HOUSE OF ASSEMBLY

Thursday 19 June 2008

The SPEAKER (Hon. J.J. Snelling) took the chair at 10:30 and read prayers.

LEGAL PROFESSION BILL

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests) (10:31): I move:

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

Motion carried.

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

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests) (10:31): I move:

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

Motion carried.

CIVIL LIABILITY (RECREATIONAL SERVICES) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) (10:32): Obtained leave and introduced a bill for an act to amend the Civil Liability Act 1936 and to repeal the Recreational Services (Limitation of Liability) Act 2002. Read a first time.

The Hon. I.F. EVANS (Davenport) (10:32): I move:

That this bill be now read a second time.

The reason I move this particular bill is that the current system of recreational codes required under the recreational services act simply does not work. Members will recall that in 2002 when there was a public liability crisis for insurance throughout Australia parliaments all around Australia made a legislative change in an attempt to restrict liability and therefore bring down insurance premiums, particularly public liability premiums. This was subject, in part, to an inquiry by this parliament's Economic and Finance Committee in the last three or four years.

This act requires recreational groups such as horse riders and parasailers, etc., to register a code with the Office of Consumer and Business Affairs to give their participants protection. The reality is that, after six years of operation of this act, just one code has been registered, and that is for miniature ponies. So those who are involved in the miniature pony industry are covered, but every other recreational group out there is not covered. Hundreds of thousands of people are not covered.

We cannot blame just the recreational groups for this, because some of them have attempted to register codes. There are five codes that have been with the Office of Consumer and Business Affairs for two or three years now that cannot get registered. A code for tennis was lodged in October 2006, a draft code for rock climbing was lodged in March 2007 and for lacrosse in October 2006. There is a draft code lodged for the City-Bay Fun Run, and there was a draft code lodged in March 2006 for the gliding industry. So the recreation groups, in part, have tried to do the right thing.

For those four or five groups, it has cost something like $7,700 each to have the codes drafted. The office of consumer affairs and, indeed, the Minister for Consumer Affairs, is so disinterested in this topic that these codes have sat there for two and three years and not been approved. So, after six years of operation of this act, we have one recreational code approved, and that is for miniature ponies. I am told the cost to that organisation of registering that code was $35,000. That is $35,000 so that kids can ride ponies. It is a joke.

So, let us look around Australia and see what happens. South Australia is the only state that has adopted a system of requiring codes to be registered and, clearly, the system does not work. Football does not have a code, cricket does not have a code, tennis does not have a code, horseriding does not have a code, trail riding does not have a code, and motorbike riding is the same. There are literally hundreds of thousands of recreational users who are not covered by the codes. This system does not work.

My bill says: repeal the bill and introduce provisions that are now working in New South Wales. The New South Wales provisions say that parents and adults can sign waivers so they can limit their liability if they wish to undertake risky recreational activity. If someone wants to go bungee jumping and they sign a waiver, then ultimately they have made a judgment about the risk and they should be free to do that. The reality is: what we have done in South Australia is introduced an over bureaucratic system, a highly expensive system, a system that does not work and a system that does not offer the consumer any greater protection.

It was introduced probably on the best advice available at the time, but we are the only state with this stupid system. It should be repealed, and the most logical solution is to adopt a model that works interstate. The reality is that all these other sports are covered interstate because parents and adults can offer waivers so that their children and they as adults can participate in the recreational activity of their choice.

What has been the impact in South Australia of this stupid legislation? The effect is best illustrated by the horse industry. I know this will stagger the member for West Torrens (a future minister for recreation and sport), because he has a strong interest in the horse industry. Here are the statistics. Since the introduction of Labor's Recreational Services (Limitation of Liability) Act, the horse industry, for example, that offered dressage schools, equestrian schools and learn-to-ride schools, has collapsed in South Australia from 34 to 14. The reason they have collapsed is that their insurance and their lawyers are saying to them, 'Close up and move interstate because the South Australian law does not offer you the appropriate amount of protection.' We have had a significant collapse of industries such as the equestrian industry, dressage and that sort of industry.

Only about a month ago, the government finally opened the Kidman Trail. I say 'finally opened the Kidman Trail', because, as minister for recreation and sport some seven years earlier, I gave the money to the recreation industry to develop that trail. Under this government, it has taken seven years to develop the Kidman Trail. But guess what? There will not be the opportunity for local South Australians and tourists to rent or hire a horse to ride on the Kidman Trail, because this particular act about which I am talking (Recreational Services (Limitation of Liability) Act) does not offer protection for trail riding because the trail riding code has not been approved by the Office of Consumer and Business Affairs.

I say to the house that what we did in 2002 was a good attempt, but the reality is that it does not work, and the proof is in the pudding. After six years only one recreational code is registered, namely, miniature ponies. With no disrespect to the miniature pony organisation, it is not the highest participation recreation in South Australia. All the major recreational groups want this bill abolished. They want it abolished and repealed, and they want a system of waivers reintroduced. You can get no better evidence than the government itself. When the government was running the Masters Games and it needed to introduce a recreational code. It could not do it, and so it came to the parliament and said, 'Hey, the recreational code is all a bit hard, it takes too long, so what we will do is amend the Recreational Services (Limitation of Liability) Act so that the Masters Games can get an exemption and offer waivers.'

The government itself could not even produce a recreational code under this legislation. Then, as a sign of great incompetence, the minister responsible says, 'Well, the government has basically got a get out of gaol free card. We have just exempted ourselves so that the Masters Games can go ahead.' It has done nothing at all to try to fix the problems for horse groups, trail riding, gliding, football, tennis, cricket or lacrosse. None of those groups get exemption, just the government's own Masters Games.

I say to the house that we should simply adopt the New South Wales' system, and to do that we repeal the Recreation Services (Limitation of Liability Act) and introduce a system of waivers so that community groups can have certainty, those in the recreational industry who want to run their businesses can have legal and insurance certainty and parents can make a decision about what activities their children are involved in, and if adults want to be involved in a risky activity, then there is a form for them to sign to say that they have made the decision of their own free will.

What is the government and the parliament doing interfering in that simple decision? We do not need to. For instance, in New Zealand, there is bungee jumping, whitewater rafting and all these high risk recreational pursuits. They do not exist in South Australia because you cannot get a recreational code approved by the Office of Consumer and Business Affairs. It is just too hard. The consumer affairs department is simply not interested. How can you have five or six codes sitting there for three or four years and not be approved? How can that happen? I tell you how it happens:

it happens when you have a department and a minister who are not interested and when the legislation with which you are trying to work is dead set dumb.

I put to the house that this bill fixes that problem and will reinvigorate the recreational industry in South Australia. I think we have a duty as a parliament to say that we got it wrong in 2002. Let us correct it and allow the community to get on with its business of providing recreational services and enjoying recreational services with legal and insurance certainty. I look forward to the support of the house.

Debate adjourned on motion of Mrs Geraghty.

EMERGENCY SERVICES FUNDING (PROTECTION OF FUNDS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 May 2008. Page 3253.)

Mr KOUTSANTONIS (West Torrens) (10:45): The government opposes this amendment, surprisingly. The proposed bill is intended to prevent the government from funding compensation payments out of the emergency services fund if the CFS or other agencies covered by the fund are sued for negligence—for example, to prevent the fund's being used to meet the cost of any successful claim following the Wangary bushfires. This misunderstands the current arrangements, as agencies are only required to meet the first $10,000 of any successful claim with the remainder met through insurance arrangements with SAICORP. Large compensation payments are thus already met by the government through SAICORP.

The proposed amendment (as drafted) also appears to prevent payment of workers compensation claims and payments in lieu of lost or damaged property to emergency services volunteers and paid staff. This is probably an unintended consequence by the drafters. If this amendment were passed it would be necessary to reduce the expenditure target for the fund and provide appropriation to the agencies to meet these specific costs.

As the amendment relates to where expenses are paid from, not changes in expenditure, there would be no budget impact. It is appropriate and standard for agencies and businesses to meet insurance excess payments and workers compensation costs. The government cannot support this amendment.

Dr McFETRIDGE (Morphett) (10:46): I would like to congratulate the member for West Torrens on his first speech as a minister in waiting. This is a fairly simple bill, and I have listened carefully to what the minister in waiting has had to say. I certainly hope that there are no unintended consequences that would affect workers compensation payments for members of the emergency services, particularly the CFS and the SES.

We must all remember that the vast majority of our emergency services are made up of volunteers. The paid professionals do an absolutely fantastic job. I cannot understand why the government is not negotiating with the UFU at the moment and is refusing to meet with it. But that is another issue. However, we need to make sure that any funding that is made available for the emergency services is not somehow diverted to pay off a liability that should be funded from another source. The funding that is there should be put into resourcing the front-line of the emergency services: the SES, the CFS, Surf Life Saving SA and St John Ambulance. There is a range of organisations that need to be well and truly funded.

I cannot understand the current position of the City of Holdfast Bay—which was promoted by the former Labor candidate for Morphett, Tim Looker—of removing funding from Surf Life Saving SA in the City of Holdfast Bay; some $32,000 a year. It should be putting more money into this. The benefits to that community are incalculable in terms of time and hours. I think it is atrocious that the council should even consider cutting the funding.

I heard what the member for West Torrens said; that perhaps the bill needs to be re-examined. I was a member of the CFS for many years and then I had to stand aside because of business pressures. I recently rejoined the Kangarilla CFS, where I started many years ago, because it needs heavy truck drivers, and I am happy to help when I can. These services need the resources and the funding. One hears stories about these services not being able to get personal protection equipment or courses in breathing apparatus training, and that is an atrocious position to be in.

The government fails to fund these organisations—whether it be the CFS, the SES or Surf Life Saving SA—at its peril, because without them what would the people of South Australia do?

Think of the billions of dollars that these organisations save in terms of property, never mind the incalculable worth to the community of the lives that they save as well as the prevention of bushfires and accidents, and flood assistance. They are without measure. The role they play is absolutely amazing.

I wish to emphasise that, if there are unintended consequences with respect to this bill, we had better get them sorted out. I do not want the volunteers, in particular, and also the paid staff to miss out in any way, shape or form in funding for their front-line services. This is absolutely crucial to South Australia in 2008, as has been the case for the many years of this state's existence. I urge the house to consider this bill and, if there are amendments that need to be made, let us discuss them so we can be 100 per cent certain that this bill is doing what it is designed to do, and make sure that emergency services funding will be available for the emergency services.

Mr RAU (Enfield) (10:50): I am not really in a position to understand why this is sufficiently important to bring forward as a bill. I respect the member for Davenport and his many thoughts about many matters—and he has raised a number of important issues here, particularly in the last 12 months or so, which I think needed to be ventilated. However, I have difficulty in understanding this one, from this point of view. If we are all going to be frank about the emergency services levy, it is a tax—just like stamp duty is a tax and payroll tax is a tax. It is a tax like any other tax, and it raises money for the state government to discharge its various responsibilities.

Historically, largely for reasons of presentation, it was described and designed as a hypothecated tax for a particular purpose. But that may have suited the political climate of the day. It may have been a day of, 'When is a tax not a tax? When it is a hypothecated levy'—the old Clayton's tax thing. Whatever it was, it was a presentational fuzz that was put over this thing at the time to make what is essentially a tax arguably look like something else. Well, it is not; it is a tax.

The former government introduced the tax because it wanted to raise more money. They made it more palatable, perhaps to their own constituents, by saying, 'This additional money will be going directly into a purpose which you, by and large, will find to be meritorious.' Fine. However, why should any government of the day, whether Labor or Liberal (it does not matter) have the particular source of tax from which money is rolling into the Treasury, limited as to the expenditure of that money?

We could have said, for example, in relation to the Emergency Services Levy, 'You cannot spend it on trucks. You can spend it on anything else.' We could have said, 'Pick another tax. Payroll tax can be used on anything, except for hospitals, because we think there should be a special hospitals tax.' It just does not add up. When the money rolls in and turns up in the Treasury it loses its identity. In that sense money is like water dropping into a bucket. It might be that one drop of water comes from this particular bottle and another drop comes from the tap but, by the time it gets into the bucket, it is all water and it is all in the bucket. When it is used, it comes out of the bucket.

For reasons of form and administration (call it anything you like) I can understand, from a political point of view, why it is worth raising this issue; I understand that. However, from a point of view of sound administration, from the point of view of the government of the day—whoever it might be—having the option to allocate funds as it sees fit from the government's total revenue sources, why should a particular exclusion be imposed upon this one source of funds?

If it is presently within the scope of these monies to be expended in the way that is proposed—and I am not sure whether it is or is not—then I do not see any good reason why this government or any future government should be hamstrung in the way in which they allocate those funds. For that reason, unless I have completely missed the point of it (which is quite possible, because I do not see and understand all things) I do not think there is any valid point, other than a political point in the sense that the opposition will be able to say, 'Here you are, emergency services constituency: we are defending you, we are saving money for you. We are defending these hypothecated funds. We established the tax; we are hanging on to it. '

An honourable member interjecting:

Mr RAU: However, let us be realistic about it; it is a tax. That is it: it is a tax.

An honourable member interjecting:

Mr RAU: Your government introduced the tax.

Members interjecting:

Mr RAU: I am not complaining about the fact that you introduced the tax—that is history. However, let us all be grown-up about this. It is a tax; you put it in. It is just like stamp duty. It is just like payroll tax and anything else, except that to make it more palatable at the time that it was introduced, you wrapped it in Christmas wrapping and described it as an hypothecated tax directed towards emergency services. That, no doubt, chimed very well in your electorates—and that is fine. Some of you probably even held seats that you might not have, because of this. That is fine. That is all history.

However, for goodness sake, let us be realistic about this: if the government of the day (and it might be your government in 20 or 30 years—who knows?) wants to spend that money in satisfying a legitimate compensation claim, then so what? If the money does not come out of there, it is going to come out of another pot and, as I said before, you have to think of the money coming into the state Treasury as water being tipped into a bucket.

There is a tap at the bottom of the bucket, which is the government expenditure, and there is a series of pitchers of water being tipped in at the top, which are the tax receipts. By the time the water gets into the bucket its identity and source is completely lost. It comes out the other end as government expenditure. As I said, it may be that I am completely missing the point but I cannot see why this or any future government should be limited in this way.

The Hon. I.F. EVANS (Davenport) (10:57): The member for Enfield suggests that unless he has missed the point, there is no point. I am here to advise the member for Enfield that he has missed the point, and there is a point. He mentioned that taxation is all about water tipping into a bucket. The water debate will tell the member for Enfield that there are all different types of classes of water: there is high-security water, there is low-security water, there is temporary water—such it is with taxation.

Look at one of your great heroes, the Hon. Don Dunstan, who said, 'We are going to have a lottery and we are going to hypothecated into it a hospitals fund.' The member for Enfield's party did not say then, 'Tut, tut, tut, this is all window dressing and why would a government restrict its taxation expenditure?' Your own government has said that it was going to take speeding fine revenue and allocate it just to roads. The member for Enfield nods—hopefully, he is not asleep. So his own government does it. As the drafter of the Emergency Services Levy bill, the reason I hypothecated it, was so that future governments could not raid it, so that it could not introduce a levy that raised $100 million and only spent $50 million on emergency services and $50 million on something else. I did that quite specifically.

I say to the house that if there is a liability claim against the fund of $10 million, $20 million or $30 million, that was never the intention of the fund. The intention of the fund was the day-to-day operations of those agencies. Those claims should come out of other taxation revenue. The member for West Torrens raises some matters about workers compensation and I am happy to amend those. That was never the intention, may I say, and I am happy to amend those in the committee stage. We can do that another day. I am happy to work with the government to amend them.

He then mentioned the $10,000 policy in SAICORP. I have asked the Treasurer to check, and I do appreciate the Treasurer's informal discussions in recent days about this bill. I asked the Treasurer to check whether the $10,000 policy—that is, the agency covers the first $10,000 of a claim and SAICORP covers the balance—is simply a matter of cabinet policy and whether that can be changed by cabinet at any time. If it can be changed by cabinet at any time then I say that the bill stands, because it may well be $10,000 today but it could be $10 million tomorrow if the cabinet so decides. It is not necessarily like an insurance policy you buy from AMP; I think you will find this is simply a matter of government policy that says the agencies will cover the first $10,000 or $100,000 or whatever the figure is, of the claim.

Another example for the member for Enfield about his government hypothecating funds is the victims of crime levy that is raised from speeding fines. You cannot spend that on anything other than victims of crime. Another hypothecated one that his government introduced is the River Murray levy. The government said that it would not spend that on administration. So for the member for Enfield to suggest that I am somehow introducing a new concept in taxation is, I think, a fallacy. He may well be criticising his own side for its ongoing consistency in adopting hypothecation of taxation, because that is what has happened on both sides of politics. We have hypothecated certain taxes because from time to time we want to control that little thing called cabinet.

I accept that I do not have the numbers for this measure today and that I will lose the measure; however, I will come back to the government and seek to work through the issues that it has raised, because at this stage I am still not convinced that the principle from which I argue is not the correct one. I thank those members who have supported me in this.

Second reading negatived.

NATIVE VEGETATION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 May 2008. Page 3256.)

Mr VENNING (Schubert) (11:03): I rise in support of my colleague the member for Stuart (Hon. Graham Gunn) in relation to his amendments to the Native Vegetation Act. In the whole time I have been here I have always admired the member for Stuart's strong stand on issues like this, and I have to say that he has been right almost every time. He is taking a very rational and sensible look at an area that causes the rural community a lot of angst, especially in recent times, and it has been particularly bad under this government.

The member for Stuart seeks to amend the Native Vegetation Act to ensure that farmers, pastoralists, land managers and local councils are in a position to make proper management decisions without unreasonable hindrance by the bureaucracy. That has been his call for a long time, and I have to wonder what we will do when the honourable member is not here. I bet the bureaucracy is just waiting for that time so that they can then ramp up all their restrictions. Hopefully, the door of the new minister for the environment (the current member for West Torrens) will be open for us, to make sure that common sense always prevails.

Mr Koutsantonis interjecting:

Mr VENNING: We are still waiting to hear which portfolio the member will end up with, but if it is environment I hope we will get a sympathetic ear, because I know the member sometimes has his feet on the ground. Decisions relating to local clearance of native vegetation for control, building extensions, and other essential services should be made by local, elected people: not by metropolitan-based bureaucrats.

As we all know, the member for Stuart is very passionate about this, and I have to say that he is generally right. As a country person myself, I can say that nothing annoys you more, when you want to do something on your farm and the weather is right, than having to apply for a permit. You get told, 'Sorry, you'll need three or four days' notice to get this approval.' It is very frustrating that those decisions have to be made by someone in Adelaide. I am fully supportive of those decisions being made locally. The local fire control officer, in conjunction with the council, on the spot, can assess the situation and say, 'Yes, it is safe to do this; do it now, do it quickly and keep it under control.'

There are lots of problems with the Native Vegetation Act, particularly in relation to the delays it causes. We hear today that the best way to control fire is with fire, particularly in relation to cool burning. It is now quite fashionable to burn some of the undergrowth in cool times under controlled conditions—

Mr Koutsantonis interjecting:

Mr VENNING: It is. I have lit a lot of fires in my time, and the main thing is to have a good look at what you are doing, assess the situation and, when you decide to light the fire, light it quick, get it going and get it out. However, the restrictions that have been put upon us today and the bureaucracy you have to go through before any weather conditions change just annoys me.

I have been a member of parliament for some years now and, as many members (particularly the member for Frome) would know, so many times we get calls from constituents who are very frustrated. In a lot of cases they have been doing something for many years, are second or third generation farmers, but then they run into this brick wall of environmental bureaucracy and are told they cannot do certain things that they have always done.

I remind the house that farmers today are probably the best environmentalists we have in this state. Very little burning goes on out there now; if farmers can minimum till they will, and they are—and the member for Frome would certainly know that, because of living where he does and because of his previous vocation. I think the farming practices we have today are the best we have ever seen in Australia. Our forefathers tilled the soil, turned the soil, burnt residues, but none of that happens today, it is all minimum till with minimum disturbance of the soil. All the tilth is kept there

and the crop is grown through it. So, I do not think it is necessary to have these huge, bureaucratic restrictions in the way of our farmers.

I believe there are six amendments proposed by the member for Stuart. The first is in relation to the definition of burning being removed as a form of clearing, and I fully support that. Burning is often done to tidy up roadside verges, particularly where there is a risk, and I am guilty of that. For many years I have burnt around my farm buildings and even along roadside edges on cool days. On a bad fire day, you know there will be a much higher risk.

So, you get out there on a cool day and you remove the risk. That decision ought to be local—given the okay by a local fire control officer who assesses the situation and who knows that you are reasonable and not a fire bug, who will say you can go ahead as long as you have the relevant firefighting equipment, which most farmers have and which most farmers have a lot of experience handling.

The second one is in relation to district councils having the authority to grant permits for controlled burning between 1 March and 31 October each year. I fully support that. It annoys me that we have this blanket burning off period across the state, and what annoyed me this year was that we wanted to burn off a month before we were able to by law purely because there was nothing there to burn—we are in a drought after all—but because the silly laws say, 'You shall not burn until 15 April', you had to go and get a permit and there was a lot of fussing about. Flexibility is the most important thing. It should be done on a regional and seasonal basis whereas the local fire control officer, usually a very responsible and experienced person, could say, 'Yes. There is no risk out here, there is very little to burn. It is a cool day and the wind is in the right position. You can light a fire today.' That is common sense, but now we have these times set in concrete and you cannot burn inside the set period.

The third one is that district councils have the authority to allow for construction of firebreaks and access tracks in excess of 5 metres and up to a maximum of 20 metres for firebreaks and 15 metres for access tracks. This is a favourite of the member for Stuart, particularly in relation to forestry reserves and bushland. We know that a five metre break in bushland may as well not be there if there were a strong wind. I believe that where the risk is high and where the undergrowth is such, 20 metres ought to be allowable, and that decision ought to be able to be made by the local council. I am fully supportive of that. After all, these things are just plain common sense.

The fourth one is that the Native Vegetation Council has no authority to prevent pastoralists extending water points for pipelines or the construction of dams. That is ridiculous. If a person has a farm and wants to extend the pipeline so that stock does not have to walk so far to water, how can the Native Vegetation Council say that you cannot? That is a restriction of trade. This is big brother all over again. I cannot believe that that should be allowed to be there. How did that become law? Did it become law by regulation or did we actually pass it in here? Surely not. If we did, what were we thinking? It is a nonsense. Again, the member for Stuart puts forward a valid and commonsense point.

The fifth one is that landholders in local government areas can construct dams up to 100 metres by 100 metres without reference to the Native Vegetation Council. That is an area, again, relating to local government. It is a bit more of a touchy decision, and I believe that decision can and should be made by local government. I do not always agree with the member for Stuart, and that one is probably a lesser one, particularly with the problems we have now with water and dams which are certainly a hot political potato. I believe that certainly local government vis-a-vis the local boards and the local NRM board can make these decisions rather than be blanketed in by a decision of the Native Vegetation Act.

The sixth one is that farmers may rest paddocks for periods up to 15 years without invoking sections of the Native Vegetation Act. This one has bitten me several times in the Barossa. Many people who are blessed to own parts of the Barossa Valley ranges love those ranges. They deliberately under stock them or place no stock in them, but if they do not stock them and the native vegetation grows, then after 15 years they are forbidden from touching it. What sort of reward is that? What do you want? Do you want it to be grazed heavily? We have had people in the South-East, of a name we all know, deliberately grazing so that they do not slip through that net. It is a ridiculous thing. If a person wants to leave the area out in order to beautify the area, maintain the native status of it and maintain the bird populations, then you penalise him because it is then classed as native vegetation and he cannot graze it or do anything with it. It is a nonsense.

Once again, I commend the member for Stuart for bringing commonsense legislation to this house. We are going to miss him when he is not here because he gives this house the extra depth and understanding of issues that many members here do not know or do not want to know about, perhaps because they just will not put up with the hassle of crossing over the bureaucracy, particularly the bureaucratic greenies via the Native Vegetation Act. Again, I commend the member for Stuart and I ask the house to support him because I certainly will.

Mr RAU (Enfield) (11:13): I have an enormous amount of time for the member for Stuart and I know his genuine concerns about these native vegetation issues. I understand and sympathise with his views that, to the largest extent possible, decisions about native vegetation clearance and activities impacting on native veg should be made in the local area in a fast, responsive way so that landholders are able to get on with the management of their properties to the benefit of their own activities and those of their neighbours, particularly when we are dealing with fire issues.

The difficulty I have with these proposals from the member for Stuart is that I am not convinced that these measures are now necessary. I say that for a couple of reasons. First, several years ago the head of the CFS (Mr Euan Ferguson) gave evidence to the Economic and Finance Committee about the difficulties in obtaining permission to secure firebreaks and other forms of protective measures for properties. Mr Ferguson told the committee—and the member for Schubert might find this shocking—that if an application for a cold burn was made, say, in August of this year, one could reasonably anticipate to have an answer—not necessarily a positive answer, but an answer—within 12 months.

You do not need to be a rocket scientist to work out that 12 months from August to August includes the summer months while you are still waiting for the answer about the cold burn. Clearly, it is a completely unsatisfactory state of affairs. But the good news is that since that time the CFS and the Native Vegetation Council have formed a committee which regularly meets and enables the CFS people and the Native Vegetation Council people to make quick decisions about these matters.

There is evidence on the record from Mr Ferguson as recently as last year to the effect that he believes those arrangements are now working well. There is no doubt that a couple of years ago the arrangements were not working well. But Mr Ferguson, who, after all, is responsible for looking after parts of this state that expect to be protected by the CFS, has said on the public record that he believes the activities of the CFS, in as much as they relate to the protection of properties by taking appropriate steps for firebreaks, cold burns, or whatever the case might be, are now working satisfactorily.

The second thing that I would like to mention about this is that, within the past 12 months or so, the leadership of the Native Vegetation Council has changed, and Mr Dennis Mutton is now the presiding member. I think it is fair to say without any way reflecting on the previous occupier of that position that Mr Mutton is a person who has very practical experience in terms of land management issues and brings to the job a very positive cooperative attitude, which does more to correct the balance between the important needs of the environment and the very practical needs of people who are trying to manage land for agricultural purposes and perhaps protect other land from the incursions of scrub fire.

Am I sympathetic with the member for Stuart on this? Absolutely. Do I agree with the member for Stuart that it is important to have answers given quickly and promptly to questions that land-holders might have about clearance? Absolutely. Do I think it is important for decisions to be made as much as possible in a local community setting? Absolutely.

The Hon. R.G. Kerin: But.

Mr RAU: But, my understanding is—and it is based on the evidence of Mr Ferguson, who after all should know something about this—that, because of administrative arrangements between the CFS and the Native Vegetation Council, and including the change in personnel at the council, which I think has been reflective of a change in point of view (if I can put it that way) by the Native Vegetation Council, much of the issue about which the member for Stuart was quite rightly complaining has now been addressed.

