

## HOUSE OF ASSEMBLY

Tuesday 20 July 2010

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 11:00 and read prayers.

**The SPEAKER:** Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

### **TRUSTEE COMPANIES (COMMONWEALTH REGULATION) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 23 June 2010.)

**Ms CHAPMAN (Bragg) (11:02):** Today I rise to indicate that the opposition has considered the Trustee Companies (Commonwealth Regulation) Amendment Bill 2010 and, on behalf of the opposition, I indicate that we will be supporting the bill. I thank the minister for members of his staff and members of the department who were available to provide us with a briefing on the background of the bill and to answer relevant questions. That was provided promptly and comprehensively. The Attorney-General's second reading explanation states:

Most trustee companies have expanded their activities into other areas of wealth creation, management and transfer. They now offer a range of financial services, including acting as superannuation trustees, acting as Responsible Entities for managed funds, providing custodial or depository services, and acting as trustees for debenture holders. They are regulated under Commonwealth legislation for these other financial activities.

Whereas a trustee company can provide these other financial services across Australia by dint of their licensing or approval under Commonwealth legislation, under the State and Territory regulated trustee company regime they also had to be licensed or authorised in each state or territory in which they offer traditional trustee company services.

The opposition agrees with this and, on consultation, that position has been confirmed. Accordingly, it brings about the basis upon which (we do not doubt) the June 2008 COAG meeting, I think represented by the Premier of South Australia, agreed that the commonwealth government would assume responsibility for regulating trustee companies at the entity level and minimise the duplication of regulation as required.

It is important to note that the commonwealth already has powers in relation to corporations and therefore this agreement involves the commonwealth exercising more of its current constitutional power rather than a referral of state power. I, for one, am known in this parliament for raising some considerable objection and disquiet if the latter is to occur, but in this instance it is clear that there has been an overlap and we need to streamline that.

The commonwealth Corporations Legislation Amendment (Financial Services Modernisation) Act 2009 commenced operation on 6 May this year. That act implements the transfer of entity level trustee company regulation to the commonwealth regulation, which will be undertaken by APRA, and we are assured that will enhance consumer protection rights. That is often a claim; it may, but I am yet to see whether that is of direct benefit, but I think the performance of APRA will tell us whether that is going to translate into actual protection and enhancement.

However, the bill under consideration today implements South Australia's obligation under that COAG agreement. This, and another 26 reforms, will entitle South Australia to commonwealth payments of \$47 million over four years. We are not certain, although we had not inquired in detail during the briefing, as to whether there would be a direct penalty of the whole of that amount in the event we were not to comply with the agreement but, on the basis that we affect the principle upon which the agreement was made—and that is meritorious—it is of little consequence.

I will say for the record that these inducement payments by the commonwealth are not something that I favour to the extent that, while obviously we are happy to receive them in this instance as in others, for the commonwealth to hang over our heads some impecunious consequence if we fail to comply with what it considers to be important, personally I find quite offensive. However, as I have indicated, we accept the merits of the basis upon which this agreement has been reached and, therefore, it is inconsequential as to the application or offering of funds as some kind of inducement or threat; it is probably irrelevant.

I place on record our understanding that state legislation will be maintained in respect of wills, administration and probate. This will continue to apply to trustee companies as they apply to other participants in the field. I think that is important to note. This is an important jurisdiction which will be maintained. It is effectively administered through the Supreme Court in South Australia and a highly skilled legal profession sits alongside of that administration which provides services to South Australians in this area. It is local, efficient and highly competent, and I am pleased to note that it will be maintained.

The opposition also notes that state and territory public trustees will not be subject to the new commonwealth regulatory regime unless the relevant government consents to this occurring. It is our understanding that from the South Australian perspective, at least at this stage, it is intended that the state will not grant consent for our Public Trustee to become subject to the new commonwealth regulatory regime. I simply comment in this regard that it always puzzles me as to why something is ostensibly good for everyone else but not for our state public institutions or employees as applied when we stood in this chamber to debate the transfer of power to the commonwealth in relation to industrial relations. It seemed to me an argument that was good enough for every other worker in South Australia but not appropriate for South Australian public employees or local government employees.

I find that quite incongruous. Nevertheless, the state administration says that it will retain responsibility for the Public Trustee. Having read the Legislative Council review on the Public Trustee recently, tabled in this parliament in the past couple of years, and having heard the plight of some constituents whose cases have been raised in this forum as to their service by the Public Trustee, not to mention allegations of bullying among staff and the like, it is an ongoing and worrying concern.

A number of assurances have been given by the government in response to that review that there is a new administrative regime, a new chief executive in place and that the situation is improving. However, cases still come to me, and I am sure to other members in the chamber, where that standard is not up to speed. We commonly hear about what may seem to be minor problems in the scheme of things where relatives or parties who are under the administration of the Public Trustee are denied access to very small sums of money for their adequate care or protection or for lifestyle enhancement. These may seem to be in the lower order of things to us, but let me assure members they are high in the minds of those who are in those circumstances.

I had a recent situation within my own family when I found that my brother, who had been the executor of the will of a former employee of our family who, for various reasons, the family (in particular, my brother) had undertaken continued support of in providing him with accommodation and ensuring that, despite what very small personal assets he had, he would be provided for. This man had an estate of, ultimately, a few thousand dollars and no real estate. To wait eight months for the Public Trustee to administer that estate demonstrates the type of problem that real people out there in the community are facing when they are attempting to deal with estates that are sometimes very small. Obviously, complex cases will attract some delay, but in simple cases it seems to me to be unacceptable on the face of it but certainly without any rational explanation.

This is an example of where it is important that the government continues to ensure that the promises it has made about the supervision of the Public Trustee and its service to the people of South Australia are met. These are often people without the capacity to be heard on their own and sometimes without the support of a legal guardian or power of attorney. We are here in the parliament to ensure that the government brings this agency to account and that it provides a good service to South Australians.

I understand that the Hon. Stephen Wade, our spokesperson on these issues in another place, has received responses from the legal fraternity and organisations to which this bill will apply—a number of trustee companies, very few of which have their headquarters in South Australia now—and that they are supportive of this change. This gives us further confidence that our support is appropriate.

**The Hon. J.R. RAU (Enfield—Attorney-General, Minister for Justice, Minister for Tourism) (11:13):** Thank you very much to the honourable member and members of the opposition for supporting this bill. I think we all can see the benefits of having these matters sorted out and dealt with as this bill seeks to do. I am very appreciative of the cooperative and helpful manner in which the member for Bragg and the opposition have approached this matter.

The honourable member for Bragg said a couple of things in the course of her remarks that I would like to mention very briefly, the first of which was a comment about the undesirability of the succession of state powers to the commonwealth. With the greatest of respect, I have always held a view very similar to hers and will continue to do so. Whether or not that prevails in every circumstance we will see.

The second remark the honourable member made, which I found very interesting, was in relation to, in effect, national competition policy payments or the equivalents thereof. Again, I think the honourable member knows that we share a very similar view about that as well. It actually illustrates a certain view of the relationship between the commonwealth and the states, whereby the states are led around by carrots in the shape of dollar bills to perform duties for the commonwealth. I guess all of us would hope that in a mature federation there should be some better way of achieving those outcomes, but that seems to be the only thing that is presently operational.

The honourable member also made mention of the question of the Public Trustee. I have also read the reports in relation to the Public Trustee, and I am very concerned to see that there is no improvement in relation to the performance of the Public Trustee. It is a matter that I think is important for all South Australians because, as all of us here would know, there are many vulnerable people whose lives are in the hands of the Public Trustee, and there are also many people with very minimal assets for whom the Public Trustee has been the only practical alternative in terms of having their estates managed and so forth.

Whilst the amount of money concerned in each individual case may not be large, it is very significant for the individuals and the families concerned, so I agree with the member for Bragg that the performance of the Public Trustee is a matter that we should be interested in—and I am interested in this matter. I hope and expect to see an improvement in the performance of the Public Trustee and some recognition coming through by virtue of members of the public dealing with the Public Trustee saying, 'We actually appreciate that this is being done a bit better than it was before.' Hopefully, members of this place will receive less by way of complaint about the performance of the Public Trustee.

I think that all the points made by the honourable member were very valid and very important. Again, I thank members of the opposition for their support and, hopefully, this bill will receive a speedy passage elsewhere as well.

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

#### **CONTROLLED SUBSTANCES (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 24 June 2010.)

**Ms CHAPMAN (Bragg) (11:18):** I rise to speak on the Controlled Substances (Miscellaneous) Amendment Bill 2010 and to indicate that, whilst a significant amendment is foreshadowed by the opposition, we will otherwise be supporting the passage of the second and third reading of the bill in this house, and I think my contribution will explain why. This bill was introduced quite recently in the parliament to support—the government claims—the fulfilling of a commitment made during the 2010 election. Members will recall that the Australian Labor Party published a policy entitled 'Safer Streets—Community Safety' during the election campaign. One of the planks of this policy proposed that a new offence be created, in particular that there be a new aggravated offence of trafficking controlled drugs in or around licensed premises and entertainment venues, and that this would have a 'powerful effect' (they are my words) on the incidence of young, vulnerable people who might attend licensed premises, in particular nightclubs, being approached by predatory and immoral parties with a view to selling drugs to them.

I think members are well aware—and it has been highlighted by the media—that when young people attend entertainment venues, and particularly when they have access to alcoholic beverages, their judgement in rejecting advances or approaches by persons with such ill intent towards them—that is, to peddle illicit drugs—is made more difficult. In these circumstances, their resistance factor is very low and it makes them very vulnerable. Therefore, it is a worthy objective of any government to try to address this issue and to deal with it.

The government's answer in presenting this law is that its principal objective is to impose a much higher penalty and pose a greater deterrence to drug dealing around licensed premises where such young people are so vulnerable. I have to say that, in the absence of identifying any

significant action on behalf of government agencies to detect, arrest, prosecute and deal with people who traffic in these circumstances, it is being adequately dealt with right now.

One way of demonstrating that would be if the government, in particular the Attorney-General, is able to present to us some evidence that there has been some proactive action in this regard and that that has translated to a number of prosecutions at least, if not successfully obtaining convictions. That would demonstrate how serious the government really is in ensuring that we minimise the risk to young people in these circumstances.

In other words, we have an existing regime of law, which is currently very severe—and this makes it more severe in very restricted circumstances—but it is of little consequence, to be honest, and of no benefit as a deterrent unless the current offenders are being arrested, prosecuted and appropriately dealt with. I will be very interested to hear from the Attorney-General as to the success rate to date under the current legislation, and it is important that we look at the current position.

Distinct in our criminal law is the provision for punishment for people who consume illicit drugs. To some degree, over a period of time, the parliament has exercised some leniency towards those who might consume drugs such as cannabis as distinct from others. That is not what we are dealing with today in any event. What we are dealing with today is the other side of the coin, those who are actually trafficking the drug to the ultimate consumer or user, and in particular to young people.

When we talk about trafficking of a controlled drug, we are talking about the selling or intention to sell the drug, and unless there is evidence to the contrary it is presumed to be trafficable activity if a certain volume or weight is actually applied to the illicit drug in question, the controlled drug under our legislation. The maximum penalty at present is a fine and imprisonment of \$500,000 and life respectively if one has a large commercial quantity found in one's possession and with the intent to sell, or selling indeed; of \$200,000 and 25 years respectively for a commercial quantity; and of \$50,000 and 10 years respectively below a commercial quantity.

The controlled drugs are significant. We know that with heroin and amphetamines many cases come to our attention, often in the media, tragically, usually when the vulnerable person has died; they have arrived at an emergency department at a hospital after a public function or entertainment and are found to be dead on arrival, no matter what interventions are applied. We hear all about it in the news and we feel very sad about that, and obviously a community and family are grieving when that occurs. So there is a desire, I think, amongst everyone, every responsible parent in this state particularly, to try and do something to change that.

For cannabis, a large commercial quantity applicable under the current law would provide for two kilograms of pure cannabis and 12.5 kilograms of mixed cannabis; and a commercial quantity, a kilogram of pure or 2.5 kilograms of mixed. That is quite a lot of cannabis to carry around outside an entertainment facility for this to apply to, but when people are found with this amount of cannabis, for example—and there are other graduations for other drugs—there is the presumption that it is being done, not for the personal use of the carrier, but for distribution to those who might be induced into purchasing some at these events.

That is the activity that is under question and for which the government is proposing to provide a deterrent by this new policy and this bill. Essentially what it is proposing to do by this bill is in a very discrete area, and that is to increase the penalty for trafficking in a prescribed area from \$50,000 to \$75,000 and from 10 years to 15 years when it is below that commercial quantity. To further restrict it again, cannabis is not going to be included, and essentially under our state legislation we are dealing with heroin and amphetamines.

The opposition has asked itself the question that, if this is such a bad thing, if our children are going to be exposed to drugs in these circumstances, and it is acknowledged that they are more vulnerable if they are under the influence of alcohol or in a mixed environment where they are under pressure from peers attending such a function, why on earth would we support legislation that excludes cannabis. So it is the opposition's view that, if we are really serious about this being effective and actually applying to cases where there is a serious consequence, namely death, we should also be looking at what is clearly in South Australia the most prolific drug, and that is cannabis.

It is just nonsensical to exclude this when it is such a common drug of choice in South Australia, across the spectrum—this does not just apply to young people. It just seems utterly bizarre that the government would attempt to introduce legislation, presenting to us as though it

cared about people in this situation, and exclude what is a most common drug. Again, we are not talking about the consumer at this end: this is an offence for a trafficker. If we say that it is unacceptable for someone to traffic drugs and peddle them to young people particularly, and we are going to pass a law that demonstrates our fury at those who participate in this, we have to be consistent, and it needs to be demonstrably effective.

On this second point about its being demonstrably effective, I think it is important that we have an understanding here in parliament about whether, in fact, the government has been effective in ensuring that its agencies are currently acting to enforce the current law, which, let us face it, in the scheme of things, is pretty severe. In relation to the maximum penalties, there are very few offences, other than life imprisonment offences, where such a heavy regime of penalty applies. It is hard to think that you could be in a situation that is harsher than life imprisonment. Certainly for other offences and felonies in particular there is some gradation, and there are some circumstances that apply which will reduce or minimise parole periods and diminish the actual effect of such a penalty.

The second aspect is this. I ask myself the question: how will the threat of an extra five years' imprisonment or an extra \$15,000 maximum fine be a deterrent? I have asked myself this question a lot during the term of this government because, prior to the current Attorney-General's tenure, in the eight years I have been here, time and again legislation was presented with the expectation that it would be a panacea (well-intended as it might be) to effect and introduce a regime which would reduce harm to the innocent with this promise that a higher penalty would be a deterrent.

Certainly in the second reading contribution there has been no evidence that that will make a difference as a deterrent. I place on the record my view—and I think it is shared by a number of people who have experience in this area, irrespective of whether they have had an interest directly in this area—that the ultimate sanction by penalty is not the deterrent. It may be a factor for some, but it is the fear of being caught that is the significant motivation for someone not to go over that boundary and contravene the laws that are in place, not the penalty.

If ever there was evidence of that, in the United States, approximately half the 52 states have the death penalty for murder and the other half do not. In half of the United States you can have a lethal injection or electrocution—and I think in some states hanging is still available. The conviction rates for murder in the states that have capital punishment and in those that do not have capital punishment are almost the same. The rate of prosecution for murder, of course, raises another interesting aspect, and I do not think in the course of this debate we need to go into it. However, I make that point that saying to someone, 'Don't murder someone because it is wrong and against the law and you will be the subject of a severe penalty of capital punishment or life imprisonment' is not the motivation to stop people doing it.

It is fair to say that, in Australia, in South Australia in particular (and fortunately we do not have the same murder rate as the United States), the overwhelming majority of murders involve domestic partners, usually husbands and wives. The circumstances surrounding these severe crimes, which attract life imprisonment in this state, do not make any difference. These circumstances are there and, unless we address them, we are not going to diminish the murder rate in this state.

It is often said to be an effective deterrent for law-abiding citizens in the first place—that is, for people who have an understanding that to kill someone in none of the circumstances that are allowed to occur (that is, defence, conflict, etc.) is unacceptable, it is unlawful and they will not do it; they make that judgment. They perhaps live in circumstances in which they are not pushed to the brink and commit that offence—and that is a great thing. Because laws are there, we hope to modify the behaviour of people, to keep people in check and to act as a reminder. It is a very effective tool, I think, for those who are good citizens in any event.

Let us understand, however, that this offence—that is, the decision by somebody to make a lot of money by peddling illicit drugs in the full knowledge that they could cause severe ill health and/or death to the recipient—is unconscionable and illegal, and it is condemned by people in this house and the community generally. Our constituents have an expectation that we maintain the rage and a high level of penalty for that behaviour.

The current regime is a severe one and it is important, not least because it gives some reassurance to the public that there will be some response in the event that someone transgresses by that behaviour—and that is a good thing. I am still at a loss as to whether the extra five years or

the extra \$15,000 sitting on a statute book is going to deter someone in those circumstances; if it does, fantastic. I would love to hear the testimony of a defendant accused of one of these offences standing in the Supreme Court saying, 'I have done that, and I am going to pay the price and I am not going to do it again. I have found out that this is the penalty, and I am never going to do this again.'

That would be fantastic, and I would love to hear it, but I am not convinced that an extra \$15,000, relative to the very lucrative financial reward for this behaviour, is going to make a scrap of difference or that the threat of the possibility of an extra five years' imprisonment is going to make a scrap of difference; however, if it does, I will congratulate the government for adding this enhancement of value to deterrence from this heinous crime.

I wish to touch on the question of a prescribed area. I think it is fair to say that what we ultimately ended up with in the bill in the definition of a prescribed area is a far cry from the government's announcement during the election campaign. Clearly, the emotive issue of young teenagers being exposed to drugs when they go off to a concert was very effective in getting the attention of the people in the community because we see sad cases of both boys and girls, (although we more often hear of young girls) taking amphetamines with tragic consequences. So, there is an immediate passionate and emotional response to do things that are going to prevent that.

What we have ended up with in the legislation, though, is that premises where a liquor licence is in force will be required to cover a much broader spectrum. This includes: a hotel licence, a restaurant licence that includes an external trading authorisation, an entertainment venue licence, a club licence that includes an extended trading authorisation, a special circumstance licence that includes an extended trading authorisation, and premises at which members of the public are gathered for public entertainment.

I do not know the incidence rate for the trafficking of drugs at well-known and highly regarded events such as Carnevale or other multicultural events in South Australia at which alcohol is sold, for example, the wine store at the Uraidla show, which has a display and tasting area under licence. I do not know whether there is a problem in these areas, but it seems to me that they are caught in this legislation.

There are many in the house who will say that that is fine, if there is a problem at a local country show, or at a major multicultural event—I have not heard of it, but if there is—then that needs to be addressed as well. I do not know whether the government had it in mind for it to be that extensive, but I think that members need to clearly appreciate that that is the effect that the legislation will have. As I say, there are many people on our side of the house who say, 'Well, so be it. If there is even one person who would attempt to do this outside an alcohol display area and tasting area at a local show, then we need to have this in place.'

The reason it is particularly important to understand the extent of the application of any law is that there is a direct consequence of something being very broad, as distinct from saying, 'Well, let's just put a limited effect on something.' That direct consequence is that, the broader it is, if it is to apply to many more people, places or events, then the responsibility of the government to ensure that people who are going to be affected by this law are informed, educated and, if necessary, trained to have an understanding of what their obligation is will be more expensive.

Now that, of course, always has to be balanced with the need for legislation and for the peculiar aspect of the legislation which has a higher good than the cost of applying it simply to a broad part of the community. Otherwise, the argument will always be just to apply this across the board. It would not have to be a licensed premises at all; it could just be anyone. We could just increase the penalty for anyone who has more than what is defined as below a commercial quantity of prohibited drugs—on our side that includes cannabis but, on the government's side, it is the other remaining controlled drugs—and we would simply have it apply to everybody and there would be no limit on licensed premises at all.

Is that not another argument that we would need to consider? Of course, it is, but remember, we are here today to deal with this piece of legislation because the Premier stood up in the election campaign and said he was going to get tough on making sure that we had safer streets and a community safety policy that was going to translate. We were going to get tough. It was like a war on traffickers at public events, but, in translation, it is now something quite different in the bill before us.

I conclude by saying that, if it works, it is worth it—the inconvenience, the cost, the restriction, the regulation is all worth it. I hope the government is right. I hope that the Premier's measures will make a difference. I have to say that I am sceptical, because if it was so important in the Premier's mind and so effective (as he presented to the people of South Australia during the election campaign as to what his planks of public policy were going to be in the application to this area of trafficking), then I suppose there is the logical question: what circumstances have there been that the current law had not applied, and if it is so damn good, where have they been in the past eight years to deal with this issue?

I do not know about other members, but for many years I have been hearing about young people at entertainment venues being presented with and induced into the purchasing of—and sometimes in exchange for favour rather than money—the receipt of and then consumption of these controlled drugs. It is not a new event that has occurred in 2010 that would warrant the Premier's announcement. So, I would simply pose the question: where has the Premier and his government been for the past eight years?

Consideration of the amendment relating to cannabis, as I understand it, has also been applied in the minds of others in another place, other than members of the opposition; and, via the Hon. Stephen Wade, we have had those discussions—'conversation' is the new word, I think, for these things—and we have ascertained that there is a broader concern about the exclusion of cannabis. That only confirms our commitment to ensuring that that exclusion is removed, and that if we are going to be effective and if this increase in penalty is going to make a scrap of difference, then it is going to have to apply to the most prolifically sold drug by traffickers in these circumstances.

