rodeos to continue they should not vote for the Labor Party, because it has been made captive of this extremist group.

Crazy people are going to rodeos to record videos—cutting and interfering with them and not showing what actually happens. Most of them would have no idea about animal handling or how to deal with horses and cattle or other animals. Then they race along to Channel 7 and make irresponsible, inaccurate, misleading comments.

Then there is the disgraceful situation where a person at Marrabel was dragged before the courts at great personal expense. When they walked away from the prosecution they did not have the decency to fund his legal expenses. What a disgraceful act! This is what has been permitted under the legislation. The government has drawn up these dreadful regulations which provide that they have to fill out reports. What is the benefit of that? Why must we have this bureaucratic paper trail? They do not need it at Calgary, Edmonton and other places around the United States and Canada, but we must have it in little South Australia. We have to have it here—these enlightened characters who have the ear of the minister.

What knowledge or experience has this minister had in managing livestock? Has she ever been involved in mustering or herding cattle? What about our bureaucrats? They go on about electric prodders and those things. Have they ever tried to load stock on a hot day and get them to run up three crates high? I just wonder if they have ever tried to do it. They are obsessed with these provisions. It is bad enough to have inspectors, but to let a third party be involved is a prescription for people to bring frivolous and unnecessary prosecutions.

I have put forward a number of changes that are fair and reasonable for the purposes of making sure that the people who operate these events for the benefit of the South Australian community are treated fairly. They are not radical; they are responsible. I have done so because during my time in this place I have seen decent people badly treated. It is my experience that, if

you let people loose in the department of environment, it is not conducive to looking after ordinary people.

Let us take another example. They are proud of themselves; they have put the punt at Innamincka out of business. That gentleman is now on the dole. Members should go and talk to the people and the tourist operators up there and see what they are saying: see what the hotels are saying and what Spriggs are saying at Arkaroola about this disgraceful act. We are dealing with that in another forum, and there will be plenty more come in that respect. That is just an example of how naive and foolish these people are.

These provisions give inspectors tremendous powers. I put this to the minister: at the end of the day, does she respect the fact that people involved in agriculture and farming care for their animals and do not want to see them injured or maltreated—because many of them need them to make a living—or will they accept the advice of agitators and malcontents who have an odd outlook on life and who have no understanding of what is necessary to properly manage and look after these animals?

On the radio this week we have heard sections of the RSPCA going off about the carting of stock and what they want to do. I just wonder where they are coming from. The comments were so far from left field that I wonder if they are really in South Australia. They are ill-conceived and foolish and unnecessary if they think that people will allow stock to be loaded in such a way that they will be injured or get to market in poor condition. Whatever next? Do they really think that the average farmer wants that to happen; that they want to see the stock knocked around—

Ms Chapman interjecting:

The Hon. G.M. GUNN: —that is right—or to see them distressed? It is absolute nonsense. I wonder how many of the members sitting behind the minister have taken the trouble to read and understand this legislation and to fully appreciate what the long-term effects will be.

From time to time we hear the Minister for Volunteers say what a great thing they do. This weekend I am going to the Marree races, which is an event which attracts a considerable number of people from a wide area of northern South Australia. It is run by volunteers who give their time freely, and it raises money for the community and the Royal Flying Doctor. Is the minister going to send one of these characters up in a blue number-plated car so they can spy on them—as they did while sitting on the bank at Innamincka, spying on the poor bloke taking out a few tourists? These people might enjoy themselves. What a terrible thing!

We have Sir Humphrey I or II with a camera. Talk about 007; that is what these people are! The Department for Environment and Heritage: the South Australian version of James Bond. Are they going to be at Oodnadatta, or Marree? A couple of years ago at Carrieton they were filming the member for Davenport and me, because they were trying to allege that we were a party to animal cruelty. I have never heard such nonsense. We were standing next to the local doctor from Quorn!

Here are these characters, these great saviours of animals—the animal liberationists and other people—who think they are really on to something. They had us on the camera. Most politicians like to have their photographs taken: it does not intimidate us at all. I am a fairly shy fellow, and it takes a lot to get me mobile and on my feet. Those are the sorts of things that take place.

