

HOUSE OF ASSEMBLY

Thursday 9 June 2011

The **SPEAKER (Hon. L.R. Breuer)** took the chair at 10:31 and read prayers.

SUMMARY OFFENCES (PRESCRIBED MOTOR VEHICLES) AMENDMENT BILL

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs) (10:32): I move:

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

Motion carried.

ROAD TRAFFIC (TRAFFIC SPEED ANALYSERS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 May 2011.)

Mr GOLDSWORTHY (Kavel) (10:33): I am pleased to speak on behalf of the Liberal opposition in relation to this bill, a private member's bill brought to the parliament by the member for Fisher (Hon. Bob Such), looking to amend the Road Traffic Act 1961. The basis for this bill is to require the police to meet and maintain Australian standards in relation to the use of hand-held laser speed detection devices, commonly known as laser guns.

My understanding is that the bill has been drafted as a result of a judgement that has been passed that ruled on the member for Fisher's hearing regarding an issue he had before the court. The judge ruled that, in relation to the use of hand-held lasers, as used by the South Australian police, there was no legislative authority requirement that the police have to maintain or meet the Australian standards regarding the use of the lasers.

I will not go through the bill section by section, because I do not want to hold up the house unnecessarily, but I do want to put the opposition's position in relation to this bill to the house. Sections 54, 55, 56, and 57 of the bill, I think, go beyond the initial intent of the member for Fisher. I think while he has the act open so to speak, in relation to the bill, he has put a number of claims forward, ambit claims you might say, in relation to placing additional requirements in the act.

On this side of the house, we do not support those additional requirements that have been reported to us from a number of key stakeholders and that will put an onerous responsibility on the police and other bodies in meeting the requirements the member for Fisher intends in relation to the bill. What we do support is that there should be some legislation, some law, stipulating how police use laser guns, in particular, the testing, calibration, and operation of laser guns.

As a consequence, the opposition will look to amend the bill that would see us allow new sections 54(a) and (b), which state that the analyser 'must be operated in accordance with the prescribed standards' (this is necessary to ensure that the device is operated in line with the intentions of the manufacturer and the Australian Standard), as well as sections 55(1)(a) and 55(1)(b)(i). These ensure that the traffic speed analysers, or laser guns, will be calibrated on a regular basis in accordance with the Australian Standard. It is our opinion, on this side of the house, that all other aspects of the bill are really unnecessary.

I do understand that the member for Fisher, while the act is open, wanted to insert these other provisions, and I will cover a couple of them while we are discussing the issue. New section 54 provides that laser guns must not be operated in relation to vehicles that are more than 300 metres away from the device on a road with a speed limit of not more than 80 km/h, or more than 800 metres away on a road with a speed limit of more than 80 km/h. I believe that is an unnecessary provision, an unnecessary requirement to be placed on the police. I think they are at liberty to operate this type of equipment where they see fit.

New section 56 provides that any speed traffic analyser that is found to be inaccurate shall be withdrawn from service until it is recalibrated and found to be accurate. Well, you could argue the merits of that; however, we found that new section 57 pushed the envelope a bit. This section relates to the withdrawal of an expiation notice. Under the bill proposed by the member for Fisher, if a laser gun was not operated according to section 54 and found inaccurate during the first calibration following the day of an offence, then the expiation notice must be withdrawn.

I think that opens up a can of worms. If a laser gun is not tested for a period of six months, and it is found to be inaccurate, that means potentially all those offences, all the expiation notices that were issued for that six-month period, would be withdrawn. I do not think that is a reasonable proposition. All in all, we support the core intention of the member for Fisher in terms of—

The Hon. R.B. Such interjecting:

Mr GOLDSWORTHY: When we get to the committee stage, we do intend to amend it. We have not yet prepared the amendments because I understand that the member for Fisher wants to adjourn the debate until he receives additional feedback. However, I can say that the opposition has gone to the MTA, the RAA, the Police Association and the Law Society and has received feedback in relation to that consultation. Some are sympathetic with what the bill proposes, some oppose it, and I think the opposition's position looks to plot some middle ground, to put some law around how the police administer the law, that there should be some legislative requirements that are in place for police to test, calibrate and operate laser guns.

Debate adjourned on motion of Mrs Geraghty.

EXPIATION OF OFFENCES (SPEEDING OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 19 May 2011.)

Mr GOLDSWORTHY (Kavel) (10:40): The member for Fisher introduced the Expiation of Offences (Speeding Offences) Amendment Bill. There are four key elements to the bill. The first is to require full particulars of the alleged speeding offence to be set out, including the distance recorded by the distance measurement function of the traffic speed analyser. The second is to provide the alleged offender with the particulars at the time of the offence to enable them to make an informed decision as to whether to expiate the alleged offence, elect to be prosecuted or apply for review of the notice.