**Mr GARDNER (Morialta) (11:47):** I am pleased to support the Controlled Substances (Miscellaneous) Amendment Bill, but we need to do so much more to deal with the issue of illicit drugs in our community. Constituents of all ages in my area have a deep concern about illicit drugs: the effect on the people who become addicted to illicit drugs, the effect on the people who may be taking them for the first time at parties or licensed venues and suffer the consequences of risky behaviour choices brought on by their drug use, and particularly the effect on family members who are affected in a negative way by illicit drug use.

It is particularly concerning for many young people in our community. Last week I was privileged to attend some sessions of the Youth Parliament, as were a number of other members of this house. I remember in the final session, which was also attended by the member for Hammond, the shadow minister for education and the shadow minister for health, one speaker, Ms Sam Mitchell, gave a very passionate contribution to the debate about the death of her cousin due to the dangerous driving on a country road of somebody under the influence of methamphetamines. Apparently, upon seeing a road train coming, the driver assumed that it was, in fact, a hallucination and so continued on regardless and heedless of the consequences, which had deadly, tragic consequences, particularly for the family member of that youth parliamentarian.

These stories are not isolated incidents. Illicit drugs wreak a tragic toll upon our community, and it is one that should be at the forefront of our minds. I am not sure that this bill is remotely enough in terms of what parliament needs to be doing and considering to address these concerns. I am very proud of my involvement in the previous federal government's comprehensive approach to drugs policy; I was an adviser in assisting with that policy, the Tough on Drugs policy. It was a comprehensive approach which dealt with the health side of matters in terms of rehabilitation of people who are addicted to illicit drugs.

It dealt with education, both through the schools and the nationwide social marketing and advertising campaigns, particularly the very successful Talking to Your Kids About Drugs national letterbox campaign. That campaign encouraged parents to take a more proactive approach in dealing with their own children's potential drug use or their exposure to illicit substances. Also, importantly, it gave a refreshed emphasis to the policing, which is important, both in terms of the resources available to police and in ensuring that dealers, in particular, are dealt with toughly by our courts.

This bill makes a contribution to that part of the Tough on Drugs approach, but so much more is needed, particularly in terms of the policing. The Howard government's Tough on Drugs approach was adopted in the late 1990s, and over the following decade, hundreds and hundreds of millions of dollars was directed towards Australian Federal Police and Customs to deal with the responsibilities of the federal government in addressing the policing side of illicit drug use.

Over the same period of time, the state government has employed more police officers, and for that I am grateful. However, I draw to the attention of the house the extraordinarily increased demand on police forces, which have to deal with people who are addicted to illicit drugs now, as opposed to years ago. Overall, in many ways we have improved, and the Tough on Drugs strategy has been particularly effective in lowering overall drug use. In a little while, I will discuss how, despite that overall drop in drug use, the demands on police are still greater.

In terms of overall figures, we have seen that from 1998, which was the high point, marijuana use amongst Australians has dropped from 17.9 per cent to 9.1 per cent in 2007. The most recent Australian Institute of Health and Welfare survey in 2007 showed that only 9.1 per cent of Australians used marijuana in the 12 months before the survey, and that is a very significant drop, that is, from 17.9 per cent to 9.1 per cent. In the same time, we have seen heroin use drop from 0.8 per cent of the population using heroin in the previous 12 months in 1998 to 0.2 per cent in 2007, and that figure has been consistent for some years.

Clearly, a number of these approaches are working in terms of reducing the number of people in Australia who are using marijuana and cannabis, although cannabis is still the most significantly used drug in Australia. One critical figure I am very pleased with, although, again, it is not enough, is that there has been a huge reduction in accidental deaths from opiates, which has gone from a staggering 1,116 deaths in 1999 to 374 in 2005, and the numbers have continued to decline. One of the reasons, I think, for the lowering of overall drug use in Australia has been that the Tough on Drugs campaign and other educational approaches have reduced the acceptability of illicit drugs in the community.

According to the national secondary school survey, in 1996, 35 per cent of 12 to 17 year olds had tried cannabis in their lifetime, but a decade later, after the Tough on Drugs campaign, that figure had halved to 18 per cent. Again, in 1996, 11 per cent of our secondary students were smoking cannabis at least weekly, and by 2005 that had dropped to 4 per cent. So, it is clear that the overall figures are diminishing. Acceptance of illicit drug use in the community is decreasing, and that is a good thing, but there are a couple of significant concerns that lead to a need for more police resources.

In terms of the drugs that are not decreasing, we are talking about methamphetamines, cocaine and ecstasy. Of course, in Australia when we say 'ecstasy' we can be talking about anything. People selling pills in nightclubs are not going to labs and producing pure forms of methylenedioxymethamphetamine: they are cutting it with anything from hydrochloric acid to baking soda to ketamine to methamphetamines and marketing it as ecstasy. Of course, those other substances that are included in ecstasy tablets have significant health effects and cause significant behavioural changes in the users.

Methamphetamines (drugs like ice, base and speed) are much stronger and cause more significant behavioural changes in the users than any illicit drug that was previously widespread in our society. Just going back to cannabis which, as I said, 9.1 per cent of the Australian population have used in the past 12 months, we are not talking about the sort of bongs and joints that people may have been smoking 40 years ago.

**Mr Goldsworthy:** Pot.

**Mr GARDNER:** Pot, as the member for Kavel describes it—I was a bit too young during the sixties! We are talking about cannabis that has a significantly higher THC count, is significantly more toxic and has significantly greater health and behavioural effects on the user which, of course, translate into terrible consequences for those around them. Cannabis leads to depression, psychosis and schizophrenia in many of its users, and this is particularly exacerbated by the more toxic nature of the plant that is available to people today.

When I was working with the federal government on drugs policy, I spent a lot of time visiting drug rehabilitation facilities around Australia. One that I particularly remember is the We Help Ourselves facility (WHO) in Sydney. Its executive director, Garth Popple, who is a very well respected and highly regarded leader in this area, took me around and introduced me to a number of users and the people who worked with them. They were talking about the different effects, in terms of the way that users behave, of heroin use as opposed to methamphetamine and ice use.

Many members present would be familiar with the extraordinary fear in the community based on psychotic attacks by ice addicts over the past few years which did not happen previously. Heroin addiction is a terrible addiction that destroys individuals and leads them to criminal behaviour in terms of theft and assault and battery, in order to get money to get their next fix.



Methamphetamines produce all of those same problems and more, in that a person who is high on ice is often quite devoid of human function and human compassion, does not know what is going on and is imbued with incredible amounts of adrenaline, strength and loss of feeling, and we have seen the tragic results that that creates.

When I was in the We Help Ourselves facility we went into one of the groups of people who were in rehabilitation. There was a discussion with about 12 of them. They were talking about how many of them were there for heroin, getting over an ice addiction or a combination of various addictions. According to my guide, I was told that, previously, perhaps five or 10 years earlier, the majority would have been there for heroin addiction. They were very placid; they were very depressed, but it was a completely different world.

On the tour that I was on in 2006, I think nine out of the 12 were there getting over ice addiction. For police having to deal with these people, the result is that it is a much tougher gig, and we need to consider that when we are talking about the resources. In 1993 only 2 per cent of the population had tried methamphetamines and 0.5 per cent had tried cocaine (which leads to similar results). In 2007 that figure had increased to 3.9 per cent. Many more people are taking these particularly dangerous drugs that lead to particularly bad consequences, and the purity of these drugs available on the streets now, as opposed to 20 years ago, is remarkably higher.

From my point of view, in terms of this bill, where we are increasing at the margins the penalties for dealers of small amounts of these substances, I support the bill and its intent, but so much more needs to be done, particularly in terms of resources to police and agencies within police that specifically deal with drug-related crime. As the Howard government did, we also need to increase our support for education and health.

Antonio Maria Costa, the Executive Director of the United Nations Office on Drugs and Crime, visited Australia at the beginning of 2007. We met with him, and he said that Australia was leading the world in terms of the balance of its approach to drugs. We have not seen in Australia the extraordinary increase in cocaine use that we have seen in Europe and the extraordinary increase in crack cocaine use that we have seen in America.

Customs and the AFP are working very effectively to stop the importation of opiates and organic drugs. It is not perfect, but it is working pretty well. One of our major concerns is the home-grown materials—the cannabis grown hydroponically and methamphetamines created in people's backyard drug labs. It is those two drugs—the highly toxic cannabis and the backyard laboratory methamphetamines—that we need to particularly concern ourselves with. It is a great defect in this bill that it does not treat cannabis in a serious way. There is no change to the penalty applied to cannabis dealers as there is for other drugs. I hope dearly that the upper house will consider amending the bill to that effect.

It is nonsensical to me that cannabis is excluded when it is the most widely used drug and it is a drug which is increasing in toxicity and which leads to depression, psychosis and schizophrenia, and, when taken in conjunction with drugs such as ice and speed, leads to even more significant effects. In producing this policy of seeking safer streets and community safety, I applaud the intent that the government clearly has in seeking safer streets and community safety—and tackling drug-related crime and drug use is very important in relation to that.

However, I conclude by saying that the government will not make a dent on the terrible effects of drug-related crime and drug abuse unless we increase our resources for policing and we work harder through the Ministerial Council on Drug Strategy to deal more effectively with the police, health and education aspects of drug abuse. In terms of this bill specifically, I urge the government and the upper house to consider amending the bill to ensure that cannabis, along with other drugs, is included in its application.

**Mr VENNING (Schubert) (12:04):** I want to add to the comments made by the member for Bragg, who is leading the opposition on this bill. My history in relation to the issue of drug use is well documented in this place. I have always been opposed to drugs, particularly in regard to drug driving. I introduced on two occasions a bill to bring in drug testing of drivers in South Australia; both attempts failed. The second attempt was followed quickly by the government's own bill, which was almost exactly the same as mine. So, there has been some politics, but in the end we get there. Anything we can do to arrest this problem should be addressed.

The opposition supports the bill, with the proviso of that significant amendment. I would not support anything unless that amendment is agreed to. I hope the government will look at that

amendment in this place before it goes to the other house, because I think it is a travesty that this house would allow a bill to go from this place without that amendment in it.

It is all about a new offence to be created dealing with trafficking in controlled drugs around licensed premises, especially nightclubs, hotels and the rest of it. We already have high penalties for the trafficking of controlled drugs—\$500,000 and life imprisonment for a large commercial quantity. A commercial quantity carries a fine of \$200,000 and 25 years gaol, and below a commercial quantity is \$50,000 and 10 years. We support this part of the legislation; it will impose a higher maximum penalty for below a commercial quantity in the prescribed area—\$75,000 or 15 years, which is up from \$50,000, which is quite a significant increase.

The bill specifically excludes cannabis from the aggravated offence. Why is this? Apparently we are told by the Department for Families and Communities that we have to be cautious about criminalisation of young people and minor operators in drug distribution. Well, is not this a contradiction to the known cause of the drug problem? People entering a life of drugs usually start by taking cannabis. We need to put in a huge deterrent up-front to kill off the problem before a bad habit starts, namely, cannabis addiction. It moves on to the harder drugs. Statistics tell us that most hard drug users started their addiction on cannabis. A deterrent here via this penalty could be likened to a bushfire: put out the spark before it escalates into a raging bushfire.

We all have bad habits; most of them are manageable. Apart from smoking, drugs are the most addictive thing, and we all know what it is like to get rid of very bad habits—mine is food, obviously.

**The Hon. R.B. Such:** What about collecting vintage wheels?

**Mr VENNING:** That is a habit I can control, or my wife can control it by watching the cheque book. We all have our foibles and habits. Everybody has a habit but, if yours is drugs, I am sorry. I have spent so much time with my own family—first, it was smoking as young kids and now drugs—talking and talking to the grandchildren about drugs, drugs, drugs; brainwashing, you could say. It is an insidious thing and we see what happens; the end result is appalling.

In my time in this place I have made many speeches on South Australia's drug problem. I was here when we allowed the cultivation of 10 cannabis plants to be an expiable offence—thanks to the Australian Democrats—and I can well recall a strong personal discussion I had with the Hon. Michael Elliott after his trip to Sweden about our draconian restrictions on cannabis, marijuana, Indian hemp, call it what you like. We saw what happened: Adelaide soon become the drug capital of Australia, and it certainly was. Look at the drug problem in Mexico today, where thousands of people have been killed in drug wars over the last 20 years.

We need to stamp this out in every way we can. My attitude on drug driving is well known, and I just highlighted that a while ago. It was crazy, because we knew that many people were driving under the effect of drugs. We were hitting alcohol very hard under drink driving offences, but we were not doing anything about drug drivers. In fact, when you combine the two you have a very serious problem.

My concern, driving more than 60,000 kilometres a year, is that the person coming down the road towards me—or worse, towards my family—is in control of that vehicle, is capable of driving that vehicle and is not affected by drugs, alcohol or both. That is what got me active in this, because I am as vulnerable as anyone. I am on the road all the time, as is my family and as are most country people. They just trust that the person coming down the road is in control of or can control the vehicle they are driving. It is your life or theirs, so we need to stamp this out.

I note the Hon. Ann Bressington's intention to remove the exclusion of cannabis if we cannot do it here. I note that the grounds for the aggravated offence to cover cannabis include:

Trafficking in cannabis is illegal and should be treated consistently with other illegal drugs.

Distribution of cannabis at licensed venues encourages the mixing of cannabis and alcohol, which may produce unpredictable reactions and diminish control [as I just said].

While links between cannabis and mental ill health are not clear, cannabis use should be discouraged because it has been shown to have the following long-term effects:

- increased risk of respiratory disease associated with the smoking, including cancer;
- decreased memory and learning abilities; and
- decreased motivation in areas such as study, work or concentration.

Even with cannabis included in the aggravated offence, cannabis would still be prosecuted at a lower level than the other drugs. The 2007 National Drug Strategy Household Survey shows that, while public support for increased penalties for cannabis is about 20 per cent below that of other drugs, it has increased by 5 per cent to 63 per cent in recent years.

As I just said, I have tried to get used to living with drugs in society. I am sorry, I cannot get used to it. It is very uneasy to be out in the public knowing that there are crazed people doing absolutely crazy things, such as road rage and home invasions. What do you call it where people smash into houses? These people are usually crazed and under the effects of drugs. You would normally trust common decency and normal behavioural problems to protect you in your home, but when you get people totally under the effects of drugs, who are crazed out and who will do anything, well, we all should feel very vulnerable. I am very concerned about that.

A prescribed area in this legislation is detailed here, and I am curious at the last category. The minister may wish to clarify this. The last category states:

Premises at which members of the public are gathered for a public entertainment.

That is an extremely open interpretation. Any interpretation could be given to include almost anything, even church. Does this include open-air rock concerts? Good question. People are gathered together for entertainment—not in a normal licensed premise, usually out in a paddock, a park or something. That is a very open categorisation.

I note the speeches made last week during the Youth Parliament. I heard some of the debate, and it got pretty emotional. In fact, there was sobbing in the corridor outside here. I came down to see what could be done, and I just decided, well, there was nothing I could do. I join the member from Morialta in noting the speech made by Miss Samantha Mitchell from Freeling. She lives in my electorate and, in fact, she is my trainee. I congratulate her on a fine speech. She really did enjoy her time here. I congratulate all those who had anything to do with organising the Youth Parliament, because it is a fantastic experience for these people.

I am sure that, not just for Samantha but for so many others, there is a future there for those people. I feel very happy that there is a future with these people, and I hope that many of them will step up. As the member for Bragg said in her speech, this sort of thing is hard law; it is tough to do this legislation. It is difficult but, as she said, if it works it is worth it. We support this legislation with that amendment.

**Mr PENGILLY (Finniss) (12:14):** I also indicate my support for this bill, however, as with previous speakers on our side, I also question just how sincere this Rann government is about doing anything apart from paying a bit of lip service and looking at the penalties. You seriously wonder where it is all going to go.

There are a number of us here in this place around my age who recall very clearly when marijuana became the flavour of the month, so to speak, in the sixties, along with LSD, and those who recall the Vietnam War quite clearly—the first television war in recorded history, really, where we saw it a day or two later. However, there has not been a lot said about the incredible numbers of American soldiers particularly who were savagely impacted on particularly by LSD during the Vietnam War.

The attrition rate from drugs in that war was absolutely appalling. I have not done the homework to go back and source all those numbers because I simply did not have time this morning. However, the sight of these soldiers, airmen, sailors—servicemen from the US particularly—remains ingrained in my mind. We were not immune to it: let's be quite clear about that. The Vietnam War sailed along on highly 'influenced' service personnel in the US forces. They had to send thousands of them home as addicted to LSD, marijuana and all sorts of things.

Of course, we all like to look back at Woodstock. I was not there, although I would not have minded being, actually, because it was pretty good music, but those of us who can recall Woodstock quite clearly remember the great haze of marijuana smoke that floated over Woodstock for the days that it took place. I see a few eyes raised around the chamber, but it was quite clear. My generation grew up with the impact of those drugs and they have not gone away. It has only got worse and, as other speakers have said in this place today, we have graduated to such nasties as ice, methamphetamines and others.

I heard the member for Schubert say that we have got to stop this. You are not going to stop it. You are absolutely not going to stop it because of these absolute mongrels who peddle drugs around the world and these mongrels who peddle drugs in South Australia, in Adelaide and

the absolute mongrels who peddle drugs in my own electorate. I am not going to hide away from that; they are extremely active down on the South Coast and they are active on Kangaroo Island. They are the lowest form of life and, as far as I am concerned, they should be exterminated. I have absolutely no time for them.

I see what the police have to deal with. I am aware, from discussions with South Australian police officers, what they have to deal with where kids have been hit by drugs. One of those times when they are out in full force trying to stop the proliferation of drugs is the annual schoolies festival in Victor Harbor where we have around 10,000 young people come down, and these parasites who trade in drugs are active there.

The police do a wonderful job in tracking it down as much as possible. We have around a hundred police officers down there and some of them who work in this line are referred to colloquially as dogs because they get down there and get dirty to find out what is going on. The more they exterminate and lock up, the better, as far as I am concerned.

That brings me back to the substance of the legislation. The substance of the legislation is in answer to a government election commitment particularly to do with licensed premises and nightclubs, etc., and wherever people—not always but, in the main, young people—get out and about to have a good time. You can get as silly as a fowl on alcohol, as you well know, Madam Deputy Speaker. We used to get quite foolish on Southwark 'Green Death' bitter beer. That used to do us, but I have never, ever been tempted to try drugs in any way shape or form. I do not do it these days, but I have been made a big enough fool on alcohol without going to drugs.

For those of you in this place with young children or who will have young children, the great challenge of your life is to raise your children with a sense of values so that they understand what an enormous amount of damage drugs can do. They will be tempted, be in no doubt. If you have children now (nought to five or five to 10), you can rest assured that by the time they are teenagers or in their 20s, there will be some other horrendous type of drug around or a finetuned marijuana, which is even stronger now than it used to be; the term 'dope' is widely used. They will be exposed to all these things so, if this bill in a small way assists the future generations or the current generation to get through this landmine, I would be more than happy.

I suspect it will have minimal impact. I suspect it will not be tough enough, but this side of the house has no problem supporting it—it is another way of going about business. These drugs permeate society and families. They destroy families. I have seen the product of drugs, heroin, marijuana, etc. on families throughout my life and throughout my electorate and district. I have seen what happens; I know what happens. I am a bit closer to it than I want to be quite frankly, and I will go no further on that. It has always been sold with marijuana that it doesn't hurt you. I can introduce you to people in my electorate who have been smoking marijuana for 20 or 30 years and I tell you that they are cooked in the head.

They are absolutely pathetic cases. They still think they are firing well, but it is disastrous for them. It has a disastrous outcome for their families and it saddens me in a great way. I know people who started smoking marijuana in the sixties who still smoke it and they just add to the cost of everybody else—to the taxpayer—through health costs and pensions, because they cannot work. Their health has deteriorated to the extent where they are just a severe drain on society. They will not go away. In many cases they live out a normal lifespan but they are contributing absolutely nothing to society.

I have worked in shearing sheds where shearers—and I make the point strongly that it is only a small minority—have had a smoke of dope at lunchtime or at afternoon smoko. It is taken as par for the course. I have also worked in shearing sheds where some of the workers who are alcoholics have a beer for morning smoko, a couple for lunch and a couple for afternoon smoko. A few of us feel like it from time to time but you don't do it. We need to draw the line wherever possible and whenever possible, particularly with the hard drugs, and let's not convince ourselves that alcohol is not a drug or that nicotine is not a drug. These are drug habits.

The member for Mordialta very passionately pointed out during his work in a previous life for the former federal government that he has been around and has seen these sad cases; he has seen what it can do to people and the violent behaviour that gives some people superhuman strengths. I do not know whether anybody in this chamber had the time last night to watch, as I did, the story on *Four Corners* about Alice Springs and the four or five young people who were put in gaol for manslaughter of an Aboriginal man last year. I was transfixed by that. That was purely a case of alcohol taking over. Heavens knows what else went with it but it was alcohol—a drug.

The effort by the government in bringing in this legislation tries to raise the penalties for these drugs and licensed premises, etc. I pick up on the point the member for Schubert made a while ago about point number two of the prescribed areas. I do not know where you draw the line. It is not prescriptive enough, in my view; it is very open-ended.