Then they tried to get amongst the animals in the stalls. I would not get anywhere near a Brahman bull in a stall. They are not noted for being friendly, and I would not walk across a paddock containing one, because I think they would want to get a bit close to you: I think they might want to do more than shake hands with you. But there they are, these characters.

They are trying to make it absolutely impossible for these hardworking, good people to run these events. They have excellent facilities at Carrieton, and thousands of people go there. If they were so bad, people would not go. They would not turn up; they would object. I have not received one complaint from a member of the public in my constituency about the running of these events, and I have been attending them for a long time, as has the member for Goyder, who distinguished himself as a senior officer working for local government. He knows how valuable and important they are to those communities.

It is like the little picnic race meetings. My earliest memories are of going to the picnic race meeting on the beach at Perlubie on New Year's Day. Now I suppose the department would not want horses to run on the beach. That in itself would be a crime, wouldn't it? Horses running up

and down the beach, what a shocking thing! They would want to stop that. Then it will be people riding horses. I think the minister was going on in the other place about big men on big horses chasing cars. What a lot of nonsense. Where is the minister coming from? He is supposed to be a minister of the Crown, someone who is supposed to have some balance to his decision-making powers, not to be a rubber stamp for a group of people who have ulterior motives.

The bill is bad. It has the wrong bias. It is not there to help people. It appears that we are continuing to go down the track of wanting to make life as difficult as we possibly can for people. Why would we want to do that? All it does is raise my blood pressure. It has taken me days to work myself up to make a speech of this nature. I will have to take a couple of blood pressure tablets because I have been so concerned about having to say a few words and I have been poring over this speech for hours. When I look at these provisions I think, 'Well, is this the place that I came into in 1970?', when perhaps we had a more enlightened approach to things, and when the Labor Party had a lot of people who had been in the Australian Workers Union. Many of them would have participated in rodeos. They knew about handling cattle.

Ms Chapman interjecting:

The Hon. G.M. GUNN: Will it? I see his son and his family enjoying the Peterborough rodeo each year. They are not running around with cameras trying to make out there is something improper or illegal taking place there. I will be pursuing my amendments to try to make right what is wrong, to protect the volunteers, to ensure that these local communities are able to provide some entertainment for their people, to raise some funds, to allow people a little enjoyment and to participate in what is an Australian way of life—and you want to deny them that right.

Mr GRIFFITHS (Goyder) (17:17): I wish to make a few comments on this because, as the member for Stuart alluded to, I have previously lived in the community near Carrieton, so I have a little experience with how that community dealt with rodeos and the respect that they have for animals too. I also congratulate the member for Stuart. He might have said that it took him a few weeks to get the nerve up to stand and speak, but I think he has had a fire in the belly on this matter for the last three weeks.

Ms Chapman: 30 years.

Mr GRIFFITHS: I am corrected by the member for Bragg—30 years. It is obvious to me that he wants to ensure that communities that he serves are cared for in the legislation that is enacted within parliament, and that is the responsibility of us all. I think it is important that many of us talk about this bill because, potentially, it will have serious effects, and it is important that we try to get some amendments considered by the parliament.

Because this legislation was on the schedule three weeks or so ago when we last sat, I took the time to read through all the contributions from the Legislative Council that were made—from the shadow minister, minor party members and the government—to see how the debate occurred on the amendments that were moved there. It was quite enlightening. I am very confident that both sides of the house have some concerns about the cruelty that does occur to some animals and we want to ensure that appropriate legislation is enacted because no animal should be kept in a cruel circumstance. Every animal should be well treated. I do not think that rodeos mistreat animals. They are very well cared for because the owners of those animals receive a valuable income from them.

In my little way I am not an animal owner, other than the fact that I have a pet. I had not been a pet person, but eight years ago my family acquired a pet dog.