The third key element is to enable the alleged offender to indicate on the notice whether he or she was shown the information recorded by the traffic speed analyser and whether the alleged offender agreed with the information so recorded. The fourth and final key element is to require an independent body to review a challenge to an expiation notice.

The bill raises some similar issues to the issues raised in a motion moved by the member for Fisher on 28 October, and that sits on the *Notice Paper*. Obviously, I am not going to debate that motion in conjunction with the debate on the bill, because I know that is out of order, but I want to identify two main objectives that the member for Fisher has raised in that motion, that is, to increase the amount of information people receive at the time of being issued with an expiation notice and to allow people to have their expiation notices independently reviewed without a fee.

Some of the concerns that the member for Fisher has which he highlights in this bill are that when an expiation notice is issued it only contains the following details: name, address and licence number of the person involved, the alleged offence, vehicle details, due date for payment and the police officer's identification number.

The member for Fisher states that people currently receiving an expiation notice rarely receive the additional police notes that accompany that paperwork, such as details of the time of the offence, details of the conditions surrounding the offence, such as the weather, location of the officer, the amount of traffic on that particular section of road and details such as whether a breath test had been undertaken.

Under section 6 of the Expiation of Offences Act, the time frame to pay an expiation notice is 28 days. As it currently stands, an alleged offender can wait months before receiving full particulars of the alleged offence. Accordingly, a person may not have all the information available to them when they are deciding whether to either pay the fine (the expiation fee) or to be prosecuted.

The bill will require police to give alleged offenders a complete expiation notice at the time of the alleged offence. This process will not require the police officer to perform extra work, as full details of the offence should be filled out on the spot in any event. The bill will ensure that the alleged offenders have the basic information on the offence so that they can make an informed decision before that 28 day time frame expires.

The second concern of the member for Fisher, as we understand it, is that the current review process requires a person to apply to the issuing authority to withdraw an expiation notice that refers to Section 16 of the Expiation Offences Act 1996. For example, if a police officer issues an expiation notice, a person must apply to the Commissioner of Police to have it reviewed. The member for Fisher claims that this is Caesar reviewing Caesar. I can understand the argument behind those claims.

In New South Wales request for a review can be made to the State Debt Recovery Office which will either conduct the review or refer the application to the issuing agency. The bill proposes to create an independent body to review any challenges to expiation notices. The bill suggests that a review of the disputed expiation comprise a justice of the peace, a police officer with extensive expertise in the enforcement of laws relating to the driving of vehicles, and a person with technical expertise in the detection of speeding offences. This would allow—arguably, by the member for Fisher—an impartial assessment of the circumstances. Parties wishing to exercise their right to challenge a notice will have to pay a \$50 fee, however, if the challenge is upheld, the fee is refundable.

On this side of the house we have had some debate in considering our position concerning this bill. Our position is that we support the first part of the member for Fisher's intentions in relation to the bill, that is, more detailed information should be supplied on the expiation notice when the alleged offence occurs. We think that that is a fair and reasonable request from the police to the alleged offender. However, we do have some reservations in relation to supporting the second part of the bill that looks to establish an independent panel as outlined by the member for Fisher, as I said before, comprising of a justice of the peace, a police officer and so on.

When we get to the motion that the member for Fisher has on the *Notice Paper* in relation to reviewing these matters concerning the issuing of expiation notices, we are more attracted to looking at a review of how a panel, if you like, an independent arbiter, may be established, with a view to considering that at a later date if the member for Fisher, or somebody else in the house—perhaps a member, myself, or others on this side of the house—brings a new bill to the parliament.

So, in essence, we are prepared to amend the bill to support the first aspects—the first issues raised in the bill—in terms of supporting more detailed information being given to the alleged offender, but we do not necessarily support the second part of the bill that would look to create an independent body. We want to do more work on that before we come to a final decision. So, with those remarks that concludes my contribution in relation to the bill.

Mr VENNING (Schubert) (10:49): As my colleague has just said, this bill has two main aims: to increase the amount of information people receive at the time of being issued with an expiation, such as the distance of the speed analyser from the motorist, time of the offence and the relevant details such as alleged speed, details surrounding the offence such as weather and the amount of traffic in the vicinity at the time of the so-called alleged offence; and the second aim of this bill is to allow people to have their expiation notice independently reviewed without—and I emphasise 'without'—a fee.