I congratulate the member for Stuart for bringing this matter forward. I congratulate the member for Stuart for his untiring efforts to see a sensible regime established in relation to native vegetation. I know, as some members here perhaps do not understand, that the member for Stuart is not some sort of pyromaniac who wants to get out there in the scrub and burn down everything and then bulldoze it. What the member for Stuart is talking about is a sensible, responsible farmer

having the opportunity to manage their land in a way which maximises their opportunity to get productive use out of their property and protects their neighbours from the possibility of wildfires, bushfires and other things, which, after all, every person with an adjoining property should be looking out for on behalf of their neighbour. I understand where he is coming from, and he is absolutely right. My point is—

Mr Koutsantonis interjecting:

Mr RAU: No, as I have said before, the member for Stuart is absolutely right about all of the things that are driving him to put forward this bill. I just emphasise again that the reason that I do not think the bill is necessary is because, as recently as the past 12 months, Mr Ferguson, who is after all the most senior person in the state in relation to fire management issues, has told certainly the Natural Resources Committee that he now believes that the new administrative arrangements and the fact that Mr Mutton is now heading up the Native Vegetation Council mean that these decisions will not take a year. He, as the CFS commander, has no complaint to make about the interactions they are having with the Native Vegetation Council, and he believes that it is operative as it is.

My difficulty with what the member for Stuart is putting up is that I think, if it is possible to achieve these things administratively and cooperatively—and they are, in fact, being achieved—there is no need to use a sledgehammer to crack a walnut. That it is my only concern about the bill. I have no concerns whatsoever about the member for Stuart's motivations or the points that he quite legitimately makes about the need for farmers and farming communities to be able to protect themselves appropriately and manage their land in a sensible way.

The Hon. R.B. SUCH (Fisher) (11:21): I take a different view from the member for Enfield. I am opposed to this bill, but I do understand the member for Stuart's rationale that he is looking to provide greater safety in rural areas. I do not have a problem with cool burns, but we do not know a lot about them as the research is still ongoing. I do not have a problem with the principle of burning. I think we should have done more of it in the past and we will be doing more of it in the future, but it should be based on scientific research not simply on a whim.

This bill has a lot of measures in it which, if they were ever implemented, would result in things like firebreaks not exceeding 20 metres—that is a fairly wide firebreak. The point about firebreaks is that, in most cases, they are ineffective because the wind blows the embers at a speed and height which makes them irrelevant. Firebreaks can be useful in terms of, first, the access, and they can be useful—

The Hon. G.M. Gunn interjecting:

The Hon. R.B. SUCH: Look, you've made your speech, Graham.

The Hon. G.M. Gunn interjecting:

The SPEAKER: The member for Stuart will have his chance.

The Hon. R.B. SUCH: Firebreaks can be useful in terms of access and where you have a ground-burning grass fire; but, in respect of a lot of fires, a firebreak is very ineffective because the wind will lift the embers right over the top of the firebreak. What you get is this hopping activity as a result of the wind driving the embers.

What this measure would do here is we would have vehicular tracks. I accept you need access in certain areas to fight fires, but a track of 15 metres is a very wide track and what happens in many areas is that you have very little effective native vegetation retention because it is crisscrossed by firebreaks and vehicular access tracks. There are other measures in here which basically would give a licence to people to go to extremes in terms of removing native vegetation.

Most farmers do the right thing, most are very sensible and we have a generation of younger farmers who are more enlightened than some of those in the past. That is to be commended, but I would point out to members that in South Australia we are the state with the smallest area of woodland and forest out of all the states. Since European settlement it has been extensively cleared. If you go to areas such as the Yorke Peninsula and the Mid North, absolutely disgraceful destruction of native vegetation occurred over time, within properties, but also on the roadside verge where the landholder had no authority to clear on the side the road. Many of those areas are like barren areas; with monoculture, a single crop and, on the edge of the road, no remnant vegetation left. It has been cleared as a result of greed and, in some cases, ignorance.

The major areas of clearance have been Eyre Peninsula, especially the Far West and North, the Upper and Lower South-East and Kangaroo Island. Prior to the 1980s, there were taxation incentives to help people clear and encourage them to clear and, indeed, the earlier leasehold arrangements encouraged and sometimes required people to clear. Fortunately they have gone.

The Native Vegetation Act in 1985 provided incentives to help people keep native vegetation and it certainly has helped, including the more recent 1991 Native Vegetation Act and we can thank the Labor governments of the day for that. It was not done by the Liberal governments because traditionally—I am sad to have to say this, but the protection of what little is left in South Australia in regard to native vegetation is the direct result of some farsighted people in the Labor Party; people such as Dr Don Hopgood and others. In the Liberal Party people who have had any commitment to the native vegetation or the natural heritage of this state have been very scarce. Going back, there have been a few; Cecil Hinks and a few others—

Mr Venning: Brookman.

The Hon. R.B. SUCH: And Brookman was another one, but, generally speaking, there has been little or no commitment from the Liberal Party towards the natural environment in this state. That is a sad indictment and it is not a true reflection of people who should hold genuinely liberal views, but it has been operated on the basis of money for people who want to destroy the natural environment of this state.

I have some of the figures on the rate of clearing in South Australia between 1970 and 1990. In the Eyre Peninsula and Yorke Peninsula areas, the rate of clearance in those two decades was more than 10,000 hectares per year. In the eastern ranges (Flinders, Murray-Darling Depression), the rate of clearing was between 10 and 100,000 hectares per year during 1970 to 1990. In the western area (the Great Victorian Desert and Nullarbor), the rate of clearance was more than 10,000 hectares per year. In the South-East (Mount Lofty Block, including Kangaroo Island, Naracoorte, Coastal Plain), once again, more than 10,000 hectares per year. These are figures from the Australian Greenhouse Office and people can check them if they dispute them.

What we have in South Australia—and this is very germane to the point that the member for Stuart is seeking to make with his bill—is only 15 per cent of native vegetation left in the Mount Lofty Ranges and 13 per cent in the South-East. In the metropolitan area there is less than 4 per cent of native vegetation left. That has been compromised by weeds, by idiots on trail bikes and other people who have no regard for the indigenous vegetation. It is not just vegetation; we are talking about habitat, because without habitat you do not have animals, what you have is sterile environments in relation to indigenous plants and animals.

Since Europeans have arrived in South Australia, 23 mammals have become extinct, two birds have become extinct, and 26 plants have become extinct. We have not even studied some of those plants. We will never be able to study them in terms of whether they offer any medicinal or other benefit to humanity. Over 1,000 species of all terrestrial plants and vertebrate animals in South Australia are threatened species. That is an appalling record of vandalism in this state. Some 63 per cent of the state's mammals and 22 per cent of the state's vascular plants are listed as threatened.

Once again, an appalling record by us collectively over the time since European settlement. I think the Aborigines are probably more correct to use the term 'invasion', because we certainly invaded the natural environment, and other species are under threat as well. We have an appalling record in this state in the way that we have treated the indigenous flora and fauna. I accept that there are times when you have to clear some vegetation, but it should be absolutely minimal. Sometimes for reasons of installing a centre pivot and so on, you have to make some adjustment and remove some native vegetation but, generally speaking, the removal of native vegetation in this state should be at an absolute minimum.

Fire safety is important and, contrary to what some people say, the presence of native vegetation, in certain circumstances, can actually help people. Regarding the fires on the southern Eyre Peninsula, it would have helped, in terms of safety, if there had been some native vegetation; instead of the fires racing down the hills towards Port Lincoln, if there had been native vegetation to help slow them down. Those fires came down the hills, driven by wind at incredible speed through what was really pasture and cropping land. There is a powerful argument for saying that the presence of some native bushland would have actually helped.

So I cannot support this measure. I oppose it. Any moves on native vegetation should be based on scientific research and sound management based on research, not on a whim and not

simply on some request by someone who may get a point out in the country but who is helping to make sure that the Liberal Party will not get elected at the next state election.

The Hon. G.M. GUNN (Stuart) (11:30): We have just listened to the member for Fisher in his usual manner—

The SPEAKER: Order! Time for debate has expired.

Debate adjourned.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Mrs REDMOND (Heysen) (11:31): I move:

That this house calls upon the government to recognise the need for this State to have a truly independent commission against corruption and to support legislation to establish such a commission as soon as possible.

I had the privilege last year of attending in Sydney an anti-corruption conference, which was the first of its kind in Australia. It was put together by the various anti-corruption bodies—the Independent Commission Against Corruption in New South Wales, the Crime and Misconduct Commission in Queensland, and the CCC in Western Australia. The interesting thing was that at the very beginning of that conference, Morris Iemma, the Premier of New South Wales, said in his opening address: 'Any state that thinks they don't need one is crazy.' Indeed, the overall feeling at the conference was one of embarrassment at being from South Australia because so many of the participants were questioning the fact that this state is so resistant to the idea that we might need a commission against corruption.

Certainly we on this side of the house think that we need a commission against corruption—and it is a positive undertaking by our side that we will introduce one as soon as we are elected—but we are not the only people who think that way. The Law Society has indicated that it thinks we need an independent commission against corruption in this state; the Bar Association has indicated that it thinks we need an independent commission against corruption; the public at large thinks that we need a commission against corruption. But for some reason this government thinks we do not.

In fact, the Local Government Association has already expressed its view that we should have a commission against corruption, but there are certainly forces at work within the Local Government Association—and dare I suggest that certain people within that association may be acting at the behest of our Attorney-General in trying to change the Local Government Association view that we should have a commission against corruption in this state. In my view, the elected representatives on councils (many councils) will come to the conclusion, ultimately, regardless of what the LGA might say, that they want to stick by their earlier view that we need a commission against corruption.

One of the arguments raised against it so often is that it is such a waste of money. The New South Wales Independent Commission Against Corruption runs on a budget of a little under $15 million per annum. This government has wasted $31 million on building a tram to nowhere but says that $15 million of the budget (which is heading fast towards $15 billion per annum, so that is 0.1 per cent) should not be put towards corruption in this state. That is, to my mind, a drop in the bucket, but a drop that would be very well spent in this state. It is not very much money.

Another criticism, of course, that the Attorney-General and Premier like to raise is that it is a lawyers' feast, but the reality is that, when you look at the structure of the commissions that exist in Queensland, Western Australia and New South Wales, they are not lawyers' feasts, because lawyers become involved only after corruption has been found.

Mostly, what happens is that a significant number of people are involved in investigations. For instance, I know that the investigation into the Wollongong City Council, where most recently a vast level of corruption was found, was an undercover investigation for a full 18 months before anything came out. So, it is not a lawyers' feast, it is not an overly expensive exercise, and it is clearly one that we need. Indeed, it seems to me to be either naive in the extreme or a need to cover up things that would make the government here say we do not need a commission against corruption. I am sure that they cannot be that naive—so naive as to think there is no corruption in this state.

Of course, one of the other arguments that is raised against commissions such as this is that we already have sufficient avenues in this state to counter any corruption that we may find. We have an Ombudsman's office, we have an Anti-Corruption Branch within the police force, and we have an Auditor-General. And those people all do valuable things. Let me tell members that in New

South Wales they still have all those officers, but the reality of certain corruption is that it is not traceable by an Auditor-General and it is technically not going to be a breach of some legislation.

For instance, how do you deal with corruption such as happened in Wollongong where it is to do with a personal relationship and the making of favourable decisions? You are not going to be able to prove that there has been a breach of any legislation in that sort of situation. I have heard of suggestions here, for instance, where officers of councils become involved in giving preferential treatment to certain contractors who supply services to councils.

For instance, councils that have a lot of tree trimming work obviously often no longer engage the crews themselves to do the tree trimming because they are such vast councils now, so they engage contractors to undertake that work for the council. How would an Auditor-General discover the trail that would be necessary to find that the officer of the council making the decisions was actually preferring one contractor over another and that that contractor was then doing some sort of contra deal or actually paying money, or whatever it might be, to the person who is getting the benefit and making favourable decisions for the contractor?

The reality is that much of what appears in our society as smelly and what any person in the community recognises as smelly will not be found by a police anticorruption branch, an ombudsman who looks at the propriety of the rules as made by departmental agencies, or the Auditor-General who follows basically a money trail. There are many things that smell in our society, and to suggest that it does not happen in this state is, as I said, either naive or indicates that this government wants to cover up something. For instance, let us look at a couple of recent appointments by the Attorney-General and others in this state. The Attorney-General most recently appointed a chap by the name of Jeremy Moore as the President of the Guardianship Board. Jeremy Moore is a perfectly good practitioner, an absolutely fine practitioner. He practised out of Strathalbyn. He happened to be an ALP candidate for the upper house a couple of elections ago—

Mr Rau interjecting:

Mrs REDMOND: The member for Enfield says, 'Does that make him ineligible?' It certainly does not make him ineligible to apply for the job. What smells about the appointment is that there was no advertising of the position, that the person who had been the deputy president of the Guardianship Board for eight years and the person who had acted as the president of the Guardianship Board for eight months did not even have the opportunity to apply for the job, because an appointment was made without any advertising of the position. There we go, the Attorney has come in and, no doubt, he will try to justify this appointment. However, what I want to say is: it smells—

The Hon. M.J. ATKINSON: Madam Deputy Speaker, I have a point order. I understood it was a convention of this house of longstanding that all members are here at all times, and I wonder whether that is just a question of politeness which has lapsed in the hands of the member for Heysen or whether it is a requirement.

The DEPUTY SPEAKER: I uphold the Attorney's point of order. It has been a convention since 1496, so I suggest that it is one worth being maintained.

Mrs REDMOND: I absolutely profusely and profoundly apologise unreservedly for having suggested that the Attorney was not here, because clearly the Attorney was paying close attention to my remarks about this smelly appointment of Jeremy Moore as the President of the Guardianship Board. As I said, there is nothing wrong with him as a practitioner. He has no experience whatsoever in the guardianship jurisdiction and completely overlooking the—

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: Madam Deputy Speaker, I seek your protection from the interjections.

The Hon. M.J. Atkinson interjecting:

Mrs REDMOND: I seek your protection from the interjections from the other side.

The DEPUTY SPEAKER: Sorry, I was temporarily involved in a discussion with the Opposition Whip.

Mrs REDMOND: I am simply seeking your protection, Madam Deputy Speaker, from the interjections of the Attorney so that I can continue my remarks—

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order!

Mrs REDMOND: —because clearly the Attorney does not like me talking about this appointment. I will say again: it smells in the eyes of the public. This person is a perfectly good practitioner—nothing against the practitioner—but it smells when there is no advertising of the position and someone who has no experience in the jurisdiction is suddenly plucked out of obscurity and appointed to the job. If that was the outcome of a proper process, that would have been fine—

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order! Attorney, please wait your turn.

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Attorney, you are getting very much out of order.

Mrs REDMOND: Madam Deputy Speaker, I would also call attention to the fact that not only is he breaching standing orders by interjecting but he is using my first name.

The DEPUTY SPEAKER: That was the point of my remark.

Mrs REDMOND: Clearly, the other side does not want to hear about this, but it is not the only appointment. For instance, look at the appointment of the Acting Ombudsman. The Ombudsman's legislation clearly says that the term 'Ombudsman' includes 'Acting Ombudsman'. Furthermore, it also says that the Ombudsman cannot be appointed beyond the age of 65 years. Who did the Attorney-General appoint as the Acting Ombudsman? He appointed the retired Auditor-General. He is over the age of 65 years and, in my view, that was therefore an unlawful appointment. The Attorney says, 'No, I have had advice,' but he will not give us the advice.

We have those two uncomfortable appointments, then we have the appointment of Paul McMahon to the Industrial Commission. Here is a wonderful appointment! The Industrial Commission did not reappointment three commissioners last year. They said, 'No, there is not enough work for any more commissioners. We cannot even reappoint the three commissioners that we already have.' Instead of that, no, we pluck out someone, someone who is strangely in a position that might influence things on the Labor side of parliament, especially over this WorkCover legislation that has been so uncomfortable for them. They pluck out Paul McMahon and say, 'We need a new commissioner.' There was no new evidence whatsoever that we needed a new industrial relations commissioner. Indeed, I understand that there was information from the President of the Industrial Commission to the effect that the Industrial Commission did not want the appointment to be made but, notwithstanding that, the appointment took place, anyway.

There are just three examples: Paul McMahon to the Industrial Commission; the former Auditor-General, over the age of 65, appointed (apparently indefinitely) as the Acting Ombudsman, in spite of the fact that the Ombudsman's act says that the Ombudsman cannot be over the age of 65 and that the term 'Ombudsman' includes 'Acting Ombudsman'; and the appointment of Jeremy Moore as the President of the Guardianship Board, in spite of the fact that someone was acting in the job and did not even have the chance to apply for it. That is where my real objection is; that that person did not even get the chance to apply for the job and be honestly contested against Jeremy Moore. Maybe he would have come out as the best candidate. Maybe the idea is to appoint someone who has no knowledge of it and no background in it; perhaps that is the best way to make appointments. But the fact is that there are smelly appointments, and there are things like that going on all the time. If that alone is not sufficient—

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order! The Attorney-General will remain silent.

Mrs REDMOND: The key to the point that I am trying to make is that all these things should be subject to independent scrutiny so that there can be—

Mr Koutsantonis interjecting:

Mrs REDMOND: The member for West Torrens said that parliament has the scrutiny. When did we get scrutiny over the appointment of the president of the Guardianship Board? We had no scrutiny over that. He was appointed, and maybe it is just coincidence that he had been a candidate for the ALP and so, with no experience in the area, he comes in and gets a $400,000 a year job, or whatever it is. It may not be that much; it might be only $300,000 a year. He is put into a position without any proper process being gone through to choose a person who has the appropriate background and qualifications. I know that, since going in there—

The Hon. M.J. Atkinson: Correct that. Correct the salary or—

Mrs REDMOND: The Attorney calls on me to correct the salary—

The DEPUTY SPEAKER: Order!

Mrs REDMOND: —and I will say that it may not have been more than $200,000.

The DEPUTY SPEAKER: Order! The member for Heysen, you need to be quiet too.

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order, the Attorney! If you have a point to make please either raise a point of order or make a statement when the member has concluded, if you believe that the house has been misled.

Mrs REDMOND: I am happy to correct it and say that it may be $240,000: it may be less. When you include the add-ons to any salary, it goes up by about a third. The point is not how much the salary is: it is the smell of the appointment.

Mr PISONI: Madam Deputy Speaker, I rise on a point of order. Many times when speakers on the other side have continually interjected you have allowed them more time. I ask that you allow the member for Heysen more time.

The DEPUTY SPEAKER: That is not a point of order.

Mr RAU (Enfield) (11:47): I was looking forward to hearing the member for Heysen put together an argument about why the state needed an ICAC, because I am interested in hearing a well argued, well reasoned, well rounded proposition to explain why someone would want to go down this path. Unfortunately, all we got was a series of rather peculiar complaints about individuals, some of which I think are probably unfair. I do not know very much about Mr Moore's position but I have to say on the record that, if Mr MacPherson wants to be Ombudsman for the term of his natural life, I will be happy with that, because he is doing a good job. Where is the issue there? He is doing an excellent job. Is there some suggestion that Mr MacPherson has done the wrong thing in order to secure the position of Acting Ombudsman? I do not think so. It is bizarre.

What worries me about the proposition put forward by the member for Heysen is this. It is an example of me-tooism: 'People in New South Wales have got one. I want one. People in Victoria have got one and people in Western Australia have got one. I want one too. Why can't I have one? They've got one.' No question about whether it is useful, whether it achieves anything or whether it is a despotic outfit completely out of control, doing more harm than good: 'They've got one. I want one.' I think psychologists talk about some sort of envy in children. I think this is an ICAC envy, instead of something that young girls are supposed to experience.

The situation is pretty clear. If you are trying to justify the establishment of what amounts to a broad ranging standing royal commission or some sort of a star chamber or inquisitorial outfit, you have to make out your case. Making out your case does not involve: 'They've got one. I want one too.' That is not making out your case. Just because the chap two houses down from you does something ridiculous, does that mean that you have to do it? Do you not examine the question as to whether or not it has any value or whether the value is outweighed by the downside?

One of the problems with these commissions is that all around the world where they have been established there is a tendency for them to try to justify themselves by producing more and more sensational results, because they are a results-driven thing. So, you go out and try to make a big splash just before budget time so you can then lever a bit more money out of the government of the day, or you try to make some other big splash in the media so people think you are doing something. Will a media-driven standing indefinite royal commission benefit the people of South Australia more than it causes trouble for itself and all the people who might come under its gaze? I think these are legitimate questions, none of which were addressed by the member for Heysen in her contribution.

When one examines the few arguments that the member put forward—which were all basically just attacking individuals—there is an element of *The X Files* about it. She sounded like agent Scully: the truth is out there. There is a conspiracy. The cigar man is hiding behind the tree and he is pulling all the strings—the cancer man. He is up there pulling all the strings; he is behind the trees. Moore pops up on the thing: 'Oh, it must be the conspiracy.'

I suggest that the member for Heysen should go down to Woolies or Coles or K-Mart and get the full series of *The X Files* and have a look at the whole lot of them, because that will give her a lot more ideas when she finally comes to her summing up point on this debate—because the best

you can say for what we got today was that. There was no smoking gun, no evidence of corruption, no discussion and no intellectual argy-bargy about the need for this as opposed to the present system, or whether there are any elements of the present system that are unsatisfactory. It was just: 'They've got one. I want one.' If that is the best argument the proponent of this motion can put forward, it is really sad: 'They've got one. I want one.' It is sloppy, it is lazy and it is not an argument.

The Hon. R.B. SUCH (Fisher) (11:52): The issue before us comes down to what we, as parliamentarians, and what the community wants and that is (one would hope) to root out corruption, if it exists, and to deal with it . That should be the first point to look at: we are seeking to uncover any corruption, if it exists, and to deal with it.

I am fully in support of seeking to do those things but we do not need, in my view, a standing ICAC for $15 million because what that body will do is to try and generate work for itself. All bureaucracies do that: they are self-sustaining and self-justifying.

What we do need, though, are some changes to the powers of the Auditor-General. I have already encapsulated those in the bill which is before the house and I will not talk specifically to that bill. However, I did have discussions with a former auditor-general and he told me that his powers were limited in terms of uncovering activities, for example, in local government where people may be doing things that they should not be doing. That is particularly in relation to some of the businesses that local government can operate.

What are some of these businesses? Councils run a whole range of businesses. We all remember the Port Adelaide Flower Farm from many years ago. Councils run multimillion dollar businesses, and I will mention one: Centennial Park. This is a multimillion dollar business owned by the City of Unley and the City of Mitcham. I am not saying there is anything untoward happening there at the moment but, in the past, things occurred there that should not have. However, the auditor-general of those years (and currently) could not investigate to find out if things were happening that should not be.

I believe that local government is the area where you are more likely to get corrupt practices. That is not to denigrate local government (of which I used to be a member), it is just the reality that councils are dealing with developers and people who are more likely to be involved in illegal activities than probably any other area of government. Obviously, it is not exclusive to local government. However, under the current auditing arrangements, because they are not supervised by the Auditor-General, because they are not consistent in the way they report, the current Auditor-General, along with previous auditor-generals, is unable to detect corruption.

That view was expressed to me by Ken McPherson, for whom I have the greatest respect. He expressed that view to me some time ago. In fact, in drawing up my bill which is before the parliament, I took the liberty of seeking his advice. Nevertheless, I accept responsibility for the bill. I am not, in any way, trying to attribute it to him, but I did take counsel from him on that matter.

The Auditor-General needs to have the power of oversight over council financial reporting and, in particular, over council-administered businesses. It needs the reporting but it need not cost councils any more. In fact, I have had informal discussions with the LGA where it was put to me by one of their senior officers that they do not have a problem with my bill. What it did want was some assurance that the Auditor-General would not charge exorbitant fees for auditing their books. The reality is that the Auditor-General would not personally audit their books; the Auditor-General would use contractors, private auditors, the same as happens now.

The change would be that those auditing practices of the private contractors would be in a standardised format and would cover aspects relating to council-operated businesses so that if there was anything untoward, the Auditor-General would be able to pick it up and deal with it immediately. My argument is that we do not need a standing ICAC. We do not need to spend $15 million. If the government has a spare $15 million I can give it some areas as to where it could be better spent.

What we need also, as well as giving powers to the Auditor-General to oversee local government more comprehensively and more thoroughly, is to create a mechanism whereby the public, an MP or anyone in the community can trigger, on the basis of valid information, an independent inquiry into corruption. That could be done, and has been done in the past, where an independent QC from the independent bar could conduct, with the powers of a royal commissioner, an investigation into a matter which was not vexatious, trivial or whatever.

I believe the government should make sure that it has in place a trigger mechanism where people, an individual in the community or anyone basically—whether they are in public office or not—can put a case (and I would suggest initially to the Auditor-General and the Ombudsman; or there may be a better mechanism than that) alleging corruption in a particular area. The mechanism could be triggered for someone from the independent bar, a QC with the powers of a royal commissioner, to investigate.

That way you do not have an army of people sitting around waiting for someone to knock on the door and say, 'I believe there is corruption in the XYZ government department, council or whatever.' You do not need to spend $15 million a year having a standing ICAC. It can be done in a much more cost-effective, but still effective way, and that is to have a trigger mechanism to generate an inquiry with a commissioner having the necessary powers. You can also complement that by giving the Auditor-General, through the Auditor-General's powers, the opportunity to properly monitor what happens, not only in government departments—which the Auditor-General can currently do—but in local government, as well. I think if we do those things then we pretty well have all the bases covered for minimal cost and maximum effectiveness.

The DEPUTY SPEAKER: Before I call the member for West Torrens I will correct the record on my earlier ruling about the origin of the convention of assuming all members are present. It was not 1642. The tradition of calling members by the name of their seat originated in 1645.

Mr KOUTSANTONIS (West Torrens) (12:00): I was interested to hear what the member for Heysen had to say about corruption in South Australia. Basically, her point of view was this: she makes the accusation, therefore we are corrupt. No evidence, no background info; simply 'This person is a member of the Labor Party and they have been appointed to a position; therefore, it is corrupt.' The only example of corruption I have seen in this house since I have been here was when former premier John Olsen was forced to resign in disgraceful circumstances. This humiliated the Liberal Party and the government of the time and brought them to the brink of crisis. The then premier was forced to resign, and his able deputy took over the leadership and led the Liberal Party to disaster.

During that period the then foreign minister of Australia, Alexander Downer, knew they could not have their former premier treated as if he were a criminal, so they appointed him Consul-General to New York. Not one word from members opposite (when we were in opposition) calling that corrupt; not one word. No-one in this house said that it was corrupt behaviour, but we knew what it was about. Alexander Downer used his position as foreign minister to—

The Hon. M.J. Atkinson: That's how they got his resignation.

Mr KOUTSANTONIS: That's one view. I do not know that for a fact, but could you imagine that an officer of the Crown would offer another member of parliament an incentive to resign, the beneficiary being the member for Frome? Now if we had had an ICAC, the premier of the time (Hon. Rob Kerin) would have been dragged up to that ICAC under the cloud of corruption and asked, 'Were any incentives offered to premier Olsen to resign?' The truth is none were, he never acted corruptly, and I am not accusing him of corruption in any way, but the appearance would have been there. That example aside, what has happened here—

The Hon. M.J. Atkinson interjecting:

The Hon. R.G. Kerin interjecting:

Mr KOUTSANTONIS: No-one is accusing you of anything—

Members interjecting:

The ACTING SPEAKER: Order!

Mr KOUTSANTONIS: Let us get this crystal clear. The member for Frome is a man of impeccable integrity and everyone in this house believes so; no-one is accusing him of anything. What I am saying is—

The Hon. R.G. Kerin: That's not what he said.

Mr KOUTSANTONIS: No. What the Attorney-General was saying is that what the member for Heysen was trying to imply was the appearance. The member for Heysen was implying that, because there was a benefit at the end, it was, therefore, corruption. It is not.

The Hon. R.G. Kerin interjecting:

The Hon. M.J. ATKINSON: Madam Deputy Chair, you heard the words of the member for Frome. I ask him to withdraw.