Interestingly, I had my youngest son at the Clipsal on the Friday when members were invited to take family members and guests. My youngest son likes a beer on a hot day—or a cold day, let me tell you; at 22 he enjoys life. I had two business people from my electorate and my youngest son, and the police came through the corporate area in the state suite with a dog. They actually pulled my son to one side and he went bright red. He was horrified. He was absolutely horrified.

They pulled him to one side and they patted him down, because the dog had detected drugs on him. They took his wallet, they searched him inside out and poor old Patrick was highly embarrassed. You never know 100 per cent, but I do know that he does not touch drugs, as I said. He had been to WOMAD the week before and, Patrick being Patrick and being 22, he wore the same jeans to the Clipsal as he wore to WOMAD. In fact, it was a good lesson for him on washing clothes.

When the police finally worked through this with him—because he had nothing on him—they said, 'Have you been anywhere?' and he said, 'I was at WOMAD last week.' They said, 'Did you have these pants on?' 'Yes, I did.' He said there was dope everywhere. The smoke from the marijuana had permeated his clothes and the sniffer dog picked it up at the Clipsal.

**Mr Goldsworthy:** A week later?

**Mr PENGILLY:** Yes, a week later. It was a valuable lesson for my youngest son in what happens. Full credit to the police. I think the rest of us got away with it, but it absolutely frightened the daylight out of my youngest son, but where does it stop?

*Mr Pederick interjecting:*

**Mr PENGILLY:** Don't you worry about the old man. I use that as an example of just where this stuff is. We rave about WOMAD, but Patrick said that the marijuana there was in an absolute thick haze. If the police had been operating at WOMAD—I presume they were—they probably would have arrested 20 per cent of the partygoers or done most of them over the same way. I go back to my point: those of you with younger families and children who have to bring them up and bring them through life, do all you can to guide them in the right direction, because they are our future. We can make laws in this place; it is up to the authorities to carry those laws out and what comes out of it.

To wrap up, I point out that we are never going to fix this problem. Sometimes there are elements of sharia law that have a bit to be said for them, and you probably still get drug problems in those countries with sharia law—I do not know. I have no great desire to visit them, quite honestly. There is no question that we will support this bill but, as the member for Bragg said, this is one small step but it does not go far enough. I think South Australians have had an absolute gutful of Rann spin, and we want heavy sentences and heavy penalties applying. Whether this is heavy enough I do not know. With those few words I once again indicate my support for the bill and hope it goes speedily through both houses.

**Dr McFETRIDGE (Morphett) (12:28):** I thank the Opposition Whip for allowing me to speak now. This bill is an extremely important bill for everybody in this place and every South Australian. The opposition is supporting this bill. We also have the amendment to increase the penalties for trafficking marijuana. We do that because marijuana is not a soft drug; it is not a drug that should be tolerated by anybody in this place or even people out in the general public as a recreational drug. In fact, I hate the term 'recreational drugs'. These are illegal drugs. They are extremely toxic, dangerous chemicals.

The pharmacology of the chemicals that are involved in marijuana, heroin, ice and methamphetamines is very complex. The effect of these drugs on your body is extremely complex. If people had any comprehension of the complex chemical interactions going on in their bodies, whether it is tobacco, alcohol or the illegal drugs that we are concentrating on here, they would be absolutely amazed and very worried, because a number of the effects are permanent and irreparable. In many cases, they are cumulative, so you might feel fine for a while but, after a period of time—months or years—using some of these drugs, you will pay the price; there is no escape from that.

At the moment, it is not only individuals who are paying the price but also the community. Every year in South Australia, we are paying millions of dollars to keep people in the mental health system and in the prison system who have been put there as a result of drug abuse, and that drug abuse is getting worse and worse. We cannot tolerate a soft approach to drugs. There cannot be a soft approach at all. There cannot be any discussion about recreational drugs or the recreational use of drugs; it has to be a hard line.

We have to make sure that our children understand the dangers they are putting themselves in. We need to make sure that people who are supplying drugs to our children—adults who should know better—have the full penalty forced upon them by the sort of legislation that is before us today. It does not go far enough with marijuana, but it goes a long way to achieving some decent penalties in other areas of trafficable drugs in commercial quantities. What we really need to do is make sure that we have the police force out there to catch people who are trafficking drugs. To have the penalties in place is no good at all unless you have the vehicle to catch people who are peddling drugs and people who are using drugs.

We heard the Premier talk about increased detection of drug driving the other day—thanks to the member for Schubert, who pushed this issue and worked really hard on it a number of years ago. The government adopted it, and it was a good move. If we go back to the Bannon days, when they were soft on drugs, marijuana was seen as a recreational drug. They allowed more and more plants to be grown. It was a crazy attitude back then. I am sure there are still members in this place who were associated with that who would look back with shame, because it was a shameful thing to do. We are paying for the consequences for our tolerance of drug use and our acceptance of recreational drugs. It is completely wrong.

I will not say much more about the individual effects of drugs. We have heard from the member for Morialta and other members in this place of their experiences. Those experiences can be told over and over again in this place. The important thing is to get this bill through as quickly as possible and to get the legislation enacted as quickly as possible, not for it to sit languishing. We need to make sure that the penalties are put in place and that our hardworking police officers are given the resources to make sure that they are able to enforce this legislation. That is the crucial part.

We need to prevent people from self harm. Unfortunately, people just do not understand the damage they are doing to themselves. I wish this bill speedy passage through this place. I hope that the government comes to its senses and agrees to the amendment proposed by the opposition recognising marijuana as the serious drug that it is and the damage that it is doing, putting it with the other drugs, and providing penalties for those trafficking in these very dangerous substances.

**Mr PEDERICK (Hammond) (12:33):** I, too, rise today on behalf of the opposition to support the Controlled Substances (Miscellaneous) Amendment Bill 2010. I note that the bill seeks to amend section 32 of the Controlled Substances Act 1984, to create a new aggravated offence of trafficking controlled drugs in or around licensed premises and entertainment venues, and to effect some miscellaneous technical amendments. It is well known that licensed premises, in particular nightclubs, have traditionally been a prime location for dealers to sell drugs to young people who might be vulnerable because of alcohol consumption. The object of the new offence is to impose a higher penalty and provide a greater deterrent for drug dealing in licensed premises.

As the law stands at the moment, trafficking of controlled drugs is defined as selling or intending to sell drugs, and intention to sell is presumed, in the absence of proof to the contrary, if the person has a trafficable quantity of a controlled drug. The maximum penalties, as they stand, are: for a large commercial quantity it is \$500,000, and there can be a penalty of life imprisonment; for a commercial quantity it is \$200,000 or 25 years; and below a commercial quantity it is \$50,000 or 10 years' imprisonment. If this bill passes through the parliament the new offence would impose a higher maximum penalty for below commercial quantity trafficking if the trafficking occurs in a prescribed area. The fine would be \$75,000 or 15 years.

I also want to make some comments regarding the amendment that the Liberal Party will support in the upper house to include cannabis in this legislation. We believe that it should be listed with other drugs as part of the aggravated offence conditions. The grounds for this include that trafficking cannabis is illegal; it is an illegal drug and should be treated consistently with other illegal drugs. The distribution of cannabis at licensed venues encourages the mixing of cannabis and alcohol, which can produce unpredictable reactions and diminish control.

It is certainly obvious to me that there are mental health issues related to cannabis. Some say that there have not been clear links made in that regard, but I believe that there is plenty of evidence out there of the suffering that all illegal drugs, including cannabis, have caused. Marijuana, from what you hear anecdotally around the place, seems to be readily available. It is a so-called recreational drug. I do not like the word 'recreational' either, as other members have indicated in this house, because it is an illegal drug. Marijuana has been used for many years, and I think it has destroyed many lives.

A lot of marijuana users will try to tell you that it does not hurt you and that it is nowhere near as bad as alcohol. Well, I appreciate that alcohol in large volumes is not good for you either, but I have certainly seen the effects of drugs on someone who has taken them for a long time. I have mentioned this person in this house before. One of my acquaintances, who was an upwardly mobile young citizen and very successful in his line of work, is now essentially a babbling mess. He is not much older than me, so quite young.

**Mr Pengilly:** Just a lad.

**Mr PEDERICK:** Just a lad. In my mind he is just a lad because I grew up with this bloke. It is tragic to see, and there are plenty of other people like him around the place. I recall doing a bit of work as a contractor on the Adelaide to Melbourne rail line standardisation project. We worked ahead of schedule, and the operators (I suppose it was ARTC at the time) put on a few refreshments at the Tintinara Hotel, which was gratefully received by the workers, I can assure you.

Some of the workers on the job were bits of characters, and one of them said to me while we were having a beer, 'I've got some gear that will make you forget the next three days.' I said, 'Well, I don't want to forget the next three days. I've got to be home'—because it was Easter time—'putting my crop in on the farm.' This is the issue. People out there get hold of these drugs and, apart from the fact that they are destroying their own lives, too many of them decide they will distribute these drugs, sell them, thinking they are making an easy dollar; so we need to do all we can to pull up this scourge in society.

It is an absolute disgrace what happens to young kids, kids who think, 'This is a bit of a spin, we'll go and do this.' You hear too many stories of people who have tried different illegal drugs and they do not get a second chance. They do not wake up, especially when they are mixed with alcohol. It is well known that people can go out to nightspots and they almost get run over with people offering them drugs. I remember in the 1980s I was in America. You just cross the street there—and it would not really matter where you were; I think it was in New York this particular time—and someone coming the other way says, 'Would you like some gear?' It is unbelievable.

It is a disgrace what happens to people in society. It is disgraceful what the dealers are doing. You only have to look at what goes on overseas with Colombian and Mexican drug lords, and to what efforts they will go to promote their evil trade. Just the other day at entertainment venues, people were being gunned down indiscriminately because of these people. It is an absolute disgrace. We must do everything we can, as far as we can in this legislature in South Australia, to pull up drugs where we can, because we have people coming through—I have young sons—and we need to look after them. I commend the bill.

**Mr PISONI (Unley) (12:41):** It is interesting that the government claims that the bill implements an election commitment that it made during the 2010 election. Just two weeks after, we saw them trying to sneak out of an election commitment that they made—copying us here in the Liberal Party—exempting apprentices and trainees from payroll tax. That was a significant promise that we made in the lead-up to the election. The government, three days out from the election, realised that it was a damn good policy, realised that it was making traction amongst those who really matter in the community and so they matched it. They said that it was going to start three weeks ago, that is on 1 July 2010, but then a memo went out to employers on 5 July telling them that, due to the heavy legislative program of the parliament—and I think I—

**Mr BIGNELL:** Point of order.

**The DEPUTY SPEAKER:** Member for Unley, I think we have a point of order. Would you mind taking your seat?

**Mr BIGNELL:** The point of order is that this has nothing to do with the debate.

**The DEPUTY SPEAKER:** There is a touch of that, but perhaps the member for Unley is getting to the debate.

**Mr PISONI:** This has everything to do with the debate, Madam Deputy Speaker, because this is about the way the Rann government operates. This is the way the Rann government says one thing in an election climate—just like it made all sorts of promises on the Adelaide Oval—and then when it comes to pay for them, to deliver them, it will find all sorts of excuses, including making up one. I was in bed by 9 o'clock when parliament sat on most nights since the election, and yet this government—

**The DEPUTY SPEAKER:** Member for Unley, just to interrupt you for a minute, you have been speaking for two minutes and everyone else seems to have been talking about controlled substances. Are you going to be talking about controlled substances at all? I would draw you back to that, if at all possible.

**Mr PISONI:** I just ask if you can control your urge to interrupt—

**The DEPUTY SPEAKER:** I do not think you need to be rude, member for Unley. It is not controlling my need. Can you sit down, please, member for Unley, while I am speaking? It is not an urge to interrupt, it is the fact that you have been speaking for two minutes and, during that time, you have not addressed the substance of the debate. That is my job here and I am sorry that it angers you. If you could get back to the substance of the debate, that would be fantastic.

**Mr PISONI:** It doesn't anger me, but it appears as though my behaviour angers you.

**The DEPUTY SPEAKER:** Indeed. Do not push it, member for Unley.

**Mr PISONI:** The reason I am using this line of debate, Madam Deputy Speaker, is that this is typical of the way the Rann government operates. This is an important bill and we support it today because we know the dangers of drugs and how peddling drugs is the lowest act. That does not cost the government any money so it is happy to honour that election commitment but, when it comes to an election commitment that is just as important to young people in South Australia, that is, making it easier for them to get their start in life with an apprenticeship or traineeship by removing the 4.9 per cent burden on employers employing apprentices, we see a delay, with an erroneous excuse that there is not enough time in the legislative program to do it. So there is my link, madam. I say that because it has angered many people in the small business community—those very people who have concerns about drug use in the workplace and amongst their staff in recreational activities. That is why we support this bill to make the supply of drugs in designated areas an aggravated offence.

It intrigues me that cannabis is exempt. I know there is a very heavy penalty for aggravated selling of drugs in large commercial quantities, that is, \$500,000 or life imprisonment, but it is interesting that for below a commercial quantity of drugs we see that figure is down to \$50,000 and 10 years. I cannot help but wonder why we have removed cannabis when a description of a large quantity of commercial cannabis is 100 plants. You can imagine that the only way someone is going to sell that quantity in a nightclub is to convert the pie cart to the 'high' cart. That is the only way we could do that.

Most of the people who sell cannabis at these venues would, of course, be selling the lesser number of plants that does not come anywhere near that heavy penalty. We must send the same message to those who deal in cannabis as to those who deal in amphetamines and heroin, that is, we do not want our children being fed such drugs or material. We have to send a consistent message, and that is why we will introduce amendments to bring cannabis into line with the same processes that are in place for heroin and amphetamines.

The way that marijuana is sold these days, it is much stronger and concentrated, because of the very laws that decriminalised marijuana and made South Australia the drug capital of the world. Our very own Premier, Mike Rann, advised the government at the time this was brought in, and I wonder why he advised the then Labor government to do that and now stands here and says he is tough on drugs. We are the drug capital of the world because of the actions of Mike Rann as an adviser. He was the one who was advising the government at the time.

We still see the legacy of the Cheech and Chong era in this government today. Cheech and Chong have fallen right out of fashion with parents and school communities today. They may have been a novelty and great for votes back in the 1980s, but no-one I know has hired a Cheech and Chong movie for a very long time. I think that is because it is no longer relevant. People now know the dangers of cannabis and that is why we believe—

*Ms Chapman interjecting:*



**Mr PISONI:** As the member for Bragg tells me, Glenside Hospital is full of victims of cannabis. It is a consistent message that we need to send those who peddle in drugs, those who want our children to be their customers, those who want to make money out of the misery of others. Our message must be consistent: you do it, you will get caught and you will be punished.

**Mr PEGLER (Mount Gambier) (12:50):** Madam Deputy Speaker, you can rest assured I will stick to the substance of the debate, which is about peddling of illegal substances. I might say that the perpetrators of these heinous crimes are a blight on our whole society. They destroy the lives of many of our young people and their families, and, of course, they impose a great cost on our society when we must look after those people who have been destroyed by drugs.

The one point that I would make is that I do support the fact that cannabis should also be included in this bill. As far as I am concerned, 30 years ago cannabis probably did not have a great effect on people, but, with the selective breeding that has happened for many years now, the level of alkaloids in cannabis is much higher than it once was. There are quite a few people in our communities who are vulnerable to those higher levels of alkaloids in cannabis and we are now seeing many who are affected by psychosis and schizophrenia and other mental illnesses. That is mainly because of those high levels of alkaloids in cannabis. As far as I am concerned, cannabis is an illegal drug so we should be applying the same measures to that as we are to other drugs as far as peddling them anywhere, but particularly outside venues where young people gather. I certainly support the bill and the intentions of the bill but I will also be supporting the fact that cannabis should be included.

**The Hon. J.R. RAU (Enfield—Attorney-General, Minister for Justice, Minister for Tourism) (12:52):** First of all, I thank all members for their contributions. I guess it was a little bit odd that we spent most of our time debating a matter that is not formally before us yet, namely an amendment, and, without being critical about it, it possibly might have been helpful in terms of having the context of this debate a little more fully explored in this chamber. Nevertheless, I think I heard enough to get the gist of what the honourable members opposite are talking about. I understand the point and, now that that point has been made, I will certainly reflect on it and we will see what transpires elsewhere.

Having said that, I do appreciate the support of the honourable members opposite, in particular the honourable member for Bragg, whose remarks were very well thought through. The interesting matter about this—and the honourable member for Bragg really explored a bit of a philosophical point here about the whole issue of crime and punishment. The question is, does punishment represent a deterrent? I guess if you follow that down the track, you could ask why we do a number of things or, indeed, why the opposition sees any merit in including cannabis in a regime of more serious penalties. We sort of disappear into a bit of a circular argument there. It is not an argument that should not be touched upon, it is not a silly argument, because there are legitimate questions about what effect in reality an adjustment of the punishment regime has.

I am not sure any of us knows the answer to that question, but, seeing that we are legislators and not part of the executive arm of government in the sense of being police officers, what we can do is limited to changes in the law, I guess. The honourable member also raised a question about what sort of information there was, by way of background, supporting the fact that there are things going on out there which should be the subject of enhanced concern. I can indicate to the honourable member that I have been advised that SAPOL has said that since 2006-07 there had been a 179 per cent increase in detections on apprehension reports for drug-related offences in licensed premises.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** Indeed. The point is that obviously statistics can be made to say or represent any number of things. It could also be that the increased policing activity by the police in some of these areas is actually revealing more without there being necessarily an increased prevalence of the substances. So, that is an ambiguous bit of information in the sense that what we can derive from that is a matter, I guess, for all of us. It does suggest that, in a very crude way, policing is finding more of this; whether that is because there is more there or they are looking better is difficult to say.

I appreciate that all of the members of the parliament who have spoken so far are genuinely concerned about the issue of drugs in the community and, in particular, about people who are consuming alcohol in these sorts of party settings, if I can put it that way, being subjected

to that. I take the member for Bragg's point that, at the end of this process, enforcement becomes an important issue.

The only thing I would like to say on enforcement is that, as members would be aware, the government has committed to increasing the number of police officers yet again. There has already been a substantial increase in the number of police officers out and about on the beat, and other pieces of legislation were foreshadowed by the Premier and other ministers prior to the March election—for example, in relation to the carrying of knives and other things—all of which, I think, need to be seen as part of a mosaic of measures, of which this is one, that will make it more difficult for the criminal elements, whether they are drug traffickers or some other form of ne'er-do-well, to go about their business without being apprehended.

The people who are selling these things quite possibly are carrying knives, for instance, or other weapons. They are detected through that means, and it leads on to their being convicted of carrying these substances. Again, I appreciate the support other members are giving to the bill in this house. I understand the point members are making about cannabis, and I guess we will have to see what happens in the other place—whether the bill goes through in its present form or whether, as has been suggested by the member for Bragg, a substantial number of people in the other place form a different view. I guess we will deal with that if and when that emerges. So, I thank you all very much for your support for the bill.

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

*[Sitting suspended from 12:58 to 14:00]*

#### **PAYROLL TAX (NEXUS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) BILL**

His Excellency the Governor assented to the bill.

#### **SUPPLY BILL**

His Excellency the Governor assented to the bill.

#### **LAND TAX (MISCELLANEOUS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **STATUTES AMENDMENT (SURROGACY) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

#### **STATUTES AMENDMENT (MEMBERS' BENEFITS) BILL**

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

#### **CLAPHAM WATER PUMPING STATION**

**Mr HAMILTON-SMITH (Waite):** Presented a petition signed by 41 residents of Clapham and Greater South Australia requesting the house to urge the government to halt the construction of a water pumping station at Clapham and explore other options for water distribution throughout the metropolitan area.

#### **ANTISOCIAL BEHAVIOUR DISCUSSION PAPERS**

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

Leave granted.

**The Hon. M.D. RANN:** I am pleased to advise the house that the government is today releasing two discussion papers on a suite of new measures designed to reduce alcohol-fuelled violence and antisocial behaviour in South Australia. Unfortunately, there are still some people indulging in binge drinking, resulting in alcohol-fuelled violence, antisocial behaviour and their ruining what should be a fun night out for everyone.

Furthermore, South Australia's entertainment areas have evolved and changed over time, resulting in 24-hour trading in some of our pubs and clubs. Recent media attention has increased public concern about violent, loutish and antisocial behaviour in our entertainment areas. People are entitled to feel safe in our entertainment areas and on our streets without the threat of violence or abuse.

The first discussion paper, 'A safer night out', proposes changes to the Liquor Licensing Act 1997, aimed at licensees and the general public. It proposes options to tackle alcohol-related violence and other antisocial behaviour in and around licensed premises and aims to promote the responsible service of alcohol, particularly in our entertainment precincts.

The second paper, 'Review of the code of practice for licensed premises', proposes strengthening the code of practice within the industry to promote responsible drinking. It is designed to provide licensees, the Liquor and Gambling Commissioner and the Commissioner of Police with the necessary authority to stamp out alcohol-related violence. These discussion papers follow the government's announcement late last year of a review of the Liquor Licensing Act. The first round of changes came into effect on 3 May this year.