An honourable member interjecting:

Mr GRIFFITHS: A great comment from the member. There are a few comments coming across the chamber about some people not being pet owners, I think, but they are really important to a lot of families and for some people they make a difference to their quality of life. Our dog came to us when it was three years old. We have had it for eight years. It is at the end of its life cycle, I must admit, but our dog is beloved by not only my family but also all our neighbours, and I know it will be sad day when she passes away.

I am very confident about the fact that the overall majority of people are like me and my family in that they respect the needs of animals and they do everything that they can to care for them in the best possible way. Sadly though, this legislation is proposed on the basis that not everybody does the right thing and, indeed, that is probably the reason why most laws are written.

The opposition consulted quite extensively on this bill. We went to a lot of effort to contact people who were involved in animal keeping to ensure that we had their opinions when we considered it in the other place. I note that we spoke to intensive animal husbandry people, the South Australian Farmers Federation and the Livestock Carriers Association. Within my own electorate of Goyder, obviously being one of the regional electorates, I have a very strong farming interest. In the Adelaide Plains area there are also intensive chicken farms, and they are developing amazingly. If we had a little more infrastructure to support them, especially with water and electricity capacity, there would be even more, but those chicken farms are very important economic drivers to the region. They also make an enormous difference in providing employment opportunities for the people in my area.

This area also has pig farms, where intensive animal husbandry takes place. The people who run these farms all know that their bottom line, which is what determines whether they are going to make a profit or lose money on their efforts, relies upon how they keep the animals. They do everything that they can to ensure that the animals are kept in good condition, that they are cared for as much as possible, and that they grow as quickly as they can, and we recognise that. Importantly, they want to ensure that their bottom line is as competitive as it can possibly be. However, they want to be sure that the legislation that the parliament enacts is not over the top, that it allows them to continue to operate.

My mother's family are farmers from the bottom of Yorke Peninsula and my wife's family are farmers. Even though I have never had direct responsibility for sheep or cattle, I have been involved from time to time in the mustering of sheep.

An honourable member: You married into it.

Mr GRIFFITHS: I did, I married into it. Best move I ever made in my life, too.

An honourable member interjecting:

Mr GRIFFITHS: None. I might inherit some, but we'll see. I have helped them with mulesing, and it is one of the more interesting experiences that I have had in my life. Being the biggest or the strongest, my job was to lift the lambs up into the cradle. I got sick of that pretty quickly, but—

Mr Pederick: It is good for you.

Mr GRIFFITHS: Yes; other people say it is good for you, but I am not sure about that.

Ms Chapman: Does it hurt the sheep?

Mr GRIFFITHS: Does it hurt the sheep? It is necessary. There are efforts being made to improve it.

Ms Chapman interjecting:

Mr GRIFFITHS: No, my grandfather has, though.

An honourable member interjecting:

Mr GRIFFITHS: Yes.

Members interjecting:

Mr GRIFFITHS: I do not want to digress. When I was very young my grandfather demonstrated to me the action involving the teeth, the body part dropping to the ground and the dogs eating that. That is not an attractive practice. Luckily, I was not mentally scarred for life from that experience, but I certainly remember seeing it happen. When the opposition considered the original bill in the Legislative Council, many amendments were moved and the majority of those amendments were supported, which I think was good. In some cases, the amendments were supported by the government, but certainly, in many cases, by the minor parties. The debates were quite lengthy.

The advice given to me by the shadow minister is that the bill should be supported in this chamber. We know that, since that time, the member for Stuart has put forward nine amendments. The minister also has two amendments. I think that the debate on those amendments will be quite enlightening for many people. I am looking forward to listening to that because I know the member for Stuart will certainly put a very passionate case for what he thinks is very important. He thinks it is important because his community is telling him that it is important. I will not put words into his mouth, but his amendments are based on the fact that community-based rodeos predominantly

held in the northern part of the state (which he has had the honour of serving for 38 years) want to continue to exist.

My key point is that rodeos are a community event. I did live close to Carrieton, which was one of the rodeos to which the member for Stuart referred. For me, it was the next town up the road. I lived in Orroroo for 5½ years. I did have the chance to know personally every person from Carrieton who was involved in the rodeo, and they are all good people. Carrieton is only a small community of about 50 people. There would only be about another 150 people living in the immediate surrounding area which covers several thousand square kilometres.