Under the current system, an alleged offender must pay an expiation notice within 28 days, yet it may be months before they receive the full particulars of the offence, and I think that is quite out of order and not fair. This means that a person may not have all the details and information available to them when they have to make a decision either to pay the fine or elect to be prosecuted. Surely, I thought you were innocent until proven guilty. In this instance it is almost intimidating to say, 'If you don't pay within 28 days, you get the fine and an overdue payment', but you do not have the details. This bill seeks to rectify the situation by ensuring that an alleged offender is provided with all the details at the time of the alleged offence. I wonder how many people just pay the fine, even though they genuinely believe that they are not guilty because it is too difficult and too costly to fight the charge.

Last month, a pensioner had his speeding fine overturned in the Adelaide Magistrates Court—we all know about that. He was accused of driving eight kilometres over the 60 kilometre speed limit through the intersection of Sir Donald Bradman Drive. The man in question was adamant that he was not speeding at the time in question and supported his claim by giving evidence that he checked his speedometer prior to and during the time he went through the intersection, and at both times it read 60 km/h. The Chief Magistrate found that the prosecutor could not prove beyond a reasonable doubt that he was speeding and the charge was dropped. The pensioner decided to represent himself because he could not afford the costs involved in having someone to represent him.

This is the reason behind the member for Fisher's bill today; that is, it is seeking to implement an independent body that can review expiation notices. I definitely think that this idea has some merit and there needs to be a more affordable and equitable system to enable people to dispute their expiation notices if they genuinely think that they are innocent. However, I can see such a system becoming very clogged up by people claiming that they did not commit the offence just because they do not want to pay the fine, and I am not sure what measures could be put into place to combat that and to stop that from occurring.

I commend the member for Fisher for taking up this issue because, certainly, it needs to have some public scrutiny. I think it needs some legislative support or change, and I wish him all the best in his campaign to see this whole matter cleared up. I support the bill.

Debate adjourned on motion of Mr Pederick.

LOBBYING AND MINISTERIAL ACCOUNTABILITY BILL

Adjourned debate on second reading.

(Continued from 16 September 2010.)

Mrs VLAHOS (Taylor) (10:55): The government opposes this bill. The government does not take any issue with the proposal espoused by the member for Fisher in this bill. Indeed, the government agrees with the goals of the bill and recognises the need to ensure the state has a government that is answerable to the people who elected it.

Nevertheless, this bill is opposed, as that which the member for Fisher has put forward has been implemented already by the government. On 29 August 2009 the Premier announced a rigorous Lobbyist Code of Conduct with stringent rules governing the work of lobbyists and how they interact with ministers and other government representatives.

This code of conduct came into force on Tuesday 1 December 2009 and saw the establishment of a public register of lobbyists as well as an imposition of strict rules for former ministers and government executives engaging in lobbying after leaving public employment. It is, of course, an accepted reality that free and reasonable access to government ministers and their staff and government departments is an integral part of the democratic process. The government also recognises that, in the interests of public confidence, it is similarly vital that access to government representatives be transparent and all interactions be ethical.

The government's Lobbyist Code of Conduct ensures that contact between lobbyists and government representatives continues to meet public expectations of transparency, integrity and honesty. Under the code, lobbyists have to register on the register of lobbyists, including a listing of their clients. When making contact with government, lobbyists will have to divulge for whom they are lobbying and the nature of their client's issue. Ministers, parliamentary secretaries and government representatives will also be bound by this code and will not be permitted to knowingly be lobbied by anyone not on the register. The Lobbyist Code of Conduct will operate in addition to the Ministerial Code of Conduct which already imposes stringent ethical requirements on ministers.

There are also strict rules covering former ministers and government executives becoming lobbyists. These rules mean that a minister who leaves office cannot for a period of two years after they retire engage in professional lobbying activities related to any matter with which they had official dealings in their last 18 months in office; and a parliamentary secretary cannot for a period of 12 months after they retire engage in professional lobbying activities related to any matter with which they have had official dealings in the last 12 months of their office.

Ministerial staff or departmental executives employed under the Public Service Management Act 1995 cannot for a period of 12 months after their ceasing of employment engage in professional lobbying activities related to any matter with which they have had official dealings in the last 12 months of their employment, additionally. Lobbyists who hold a position on a government board or committee are also bound by the honesty, integrity and conflict of interest provisions of the Public Sector Management Act. Anyone who breaches these provisions is liable to prosecution.

It is important to point out that the rules governing lobbyists apply to people who are paid to act for third parties. Other organisations such as charities, not-for-profit organisations, professional and business associations (such as Business SA and unions) remain free to make representations to ministers and officials. Registered lobbyists are required to update their details on the register annually and to provide statutory declarations that they have not been convicted or found guilty of

any offence of dishonesty or indictable offence. Any lobbyist who breaches the code is liable to removal from the register and will be banned from lobbying activities within this state and the state government.