What this government aims to achieve is to strike the balance between promoting a safe, vibrant and exciting city which can be enjoyed by patrons around the clock which is not spoiled by the violent and antisocial behaviour of those louts who consume way too much alcohol and, essentially, cannot hold their liquor. Among the changes proposed are:

- Strengthening the powers of the Liquor and Gambling Commissioner to take action against venues where antisocial problems are occurring. This would include, in some cases, increasing security guards or cameras and enforcing a lockout at venues where there is antisocial behaviour or violence taking place out in the street.
- New powers for the Police Commissioner to close a licensed premises in an emergency situation, such as a shooting, or during or after a brawl.
- The introduction of a mandatory three-hour closing to licensed pubs and clubs trading between 4am and 7am or between 5am and 8am; in other words, a proposal in this discussion paper to end 24-hour licensed premises being open to drinkers.
- The introduction of a scheme of annual liquor licensing fees so that the industry makes a more effective contribution to the cost of compliance and enforcement, a move that will bring our state into line with most other states.
- Tighter regulations of 'party buses', including a requirement to make water and non-alcoholic drinks available, and the establishment of 'no-go' drop-off zones and designated set-down points for passengers, such as locations near taxi stands.

On 18 November 2009 the minister announced that the Office of the Liquor and Gambling Commissioner would consult with industry groups on the development of a new code of practice. The code is there to promote the responsible sale, supply and consumption of liquor, and the proposed changes seek to mandate a range of practices within the code. These relate to minors, intoxication, disturbances, disorderly or offensive behaviour, and promoting responsible attitudes to the consumption of liquor, including mandatory training of staff in the responsible service of alcohol.

It also allows discretionary action to be taken at late trading premises where antisocial behaviour is occurring. These include requiring improved security such as CCTV, or participation in a radio network, queue management, restricting liquor sales and prohibiting breakable glasses and containers.

We are all ultimately responsible for our own consumption of alcohol and resulting behaviour. While we know that most people drink sensibly and many licensees actively promote the responsible service of alcohol, there are, unfortunately, those who ruin a great night out for others. The government intends to consult with the community and industry over the next six weeks and invite public submissions by 3 September. This is about putting a pause, ending 24-hour licensed premises trading; it is about giving the Police Commissioner the right to step in and close down premises where antisocial and violent behaviour is occurring.

### GREEN GRID PLAN

**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) (14:11):** I seek leave to make another ministerial statement.

Leave granted.

**The Hon. M.D. RANN:** In March 2009, South Australia's Economic Development Board released an economic statement which identified renewable energy as an important new industry for South Australia's economic future. Later, in June, as Minister for Sustainability and Climate Change, I announced an increase to this state's renewable energy target. Instead of having 20 per cent of all of our power coming from renewable energy by 2020, I wanted South Australia to be in an internationally leading position by having 33 per cent of our electricity supply being generated by green sources by 2020.

As members would be aware, with just 8 per cent of the nation's population this state has done incredibly well in attracting nearly 50 per cent of the nation's grid connected wind power, about 20 per cent of its solar power, and more than 90 per cent of its geothermal developments during the past eight years. Also, in June last year the government set up the Renewables SA Board chaired by the chairman of the EDB, Bruce Carter, and created an associate position of Commissioner for Renewable Energy in order to accelerate private investment in the sustainable energy sector. The Renewables SA initiative was supported by a \$20 million renewable energy fund.

Two months later, I announced the first allocation from the fund with the commissioning of a \$1 million independent study to look at the feasibility of attracting an even greater investment of wind farms by connecting them to the national electricity grid. Specifically, this study was to look at the potential opportunity of establishing more wind energy farms in some of the windiest and remote areas of South Australia on the Eyre Peninsula. The study was led by Macquarie Capital, a subsidiary of the Macquarie Bank, with respected experts in their fields, WorleyParsons and Baker & McKenzie.

Last week I released their report which provides a blueprint that shows how South Australia can utilise underdeveloped areas of Eyre Peninsula and channel that green power into the national electricity grid and, thus, deliver green energy to Australia's eastern seaboard. The report proposes a plan to roll out an estimated \$4.5 billion of green power investment for South Australia's Eyre Peninsula between 2015 and 2018. It says \$1.8 billion will be spent directly in South Australia which will include building strategic transmission lines to tap into the Eyre Peninsula's outstanding wind resource.

At the moment, the Eyre Peninsula has an incredible capacity of four major wind zones with wind speeds above eight metres per second, creating a potential of 10,000 megawatts of generation. The report says that stage 1 of the project could attract \$4.5 billion in a further 2,000 megawatts of wind power in our state to add to the nearly 1,000 megawatts of wind power already installed in South Australia valued at around \$2 billion. The report also indicates that an additional 1,000 megawatts of wind generation could be accommodated right now within South Australia's existing grid.

This is an exciting investment opportunity for South Australia that will not only substantially reduce our greenhouse gas emissions but also create a new industry and new jobs and, importantly, support regional businesses. That is why I am delighted that four internationally experienced wind energy companies have already expressed great interest in the project. The very good news is that the report establishes that the project is commercially viable and that there is no need for direct state government financial involvement. The transmission connections required are a new \$613 million line from Elliston to Port Augusta, along with a new \$840 million backbone for the existing network connection from Port Augusta to Heywood in Victoria.

South Australia has the potential to contribute 30 per cent of the entire nation's renewable energy target; in other words, our state can be a major source of green power for the eastern states so they can reach their targets. The report estimates that the project in South Australia alone could create 1,400 direct construction jobs and a further 1,600 indirect jobs in the construction phase and 266 ongoing jobs. The lion's share of the construction activity would be on Eyre Peninsula.

In addition, the economic benefits would be significant. It is estimated that South Australia's gross state product would increase by \$158 million per year, and the savings in greenhouse gases from this investment are forecast at 2.75 million tonnes of CO<sub>2</sub> every year across the national electricity market. It will require a change in the national regulations, but I expect the release of this report will accelerate the decision-making timetable for the changes required, given the national economic and environmental significance of this project.

Renewable energy now has the very real capacity to be South Australia's next big industry, alongside defence and mining. Just a few weeks ago the federal parliament passed legislation that committed our nation as a whole to having 20 per cent of its electricity coming from renewable energy by 2020. As a state we can capitalise on that target. We will vastly exceed that target, but we can capitalise on the needs of the other states; in other words, South Australia can help the rest of the nation achieve that target with what is being proposed in this report.

A project of this scale and ambition requires close collaboration amongst governments, regulators, transmitters, developers and the communities of Eyre Peninsula to take it from business plan to implementation. The Green Grid report establishes that the necessary pre-conditions—economic, environmental and social—are in place to allow it to proceed as long as the proposed regulatory changes go ahead. It is now up to those parties to make it happen. As a government we will certainly be doing all we can to lobby for changes to federal regulations to allow this proposed plan to become a reality. South Australia is already a leader in green energy, but this will help to turn our state into a green powerhouse of energy for the rest of the country.

### PAPERS

The following papers were laid on the table:

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

Regulations made under the following Act—  
Superannuation Funds Management Corporation of South Australia—General

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

Regulations made under the following Acts—  
Architectural Practice—Elections  
Development—Open Space Contribution Scheme

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

Regulations made under the following Act—  
National Electricity (South Australia)—General

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

Regulations made under the following Acts—  
Assisted Reproductive Treatment—General  
Health Practitioner Regulation National Law (South Australia)—General

By the Minister for Mental Health and Substance Abuse (Hon. J.D. Hill)—

Death of Ms Jeong Shin on 17 April 2007—Report

By the Minister for Families and Communities (Hon. J.M. Rankine)—

Regulations made under the following Acts—  
Liquor Licensing—Grange and Henley Beach—Area 1  
Rates and Land Tax Remission—Remission of Water and Sewerage Rates  
Environment Protection Act 1993, Explosives Act 1926, Road Traffic Act 1961—  
Trade Measurement

Local Council By-Laws—

City of West Torrens—  
No. 1—Permits and Penalties  
No. 2—Local Government Land  
No. 3—Roads  
No. 4—Moveable Signs  
No. 5—Dogs

By the Minister for Environment and Conservation (Hon. P. Caica)—  
SafeWork SA—Working Hours Code of Practice May 2010

By the Attorney-General (Hon. J.R. Rau)—

Rules made under the following Acts—

Magistrates—

Civil Rules—

Amendment 33

Amendment 34

Rules—Amendment 35

Supreme Court—Corporations Rules 2003—Amendment 6

By the Minister for Aboriginal Affairs and Reconciliation (Hon G. Portolesi)—

Aboriginal Lands Trust—Annual Report 2008-09

## QUESTION TIME

### ADELAIDE OVAL

**The Hon. I.F. EVANS (Davenport) (14:21):** My question is to the Treasurer. Does the Treasurer now concede that the government is paying an interest subsidy to SACA whether or not the Adelaide Oval upgrade proceeds, and why did the Treasurer tell the house that not one dollar will be provided to SACA for its outstanding debt when Treasury officer Kevin Cantley contradicted these statements by telling the Budget and Finance Committee that SACA has already been paid \$469,000 and will be paid around \$800,000 by August by way of interest subsidy?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:21):** The government's loan arrangements with SACA have been well known and are on the public record.

### MINING INDUSTRY

**Mr KENYON (Newland) (14:22):** My question is to the Premier. Can the Premier update the house on any new developments in the South Australian mining industry?

**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) (14:22):** I want to thank the honourable member for a very timely question. I also want to say that the honourable member is recognised now around the nation as a great enthusiast for the mining industry; and he has, in fact, been someone who has been playing a considerable role in the policy-making process.

We have already tripled the number of mines operating in this state since 2002. So, we as a state have seen a tripling of the number of mines and we are on track to see a quadrupling of the number of mines in this state by the end of 2010. We have another 20 mines in various stages of application. Over the last week there have in fact been two significant developments that will have a major impact on the mining sector and the economy of the state. The first is OZ Minerals' approval of a \$135 million underground mine adjacent to its Prominent Hill copper and gold project near Coober Pedy.

The immediate go-ahead for an underground mine—immediate because they announced that they were going to hire the contractors in the next few weeks—will complement the existing open pit operations and take this already major mining operation to a completely new level. About 250 jobs are expected to be created at Prominent Hill from the underground mine; and I understand that it is in the Speaker's electorate, and I know that she is a great supporter of the project.

About 25,000 tonnes of copper and 12,000 ounces of gold are expected to be mined annually. OZ Minerals will begin developing the mine immediately, and it will be open and in production by the second half of 2012. The South Australian government, through PIRSA, approved the revised mining and rehabilitation plan for the construction and operation of underground operations at Prominent Hill last December, clearing the way for last week's board decision.

That approval awaited resolution of the national debate on a proposed resources super tax. While the state government accepted the need for a tax regime that gave Australians a fair return on our country's resources, we argued strongly that refinements were necessary to protect the interests of this state, in particular, our copper and gold projects—and uranium projects, such as Olympic Dam—at Prominent Hill.

Wasn't it great, despite all the doom watchers who said that we would have no impact, that copper, gold and uranium were exempted from the tax? I can also hear the shouts of enthusiasm from members opposite. Those concerns were taken into account in the revised mineral resources rent tax. Changes advocated by the state government helped ensure that—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —copper, gold and uranium were exempt from the new tax. Applause on the other side—I can hear it! OZ Minerals' decision to proceed with an underground mining operation at Prominent Hill vindicates—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —the state government's stance on the original resources profit tax. The second exciting development in the last week is the government's approval—

*An honourable member interjecting:*

**The Hon. M.D. RANN:** You'll like this one.

**The SPEAKER:** Order! I can't hear the Premier.

**The Hon. M.D. RANN:** The second exciting development in the last week is the government's approval of the mining and rehabilitation plan for the Beverley North mine. This clears the way for Heathgate Resources to develop this new uranium deposit north of its existing Beverley mine which is one of the largest in situ recovery uranium mines in the world. The \$70 million Beverley North uranium mine is expected to support 210 jobs and will further enhance South Australia's reputation as 'the world's next energy export powerhouse' as described by Access Economics. Both of these exciting developments are great news for the South Australian economy but we can expect much more from the resources sector in coming months thanks, of course, to this government's commitment to mining exploration and mining.

*An honourable member interjecting:*

**The Hon. M.D. RANN:** They laugh. I compare eight years of the Liberals and how many new mines? Eight and a half years of Labor, a tripling of the number of mines, and by the end of this year we hope it will be quadrupled with 20 more coming. You don't like the fact that we got off our butt and got mining moving.

*Members interjecting:*

**The SPEAKER:** Order!

#### ADELAIDE OVAL

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:27):** My question is to the Treasurer. Why did the Treasurer tell the house in relation to the SACA debt that the government would not be providing a subsidised loan when Treasury official Kevin Cantley told the Budget and Finance Committee that the government will pay up to around \$800,000 in interest subsidy? On 27 May 2010 the Treasurer told the house 'If we are providing a loan that would be, I assume, a subsidised loan which would be more than one dollar for us to service—so the answer remains the same, no.'

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:28):** I have been upfront about this and I made a statement to the house addressing this matter previously.

#### ADELAIDE THUNDERBIRDS

**The Hon. S.W. KEY (Ashford) (14:28):** My question is to the Premier. Premier, noting your ongoing support for the Thunderbirds, I am wondering whether you can advise the house on

what we would expect to be an inspirational role of the Thunderbirds netballers following their premiership win in this year's ANZ Championship?

*Members interjecting:*

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

**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) (14:28):** I have to say how proud I am, not only of the Thunderbirds, but I am also very pleased to have been involved with netball for many years as a former vice-president of Garville and also as a former patron of the Ravens and now of course as patron of the Thunderbirds. I am pleased that there were a number of people who were watching the Thunderbirds for their ANZ Championship win.

As patron, I want to offer my congratulations in this place on doing our state proud. The Thunderbirds beat the Waikato-Bay of Plenty Magic by 10 goals with an outstanding grand final display at the Adelaide Entertainment Centre on Sunday 11 July. Those of us who were courtside for the victory know that the atmosphere was electric with a full house of more than 9,000 people cheering on every goal and intercept. The premiership win capped off an outstanding season for the Thunderbirds and added to their remarkable record over the past 14 seasons.

It is my memory that since 1997 we have not seen the Thunderbirds come in less than third. Three years ago they came third, last year they came second and, after a titanic victory in the semi-finals over the Sydney Swifts, who were the hot favourites, they went on to face Waikato-Bay of Plenty Magic. It is an area that I know well, having been raised in Waikato and the Bay of Plenty and of course having played rugby in the Waikato.

This record highlights the club's thoroughly professional approach, as well as the athleticism and dedication of the players. The Thunderbirds' domination of season 2010 is reflected in the national squad from which Australia's Commonwealth Games team will be selected. I know how much the chief minister of Delhi is looking forward to those games, as are we.

Six Thunderbirds players were named in that preliminary squad of 22 this week. In addition, rising star Sharni Layton was recently the ANZ Championship's best young player. It was terrific to have the opportunity to meet Sharni at a recent afternoon tea for ambassadors of the Premier's Reading Challenge and the Premier's Be Active Challenge.

I announce today that the Adelaide Thunderbirds have joined the Adelaide Crows and Port Power as our newest ambassador teams for the Premier's Reading Challenge and the Be Active Challenge. They will help to inspire young South Australians to be more active as well as read more books. The three sporting teams join Adelaide United and the Link Lightning as team ambassadors for the challenge.

The Thunderbirds netballers will also act as inspiring role models for the sport of netball, which continues to grow in popularity. The sport has more than 90,000 participants in South Australia and is the third most popular sport in this state behind Australian Rules and tennis. Netball is a foundation pillar of so many communities, particularly in regional areas, and this premiership win will only enhance the game's popularity and appeal.

*Members interjecting:*

**The SPEAKER:** Order! Too much noise.

**The Hon. M.D. RANN:** I am sure that all members will join me in recognising the Thunderbirds' grand final triumph: a success that was thoroughly deserved.

**Honourable members:** Hear, hear!

#### TREASURER'S REMARKS

**The Hon. I.F. EVANS (Davenport) (14:32):** My question is to the Treasurer. When the Treasurer came back into the house on 27 May and made a ministerial statement to clarify his answers in relation to questions about the SACA debt, why did the Treasurer fail to mention the up to \$800,000 interest subsidy being paid to SACA?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:32):** The shadow treasurer is correct: I did give a statement to the house where I was quite up front that the government has



provided a \$30 million bank guarantee to the Westpac Bank in respect of its loan to SACA for the current Western Stand under construction. Should the new development not go ahead the guarantee will convert to a full commercial loan that mirrors the full commercial loan facility provided by Westpac, which is at a commercial interest bearing rate and principal repayment.

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

**The SPEAKER:** Order! You have asked your question.

*Mr Marshall interjecting:*

**The Hon. K.O. FOLEY:** The member for Norwood. Every time he gets mentioned as an up-and-coming star—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** He flew into the media this morning, but I do understand that I am somewhat of a role model of his. I did hear that he is modelling his style on mine. Imitation is the greatest form of flattery, even if it does come from someone on the other side. The issue of the interest payments has been well known and well circulated.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** The opposition wants to micro-scrutinise every aspect—

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! If we don't have some quiet, we will disband question time.

**The Hon. K.O. FOLEY:** —of an arrangement that the government has disclosed more information about this project than any government project I can recall before it has even begun; before it has even begun we have been upfront. For the benefit of the house and given that the member, Rob Lucas in another place, is always saying how he has close sources to the whole project, I have written a letter to both Rod Payze, President of the SANFL—which I am sure has been broadly and widely distributed, certainly amongst the SMA—and Ian McLachlan, President of SACA, outlining the terms of the government's offer. It states:

In terms of the government's support...were broadly as follows: stage 1: an initial grant of up to \$5 million to the SACA and SANFL joint-venture vehicle, Adelaide Oval SMA Ltd, for designing and costing the Adelaide Oval redevelopment. A treasurer's guarantee, capped at \$30 million, of Westpac's loan to SACA for the Western Stand development. And Treasurer meets SACA's interest costs on up to \$30 million of SACA's loan from Westpac.

Boom! It goes on:

Second stage: a loan of up to \$85 million to SACA on commercial terms for the Western Stand development and discharge of the treasurer's guarantee. If an agreement for the Adelaide Oval redevelopment is entered into between SACA and the SANFL by 1 July 2010. Interest on the loan will accrue and is capitalised and will only be payable by SACA should the Adelaide Oval redevelopment not proceed. This is designed to address the risk the redevelopment may still not proceed for some reason even though SACA and the SANFL have signed a legally binding agreement. If an agreement is not reached only any unspent funds of the initial grant of \$5 million would be repaid and the treasurer's guarantee would effectively terminate and convert to a \$30 million commercial loan from the treasurer in reduction of Westpac's loan by the same amount.

Third stage: if construction of the Adelaide Oval redevelopment commences, a grant of up to \$445 million to SACA and the SMA from December 2011 or the estimated start date of the Adelaide Oval redevelopment to refinance second stage funding and balance to the Adelaide Oval redevelopment.

Now that, Madam Speaker, was in a letter of offer sent to many people, quite up front, exactly what I have said or not said publicly. It cannot be argued that the fact that the government is meeting in the first instance those interest payments has been a commonly known fact and has been—

**The Hon. I.F. Evans:** Why didn't you tell the house?

**The Hon. K.O. FOLEY:** I have made it clear to the house that we had a loan facility. We have made it known—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** We have made it known to all—

**Mr Williams:** Caught out!

**The Hon. K.O. FOLEY:** Caught out. For goodness sake, Madam Speaker, the opposition is on one mission and one mission alone: to destroy the Adelaide Oval redevelopment, because the opposition does not support football being returned to Adelaide, it does not support football being played in Adelaide.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Madam Speaker, I say to the opposition that, at some point—you can do all you can to attempt to damage me—that's fine, that's politics—but ultimately the opposition have to decide—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr Williams:** We decided well before you did.

**The SPEAKER:** Order, the deputy leader will be quiet!

**The Hon. K.O. FOLEY:** —why they will not support football coming back to the centre of the city.

**The Hon. I.F. Evans:** Football don't want it and you know it.

*Members interjecting:*

**The SPEAKER:** Order! There will be no quarrels across the floor.

**The Hon. A. Koutsantonis:** Back it up!

**The SPEAKER:** Order!

**The Hon. A. Koutsantonis:** Back it up!

*Members interjecting:*

**The SPEAKER:** Order! The Minister for Industry and Trade will be quiet, too.

*Members interjecting:*

**The SPEAKER:** Order! If you want to have a discussion, go outside and have it, not in here. The member for Reynell.

### REGIONAL CENTRE OF CULTURE

**Ms THOMPSON (Reynell) (14:40):** My question is to the Minister Assisting the Premier in the Arts. Which town will be the state's 2012 regional centre of culture, and how will this major investment benefit the community in this town?

**The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:40):** I thank the member for Reynell for this question. The South Australian Regional Centre of Culture program, which was launched in 2006 by the state government, is a major biennial arts initiative based on the European Capital of Culture model. It aims to encourage new investment in cultural infrastructure for a chosen regional city or town in country South Australia and to increase access to the arts by that local community.

As I have previously outlined to the house, the communities of Port Augusta and Murray Bridge have both seen significant enhancements in their cultural infrastructure and planning as a result of being the host towns of 2008 and 2010 respectively. In December 2009, I wrote to the state's regional councils inviting them to submit written expressions of interest to become the 2012 SA Regional Centre of Culture. Four councils submitted applications for towns within their areas.