Members have to respect the fact that this is a small community, but each year they all come together for this weekend between Christmas and new year to run a rodeo. It is not a small rodeo: it attracts about 7,000 people. I found it amazing that a small community situated so far north of the major population bases can attract so many people, but it does. Everyone who attends has a great time, but importantly they respect the fact that the animals are cared for.

This community goes to the effort of holding this rodeo because it makes a difference to whether or not that community survives. I know that the local government has a very strong involvement with every service provided in the town and, to some degree, it has some sense of ownership. It is important that we in this chamber respect the fact that, when 7,000 people attend a rodeo in such a small community and one which turns over about \$70,000 per year, the profit goes straight back into that community.

I had the opportunity to play cricket in that town only because the equipment provided for the cricket players comes from the profits of the rodeo and the tennis club is only able to survive because it has such financial support. It is important that, while we might want to bring in legislation that will preserve animal safety—and I would not want to denigrate that because it is critically important—there has to be some level of balance between what we can provide and what allows communities to get on with their lives and to ensure that they have some social activities and important fundraising opportunities.

These people who work and run all these rodeos come from the land. They all have a deep attachment to the land and, by association, that means they have stock. These people want to ensure that the animals are not mistreated. They want to ensure that the animals are cared for, and they probably want the amendments the member for Stuart intends to move supported because they can see the sense behind them. The member for Stuart has not proposed these amendments flippantly. There is a very strong reason behind each of them.

I know the debate which will occur at the committee stage will be rather interesting, but the honourable member comes very strongly from the point of view that his amendments support these communities, and that is what we should all do. With those few words, I support the bill and look forward to the committee stage.

Mr VENNING (Schubert) (17:26): I rise to support my party's position, in particular the member for Stuart, on this matter. As the member for Goyder just said, the member for Stuart has put in much thought and effort and personal angst on this matter because he has a lot of personal feeling for it. I, too, have represented areas which run rodeos, particularly Crystal Brook many years ago, and Marrabel, of course. I am fully aware of how popular they are and how professionally they are run.

From the outset, I say that I am an animal lover and I detest cruelty to animals. In fact, one of the pleasures of my life is to get out of this place, go back to the farm and get in the ute with the dog sitting next to me on the seat—much to my wife's chagrin, particularly when it is muddy—and to drive around the farm. He sits up there; he is as big as I am. He is a German shepherd. You get a lot of comfort from an intelligent, supportive, loyal animal—a dog. He enjoys it. As soon as I arrive home, he does a beeline for the ute wanting to go for a drive. I only have to say the word 'ute' and he is there straightaway.

We love animals; we all do. I do not believe that, in some instances, legislation such as this is necessary. However, there are some grey areas in defining cruelty to animals. Some people believe that mulesing a sheep is cruel. I disagree. I ask people who maintain this belief to look at a flyblown sheep and then decide. I am completely against deliberate cruelty or harm being done to an animal.

I have been trained in the practice of mulesing and was a mulesing contractor in the past. I know that it is fairly harsh on the young sheep, but they recover very quickly. We have lost very few over the years. We are not doing the practice now because we are not farming young sheep as we

used to do. I cannot recall any sheep ever dying from the operation. I have to say that we used particularly surgically clean and ground tools. Our hygiene was absolutely spotless. We did not cut the skin, we sliced it; and usually within an hour of the operation, the sheep were walking around as if nothing had ever happened.

Yes, I have to say that the pain level would be pretty high. I always thought that, if it was affordable, why could we not use a veterinarian grade sedative or an anaesthetic on the sheep so that they would not feel the pain? In the end, when you see a flyblown sheep, that is far worse, especially when you see a sheep trying to back into posts trying to rub the flies off the wound on its backside and holes in which you can put your hand and feel the back of the sheep's body, whether it be the crotch, the breech of the animal or the neck: it can be anywhere. There is nothing worse than something being flyblown, whether it be from manure on the back of the sheep or body strike. It is a shocking thing, and that is what we are trying to avoid. At least with mulesing it is done when the weather and conditions are right. The sheep are looked after and are in good condition, and they are protected for their whole life against fly strike.