The DEPUTY SPEAKER: I did not hear the words of the member for Frome, but—

The Hon. M.J. ATKINSON: Would the member for Frome please repeat them?

The Hon. R.G. KERIN: I withdraw what I said. I also ask that the Attorney-General withdraw the totally improper words he used—

The Hon. M.J. Atkinson: Which were?

The Hon. R.G. KERIN: Which basically were about me corruptly becoming premier, which was absolute rubbish.

The DEPUTY SPEAKER: Order! It sounds to me as if it is best for everyone to remain silent.

Mr KOUTSANTONIS: I think this demonstrates the point of what an ICAC will do. Rumour and innuendo is enough to ruin careers and to ruin lives. The first premier to be taken before an ICAC was Nick Greiner. He was found to be corrupt by the ICAC and was forced to resign, but he went to the Supreme Court and was completely cleared.

The Hon. R.G. Kerin interjecting:

The DEPUTY SPEAKER: Order! The member will have an opportunity to speak.

The Hon. R.G. Kerin interjecting:

The DEPUTY SPEAKER: Order, member for Frome!

Mr KOUTSANTONIS: I think the debate is getting to the point where it shows that ICAC's ultimate goal is not to stamp out corruption, it is to score political points. ICAC is there to have a cloud of corruption hanging over a politician's head simply through an accusation. I cite the United States Senate (circa 1952) and Joseph McCarthy. It is all about McCarthyism: are you corrupt; have you ever been corrupt; have you ever been a member of the Communist Party of Australia? That is what this is about. Simply an accusation of corruption is enough to end a career, and that is what ICACs are there to do.

Members opposite should make no mistake, ICACs have media units. The one in New South Wales does, the one in Western Australia does, the one in Queensland does. Their job, every day, is to get a story out. All it takes is a letter to an ICAC saying, 'I think there has been corrupt behaviour going on in this parliament; this is my accusation', and there is then an investigation, even just a cursory one. Now, imagine what *The Advertiser* would do with a cursory investigation from an anonymous letter about a politician: 'ICAC investigates the member for Schubert for corruption allegations.' It would make the front page. When the member for Schubert was cleared it would make page 56. Now, who benefits from that? I will tell you who benefits: the opposition of the day, not the government of the day. McCarthyism never works.

This really shows two things. The Liberal Party has a fundamental lack of trust in South Australia Police and its Anti-Corruption Branch and it hates the Auditor-General. It hates him for exposing its misconduct when it was in government. Unfortunately for members opposite, a lot of them were not there in government when these things were happening: when Joan Hall had her car broken into and cabinet documents stolen from that car—not her purse, not her handbag, not the car itself or the camera or the mobile phone, just a few files in her cabinet bag that happened to pertain to the investigation before the Auditor-General.

The Hon. R.B. Such: Strange about that.

Mr KOUTSANTONIS: Yes; strange about that. That is why they hate the Auditor-General. And what does the member for Heysen do when she comes in here? Whom does she target and accuse of corruption? Former auditor-general, Ken McPherson. She knows he has no right of reply. She knows that he always acted independently and that he reported to the parliament. He had to come to this parliament to seek our protection from the executive because the executive was trying to stifle him. He—an officer independent of the parliament—had to come here to ask for our protection when they were in government because he feared being sued by the then cabinet for exposing irregularities in accounting practices and corruption in the government.

The Hon. R.B. Such: He was only doing his job.

Mr KOUTSANTONIS: He was doing his job. Then the government itself appointed its own investigation into the then premier and the Motorola deal. It was found to be corrupt and the then premier was forced to resign, and they have never forgiven Ken MacPherson for it. They blame him for their demise rather than themselves, because if they had not have knocked off Dean Brown in 1995 they would still be in government today probably, but they couldn't help themselves. That is how incompetent they were. So, because they cannot score a political point on the government in terms of the budget, the way the state is being managed, our mining boom or the state's unprecedented prosperity, they want to establish an ICAC so that they can start throwing around accusations to try to grind the government to a halt. Instead of having ministers in here answering questions about policy and procedure, they want to have them answering questions at an ICAC about some unsubstantiated claim by the Leader of the Opposition or the member for Heysen or anyone—usually anonymous.

The Hon. M.J. Atkinson: Usually anonymous.

Mr KOUTSANTONIS: Usually anonymous—rather than have an Auditor-General who is funded, doing his job; they are not interested in that. They will get caught out on that. They want an ICAC to investigate politicians' baseless accusations.

The Hon. R.B. Such interjecting:

Mr KOUTSANTONIS: He certainly does—I agree with him there. As to appointing Paul McMahon to the IRC, do you know what? A panel of this parliament was set up under legislation to approve that appointment, and do you know who sat on that? The member for Morphett. Did he say 'No' at the time? No; he supported it, but now they come in here and say that it was corrupt. If it was corrupt, why didn't the member for Morphett say something at the time? He did not. The member for Heysen says that he has impeccable credentials, he is fantastic at his job, but it smells. What are we meant to say to that? How do you defend yourself against that accusation? 'He is eminently qualified, he has been a great practitioner, but it smells'—it is typical of the hypocrisy of members opposite.

Time expired.

Mr WILLIAMS (MacKillop) (12:10): I had no intention of entering this debate but some of the things that the member for West Torrens has just said are plainly wrong. I have always taken the attitude that, if somebody wants to make an argument, if they can tell the truth they are worth listening to, but if they distort facts and say things that plainly did not happen and purport them to be facts, obviously there is something flawed about their argument, and I make the assumption that the rest of their argument (the bits that I do not have intimate knowledge of) is probably flawed as well.

Let me just deal with a couple of statements that the member for West Torrens made in the last few minutes of his diatribe which I want to straighten out because this government continues to make accusations and tries to change the historic facts for its own political purposes. The member for West Torrens said—and he may care to check the *Hansard*—in regard to Joan Hall's car being broken into that a few files were selectively taken out of her car. That, to my memory, is factually wrong. To the best of my memory—and I am not making any comment about the situation that occurred—the reported facts were that several bags were taken out of her car. The member for West Torrens intimated that somebody selectively took several files out of her car. That is factually wrong to the best of my memory.

The Hon. M.J. Atkinson: And will you get back to the house if you are wrong?

Mr WILLIAMS: Absolutely. My memory is that a bag or several bags containing files were taken out of her car. He also made the claim—and this is a claim that is regularly made by this government—that the John Olsen Motorola affair, as it has come to be known, exposed corruption.

Mr Koutsantonis interjecting:

Mr WILLIAMS: I will get to that and I will explain the truth to you and the facts. I do not expect that you will change your story because you have nothing more than a political motive. The reality is that John Olsen resigned because he was accused of misleading the parliament and he was found on the balance of probabilities to have misled the parliament.

The Hon. M.J. Atkinson: And?

Mr WILLIAMS: And he resigned.

The Hon. M.J. Atkinson: And?

Mr WILLIAMS: There was nothing corrupt. There was no hint of corruption. John Olsen was accused of misleading the parliament. If you want to go back, at one point in time in the mid-1990s, John Olsen was asked the question in the parliament about the Motorola contract. He was asked whether there was a side deal and he told the parliament that there was no side deal.

The Hon. M.J. Atkinson: And he lied.

The DEPUTY SPEAKER: Order!

Mr WILLIAMS: The documents that were later revealed showed that a side deal was offered to Motorola and Motorola said, 'No, we do not need it' and, when the contract was signed, that side deal was not part of the contract. That is the fact. Notwithstanding that, finding was made by the Cramond inquiry that John Olsen—

The Hon. M.J. Atkinson: Clayton.

Mr WILLIAMS: The Clayton inquiry, sorry, that John Olsen had misled the parliament.

The Hon. M.J. Atkinson interjecting:

The DEPUTY SPEAKER: Order! Members on my right, not all of them, I remind you that members on my left did listen in silence to your contributions for most of the time, so please return the courtesy.

Mr WILLIAMS: Thank you, Madam Deputy Speaker. I think it is important, particularly when we are having a debate, and I would hope it would be a mature debate on something like an ICAC, that we actually stick to facts. I know that this is a sensitive matter and it is always a sensitive matter for any government, and I accept some of the points that the member for West Torrens made. It always poses risks to a government, whereas it probably does not pose any risk to an opposition. I accept that. When government talks about John Olsen and Motorola, particularly, I wish it would acknowledge that the deal with Motorola was a damn good deal for South Australia.

The Hon. M.J. Atkinson: Where are they now?

Mr WILLIAMS: I know where they are now: they have been driven out of the state by your damn government. That is where they are—450 very good, high paid jobs, which kept some of our best trained young scientists in this state, and now they have gone, because you played politics with Motorola for the political end—

Mr Koutsantonis interjecting:

Mr WILLIAMS: —just as it has been demonstrated that the member for West Torrens will continue to play politics with it, and that is where Motorola has gone.

Mr O'Brien interjecting:

The DEPUTY SPEAKER: Order!

Mr WILLIAMS: He is not even in his place, Madam Deputy Speaker. I am very sad that Motorola is not still in South Australia. I am very sad that some of the businesses—

Mr O'BRIEN: On a point of order, the member has actually misled the house as to the reasons for Motorola exiting South Australia. The fact of the matter is that the decision was made—

The DEPUTY SPEAKER: Order! There is no point of order. You can make a statement as a contribution.

Mr WILLIAMS: How long has the member for Napier been in this place? Might I suggest, Madam Deputy Speaker, that you have the Speaker write a letter to members who have not been here for all that long, and get them to read the standing orders.

The DEPUTY SPEAKER: Order! Member for MacKillop, please focus on the debate. I do not know to whom I would send the letter first.

Mr WILLIAMS: The point that I am making is that history will show that John Olsen was a very good premier, a very good minister, and did a lot of good things for this state. I must admit—

Mr Koutsantonis: Why did you ask him to resign?

Mr WILLIAMS: I did not ask him to resign. At the end of the day, John Olsen took the decision on balance to step down as premier. I think your Premier has acknowledged that he did a

fine job in behalf of South Australia in Los Angeles. I think your Premier calls on him when he goes to New York.

The Hon. M.J. Atkinson: You can dish it out but you can't take it.

Mr WILLIAMS: Can't take what? Your nonsense? I will tell you what I will not take: I will not take the sort of nonsense—

The DEPUTY SPEAKER: Order, member for MacKillop! Please return to the topic of the debate.

Mr WILLIAMS: The Attorney-General continues to defy your ruling, Madam Deputy Speaker. On the matter of ICAC, it is interesting that just about every other jurisdiction in the nation has an ICAC. I cannot remember who it was, but in the last couple of weeks I heard somebody from New South Wales say that, if South Australians believe that South Australia is the only state in Australia which is corruption free, they are kidding themselves. I think that is right. I think if we believe that—

The Hon. M.J. Atkinson: No-one said that.

Mr WILLIAMS: Okay, so the Attorney-General acknowledges that South Australia is not corruption free, yet he and his colleagues argue that we should not do anything about it. That is the point of difference. We all know, now that we have heard from the Attorney-General, that there is a very strong likelihood that there is corruption within South Australia—

Mr Venning: The question is: what do we do about it?

Mr WILLIAMS: And the question is: what do we do about it? The Labor government says we do not do anything about it: the Liberal opposition says we have a properly resourced body, independent of other organisations, and we chase down people who are corrupt. We have to establish a culture. Once you establish a culture that you are going to do something about it, that you have an intention, I think you will find that corruption will not be so easily spread and it will not be so readily undertaken by people who are in situations where they can get away with it today. I think it is the culture that we have to get there. I think ICAC is potentially a very important step on the path to establishing that culture in South Australia.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs) (12:20): Police, court and local government officials in South Australia have been charged with abuse of public office and related offences, often because they are alleged to have misused confidential information obtained in the course of their job. People have gone to gaol, been heavily fined, had lifelong convictions placed on their record, had their reputations ruined, paid crippling legal defence fees, even if they were acquitted, and lost their job. I am not quibbling with the notion that corruption occurs in South Australia; now and in the past. Neither I nor the Premier have ever denied it. Indeed, for the member for MacKillop—and, indeed, for some journalist—to set up the idea that somehow members of the Labor government are in denial about the fallen nature of humanity is incorrect.

Can we improve our anti-corruption system? I think we can. It depends on how much taxpayers are willing to fork out and how they rate it alongside maintaining or improving other government services. Even on the Liberals' own estimates, an ICAC in South Australia is going to cost more than the entire budget of the Office of the Director of Public Prosecutions. So when we are calculating election promises, there's a biggie.

Corruption is being investigated, charged and punished in our state, but law enforcement's successes get only a fraction of the publicity that malicious gossip gets in Adelaide's media. Some readers may remember a frontpage story, in *The Advertiser*, on a Saturday in 2004 that allegations against the Chief Magistrate had been referred to the Anti Corruption Branch of the police. The allegations were made by a certain magistrate, who would not go on the record; in fact, was very fond of backgrounding the media. Almost no-one would have seen the tiny story in the back pages, weeks or months later, that the allegations had no substance. Journalists and opposition MPs look forward to feasting on allegations being referred to an independent commission against corruption and hope that no-one will comment on their ignoring the targets being cleared months later. Mud sticks. I commend the member for Heysen for giving some thought to this aspect of the proposition.

South Australia has a dedicated Anti-Corruption Branch of the police and the police also have an Internal Investigation Branch. I know the member for Schubert reflected on that in a previous debate. Our Ombudsman has the powers of a royal commissioner. I will repeat that: our Ombudsman has the powers of a royal commissioner.

Mr Williams interjecting:

The Hon. M.J. ATKINSON: The member for MacKillop interjects that they have never been used. I hope, if he is wrong, he will come back to the house.

Mr Williams: You were wrong with every interjection you made this morning. And other days. Do you stand by that—

The DEPUTY SPEAKER: Member for MacKillop, I will not tolerate pointing across the chamber. Attorney-General.

The Hon. M.J. ATKINSON: Almost no-one knows that the Crown Solicitor's Office has a Government Investigations Unit, that specialises in investigating misconduct in the public service. We have an independent Police Complaints Authority answerable only to the law and to parliament. We have an Auditor-General's department independent of the government of the day. Remember what it exposed about the Olsen government. Also, let us remember the debts on a Public Service credit card of Vicky Thomson, Craig Bildstein and John Cambridge. We have laws to protect whistleblowers and we have freedom of information laws. I think that there is a creative tension between these organisations that makes them serve the South Australian public better than the costly, monopolistic, self-absorbed and over-mighty ICAC equivalents in other states. If a person takes an allegation to one agency and does not get satisfaction, he can take it to other agencies in South Australia.

Just recently, in another jurisdiction, in New South Wales, we have seen the arrest of Mark Standen, who was in a specialised criminal investigation branch and whose partner was an employee in ICAC. That matter is still before the courts, but it shows the danger of concentrating this authority in one government body. Who watches the watchdogs?

The New South Wales ICAC Commissioner says ICAC receives 2,500 allegations a year and, although every allegation is attended to, only 50 warrant serious investigation and a mere five or six lead to full-blown inquiries. That is a lot of collateral damage.

I notice that the member for Frome waxed indignant because he misheard an interjection of mine earlier. The full suggestion was made by the speaker on his feet (the member for West Torrens), and I ask members to refer to *Hansard* and what was said. All I did was draw the attention of the house, by way of interjection—which I accept is out of order—to part 7 of the Criminal Law Consolidation Act, which is the relevant part of the law concerning the imputation that Mr Olsen was persuaded to resign from office by his federal Liberal colleagues and, within months, was appointed to the foreign service, which is a department of the commonwealth.

ICACs are a gift to malicious slanderers who want nothing more than a headline or a TV promo. They are also a gift to those who want to exert inappropriate pressure on public officials. These people say, 'Give me what my client wants or I'll call in ICAC,' or 'Your decision will be ICACable.' We can do better by giving one or more of the existing agencies authority to compel people to attend hearings and answer questions on oath; and there is scope to improve the independence of the Police Complaints Authority. I am working on it, but it will never arouse the lust that an ICAC will among journalists, oppositions and the vexatious.

Mr O'BRIEN (Napier) (12:29): I had no intention of speaking on this matter but I feel duty-bound to respond to the comments of the member for MacKillop. The member claimed that the closure of the Motorola plant in Adelaide was a result of decisions made by the state government. I know I was out of order in interjecting but, irrespective of the manner in which the member for MacKillop expressed the proposition, the clear sentiment was that Motorola exited South Australia as a result of Rann Labor government economic policies.

I have done a quick google in the chamber because I always like to back up a proposition with fact. It is by no means exhaustive, but what I have discovered is that, in the period in which Motorola Adelaide closed down, there were other closures elsewhere in the world. As I said, it is by no means exhaustive, but I have been able to establish that in Harvard, Illinois, a plant closed, with the loss of 2,500 jobs; a plant in Cork, Ireland closed, with the loss of 330 jobs; a plant closed in Singapore, with the loss of 700 jobs; and a plant closed in Germany, with the loss of 400 jobs. In East Kilbride in Scotland, they were lucky to escape, but at one stage closure looked imminent.

In addition to the Adelaide closure, we have four other closures elsewhere in the world. As I said, it was not an exhaustive search and there may well have been a number of others. Four closed at the same time as the Adelaide plant and a plant in Scotland got through by the skin of its teeth. The proposition advanced by the member for MacKillop that the Rann Labor government

was in any way, shape or form responsible for the closure of the Motorola plant in Adelaide is erroneous, and I hope my statement clarifies that well beyond doubt.

Honourable members: Hear, hear!

Motion negatived.

COORONG

The Hon. R.B. SUCH (Fisher) (12:32): I move:

That this house calls on the state government to act promptly to save the internationally significant Coorong from environmental disaster.

I am aware that the government wants to amend this motion. I say at the outset that I am not implying that the government has not been doing anything, or previous governments have not done anything: I am trying to highlight the very urgent situation we now face in relation to the Coorong. I recently visited the Coorong just to see what is or is not happening. I make the point that, superficially, it looks okay. There is plenty of water generally in the Coorong. We know there is not much water in Lake Albert, but water is being pumped in to prevent the acceleration of the acid sulphate soil. However, in relation to the Coorong, at first glance it looks as though everything is fine.

The Coorong, as we know, is covered under national park legislation. Much of the area that is known as the Coorong is declared national park, covering approximately 46,800 hectares. Some parts are still privately owned, and I am aware of a project to have some of the privately owned part of the Coorong dedicated as a memorial park in the name of Colin Thiele, but that is a matter for another day.

The Coorong is a complex interaction of water from a number of sources including sea water, the River Murray, rainfall and groundwater. It comprises a large saline to hyper-saline water body with also fresh water soakages and a number of ephemeral saline lakes.

The Coorong has even today come in for significant comment from people who would be regarded as experts. I do not think that we need to labour the point about the state of the Coorong but I want to quote from some of the experts, one of whom is Professor David Paton, a professor at Adelaide University, who is highly respected for his work, particularly in relation to the study of birds in South Australia. On 10 February this year in an article in the *Sunday Mail* he said: 'The Coorong is dying while governments squabble.'

As I said, he is not the only one making those comments. A wetland ecologist working with the South Australian environment department, Paul Wainright, was quoted on the ABC in 2007 (it does not give an exact day; it gives the web detail) as saying:

Over the past couple of years, we've been seeing smaller flocks, 10,000 and 20,000, and in 2006 we had a flock of 100,000 birds...

He was commenting on what has been happening to bird numbers in the area. In an article by Cara Jenkin in *The Advertiser* of 28 February this year, Dr Mike Geddes, an ecology and evolutionary biologist based at the University of Adelaide, said:

Salinity in the Coorong is now four times that of sea water, more than double the salt level recorded 20 years ago. The lack of fresh river flow, summer evaporation and ongoing inflows from the sea has pushed the salinity of the Coorong higher each year since the early 1980s. The salt levels are affecting the growth of water species such as plankton and ruppia, a type of water plant, which can make the surface of the water appear green.

He said that the Coorong should be only slightly saltier than sea water, in which salt is measured at about 35 parts per thousand. He went on to talk about some of the environmental issues confronting the Coorong.

Another expert (and there are many who have made comments about the Coorong) is Dr Peter Gell, who is one of Australia's leading Murray River ecologists. On 12 March this year, an article was published in *The Weekly Times* (which is a paper I strongly recommend to members if they want to know what is happening with water issues in south-eastern Australia). The article stated:

...it is time to rethink the future of South Australia's Coorong and the river's lower lakes. Ecologist Peter Gell said forecasts on the impact of climate change causing rising sea levels and major declines in Murray River flows raised real questions about trying to revive the Coorong and lakes Alexandrina and Albert. 'It becomes a philosophical question on deciding at what point do we give up and say reviving the natural system is unviable,' Dr Gell said. 'For the Coorong I think we have to look at putting in Lakes Entrance-style channels opening up the southern lagoon and Murray Mouth to the sea.'

He went on to raise issues relating to the world heritage listing of the Coorong under what is called the Ramsar wetland provisions, and its being an area of wetlands of world significance.

Today I received a copy of the *Flinders Journal* from Flinders University (and I would encourage members to read it: I am sure they all get it). In an article prepared by Peter Gill, Dr Simon Benger, a researcher at Flinders University, said:

> The ecosystem of one of South Australia's iconic waterways, the Coorong, is on the verge of collapse as a lack of fresh water pushes salinity to deadly levels...Dr Benger says the impacts of climate change are compounding more than a century of mismanagement of Murray Darling Basin water resources and, without a major injection of water, the outlook for the Coorong and the Lower Lakes of Alexandrina and Albert is bleak.

It goes on:

> Collapsing ecological systems, acid-sulphate soils, declining water quality, loss of livelihoods, shrinking lakes and the demise of local communities are but a few of the many problems impacting the Coorong and Lower Lakes region.

Dr Benger, who is based in the School of Geography, Population and Environmental Management at Flinders, stated:

> Researchers in our cluster have documented accelerated species loss throughout the Coorong, with many species of fish, aquatic vegetation and macroinvertebrates disappearing completely from the system or now restricted to smaller areas near the Murray Mouth.
>
> Dr Benger said rising salinity levels in the lakes—up to four times accepted maximum levels for Adelaide drinking water—were thought to be behind emerging problems such as the spread of polychaeate worms which build large calcareous mounds wherever colonies become established. Larger creatures such as crabs and turtles are being overwhelmed by the weight of worm formations on their shells and are dying in large numbers.

He also goes on to talk about the significance of the Coorong as a wetland of international importance, as I indicated earlier, under the Ramsar Convention.

We have a problem in relation to the Coorong. What can we do about it? I am not suggesting for a moment that nothing is happening down there. I think the Minister for Water Security is in a very difficult position, as is the federal minister, Penny Wong, in relation to the whole Murray system, and climate change. I think the South Australian Minister for Water Security is between a rock and a hard place. The Chaffey electorate is suffering greatly because of lack of water flow in the Murray-Darling system and trying, at the same time, to deal with a tight water situation throughout the state.

Ultimately, what will save the Coorong—as it will in relation to the Murray-Darling—is significant, sustained rainfall. I think we kid ourselves if we think that there is any other measure which is likely to deliver what is really needed: that is for the river system in the Coorong to get a major flushing of fresh water as a result of heavy, sustained rains upstream, as well as in the Coorong itself.

However, there are suggestions that have been made—and I do not profess for a moment to be an expert in this field—and I am sure the minister here and the federal minister are well aware of some of them. Some of these suggestions included making a channel to the sea, particularly to relieve some of the hypersaline water situation which occurs in the southern part of the Coorong. The cost of that would be significant. I have not seen any detailed costings, although other members may have, and perhaps the minister may be able to enlighten us. However, I am sure that would cost a lot. It is a similar principle to what happens in West Lakes on a smaller scale, where a pipe is used to bring in fresh seawater. As I indicated, the current salinity levels in the southern part of the Coorong are four or more times that of seawater outside of the system.

That is one consideration that could be looked at and would require, no doubt, federal money to help bring about a solution. That does not save the lakes (Lake Alexandrina and Lake Albert) but it could help the southern part of the Coorong. Another suggestion put to me, which I discussed with a member from the Upper South-East Drainage Board, was channelling some of the fresh water from the South-East into the Coorong, or making sure that more of it gets into the Coorong. However, as that officer told me, much of the water in the Upper South-East is itself somewhat saline, so if you wanted water with a lower salinity I guess you would have to draw it from further down in the South-East. Once again, the cost of that would be significant. They seem to be two feasible, but costly, suggestions that have been put forward by people who know more about the engineering aspects and the water situation in the South-East than I do.

I do not think anyone would argue about the seriousness of the situation there; the question is: what we can do? If those solutions are practicable they will require significant money, and my plea to federal minister Penny Wong is that the federal government come onboard. If they

are to be done, work needs to start as soon as possible. Clearly, it has to be planned and engineered, and it has to be feasible. As I indicated, I do not have the expertise to say whether or not they are feasible or cost effective, but we cannot just sit back and allow the Coorong to continue to deteriorate.

I hope we get significant and sustained rains for the sake of the irrigators along the Murray-Darling system and ultimately also for the benefit of those around the lakes, with some spin-off for the Coorong. However, my plea is that we need action. I am sure the two ministers are well aware of the need for action; I just hope the federal government will come to the party with some money.

Time expired.

Mr HANNA (Mitchell) (12:47): I rise to speak briefly in support of the motion. The member for Fisher is absolutely right to raise the issue of the Coorong; things are getting desperate and we do not have another 12 months to save it. We hardly need to be reminded that the Coorong is a Ramsar site—that is, an internationally recognised site of environmental significance—but it is literally dying. The marine life in the Coorong is dying as we speak, and it will soon be irreversible; we will soon lose forever the possibility of recovering the bird, fish and plant life that has existed in the Coorong Lakes for thousands of years.

It needs a desperately urgent approach. To her credit, the minister herself has acknowledged the urgency of the situation, but we need to act within the next few months. Unless there is a package forthcoming from this government or from the ministerial meeting on 3 July we will see the death of the Coorong; it will become nothing more than barren sand dunes with perhaps pools of water.

It may be that there is an engineering solution that we need to adopt, maybe there needs to be a channel or a pipe cut through to allow water to get into the Coorong; otherwise we will be faced with that sort of environmental disaster. I leave my remarks there, and simply wish to add that sense of urgency to the debate.

The Hon. L. STEVENS (Little Para) (12:49): I move to amend the motion, as follows:

After the words 'That this house' insert 'recognises the state government's efforts to protect and manage the internationally significant Coorong'.

An honourable member interjecting:

The ACTING SPEAKER (Mr Koutsantonis): Order!

The Hon. L. STEVENS: When one reads the original motion by the member for Fisher, in spite of his concerns in relation to the Coorong, one could ask if only it was as simple as that motion tends to suggest. Of course, this problem has been decades in coming. It involves four state jurisdictions and the commonwealth, numerous stakeholders with their own competing agendas and, quite frankly, the only serious effort from the commonwealth has just commenced with the Rudd government in office for less than a year. So, to even suggest that the South Australian government on its own could act to save the Coorong really is naive in the extreme.

However, the South Australian government has been working hard to address the problems that are being faced by the Coorong and the Lower Lakes sites. I would like to put on the record some of the things that have happened. The Coorong and the Lower Lakes, as everyone knows, are suffering from long-term drought conditions that have been exacerbated by land use change and over allocation of water within the catchment. As I have just mentioned, we are now seeing the end result of these things that have occurred over many years.