Today, I am delighted to announce that the Alexandrina Council has been successful in its bid to host the third SA Regional Centre of Culture in Goolwa in 2012. Of the \$1.8 million which has

been allocated by the state government to the program in 2012, \$800,000 will be invested in the upgrading of cultural infrastructure in Goolwa.

The projects that will be funded include the town's historic Centenary Hall, which will be upgraded to provide a versatile performing arts space with a moveable stage, retractable curtains, retractable tiered seating, the establishment of dressing-rooms and a green room, installation of high quality sound and lighting systems, provision of new storage areas and foyer space. Current exhibition space at Signal Point will be further developed through the installation of moveable walls, retractable curtain and audiovisual equipment, and the Old Police Station/South Coast Regional Arts Centre will be upgraded, with an improved air conditioning system, kitchen facilities and an outdoor courtyard function area.

The Alexandrina Council will contribute over \$700,000 to the capital upgrade. The Alexandrina Council is an outstanding council in many areas, but particularly when it comes to support of the arts in its community. One million dollars will be directed to a program of arts and cultural activities, to be developed by Country Arts SA in conjunction with the local community and the Alexandrina Council.

I believe the Alexandrina Council is a worthy winner, having demonstrated through its recent initial upgrading of Signal Point and its development of an arts and cultural policy over the past few years, that it is committed to improving the lives of the local community through arts and cultural activities. I have no doubt that the council, working with Country Arts SA and our state's many great arts organisations, will deliver an exciting program of arts and cultural activities in 2012, which the community—not only in that community itself but right across the Fleurieu Peninsula, and more broadly—will fully embrace.

I congratulate mayor Kym McHugh and his fellow councillors and staff, and look forward to visiting them later in the year to learn more about their exciting plans for 2012.

#### ADELAIDE OVAL

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:43):** My question is for the Treasurer. In light of the fact that Kevin Cantley has advised that \$469,000 has already been paid, can the Treasurer advise: if the Adelaide Oval upgrade does not proceed, does SACA have to pay back to the government the interest rate subsidy payment of around \$800,000?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:43):** I am just getting that confirmed with my office and will have—

*Members interjecting:*

**The SPEAKER:** Order! I have no idea whether the Treasurer answered that question, because I did not hear the end.

**The Hon. K.O. FOLEY:** I have not answered it, and I am not going to stand here and be screamed at by members opposite. I am happy to answer. My understanding—and why I said I am getting it confirmed is because I want to make sure I give the correct information—is that should the project not proceed the interest will be capitalised and become part of the loan.

**The Hon. I.F. Evans:** They have already paid \$469,000; what happens to that?

**The SPEAKER:** Order! It is not your question, member for Davenport.

**The Hon. K.O. FOLEY:** I am just getting that checked, as we speak. I will come back to what I said: my understanding—

**Mr Williams:** This is supposed to be common knowledge. That is what you just told the house.

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Madam Speaker, may I please have an opportunity to answer this question without interjections consistently?

*Members interjecting:*

**The SPEAKER:** Order! You will be quiet.

**The Hon. K.O. FOLEY:** My understanding of the loan is quite simple in that, should the project not proceed, the interest payments the government has made to that loan will be capitalised into the loan, meaning the government has not provided an interest subsidy.

### VOCATIONAL EDUCATION AND TRAINING

**Mrs GERAGHTY (Torrens) (14:45):** My question is to the Minister for Employment, Training and Further Education. Can the minister inform the house of the latest available information on the number of students attending vocational education and training courses in South Australia?

**The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (14:46):** I thank the member for Torrens for her question. I can inform the house that new data released in recent weeks shows a strong rise in vocational education and training participation in South Australia. Statistics released by the National Centre for Vocational Education Research indicate that both subject enrolments and delivery hours increased significantly in South Australia in 2009.

The number of VET hours delivered last year increased by 11.4 per cent from 2008, a rise of 2.9 million hours, to a total of 28 million hours. This figure is well above the national increase in delivery hours of 7.3 per cent. The number of VET enrolments in South Australia during 2009 increased by 45,000 to 870,200, up by 5½ per cent from 2008 and above the national average increase of 4.9 per cent. The most recent available data shows that the number of VET course completions in 2008 increased by 18.4 per cent (or 4,300) on the 2007 figure to 28,100; again, well above the national average increase of 10.1 per cent.

These figures follow yesterday's release of ABS statistics showing that between 2007 and 2009 international student enrolments in the South Australian VET sector trebled from 2,961 to 8,919, which is a higher average annual rate than any other sector of education. It is timely to remind members that the state's total income from international students last year was \$990 million, which accounted for 9.6 per cent of our total exports. This is more than treble the income in 2002, when the government came into office, and represents an annual average growth of 18.9 per cent.

The total number of students undertaking VET across the state in 2009 was 121,900. This is slightly lower than the 2008 figure because data from the Workers' Education Association of South Australia, which is a very good organisation, was not included in the 2009 NCVER report but was recorded in previous data. If the WEA data was included in 2009, it is estimated that the student numbers would have been approximately 127,800, an increase of 2 per cent compared with a 0.4 per cent increase nationally. In 2009, South Australia had 302 registered training organisations delivering training across 800 locations, including 47 TAFE SA campuses, 168 Adult Community Education sites, and 585 private colleges.

### ADELAIDE OVAL

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:49):** Can the Treasurer explain what is the practical effect of the government's \$30 million second mortgage over Adelaide Oval given to secure SACA's debt, and is the government seriously suggesting that, if SACA defaults on its debt repayment, the government would sell up Adelaide Oval? The chairman of the government's steering committee told the Budget and Finance Committee on 12 July 2010 that the way in which the second mortgage was to be enforced was to appoint a receiver to sell up Adelaide Oval.

*Members interjecting:*

**The SPEAKER:** Order! Do you want to hear the answer?

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (14:49):** The issue of a loan to SACA was quite well known. It is not uncommon for governments to provide loans to sporting bodies. In fact, under the former Liberal government, as you would recall, loans were made to the SANFL, from memory, for the SANFL grandstand upgrade. The reality would be that, if SACA was to default it would probably mean, by definition, that SACA no longer was viable and existing and there would be a major crisis in cricket in this state, and the government would be responsible for the loan. That's obvious, but you are asking me a question about something that the chairman of the SMA, Ian McLachlan, said.

*Members interjecting:*

**The Hon. K.O. FOLEY:** Bruce Carter. I am not responsible for what Bruce Carter said. Obviously, the government is not in a position to sell Adelaide Oval because it does not own Adelaide Oval.

**An honourable member:** Did Bruce Carter mislead the committee?

**The Hon. K.O. FOLEY:** Did Bruce Carter mislead the committee? For goodness sake!

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Did your committee members question him on that statement?

*An honourable member interjecting:*

**The Hon. K.O. FOLEY:** Did they? What did they question him about on that statement?

**An honourable member:** Go read it.

**The Hon. K.O. FOLEY:** Which means he hasn't got it.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I am not going to take out of context something that Mr Carter may have said. He is a leading businessman in this state who does a lot of work for government to assist it in difficult—

**Mrs Redmond:** He ran WorkCover well.

**The Hon. K.O. FOLEY:** He did an outstanding job as Chairman of WorkCover. The opposition are prepared to go to any depths to attack and ridicule this project. The government has made an offer to the SANFL and the SACA; it has provided a loan guarantee for the western grandstand. My briefing note advises me that interest payments will be capitalised and included in the loan should the development not go ahead. I am having that advice double-checked to make sure that everything I say to this house is correct, but that is what my briefing note says.

The point is that this is a complex project; it has required the government to take risk; it has required a boldness and a preparedness by this government to go the extra mile to deliver football back into the centre of this city.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** You can do either of two things in government: you can sit back and be a passenger and let events unfold or you can try to make significant change—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** You can try to make significant change in this state. Our government has elected to make significant change. We believe that if we can get Adelaide Oval redeveloped—

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Premier will sit down.

*Members interjecting:*

**The SPEAKER:** Order! You would better off at the football with those foghorn voices than you are in here, and I am sick of it. I cannot hear what is going on. Curb some of your testosterone.

## TRADE CADETSHIPS

**Mrs VLAHOS (Taylor) (14:53):** I rise to ask a question of the Minister for Education. What impact will the commonwealth government's announcement earlier today regarding trade cadetships have on young South Australians?

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (14:54):** I thank the honourable member for her question. I think it is her first question to me in this house, and I congratulate her for her interest in this important matter.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** Just a few hours ago prime minister Julia Gillard announced that under a re-elected federal Labor government year 9 to 12 students looking for a trade career will be able to undertake trade cadetships in a national curriculum from 2012. This will mean that school students who want a career in a trade will have a more clearly defined pathway that is equal in quality, value and rigour to traditional academic career paths.

This is a particularly welcome announcement here in South Australia because it will complement the changes we have already made to our SACE system to make sure that young people are prepared for work and community life. We wanted to make sure that young people had the opportunity to be better prepared for the highly skilled jobs available in the emerging and revitalised industries in our economy—

*Mr Goldsworthy interjecting:*

**The SPEAKER:** Order! The member for Kavel will be quiet or go outside.

**The Hon. J.W. WEATHERILL:** —and the new opportunities, Madam Speaker, that I know you are aware of in areas such as defence, mining, health and electronics.

The new SACE means that our students will largely be able to achieve their secondary certificate through VET subjects. This is a big step forward, opening up the door to students to choose both academic and VET pathways to increase their work opportunities for the future. These reforms now fit incredibly well with the announcements that prime minister Gillard has just made. This is just another reminder about the importance of the re-election of a Gillard government for South Australia. It also fits with the commonwealth government's massive investment in South Australia to provide trade training centres as part of our education and training infrastructure.

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** I know that those opposite do not want to hear about these trade training centres, because we have heard from the leader of the federal opposition that they are in jeopardy.

**Mr PENGILLY:** I have a point of order, Madam Speaker. I believe the minister is debating the question.

**The SPEAKER:** I do not uphold that point of order. The minister.

**The Hon. J.W. WEATHERILL:** Thank you, Madam Speaker. I am just trying to be heard above the commotion over there because they are very rowdy today. Under the trade training centres program \$87 million is available for about 90 state schools in a number of clusters in South Australia to support—

*An honourable member interjecting:*

**The Hon. J.W. WEATHERILL:** Yes—the trade training of young people. There is an opportunity for thousands of young people to gain better skills for better jobs at schools everywhere across the state.

**The Hon. I.F. EVANS:** I have a point of order, Madam Speaker. The minister has just confirmed that the matter to which he is referring is 100 per cent federal government funded. It is a federal government policy announced by prime minister Gillard. What responsibility does the minister have to the house for a fully funded commonwealth program and a federal government policy? There is not a cent of state government money in it and the minister does not have a responsibility to the house.

**The SPEAKER:** I do not uphold that point of order. In the context of his answer it is okay.

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

**The SPEAKER:** Order, the Minister for Transport!

**The Hon. J.W. WEATHERILL:** As I continue it might be worth explaining—because, obviously, it is not clear to the member for Davenport—that this money will be spent in South Australian schools. These are South Australian programs delivered by South Australian teachers for South Australian children.

**The Hon. I.F. Evans:** You are not responsible.

**The Hon. J.W. WEATHERILL:** Of course I am responsible. We are responsible for building these things. We would casually like to know whether the \$87 million we have told schools they are about to get from the federal government will be there after this federal election. We know from Tony Abbott that the programs that we have are at serious risk.

What we know is that construction work has already begun in nine groups of schools, while contracts have been signed with eight other groups of schools. So new trade training support will be provided for students in places such as Peterborough High School, Henley High School and Underdale High School.

However, trade training centre projects in the remaining clusters, in areas such as Blackwood High School (which I thought might interest the member for Davenport), Coober Pedy Area School (which might interest the Speaker), Edward John Eyre High School, Glossop High School, Mount Compass Area School and Pasadena High School, are all at risk if the Abbott government were to be elected. This is what is at stake.

**The Hon. I.F. Evans:** You're joking.

**The Hon. J.W. WEATHERILL:** No, I'm not joking. This comes out of the mouth of the man who would seek to be the prime minister of this country. He is seeking to say that he would cut funding for trade training centres in these areas, so the programs which have not yet been rolled out across South Australia—the expectations created across 90 schools—will now be dashed. This incredibly important program, which is being built on today by prime minister Gillard with the announcement of her cadetships, is going to be at jeopardy. This is what is at stake in this election. It will mean fewer opportunities for young people to learn skills using modern equipment, fewer apprenticeships and, in the longer term, a less skilled workforce.

I know that those opposite are not interested in an education system that ensures that young working-class people can get a future for themselves by getting a trade and going on and delivering themselves a future. I know that the present opposition minister for education is not prepared to stand up to his federal colleague on this. He is not prepared to stand up for South Australia. He is prepared to sit there and allow the federal opposition leader to announce this set of cuts to a program—

**The SPEAKER:** Order! There is a point of order. The deputy leader.

**Mr WILLIAMS:** Point of order, Madam Speaker. The minister has been debating this for a number of minutes already. I think that it is time that it was brought to his attention that he is not supposed to be debating in question time.

**The SPEAKER:** I do not think the honourable member has a point of order there, but would the minister like to finish his reply? He has finished. The member for Davenport.

#### PAYROLL TAX

**The Hon. I.F. EVANS (Davenport) (15:00):** My question is to the Treasurer. Did the Treasurer instruct Treasury to delay the introduction of the payroll tax exemption for apprentices and trainees until at least 1 January 2011 and, if not, who did? The government promised during the election campaign to match the Liberal promise to amend the Payroll Tax Act to exempt wages of trainees and apprentices from payroll tax as from 1 July 2010. The Commissioner of Taxation sent out a notice on 5 July advising businesses that the government had advised him that the parliament had been too busy to introduce the relevant legislation and that the rebates would be postponed until at least 1 January 2011.

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (15:01):** I love the way the Liberals say that we were copying their payroll tax cuts. We are a government of payroll tax cuts—not members opposite: this government. Before answering that question, I just want to clarify this issue of interest payments, because I am—

*Mr Williams interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** Point of order, Madam Speaker. It is not in order for the Treasurer to ask himself the questions. We ask the questions and he is to answer the questions. If he wants to make a ministerial statement after question time, he can seek the leave of the house.

**The Hon. K.O. FOLEY:** I was offering members some more information, but if they do not want it, fine; I will do it at the end of question time.

*Members interjecting:*

**The Hon. K.O. FOLEY:** Okay. Well, I just wanted to clarify some statements, and if you would rather I do it at the end of question time—

**Mr Williams:** I'd rather you do it at the end of question time.

**The Hon. K.O. FOLEY:** Okay, all right, fine.

**The SPEAKER:** The Treasurer will do it after question time.

**The Hon. K.O. FOLEY:** That is fine. A bloke is trying to be helpful and he gets into strife with this lot!

*Members interjecting:*

**The SPEAKER:** Order! Listen to the Treasurer's reply.

**The Hon. K.O. FOLEY:** The government confirmed post the election—I think sometime in April, from memory—that a number of our election promises were reconfirmed by cabinet, and the payroll tax was one of them. I prefer, when implementing payroll tax cuts, to do it legislatively, and I was not in that position. We had some issues with one of the employer bodies about their interpretation—or their ask, I should say—of what would be the scope of the tax cut. Because we are not in a position to get it legislatively implemented by 1 July, I wanted to defer it to 1 January 2011.

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** Well, it is a minimal saving to the budget.

*Members interjecting:*

**The Hon. K.O. FOLEY:** Madam Speaker, we have delivered a budget. We have delivered tax cut after tax cut after tax cut. We have brought our payroll tax rates down to be some of the most competitive in the nation. I prefer a legislated approach to tax cuts. We had not enough time to get that done by 1 July. In my absence, the acting treasurer had another view that we should do it administratively. That was an option open to me.

**The Hon. I.F. Evans:** Did he instruct Treasury?

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** I advised Treasury that I wanted it deferred until 1 January 2011.

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

**The Hon. K.O. FOLEY:** That was my decision as Treasurer, because we had not been able to have the legislation in place. The acting treasurer was of a different view, and I was overseas, and he quite within his powers in a regulatory move made it applicable—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.O. FOLEY:** —from 1 July, and I am quite relaxed about that.

#### **MURRAY-DARLING BASIN AUTHORITY**

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:05):** My question is to the Premier. Does the Premier still claim that the Murray-Darling Basin Authority is an independent body, similar to the Reserve Bank? Today the Murray-Darling Basin Authority issued a statement indicating that the date for the release of the guide to the draft basin plan will be



considered after the federal election and cites caretaker period conventions. In the last federal campaign the Reserve Bank did not shy away from raising interest rates.

**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) (15:06):** I would just say that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** Well, that is what Malcolm Turnbull told us, wasn't it? Do you remember that when he told us about that? I am a bit amazed that I got a question on water from the honourable member today because we just had a tragedy down at the desal plant and then we saw the absolutely bizarre statements made by the honourable member. He was quoted in *The Australian* yesterday—

**Mr WILLIAMS:** Point of order, Madam Speaker: this has no relevance whatsoever to the question.

**The SPEAKER:** It has relevance; it is related to water, and the Premier can answer as he chooses.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** Point of order, Madam Speaker. I raised the point of order of relevance. My question had nothing to do with water: it had to do with the administration of the Murray-Darling Basin Authority.

**The SPEAKER:** We'll see how the Premier finishes his answer.

**The Hon. M.D. RANN:** He was quoted as follows:

State opposition water spokesman, Mitch Williams, said the decision to build the desal plant was driven by 'political expediency'.

He said the sensible and cheaper option was to purify and re-use stormwater. He continues:

The capacity of the plant does nothing additional for our water security.

On building the desal plant, he said:

It was a stupid decision taken by the Rann government purely for political reasons.

That is what he said on 19 July. On 4 July 2007—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —he said the Liberals would build a desalination plant; 'we would provide water, it will cost a little bit more, but you won't have water restrictions.' Then on 12 September, 'we've been pushing it for almost 12 months now, this is a no-brainer.' It was a no-brainer when it was his idea but it was a dumb decision by us. On 5 December 2007, he said:

Well in fact...it was our idea. We announced 12 months ago that South Australia and Adelaide needed to build a desalination plant to provide water—

**Mr WILLIAMS:** Point of order, Madam Speaker: I now ask you to rule on the relevance of this answer to the question about the Murray-Darling Basin Authority.

**The SPEAKER:** You asked about the Murray-Darling Basin. If it has nothing to do with water—it has nothing to do with forestry or mining, so I don't see why it has nothing to do with water but, Premier, would you get back to your answer?

**The Hon. M.D. RANN:** I am getting onto it, ma'am. The final quote is from 13 May 2009, *Hansard*:

The only thing that the government has done wrong about building a desalination plant from the opposition's perspective is that it has not done it earlier.

But yesterday it was a stupid decision. It was a no-brainer three years ago, now it is a stupid decision. What does that say about the Deputy Leader of the Opposition? Let me tell you.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** I've worked with a number of Liberal leaders.

*Members interjecting:*

**The SPEAKER:** Order! I am sure the Premier is now going to get onto the Murray-Darling Basin.

*Mr Williams interjecting:*

**The Hon. M.D. RANN:** No, you are. These are your quotes. This deputy leader does not stand by—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** He means not what he says and he says not what he means, and that is the difference. Let's go on to what you are talking about in relation to the management of the River Murray. I worked with a number of federal Liberal leaders like John Howard. I worked with him to get defence projects. I worked with Malcolm Turnbull when he was minister for water over his plan for a federal minister to be responsible for the River Murray with a basin authority underneath it which would give independent advice. Remember that? You supported it. You came out and supported it. But also I worked with Brendan Nelson—again, on defence projects. There is one leader though that I have not seen show an interest in South Australia and that is the current leader of the federal opposition, Tony Abbott, except of course when he duded us on health funding—and that is the difference, so keep your questions coming.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** I saw Peter Costello's performance last night taking off someone's accent. Peter Costello is brave in front of—

*Members interjecting:*

**The SPEAKER:** Order! Point of order, member for Unley.

**Mr PISONI:** On a point of order, we are desperately waiting for the answer. This is not relevant to the question whatsoever.

**The SPEAKER:** I do uphold that point of order now. I am starting to wonder where this question is going. Premier, have you finished your answer?

**The Hon. M.D. RANN:** Yes, I have.

*Members interjecting:*

**The SPEAKER:** Order! Minister for Transport, point of order.

**The Hon. P.F. CONLON:** Point of order: it may have escaped the opposition, but it is out of order to yell all those interjections.

**The SPEAKER:** I call the Member for Morphett. Perhaps we might have some sanity.

#### **BREASTSCREEN SA**

**Dr McFETRIDGE (Morphett) (15:11):** My question is to the Minister for Health. Can the minister assure the house and South Australian women that there will be no cuts to BreastScreen SA services or funding in the 2010-11 budget? On ABC Radio this morning Matthew Abraham read from a leaked document that outlined five options for breast cancer screening programs conducted by BreastScreen SA. The document listed the impacts on undetected cancers. Option 1 estimated 12 undetected breast cancers, option 2 estimated four undetected, option 3 estimated eight undetected, option 4 estimated 16 undetected and option 5 estimated 19 undetected breast cancers. The document also states there were 434 cancers detected by breast screening in 2008-09.

**The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the**

**Arts) (15:12):** As members would be aware, BreastScreen SA is one of the state's most revered and respected health services. It is part of the SA Department of Health. For more than two decades this service has been providing life-saving early detection for women through its breast cancer screening program. A recent report celebrating BreastScreen's 20-year history revealed that women who have regular screening mammograms through this service have reduced their risk of dying from breast cancer by more than 40 per cent, so it is a high-achieving organisation.