I, as is my party, am completely in favour of the creation of an aggravated offence for those people who are deliberately cruel to an animal, whether such cruelty involves depriving an animal of food and water, physically torturing or harming it, or forcing it to fight in an organised fight. Such cruelty is completely inexcusable, and anyone perpetrating this kind of act on an animal deserves to be punished to the full extent of the law. I do not include trained rodeo horses and bullocks, and calf handling, and those involved are truly gifted professional people, as are the veterinary surgeons who are always present overseeing it.

The member for Stuart has several amendments, and I will support him in this matter. I am happy that the bill will increase penalties for those who are ill-treating an animal or engaging in organising animal fights. The fine will now be up to \$20,000 or two years' imprisonment. However, I have concerns about the content of the bill with regard to the powers that both the minister and the inspectors will have. The minister will have the power to appoint a person to be an inspector, as provided for in part 5, division 1, Appointment and identification of inspectors, which states:

The minister may, by instrument in writing, appoint a qualified person to be an inspector for the purposes of this act.

The power that will be attributed to the minister as a result of this bill I believe is unnecessary. The minister will now have the ability to appoint or dismiss inspectors and to delegate duties. This is the same concern that I had with regard to the health reform bill which was passed a couple of months ago. All power and decision-making will be ultimately in the hands of the minister. It seems to be that all this government is concerned about is having more and more power.

Another reservation I have regarding this bill is that the inspectors are not required to have any formal qualifications, yet they have extraordinary powers, as outlined in division 2, Powers of inspectors. Section 30(1), General powers, states:

An inspector may—

- (a) enter and search and, if necessary, use reasonable force to break into or open—
 - (i) premises or a vehicle to which this section applies;

I will not quote it all, but the amendment bill gives inspectors the ability to take photos, film and audio and require a person to produce information stored on a computer, amongst other powers. Some of these powers are similar to those of a police officer. I cannot understand how an inspector who has no formal qualifications has the right to act if they reasonably suspect a breach. How are they qualified to judge? What is deemed as a reasonable breach? I think there are too many grey areas in this part of the bill. They need to be clarified and more clearly defined.

Another question I have is about cost. Who is going to fund these inspectors? The government is seeking to impart yet another level of bureaucracy, but there is no mention anywhere in the bill regarding funding. As I said at the outset, I detest animal cruelty and I believe offenders should be prosecuted to the full extent of the law, so I am glad that this bill seeks to make penalties for offenders more severe, but I have serious concerns regarding delegations that this bill seeks to give to the minister and inspectors, and I think more clarification is necessary on these points.

So I certainly support the member for Stuart's amendments. Farmers practise animal husbandry. They carry out tailing, castrating and mulesing on their sheep, and all these things are done to make their husbandry easier and to look after their stock. I do not believe any section of our community looks after, loves and respects their animals more than farmers. You do not often

see emaciated stock on farms—you may, but it is a very rare occurrence. It is usually a seasonal problem rather than a deliberate act. You see more emaciated dogs and animals in towns and communities than you do on farms.

Cattle are also castrated and branded. You see them on TV in the Marlboro ads or you used to, and see how they grab them, drop them to the floor and hit them with a red-hot torch. These are things of the past. In relation to castrating and intensive housing of pigs (swine), this has all been brought up before, as has de-beaking of poultry and keeping them in cages. We know all about this. We have all been there. Also, it applies to pest animals such as rabbits, foxes, dingoes and goats. So, certainly, this is a fairly wide bill.