In recent times, the current minister for the environment wrote to the former commonwealth minister for the environment on 24 August 2006, advising of the serious deterioration of the Coorong and Lower Lakes. On 13 December 2006, the commonwealth minister (a signatory to the Ramsar Convention) wrote to the Secretary General of the Ramsar Convention notifying of a change in the ecological character of the site.

Current lake levels are the lowest on record and salinity in the southern lagoon of the Coorong is four times that of sea water. The aquatic ecological condition will continue to deteriorate subject to these water quality and quantity parameters. Distribution and coverage of the aquatic riparian plant has declined significantly. That plant plays an important role as habitat structure and food source for many of the Coorong inhabitants and migratory visitors.

The Lower Lakes barrage fishways have not operated since March 2007 as no fish movement has been able to occur between the estuary lakes and river. This connectivity between

water bodies is important to many species for completion of life cycles. In addition, no significant barrage discharge has occurred since 2005.

The Murray Mouth estuarine zone is becoming marine in character and no salinity gradient exists; however, the open Murray Mouth maintains tidal freshening and mud flat inundation and exposure within the estuary and parts of the northern lagoon of the Coorong.

The Coorong and Lakes Alexandrina and Albert Ramsar Management Plan of 2000 guides the management of the site and work is under way to review that plan with the guidance of the Coorong and Lower Lakes Ramsar Task Force. It should be noted that the site is one of few Ramsar sites with an overseeing body like this. The Coorong National Park Management Plan is also under review.

The Water Security Task Force has a key leadership role in the government's negotiations and actions in regard to drought in the Murray-Darling Basin and it has investigated planning and acting upon monitoring and research to provide solutions to threatening processes and issues. These include the decision on Wellington weir, the management of acid sulphate soils, native fish trans-location and potential water flow scenarios for the river and lakes.

The Murray-Darling Basin Commission and the South Australian government have continued to find and manage the dredging of the Murray Mouth. This activity retains a healthy ecosystem within the Murray Mouth estuary and with the northern lagoon of the Coorong through maintenance of tidal signature.

The commonwealth and state governments are working together to re-establish historical flow paths with the South-East of South Australia. This will lead to water course flows entering the southern lagoon of the Coorong at Salt Creek. In wetter years significant benefits will accrue to the Coorong—again, in wetter years. Unfortunately, the drought shows no sign of abating at this point.

Extensive environmental monitoring takes place throughout the Coorong and Lower Lakes in order to implement strategies contained in the Coorong National Park Management Plan, the Ramsar Plan and the Lower Murray icon site plan. The data feeds back into the environmental management programs for the Coorong and the Lower Lakes. Post-drought issues include the ability to operate the lakes for barrage release. There will be competing basin-wide demands to refill storages across the Murray Darling Basin. We are already seeing that. Significant volumes of River Murray water will be required to refill lakes to full supply levels.

In the meantime, the state government has put in a short-term intervention, with pumping from Lake Alexandrina into Lake Albert to protect ecological collapse. The River Murray environmental manager is advocating for greater inflows to the Lower Lakes, the Coorong and the Murray Mouth icon site, and for the establishment of end-of-system water targets. Ultimately, the solution will require all jurisdictions to participate in the development of a basin plan pursuant to the Water Act 2007 to ensure that water allocation is sustainable within the catchment to ensure the long-term viability of both upstream river reaches and downstream wetland habitat.

The Natural Resources Committee is looking at this issue at the moment. We have just completed a field trip to parts of the Murray-Murrumbidgee section of the basin where we looked at the river in relation in relation to Mildura, Deniliquin, Griffith and a number of other areas around that part of the river. It is just so clear that we cannot wait; we need to do something quickly. We need to do as much as we can, as fast as we can, recognising, of course, that this is the end result of decades of inaction right across the country and in all those jurisdictions.

It is pleasing that the Minister for Water Security and the Premier recognise the urgency of this. We will be pushing these matters forward at the next COAG meeting, which I understand is in a few weeks' time. Clearly, something has to happen. But, most of all, people right across all of those jurisdictions have to take seriously the fact that this is a real tragedy for the environment, the economy and for the health of Australia's major river, the River Murray.

We can only hope that that action will occur, because we know that at the end of the line the Coorong and the Lower Lakes are in their death throes. I commend the efforts of the state government. I ask it to continue those efforts strenuously. Every one of us needs to take whatever action we can as individuals to encourage all jurisdictions to take the action that is required.

Time expired.

Mr WILLIAMS (MacKillop) (12:58): In recognising that time is very limited, I will in a moment seek to continue my remarks. The member just made a very cogent argument not to

support her own amendment when she said, 'We cannot wait; we have to do something quickly.' I thought that that is what the original motion states. The original motion states:

That this house calls on the state government to act promptly to save the internationally significant Coorong from environmental disaster.

That is what the member just said: 'We cannot wait; we have to do something quickly.' She went on to say, 'Clearly, something has to happen.' That is what the member just said.

The member has moved an amendment to say 'that this house recognises the state government's efforts to protect and manage the internationally significant Coorong'. She then goes on to say, 'Clearly, something must happen.' What were the efforts? What have been the efforts that this house is going to recognise under the amendment moved by the member? Give me a break.

Debate adjourned.

[Sitting suspended from 13:00 to 14:00]

COUNTRY HEALTH SA

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 423 residents of South Australia requesting the house to urge the government to continue funding of Country Health SA services at existing hospitals and health facilities in rural South Australia.

WORKCOVER CORPORATION

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) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.D. RANN: Today, in Executive Council, His Excellency the Governor gave assent to the WorkCover Corporation (Governance Review) Amendment Act 2008 and the Workers Rehabilitation and Compensation Amendment Act 2008. The government's WorkCover reforms have now passed into law and most of the reforms, both legislative and administrative, will come into effect on 1 July 2008. The legislation fulfils the government's commitment made in this house in March 2007 to have reforms operational by 1 July 2008.

The reforms will help deliver the objectives set by the government when the WorkCover review was announced. They are:

1. Injured workers should receive fair and equitable financial and other support, that should be delivered efficiently and equitably to enable the earliest possible return to work.

2. The average employer levy should be reduced.

3. The scheme should be fully funded as soon as practicable having regard to these objectives.

Most importantly, the change to the WorkCover scheme will help deliver a healthy and viable scheme to support future generations of workers who may be injured. The changes were necessary to address the lowest return-to-work rates in the country, a scheme that was failing workers, an unfunded liability approaching $1 billion, and nationally uncompetitive levies. As a Labor Premier committed to the interests of workers, I was not prepared to stand by and preside over the slow and inevitable demise of WorkCover, which is critical to the protection of injured workers. I was not prepared to stand by and watch the cost of the scheme grow, reducing the state's competitive advantage and risking damage to our employment base.

Ms Chapman interjecting:

The SPEAKER: Order! The deputy leader will come to order.

The Hon. M.D. RANN: The reforms deliver entitlements to injured workers that overall compare more than favourably with schemes operating interstate. It is no secret that the government faced strong opposition to the reforms from some unions and lawyers. Notwithstanding that opposition, and in some cases the puerile personal attacks on ministers, the government remained on the course of responsible action.

The opposition belatedly supported the reforms. We heard what they said on day one, then there was something different on day two, and then there was something different on day three. The opposition belatedly supported the reforms following the intervention of the South Australian business community. That is hardly leading from the front: that is hardly setting the agenda.

I remind the house that, when Alan Clayton was engaged to undertake the independent review of the WorkCover scheme, we embarked on an extensive process of consultation. Many unions and employer groups made written submissions and made presentations in person to Mr Clayton. Following the introduction of the legislation into the house, I invited interested parties, including unions, to make suggestions on how to improve the bill. As a result, the government introduced amendments to aspects of the scheme, particularly relating to injured workers' entitlements. We were prepared to listen and make critical amendments. No-one can credibly claim that there has been insufficient consultation over the reforms. No-one can claim that they were not listened to.

The government also accepted an amendment to the WorkCover legislation requiring a review of the impact of the changes to be undertaken as soon as practicable after December 2010. The reforms to commence from 1 July include:

- changes to weekly payments;
- the establishment of a WorkCover ombudsman;
- the creation of a $15 million return-to-work fund;
- allowing the Auditor-General to audit WorkCover statements; and.
- an increase in death benefits to $400,000.

It is anticipated that the remaining changes to the WorkCover legislation will be phased in over the next 12 months and include the introduction of:

- medical panels;
- modified work capacity reviews; and.
- rehabilitation and return-to-work coordinators.

A sensitive and comprehensive information campaign about the upcoming changes will be provided to all injured workers and interested parties so they are aware of how they will be affected. The royal assent given to WorkCover today: WorkCover in this state being brought into line with other Labor governments around the country.

SOLAR FEED-IN LAWS

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) (14:07): I seek leave to make another ministerial statement.

Leave granted.

Mr Hamilton-Smith interjecting:

The Hon. M.D. RANN: I heard the interjection from the Leader of the Opposition. He would give into any demand. He would say anything to anyone. He does not believe in anything. He does not even remember what he said—

Mr WILLIAMS: Mr Speaker, I rise on a point of order. I thought the Premier had been given leave to make a ministerial statement, not to enter a debate.

The SPEAKER: Order! The Premier has been granted leave, but I urge members not to interject.

The Hon. M.D. RANN: It is my great pleasure to announce to the house that today a proclamation was issued following Executive Council with the Governor to commence the nation's very first laws that allow South Australian households to sell solar electricity into the state grid. The feed-in scheme will operate from 1 July 2008 and will reward households with solar electricity by paying twice the market value for excess electricity returned to the grid.

These groundbreaking new laws that recently passed through this parliament will take effect from the beginning of next month. The Electricity (Feed-In Scheme—Residential Solar Systems) Amendment Act will allow South Australian householders and small energy consumers

using solar panels to be paid a premium for the surplus of electricity they generate and feed back into the electricity grid. I am advised that owners of solar panels will be rewarded with a guaranteed credit of 44¢ cents for every unit of electricity (or kilowatt hour) they feed back into the grid, which could equate to a bonus of nearly $400 annually for the average household.

Once again, South Australia is the national leader in supporting renewable energy technologies as part of our multi-pronged approach to tackling climate change. That is why we will achieve our legislated renewable energy target of 20 per cent by 2009, five years ahead of schedule, putting us in not only a national but an international leadership position. South Australia is the national leader in the market for small-scale grid connected solar power systems.

I am advised that, at the end of 2007, more than 2,000 eligible solar photovoltaic systems were operating in South Australia, with an installed capacity in excess of 3,500 kilowatts, returning more than two million kilowatts hours to the electricity grid a year. I am further told that this means that, for every 100,000 households, South Australia has three times the number of small-scale solar installations of anywhere else in Australia, which is nearly seven times the national average in terms of solar power.

With the introduction of our feed-in tariffs, which act as an incentive to install more solar panels, we expect more and more households to take up this renewable energy option. Solar panel owners will soon receive a letter through ETSA informing them of the new scheme and encouraging them to take part. As members know, the incentive will apply to small-scale grid connected photovoltaic installations and can include small businesses, schools and churches as well as households and it will be in place for 20 years. By providing this incentive, the feed-in tariff scheme is an added means of allowing people to tackle climate change in their own homes or businesses.

The federal government has made a commitment to harmonise state and territory feed-in schemes. Once again, as we have done with other things, such as our own purchase of electricity, we are setting the example to the rest of the country. I am pleased to say that, since we have announced what we are doing, already Queensland and Victoria have announced that they are adopting the model established in South Australia. To help facilitate further national consistency, I will be writing today to other premiers and chief ministers around Australia to commend the scheme to their respective jurisdictions and to offer support in implementing the incentive.

The South Australian government has been raising the profile of solar energy by progressively installing solar panels on our most prominent buildings. Two weeks ago, I announced an investment of $8 million in a one megawatt solar installation—the first megawatt solar system on any roof in Australia—at the Adelaide Showgrounds. This will be around five times the size of the next largest solar array of this kind in Australia, which is located at Melbourne's Queen Victoria markets—five times bigger than anywhere else in Australia. This follows the installation of solar panels on Adelaide Airport, the State Library, the South Australian Museum, the Art Gallery and Parliament House. The state government is also in the process of installing solar panels on 250 schools across the state.

This government is committed to supporting solar energy because it provides an opportunity for consumers to participate directly in tackling climate change. Our proposed new feed-in law was announced in September 2006 and was backed by Don Henry of the Australian Conservation Foundation and Thinker in Residence Professor Stephen Schneider. I am advised that the feed-in measures have been introduced in 16 of the 25 European states and another seven countries outside Europe, including Canada, China and Israel.

Leading by example is important, and that is why South Australia introduced the nation's first feed-in legislation. It is why South Australia passed the first climate change legislation in Australia, which at the time was only the third jurisdiction in the world to do so. It is also why we have sustainability targets in the South Australian Strategic Plan. Many of these targets are extremely ambitious and will be a challenge to achieve, but they include improving the energy efficiency of government buildings by 25 per cent by 2014.

Although the SA Government Energy Use Annual Report mentioned in the media today is yet to be seen by cabinet, the Minister for Energy informs me that we are making very good progress in achieving energy efficiencies. And just remember this: by 2014, 50 per cent of the power purchased by the South Australian government will come from renewable energy, and I challenge anyone to find any other government in the world that has a similar level percentage of purchase.

It should also be noted that we intend to achieve carbon neutral status by 2020 by purchasing accredited green power and other carbon offsets. We want to be the first carbon neutral government in the world. Achieving carbon neutrality will also include government departments working to improve their building's energy efficiencies.

Being a leader is not about setting easy targets; it is about vision. It is about setting high benchmarks and never giving up on them. That is why South Australia is a leader in tackling climate and supporting renewable energy in this nation.

PAPERS

The following paper was laid on the table:

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

Adelaide Film Festival—Report 2006-07

NATURAL RESOURCES COMMITTEE

Mr RAU (Enfield) (14:15): I bring up the 17th report of the committee, entitled Natural Resource Management on Kangaroo Island.

Report received and ordered to be published.

VISITORS

The SPEAKER: I draw to honourable members' attention the presence in the chamber today of students from St Joseph's School, Tranmere, who are guests of the member for Hartley; students from Wallaroo Mines Primary School, who are guests of the member for Goyder; and students from East Adelaide Primary School, who are the guests of the member for Norwood.

STANDING ORDERS SUSPENSION

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:16): I move:

That standing orders be so far suspended as to enable me to move a motion of no confidence in the Minister for Health in lieu of question time.

The SPEAKER: I have counted the house and, as there is an absolute majority of the whole number of members of the house, I accept the motion. Is it seconded?

An honourable member: Yes, sir.

The SPEAKER: The question is that standing orders be suspended.

Motion carried.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:17): I move:

That the time for the debate be one hour.

Motion carried.

NO CONFIDENCE MOTION: MINISTER FOR HEALTH

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:18): I move:

That this house has no confidence in the Minister for Health for his failure of leadership across the health portfolio, resulting in the resignation of over 130 doctors, the collapse of essential health services in metropolitan Adelaide, and for the introduction of a country health plan which puts lives at risk across the state:, and that the house calls on him to resign and, if he fails to do so, that the Premier removes him for his failure to safely and effectively manage the public health system.

How did it get to this? The health system is in crisis. In February 2002 the Premier described, with crocodile tears in his eyes, the situation where patients waited on trolleys in corridors. He is trying to trivialise the health crisis—look at him; trying to have a joke. The Premier said it was a 'genuine health crisis'. When he was offering himself to be elected, he said:

People are scared they will end up on a trolley in a hospital corridor, waiting frantically for 24 hours or more to be admitted.

He got himself elected and then, rather than do something about it, it got worse. Under the watch of the Minister for Health, doctors are resigning. In doing so, they publicly reveal that patients waiting on trolleys in corridors is an everyday occurrence under this Premier and this minister. In some cases they are there for five days at a time. One patient spent five days in a corridor, according to

doctors. This is the South Australian health system in 2008 under state Labor. Instead of minister Hill spending money on his radio ads, perhaps he should commission a report into why that patient spent the best part of a week in a hospital corridor.

Doctors are handing resignations to the minister en masse. Dr David Rodda of the Queen Elizabeth Hospital has quit because he has had 'a gutful'. He said he 'has just got to the point where I have just had a gutful, it has all become too hard.' There are 44 anaesthetists who have handed their resignations to this minister, and 50 emergency department doctors have quit the health system this minister is mismanaging. Including other letters received, there are over 130 doctors willing to resign who do not want to work for this minister and this minister's health system. And what does the Premier and his health minister say to these people? They accuse them of blackmail and extortion. Well, that helps. These doctors are treating the dying every day, people in pain—

Members interjecting:

Mr HAMILTON-SMITH: They think it is a joke, Mr Speaker; they think our health system is a joke. The member for West Torrens thinks it is a joke, the member for Mount Gambier thinks it is a joke. Anyone else? Well, it is not a joke; these doctors are looking into the eyes of injured people pleading for their help. Some of them die in emergency departments, some lose limbs, their families wait anxiously, and this minister will not listen to them. It is little wonder that three senior chief executives of public hospitals—the Royal Adelaide Hospital, Flinders Medical Centre, and the Women's and Children's Hospital—have left their posts under the regime of this minister. This is a health system in crisis, and the Minister for Health is responsible for it. He should resign.

The Hon. K.O. Foley: It is not in crisis.

Mr HAMILTON-SMITH: It is not in crisis, says the Treasurer. He wants to spend his money on half a billion dollars-worth of trams. Where? To his own electorate. And he says the health system has not got any problems, it is not in crisis. That is the Treasurer, that is the member for Port Adelaide, that is the bloke with the cheque book. The health system is not in crisis, it is all wonderfully sweet. He should answer to the people.

Mr Speaker, cast your mind back 12 months. The writing was on the wall. Nurses were imposing bans on non-urgent elective surgery, psychiatrists working in the state's public hospitals pushed ahead with up to 60 resignation threats, and our public dentists were offering patients free treatment as their work bans escalated. We are witnessing a pattern of behaviour; Labor's arrogance and bullying tactics have alienated an entire sector. Who suffers as a result of this poor management of the health system and its key workers? Well, the ones suffering are the most vulnerable in our society—the sick and the injured in need of help—and all because this Premier and his minister need the health budget to pay consultants to put together a funding model for this shiny, multi billion-dollar hospital—a monument to Mr Rann and this minister, who dreamt it up.

As a government, have the guts to put that decision to the people at the next state election. Give them a choice: rebuild the Royal Adelaide Hospital or sink billions into the hospital we do not need. Put it to an election on 20 March 2010, let the people who depend on doctors and nurses have their say.

You are a gutless government. A choice between bricks and mortar or doctors and nurses—go on, show us how courageous you can be. Report after report has revealed that South Australia is increasing its spending on health, increasing the number of doctors and nurses, while at the same time getting the worst outcomes. The health system is badly run. It is the incompetence of this minister that has brought the health system to its knees. This government must take responsibility; this minister must start taking responsibility.

According to the Productivity Commission, SA has the highest ratio of all of full-time nurses employed in public health services and South Australia has a higher than average number of medical practitioners. Many of these were brought into the public system when the management of state-owned Modbury Hospital changed from a private company back into the health department. We did not gain any extra staff: they simply went—

The Hon. K.O. FOLEY: A point of order, Mr Speaker—

An honourable member: What's the standing order number?

The SPEAKER: Order!

The Hon. M.D. Rann: 303.

The SPEAKER: Order!

The Hon. K.O. FOLEY: Is the leader in order to be moving a negative motion critical of the government and then speaking in support of the government?

The SPEAKER: There is no point of order.

Mr HAMILTON-SMITH: We did not gain any extra staff: we simply fiddled the books. We moved nurses and doctors from the private sector to the government sector and then we went around and said to everybody, 'Look, we have increased the number of doctors and nurses. South Australia has more doctors and nurses.' Do you know what? They had the same as before; they just went from one employer to the other, and they have been regretting it ever since.

The Premier responds to any criticisms of his government by trotting out numbers that show that he spends more than any government ever, but using inflation and natural expansion to claim you are delivering a better service does not add up. More is not better; it is how you run the system that counts.

What is it our nurses are really doing, I ask the house? This government is using nurses for clerical work. This is confirmed by the Paxton report. The report also discusses the constant bailout of funding required for the health budget—another sign of bad management. The minister cannot manage his health budget but he can find taxpayers' dollars to fund his political advertising campaign to try to discredit our doctors during an industrial dispute. Shame on you for that alone, minister. The problem is that they do not have the support of this minister. They are not valued by this government and patients are suffering as a result.

The Hon. J.D. Hill interjecting:

Mr HAMILTON-SMITH: You will get your go in a minute. You explain to the doctors and nurses and the ill why you have delivered chaos. You will get your go. They sit up here day after day; we ask a question (tightly time-limited), yet they have unlimited time to blast away. They do not like it when it comes back. They have glass jaws when their failures are spelt out to the people of South Australia. Yesterday, TV news viewers were treated to the sight of the health minister claiming that his cuts to country health would deliver a better service. Perhaps he was not out on the front steps of Parliament House because the public saw on television last night doctors, nurses and administrators flatly rejecting his stupid claim. 'What would they know?' is the attitude of this health minister. What would people who treat patients and run hospitals know about health?

Representatives and CEOs from country hospitals were invited to a briefing on country health on budget day. Many of them were on their way to the 2 o'clock meeting when they received a phone call from the minister's office that there would be no briefing until 5pm. Why, you may ask? Because the Minister for Health was tabling the bad news for country health at 5pm on budget day in the hope that no-one would notice. He was so proud of it, he skulked out there in the depths of the afternoon hoping that it would slither and sink without trace. That is the calibre of this minister in facing up to the people in the health system whom he supposedly serves. Shame on you for that, minister.

One doctor told us how regional staff were prepared for the changes. The week before budget they were sent to the city for training. Was it training on health administration? No, it was not: it was media training. Media Mike. It was media training. That says it all about this government and this health minister. You love your TV ads, you love your radio ads, you have spent hundreds of thousands of dollars just in the last few weeks, but you cannot be bothered listening to the people who deal with emergencies, chronic disease and the aged. These are the people who deliver a child in a country hospital and then care for the child through to adulthood. They deal with almost every chapter of country people's lives. They know what you have done to gut their hospitals, and that is what you have done, and you will not listen to them.

If you want the truth, let us see the Reid McKay report into the true state of working conditions in our public hospitals. The taxpayers paid for it, they deserve to see it. This minister has kept it secret. Be prepared to be judged. Release the Reid McKay report. This minister talks and talks and talks. He assures, he assuages—the persuasive minister—but he fails the sick and the injured, he fails the doctors and nurses, he fails their families. We say to the minister: resign.

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) (14:32): Occasionally over the years, no-confidence motions have been politically dangerous. They were dangerous at the time when there was a majority of one, when governments

on both sides had to rely on the vote of an Independent. There were times, for example, in coalition when we had to rely on the support of Peter Lewis and had to determine which way he was going to vote. What we have seen with this Leader of the Opposition is the boy who cried wolf.

This is Thursday; it is the sixth day in a series. We have seen a pattern. 'When in doubt, what do we do?' The brains trust around the office, 'I know, maybe if we do a no-confidence motion. We didn't get a great run last night on the leader's address. Maybe if we have a no-confidence motion at least we're guaranteed that the tellies will run him. At least we are guaranteed that. Okay, it might say at the end it was defeated on party lines.' That is basically what this is about: 'How do we get on the telly today?' Of course, it is a bit the same when they are talking about medical figures. It is a bit the same as what the brains trust in the leader's office does on unemployment figures day. It must be really depressing for them that there are now 87,000 more people in jobs than when he was in cabinet.

Today, because they are written for him, he did not actually read through his speech before he read it out in parliament. He read out, with damnation on his face, the productivity council's report, which said that we have more doctors and more nurses per head in this state than in the other states of Australia. Then, suddenly, he went red in the face because he realised what he had just read out. Read the speeches that are written for you before you come into this chamber. Of course, his priority was not hospitals: his priority was not to have a new hospital but to have stadium.

The Hon. P.F. Conlon interjecting:

The Hon. M.D. RANN: Yes, we were wasting money on hospitals. That is what the Leader of the Opposition has said until today. He was going to have a $1 billion stadium. My challenge to him and the people of this state is: if you want a $1 billion stadium, vote for the Liberals, and if you want a brand new hospital at the centre of a rebuilt hospital system, vote Labor. That is what this is all about today. Let us look at the figures. This government has dramatically increased spending on health care since we came to office. This year we will spend over $1.3 billion more on health than the Liberal government spent in their last year in office.

If he thinks that is the inflation rate, then he is not qualified to be premier of South Australia. We have been successful in recruiting extra doctors. We now have 699 more doctors in our health system than when he was in cabinet—699 more doctors than when he was in power. We also have 2,406 extra nurses in our health system. The Labor government is rebuilding our health system, building a new emergency department, and extra capacity at Flinders, practically doubling the size of the Lyell McEwin Hospital, and rebuilding the Queen Elizabeth Hospital—the hospital the Liberals wanted to privatise. Just as we saw what they did to the Modbury Hospital and this government has brought them back into the public fold. Also we are building a new state of the art central hospital.

Let me tell the Leader of the Opposition, I have seen the polling and the people of this state know that Labor and this government is massively, overwhelmingly better for public health than the Liberals, whose only solution was to cut and cut and cut, and then privatise. If you want the next election campaign to be about public health, then bring it on: bring it on, because you can have your stadiums and we will rebuild our health system and employ record numbers of doctors and nurses.

We are also working to take the pressure off our hospitals. We are committed to employing an additional 20 staff in emergency departments, building GP Plus centres, one-stop shop primary health care across Adelaide, establishing the Health Direct Call Centre with fully trained registered nurses, and under the cooperative arrangements with the federal Labor government we expect to deliver real improvements in hospital care and primary care.

This rebuilding, this massively greater expenditure on health, was done at the time of a federal Liberal government that every time that we increased funding was taking its funding away. For years the federal Liberals cut their contribution to the states under the health care agreement. Instead of funding our hospital system as equal partners under a 50-50 arrangement, Howard and Abbott contributed barely more than 40 per cent to the cost of our hospital system. Eleven years of federal Liberal neglect, and those Liberals opposite have the audacity, the arrogance to preach to us. You, sir, are phoney on hospitals. You, sir, want only to cut hospitals and privatise hospitals, just as you did when you were in government. I was talking just a moment ago to Colin Heath in the gallery. He could see what is happening in this state and what would happen under the Liberals.

The industrial dispute: the state government has made a $260 million offer to the doctors' union and has committed to negotiate a fair resolution to this dispute; or, if you believe that your

answer is to cave into every demand, then my simple proposition to you, or to any industrial party, is if you do not think that we are being fair, then take it to the Industrial Commission, and let the independent umpire decide. We, on this side of politics, are prepared to accept the independent umpire's decision, even if we do not like it.

My message to all of the parties that are currently going through their three-yearly cycle of argy-bargy, is to listen to the independent umpire. We will negotiate with you fairly, but if you do not think that we are being fair, take it to the Industrial Relations Commission and you, we hope, will accept the independent umpire's decision.

Let us look at some of the things that are being said. The Leader of the Opposition led with his chin and said that he read the productivity report, which completely undermined his own argument and said that there were more doctors and nurses in this state per capita than anywhere in Australia. Well, let us have a look.

It says that the government offer will place South Australian Public Service doctors amongst the best paid in the nation. A senior doctor currently earning a remuneration package of about $199,000 will have an increase to about $325,000 under our arrangements. That is an increase of $126,000 over three years. Not many workers in this state, professional or otherwise, would get a $126,000 pay increase, and that is what we are offering.