Participation in screening rates for women aged 50 to 69 in South Australia are the highest in the nation. It is certainly our ambition to maintain that rate. South Australia's invasive breast cancer detection rate is the second highest in the nation. We are just pipped by the ACT, as I understand it. BreastScreen SA is continuing to expand and improve its service and is planning for the rollout of digitised mammography. Digitisation is the next breakthrough in mammography, moving from the wet imaging process to the digitised process.

In 2008-09 the state government committed \$2.1 million to replace two BreastScreen SA country mobile units and to incorporate digital mammography technology. Those two units should be online very shortly. This technology allows more women to receive mammograms and provides better detection for younger women. From 2007-08 the Department of Health increased BreastScreen SA's recurrent funding by \$950,000. Through the extra funding BreastScreen SA is aiming to increase the rate of participation by women.

As members would know, the state government is building a new GP Plus Health Care Centre at Elizabeth. This will be a one-stop shop providing a range of services to the local community, aimed at keeping people healthy and out of hospital. Included in the service is a breast screen facility, enabling women in the northern suburbs to have breast screening at a state-of-the-art new facility. Digital mammography will be incorporated into this new centre.

As I understand it, today an internal document prepared by BreastScreen staff for BreastScreen managers was reported on in the media, which the member for Morphett has just referred to. This document suggests or canvasses a range of options for the funding of the BreastScreen services at the Elizabeth Centre in the introduction of the digitisation process there. This internal document had not previously been sent up to the Department of Health—it was a working document within that area—nor, I can assure the house, to me.

*Mrs Redmond interjecting:*

**The Hon. J.D. HILL:** Well, I say to the Leader of the Opposition that I'm trying to provide factual information to the member. If she would like to ask me any subsequent questions, I would be more than happy to answer them. I am advised that the Department of Health and the Adelaide Health Service have been working with BreastScreen SA to ensure that the service is funded properly and is operational.

## BIODIVERSITY

**Mr SIBBONS (Mitchell) (15:16):** My question is to the Minister for Environment and Conservation. What recent initiatives have been undertaken to strengthen the protection of our state's native biodiversity?

**The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (15:16):** I thank the honourable member for his question. South Australia has more than 340 protected areas, covering over 21 million hectares, and new land is continually being assessed and acquired in an effort to conserve our native biodiversity. The government's highly successful NatureLinks program provides an overarching strategy for the conservation of our state's biodiversity. The strategy focuses on supporting species and ecosystems to survive, to evolve and to adapt to changes in the environment by establishing five biodiversity corridors across South Australia.

Recently, the state government strengthened its commitment to protecting wildlife and conserving biodiversity in South Australia by proclaiming a unique parcel of land on the West Coast as a conservation park. The Chadinga Conservation Reserve, which forms part of the East meets West NatureLinks corridor, has become a conservation park under the National Parks and Wildlife Act, providing even greater protection to wildlife and the natural environment. Land that was previously unproclaimed has also been included as part of this process, increasing the size of the Chadinga Conservation Park from 8,125 hectares to almost 12,000 hectares.

Located approximately 103 kilometres west of Ceduna along the coast of Fowlers Bay, the park also features a large dune system which extends over three kilometres inland and contains a

large inland lake and mallee association. Numerous bird species of conservation significance, including the osprey, ruddy turnstone and Pacific golden plover, as well as the restless flycatcher, fairy tern, musk duck, rock parrot and banded stilt, will benefit from this enhanced level of protection.

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

**The Hon. P. CAICA:** Yes, it is excellent. It has enhanced the level of protection for species that need to be protected.

A number of other land additions to our state's protected areas have been made in recent times, including the Newland Head and Dudley conservation parks. The Newland Head Conservation Park is set atop the spectacular cliffs of the Southern Fleurieu Peninsula. I am sure that the member for Finnis is very well aware of this. It has been increased in size—and I know that he would congratulate us for this too—to more than 1,000 hectares, with the addition of 120 hectares of land, which is known as Kings Head. Management of this additional land will provide further protection for threatened plant associations such as the coastal woodland and mallee and shrub land ecosystems.

The Dudley Conservation Park near Penneshaw on Kangaroo Island has been increased in size by approximately 674 hectares to 1,768 hectares, ensuring further protection of eucalyptus mallee vegetation in that area.

*Mr Pengilly interjecting:*

**The Hon. P. CAICA:** Are you saying we shouldn't be doing this? Is that what you're saying? Do you want me to tell the people of Kangaroo Island that you don't want us to do this?

**Mr Pengilly:** No.

**The Hon. P. CAICA:** The land addition also provides a boost to the protection of habitat for significant wildlife species such as the southern brown bandicoot, the mountain thrush and the southern stone curlew, and it is making an important contribution to the Cape Borda to the Barossa Valley NatureLink corridor. These recent land additions to South Australian protected areas will further increase the protection of habitat and the protection of plant and numerous bird species of conservation significance that are part of the government's ongoing commitment to protecting our state's unique biodiversity.

#### **COOBER PEDY AREA SCHOOL PRINCIPAL**

**Mr PISONI (Unley) (15:20):** My question is to the Premier. Can the Premier explain why the principal of the Coober Pedy Area School, who has been removed from her position, can be formally reprimanded and judged liable for disciplinary action by the Chief Executive of the Department of Education and Children's Services for minor altercations, in difficult circumstances, without the use of four letter words, as disgraceful and improper conduct, yet when the Treasurer, as acting premier, recently rang the night editor of the *Sunday Mail* and gave free rein to an extended barrage of abuse, including 'f' and 'c' words, there were no disciplinary consequences whatsoever?

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (15:20):** That is a typically smart alec question from the much loved member for Unley, the man who does not have a friend, I do not think, on either side of the house.

*An honourable member interjecting:*

**The Hon. J.W. WEATHERILL:** That is right. It proceeds from a false premise. The decision that was taken in respect of the principal at Coober Pedy was really in two parts. The first concerned disciplinary action, which led to a reprimand, and the reprimand concerned circumstances that arose within the context of the school. The actual transfer of the principal was unrelated to the disciplinary action and related to the general source of division and discontent within the school community.

The Director-General of Education reached the conscientious decision that the education of the children of Coober Pedy would not be advanced if that principal continued in that role. So, that is the reason why she was transferred; quite unconnected from the disciplinary action. Arrangements and negotiations are occurring about an appropriate transfer for that teacher. There is no suggestion that she cannot continue to play an appropriate role within the education system,

but in the particular circumstances of the Coober Pedy community it was considered inappropriate for that—

**Mr PISONI:** I rise on a point of order. This question was directed to the Premier because it is about the Premier's integrity and standards. This question did not suggest, for one minute, that the principal of Coober Pedy was moved because of the disciplinary action, but she did face disciplinary action for those actions.

*An honourable member interjecting:*

**Mr PISONI:** You should listen; that is what you should do.

*Members interjecting:*

**The SPEAKER:** Order! Is this a point of order or a debate across the floor? What is your point of order, member for Unley?

**Mr PISONI:** My point of order is that the question is not relevant. It was directed at the Premier—

**The SPEAKER:** There is no point of order.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Order, Minister for Industry and Trade! There is no standing order about who should answer a question. The minister was comparing the situations.

#### **COOBER PEDY AREA SCHOOL PRINCIPAL**

**Mr PISONI (Unley) (15:23):** In light of the Minister for Education's answer, can the minister then explain—I will say that again.

**The Hon. A. Koutsantonis:** Come on. Do your job properly. Get ready.

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** My question is to the Minister for Education.

*Members interjecting:*

**The SPEAKER:** Order! The member for Unley will sit down. We have an extension of five minutes; we are down to about four minutes now. We will sit here all afternoon if we do not get our question finished. Member for Unley.

**Mr PISONI:** My question is to the Minister for Education. Can the minister advise whether the former principal of Coober Pedy Area School breached any mandated DECS guidelines with regard to enforcing discipline and attendance at the school?

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development) (15:24):** I will take that question on notice and bring back an answer.

#### **'A SAFER NIGHT OUT'**

**The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:25):** I lay on the table a ministerial statement made by the Hon. Gail Gago in another place.

#### **ADELAIDE PACIFIC INTERNATIONAL COLLEGE**

**The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (15:25):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.J. SNELLING:** I have previously told the house about action taken earlier this year against Adelaide Pacific International College by the Department of Further Education, Science and Technology under the Training and Skills Development Act 2008. DFEEST carried out a full monitoring audit of APIC and found the college to be critically noncompliant with the

Australian Quality Training Framework standards. In addition, the audit found that the college was 'noncompliant' with 12 of the 14 standards under the commonwealth's ESOS national code.

In May, the delegate of the South Australian Training and Skills Commission (the Chief Executive of DFEEST, Mr Raymond Garrand) served notice on the college of his intention to cancel its registration under the Training and Skills Development act. The college responded to the notice on 4 June. After the delegate had considered that response, the original audit findings and the full registration history of APIC, he concluded that APIC had breached its conditions of registration as a training provider.

Under the Training and Skills Development Act, it is a condition of registration that a registered training organisation must comply with the Educational Services for Overseas Students National Code. The delegate has advised me that APIC has failed to comply with 12 of the 14 standards of the code. In particular, it failed:

1. To adequately monitor the enrolment of students across the scope of courses and ensure that they completed their courses within the specified duration (standard 9).
2. To adequately monitor the progress of students and provide appropriate intervention and support strategies (standard 10).
3. To systematically and accurately monitor student attendance (standard 11).

It was in response to these findings that the commonwealth Department of Education, Employment and Workplace Relations imposed a suspension on APIC's registration as a provider to overseas students. This suspension limited APIC's ability to enrol prospective students and required APIC to continue to train on-course students only. APIC lodged an appeal against this action in the Administrative Appeals Tribunal.

It is also a condition of APIC's registration that it comply with the AQTF 2007 Essential Standards for Registration. APIC failed to comply with each of the standards. In particular, it failed:

1. To provide training and assessment across the scope of its courses (standard 1).
2. To provide quality outcomes for its clients (standards 2).
3. To have systematic management and record systems which are responsive to the needs of clients, staff and stakeholders (standard 3).

Under the Training and Skills Development Act, it is an offence for a registered training provider to contravene a condition imposed through its registration as a provider. It was on this basis that the delegate of the Training and Skills Commission took action to cancel APIC's registration as a registered training organisation, effective from Monday 28 June. APIC lodged an appeal against this action in the District Court of South Australia, and the action to cancel the registration was stayed until 19 July. During this period, the suspension imposed by DEEWR remained in place.

I commend Therese O'Leahry and the Office of the Training Advocate for acting swiftly to ease concern of students by coordinating several information sessions. Representatives of the department, DEEWR and the Department of Immigration and Citizenship were present at all sessions, providing information and responding to student issues and concerns.

On 12 July, APIC informed DEEWR that it would not be pursuing its appeal against the DEEWR action to suspend APIC's registration as a provider to international students or the action of the delegate of the Training and Skills Commission to cancel its registration as a registered training organisation. APIC further indicated that it intended to cease trading as at 12 July 2010.

At a hearing in the District Court on 12 July, the court ordered that the stay imposed on 28 June be terminated forthwith. Consequently, the cancellation of APIC's registration as a training provider under section 37 of the Training and Skills Development Act came into effect. Accordingly, I can inform the house that APIC has been removed from the National Training Information Service, under section 91 of the ESOS act. This action automatically cancels APIC's registration as a provider to international students.

The commonwealth Department of Education, Employment and Workplace Relations has activated the consumer protection requirements of the ESOS Act. A meeting of students was held on Thursday 15 July and was attended by representatives of DEEWR, DFEEST, DIAC, the Office of the Training Advocate and Australian Council for Private Education and Training.

The tuition assurance is now in place, and the Australian Council for Private Education and Training is in the process of placing students in the equivalent courses with providers who are members of the ACPET scheme. Should students not be placed through this process, they will be referred to the ESOS Assurance Fund with the option to transfer to TAFE.

Throughout this matter I have made it clear that the welfare of the students remains our priority. The department and the Office of the Training Advocate will continue to monitor this process to ensure that students are not disadvantaged. Madam Speaker, be assured that every effort will be taken so that those students who want to be placed with an alternative provider, such as TAFE, will be.

I would like to thank the Consul-General of India, Mr Amit Dasgupta, and also acknowledge the Premier's Special Consul on India, Mr Brian Hayes QC, and the President of the Indian Community in South Australia, Major-General Vikram Madan, for their concern and support for the welfare of students. This action and any future action by the government to deal with noncompliant training organisations reflects the desire to ensure that South Australia's position as a high-quality provider of education continues.

I expect that improvements can be made to our work in this area. I look forward to hearing from Mr Warren McCann in the near future about further improvements to the current regulatory framework and, in particular, the current legislative framework and further steps that can be taken to avoid situations of critical noncompliance.

## GRIEVANCE DEBATE

### COOBER PEDY AREA SCHOOL PRINCIPAL

**Mr PISONI (Unley) (15:31):** In January 2010 the principal of the Coober Pedy Area School, Sue Lewis, was put on special leave pending complaints from members of the school community who were unhappy with her enforcement of standard DECS policies with regard to attendance and truancy, uniforms, late student sign-in and parent sign-in for school security, and student behaviour management. Two internal and one independent reviews later—which, we might add, the department is unwilling to make available through FOI—Sue Lewis has been removed from her position and will be transferred. She had no opportunity to contribute to these reviews. However, she wishes to remain at the school as part of the Coober Pedy community with her family.

The Chief Executive has acknowledged the principal's contribution to improving attendance, behaviour, literacy and numeracy at the school and that her removal was not a disciplinary measure, but has sacked her anyway. When Ms Lewis was the principal in 2009, suspensions dropped to 31, compared with 56 when she took over in 2008. So far in 2010 (with Ms Lewis's suspension and the interim principal in place) suspensions have risen to 86, including two exclusions—and that is just in the first half of the year. Notably, some of Sue Lewis' most vocal critics, who have set up a Facebook site to slander her, have children with appalling records of nonattendance and nonconforming to the school's systems. Sue Lewis also reduced absenteeism by half during her tenure, but that has now doubled since she left.

The suspension of the Coober Pedy principal has been supported and, indeed, promoted by the local member for Giles, who has a close association with and support for those in the community who are hostile to the school leadership. The member for Giles presided over a public meeting on 12 November 2009. The rowdy meeting, at which alcohol was consumed, was dominated by those hostile to the principal. The District Director of DECS was in attendance with the local member, but it is unclear why or what his constructive role was.

Despite advice from the District Director, no attempt was made by the member to contact the principal prior to the public meeting being organised. An invitation to visit the school by the principal prior to the public meeting was reneged upon with, apparently, no phone call to apologise. The member recently met up with the minister, the Chief Executive of the Department of Education and Children's Services and representatives from the Coober Pedy community seeking a permanent solution to the issue, so I am surprised that the minister did not know the answer to the question I just asked regarding what Sue Lewis has done in the way of breaching DEC's guidelines.

In July the minister's predecessor was provided with 40 emails from parents and community members supportive of the principal (Ms Lewis) and requesting the minister to overturn the decision to relocate her. Why has the principal, who has reduced truancy and suspensions so

dramatically and who has achieved so many positive educational and structural outcomes for the school community, been removed? While the Chief Executive concludes that the principal divided the school community, it is more apparent that the total lack of support by DECS for the principal since late 2008 has provided the catalyst for division and created a culture of noncompliance with the standard DECS guidelines which Ms Lewis was obliged to enforce.

There have been seven principals at the school in nine years, all of them blow-ins. Only Sue Lewis is a resident and a member of the community. The minister and Chief Executive have no stomach to enforce basic DECS guidelines in Coober Pedy or with its more vocal and unconventional community members. Will the minister ensure that the new principals and staff are issued with a list of locals they are not permitted to disagree with or those children to whom DECS rules do not apply? At what educational cost will this be to the greater Coober Pedy community? The problems encountered around attendance, truancy, lateness and discipline in the Coober Pedy school community will not be resolved by replacing the principal.

To illustrate the point, there is a sign in the foyer of the Coober Pedy hospital which states that 'physical and verbal abuse will not be tolerated and offenders will be prosecuted'. The element of the community at which this sign is aimed is the same minority who, when they have an issue with the school or are confronted with the standard DECS practices or rules, turn up at the front office screaming abuse and making verbal threats. This is documented. They often continue this intimidation outside the school.

In the past principals attempting to deal with this behaviour and not supported by the department have either backed down or just left. The shortest stay was six weeks. Sue Lewis did not back down. The most recent interim principal has admitted to the media that the school is a tough gig and that some of the community demonstrate little respect for education. The chief executive and minister have set an uncomfortable precedent in Coober Pedy but are consistent with this government's record of not supporting school principals.

#### **HOA HAO BUDDHIST CONGREGATION**

**Mrs VLAHOS (Taylor) (15:36):** I rise today to speak about a recent festival and vegetarian feast I had the good fortune to attend in the seat of Taylor when I represented the Minister for Multicultural Affairs. On 27 June, along with the Lieutenant Governor and Chair of the Multicultural and Ethnic Affairs Commission, Hieu Van Le; the mayor of Playford, Martin Lindsell; councillor Tung Ngo, the member for Croydon; and Mr Phung Phuong Duy of the Hoa Hao Buddhist Congregation of Australia, I attended the 71st celebration festival at the congregation's temple at Virginia.

This festival takes place each year and is staged to commemorate the life and the good work of Huynh Phu So, whom I will speak about later. He is a highly esteemed Vietnamese prophet from whom this group takes great faith. The Hoa Hao congregation was incorporated in late 1991 and aims to propagate the teachings of Hoa Hao Buddhism, to encourage charitable deeds and to practise the mottos of 'serving one's faith while awaiting the Master's return' and the 'all the way' principle. It is considered to be a better life to pray with a pure heart before a modest family altar than to perform gaudy ceremonies in a pagoda.

The story of Hoa Hao Buddhism is characterised by struggle and action, and by admirable refusal to buckle under the will of oppressors. Its adherents have their own flag—maroon in colour—and their own holidays. The Hoa Hao, along with the Cao Dai sect, was one of the first groups to initiate armed hostilities with the French and then Japanese colonialists. It is based around the prosperous Mekong River delta area and its adherents were, at first, mostly peasants and rural workers. After the war it continued to play an important and independent role in Vietnamese politics. This role continues today, with some of its followers facing persecution from the current Vietnamese government.

According to the 2006 census, around 100,000 South Australians were born in Vietnam and around 11,000 South Australians claim Vietnamese ancestry. The role of the Vietnamese community in our state's economy and culture is important, with over 861 of these people sharing their life in the electorate of Taylor. Their contribution to our state is particularly evident in the northern suburbs of Adelaide. Employing energy and industry, the Vietnamese refugees of 30 years ago quickly settled into our community, raised families and achieved enormous success. A capacity for hard work, a strong belief in education and a strong sense of family and faith have been vital to this success.



Huynh Phu So, who lived between 1919 and 1947, was a Vietnamese philosopher, a Buddhist reformer, and an anti-French and anti-communist military and political activist. Frail and sick in his youth, Huynh was educated by a Buddhist monk and, at the age of 20, was miraculously cured. He then set about preaching Buddhist reform, advocating a return to the way of the elders as opposed to the then popular view of Mahayna (the Greater Vehicle form) which was prevalent in Vietnam at the time.

Huynh Phu So travelled throughout Vietnam, practising herbal healing and acupuncture. He was an orator who exerted a great, almost hypnotic, influence over his audience and became known as the Doa Khung (Mad Monk). He predicted with accuracy the fall of France in World War II, the Japanese invasion of Indochina and the intervention, eventually, of the United States of America.

His success as a prophet led to his followers calling him Phat Song, or 'Living Buddha'. As Huynh's fame and adherence grew, his inflammatory speeches brought him to the attention of the French colonial authorities. Exiled from one Vietnamese province to another, he continued to draw disciples. Finally, he was committed to a mental institution where he converted his doctor in charge to his philosophy. In desperation, the French tried to exile him to Laos, but he was kidnapped by the Japanese agents in 1942 and held prisoner in Saigon (present day Ho Chi Minh City).

After the war, disagreement—first with the French and then with the communist Viet Minh—made the Hoa Hao sect active in its nation's political struggles. In 1947 Huynh Phu So was abducted while travelling to a meeting, essentially to reconcile differences between the Hoa Hao and the Viet Minh, and he was executed after trial. Many of his followers predict his return in a time of crisis, and their celebration each year of his beliefs and practices are important to the people in Taylor.

In conclusion, I would like to thank the Hoa Hao Buddhist congregation for allowing me to witness this important religious celebration. I look forward to strongly supporting them over the years to come with their good deeds in the community.

#### FOOD SECURITY

**Mr VENNING (Schubert) (15:40):** Today I would like to talk about an issue that affects everyone, and that is a favourite subject of mine, food security. We have always had the ability in Australia to be self-sufficient in growing and producing our own food, but more and more we are seeing a growing number of imports from Asia, Canada and South America—indeed, from all over the world. The Australian farm sector has said that we are losing our ability to remain competitive with other countries because our productivity growth is falling and our ability to compete in the world market is also falling. This is one strong reason why we need to be investing more into research and development, not less, as PIRSA has been experiencing for the past few years under the Rann Labor government cuts, and more are forecast.