Before someone blandly comes in and throws these laws around, they have to consider the people they affect. They are the ones who do not ring us and who live in the far corners of our state—the ones the member for Stuart often sees, and I give him the credit. I ask members: how can the member for Stuart be here for 37 years in a marginal seat? It is because he looks after the little people. He listens and he hears. Let it be a lesson to every MP. At the last election when we suffered pretty badly, guess what—the member for Stuart is back here. You could not remove him. Now he is going of his own volition and free will, and we will miss him. But, all I can say is: let it be proof that he is hanging out on this issue, and it is one of the reasons he is still here. He takes on the bureaucracy and the system for the little people, and in this instance he is certainly looking after them. I not only admire him but also support him. I support this bill, but I will support all six of the member for Stuart's amendments.

Mr PEDERICK (Hammond) (17:36): I also rise today to make a contribution to the Prevention of Cruelty to Animals (Animal Welfare) Amendment Bill 2007. I lay on the record that members of my family have been farming in this state since they came here in 1840, and they were farming in England before that, so we have had a fair bit to do with the handling of animals over that period of time, whether they be sheep, cattle or horses (when they were used in former times for traction). In my own life I have been heavily involved in the wool industry, whether for breeding stock or shearing sheep (I trod the boards for 13 or 14 years), and also helped run a commercial Poll Hereford herd on my family farm. From a very young age we were assisting stock that might have gone down or cattle that had trouble calving.

The last thing a farmer wants to see is stock in any distress at all. I can remember on more than one occasion, as a 10 or 12 year old, assisting in pulling calves out of cattle that were having trouble calving, and doing what we could to keep both cow and calf alive. That is something that is uppermost in a producer's mind, because the last thing they want is to have injured or dead stock.

The wool industry has been a major component of this country's economy since the late 1700s. It was once said that 'we rode on the sheep's back' but, sadly, that industry has died off to a degree. I guess other commodities industries are becoming more important, with the mining boom, etc., taking over. However, the wool industry has been a major component of our history.

I, too, want to make some comments about mulesing. Millions of sheep would have died unnecessarily over time if this practice had not been used to prevent blowfly strike on the tail of sheep. From experience, I can tell members that there is nothing like shearing a sheep that is flyblown from tail to head; it is an absolutely disgusting thing to have to do. It is disgusting for anyone having to handle wool that is full of maggots. With any luck, the sheep may survive with a treatment of fly strike, either as a powder or as a liquid. However, if the sheep are that far gone, they are just about finished.

I commend Australian Wool International for looking at various alternatives so that we can get rid of the practice of mulesing. Practices such as the clips to go on the tail of an animal may be effective, but they need to be proven. I know we have pressure from groups such as People for the Ethical Treatment of Animals and others. I think the industry is doing what it can to move forward and find other ways to protect sheep and keep them alive.

Something that has been mentioned by other members today is the practice of tailing lambs, whether by the use of elastrator rings or a gas hot knife, which are quite humane practices. As with mulesing, these animal husbandry practices are the best way for farmers to get on with the job of running their sheep.

As has been mentioned by other members, there is a prevalence of chicken farms (there are quite a few in the Hammond electorate) and there is a potential for many more intensive chicken properties. We have seen the expansion of the pig industry, not just in my area but right throughout the state. In relation to the Primo Abattoir in the member for Goyder's electorate, it is

good to see that the people who were working there were able to get jobs at a couple of abattoirs down in Hammond after the fire they had up there recently. Let us hope that that abattoir is under way 100 per cent in the very near future.

Pig breeding obviously still involves the use of farrowing crates to breed. Anyone who has seen a sow have piglets without these crates, where the sow rolls over and kills most of the little ones, would know that that is not a very sustainable practice. I think that eco-shelters are a major innovation in pig farming. You could probably run up to 100 or so pigs in an eco-shelter, and this has been around for a little while now. You have your automatic feeders and your automatic waterers, and I think that is a great way to grow pigs out from little pigs until it is time to go to market.

On the subject of going to market, freighting stock is obviously something that some people get anxious about. I notice that the freight industry for stock does have exemptions in respect of hours that drivers can drive so that they can get their stock to wherever they are going, whether it is to another property or to market, in the quickest possible time and in a respectable manner so that the stock is presented in good condition.