Also, under our arrangements a senior emergency department doctor would earn a package of around $356,000. A senior anaesthetist not in private practice could earn a package of about $325,000, or up to $392,000 with private practice. In comparison, the doctors' union is seeking an increase in remuneration packages for emergency department doctors in excess to $424,000, for anaesthetists an increase to $453,000, for an anaesthetist with private practice an increase up to $532,000. Wouldn't every worker in this state like to have increases like that?

We are not going to be generous; we are going to be fair, and we are prepared to listen to the independent umpire. But the Leader of the Opposition is totally, absolutely phoney, because, when they were in power, in association with the federal Liberals, all they did was cut, cut, cut public health, try to Americanise the system, and try to ringbark the public hospital system—of course, ultimately, with one desire and one desire only: to do to our public hospitals what they did to our power system, which was to privatise the lot.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:42): In May 2006 the Treasurer announced that his budget was under such enormous financial pressure that he would have to delay the state budget for months and go and get a consultant's advice in New South Wales, because the health costs were such a pressure on his budget. That is how desperate the financial situation was in South Australia.

The Hon. K.O. FOLEY: I have a point of order, Mr Speaker. Just to clarify, is this a no-confidence motion in me or the Minister for Health?

The SPEAKER: There is no point of order. The Deputy Leader of the Opposition.

Ms CHAPMAN: Thank you. At the same time, in May 2006, the Minister for Health and his advisers, along with the Premier and his advisers, were burrowing away into how they were going to plan a $1.9 billion hospital. I can imagine how it went. It went something like this: 'Everyone else in Australia is building a new hospital. We need one. In Hobart in Tasmania they are building one in a railway yard; perhaps we will do the same.' While the Treasurer is saying our budget has to be delayed for four months, they are planning and plotting a new $1.9 billion hospital.

As if there was not enough money to throw around, they decided they might waste a bit more. They moved down to the Modbury Hospital, having said they were going to deprivatise it. What was the cost of that? The cost of it was $42.5 million for this state to pay out the Healthscope contract, the extra cost of running the hospital for the length of the contract, and the loss of $5 million a year in payroll tax alone. That is how costly that little exercise was. Of course, the real purpose was to bring the staff back so that they could strip that hospital of obstetrics and paediatric services.

Then we have the next pearler. While the minister is sitting in cabinet and listening to the Premier announce that he is going to build a $47.5 million film production studio in the middle of the Glenside Hospital, of course, other ministers are saying that we will have to sell off half this site to pay for the redevelopment. But, no, they have got $47.5 million, for the Premier to pay $2.5 million for a big slice of the hospital—

An honourable member interjecting:

Ms CHAPMAN: Read the budget papers—and $45 million to put a studio there. We have so much money. However, the Premier is in New South Wales trying to get some advice about how to put a budget together. You tell me about the fiscal responsibility of this government. Here is the last little pearler. They are going to build the Marjorie Jackson-Nelson Hospital and bulldoze the Royal Adelaide Hospital. What are they going to do? At a cost of $15 million, they are going to relocate the renal transplant unit (which is happily accommodated at the Queen Elizabeth Hospital) at the Royal Adelaide Hospital, which they are going to bulldoze. That is an absolute ripper of a financial fiscal responsibility.

When things start to fall apart, the bureaucracy goes out of control. Three CEOs do not even want to work for the government in their hospitals. They do not want to give us the Paxton report. It is like pulling teeth to get that out of them. That tells us fairly and squarely about the extraordinary waste under this minister. They will not show us the Reid McKay report, the IMVS due diligence report, or even the food report into public hospitals, because they are embarrassing. Their own FOI officer tells us that they will not release these reports because they could be used for mischief. Well, it would be mischief all right, because the people of South Australia are paying tens of thousands of dollars and they need to see these reports.

Of course, we have the failure in both public health and safety. For instance, for elective surgery, one in five patients wait for more than a year for a hip replacement in this state and a 6½ hour average wait in emergency departments—the worst in the nation for an emergency department. Let the minister go to Flinders Medical Centre. This week it is on code grey. Code grey means that they are in serious trouble in the emergency department. Code grey means that there are 20 people waiting in the corridors to get a bed. That is how serious it is at that hospital—and that is this week under his management.

Let us look at protecting the public in the street. He cannot even protect South Australians from an HIV-infected person who is currently charged with the multiple wilful infection of people. For two years that was hidden from the people of South Australia. What does this minister do about it? He has a review. Has anyone been sacked over it? Not a one. An absolute mismanagement, leaving people at risk in this state. Let us look at the workforce mismanagement. First of all, we have the cosy little deal with Dr Chris Cain (former AMA president): $70 million extra for some specialists as we go into the 2006 election—not all specialists just some specialists: the neurosurgeons and few others who were cherry picked; a few little sweetheart deals.

You made a rod for your own back, minister, because, in the past two years, we have had protracted disputes, threatened resignations, interruption to patient treatment, nurses, radiologists, psychiatrists and intensivists all out there—the intensivist was a winner. Of course, in January 2007, the Royal Adelaide Hospital, the major tertiary hospital in this state, was threatened with loss of accreditation, and we had to quickly do a little deal. Little wonder that we now have 100 resignations placed on the minister's desk and the future of trainees put at risk.

What has gone wrong? First of all, he sent the minister sitting next to him to try to manage this. This is the man who oversaw a $1 billion blow-out in WorkCover—and he sent him to handle the negotiations! That is mistake No. 1. Mistake No. 2 is to sabotage the negotiations. When you try to resolve a matter—10 months later at this stage—you have to come to the table in good faith, put the information fairly and squarely on the table, and also send the representative who has the authority to make the decisions. This minister has failed in every single one of these matters. All he has done is have a public fight with the doctors about who is earning what and what they should be earning. He does not even have the decency to disclose the Reid McKay report and put that information on the table.

Even when he fails to put his message across, he uses more taxpayers' money to have an ad campaign to try to convince them that he is right and the doctors are wrong. Be honest, the minister has to disclose this information. This is the absolute ultimate failure in the minister's conduct in relation to this exercise. Ten months down the track, he is telling the people of South Australia that, as the Premier did today, it is up to the commission—'I will leave it to the commission.' The minister knows full well, or he should know—or get advice from the bloke sitting next to him—that enterprise bargain agreements are not arbitrated by the commissioner.

The commissioner has a due role in this jurisdiction to provide advice, support and guidelines—you should tell the Premier this, because obviously he does not understand that there is an independent umpire's decision. That is a complete furphy. The truth is that they have an advisory capacity and, if the minister and the Premier are genuine in saying this to the people of South Australia, they need to come clean on this. They have to say to the commissioner: 'With all the information before you—and we will give you the Reid McKay report—you put a

recommendation and we will undertake to accept your recommendation.' That is an independent umpire. But he will not do that. He obviously does not have a clue about what he has to do to achieve it. Meanwhile, all the patients who had their elective surgery cancelled and who are at risk of major trauma in those hospitals remain in pain and at risk.

The final insult that has been issued this week to the people of South Australia as the news has filtered out after the secret little Country Health Care Plan is the utter discrimination against country people. There has been an absolute public outcry about this. Even the nurses federation came out this morning and condemned aspects of this program. Other speakers will speak on this, but it will be very interesting to see how the member for Chaffey and the member for Mount Gambier vote on this motion. I will be watching that very carefully, and so will the people in their electorates. I have received piles and piles of complaints about the inequity, how it would fail—

An honourable member interjecting:

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

Ms CHAPMAN: Interestingly, I have received a memorandum, purportedly from the Department of Health. It tells us that the consultation claim is a sham; that it is a misleading and shallow analysis of the data; that the four hub hospitals will not work because they are in the wrong place; that it will decimate the local towns; that it is inconsistent with the government's mantra; and, in fact, when it talks about remote areas, it will be a blatantly dangerous and ignorant plan. The rest of South Australia is telling you this. Let me read from a letter that arrived this morning from a lady at Mannum. She said:

> May none of Mr Hill's kith and kin have the misfortune to be in dire need of acute care whilst out in country SA—as they may just end up shit creek without a paddle with this new doctrine.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:52): Mr Speaker, may I, on behalf of all parliamentarians, apologise to the schoolchildren in the chamber today.

Ms CHAPMAN: I rise on a point of order, Mr Speaker: we did the apology on Tuesday.

The SPEAKER: Order! There is no point of order. The Treasurer.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Mr Speaker, I would ask that the deputy leader now withdraw the slur she just made on the parliament's apology on Tuesday.

Members interjecting:

The SPEAKER: Order! There is no need for the deputy leader to withdraw. The Treasurer has the call.

The Hon. K.O. FOLEY: I would like to conduct this debate with a degree of dignity. I would again say to members opposite that we are on public display for our behaviour in this chamber. We have with us a large number of impressionable schoolchildren and, on behalf of the government, I would like to apologise to the students in the gallery for the language just used by the Deputy Leader of the Opposition. I will let her reflect in a quieter moment on the use of that word when the gallery is full of schoolchildren. I think that was a very unfortunate incident.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I reflected last night in a speech—and I will touch on that now—that when we were in opposition the Labor Party was a formidable opponent. However, we fought from a position underpinned by philosophical beliefs, as a Labor Party.

Members interjecting:

The Hon. K.O. FOLEY: I know that members opposite have not got over what happened seven years ago, but we fought from a philosophical position. What we see today in the modern Liberal Party must make a number of senior Liberals extremely disappointed, because this is a party that will throw away the philosophical and moral support base that it has had for a century.

This modern Liberal Party in South Australia would have us believe that it would be fair to workers, that it would be prepared to pay any wage that a union asked for. That is what they said

yesterday when even the member for Unley said, 'We're not paying the teachers enough.' Do people honestly believe that the conservative side of politics would be a side of politics in a modern parliament today arguing to pay unions whatever they ask for; a political party that would be critical of a government for reforming WorkCover? The truth is that that is not a conservative party's philosophical base. However, the team over there does not have the honesty or the decency to stand behind the Liberal philosophy and cause when it brings policies into this parliament.

In regard to wages, we have a classic enterprise bargaining dispute where one party wants more than what the other party is prepared to give. That is not a new occurrence; it is a stock standard procedure in these types of disputes. I will make a prediction: there will be a settlement; we will reach agreement—because we always do. What you do not do is offer up what the union ambit wants. I seriously doubt that anyone on the Liberal side of politics would ever be expecting that.

I find that, in earlier days (perhaps a year ago) the Leader of the Opposition was more honest and was basing his attack on government from the Liberal Party's philosophical base. He criticised me when he said that our state credit rating was under threat. He said the reason was 'Treasurer Foley's inability to contain state debt, combined with public sector growth in wages'.

A year ago I was being criticised for putting our finances at risk because we had not controlled wages. However, for the purposes of this argument, we are being criticised for not paying enough. The Leader of the Opposition is a master at contradictions. He hopes one will never remember what he said earlier. However, there was a classic one after the budget where he said:

> The rate they're going they're running out of money; they're awash with cash.

He normally takes a day to contradict himself, but he contradicted himself then in the same sentence. That is what we are dealing with.

Then, what does he do? He says, 'We are not going to build a new Royal Adelaide Hospital; we are going to upgrade the current one.' We have already said what that will be. He might say $300 million, but it will take 15 years, not seven.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: I have not made that up.

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: The leader just said, 'Unless you can prove it, you've made it up'—unless it is based on fact. What about the consultant's report into the stadium that you would not even release, or say the name of, or even who did it? What the Leader of the Opposition is saying is that we will rebuild the Royal Adelaide Hospital; a construction site for 15 years; that we would maybe save $300 million. Then what does he say?

Mr Hamilton-Smith interjecting:

The Hon. K.O. FOLEY: That is interesting, because approximately $200 million of that is for the relocation of the railyards. If you go ahead with your Federation Square or your new stadium or entertainment centre, you are still going to have to move the railyards. So you will still have to spend the 200, and 500 minus 200 equals 300. What does he want to do with that $500 million? Oh, 'Let's pour it into wages.' So, is that $500 million per year, or $50 million a year over 10 years, or $25 million over 20 years? What is it? You are taking capital and putting it into recurrent.

I have here a great read, the 'Too Little Too Late' document. What does the Leader of the Opposition criticise the government for? Remember, he said today that he will take half a million dollars earmarked for capital and spend it on recurrent salaries, but what do we see on page 11 of the document? It states:

> Including GST and windfall gains from other taxes and charges from 2002-03 to 2007-08, the government will have collected a massive $3.7 billion more than they expected. Had this larger total been provisioned for infrastructure into a future fund and not spent on recurrent expenses, state Labor could have paid cash for...[the] electrification of [our] rail [system]...

Putting aside the nonsense of that particular piece, I agree with the essence of what he said: you should not spend money for capital on recurrent. He attacks the government, saying it should not have spent all this money on recurrent but should have spent it on capital, yet in today's argument he says, 'Let's not spend it on capital, let's spend it on recurrent.' It is a hollow argument and one that has no theme of consistency.

I will end on this. Whatever our faults as a government, whatever our weaknesses, whatever the Labor Party stands for (which some agree with and some do not), at least those of us on this side of the house have a philosophical underpinning of our policy formation. With Labor, what you get is what you see. I do not believe it would actually occur in government but, for the purposes of getting a headline and getting into government, members opposite have mortgaged their philosophical position and their moral authority as Liberal politicians. They have been prepared to jettison their philosophical beliefs and long-held traditions as a Liberal Party to behave in a manner that is all things to all people in order to get into government. We have seen Liberal governments operate in this state, and we have seen that they do not do what they say. South Australians will not be fooled into voting for a political party that says what they say, knowing that it is not the Liberal way of doing things.

In support of my parliamentary colleague the Minister for Health, I would also like to say that, in my view, he is the best health minister this state has probably ever had.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Lea Stevens was an outstanding minister, but in this case John's workload over the last two years has, in my view, shown him to be the best performing health minister this state has had—on both sides of politics. Members opposite have moved a no-confidence motion in someone with the courage and ability to rebuild our hospital system, to rebuild our state's health system. They have picked the wrong minister.

The Hon. R.G. KERIN (Frome) (15:04): I rise in strong support of the motion, and point out that the Deputy Premier's contribution was probably based on the lecture he got from Janet Giles.

Yesterday the government saw, but failed to acknowledge, the anger building in rural communities over the Country Health Care Plan. Given the tyranny of distance and the cost of travelling nowadays, it was a huge response, with a thousand people there—including a few nurses I spoke to who were told they were not allowed to attend but who felt so strongly that they chose to do so anyway. Country people rightly see this as an attack on their communities, their families, their future, their businesses, their services and very much their dedicated health professionals.

Yesterday we heard the Minister for Health selectively choose articles and a letter written about the plan. Minister, get your clipping services working because they have ignored 99 per cent of the opinion. I did not hear the minister quote the many concerned doctors who have already spoken out nor did I hear any mention from the minister of the *Flinders News* article about how up to 200 country doctors are planning to resign nor any mention of the editorials screaming for the rights of country people and the fact that they have been betrayed. Yes, I concede that there may be four communities which benefit but, minister, what about the other 54 communities and all their smaller satellite towns and remote areas? You are dividing rural South Australia. You have picked four winners and dammed the rest.

Minister, I have wondered ever since the plan was secretly released in the slipstream of the good news budget whether you and I are talking about the same plan.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: The one I have is nowhere near as generous to country community hospitals and GP Plus emergency hospitals as you continue to claim. I wonder what your colleagues on that side have been told and given. I am never discourteous enough to attribute discussions outside the house but I would point out to the two members I was talking to last night that my copy, and that on the website, does not have 'draft' plastered all over it; in fact, I cannot even find the word 'draft' in the entire document.

Minister, I might not be as clever as your bureaucrats but I do understand rural communities and I understand that for many years, due to better transport, technology and viability, we have as good as lost many of our communities. It used to take a longer time to travel a given distance; so, as we have got better vehicles and better roads, towns and communities were rationalised—in fact, they have got closer. However, I am here to tell the minister that that process has actually ceased and, for the first time ever, it is being reversed by the government's neglect of rural roads to the extent that speed limits are currently being progressively reduced by this government, extending travelling times between hospitals.

The Hon. K.O. Foley: Saving lives, Kero. It's saving lives.

The Hon. R.G. KERIN: It doesn't save lives when you take longer to get to a hospital. This plan threatens to reduce significantly the number of viable towns. Thousands of rural South Australians have, in recent years, left smaller communities and invested in housing in bigger towns, primarily in the towns which will be downgraded to GP Plus emergency hospitals where now the presence of a doctor is under threat.

Let me mention Port Broughton where the doctor has made it clear that she will leave if the plan is implemented. Port Broughton has become a major centre for people retiring. People have settled there from a whole range of towns around the place and people have come to Port Broughton, and many other similar towns, because of the fact that they have a working hospital and a doctor. What now? Will the minister guarantee that all these country community hospitals retain a doctor? Of course he will not. What about backup services if the doctor leaves? There will be no guarantee there either. When the doctor leaves any of these 43 hospitals, what will happen? What will the bureaucrats then be recommending to the minister? You wonder why people are scared.

This plan is potentially a disaster for rural South Australia. The distances to travel right across the state are mind-boggling. Fuel prices are part of the disaster. The greater concern is the safety of our people, whether they be aged or young. I wish the minister, government and cabinet shared the respect my colleagues, our constituents and I have for our dedicated rural doctors, nurses and other health staff. The plan and the manner in which it has been imposed is an absolute disgrace. It shows absolutely no respect for our health professionals or the hundreds of thousands of South Australians affected. The scoffing at their concerns by the government only adds insult to injury. There is no doubt that the agenda of this plan and its architects has been to centralise to Adelaide the major health needs of the bulk of South Australians. Minister, the remoteness from 75 per cent of rural South Australians of the four general hospitals is but confirmation of that agenda.

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:09): I start by thanking my colleagues for their strong support.

Members interjecting:

The Hon. J.D. HILL: Well, I would not expect the leader and deputy leader of my party not to support me. I am also grateful for the support I am getting from the broader community. Yesterday, I referred to the support I received from Stuart Andrew, the well-known member of the Liberal Party from the Riverland, and I would like to repeat some of what he said yesterday. He stated:

> A politician is someone with whose politics you don't agree: if you agree with him he is a statesman.

He said:

> It is my judgement that Health Minister John Hill is both.

In my contribution today, I hope that I am exhibiting both those attributes. The other thing that I am really pleased to learn is that the mayor of Mount Gambier, Steve Perryman, who is also the Liberal candidate for the state seat at the next election, also supports the plan, I understand, as it affects his community. I am pleased with that support also.

Members interjecting:

The Hon. J.D. HILL: The chief of staff will get on the phone again no doubt. I listened to the three speakers on the other side, and I think all of them were wrong. I do distinguish, though, the member for Frome because at least he was sincere in his statements. He may not have been accurate but he was definitely sincere.

In the time that I have I want to tell the health story for the benefit of the house. We know that in South Australia the demand for health services will continue to grow until about 2040. That is as a result of the demography that we currently have in our state. As people get older they need more health services, so demand will grow. The unfortunate thing is that the rate of demand growth is outstripping our capacity to pay for that growth. At the current rate of expansion in health services—about 8 or 9 per cent growth in real funding every year—our entire state budget will be sucked up by the health budget by about 2032. Clearly, that is unsustainable.

What we have to do as a state, whether it is a Labor or Liberal government in office, is to make that system sustainable so that we can build a strong, safe, affordable and complete health-

care system which is sustainable. That requires guts, courage, reform and change. And that is what this party and this government is about, and that is what I am about as minister.

I want to go through some of the things that we have attempted to do or are doing. First, we have put in more resources so that we can build the infrastructure that we will need for the future, expanding the capacity of the hospitals so that that extra demand can be absorbed. It is true that there are problems in our hospitals because they have been under-invested in for many years. We have been wanting to improve the capacity at Flinders, Lyell McEwin, QEH and, of course, build a brand-new hospital which will create extra capacity in the city.

At the time we are doing that, of course, the opposition has opposed it. We have also used money to buy more doctors and nurses to put into our system. It was a total and absolutely fabrication when the Leader of the Opposition said that the extra doctors are those who came out of Modbury. I can assure the house that from the advice I have—and I checked it again—the extra doctors (700 extra doctors and 2,400 extra nurses) are on top of the doctors and nurses that came into the system as a result of Modbury being brought back into the system. But, I think it was good of the opposition to draw the attention of the house to the fact that it privatised Modbury, and that it would do it again if it had half the chance.

The other thing that we are trying to do is to improve the governance so that we have a streamlined, effective, coordinated management system in place in health. We have not have that in the past. We introduced legislation; the Health Care Act was passed by both houses. The only people in opposition were those on the other side. The Liberal Party was opposed to it because it made more efficient.

The third thing that we are doing is trying to better use our existing resources. That is the key to all of this. We put out a health care plan a year ago to try to streamline the use of resources, get a better use of resources, and reduce overlap and duplication. That is what the Generational Health Review said that we should do. We put this out and, of course, what did they do? They opposed that as well. We released a report by Paxton Partners into the efficiency of a number of our hospitals. That report has been referred to by the opposition to attack me, but when we try to implement it to make those efficiencies we get attacked, so they oppose that as well.

I tried to create a new pathology service for South Australia so that we can bring together those resources to make efficiencies, and they opposed that as well. But I am pleased to say that the upper house earlier today passed the legislation, so that will happen despite what members opposite want. We are also putting much greater emphasis on primary health care through our GP Plus health care strategy. We want to roll it out in the city and the country so that people have more access to primary health care. That is the area of the greatest need for reform. We have to increase the access to primary health care, and we have to better focus on prevention so that fewer people get ill and fewer people need our hospital system. We are doing that as a government but, of course, they oppose that as well.

I will refer briefly to the particular issues. In relation to the resignations, I am very optimistic that we will reach settlement with the union over this matter. The resignation letters, I believe, will be withdrawn. I hope that next week or the week after, whenever this is settled and we have got the doctors back to work, the opposition will come in here and move a vote of confidence in me for being able to achieve this outcome.

In relation to country health, I went through this in extensive detail yesterday. The opposition continues to make up stories about what we are proposing to do. What we are proposing to do is improve the quality of health care in the country, increase the amount of resources, have more hospitals with more services for more people. Yet they deny it, they claim it is not true. They are wrong. Just today I have received a note informing me that the Country Health SA Board met on Wednesday 18 June 2008 and resolved to support the government's South Australian Country Health Care Plan.

All those people are from all over country South Australia, and they come from the previous boards that were in place. The reason that they support it is that they support the objectives of the plan: the tiered structure of services; the emphasis on primary health care; the development of specific strategies for implementing the plan on a service by service basis in consultation with local communities, health advisory committees and clinicians; the improvement of IT infrastructure as a priority; and continuing to improve patient transport to support the new services structure. So members of the Country Health SA Board support what we are doing because they have had a chance to look at it, they have had a chance to think through it and they have had a chance to understand it. When they did that, they came to the same conclusion.

I will pick up a couple of the points made by those opposite. It was interesting to hear the Leader of the Opposition refer to the productivity report because, as the Premier said, he had a bit of a doofus moment as he was reading through it because he realised that what he was reading supported our side of the argument, that there are more doctors, there are more nurses and there are more beds. In fact, since we have been in government we have created 158 extra beds in Adelaide.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: I rise on a point of order. The member just said we are wasting money on the doctors we are paying.

The SPEAKER: There is no point of order.

The Hon. J.D. HILL: That one interjection by the deputy leader undercuts completely that notion: 158 extra beds is a waste of money; 699 extra doctors is a waste of money. That is the view of the Deputy Leader of the Opposition.

Finally, the member for Frome referred to a headline saying 200 country doctors would resign. Mr Steve Holmes, from the Rural Doctors Association, said on Radio FIVEaa the other day that that was a gross exaggeration, or words to that effect. The newspaper, in its headline, got it wrong, just as the opposition has got it wrong here today.

The house divided on the motion:

AYES (14)

Chapman, V.A.	Evans, I.F.	Goldsworthy, M.R.
Griffiths, S.P.	Gunn, G.M.	Hamilton-Smith, M.L.J. (teller)
Kerin, R.G.	McFetridge, D.	Pederick, A.S.
Penfold, E.M.	Pisoni, D.G.	Redmond, I.M.
Venning, I.H.	Williams, M.R.	

NOES (28)

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

PAIRS (2)

Pengilly, M.	Breuer, L.R.

Majority of 14 for the noes.

Motion thus negatived.

WINE INDUSTRY

The Hon. R.J. McEWEN (Mount Gambier—Minister for Agriculture, Food and Fisheries, Minister for Forests) (15:22): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.J. McEWEN: 50, 60, 70. These are the key numbers that represent the great success of the South Australian wine industry.

- 50—50 per cent of Australia's industry by volume:
- 60—60 per cent by value: and
- 70—70 per cent by exports.

Our wine industry is a key wealth generator, a key component of both our food plan and the South Australian Strategic Plan. The recent success of four great South Australian wines in the London International Wine Challenge can only add to this success. South Australian varieties Majella 2005 Cabernet Sauvignon, Killakanoon 2005 Oracle Shiraz, Tim Adams 2007 Clare Valley Semillon and Yalumba 2007 The Virgilius Eden Valley Voignier—

Mr Williams: Voignier.

The Hon. R.J. McEWEN: I thank the shadow minister for helping with the pronunciation, because my family has a tradition: we only drink white when the red runs out, so I am not familiar with all the white wines. Nonetheless, these four great wines have been judged as the best in the world.

This achievement is all the more remarkable when you consider the stringent judging criteria and quality international competition that the wines faced. The 2008 London International Wine Challenge conducted multiple tastings of each wine over two weeks and included entrants from 40 different countries. The success of these wines is an indicator of the dynamic and resilient wine industry that has developed in South Australia. It is no small feat that a state with 8 per cent of the nation's population accounts for, as I said, 50 per cent of wine production by volume, 60 per cent of wine production by value, and 70 per cent of exports.

One of the winners, Majella Wines, is owned and operated by the Lynn family in the world renowned Coonawarra wine district. The Lynn family has been resident in the Penola-Coonawarra district for over four generations. I recently had the great fortune to travel with Brian Lynn from Majella to Canada to help advance the case of South Australian wine exports into the very demanding, but rewarding, Canadian wine market.

South Australia exports nearly 400 million litres of wine annually. The United Kingdom is Australia's largest wine export destination, and South Australia supplies 70 per cent of the UK market. The 2008 London International Wine Challenge awarded a total of 114 trophies over the course of the event, mostly awarding individual wines single trophies. Remarkably, the 2005 Majella cabernet sauvignon was one of only three wines in the world to receive four trophies, the maximum possible number.

All these wineries have added to the proud history of the South Australian wine industry as world leaders in quality wine production. I know this house congratulates these winning wineries for this wonderful achievement.

GRIEVANCE DEBATE

COMMUNITY CLUBS

Mr GRIFFITHS (Goyder) (15:25): I want to change tack today. Certainly, while I acknowledge the importance of country hospitals, I want to talk about some good news stories and things that have been happening in my electorate in relation to community groups. One of those will include some words about the Minister for State/Local Government Relations, too, and her attendance at the Ardrossan art exhibition just prior to Easter.

An honourable member interjecting:

Mr GRIFFITHS: No, the minister had the opportunity to open the art exhibition, which was our fifth in Ardrossan—

Mr Pisoni interjecting:

Mr GRIFFITHS: Yes, I was advised by the minister's office that she was going to attend, I think. The first Ardrossan art exhibition was in 1994, then 2002, 2004, 2006 and 2008. Since that time, it has grown enormously. It is a very successful event. It brings thousands of people to Yorke Peninsula. It runs over the Easter long weekend. It really does promote the peninsula in a great way and beyond the traditional attractions. I have had the pleasure of attending every event since 2002, and also digging into my pocket and buying one of the art pieces each year. I always ensure that I buy one because there is some great talent on the peninsula.