Farmers need to be supported through research and development so that they can continue to implement innovative farming practices and become competitive internationally. We also need to ensure that the best arable land in the state is protected and quarantined for food production and not lost to housing developments. Almost all of South Australia's cities and towns are built on the best farming land, especially Adelaide, Gawler, Mount Barker and Roseworthy, and the list can go on.

The Rann Labor government's 30-Year Plan for Greater Adelaide proposed a larger amount of growth around Mount Barker and Roseworthy. Roseworthy, in particular, is some of the best agricultural land in the state, and there are some areas of extremely fertile land around Nairne, Mount Barker and, indeed, Freeling, but this will be lost if the Rann government continues with its planned housing developments for the area.

Using the land we have available for agriculture will result in our having to rely more heavily on imported goods. Is it not a contradiction that, as our population increases, every day we take more land out of food production? I know that I do not want to be eating foods that are imported from overseas, that have been sprayed with chemicals and pesticides that are banned here in Australia and that do not have our high food standards applied to them. But if we do not work at it, we will not continue to be self-sufficient in producing our own food, and we must support our farmers by buying Australian produce over imported produce. Imported produce will one day be all that is available. You then rely on them to supply, and if they are short they will not be looking after us.

Also, the levels of food stocks in the past in this country were governed by legislation. Our grain handlers had to have carry-over stocks in the silos and it had to be kept there by legislation. That is all gone. Now, none of our silos are required to have any grain in them. Remember the Bible story about Joseph and the great drought? Well, it could happen here. There is no guarantee that our grain marketers would have any grain left in the silos for us after about a year. I believe that was a backward move, indeed.

Labelling laws are also a big issue and something that must be addressed. All labels must carry the country of origin so that consumers can make informed choices about the products they buy.

**The Hon. S.W. Key:** In big print.

**Mr VENNING:** 'In big print', as the member for Ashford says. My phone rang a minute ago about a media alert today and it says 'Chinese apples were sold as local apples and AQIS and FSANZ don't care'. That is a disgrace.

The poisoned pine nut situation which occurred last week is a prime example of why products should at the very least contain country of origin details—and as the member for Ashford just said in large letters, not hidden in the small print. Here we have pine nuts believed to have been from China which were contaminated and, although not believed to cause a safety risk, this did result in several South Australians having to deal with an overpowering bitter metallic taste in their mouth lasting for up to two weeks after they ate the nuts.

Obviously it is not possible for every single item of food that enters our borders to be tested so, at the very least, if the country of origin was marked on the label, consumers would know where the product is from and then make their own decision about purchasing and consuming it. I know that there is currently a federal government review of food labelling laws and a policy being undertaken and that the review committee is due to provide its report to the Australia and New Zealand Food Regulation Ministerial Council in December 2010 and to COAG in early 2011. I hope that the committee recommends that country of origin information be made mandatory on all food labels and displayed with fresh produce.

### WOMEN'S ORGANISATIONS

**The Hon. S.W. KEY (Ashford) (15:46):** Today I would like to talk about two important South Australian women's organisations—the Working Women's Centre and the Women's Electoral Lobby, which has been an institution as a lobby for women in this state and around the country. I had the opportunity on 29 June to discuss the work that the Working Women's Centre had been involved in and, since that time, I have been presented with information outlining the work they have done in the last six months.

The Working Women's Centre tell me that they have delivered 14 presentations to 353 participants. The topics that they were asked to cover ranged from discrimination, rights at work, sexual harassment, paid parental leave and workplace bullying to name just a few of the areas they have been asked to speak on. They have also provided information to women on a range of work-related topics. Some 696 women have contacted the centre and asked for this information. They tell me that they have also managed 138 cases which would often involve many interactions with the person seeking support from the Working Women's Centre.

I asked the Working Women's Centre to give me a rundown of the industries and occupations that their work has also involved and I am told that the telephone assistance clients in industries that were most represented in descending order were health and community services (23 per cent), wholesale/retail (11 per cent), property/business services (9 per cent), accommodation/cafes (8 per cent), and other services (6 per cent).

Interestingly, the Working Women's Centre reports that most of their clients are between the ages of 25 and 44 years. Seventy-six per cent of the clients work in the private sector and the occupational groups most represented are sales/personal services (21 per cent), followed by professionals (16 per cent) and clerks (14 per cent). The case work, I am told, is similar with clients working in the following industries: health and community services (29 per cent), wholesale/retail (14 per cent), accommodation/cafes (11 per cent), property/business services (8 per cent), and personal and other services (8 per cent). Again, the clients that they do extensive case work with are in the 25 to 44 age range.

Ninety-two per cent of the case work clients work in the private sector and occupational groups most represented are in the sales/personal services area at 26 per cent, followed by clerks (21 per cent) and professionals (18 per cent). I think it is very interesting to get that break down.

Very briefly I point out to the house that the Women's Electoral Lobby, after nearly 40 years, is probably coming to a halt in South Australia. I attended a meeting on the weekend where five of us who were able to attend this meeting discussed how we will try to either continue the work of Women's Electoral Lobby (South Australia) or whether we would try to work out a way of perhaps putting the organisation on hold until there is a new crop of people that might like to take over the workings of this organisation.

The frustration for many of the women in this house who have supported the Women's Electoral Lobby is that it is probably inappropriate for us to take on leadership and organisational roles, because the Women's Electoral Lobby is there to lobby people like politicians. So, whereas it might have been okay before we got in here—and I think I can reflect on behalf of all the different parties in this house that we appreciate the work that the Women's Electoral Lobby do and understand the reason for it—it would be inappropriate for us to actually take over that organisation.

In saying that, attempts will be made, for the time being at least, to amalgamate the Women's Electoral Lobby with one of the other more active state groups, or the national group, until we can, as I said, find some activists who may want to take over the role that the Women's Electoral Lobby has so richly contributed to in our political life in South Australia.

#### ADELAIDE OVAL

**Ms SANDERSON (Adelaide) (15:51):** 'The most useful thing about a principle is that it can always be sacrificed to expediency.' Those are the words of Somerset Maugham. No truer words could have been spoken about the Rann government-inspired redevelopment of Adelaide Oval.

During the last parliamentary sitting week I sat patiently, listening intently to question time, which is parliament's opportunity for members to ask the government of the day specific questions about the running of government, with the desire that government is transparent and held accountable. However, what transpired was a collection of Dorothy Dixers, that is, government members gushingly asking their own ministers questions, which are jovially replied to with endless pages of pre-prepared notes of praise for their own work.

Whilst in theory each turn by the opposition to ask a question should provide some insight into government procedure, what tends to unfold is either the question being placed on notice or the government evades answering the question and deflects and deviates, ducking and weaving better than a featherweight boxer. Often a simple yes or no would suffice; however, this seems impossible for the government to give. Since forming government in 2002 the Rann government has failed to answer over 2,500 questions on notice, effectively sending them to political oblivion at the proroguing of the parliamentary session.

So I go back to expediency. Prior to the March 2010 election, faced with the Liberal opposition's plan of a multifunction, FIFA compliant, covered retractable-roof stadium complex as part of a wider entertainment precinct, the Labor government needed to come up with something. What South Australia received was a hastily-planned upgrade of Adelaide Oval for \$450 million—'and not a penny more'—with a firm deadline of 30 June 2010 or 'the deal is off the table'.

The Rann government gave the image of being firm and decisive in action. However, since returning to government following the March 2010 election we are starting to see the Rann government's very hastily-prepared Adelaide Oval upgrade unravel. We now know that, despite emphatic claims of 'not a penny more', the government was well aware that the cost of the oval upgrade would be more than what was first stated. The deadline has been extended to 31 August, with talk about town that this will be extended further.

What started at \$450 million 'and not a penny more' has ballooned to \$535 million, which we now understand does not include the cost of the footbridge, which could be anywhere up to \$40 million, an extra \$15 million for public transport needs and \$11 million to create an open-air car park. We now know that Treasurer Foley was briefed before the state election that \$450 million would not be enough, yet he failed to disclose this information to South Australia. Then Treasurer Kevin Foley was advised in April this year that the total cost of the Adelaide Oval redevelopment

outlined in December would be approximately \$701 million, yet nearly nine months since the oval was first announced too many questions remain unanswered.

We still do not have any accurate costings, the public have not been able to see exactly what is proposed and where the money is to come from, and we are not privy to the exact seating capacity. We can only hope that the oval upgrade will be FIFA compliant, otherwise our state will possibly miss out on the opportunity to be included in the 2022 World Cup bid. We do not know if SACA members will have to travel to Glenelg for Sheffield Shield, state one-day and twenty20 games, as suggested in the Parklands' newsletter of June 2010. We do not know how the Adelaide Crows will replace its Crows shed, which caters for as many as 3,000 fans after the game.

Why are South Australian taxpayers, most of whom are not members of SACA, required to pay a debt of an estimated \$85 million when the club had an annual turnover of \$9 million in the '96-97 year, rising to \$27.7 million in '07-08, with recorded surpluses of \$12 million per year for the last five years? Were you the taxpayer asked if you wanted to pay this debt? I wasn't. New light was shed on this part of the story at a recent SACA meeting of members, which declared that SACA would have no trouble paying off its debt by 2036 without government assistance. So why are we footing the bill?

Leigh Whicker, the CEO of the SMA, told the Legislative Council's Budget and Finance Committee that the \$701 million cost did not include the cost of another 900 car parks required to ensure that the oval was FIFA compliant. Mr Whicker argued that football and cricket had been promised a project which included a bridge over the River Torrens, a roof on Memorial Drive's centre court, car parking and FIFA compliance. Some 3,800 on-site car parks were required, but so far only 2,900 have been planned for, including 800 underground parks near the tennis centre. FIFA stadium requirements include a demand for car park spaces of 8,333 cars within a 1.5 kilometre radius as well as 400 bus parks, depending on the amount of transport available. A map of North Adelaide with a radius of 1.5 kilometres shows 5,000 car parking spaces.

#### **WORKPLACE SAFETY**

**Mr SIBBONS (Mitchell) (15:56):** Today I wish to talk about one of my passions that has consumed all of my working life: workplace safety. We all know workplace injury and disease destroys the quality of life of far too many in Australian communities. In fact, 7,000 die each year from work-related causes. Every two to three minutes someone in Australia is injured seriously enough to lodge a workers compensation claim. There are almost 690,000 work-related incidents, including disease, injuries and fatalities.

The construction industry is one of the highest risk industries in Australia and has an unacceptably high level of workplace fatalities, also injury and disease due to the nature of the work. The construction industry ranks in the top five for both the number of fatalities in the workplace and the incidence of workplace injury resulting in time off work on workers compensation. Correspondingly, the industry has one of the highest workers compensation premium rates in Australia.

Tragically, last week a construction worker was crushed and another worker injured after a crane lifting a large steel beam slipped and fell when the soft sling broke. My heart felt condolences go to the family, friends and workmates of the worker. I understand that the construction industry has been wary of the use of soft slings on worksites for many years due to the nature of the material. It is difficult to examine for wear and fatigue and can fail if undetected, whereas the traditional chain and wire slings are easier to visually inspect and will show defects and weakness, allowing workers to determine whether the sling is safe for use.

The use of soft slings on busy construction sites is subjected to many variables such as being left on the ground and driven over by all sorts of equipment, environmental conditions, and they can weaken and fail without notice, and often with deadly consequences. Soft slings are reportedly overused in a construction site. Under occupational health and safety principles we should be engineering out hazards. This brings me to the design stage of the plant and material. We should be engineering lifting points to attach eye bolts and lifting lugs, etc., to allow for safe and controlled lifting. It may add a cost to the job, but what price do we put on life?

Many protections and workers' rights we take for granted today were fought for and won by unions. These include workers compensation, rest breaks, protective clothing, restrictions on heavy lifting, licensing and training, as well as bans on asbestos and dangerous chemicals; and the list goes on and on.

As you can see, the trade union movement has been, and continues to be, at the forefront of workplace safety. Statistics clearly show that workplaces with active unions are safer. The unions' call to have soft sling bans on construction sites should be debated as a matter of urgency. I am pleased to see that the employer involved in this tragic accident has suspended all use of soft slings. To conclude, I would also encourage employers that are using soft slings to review their lifting procedures and resolve to remove them from their work practices. We need to have the debate to legislate to remove soft slings.

#### ADELAIDE OVAL

**The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Federal/State Relations, Minister for Defence Industries) (16:00):** I seek leave to make a ministerial statement. As I said, I was quite happy to give this in the house before but the deputy leader insisted that I not give it then.

Leave granted.

*Mr Williams interjecting:*

**The Hon. K.O. FOLEY:** I was just happy to clarify my statement, as I said I would when I got my briefing notes checked. I have again read the transcript of Mr Cantley before the finance committee in the upper house where he made the issue of the interest payments reasonably clear. One may interpret the evidence of Mr Cantley to suggest that the interest payments would be absorbed; that is the advice that I have in front of me, but it is somewhat confusing, given the nature of it.

The original \$30 million was to be offered to the South Australian Cricket Association as a one-off grant. The advice of Mr Cantley, which I accepted, was that it would be more prudent to provide a loan so that should the oval not proceed the government would not be providing a \$30 million capital grant up front and, in fact, would have a commercial loan for which it would be recoverable.

I am advised that the interest rate subsidy is not repayable by SACA should the oval not go ahead. During question time I think I said that the advice I had was that it would be. With respect to the full loan of \$85 million to SACA, on commercial terms, for the Western Stand development and in discharge of the Treasurer's guarantee, if an agreement for the Adelaide Oval redevelopment is entered into between SACA and the SANFL by 1 July 2010, interest on the loan will accrue and is capitalised and will only be payable by SACA should the Adelaide Oval redevelopment not proceed. This is designed to address the risk that the redevelopment may still not proceed for some reason, even though SACA and the SANFL have signed a legally binding document.

It is very difficult, and Mr Cantley himself said, 'It is a very complicated structure designed to protect the taxpayer to the full extent that we can.' Mr Cantley said, 'I have negotiated something fairly complex, so if the Treasurer might trip up on some of this I can understand why.' The original intent was to provide a grant, but we decided to provide a loan and we would cover the interest payments, and, of course, had we made a grant it would have been the same cost to the government. I hope that somewhat clarifies the matter.

#### MOTOR VEHICLES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 June 2010.)

**Mr GOLDSWORTHY (Kavel) (16:04):** I understand this is the first piece of legislation that the newly appointed Minister for Road Safety has to deal with, so we look forward to some beneficial outcomes relating to the legislation. I advise the house that I am the lead speaker for this side of the house in relation to the bill. However, I will not unnecessarily delay the house because the bill is of a relatively uncontentious nature. The bill deals with some technicalities concerning previous legislation that the house has dealt with in order to correct some errors, omissions and, I guess, anomalies in earlier motor vehicle amendment bills.

Just to give the house an outline and an understanding of the legislation, I advise that the areas affected are the Graduated Licensing Scheme, the regulation-making powers for the higher powered vehicle restrictions scheme and the drug and alcohol dependency assessments.

It is my understanding that amending section 79B of the act requires the Registrar of Motor Vehicles to send convicted drink/drug drivers (who have been caught drink/drug driving within five

years of the latest offence) to an assessment clinic to determine whether they are dependent on alcohol/drugs before giving consideration of their application for a driver's licence. If they are found to be dependent on drugs, the application for a licence must be refused. If they are found to be found dependent on alcohol, a licence can be granted subject to the Alcohol Interlock Scheme.

Previously, these provisions were contained in section 46J of the Road Traffic Act and were court based. This bill transfers the responsibility to the Registrar of Motor Vehicles and can save court time in dealing with these matters administratively.

Further, an amendment is included in section 79B of the act, which solves an anomaly regarding the timing. The bill proposes that by using the date of committing the latest offence, instead of using the date of application for a licence, it can avoid a potential abuse by the applicant to defer the date of application to avoid undergoing a dependency assessment—and that is obviously a reasonable proposal.

I turn now to other aspects of the legislation concerning another bill, which we dealt with towards the end of last year, which I think was passed by both of houses on 1 December. This bill concerned provisional licence holders and the high powered motor vehicle provisions as well. Amendment of section 81A—Provisional licences—corrects the intention of the legislation. If the bill passes, section 81A(17) will read:

Subject to the regulations, the Registrar may, on application by the holder of a P1 or P2 licence and payment of the fee, if any, prescribed by regulation, grant the holder an exemption for subsection (16) for such a term and subject to such conditions as the Registrar thinks fit.

Obviously, that refers to when a P-plater applies for an exemption under the act to be able to drive a high-powered vehicle. That is my understanding of it, because it was part of the legislation we debated late last year. The previous minister for road safety introduced and had carriage of that legislation and I also dealt with the bill on behalf of the state Liberals. It was the clear intent of the legislation that, in certain circumstances, exemptions would be granted to P-plate licence holders under the age of 25 to be able to drive high-powered vehicles.

They were, from memory, if the family only owned a high-powered vehicle or if it was a requirement of an employer that that person had to drive a high-powered vehicle, then an exemption could be applied for. I am getting some encouraging nods from the minister and the departmental people, so thank you very much for that.

Subsection (16) states that those aged under 25 years and the holder of a P1 or P2 licence must not drive a high-powered vehicle. Relating to this amendment of section 145, regulations at (gf) state:

Providing for matters relating to exemptions under section 81A(17) including the issue, carriage and production of certificates of exemption and the use, suspension and cancellation or surrender of exemptions or certificates of exemptions.

Amendment of section 81AB (probationary licences) corrects a cross-referencing omission to ensure the intention of the legislation is fulfilled by giving reference to 81BB (appeals to the Magistrates Court). That is my understanding of the technical aspects of the bill. I can say that we are prepared to support the legislation. As I said, it is relatively uncontentious; it is making some corrections concerning omissions and anomalies from the other bills.

I want to speak a little more generally in relation to these matters. Part of a good government is good legislation. It is my expectation that when the government brings legislation into the house we should not have to come back and have a second, third or whatever attempt to fix it up. I am not in any way, shape or form making any criticism of parliamentary counsel because they draft the legislation in accordance with instructions from the government.

As I said, good government is good legislation. What we have to do here this afternoon is fix up some mistakes. No doubt previous Liberal governments have faced similar circumstances. However, when we win the election in 2014 and I am (hopefully) a minister of the crown, I will be doing my utmost to see that legislation that I have a responsibility for in this place is dealt with once and once only. Those words might come back to haunt me but, nevertheless, I would like to say that here this afternoon.

**Mr Venning:** I will come back and watch you.

**Mr GOLDSWORTHY:** Yes, well, perhaps we won't go there! Good government is about good legislation. We are dealing with amendments to the Motor Vehicles Act; it is to correct some

issues and anomalies and the like that came from the legislation which was debated late last year. The previous minister for road safety (the member for Napier) was the minister then and he wanted to get it through because it was important and the opposition, the state Liberals, agreed to that course of action by the government. However, what do we see? We saw the bills pass in both houses on 1 December. The newly-appointed minister for road safety (the member for Playford) in his own second reading speech stated that that legislation was passed by both houses on 1 December 2009.

Back then we had an announcement with big headlines and a big media release, big television, radio and the like, that the government was looking to restrict P-plates from driving high-powered vehicles and was extending learner's permits from 50 to 75 hours and six months to 12 months. It was all good stuff.

But, minister, why is it taking over nine months to effect that legislation? It is my understanding that this legislation will not come into effect until 4 September 2010—over nine months after both houses passed this bill. I am asking why that is the case. We have had a reannouncement. The previous minister for road safety announced it with big headlines on television and in the newspapers. Only a few weeks ago the minister himself reannounced it.

This is a hallmark of this government. It is government by media release. We saw it as a hallmark of the government back in 2002. It is government by headline. We have had a big double-page spread. The Minister for Road Safety was on the radio. I have to say, Jack: listen mate; when you go on the radio you have to know the detail. When people ring in and ask questions about whether or not this applies to interstate drivers, you have to know your stuff, mate.

I am getting feedback to my office that is somewhat uncomplimentary in terms of the way you are managing those issues, so I am just letting you know that you have to know your stuff. Being a good minister is about getting across the detail. We have seen absolute evidence from the Deputy Premier being not across his detail in relation to the Adelaide Oval redevelopment and getting into more trouble than the early settlers. He has had to apologise to the house for a memory lapse. I am giving a bit of friendly advice. Good government is about good legislation and being a good minister is about getting across the detail of the issue.

I think the minister is struggling somewhat. He is new, but he has a whole staff. How many staff have you got, Jack? Is it 20 ministerial staff? You have a whole department. There is a road safety secretariat in DTEI with 150 staff, from memory, and a \$50 million budget. You have had to fly in Professor Wegman as a thinker in residence for road safety. Come on mate; you have to get across the detail of the issues.

What do we see? As I said, the point I was making previously is that we saw a reannouncement of the initiative. I have spoken to the media about why it is taking nine months to effect the legislation. No doubt, we will see another reannouncement. We will see a reannouncement of a reannouncement on or near 4 September when the legislation comes into effect; so don't think on this side of the house we are getting sucked into it, because we are certainly not.

We saw a similar situation in terms of reannouncement on reannouncement in relation to the extension of child restraint legislation where children aged seven years and under have to be restrained in vehicles in properly designed and manufactured seating. We supported that legislation. I did some media and supported the minister in relation to that proposal. However, what we saw with that legislation is that, from memory—and the minister can correct me if I am wrong—the previous to the previous to the previous minister for road safety (Hon. Carmel Zollo in the other place) announced that initiative.