Farmers and others do not want to see stock in a deplorable state on these trucks. They go through the practice in the yards of emptying out as much as possible all the urine, etc., and loading the stock onto the trucks and delivering them safely, whether they are being delivered to another property or to a saleyard. This practice has been going on for a long time, and I believe that, for the most part, it is done in a very workmanlike manner. As part of freighting stock, electric prodders have to be used at times. As I have mentioned in this place before, if anyone has tried to load four decks of old ewes—

Mr Venning interjecting:

Mr PEDERICK: Yes; you need a lot of good dogs. It can get very trying, and sometimes you have to give one or two a little help up onto the truck. Prodders have certainly been used in the cattle industry. Obviously, they are not to be used just because you have it in your hand, but sometimes they are needed in loading stock.

In conclusion, I want to talk a little about the Calgary Stampede, which I know the member for Stuart and probably others in this place have attended. I was at that event 24 years ago and know how impressive it was even back then to see how they put on that rodeo show in Canada. When the D9 bulldozers are not being used in the rodeo ring, they are dragging the stage out on to the ring. I am sure they do things in a bigger and better way there. I believe that anyone involved with animal husbandry in the rodeo industry does things in a sustainable way, because they know as well as anyone that people are watching and they need to make sure they do it right, as I believe they do.

One thing we do have to be careful about as a state and a nation is that, if people are going to get so agitated about how we run our livestock, whether it involve piggeries, chicken sheds or how we run our sheep and cattle (either paddock run or intensively), we do not make it so hard that we run the risk that people will not want to produce, because we may end up having to import food from people who have no safe practices.

It will be full of stuff and you will have no idea what is going on, what these stock have been grazing on, how they have been run and how they have been handled. That is the risk that we run if people want to get down on producers that hard that they make it unviable to produce stock in this country.

We have had a great record of producing stock; we have had a live sheep and live cattle trade that has transported hundreds of millions of dollars worth of stock overseas, and currently we have many people working overseas making sure that people who receive the stock at the other end handle them in the best way possible. Yes, there does need to be constant education in that practice, but it is just the way we have to deal with some countries' religious beliefs. Just in closing, let us just be careful how we handle this debate, because otherwise we will kill off major industry.

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (17:46): I thank all members for their contributions, and I acknowledge their passion and their concerns about the legislation. I also note that the Deputy Leader of the Opposition has said that the opposition will support the government's amendments, and we thank the opposition for that. A lot has been said in this debate that is really a statement of general views and philosophies which I listened to carefully, and I could understand much of what was said.

A number of amendments will be moved by the member for Stuart. The government, I should point out, will not be accepting his amendments, and we will deal with them as we go through the committee stage. Regarding some of his amendments, I can understand where he is coming from; for example, in relation to amendment No. 9 concerning the extent of who should be able to prosecute, I can understand that there is a valid argument in relation to that. I note that the traditional Gunn amendment has been included, which we have had debates about before.

There are issues in relation to what should be regulated under a rodeo event, and the honourable member seeks to remove a couple of items. I think people can have differences of opinion about those issues, but what does surprise me is the proposal in his second amendment that the act should not come into existence until 2015. That is clearly a joke, and it is making a mockery of the processes of parliament.

I accept that there is legitimacy in some of his arguments in relation to the other matters, but I say to the house that I have to reject that appellation as it applies to that clause. It does surprise me somewhat that the opposition has indicated that they will support all of his amendments, including an amendment that will delay the introduction of this legislation until not only the parliament after this one but the parliament after the one after this one.

It seems to me silliness, and what it indicates—and I think the opposition should think carefully about this—is that it would appear that it is trying to have a bob each way. The Deputy Leader comes in here and says she generally supports the legislation, but if she is to support this, she is in fact supporting legislation that will not be enacted for seven or so years, so I assume the opposition is hoping that somewhere in that time it will be elected into government and it will be able to change the legislation and defeat the intention.

If members of the opposition are opposed to this legislation, rather than seeking to defer its introduction until 2015, they should just oppose it. They cannot come here and say they support it and yet seek to defer it indefinitely, and I would suggest to members of the opposition that there is a sniff of hypocrisy about that position.