South Australia's code was prepared in consultation with the government of Victoria which has adopted its own lobbyist code of conduct and the code is consistent with the code adopted by other state jurisdictions and the commonwealth parliament. Individual codes contain fundamental common provisions. The codes have been drafted to reflect the circumstances applying in respect of states. For example, the South Australian code recognises the continuing application of relevant state legislation in the Ministerial Code of Conduct. The government is committed to being open and accountable, and these measures are only one example of how this government is opening up the administration of this state.

Other measures include: the widening of the freedom of information laws to make more documents available to the people of South Australia; moves to make cabinet documents available publicly after 10 years, while other jurisdictions, including the commonwealth, will only release cabinet documents after a minimum of 30 years; and the preparation by the Crown Solicitor's Office of the public-private partnerships communication protocol which the Deputy Premier issued with a caution to all ministers, ministerial staffers and chief executives about their dealings with people who are in the business of selling public-private partnership arrangements. This government has led just over 50 community cabinets around the state as well as holding regular street corner meetings to hear the views of South Australians about matters that affect them.

As a government, we will continue to listen to the needs of business, professional and community organisations, and this code of conduct will enable that to continue to happen in the interests of all South Australians. In the light of the measures already in place, which will further ensure transparency in dealing with public officials, obviously the government considers this bill is unnecessary at this point.

The Hon. R.B. SUCH (Fisher) (11:00): I am not surprised the government does not support this, because a cynic might say that some people have an eye to their future possible employment. My bill supports the current register and code of conduct referred to by the member for Taylor, that the government established on 1 December 2009. The problem with that register or code of practice is that it does not provide penalties for breaches of the code or the register, and my bill does.

It is fine to have a code of conduct, but if you do not have any penalties then I believe it is lacking; it becomes a toothless tiger. My bill prohibits the payment of success fees, which we know has been an issue in Queensland. My bill does not duplicate the code of practice; it really supports it, endorses it, but as I say it provides a penalty for breaches and it also prohibits the payment of success fees, which is probably the most insidious aspect of inappropriate influence upon government. I understand that the government is not going to support it, but that does not in any way suggest that my proposal does not have merit; I believe it does.

Second reading negatived.

STATUTES AMENDMENT (PUBLIC INTEREST DISCLOSURE) BILL

Adjourned debate on second reading.

(Continued from 27 May 2011.)

Mr SIBBONS (Mitchell) (11:02): The member for Bragg, Ms Vickie Chapman MP, tabled the Statutes Amendment (Public Interest Disclosure) Bill 2010 in May 2010. The bill seeks to amend various provisions in the Public Sector Act 2009, the Whistleblowers Protection Act 1993 and to affect the role of the Commissioner of Public Sector Employment and the Ombudsman.

The honourable member's bill considers that these amendments will enable greater opportunity for disclosure in the public interest. The Whistleblowers Protection Act facilitates the disclosure, in the public interest, of maladministration and waste in the public sector and of corrupt or illegal conduct generally.

This act provides both a means by which such disclosures may be made and appropriate protections for those who make disclosures. The Public Sector Act already requires that each public sector agency must ensure that there is a designated response officer for the purposes of the Whistleblowers Protection Act. Regulation 7 of the Public Sector Act requires reporting of the

number of occasions on which public interest information has been disclosed to the responsible officer.

The Public Sector Act also enables the Commissioner for Public Sector Management to investigate or assist investigations of matters in connection with public sector employee conduct as required by the Premier or, at least, at the request of the public sector agency. The commissioner may also investigate matters on the commissioner's own initiative, including on receipt of public interest information under the Whistleblowers Protection Act. Regulation 11 of the Public Sector Act requires the annual report of the commissioner to contain the number of occasions on which public interest information has been disclosed to the commissioner under the Whistleblowers Protection Act.

For information that is a public interest disclosure, the protection of the whistleblowers act automatically vests in the person making the disclosure. The bill does nothing to enhance the present scheme and may in fact unwittingly detract from its objectives. There is a need for all potential misconduct or inappropriate behaviour in or related to the public sector to be properly dealt with in line with the provisions of the following:

- the Public Sector (Honesty and Accountability) Act 1995, which contains provisions promoting honesty and the avoidance of conflict of interest by people in or affiliated with the public sector, and for dealing with instances of dishonesty and conflict of interest; and
- the Code of Ethics for Public Sector Employees, which requires all public sector employees to report instances of improper conduct to the relevant authority.