Then, when the ministry for road safety came into this place, the member for West Torrens (the current minister for corrections, who had to resign unceremoniously from that portfolio responsibility given his atrocious road traffic offence record) from memory, he announced the child restraints proposal. Then the member for Napier (the current minister for agriculture), who was the then road safety minister, announced the proposal on child restraints, and now we have got the current Minister for Road Safety's reannouncement. So, the government has had about four cracks at this particular issue.

I tell you what, the media was certainly a wake-up to that reannouncement on a reannouncement on a reannouncement, because they were ringing me wanting some comment and, from memory, some of it was published. I am just telling the government and the minister: do not think that we are getting sucked into it and do not think that the media is getting sucked into it.

You might have got a bit of a spread in *The Advertiser* a couple of weeks ago, Jack, but I can tell you, when the—

**The DEPUTY SPEAKER:** Excuse me, Member for Goldsworthy—

**Mr GOLDSWORTHY:** Member for Goldsworthy?

**The DEPUTY SPEAKER:** Kavel. One day we will name a seat after you.

*An honourable member interjecting:*

**The DEPUTY SPEAKER:** Indeed; I am sure there will be. I am sorry to interrupt your natural exuberance, but you keep calling the minister 'Jack'.

**Mr GOLDSWORTHY:** That's his name.

**The DEPUTY SPEAKER:** I know, but you know what the rules are.

**Mr GOLDSWORTHY:** I beg your pardon, Madam Deputy Speaker. I should refer to Jack as the honourable minister. We're all mates here, aren't we, really?

**The DEPUTY SPEAKER:** To a point.

**Mr GOLDSWORTHY:** We're all mates—sort of. That is another glaring example of how this government tries to get some mileage out of reannouncements of reannouncements of proposals. As I said, we are happy to support the bill. In closing, I thank the minister for providing us a briefing through his office, and I thank the departmental people for coming along and briefing us on this particular piece of legislation. We look forward to the bill moving through the house with relative ease. We have no issues to raise in committee, so we can push through that stage.

**Mr VENNING (Schubert) (16:22):** How much time will I get? Free time. Here we go. Madam Deputy Speaker, I rise to—

*An honourable member interjecting:*

**Mr VENNING:** Twenty? That is good. I will need all that. I rise briefly to speak on this bill—

**The Hon. M.J. Atkinson:** To get even one idea out.

**Mr VENNING:** Pardon?

**The Hon. M.J. Atkinson:** To get even one idea out.

**Mr VENNING:** That will be better than yours. That will be one above you.

*Members interjecting:*

**Mr VENNING:** I can't recognise who he is.

**The DEPUTY SPEAKER:** There is a lot of pointing going on. Carry on, member for Schubert.

**Mr VENNING:** I rise briefly to speak on this bill and to support the member for Kavel. This bill seeks to amend the Motor Vehicles Act 1959 and rectify some anomalies and omissions from earlier motor vehicle amendment bills. As was well put by the member for Kavel, we probably should have got this right in the first place.

The first part of this amendment bill relates to drivers who have been caught drink or drug driving within five years of a previous offence. It seeks to change legislative arrangements so that a repeat offender is sent by the Registrar of Motor Vehicles to an assessment clinic to determine whether they are dependant on alcohol or drugs before considering their application for a driver's licence.

I certainly do support this, Madam Deputy Speaker, because you understand that I was the member who first introduced drug legislation into this house some years ago now. In fact, over two years I battled hard to try to get the legislation through. The two bills I brought forward failed, and just after the second one the government did bring in its own bill which was almost identical to the one it had just defeated.

I certainly support this because, as the Premier said in the media a couple of days ago, the drug driving offence is a very serious matter in South Australia and the apprehensions are far in excess of what was predicted. It was no surprise to me because, when I was looking at the drink driving problem in South Australia, it was obviously a problem and, when you looked at it, you



obviously saw the problem of drug driving as well. When you combined the two, you certainly had double trouble. So it is no surprise to me, and I am pleased that we are able in this instance to look at these loopholes.

With these, if anybody gets picked up a second time within five years, there is a problem—one way or the other, there is a serious problem—and the system needs to look after them to make sure that they get the correct counselling. They should not be able to use the system and a snappy lawyer to get out of it. I am pleased that in this instance we are going to put up a fence so that hopefully nobody, not even the minister, could get over it—not that the minister would ever be caught for drink-driving, nor would I for that matter.

It highlights a problem. As you know, I live in the Barossa Valley and, yes, I do have my occasional drink and, yes, I do drive. Yes, I have a breathalyser in the car. It is not just an ordinary one; it is the same one that police have. I cannot understand why these breathalysers are not widely available because I had to buy mine from the Queensland police because the local police would not sell me one. It was very expensive. I cannot understand why these are not more available because people like me are vulnerable and now I could almost tell you exactly what my safe limit is without going to the machine, but I always test anyway. I know about when to get to the .05 but other people do not have that privilege. A lot of the people selling alcohol ought to have these machines freely available for their patrons; they could encourage people to blow into the machine before they go and perhaps call a taxi, but that does not happen and I think it is wrong.

This matter was previously undertaken by the courts; however, this amendment will make this task the responsibility of the Registrar of Motor Vehicles and it will save the court time in dealing with such matters. In other words, it goes straight through—no hassles, no court, no waiting for courts or blocking up the system. This bill will also amend the act so that the date of the latest offence is used with the repeat drink/drug driver rather than the date they apply for a licence, therefore removing a loophole that may allow such a person to avoid having to undergo a dependency assessment.

I also want to highlight another couple of problems that have been brought to me in recent times in relation to the enforcement of our road traffic laws, particularly in relation to drink-driving and seatbelts. It was brought to my attention the other day that a constituent was prosecuted for sitting in her car with the engine running without a seatbelt on. This person was a Meals on Wheels volunteer. I believe it was a cold day and she wanted to clear the windscreen so she started the motor. She did not intend to move the car because she was waiting to see the people with their food. She got prosecuted for sitting in the car. I thought that the law said drink-driving meant driving or seatbelts meant driving, that the car was actually moving.

I think it is getting to the point now where people are starting to get pretty cross with some of the pedantic activities of some of our law enforcers when they do that. Also I am curious to know what the actual law is in relation to drink-driving because I often go to my car and, knowing I have had a couple of drinks, I will not sit in the car. I will reach under the driver's seat to get the breathalyser out, because if I sat in the car anywhere I could be pinged.

*An honourable member interjecting:*

**Mr VENNING:** Of course I've got the keys. How else would I open it up to get the breathalyser out? I have the keys in my hand; I walk to the car, but I never go to the driver's side because I keep it under the passenger seat. If you do sit in the car, even if it is not the driver's seat, apparently you can be prosecuted. I reckon that is ridiculous. If someone is driving that car under the influence, throw the book at them; but you might be sitting in it, especially on a cold night, and you need to turn the motor on to get some heat. Our laws are becoming a little bit draconian, aren't they? Drink-driving means drink-driving—in other words, driving the car and moving it. I feel sorry for this lady who is a volunteer for Meals on Wheels and who was picked up just sitting in her car. It is a fine of about \$250. I feel as though the organisation should pay that for her and she probably got three points for it as well. I think that is quite sad. I will take that up with the minister and have that law clarified because I think it is quite wrong, and I am happy to do a couple of press releases in relation to seatbelt legislation that I support, but not when the car is not moving. We support this bill.

**The Hon. J.J. SNELLING (Playford—Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Road Safety, Minister for Veterans' Affairs) (16:29):** I did approach the chamber this afternoon with some trepidation, knowing that I would be subject to the thorough going-over from the member for Kavel,

who is known for his forensic skills and his ability to go through a piece of legislation, understand it in and out and completely hold up a minister to ridicule. However, even I was taken aback this afternoon by the member Kavel who just could not help himself. Here I am: a new minister, first piece of legislation, really thinking that the member for Kavel might not come after me in the brutal way that he did this afternoon but, alas, I have had to be subjected to it. I am deeply wounded.

What is the member for Kavel doing on a relatively junior portfolio like road safety? Why is the member for Kavel not sitting in question time every day asking questions of the Premier and the Treasurer? We know of the member for Kavel's knowledge of high finance from experience in the banking industry. Why waste his intelligence on a mere junior minister like me when he really should be promoted? He should be far up the bench. Let his intelligence shine in the chamber and give everyone the opportunity to see his forensic skills in action.

Do not waste your skills on me, Mark. You should be in here asking questions of far more senior ministers than me, taking them apart. You are an incredible beacon to the other members on your side of the chamber; an example of what a good shadow minister should do. Your knowledge of the bill in question shone through. There were certainly lots of questions there that, even with assistance, I struggle to answer.

On the question of the delays in the implementation of graduated licensing, I have been constantly at my department to make sure that this is done as quickly as possible. I understand that the delays have been because of the system change requirements that have to be made and various training that has to be done for the changes to be introduced. Yes, this has taken longer than I and the government would like, but the important thing is that the changes are done properly and quickly, but not in a hasty way which might lead to errors.

I accept the member for Kavel's point that it has taken longer than we would have liked, but the important thing is that it is done properly. I think that was really the only matter of substance that the member for Kavel raised in his second reading speech. I hope that answers the one question he had that had any substance to it at all. I thank the member for Kavel, despite his brutality, for nonetheless putting the knuckledusters away and supporting the legislation. I look forward to its speedy passage.

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

#### **STATUTES AMENDMENT (ELECTRICITY AND GAS—PRICE DETERMINATION PERIODS) BILL**

The Legislative Council agreed to the bill without any amendment.

#### **RAILWAYS (OPERATIONS AND ACCESS) (MISCELLANEOUS) AMENDMENT BILL**

The Legislative Council agreed to the bill without any amendment.

### **ADJOURNMENT DEBATE**

#### **FROMELLES**

**Mr PENGILLY (Finniss) (16:35):** It has been an important day in Europe today and Australia yesterday. In Europe 94 years ago the Battle of Fromelles was fought. It has received a great deal of media coverage over the last few days, particularly on the television today and no doubt tonight. The Battle of Fromelles on 19 July 1916 took place 19 days after the opening of the Somme campaign.

British forces had been in action in France and Belgium since 1914; however, the first major battle on the Western Front involving Australian troops was in Fromelles. Shortly, I would like to turn to a local South Australian person, who was involved. It is worth noting that in this battle the 5<sup>th</sup> Australian Division suffered losses of 5,533 people, who were killed, wounded, taken prisoner or missing. The Commonwealth War Graves Commission records suggest that between 19 and 20 July 1916 the Australian dead at Fromelles amounted to 1,780; the British, 503, and German casualties were over 1,000.

Over 5,500 Australians became casualties. Nearly 2,000 were killed, died or were wounded and some 400 were captured. This is believed to be the greatest loss by a single division in 24 hours during the entire First World War, the war to end all wars. Some consider Fromelles as the most tragic event in Australia's history. It is significant today that I rise in this place to talk about that battle of so long ago, which is still so fresh in our minds through the wonders of the modern media—television—and particularly through the fact that DNA has been used to identify many of

those who were killed. Families' minds have been put to rest in many cases where possible on both the Australian and British sides.

This succession of battles during World War I, largely led by incompetent British generals, etc., was an absolute disaster for the flower of Australian youth, and it was a sad day indeed for our country. I am unsure of how many South Australians served. I am unsure of how many members of my own electorate of Finniss served in Fromelles. I really do not know; however, what I do know is that one South Australian who served there, with very strong connections to my electorate, was a Private called Alfred Victor Momplhait, more commonly known by the family as Vic or Uncle Vic. He still has a nephew, Lindsay Howard, who is 92, and I am unsure of how many of Lindsay's siblings still survive.

Some of Lindsay's family connections were in France this morning, about 11 kilometres from the Belgian border. David and Mandy Wilson of Macgillivray in Kangaroo Island were there today—David is the great nephew of Victor Momplhait—and Terry and Ros Howard from Penneshaw also attended. Terry is also a great nephew of Vic Momplhait. They were proudly able to be there today. I imagine that they have had a terrifically emotional time.

Vic Momplhait was born in Alberton in South Australia, and he went to school at Alberton. He was a clerk in Port Adelaide, and he was only 28 when he embarked. He was 5' 4". These days, with nutrition, people are much taller. He and his brother went overseas. His brother returned, but he did not. His brother never had children. I am unsure of whether his brother married, but they never had children, so the descendents of the family have come down through the mother's side. Indeed, Lindsay Howard, is Lindsay Momplhait Howard. Lindsay is also a Second World War veteran. He is 92 years old and is a retired farmer on Kangaroo Island. He had another brother, the late Bill Howard, and a number of sisters. For the life of me, I cannot recall how many are still alive, but it was a big family.

It was also interesting that their father was Jean Gustav Momplhait, who came from Mauritius. The family has an Indian background, and they are intensely proud of that. They are a proud family on Kangaroo Island. The connections to Alfred Victor Momplhait on Kangaroo Island are the Howards, the Willsons and the Northcotts. They are all very well known Kangaroo Island families, they are highly respected and have played a long and interesting part in the island's history.

Even more interesting still was that one of Private Momplhait's forebears, his great-great-grandmother, Mary Thomas, and her husband Robert Thomas, were on board the *Africaine*, which was one of the first ships to come to South Australia. As you may recall, next week is the 174<sup>th</sup> anniversary of the first landing in South Australia by the ships at Kingscote, Kangaroo Island. So, there is a long connection.

This family is an amazing family. Lindsay Howard's son, Alan, played for North Adelaide. They are entrenched farmers on the island and they have been there for a long time. I find this of great interest. I have a great deal of respect for veterans, as I am sure that everybody does. I am sure that some members, if not everybody, in this place who were born in this country have ancestors who served for Australia either in the Boer War, the First World War, the Second World War, Vietnam, Korea, or wherever it may be.

It would have been an intensely emotional experience to have been there today. Just a few minutes ago I saw a grab on the television in the Members' Bar when I was having a cup of coffee, and it captivates people. It is absolutely amazing that we can go back so long after the event and identify these people and give them the rest that they truly deserve, have members of their families there to observe the reinterment of the bodies, to be part of it and to give closure to many families for what has been an intensely difficult ordeal for a long time.

I understand, from information from Mr Lindsay Howard, that his mother and their family always talked about Uncle Vic and the legend was handed down. So, to find that someone was so intensely interested, as the gentleman in Victoria who pushed this, for them to be disinterred, to be identified by DNA, to link up 94 years later and to have members of their families there, I think, is wonderful. I would dearly like to go to Europe and visit some of these battlefields and to observe the way these wonderful war cemeteries are kept. I know that the French and the Belgians take a great interest in Australia and what Australian service personnel have done for them over generations.

It is an important day and it is most important that it is recognised. It is most important that the families have the opportunity to go. I note that Prince Charles spoke and that the Governor-

General, Quentin Bryce, was there, and that it was done with great ceremony. Whatever we criticise the British for, which they are a bit open to from time to time, they certainly know how to do these things properly when they introduce the pomp and ceremony. Everything would have been done to the letter. The Australian Army component that was there would have done their job admirably.

It is terrific that we can take the time in this place to make note of what took place in the last 24 hours in Europe, but, more particularly, of the horror that occurred at Fromelles 94 years ago on 19 and 20 July 1916.

### **SPECIAL AIR SERVICE REGIMENT**

**Mr HAMILTON-SMITH (Waite) (16:45):** I rise in this adjournment debate to speak to the Australian government's Defence, Honours & Awards Tribunal Inquiry into the Recognition of Australian Defence Force Service for Special Air Service Counter Terrorist and Special Recovery Duties. The report of this tribunal was given to the government in recent months and, as a result, the government has decided to accept the recommendations of the tribunal and provide recognition for soldiers who served in counterterrorist and special recovery roles in the Special Air Service Regiment from the late 1970s through until the present, including members of other regiments, such as the 2<sup>nd</sup> Commando Regiment and other supporting units that have continued to provide that capability for this country over an extended period.

The tribunal was established administratively in July 2008. In April 2009, the Parliamentary Secretary for Defence Support, the Hon. Mike Kelly AM MP, requested the tribunal to inquire into the recognition for ADF personnel engaged in counterterrorist and special recovery duties. Professor David Horner, Brigadier Gary Bornholt and Dr Jane Harte were members of the tribunal, which received 73 written submissions, took oral evidence from 31 persons and was briefed formally by four currently serving SASR members at Swanbourne Barracks. I was one of the people who gave evidence to the tribunal, having commanded the first tactical assault group in the Special Air Service Regiment in 1980.

I am particularly pleased with this decision by the government, which has been made with the full bipartisan support of the Federal Coalition in our federal parliament, because it brings partly to an end a very long story, which has seen a group of very dedicated professional soldiers seeking recognition for their service. I had the great honour to command the first of these teams, and I worked with many who had been in the interim teams that preceded it in 1980 and the subsequent tactical assault groups that were formed in the years that followed.

These men suffered and endured considerable hardship as they protected this nation from terrorist attack. It is worth the parliament remembering that terrorism did not begin on 11 September 2001 but that, in fact, the country has maintained a very high level counterterrorist response capability within the ADF since the late 1970s. It was my privilege to have been part of the inception of that capability and to have played a very small role in its establishment, alongside many other officers and men of the Special Forces.

The role of the counter-terrorist capability was set out by Lieutenant General D.B. Dunstan in a directive from 1979. Members will remember the Hilton bomb blast, which precipitated a review of Australia's entire counterterrorist arrangements. SASR's tasks included the neutralisation, including capture, of terrorist groups, which might include snipers, hijackers, kidnappers, bombers and assassins; the neutralisation of aircraft or ships; the recovery of hostages and property held by terrorists; and the recovery of buildings and installations occupied by terrorists. This capability looked firstly to Australia but later to Australia's interests and properties overseas.

The size of the assault group originally was very small, being around 26. The codeword 'Gauntlet' was used when referring to the tactical assault group. An interim TAG was established in the late 1970s and later a full-time online capability. In 1980, the government considered advice about the vulnerability of its offshore oil installations, including Bass Strait, and agreed 'that the threat of terrorist attack was real and potentially highly dangerous' and the capability was extended to include our offshore assets.

The operational level of capability of this group was extreme and the nature of the training to achieve and maintain that operational level and capability was extraordinary. Close-quarter fighting was required; methods of entry techniques needed to be developed from scratch; stronghold assault techniques needed to be perfected and, in the process of this, a large number of soldiers were injured and killed—something which this decision by the government, with bipartisan support, seeks to recognise.

In the mid-1980s the regiment began developing a capability to conduct special recovery operations overseas and these are also recognised by this award. The unit deployed on a number of tasks or missions, ranging from the 2000 Sydney Olympic Games to other events and alerts. Certain changes were made to the capability following terrorist attacks on New York and Washington on 11 September 2001 which saw the capability extend beyond SASR to other special forces units.

As I mentioned, a range of deployments occurred: Commonwealth Heads of Government meetings in Melbourne, Sydney and Canberra; the Brisbane Commonwealth Games; pre-deployment of elements to Townsville for various operations—I will not go through the entire list but it was extensive. In the context of maintaining this CT/SR capability, more SASR soldiers have been killed or injured than in either normal training or combat in all of the unit's war roles. Of the 44 SASR soldiers who have died whilst serving the regiment, 34 died in training accidents and 18 of these died on counterterrorist and special recovery duties. Fifteen died in one incident, the Black Hawk crash.

In this period of almost 30 years, during which the SASR developed the counterterrorist special recovery capability, there have been an extraordinary number of physical and emotional injuries. It is in this particular respect that I pay tribute to the men who served in consecutive counterterrorist teams from the late 1970s through to the present. These people were absolute professionals. They fought the war that was there to fight against a known terrorist enemy from the late 1970s through until the present and served their country well. Some of them went on to serve in Afghanistan, Iraq and other overseas deployments such as Timor, and some did not. What this award will do is recognise their service as operational service with the clasp CT/SR special recovery.

There are some unresolved issues to do with financial benefits paid to these soldiers. I know a number of them have suffered terribly, both physically and emotionally. There have been suicides and there have been people in extraordinary distress. People were gassed, blown up and shot, and various physical and other injuries have led to a range of difficulties for them, their wives and their families. Again, this award goes some way to recognising that service and that commitment.

As I mentioned, these are a group of people who well and truly deserve this recognition. As a former commander of these good men, I reiterate that I was extremely proud to have commanded them. Could I pay particular tribute to the efforts of the CT support group. There are a number of people who need to be thanked well and truly, in particular, David Howe and Mick Sims.

There are a huge number of people who gave evidence to the committee who need to be recognised including Michael Connolly; John Kempe; Maurice Murphy; Brigadier Chris Roberts; Brigadier Jim Wallace; Greg Mawkes, who played a pivotal role in setting up this capability, Robert Quodling; and Commodore Russ Baker. As I mentioned, I gave evidence and there were many others including Christopher Johns, Richard Clifford, Geoffrey Anderson, John Patterson, Tony Hambleton, Dave Gunning, Brigadier Dave Webster, Graeme Ferguson and others.

Can I say that the award of this medal by the government, with bipartisan support, goes some way to recognising the fine job that these soldiers did for their country. It is a great tribute to those who have worked so hard over an extended period to achieve this. I have raised this matter previously in the parliament and I have written endless letters. I recognise Dave Lewis, President of the association, the government, the minister, the opposition, the house and all those involved, particularly the CDF and Commander Special Forces Tim McGowan for agreeing to it. It is a great step forward for the country.

At 16:55 the house adjourned until Wednesday 21 July 2010 at 11:00.