It was a pleasure having the minister visit the Goyder electorate. I hope she enjoyed her evening. Let us hope the Ardrossan art exhibition continues for many years. It relies very heavily on sponsorship, so I thank all the businesses that have contributed and the individuals who are involved in arranging it. An immense number of hours are spent over the preceding 12 months to ensure that everything runs smoothly—and it does. It is with great pride that I can say it is held in my electorate.

Presumably, most members of the house are invited to the hand-over season of Lions, Apex and Rotary clubs. Like all members, I try to attend as many as I can. I have Apex clubs in four of my communities, Lions clubs in five of my communities and Rotary clubs in two of my communities. In some of those communities, there is a double up, but they are all wonderful groups. I have had the opportunity to attend all Lions club hand-over dinners except for two. Unfortunately, they seem to have their hand-over dinners on days when parliament is sitting in late June, so it is difficult to attend. Having attended the other hand-over dinners, I usually have the chance to speak on behalf of the guests who might be invited or to say a vote of thanks to Lions International. It is a great chance for me to meet with the people who do so much in our communities. I really do commend them.

Those people make an enormous time commitment. They do it out of a sense of wanting to contribute to their community. They certainly do not do it out of a sense of wanting to be thanked or acknowledged for their work: they just want to ensure that they make their town and region a better place. I pay particular tribute to the Maitland Apex Club, a great group of young people who do some good work. One of their big events for year is catering for the ANZAC Day breakfast at Maitland. For them, it is a very early start to the morning, probably around 5 o'clock. They ensure that seats are in place at the war memorial and the breakfast is cooked, and they clean up afterwards. After that, about 20 of them tend to go to one of the hotels to celebrate—for far too long, I think, for their own good, but they celebrate and enjoy the day.

Like all community groups, though, it is a great struggle to keep people involved in these groups. We all know they struggle for numbers, but they undertake some great projects. It is with much pride that, on the last Sunday in June, I will be attending the charter meeting of a new Lions club. I think it is quite rare these days for a new Lions club to be establishing. This one is based in Stansbury and is called the Stansbury Dalrymple Lions Club of Yorke Peninsula. Six of those members previously belonged to the Yorketown Lions. The club managed to attract not just those six people but another 22 people to become members of the Lions club in Stansbury. Stansbury is a community predominantly made up of older people who have made lifestyle choices to live there. A lot of the farmers in the area retire there. It is a great town, right on the coast, and it has a new Lions club starting up with 28 members.

I think that is a wonderful effort to break the trend of community groups struggling for membership. It would have taken a lot of drive from a few people to make sure that they established a group there. They have done some good work, and I am looking forward to attending a charter meeting for the very first time in my life. We all have the opportunity to attend a lot of these meetings as guest speakers and their handover dinners, but to be at a charter meeting is fantastic.

I am advised that Lions International has something like 1.3 million members around the world in 34,000 clubs across 200 nations. Certainly, the members in Australia are all dedicated. I know of people who are very committed to becoming district governors and attending the national and state conventions. They all do it because they love what they do and because of the difference they make to the community. So, well done to them.

Another function that I want to mention is a production held by the Mallala Institute Committee called *Crackers*. It was a play written by Mr Richard Verner, and it was wonderful.

The Hon. J.M. Rankine interjecting:

Mr GRIFFITHS: *Crackers*, it was called.

The Hon. J.M. Rankine interjecting:

Mr GRIFFITHS: True; it was a cracker, as the minister said.

FRANCHISES

Mr O'BRIEN (Napier) (15:30): Franchising constitutes about 14 per cent of GDP. There are something like 62,000 individual franchises around Australia and it contributes about $128 billion to the Australian economy. It must employ literally hundreds of thousands of individuals. As such, it constitutes a major economic driver in the Australian economy and is the modern face of small business. For that reason, I was very pleased on Wednesday morning that the parliament endorsed the 65th report of the Economic and Finance Committee on franchising.

The South Australian report, which was published on 8 May, is timely because Western Australia has also conducted its own inquiry into franchising businesses in that state. It was run as a ministerial inquiry and formally reported to the Minister for Small Business, Margaret Quirk, in

April of this year. Both reviews were prompted by a myriad issues but, on reading both reports, what comes through as probably the pivotal concern is the emerging issue of unconscionable conduct in relation to the termination of franchise agreements.

I have in excess of 10 years' experience in franchising. At one time I held two franchises with Bakers Delight, and I currently hold one. Bakers Delight, I think, is an exemplary franchise and anything I say should not be deemed to be a reflection on that franchise. However, the fact of the matter is that there is an issue that has to be confronted sooner rather than later, and that is the lack of any real protection for franchisees at the completion of their franchise agreement. Most franchise agreements generally run for 10 years and are structured in such a way that, at the completion of the franchise period, the franchise agreement effectively evaporates and the franchisor can resume the business and bring in another franchisee.

Probably the most illustrative example of what can happen by virtue of any firm guarantee of continuity of franchise agreement relates to a Western Australian based company called Competitive Foods Australia Pty Ltd, which has all the KFC franchises in Western Australia and the Northern Territory.

Recently, the head franchise for Australia was purchased by an American company called Yum! Restaurants International. Competitive Foods Australia, which has held the KFC franchise, I believe, for in excess of two decades, found that at the time of renewal of its first franchise agreement for a KFC site it was unable to renew that franchise. Yum! Restaurants International has come in and constructed a brand new KFC site in Perth one block away and the Competitive Foods site is currently boarded up.

Competitive Foods are now worried that this is going to happen with all of their sites and, effectively, they are going to lose literally tens of millions of dollars in goodwill. This issue, along with a range of others, was addressed by both inquiries. They also looked at the issues of franchise education, disclosure and due diligence and dispute resolution. However, what comes through most strongly in both reports is the necessity for the federal government to review the Trade Practices Act and the Franchising Code to ensure that 10 years of hard toil by individual franchisees is protected on the conclusion of the franchise agreement, in terms of there being some assurance for the franchisee that it will be able to, if the franchisor deems—

Time expired.

FASHODA STREET PROPERTY

Mr PISONI (Unley) (15:36): I would like to speak about a block of flats at 38 Fashoda Street, owned by Housing SA. Four of them are leased to the Aboriginal Prisoners and Offenders Support Services, one is a multi-leasing agency housing, with the remaining three staying with Housing SA.

Tenants from 38 Fashoda Street reside there under varying programs with most of them having mental health issues and receiving in-home assistance. The residents of Fashoda Street and neighbouring streets have been subjected to the following: mail stolen from their letterboxes; what can be only described as disgusting rubbish thrown into their yards, such as soiled adult nappies; tenants from 38 Fashoda Street entering other properties and abusing the residents when asked to leave; tenants requesting money, cigarettes and food from residents and their visitors; tenants trying to break into residents' properties, resulting in residents now padlocking their gates; domestic disputes all hours of the day and night; and abusive language and screaming all hours of the day and night; regular police attendance; intoxicated tenants wandering the streets at all hours and abusing residents.

Neighbouring residents have attended the units during hours of supposed supervision, when smoke alarms have been activated and continued to sound. In one instance they found a tenant cooking meat on direct heat on the hotplate of the stove with no cooking utensil which, of course, set the smoke alarm off with the tenant being completely unaware of the situation he was in. The utensils he was missing may well have been the utensils that were thrown over the neighbouring fence by another tenant.

Authorities have advised that tenants are receiving appropriate support and supervision and assisted by coordinators. However, they are unable to advise how these activities are occurring during supervised hours. We have been told that these residents are being supervised more or less from 8 in the morning until midnight and yet there has been no evidence that the residents are supervised. When I wrote to the Minister for Mental Health about the problem her letter of reply stated:

However, it is important to remember that engaging in anti-social behaviour is not necessarily an indication of mental illness and Mental Health Services may not have a role in the issues that you have displayed.

The facts are that Mental Health Services are playing a role here and the minister is denying that there is a problem. This version of events is totally different from that of residents of the street who have described the behaviour and level of care being offered, where support staff arrive to hand out medication and leave as quickly as possible, rather than meeting their obligation to assist those people.

Living conditions in one unit are an absolute disgrace, and I can verify that because I have seen it first-hand. On one of my Meals on Wheels runs I knocked on the door to deliver the midday meal and when the door opened I was hit by the smell of cat urine. There were dozens of cats inside the flat and the floor was wet with cat urine. The person living there had a mental health disability but had been left to live there by the authorities. This is government housing, supposedly being cared for by government carers and, yet, the person was living in these conditions. I actually had to deliver the meal and move on as quickly as possible, because of the overbearing smell coming from the apartment.

I have written to minister Weatherill who, I am pleased to say, is considering attending the public meeting I have convened for residents and police to try to address this matter. I have been involved in this process for close on six months now, trying to get a resolution, and I have been forced to this only because we have not been able to get a resolution any other way. Residents are now fearful for their own and their family's safety; they consider it unsafe to walk down the street or have visitors, and they lock up their premises like fortresses.

Calling police is not always effective because by the time they arrive the situation has often been resolved by residents themselves. They are so desperate they are dealing with the situation themselves. Residents have independently written to the Department of Health but have received no response. Quite frankly, they have had enough.

Time expired.

CONSTANTINOPLE

Ms CICCARELLO (Norwood) (15:41): I recently attended the commemoration of the fall of Constantinople exactly 555 years ago on 29 May 1453, an event that had a profound and long-lasting effect on Europe—and, indeed, on much of the world as it was at the time. By the time of its conquest the Byzantine Empire, of which Constantinople was the capital, had shrunk to a small shell of its former size and glory. Civil wars and then Turkish conquest had left but a small land area around Constantinople and the Peloponnese in southern Greece.

However, the importance of Constantinople as a centre of culture had by no means faded; it was a multicultural city successfully blending Eastern and Western cultures and arts, as befitted such a glorious capital that spanned two continents. Importantly, it also carried on the flow and tradition of Hellenic language, arts and culture. It was, and still is, the centre of the Orthodox world. The sad eclipse of the Byzantine Empire and the tragic fall of Constantinople, bloody though it was, had unforeseen positive effects on the rest of the European world at that time.

The Ottoman conquest, which sealed the subjugation of Greeks to Turkish rule until they gained their freedom by their own hand four centuries later, had a silver lining for Europe. The year of Constantinople's fall is used by historians to mark the beginning of the Renaissance and the flourishing of a European 'golden age' of culture, science, art, letters, music and discovery. Into this age came the Greeks and their scholars, with all the classical Hellenic traditions of thought, letters and culture intact in their cultural heritage. They fled Turkey and went into Europe and Russia, and they brought with them their knowledge and creativity to enrich the cultural and scientific rebirth of both places. The Greek classics were rediscovered by the West, and a good education for any European included a study of the Greek language.

Many of the Greeks of this new diaspora became notable in commerce, literature, arts and diplomacy in their new homelands, especially Italy and Russia, and it was the influx of Greeks from Constantinople to Russia, an Orthodox haven, that fertilised the Russian Czar's idea that Russia should be the third Rome. The Greek émigrés to Italy ranged from exiled royalty and nobles related to the Byzantine emperor to artisans, scholars and military men. In the 15th century the arsenal of Venice was dominated by a dynasty of Greek shipwrights from Constantinople who built ships of war and trade for Venice, the great maritime and commercial power of the times, and for many years after an imperial rival of the Ottoman Turks.

Those who had to leave Constantinople have a keener sense of that history than any outsider, but the good memories of life in that great city are tinged with sad memories of having had to leave it under duress in the 1950s and 1960s. Many consider Constantinople to be poorer for the absence of Greeks, and currently barely 2,000 remain.

I was fortunate enough to be in Turkey this year as part of a delegation, led by Attorney-General Michael Atkinson, to Gallipoli on Anzac Day and to Istanbul, as present-day Constantinople is known, during Orthodox Holy Week. We visited Ayia Sofya, the ruins of the once centre of Orthodoxy, and marvelled at its amazing dome and the remains of magnificent mosaics, as well as the effects of its conversion to a mosque in 1453. Kemal Ataturk, understanding its importance, converted it to a museum in 1935, and it stands as a ceaseless monument to Byzantium and Orthodoxy. It was so revered by the Ottomans that many mosques dotted around Turkey mimic the architecture of this great church.

The highlight of the visit to Constantinople was an audience with His All Holiness, Bartholomew, Archbishop of Constantinople, New Rome and Ecumenical Patriarch. He received us on Holy Saturday and he was very generous with his time. The Attorney presented him with an Aboriginal painting on behalf of Mr Nikolaides, President of the Constantinople Hellenic Association of South Australia, which His All Holiness greatly appreciated. The Patriarch had fond memories of Adelaide and he was aware of the association's good work.

His All Holiness was most generous with his time and, during our private audience, we discussed many issues. We were impressed to learn that he is fluent in seven languages, and I was delighted to converse with him in Italian. I am now the proud owner of a book written by him on the environment, which is published in Italian. During the conversation the Patriarch remarked that he felt that under the Ottomans the church had greater liberty than it does under the republican Turks of today. As an example of this, he cited the problems resulting from the closure of the theological seminary of Halki in the 1970s, which remains closed to this day.

I am sure that with our support the problems of the Greeks might be overcome and we must hope, too, that the European Union (which Turkey is intent on joining) will allow Turkey to join the European family of nations, only if it does the right thing for the remaining Greeks and other minorities in Constantinople and elsewhere in Turkey and for the Ecumenical Patriarch. The Patriarch sends his best wishes to the Premier, to His Grace Bishop Nikandros of Dorylaeon and all the Greek community in South Australia. It was truly an unforgettable few days in Constantinople and I will treasure the memories.

COUNTRY HEALTH CARE PLAN

Mr VENNING (Schubert) (15:46): Again earlier today we saw that two country members of parliament turned their back on their own and all other country communities. I refer to the members for Chaffey and Mount Gambier. Yes, I know that they are fortunate to have two of the four hub hospitals to be created in country South Australia in their electorates but they also have smaller hospitals in smaller communities. I cannot believe that they could not have joined us in supporting our country doctors, nurses and health providers. At the very least, if they could not support us, they could be absent from the house.

What are the people in their electorates saying? I went to this week's copy of *The River News*, the paper that is very supportive of the local member, the Hon. Karlene Maywald. The Editor of *The River News* is Mr John Pick. The front page headline is 'Hospital services will go'. The article reads:

> The Waikerie, Loxton, Barmera and Renmark Hospitals will become what Health Minister John Hill describes as GP Plus Hospitals, which will ultimately mean no obstetrics or surgery in the long term.

It is quite a strong article about the whole issue on the front page of *The River News*, which I have here in my hand. There is not a comment about the local member at all, which I think makes it the only issue of this paper I have ever picked up in which she does not appear, nor is there an invitation by the paper for her to make a comment. I have heard accusations that this paper feather-beds the local member. If that is the case, the local Riverland community deserves better.

As the member for Light will tell members, I am often criticised by my local papers and, if warranted, I wear it—I accept it. You cop it sweet. In this instance, the silence is staggering in this paper, and I think it is grossly unfair. Also in the paper is a letter to the editor—and this is a doozy—entitled 'The Nodding Dogs Syndrome'. It reads in part:

Sir—It is time to halt the spread of the 'Nodding Dogs Syndrome' that debilitates our nation's parliaments. This curse is leading us to a political process that is exclusive rather than inclusive, and does little to encourage people and members of our parliaments to speak up for the people they represent.

Who do you think wrote that? None other than the State President of the National Party, Wilbur Klein. The name rings a bell, doesn't it? On page 9 of the same paper is a full-page advertisement, and 'here we have joined the dots on the Riverland's health system'. What is all this costing? Mega thousands of dollars. It upsets me and causes me a lot of problems considering the cost of all this taxpayer-paid advertising. All this is on top of Mr Klein's comments quoted in the house here last Tuesday, and I will remind the house of what he said.

Yesterday, Mr Wilbur Klein, President of the South Australian National Party said, 'The health and well-being of many country people will be put at risk and the very sustainability of these committees will also be put at risk.'

Further, he said:

We don't need icon hospitals with fancy signage. We just want a simple quality health services made available to all country people and families.

We agree with him. The member for Chaffey has a lot of small hospitals that will be GP Plus or less. I cannot believe that Mr Klein can make comments like that. Well, Mr Klein, you either have to publicly speak to your state leader or, really, you have no choice other than to publicly dissociate yourself from your leader's position and lack of support, or just shut up.

As I said earlier, I thought that if both ministers and members of country areas could not support us, if they could not support the country communities in their dire need and with a really serious and important issue for them in their darkest hour, they should have at least absented from the house—like the doctors will in these country hospitals. Again, I pay the highest tribute to the medical officers, the doctors and nurses, and all those associated with health care in the country. I only hope for their sake that we can win this battle.

VOLUNTEERS, SERVICE CLUBS

Mr PICCOLO (Light) (15:51): On previous occasions in this house I have talked about the enormous contribution that volunteer groups make to our communities. Today I would like to build upon that and reinforce how our communities are enriched by the contribution made by volunteer groups involved in sport (most weekend sport is supported by volunteer groups), the churches, groups who look after the environment and heritage, those who offer welfare support (such as St Vincent de Paul and New Care in my town), those who provide recreation, and those who help seniors.

Today I would like to talk about one particular group of volunteers, that is, the service clubs. In my electorate we are fortunate to have many service clubs. Over the next month or so there will be a changing of the guard in our service clubs, and most members will probably be invited to the various handover dinners. In my electorate, there is the Lions Club of Gawler, of which I am a member, the Rotary Club of Gawler, the Rotary Club of Gawler Light, the Kiwanis Club of Gawler, the Zonta International Gawler District Club, the Apex Club of Gawler, the Apex Club of Gawler Para, the South Australian Country Women's Association, Gawler Branch, and the View Club of Gawler.

One thing that these groups have in common is that at the moment they are struggling to find new membership. Without being impolite, their age profile is moving on as well, and some have concerns about their long-term future. Obviously, changes in the way we work in our communities, and a whole range of things, have meant that it has put pressure on people joining our volunteer groups, particularly the service clubs.

Despite the many challenges facing them, service clubs deliver great work to our local communities. They raise funds for a whole range of community projects; for example, in my own electorate the Rotary clubs support the Gawler Life Foundation. This foundation is set up as a last port of call for those in the community who are experiencing an emergency. The foundation makes some funding available to assist them. The local clubs have also been involved in upgrading the local recreation and community centre, jointly with the town of Gawler. Service clubs also provide a range of breakfast programs in our local schools, and they also support a number of other school projects.

The Kiwanis Club runs a range of programs to support and engage kids in our community. There is also funding available to help the elderly and socially disadvantaged in our community.

The state government has a program to support volunteers through the Office of Volunteers and the volunteer charter. In my own town there is a volunteer charter and these programs are designed to support our volunteer effort. Having said that, it is true that we need to explore ways to better support our service clubs because, once these clubs close, all their works will be lost; not only the works they do but a whole range of social infrastructure in the way they build communities will also be lost.

I think that as a community we need to do some research into assessing why our service clubs are finding it harder to recruit new members and work out ways to encourage people to recruit new members, particularly the younger members of our community. I will give an example. I am a member of the local Lions club and at my age I am the youngest member. It is a bit of a worry that at 48 years of age I am the youngest member. We need to look at ways that we can support our service clubs because we can never duplicate what they do—and they do it extremely well. They raise money for community projects and support a number of community projects, but, as I said, they also provide social infrastructure in our community and help build communities.

With those comments, I wish our incoming 2008-09 presidents the best of luck and I indicate my support and willingness to work with them in my community for the betterment of our community. I acknowledge the great works that presidents do because volunteering is really hard work.

Time expired.

STATUTES AMENDMENT (SURROGACY) BILL

Received from the Legislative Council and read a first time.

APPROPRIATION BILL

The Legislative Council gave leave to the Minister for Police (Hon. P. Holloway), the Minister for Emergency Services (Hon. C. Zollo), and the Minister for Environment and Conservation (Hon G.E. Gago) to attend and give evidence before the Estimates Committees of the House of Assembly on the Appropriation Bill, if they think fit.

STAMP DUTIES (TRUSTS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

PAY-ROLL TAX (HARMONISATION PROJECT) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT AND REPEAL (INSTITUTE OF MEDICAL AND VETERINARY SCIENCE) BILL

The Legislative Council agreed to the bill without any amendment.

SITTINGS AND BUSINESS

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) (15:59): I move:

That standing and sessional orders be so far suspended as to provide that government business has precedence over Private Members Business Bills and Private Members Other Motions on Thursday 3 July 2008, and that any private members business set down for that day be set down for consideration on Thursday 24 July 2008.

Motion carried.

CHILDREN IN STATE CARE APOLOGY

Adjourned debate on motion of Hon. M.D. Rann:

That this parliament recognises the abuses of some of those who grew up in state care and the impact that this has had on their lives.

Only those who have been subject to this kind of abuse or neglect will ever be able to fully understand what it means to have experienced these abhorrent acts.

For many of these people, governments of any persuasion were not to be trusted. Yet many have overcome this mistrust.

You have been listened to and believed and this parliament now commits itself to righting the wrongs of the past.

We recognise that the majority of carers have been, and still are, decent honourable people who continue to open their hearts to care for vulnerable children.

We thank those South Australians for their compassion and care.

We also acknowledge that some have abused the trust placed in them as carers. They have preyed upon our children.

We acknowledge those courageous people who opened up their own wounds to ensure that we as a state could know the extent of these abuses.

We accept that some children who were placed in the care of government and church institutions suffered abuse.

We accept these children were hurt.

We accept they were hurt through no fault of their own.

We acknowledge this truth.

We acknowledge that in the past the state has not protected some of its most vulnerable.

By this apology we express regret for the pain that has been suffered by so many.

To all those who experienced abuse in state care, we are sorry.

To those who witnessed these abuses, we are sorry.

To those who were not believed when trying to report these abuses we are sorry.

For the pain shared by loved ones, husbands and wives, partners, brothers and sisters, parents and, importantly, their children, we are sorry.

We commit this parliament to be ever vigilant in its pursuit of those who abuse children.

And we commit this parliament to help people overcome this, until now, untold chapter in our state's history.

(Continued from 17 June 2008. Page 3517.)

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) (16:00): I rise to speak in support of the Premier's motion to apologise to those children in state care who were sexually abused while in that care. I believe that what we witnessed with the Premier's apology was an incredible act of community and one which stands not only this parliament but also the broader South Australian community in good stead. Indeed, there are few examples of complete acts of contrition and forgiveness in our society for injustices, and I believe if we can follow through on all the promises which are implicit in the Mullighan report and deliver the outcomes to which we have all committed ourselves, then that truly remains within our reach.

One of the observations I would like to make about what has brought us to this point is the inquiry itself, and I think it is probably no exaggeration to suggest that, if the inquiry were headed by a lesser man, we may not have achieved what I believe has been quite a wonderful outcome. This was a forum for abused children, now adults, who for many years had felt silenced because of fear of further abuse and, in some cases, certain further abuse. In some cases some of these young children found the courage to tell their stories and were disbelieved or punished for telling those stories. So many of those survivors in so many ways have been disrespected for so long, and it really was the inquiry itself that provided a forum in which they could be heard. But they were not just heard, they were heard with respect, their stories honoured and recorded, and they are now contained within the report that has been published for everyone to see.

I think some of the most poignant stories from the report come from those who explain the power and strength that they now have upon telling their stories and having those stories honoured. There is probably no more poignant a story than that of the woman who explained that her children used to say they felt sorry for her and now they feel proud of her. The victory is in the movement from being a victim to being a survivor, from the story of someone's life being a failure to actually being a success when nothing has really changed, it is just how they see the story of their life.

The fact that they are still around to tell these stories is a testament to their strength, yet, for so many of them, because of the disrespect that was implicit in the original abuse and the further disrespect that was implicit in not being believed, they could not gather an alternative story about their lives. The Mullighan inquiry assisted them to tell a different story about their lives—a story of courage, hope and strength, not a story of weakness and despair. That is a massive thing

because, armed with that different story about their lives, they are now able to take the steps towards healing and rebuilding their lives.

Mrs Geraghty interjecting:

The Hon. J.W. WEATHERILL: Fundamentally, as the member for Torrens said, they have been empowered. That is what Commissioner Mullighan has given these people. That is a gift greater than any therapeutic service and it is a gift greater than any perpetrator being brought to justice, as important as those things are. It is actually a gift even greater than money, and one of the great strengths of this inquiry is that it did not focus on money. It focused on the telling of truths and, in that respect, it has been a tremendous success.

I want to acknowledge a range of people. In particular, I acknowledge the member for Frome for his role in assisting with the passage of the legislation. I also acknowledge Commissioner Ted Mullighan and his team of people who worked on the inquiry. It has taken an enormous toll but it has been an incredibly rewarding experience for them and, of course, for those who came before them. Many people now are taking a range of very important steps in their lives and, from this point onwards, we need to build on the strength that they have gathered through this inquiry. The apology, that very public performance of acknowledgement by this chamber—a solemn occasion when we acknowledged the truth of their experience—has added an enormous amount to the story of their lives, and I congratulate all of them for coming forward and assisting us to understand this particular chapter in our state's history.

I conclude by saying that another thing that has been revealed by this inquiry, and something that is irreversible, is that we are now fixed with the knowledge that some of our most vulnerable people in our community are particularly preyed upon by sexual predators. They are deliberately chosen because of the fact that they are the most vulnerable and because of the fact that, in some senses, they may be the least likely to be believed.

Even though this is the most abhorrent thing to imagine, we now cannot say, 'This is too hard to believe. How could you imagine that this could happen to someone', and excuse ourselves from protecting those people. We are now fixed with this knowledge. All public officials are now fixed with this knowledge. Law makers are now fixed with this knowledge and things now going forward have to now be shaped with this knowledge. That is a very powerful fact that I think Commissioner Mullighan has assisted us to understand in horrible detail. As decision makers, sadly, in many ways, we now need to adjust the way in which we look at protecting the most vulnerable people in our community. I commend the apology to the house.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:08): I rise to support the motion moved by the Premier on Tuesday of this week and which was supported by the Leader of the Opposition. In anticipation of other speakers on this motion, I look forward to listening to their contribution and, in advance, wish to thank them personally for their contribution to the debate in supporting the apology. The arduous task befell Ted Mullighan QC (retired Supreme Court justice) when he commenced this inquiry in November 2004. He had accepted the commission, clothed with its instructions in legislation from this chamber, to undertake a rather disturbing task, particularly when we hear from Commissioner Mullighan. In the opening of his report to this parliament he said:

> Nothing prepared me for the foul undercurrent of society revealed in the evidence to the Inquiry; not in my life in the community or my work in the law as a practitioner and a judge.

Having read the report, as many members have, my initial surprise at that comment evaporates because, quite clearly, even though one might expect that a person of such experience as Commissioner Mullighan might have heard and seen everything in his legal and judicial life, he was so moved by the stories told by the victims—that is, those who have come forward to tell their story—during the course of undertaking the interviews and preparing the report.

The stories of the victims put a new light on how serious and how utterly destructive the conduct of others has been towards these people when young. They had a reasonable expectation that they would be protected, but, fundamentally, they were denied that protection and left in a gross state of neglect and, as the minister has said, in a state of vulnerability and sexually abused. I join with other speakers in saying sorry to these people who were young people at the time and victims of child sexual abuse whilst in the care of the state.