In general terms, the debate about animal welfare is always a difficult debate. It does excite passions on both sides, and it is an area of human intercourse where there are extreme positions on both sides. I am not for a moment suggesting that any member of this house has an extreme position, but there are extreme positions in the community in relation to this. The member for Stuart referred to some interaction he has had with members of the Animal Liberation organisation. I have also had interactions with members of that organisation.

Some of them are more reasonable than others but, at the last state election, I had a candidate—I am not too sure if she was from that organisation, but she certainly ran an anti-rodeo platform—who canvassed reasonably hard for somebody from a minority point of view. She had posters up in my electorate.

The Hon. G.M. Gunn: I had one, too!

The Hon. J.D. HILL: I know. She had posters in my electorate. She or one of her supporters dressed as a horse and held a placard outside my electorate office, which is on a busy road, to try to influence me in relation to the issue of rodeos by influencing my electors. I spoke to her and I tried to be civil to her, but in the end she decided to run against me and ran this fairly negative campaign. There were seven or eight candidates in the electorate of Kaurua at the last election, and it is very interesting to note that she came last amongst all of the candidates, including one person who stands for every ballot that goes past whether it is local, state or federal government and who campaigns with no more than signs on his front fence, and he received more votes than the person who had signs up in relation to rodeos.

I do not think the position put by that particular clique is one that has broad appeal in the community. However, I think there is a general feeling in our community that animals deserve to be looked after, and I agree with members opposite who promote the position taken by most farmers in this state that they do care for their animals. They not only care for them out of self-interest, in that their livelihood depends on looking after the animals, but I think they are humane people who understand the needs of animals and genuinely want to look after them.

This legislation is not about those people; this legislation is about people who are not humane, who are cruel and do things which hurt animals, sometimes in a systematic way. We have seen a number of cases in recent times of what are now called dog hoarders or cat hoarders, people who have many animals that they do not know how to look after or to whose needs they are

indifferent, and those animals suffer cruel conditions. So, you do need a legislative framework to deal with that.

It is interesting to note that the RSPCA was established in Great Britain in 1824 by 22 members of parliament. At the time, as the Labour Party was not around, I can only assume they were from the Liberal party of the day—that is, the Whigs. The proponent was a man called Richard Martin MP who was known as 'Humanity Dick', which I think is a great name, and he was supported by William Wilberforce, who led the campaign to get rid of slavery, and Reverend Arthur Broome. Their reason for introducing this legislation was, in fact, because of cruel farm practices. So, the RSPCA was established because of farming practices, not because of interest in the behaviour of people who had domestic pets. I think over time the focus of the organisation has really been about dogs, cats, horses and so on rather than farm conditions.

Within the RSPCA I am aware of an interesting debate amongst those who want to have a much more radical position. Interestingly enough, that is led by members of the Liberal Party of South Australia or some of the former members of the Liberal Party, and I do not know whether they are all involved in it. Chris Gallus and Susan Jeanes and others have been active in the RSPCA, pushing for a much more radical stance by that organisation, but they have resisted it. What will help those radical reformers in their campaign in the RSPCA is if the parliament rejects the propositions that the government has put forward because that will demonstrate to the radicals that the RSPCA needs to get tough and become more militant in order to get change in legislation to support the positions that they put. I will leave that thought with the members on the other side.

This legislation tries to get the balance right. Contemporary standards, of course, by their very nature and definition change over time and what was appropriate 10 to 30 years ago is no longer appropriate, so there is a new set of standards. I put it to the house that these standards are by and large very sensible. I know we will have debate around the items moved by the member for Stuart and I look forward to those discussions, but I think it is reasonable legislation. I note that the opposition says it is in support of it in general terms, so I find it problematic that they are going to support all of the member for Stuart's amendments, including amendment No. 2 which, as I said, will have the effect of undermining the principal position which they say they take.

Bill read a second time.

In committee.

Clause 1.

Progress reported; committee to sit again.

At 17:58 the house adjourned until Wednesday 4 June 2008 at 11:00.