For some it was when they were in an institution. For some it was when they were living with a family under the foster care program. For some of these children it occurred in other households. For some it was at a camp, a meeting, or an occasion provided as an activity whilst

under the guardianship of the state. It has come subsequent to an acknowledgment by other paternal parties in the community—that is, those who have been either vested with or enjoy the privilege and respect of a level of responsibility for children—in particular, the churches. In particular, the Anglican church and the Catholic church have been the subject of public scrutiny as a result of claims which have been made against them and they have had to acknowledge a dereliction of their duty to children whilst under their responsibility and to whom they owed a clear duty. Some are still working through compensation claims and how they might best manage the harm and damage caused to those children.

As a member of the state parliament, which is the body to which any government is responsible, ultimately we have the responsibility to scrutinise the activity of government and to ensure as best as possible and at all times—and now that this has been revealed certainly into the future—how we might protect children. Significant comment was made at the time of the debate of the legislation to facilitate this inquiry and report. That included whether we should restrict the terms of reference to children who were victims of sexual abuse and death and not include those who were the subject of physical or psychological abuse, or neglect. Clearly, these children are also victims of child abuse and they also deserve a moment of reflection, an acknowledgment and an apology.

The terms of reference of this inquiry did not include them, and some felt rather unhappy about that. However, I wish to place on the record that I think that, although they have not had the privilege, I suppose, or the opportunity to tell their story through this process, they have been quite vocal in public forums about what they have suffered and they should also be acknowledged. I wish to place my apology to them on the record.

When the report was tabled in parliament the Premier indicated that he would do a number of things, including providing a report on consideration, which is required under the legislation, with respect to the response by the government to the recommendations. He also indicated that he would move this apology and consult the survivors of child sexual abuse while in state care about the appropriate form of the apology. I can only assume that that has been done. I think that the words of the apology are important. They are certainly comprehensive, so I assume that was done after that consultation process.

I am pleased that the government moved promptly to indicate that this apology would be made. Of course, it has been a number of weeks since he had the opportunity to carry that out, but he did so, and I acknowledge the Premier's prompt indication that that would be forthcoming. He was also prompt in announcing some funding to assist in the prosecution of a number of cases and also that a fund would be established for the provision of compensation. As I have said, the government indicated at that stage that it would consider the recommendations in detail and then come back to the parliament.

Since this motion was moved, the Minister for Families and Communities has provided a report to the parliament on all the recommendations, only one of which has been declined, but there is what I believe is a satisfactory explanation as to the priority the government intends to continue to provide for access to a sexual behaviour clinic for prisoners. The opposition is certainly considering the government's response.

I will say a number of things in relation to that shortly, but can I just say this. In the broader picture of the legislation coming to fruition and this inquiry being undertaken, it was an extremely expensive inquiry but I think it was justified in our being able, as best we could, to ensure that there was finally this opportunity for people who had been abused, silenced or threatened in their childhood—some of whom, as members can see from the statistics in this report, did not live long enough to tell their story. I think it was very important that they had that opportunity.

Much has been said about the public exposure during the 1990s of children who are victims of child sexual abuse or death whilst under the care of the state. I think it was very confronting to many in the community as these claims were flashed across the newspapers and became the basis of a number of inquiries and reports. It was particularly confronting because, as one would imagine when one reads these stories (and this is confirmed), a number of these children had already lost the protection of their immediate family and even their extended family, if they ever had it.

There is a reasonable expectation that, when a state takes on the responsibility for these children, it is in a respected and responsible position and is assumed to be reliably resourced and committed to protecting the children, let alone providing an environment in which they may be educated and flourish and develop into adulthood. A very basic fundamental expectation is that in

that relationship, from whatever fractured or unhappy circumstance they may have come, having parents who, for whatever reason, are unable or unwilling to provide for them, they would be protected in this new relationship. It should be a relationship of trust and expectation, and some children were fundamentally let down. So, it is not surprising that the outcome is confronting for the public to accept and I suppose, to some degree, for there to be an acceptance that something needed to be done about it.

The member for Frome (Hon. Rob Kerin, a former premier) has been acknowledged for his work. I know of a number of cases where people went to see the member. I had represented a number of those people over the years in another life. Sometimes it was because they had broken the law and were in the court system, and sometimes their story had been told and they were not listened to. However, certainly, they were carrying very deep scars and wounds from it. I was aware of some of these stories before they were revealed to Commissioner Mullighan. I know that the Hon. Rob Kerin heard some of those stories, and they were very disturbing. When anyone hears them for the first time they are certainly confronting.

In the previous decade, I had been involved in a number of cases and have represented the accused, victims, family members and children in cases of child sexual abuse that were intrafamilial. It is bad enough when you see the police reports and photographs, medical statements and the interviews of the children in that situation; that is horrific enough. However, perhaps what is utterly soul-destroying is when you see that some of the children who are the subject of this report have come from family environments where they have ultimately learnt behaviour that has perpetuated into the next generation. That is very disturbing.

I spent 10 years in courtrooms, sometimes with Commissioner Mullighan—sometimes he was counsel and I was instructing and sometimes we were against each other—and there were a number of these types of cases. As confronting as they were, it was equally disturbing to find later that when people came forward, such as many of the people in this litany of horror stories, they had actually been exposed to other types of abuse in a family situation. As I said, sometimes they were arrested for being involved in criminal behaviour and sometimes they were in distressed domestic circumstances and they would end up in a legal office.

As confronting as it was to do deal with this next generation of exposure, I suppose, and the explosion of cases that came through the 1980s and 1990s, it was very important that we dealt with it. Of course, families were torn apart. Disclosure of abuse can be highly destructive. It also comes with a responsibility to ensure that, when we investigate these matters and whenever a child alleges sexual abuse, whether or not there are medical indicia to corroborate such claims, it is important that they are listened to. It is important that there be a thorough investigation. It is important that the techniques used to interview children do not result in a child's allegations being ignored to the extent that there has been child sexual abuse and justice never comes to pass.

A classic example of that is where a child speaks up, the interview process is such that it contaminates the reliability of the evidence and we end up with child abuse having occurred, justice never being obtained and protection never being achieved for that child. That is an utterly unacceptable outcome. Therefore, it is very important that the process of investigation ensures that the evidence is kept uncontaminated.

Equally, I say, it is important that this process is not corrupted or contaminated so that people are not falsely accused or families are not destroyed as a result of allegations that are made. It is important that a very delicate and tightly-balanced forensic approach is taken with these examinations, investigations and interviews. I certainly do not wish to see again the trauma caused in the department, in families and in children's lives that we witnessed throughout the 1980s as many well-intentioned people came together to try to make sure that we were going to set out processes that would protect children. Equally, we should ensure that, where allegations are made and have been listened to that, where possible, action can be taken (whether it be a criminal prosecution or not) to protect against future occurrences for either that child or someone else.

It is extremely important that we learn lessons from this and that we understand the importance of saying sorry to the victims who have come forward to be included in this report and to others who have not actually been documented—but they know who they are out there. They need to have some acknowledgment that the community, and the parliament, in particular, understand that they have suffered and that we will do what we can to protect them.

In conclusion, I welcome the government's announcement that it will look into a secure care facility for the very small minority of children out there now who are vulnerable, unprotected and in state care. There has been difficulty in the past in ensuring that they are adequately

protected and physically taken away from predatory people who would cause them harm. We will look to see how quickly the government can institute an investigation into this. We hope that the government will consider immediately how it might be able to secure one of its accommodation facilities to ensure that we protect children who are vulnerable. Commissioner Mullighan has sent us a very clear message that they cannot be safely left on the streets and that some accommodation needs to be provided immediately for their protection. I urge the government to make haste when it does an investigation into making provision for that facility.

I also look forward to the bills to accommodate the recommendation of making it a criminal offence to harbour children. I think that is a very important initiative. I thank Commissioner Mullighan for making this recommendation and I thank the government for accepting that it is something that needs to be done. I look forward to the legislation.

Time expired.

The Hon. S.W. KEY (Ashford) (16:28): I wish to speak to this motion because I have a personal interest as well as having had responsibility as minister for social justice for children in state care. Therefore I want to speak on those two levels. I come from a migrant family who believed that it was important to take responsibility for other people in the community, particularly children. During my childhood it was quite common for either my grandparents or my own family to have foster children. We were also sponsors each summer holidays of Aboriginal children, particularly from Ernabella, who came down to stay with us as part of a church exchange program.

I mainly grew up in the Largs North/Taperoo area down at Port Adelaide. Because it was really an area of migrants, there would be different nationalities who would look after each other. Being one of the older children, I ended up being the supervisor of a number of young children from a very early age myself, so I felt some responsibility. Basically, in our community that was just something that you did.

In hindsight—and having had the opportunity, many years later, of being the minister for social justice—I guess I realised for the first time what this meant and what were some of the problems associated with that philosophy. Although I still support that, I now have a more serious view about how matters should be developed. In particular, I realise why the Aboriginal children who came to stay with us in the summer holidays, although they had a good time, were always very sad. Even in those days they explained to me that they were sad because they did not know who they were or where their families were. Of course, in the past few years we have all been educated about what happened, particularly with regard to our First Australians.

When I took over as minister for social justice, despite the honour of having that title I was also overwhelmed by the state of affairs I had inherited. While I understand and compliment the member for Frome (being the premier before this Labor government) as well as then minister Dean Brown (who had been responsible, I believe, in the health and social welfare area for some 10 years), we had a really big problem. Eventually we managed to get some strategies in place to try to address the many problems we had inherited but, looking at the statistics from those days (we are talking about 2001 and 2002), the child abuse report line in Family and Youth Services, as it was then called, had received 18,681 reports of abuse and neglect.

Obviously, those needed to be investigated and priorities had to be put in place in terms of the reports received—and I am sure members in this house will recall quite a lot of discussion about what was considered to be urgent (there continues to be debate about this area) and what was considered the least risk of immediate harm, as well as the sorts responses needed. I also discovered the types of abuse we were talking about—although I suppose I already knew this but had just not really thought about it before. Emotional abuse seemed fairly obvious, but the number of reports of children being neglected was quite horrifying. In fact, in the non-indigenous community something like 43 per cent were identified as neglected in those years, with 27 per cent identified as involving physical abuse, 8 per cent sexual abuse, and 23 per cent emotional abuse.

I also had the privilege of meeting with different groups that had campaigned on child protection, and I want to pay tribute to now Professor Freda Briggs, who was very helpful in talking about the big picture in this area, along with a number of other organisations, including CREATE. This organisation was originally set up as The Little Echoes by then minister David Wotton, and it has now become a very important organisation where young people who have been under the care of the minister have their own organisation under which they can advocate for themselves.

I was also very proud that we managed to set up the Dame Roma Mitchell Trust Fund to try to ensure that people who had been under the care of the minister had an opportunity, once they reached the magic age of 16, to get further support. I understand that has gone on to become a

very successful direct support for those young people, and it goes towards a myriad of things from training and education right through to getting basic furniture when someone moves into their first rental accommodation.

So, I would like to pay tribute to the staff who got that up and those who continue to administer it. I also want to mention the staff because we had some fairly difficult times with regard to workforce planning and the fact that there were just not enough staff to take up the issues that had been identified—not only by the notifications but also by the various advocacy groups that identified some really big problems that needed to be addressed in all those categories, from neglect right through to sexual abuse (which is the main thing we are talking about today).

I am very proud that our government commissioned 'Our best investment: a state plan to protect and advance the interests of children', colloquially known as the Layton review. I believe that set the framework for the very good works that followed, and I particularly refer to 'Keeping them safe', that looked at past achievements and future initiatives. This was published in about 2006 and looked at what had happened between about 2004 and 2005. Of course, then there was, in my view, this very important initiative—and I wish to congratulate the Minister for Families and Communities because, like me and certainly like Dean Brown, it was obvious to him that there was hurt out there that needed to be addressed. There was a statute of limitations, so it was very difficult to know what could be done about cases that had allegedly occurred about 20 years ago. Being sympathetic is one thing but actually giving people the opportunity to tell their stories is another; to not only be able to tell their stories but also be taken seriously by the state is, I think, again another step along the process.

So, as I said, I want to compliment the minister on having the foresight to introduce what we now call the Mullighan inquiry and to say that, like the many people who work in this area—particularly, our social workers and child protection officers as well as the associated professional people who deal with child protection—the work that Mullighan and his team have done is exceptional. I think that we can only be very proud of the fact that they have turned out a wonderful report that I hope, in some way, helps the 792 people who I understand appeared before them.

One of the things that always worries me (and, again, this goes back to the way I was brought up) is the need to make sure that we train everybody—and we have an opportunity to do that right now with our children—right through our community to have respect for each other. It seems to me that there is a philosophy of making sure that—and I think we would all agree—we need to protect the most vulnerable in our community, but I guess the other thing is that we really do need to think about what our culture supports: how we are portraying children and people in the community and how we treat vulnerable people. This seems to be a philosophical need to try to address these issues.

I was absolutely horrified to hear as the minister in 2002 that 11,974 reports were made and, whether or not they be serious, that is a very high number; and then I think about all of the reports of neglect and abuse of different sorts that were not made that would have happened that absolutely nobody knows about. Certainly, they would not have had the courage or information to know how to report those cases.

It seems to me as though there has been quite a shift in the past six years, and I think that is important, but the challenge will be to make sure that we do something about preventing the abuse that has happened and also to try to change the way we view our community and each other. So, there need to be quite significant cultural changes in my view and also we need to have the resources available to do this work properly.

I have a couple of friends who have worked in the child protection area all of their working life—30 years in one case and 35 years in the other—and they are wonderful people, but they are burnt out. They are burnt out because they deal with too many cases and, quite often, they feel very depressed about what the outcomes will be for the clients they see and their families. I think that is the other challenge which will always be difficult for any government but it is one that does need to be taken very seriously.

I join with others in apologising and I say that I am sorry about what has happened. I think it is a terrible truth that we have discovered. In my childhood, as I said, I would like to say sorry to the foster kids, although I think they probably had a reasonable time with our family. I would like to say sorry to them and I would also like to say sorry to those Aboriginal young people who would come down and join us at Christmas time. I wish that I had understood more of their hurt.

Since the Mullighan inquiry, I am very honoured to have a couple of constituents who made submissions to the Mullighan inquiry who have talked to me about their own cases. I have said it to

them personally but I want to put on record my admiration for their coming forward and telling their story and having the graciousness and humanity to accept the apology that has been offered. I think that, as much as making an apology, I want to acknowledge that many of these people who have come forward with their stories have also accepted the apology. There will be some who have not and there will be some who are not with us any more, as we have said in this chamber, so unfortunately they do not come under the apology that has been made by the state.

I also add my apology and say that, having had responsibility as the minister for social justice for two years in this area, I apologise for anything that may have happened that I have not been able to deal with or that I did not know about. Even so, I say that the overwhelming view I have from reading the Mullighan report is that we really do need to change our attitude and philosophy about how we treat each other. That is the only way we are going to have any change and it is the only way we are going to be able to prevent there being another Mullighan inquiry in 50 years' time.

[Sitting extended beyond 17:00 on motion of Hon. K.A. Maywald]

The Hon. R.G. KERIN (Frome) (16:43): I rise to support the apology and add my apology to those of previous speakers. Right at the outset I congratulate and thank Ted Mullighan for the amazing job that he has done. Ted was not far off taking retirement from the bench and, for him to take on this job—and he had a fair idea of what it entailed, although I think it might have surprised him once he got into it—as a person who had made an enormous contribution to the state already, I think shows that he is a very special man. I think he was warned by several people that it might extend his retirement date by some time.

He is a guy with enormous compassion and he was able to get people to talk to him in such an easy manner, and that really made an enormous difference to so many of the victims. I think Ted Mullighan has done an enormous service to the state and the victims through the fact that it has allowed us to understand the culture of what has happened much better. With his recommendations, Ted has not only made an enormous contribution to South Australia and the victims, but also I have no doubt that Ted Mullighan's legacy will be that fewer children will be sexually abused in the future. Unfortunately, it will still be there, but I think Ted Mullighan can walk away from this knowing that he has made an enormous contribution, and part of that is increased protection for those ahead of him.

For his staff, to be seconded into the positions that they occupied was a very difficult task for all of them. This is not an easy field to enter into. It takes special people to be able to hear, day after day, such horrible stories of what actually happened, to try to understand the culture of what happened to these people, to try to understand why they did not come forward years ago, to understand the fear that they had of a whole range of institutions, and to be able to give them the comfort and trust for them to be able to tell their story.

The staff of the Mullighan inquiry have done an amazing job. As I said about Ted Mullighan, their legacy will be not only that justice has been served to some in the past and that we better understand but also that they have given us the task of making sure the recommendations are upheld and that we protect our young people far better in the future.

What I found most incredible in this whole thing is the courage of the victims. I heard many of the initial stories and, quite frankly, these people had not been believed for years. Most of us have had a decent upbringing, and you initially find it hard to believe some of the stories coming from these people. Many of them are people who have been troubled for a long time. They were talking about things that happened many years ago, so their recollection is not always totally consistent. There was an enormous feeling for those who make that enormous step to come forward. All of a sudden, they wanted to tell their story and they wanted to be believed. For so long their greatest disappointment was they were not going to be believed.

There was an absolute culture amongst the perpetrators. They got away with it for so many years because it was an absolute culture that you picked up from nearly everyone you spoke to, that when they were left, after being abused, they were made to feel as if they had done something very wrong. They were made to feel as if they were very guilty, and they were made to feel that, if they did come forward and report it, they would be in deep trouble, and that happened in some cases. They were also made to understand that, if they did come forward, they would not be believed. That thought stayed with some of them for 30 or 40 years. It was only when others came forward that they started talking amongst each other. They would pick up the paper or whatever,

and all of a sudden, they thought, 'There is some chance that someone is now going to believe us,' and they were willing to come forward. Full credit goes to Ted Mullighan for being able to give them the confidence they needed to come forward.

The lack of trust in us, as parliamentarians, the lack of trust in the police, and the lack of trust in the bureaucracy—in any authority—was amazing. So many of them had tried at some stage, or had friends who had gone forward and tried to tell their story and were just not believed. It really was a cultural thing. The perpetrators were all part of that culture and, by hell, they got away with it for a long time. Hopefully, what we have been able to do here will pull that back and we will see a huge decrease. Unfortunately, as I said, we will never get rid of it.

In speaking to Justice Mullighan not long after he took the job, I made several points. I was debriefing him on some of the people that I had been speaking to, although it was not so much about individual cases. In a later conversation he said, 'Well, I heard what you were saying but I wasn't too sure that it would be absolutely correct,' and that confirmed that what I had encountered he had also encountered. As I said, in isolation you would not believe a lot of the stories because of their outright horror but also because of some inconsistencies in the way they were told. I have trouble remembering what I did a week ago, and when these people are trying to talk about what happened to them over a period of time when they were seven, 10, 13 years old—30 years ago—of course you are going to have some inconsistencies. Because of those inconsistencies, a lot of those stories will probably never totally stand up on their own as being totally understood and believable.

One of the things that I said to Justice Mullighan was, 'You're going to come across certain descriptions of people, certain names, certain places, certain patterns of behaviour and certain institutions, and it will be from people who don't know each other. They have been there for five, 10 years apart.' Although I will not go into them, I did share a couple of specifics with Justice Mullighan, because there was a pattern of behaviour in some of those institutions over a period of time which made each of these unbelievable stories very credible. Certainly, the Mullighan inquiry picked up over time that certain things were did happen. I can understand to some extent how for years people were not believed, but once more of them were willing to come forward—and I think that Ki Meekins and Graham Archer probably sparked a lot of that, although that might not have been seen too well by some at the time—that gave people more encouragement to come forward. Once that happened it started to paint a picture, and a lot of these individual stories verified the stories of other people.

Many of the perpetrators have now been reported to the police. That gives a certain amount of closure and justice to some victims. The fact that they have been believed gives them a new self-respect that lot of them have not held for a long time during their lives. As I said, a few people probably sparked this to start with and, as I said, Ki Meekins showed enormous courage in those early days. I will not go into some of the detail of why it was courageous for Ki to come forward. Certainly, the fact that Graham Archer believed him, and they ran television programs, really gave the issue a focus that it probably had not had before, which increased pressure on all of us to listen and decide that we really needed to do something about what had happened to these people in the past. If that is not addressed, then those people miss out on justice, and we are not going to get any better at doing it into the future. I think those guys did a terrific job, as did the other people who were helping them.

I make special mention of a lady called Leonie Sheedy. Leonie, who was here in the chamber during the apology, heads up a group called CLAN (Care Leavers of Australia Network). She has done an enormous amount of work across all the states over a period of time, and I initially started talking to her at the outset of this matter. Leonie got together about six former care leavers from South Australia, with whom I met with at her house in Sydney, where we spent most of a Saturday discussing this matter. They decided that they wanted to tell their stories in front of each other, which I think helped each of them. I have had some pretty hard Saturdays out fielding in the heat and playing footy and doing all sorts of things, but I reckon that was the toughest Saturday I have ever had. There were a lot of tears shed, but you could see that there was basically a therapeutic effect coming through for those people who, all of a sudden, were telling stories they had never told before. I think that for them it was the start of getting some closure.

Once we got to the stage of setting up the inquiry, the minister ensured that it was resourced and pushed along, and I thank the minister for that. That was very important for these people, as also was the acceptance of virtually all the recommendations. If the parliament had not accepted the recommendations of the commission, I think that would have been devastating for many of the victims and totally unfair.

I thank the member for Heysen for her assistance in ensuring that this inquiry was headed along the right track, and I also thank the Hon. Andrew Evans in the Legislative Council for his work on the statute of limitations. I think that, at the end of the day, there should not be any politics involved in this matter at all, and that once we got it on the right track it was kept there. Indeed, I am very happy that we have got to this stage.

There are still some major unanswered questions which bother me. I do not know whether we will ever get the answers to those questions or, indeed, whether getting those answers would be relevant. How all this could have happened has always worried me. Where was the ultimate duty of care in those days to ensure that this did not happen? How were the decisions made to let the kids leave institutions with these people? I cannot understand that. My mother and father never let me out of their sight when I was younger. We, as a government or parliament, take on a responsibility for a lot of these kids who are in institutions.

I am troubled by the fact that it could happen at all, but for it to happen in the way that it did concerns me. It was almost a cultural thing, with kids being allowed out with these people on weekends; there were no checks and balances, and the kids would come back and report things and not be believed. It really is a very sad tale. This is not a matter involving one political party: it basically involves all of us. It was the parliamentarians and the bureaucrats over the years who allowed this to happen, and that leaves a great feeling of unease. It is hard to understand not just how we let these people down but how we actually allowed them to be delivered to the perpetrators.

There are some issues which hopefully will be picked up. What I did find, from talking to many of the victims, was that there were some real issues concerning files. People had been requesting their files for years. Many files were destroyed at one stage for confidentiality reasons, but why would you wipe out part of a person's life and remove any trace of what had happened to them during that time? That should never have happened. Another worrying part of it concerns a person who came to me—and this person knew several others in the same situation—and who had been told for years that their files did not exist. This person put in another request, unrelated to the others, and suddenly they have received copies of part of the files. This shows that the handling of files has not been good, and I would make three points about that in terms of keeping track of someone's life: first, that it is vitally important that files be kept accurately; secondly, that they be preserved; and, thirdly, that they be available to ex-wards of the state.

I have great respect for the victims, and I feel enormous sympathy for them. What we have seen is childhood denied, innocence taken, huge trust broken and many lives destroyed. The ones who have appeared before Commissioner Mullighan are, to some extent, the lucky ones. They are the survivors; they are the ones who have shown amazing courage to get through this. There are many others who have not made it. Because of what happened to them, some resorted to drugs and alcoholism, and no doubt there have been some suicides. Indeed, many of the people concerned, through lifestyle choices, are not here to tell their story.

There are others who chose not to tell their story. One person came to me in the last couple of weeks never told anyone what happened to him as a child. This person, whom I have known for a long time, did not want to go to Commissioner Mullighan, but he decided that he needed to tell someone. I think it was a big move for this person to talk to someone, particularly someone he knew.

This inquiry really has opened up many possibilities for all the people concerned, and it has made a big difference for them. It is important that we say sorry. The most important thing, though—and I think most of the victims would agree—is that we never allow it to happen again. Tragically there will still be child abuse, but we have to cut off every possible avenue where it could occur. It was an absolute pleasure to meet these people and a humbling experience to hear their stories. We can only wish every one of them all the success and happiness they can muster in the future. We acknowledge their courage in doing what they have done.

The member for Bragg raised the issue of some who were disappointed that the terms of reference did not cover them, and we have always been apologetic for that. It is important that we say sorry to them. I think if we had included everything, Ted Mullighan would have had to live until he was 150 to deal with the whole range of issues, but I think the Mullighan inquiry has opened up and made us believe the way these people were treated, and I think there is a flow-on to those who were physically or verbally abused. Their stories become an awful lot more believable because of what Justice Mullighan has been able to find out.

In conclusion, I am pleased that we have been able to finalise this in a bipartisan way, and I think that is important, particularly if you look at the long history of this. The important people are the victims. Personally, I am not focused on revenge, but I hope justice is served for those who do want closure. The compensation can never repurchase their innocence or their childhood but, again, justice can be some satisfaction. This apology is not the state's greatest achievement but it is very important, not just to these victims but also for the making of us as a better state, and, largely, that will be judged by a collective ability to implement Justice Mullighan's recommendations.

We have to become better at protecting our children, and that must be a huge spin-off of this report. Justice Mullighan has not let us down, and we have to make sure that we do not let him down, or the children in the past and those in the future. In closing, I would say that we do need to deliver on better outcomes, because otherwise our whole apology will be judged by what we can deliver in the future.

Ms SIMMONS (Morialta) (17:01): I rise to add my support to this apology. I think I am the only member, currently serving, who has had firsthand experience in fostering children in care.

Children come into care for a variety of reasons, none of which are their own fault. They arrive scared, angry, lost, feeling unloved and often with low self-esteem, thinking that they must be in this predicament through some fault of their own. They arrive very vulnerable. These children must be made to feel safe, secure, included and listened to. Carers need to be patient and kind, but able to set boundaries.

Yet, many of the abusers of our children in care used all of these tactics to win over our children and then abused their trust. They lacked the key to every relationship: honesty. It is a sad indictment of our so-called civilised country of Australia that kids in third world countries may have lived in poverty but have not suffered the level of mental and physical abuse that many of our children in state care have been subjected to.

It is appropriate that the Premier and the Minister for Families and Communities signed a shared government and church apology to those harmed in state care. It was thought that church-based care would be the most appropriate place to support our children, that they would be havens of charity and goodness, not harbourers of perverse evil. It is good that all sides have acknowledged that some carers have abused the trust placed in them and that we say sorry to those who have experienced abuse in state care and acknowledge the long-term effects that this has had on their lives.

I believe it is to the credit of these survivors that many of them have overcome their mistrust. It is hard to imagine what it must be like to have no-one to turn to when you are growing up—no parent and no caring figure—and that the significant adult in your life who has been awarded care of your very being is the one causing you the most harm. It must be very confusing when the person performing acts that you know are wrong then dons the garments that command respect in the community. It must be devastating, when you pluck up the courage to speak out about these horrors, that you are not believed or, even worse still, that you are punished for your boldness.

The effects of such a childhood must affect all future relationships, and that is why I think it is also important that we have also said sorry for the pain shared by other family members such as husbands, wives and children. To not be believed when you know you are telling the truth is one of the most difficult psychological issues to deal with. It plays on your mind and it never leaves you. We can only hope that this apology, given in the spirit of reconciliation, is the start of the healing process.

The report of the Children in State Care Commission of Inquiry, conducted by Commissioner Ted Mullighan, was one of the most shocking documents that I have read in my life. Story after heartfelt story relating patterns of behaviour (as the member for Frome also pointed out) were so similar across the homes and institutions in this state that it indicated that neither government nor church cared enough about our children to check the personnel caring for the children, and our homes became targets for paedophiles.

We have heard from many of the survivors that the sensitive and sensible approach of Commissioner Mullighan and his staff in collecting these stories gave many the courage to open their hearts and unlock thoughts and emotions that had been locked away for many years. As a community and a state we will be forever grateful to Commissioner Mullighan and his staff for the dignity they afforded these survivors and the healing process they began, not just for these people but also for the whole of the South Australian community. Tuesday's apology was a promise; it was

the next part of the healing journey. It validates not just the survivors' lives but also their courage to speak out again and, this time, to be heard.

Our job as a government is now to accept the recommendations from the children in state care inquiry and implement them to ensure that we will change practice and always provide the best care to children who are in need of it. As I said at the beginning, children who come into state care are already often (but not always) victims of abuse and trauma. They need extraordinary care, support and attention. Like all our children, they have a right to be safe and to trust relationships that are often thrust onto them.

Carers of our children need also to be provided with appropriate support and skills to be able to give and receive counselling, to gain knowledge and insight into the life that many of these children have lived before care, and the skills to help these children cope with and change difficult and challenging behaviours that they may have developed. I believe that the majority of our children are now cared for by amazing people who open their homes and their hearts to children in need, and I pay tribute to them.

However, this motion is about those children who suffered. They suffered physical abuse and mental abuse, and some suffered sexual abuse at the hands of those who were meant to care. We cannot let this happen again. This government recognises that keeping our children safe is a duty. We will spend $190.6 million over the next four years to protect our most vulnerable children.

Right across Australia, there has been an alarming increase in the number of children needing the government's protection. In South Australia, we have seen an increase of nearly 40 per cent in the number of children in care since we rebuilt the child protection system in 2004. These figures are atrocious. Currently, there are more than 1,750 children in care. Part of this money ($28.2 million) will provide early intervention support for families where the children are at risk of abuse or neglect. Another $13.2 million will be spent on families where there are severe problems to help them to stay together or to be reunified.

However, I do believe that there is also a community responsibility to help and support families who we know are struggling with their children: that we extend our own often insular lives to our extended family, friends and neighbourhood, so that families do not continue to fail, to be dysfunctional; and that this figure of 1,750 children currently in care can be reduced. On Tuesday we rightly said sorry for past abuse. I add my apology to those of others. These survivors as children suffered in our care. I acknowledge their bravery. Now we must ensure that this abuse does not happen again. I commend the apology to the house.

Mrs REDMOND (Heysen) (17:10): I, too, rise to support this apology. In fact, while I was sitting here this morning, one of my colleagues pointed out that the tapestry directly opposite has a couple of newspaper clippings, one of them from *The Advertiser* in 1940 headlined, 'Infant Guardianship Bill Debate' and the other from the register in 1923 headlined, 'Give us our children'. I think it is possibly significant that those headlines appear on that tapestry celebrating the Centenary of Women's Suffrage.

I record my personal and heartfelt apology to the victims and my profound thanks to Commissioner Mullighan and all his team. He, in particular, named Angel Williams and Liesel Chapman, who, of course, had quite significant roles to play, but the whole of the 57 staff who worked for the commission during its life are to be congratulated, because I have no doubt that it was quite difficult work. I was involved at the outset when the commission was set up and Commissioner Mullighan was appointed. Indeed, I was involved in drafting the agreed terms of reference as a very new shadow minister for families and communities.

The commission was always going to be a difficult task. By the time we passed the legislation setting up the commission, many victims were understandably jaded and mistrustful. Therefore, I particularly want to thank and congratulate those individuals who were the early ones courageous enough to speak to Commissioner Mullighan and to tell him their stories. They had already tried to tell their stories countless times before, only to find that they were not believed or, if they were, they were encouraged to just forget about it and get over it.

Such is the compassion of Commissioner Mullighan and his integrity and ability that, in a relatively short time, word seemed to spread. Here was a man who could be trusted, who would genuinely listen and who, at last, would believe, but, at the same time, who had a profound knowledge of the law which enabled him to achieve a range of other important things: assessing whether prosecution of offenders was likely to be available; ensuring that the commission's processes did not taint the evidence; and explaining in a sympathetic way the likely problems in any prosecution process. Most importantly, by listening to their stories in an interested, unhurried

way and by understanding the difficulty of just telling their stories, the commissioner enabled the long overdue healing process to begin.

I note that in his preface, Commissioner Mullighan mentions a couple of things about that. At the very end of the preface he says:

> As the inquiry progressed I soon felt a deep sense of privilege and responsibility at having been entrusted with the disclosures of people's most painful memories. I observed their selflessness and courage in sharing their stories as part of their process of healing, but also their desire to assist in some way to prevent future sexual abuse of children in state care.

Certainly, the original time line for the commission was based on the hope that the foul undercurrent of abuse would be less pervasive than it turned out to be.

I am glad that, rather than rushing the process and therefore giving the individuals less time, the decision was made to extend the commission. Certainly, one of the criticisms I have heard of the federal Senate inquiry is that people who appeared before it felt that they were rushed in and were required to more or less summarise what they wanted to say into a matter of just a few minutes. Sometimes it is really important just to give that most important gift of your time and attention.

We come to the apology first expressed by the Premier on Tuesday and then followed very eloquently by the Leader of the Opposition. We all now have our opportunity to add our voices to the apology, so long overdue and so seemingly inadequate when one reads the distressing stories of the abuses perpetrated against these children when in our care. We had a responsibility and we failed most terribly in the most basic requirement of that responsibility to ensure the safety of those children. How cruel it must have seemed to them to be taken from one unsatisfactory situation only to be confronted by even worse. How frightening, how bewildering, terrifying even, to be in situations described in the report, with no-one to help you, protect you or even believe you. Indeed, the healing that started with that is reflected also in a quote in the preface of Commissioner Mullighan's report where he says:

> One man told me: 'I've had days where I just wanted to give it all away and I just hope that this [coming to the Inquiry] will end it...Undoubtedly, in disclosing what happened to them, people were affected in various ways. Some felt relief, gratitude, a sense of closure, respected, believed or being included.

So, in the hope that my acknowledgment and every acknowledgment of your suffering and every recognition of your courage and resilience will help you now, I want to add my voice to say to the victims of abuse: I am sorry. I am sorry for what was done to you; I am sorry for our failure to protect you; and I am sorry for our failure to even listen to you and believe you and provide you with at least that comfort. To end on a more positive note, I also want to congratulate those people on their resilience, courage and determination. They deserve our admiration, and I commend the motion to the house.

The Hon. L. STEVENS (Little Para) (17:15): I, too, would like to add my voice to the apology given in this house by the Premier a couple of days ago to those harmed whilst in state care, and I acknowledge other members in this house who have done the same. I would like to congratulate Commissioner Mullighan and his staff for the work they did on this report. I would also like to put on the record my admiration for the people who came forward and acknowledge their resilience, determination and strength in being able to come forward and put on the record the horrifying incidents that happened to them.

When I read the report I found it sickening, horrifying and chilling. It is a huge betrayal of trust at all levels of our society. On page 13 of the summary in the report Commissioner Mullighan said:

> Evidence given to the inquiry demonstrates that the alleged sexual abuse occurred in every type of care from the 1940s onwards.

For the next 10 or 15 lines he outlines every type of care. It just shows how pervasive it has been. The fact that it was those institutions—state and church, whose name and status in our community was of the highest integrity—that were perpetrating this betrayal made those actions even more abominable. So, as far as it goes, I add my apology. It seems almost trite just to say it like that, but I am sorry for what has happened.

I was the shadow minister for families and community services from the time I came into this place in 1994 until when the Rann government took office, and my colleague the member for Ashford became the minister for social justice. I note that she mentioned in her speech the shock

she received when she was confronted with the state of affairs in relation to this matter. I was only too well aware of that, as shadow minister for all those years.

However, I am really pleased that, since the Rann Labor government has taken office, there has been a constant exposure through a range of reports, beginning with the Layton report, which was commissioned by the member for Ashford as minister for social justice. She also commissioned the Semple report into alternative care and undertook the Family and Youth Services Workload Analysis Project dealing with the same issues. There was a further report under the jurisdiction of the Hon. Jay Weatherill, the Keeping Them Safe report, which documented progress. Then, of course, we had the abuse of children in state care report, to which we are referring, and Commissioner Mullighan's report on abuse in the APY lands.

Never before has there been such a concentrated effort to bring to the surface some of the most despicable practices that have occurred in our state—and not only in our state: we know this is something that has occurred in all jurisdictions and also in other countries. I am pleased to see that the government has reacted positively to the recommendations of Commissioner Mullighan in relation to this report. I am pleased that a further significant amount of funding has been allocated to address the issues and implement the recommendations as outlined by the Minister for Families and Communities.

We can say sorry but, as the member for Ashford said, the most important thing we need to do is to make a difference for the future. If we put all those reports together, there are some very big questions that we need to ask in terms of our society. At the moment, I chair an early childhood development coordinating committee of agency heads of non-government agencies in the northern suburbs of Adelaide in relation to early childhood development.

Recently we were briefed by the regional director of families and communities about the extent of child protection issues in the northern suburbs. We were told some extremely concerning things in terms of the extent of issues in the Elizabeth and Salisbury offices. I have no doubt that it is not just in those areas that these things are occurring. The question is: what is going on in our community which makes this so pervasive?

A few weeks ago, in the Aboriginal Lands Parliamentary Standing Committee, we were discussing Commissioner Mulligan's report into the APY lands. We had, as a witness, Kaisi Varttu from SHine SA. She has spent quite a significant amount of time working in the lands and has also been working on these issues in the broader South Australian community. She raised some very important issues about not just what is happening in the APY lands but in our community generally. She talked about some very important issues that we need to address in terms of our community generally.

From what she said, my understanding is that their data indicates that one in three females and one in five males in the community have been abused. This is not a small number; this is pointing to an endemic issue that we do not really want to talk about. The time has come when we need to ask the question: what is going on?

We talk about sexual predators and perpetrators of sexual abuse. If it is that common, it is everywhere. It is not just someone else's problem; it is not just a problem for children who have been in care—although they are particularly vulnerable—it is throughout our community. It says something about what we need to do and the level of concern that we need to show.

I think that some of the things that Kaisi talked about before the Aboriginal Lands Parliamentary Standing Committee—she was being directed, in particular, to the APY lands report—go much wider than that and are applicable generally, and I want to put them on the record. SHine makes a very important point: silence protects perpetrators. Zero tolerance is critical. She stated:

> SHine SA wants zero tolerance to go hand in hand with greater community awareness. Parents, neighbours, community organisations and community members need to know how to respond to rape and sexual abuse of children and young people.

She particularly made the point that we mostly talk about sexual abuse of children when, in fact, for most of these examples what actually happened was rape of these children. However, we do not say 'rape', we say 'sexual abuse'. Somehow perhaps that means it really was not as bad as it actually was. It is about us not really wanting to face up to what is going on. Kaisi said further:

> The findings of the Mullighan inquiries demonstrate that a radical whole of community response is critical to break the silence around rape and sexual abuse. SHine SA believes that parents and children should be better supported by resourced education campaigns that help break the dreadful silence that surrounds this taboo subject.

I am very pleased that recommendation 12 has been accepted by the government. Recommendation 12 was that an extensive media campaign be implemented to educate the community about child sexual abuse, its prevalence, existing misconceptions, perpetrators' tactics, services for victims and treatment of offenders and highlight that child protection is a community responsibility. That recommendation has been accepted.

The government has said that it will make available research funds and request that the Council for the Care of Children working with the Australian Centre for Child Protection examine the most effective approach for educating the community about the issue of child sexual abuse and child protection as a community responsibility.

The government has, in its response, been quite clear that systemic change of attitude is a long-term goal that requires community education efforts by government, community organisations and agencies working in the child protection arena; that education which can be targeted to particular groups is also important; that any campaign has to be over a long period to have an impact; and that we need to have expert advice on the sort of campaign or education strategy that would be effective in the long term. It is not just a one-off showy pamphlet or TV campaign for a certain number of weeks; it is a long-term strategy.

I am pleased that that is there. I am pleased that the education department has a new child protection curriculum for all of its students. However, we need to shine a light and we need to continue to shine a light on the truth of what is going on so that we can do something about it. The government can continue to put millions and millions of dollars into fixing the problem afterwards, but we need to shine a light and make people aware that it is not acceptable in any form, and we need to start early with children and families to try to change the current attitude that, unfortunately, exists under cover in our society.

Motion carried.

STATUTES AMENDMENT (POLICE SUPERANNUATION) BILL

The Legislative Council did not insist on its amendments to which the House of Assembly had disagreed.

ROAD TRAFFIC (HEAVY VEHICLE DRIVER FATIGUE) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

SUPPLY BILL 2008

The Legislative Council agreed to the bill without any amendment.

Mrs GERAGHTY: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

CONTROLLED SUBSTANCES (DRUG DETECTION POWERS) AMENDMENT BILL

Second reading.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:35): I move:

That this bill be now read a second time.

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

Leave granted.

The *Controlled Substances Act 1984* (the Act) sets out provisions dealing with the powers of authorised officers to conduct drug-related investigations. This Bill amends the Act to:

- regulate the use of drug-detection dogs in people and vehicle screening operations;
- enable police to establish and conduct drug-detection screening operations on identified drug-transit routes; and
- amend Section 52 dealing with the power of search and seizure.

As part of its strategy to deal with drug-related crime, SAPol has purchased and trained three passive-alert drug-detection dogs (drug-detection dogs). These dogs are specifically trained to detect odours from such drugs as heroin, amphetamines, cannabis and cocaine (and their derivatives). On detecting an odour, the dogs will sit passively next to the source.

Some ambiguity exists as to the extent to which police can carry out people-screening operations using drug-detection dogs. Legal authority suggests that the use of drug-detection dogs for such operations does not

constitute a search. Nevertheless, SAPol has recommended that the Act be amended to clarify this matter and ensure that there is a sound legal basis for using the dogs for drug-detection purposes. The Government agrees that it would be prudent to amend the legislation.

Advances in technology have also provided law-enforcement agencies with electronic drug-detection systems that enhance their ability to detect the presence of drugs on people and property. An example includes the use of both odour-detecting and swabbing equipment on luggage at airports. Although these systems are not widely in use in South Australia, the opportunity is being taken to amend the Act to authorise and regulate the use of such systems for general drug detection.

In addition, the Bill will provide legislative support to allow police to conduct vehicle-stopping operations solely for the purpose of drug detection on drug transit routes.

Amendments will also be made to section 52 of the Act to reduce the level of suspicion required for a search under the Act from a reasonable belief to a reasonable suspicion. This is consistent with the level required for searches under the Summary Offences Act 1953.

The amendments in the Bill are consistent with South Australia's Strategic Plan *Objective 2, Improving Wellbeing, Target 2.8 Reducing Victim Reported Crime* and the aim of the South Australian Drug Strategy 2005-2010, which is to 'improve the health and well being of all South Australians by preventing the use of illicit drugs and the misuse of licit drugs'. A key area of the Strategy is to reduce the supply of drugs through strategies that will reduce the availability and supply of illegal drugs.

GENERAL DRUG-DETECTION

SAPol's drug-detection dogs are already being used routinely to assist with drug-detection at bus depots, transport companies, Adelaide Airport, during the execution of drug warrants and at major events such as the exterior of the Big Day Out. They have had success in detecting various quantities of cannabis, heroin, cocaine, ecstasy and pseudoephedrine.

With the success of the dogs and proposals for continuing and wider use of them, SAPol has suggested that legislation be enacted to clarify the police powers in using dogs for drug-detection. SAPol is not seeking open-ended legislation but rather wants the legislation to give authority to conduct operations in places such as licensed premises and at public events and public-transport hubs and other places where drug detection may increase public safety.

New South Wales and Queensland have both enacted legislation to authorise the use of drug-detection dogs for people screening. Those laws have been used as a guide in formulating the South Australian legislation.

The Bill will allow police to carry out general drug–detection on a person who is in, or is attempting to enter or leave, a licensed premises or car parks used by the patrons of the licensed premises, public venues or car parks used by the patrons of the public venue and public passenger carriers or any place the carrier may take up or set down passengers. Any property in the possession of such a person or that is located in these areas will also be subject to general drug-detection.

The Bill also allows a police officer of or above the rank of inspector to authorise the exercise of these powers in other public places. The authorisation must be granted in accordance with guidelines issued by the Commissioner of Police. This will enable police to target public places that from time to time pose a risk to public safety through drug activity. The authorisation can be varied or revoked by the officer at any time, but in any case cannot exceed a period of 14 days unless renewed by the senior police officer for a further 14 days.

General drug-detection involves the walking or placement of a drug-detection dog in the vicinity of a person or property or the use of an electronic drug detection system for the purpose of detecting drugs. It does not involve the search of the person or property.

A drug-detection dog must complete a course of training approved by the Commissioner for the purpose of detecting the presence of a controlled drug, controlled precursor or controlled plant. An electronic drug detection system is an electronic device or system approved by the Commissioner and must be used in a manner prescribed by regulation. The regulations will limit the use of an electronic drug-detection system so that the general drug-detection power cannot be used to, in effect, conduct a search of a person or property.

To avoid doubt, an indication by a drug-detection dog or an electronic drug-detection system of the presence of a controlled drug, controlled precursor or controlled plant will constitute a reasonable suspicion that such an item is present. This would allow a police officer to use the indication to form the basis of the suspicion to conduct a formal search under section 52 of the Act.

DRUG-TRANSIT-ROUTES

Over several years SAPol has identified that large quantities of prohibited drugs are trafficked between States. Intelligence indicates New South Wales is a receiver of large quantities of cannabis from South Australia and in return supplies quantities of heroin, amphetamines, ecstasy and cocaine. There is trafficking of prohibited drugs between South Australia and other mainland States.

Under the current law, SAPol has no specific power to stop vehicles at random on known drug- transport routes to check for the presence of drugs. The *Controlled Substances Act 1984* provides police with the power to stop, search and detain vehicles that are reasonably suspected of containing a substance that would afford evidence of an offence against the Act. Similarly Section 68 of the *Summary Offences Act 1953* permits a police officer to stop, search and detain a vehicle if there is a reasonable suspicion that it contains stolen goods or objects, possession of which constitutes an offence or evidence of the commission of an indictable offence. Both sections require the police officer to form a suspicion about a vehicle before the authority can be used. Unless specific

information is known of a vehicle transporting drugs, police are unable to use these powers to detect a vehicle and so disrupt drug trafficking between States or within this State.

On occasion, SAPol has participated in combined vehicle-stopping operations with other Government agencies, such as Primary Industries and Resources S.A. and the Department for Transport, Energy and Infrastructure. This has allowed them to use drug-detection dogs to screen for drugs in vehicles. However, the Government agrees with SAPol that the lack of any specific power to stop vehicles on known drug transit routes is an unnecessary impediment to SAPol's fight against the transportation of drugs interstate and in country areas.

In preparing the legislation the Government has drawn on the experience from the trials conducted in New South Wales. The Bill will allow police to conduct drug-transit-route operations in areas that a senior police officer reasonably suspects is being, or is likely to be, used for the transport of controlled drugs, controlled precursors or controlled plants. The authorisation may only be granted in accordance with guidelines issued by the Commissioner of Police and must define the area to which it relates and the conditions of operation.

The authorisation can be varied or revoked by the officer at any time, but in any case cannot exceed a period of 14 days unless renewed by the senior police officer for a further 14 days.

As the aim of the legislation is to interfere with interstate and intrastate drug transit routes, the Government does not propose that the power be used to allow the random stopping of vehicles within the metropolitan area. Rather the Bill provides that a search area must be more than 30 kilometres from the General Post Office. This will provide consistency for police and ensure major routes, such as the Princes Highway, will be included. This approach targets the transport of drugs between States and within State regional areas but limits the disruption to road users in the metropolitan area.

Upon authorisation police may establish drug-detection points where the driver of a vehicle may be required to stop. This does not prevent police from stopping vehicles at other locations within the search area. Police may then carry out general drug-detection using drug-detection dogs or electronic drug-detection systems. To assist this process police my direct a person to open any part of the vehicle and allow the dog to enter any part of the vehicle which is not designed to carry passengers. It does not permit the police to conduct a search of the vehicle or person, unless permitted by legislation.

The Commissioner will be required to report to the Attorney General each year the number of authorisations granted for both general drug-detection operations and drug-transit-route operations, the public places to which they applied and the period for which each authorisation applied and the number of occasions on which a drug-detection dog or electronic drug-detection system indicated the detection of the presence of a controlled drug, controlled precursor or controlled plant. This will be reported to the Parliament.

GENERAL PROVISIONS

In any proceedings relating to the use of the new powers, the Commissioner of Police may produce certificates that a public place was subject to an authorisation that was properly granted by a senior police officer or that a certain area (relating to a drug transit route operation) was subject to an authorisation that was properly granted by a senior police officer, or that a dog used to carry out any drug-detection work was in fact a drug-detection dog or a device or system used to carry out general drug detection was an electronic drug-detection system. The production of such certificate will constitute proof, in the absence of proof to the contrary, of the matters certified.

AMENDMENT OF SECTION 52 CONTROLLED SUBSTANCES ACT

The current level of suspicion required for a member of the police to search a person for a drug offence is not in line with the suspicion required in other South Australian Acts or interstate jurisdictions. Although the most appropriate authority to be used for the purpose of drug offences is *Section 52(6) Controlled Substances Act 1984*, there is nothing preventing officers from using *Section 68 Summary Offences Act 1953* to search a person for drug-related offences.

This creates an inconsistency as section 52(6) of the *Controlled Substances Act* requires a reasonable belief while section 68 of the *Summary Offences Act 1953* requires a reasonable suspicion. There is nothing in Hansard to suggest it was the intent of Parliament to afford persons suspected of drug related offences a greater protection than persons having committed non-drug offences. In fact the preceding Act, being the *Narcotics and Psychotropic Drugs Act 1974*, required only a 'reasonable suspicion' be formed as to whether a person was in possession of a drug.

The Bill amends Section 52(6) so that police need only reasonably suspect that a person is in possession of a controlled drug, controlled precursor or controlled plant. Similarly, subsections (7) and (8) have been amended by removing the necessity for police to take a suspected person before a Justice of the Peace to search if the suspected person requests.

The Bill also amends section 52(9) to allow for a search to be conducted where equipment could afford evidence of an offence. This is consistent with the recently enacted *Controlled Substances (Prescribed Equipment) Amendment Bill 2007*, which creates the offence of possession prescribed equipment without reasonable excuse. This equipment, which includes hydroponics and clandestine laboratory equipment, is regularly transported in vehicles, vessels and aircraft.

The Bill also makes consequential amendments to the *Summary Offences Act 1953* to make it clear that drug-detection dogs or electronic drug-detection systems can be used in exercising powers under Part 15.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

Clauses 1, 2 and 3 are formal.

Part 2—Amendment of *Controlled Substances Act 1984*

4—Amendment of section 4—Interpretation

This clause inserts definitions required for the measure. In particular—

drug detection dog means a dog that has completed training of a kind approved by the Commissioner of Police for the purpose of detecting the presence of a controlled drug, controlled precursor or controlled plant;

electronic drug detection system means—

(a) an electronic device of a kind approved by the Commissioner of Police; or

(b) a system, of a kind approved by the Commissioner of Police, that involves the use of an electronic device,

for the purpose of detecting the presence of a controlled drug, controlled precursor or controlled plant;

general drug detection means—

(a) walking or otherwise placing a drug detection dog in the vicinity of a person or property; or

(b) using an electronic drug detection system in relation to a person or property in a manner prescribed by regulation,

for the purpose of determining whether the dog or system (as the case may be) detects the presence of a controlled drug, controlled precursor or controlled plant (but does not include any other conduct by a person that would constitute a search).

5—Amendment of section 52—Power to search, seize etc

Clause 5 inserts a new subsection into section 52. This subsection provides that a member of the police force may, in exercising powers pursuant to a warrant issued under subsection (4) or any other powers under section 52, use a drug detection dog or an electronic drug detection system.

6—Insertion of sections 52A, 52B, 52C and 52D

This clause inserts new provisions as follows:

52A—General drug detection powers

This proposed section provides that a member of the police force may carry out general drug detection in relation to—

(a) any property in an area to which the section applies; and

(b) any person who is in, or is apparently attempting to enter or to leave, an area to which the section applies; and

(c) any property in the possession of such a person.

The provision applies to the following areas:

(a) licensed premises or a carparking area specifically provided for the use of patrons of any licensed premises;

(b) a public venue or a carparking area specifically provided for the use of patrons of any public venue;

(c) a public passenger carrier or any place at which public passenger carriers may take up, or set down, passengers;

(d) a public place in relation to which the exercise of powers under this section is authorised by a senior police officer.

52B—Special powers relating to drug transit routes

This proposed section provides that a senior police officer may, if he or she reasonably suspects that an area is being, or is likely to be, used for the transport of controlled drugs, controlled precursors or controlled plants in contravention of the Act, authorise the exercise of powers under

this section in relation to the area. The proposed powers are that a member of the police force may—

(a) require the driver of a vehicle within the area to stop the vehicle (whether at a drug detection point or at any other location); and

(b) detain the vehicle and carry out general drug detection in relation to the vehicle and any persons or property in or on the vehicle; and

(c) allow a drug detection dog to enter any part of the vehicle not designed for the purpose of carrying passengers while the vehicle is moving; and

(d) direct a person to open any part of the vehicle and give such other directions as are reasonably necessary for, or incidental to, the effective exercise of powers under this section.

52C—Report to Minister on issue of authorisations

This proposed section provides that the Commissioner of Police must, on or before 30 September in each year, provide a report to the Attorney-General specifying the following information in relation to the financial year ending on the preceding 30 June:

(a) the number of authorisations granted by senior police officers under proposed sections 52A and 52B during that financial year;

(b) the public places or areas in relation to which those authorisations were granted;

(c) the periods during which the authorisations applied;

(d) the number of occasions on which a dog or a drug detection system indicated detection of a controlled drug, precursor or plant in the course of the exercise of powers under the new provisions.

52D—General provisions relating to exercise of powers

Proposed new section 52D contains provisions relating to the exercise of powers by police officers and other authorised officers and evidentiary matters.

7—Redesignation of section 52A

Clause 7 is a drafting amendment.

8—Amendment of section 63—Regulations

Clause 8 is a consequential amendment.

Schedule 1—Related amendment to *Summary Offences Act 1953*

1—Insertion of section 74BAAB

The Schedule makes a related amendment to the *Summary Offences Act 1953* to allow a police officer to use a drug detection dog or electronic drug detection system when exercising powers under Part 15 of that Act.

Debate adjourned on motion of Mrs Redmond.

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

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:38): I have to report that the managers for the two houses conferred together and that no agreement was reached.

[Sitting suspended from 17:38 to 17:55]

NATIONAL GAS (SOUTH AUSTRALIA) BILL

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) BILL

The Legislative Council agreed to the bill without any amendment.

At 17:57 the house adjourned until Thursday 3 July 2008 at 10:30.