The proposal to permit employees to disclose information to the media if the person in government to whom it had initially been disclosed had not acted on it 'within a reasonable time frame' is inherently problematic, as what is reasonable will inevitably be a matter of opinion and argument. Furthermore, how is a potential whistleblower to know whether their information has been acted on? For example, it may be that the person receiving the information has properly commenced making inquiries. Disclosing information to the media may frustrate any investigation and may also prematurely alert the alleged perpetrator.

The fact an investigation is occurring in this context is, for the most part, not a matter of public knowledge. Persons who disclose public interest information have no entitlement to be kept aware of the progress of an investigation, only the outcome of their disclosure. It is questionable whether the Public Sector Act is the correct legislation to contain extensive provisions for this disclosure, investigations and reporting of public interest information. However, this could be considered further. I think few would argue that there is a good case for review and amendment of the Whistleblowers Protection Act, but this should be carried out in a holistic way, rather than as proposed in the bill.

Debate adjourned on motion of Mr Pisoni.

FAMILY RELATIONSHIPS (PARENTAGE) AMENDMENT BILL

Second reading.

Mr PISONI (Unley) (11:09): I move:

That this bill be now read a second time.

In moving the second reading, I am very pleased to move the bill into the lower house after its success in the upper house. I know that we are short of time, and there may be a number of members who may wish to speak, so I want to make some important points about the bill. It was actually the first recommendation from the year-long report of the Social Development Committee into the inquiry into same-sex parenting here in South Australia.

One of the obvious areas where South Australia was lagging behind the rest of the states was, in actual fact, the rights of children in same-sex relationships, and this bill tends to address that. This bill aims to deal with the inconsistency where same-sex couples have obligations and responsibilities in relation to parenting their non-biological children, but not the corresponding rights. South Australia currently lags well behind in Australia in recognising same-sex relationships and parental bonds.

The bill is proposed to allow the protection, in law, of same-sex couples and parental relationships that already exist. It is interesting to note that when this matter was referred to the

Social Development Committee it concluded that there had been no evidence suggesting that marital status or sexual preference were any indication of an individual's ability to be a good parent.

From the 1970s, all states and territories in South Australia have introduced legislation to ensure legal certainty for children and their parents in situations where children may be stigmatised because their mothers were not married, or other forms of old-fashioned illegitimacy. Social changes over the past 40 years since these acts have seen families recognised as coming in many shapes and sizes, and those include same-sex families—families of parents in same-sex relationships. Legal recognition of parenting in these different kinds of families has been slow, however, in most jurisdictions, and it is now recognised in every jurisdiction, other than South Australia.

Due to the fact that I know that a number of other members wish to speak, I seek leave to insert the rest of my second reading explanation into *Hansard* without reading it.

Leave granted.

Thus far South Australia has remained the only jurisdiction to not recognise same sex parenting other than foster care.

Of note in SA even where a married woman undergoes an artificial fertilization with the consent of the husband that husband is recognised as the father of the child even though he has no biological link to that child.

This presumption is important. In this case the law recognises legal parentage in a situation where the child is in no way biologically related to the person parenting them—but of course extends only to male birth partners.

In 1996 the Supreme Court of South Australia found that the restriction of access to Assisted Reproductive treatment on the basis of marital status was inconsistent with the Sex Discrimination Act 1984 and was thus void. The result was that single women and couples who did not meet the criterion as to marital status were able to access treatment.

Recent changes to legislation governing Artificial Reproductive Treatment in SA reflect this position however.

This bill is in effect simply granting certain rights to homosexual people that heterosexual people already enjoy. In this regard it need not be regarded as particularly radical or even particularly progressive—it is more in the way of a catch up measure to national standards.

Federal recognition of legal parentage.

In 2008 the federal government changed 85 laws to give same-sex couples in a de facto or registered relationship the same rights as opposite sex couples, specifically changes to the *Family Law Act 1975*.

While not perfect they do at least enhance access to justice for children born into non-traditional families.

However the lack of consistency in this regard between federal and South Australian legislation leaves the potential for unsatisfactory resolutions in the Family Court for children and 'parents' in certain situations.

Australian state and territory regulation of same-sex parenting.

Following law reform across Australia all other jurisdictions recognise same-sex parents or recognise some pathways to parenthood for them—all other jurisdictions presume the same-sex partner of a birth mother who has used ART to conceive is a legal parent of a child born.

With regard to adoption the ACT and Western Australia allow for same-sex couples, step parent and single people to adopt children provided they are able to meet certain suitability criteria.

As with SA there is no exclusion in any jurisdiction of GLBT or same-sex couples becoming foster parents.

Conclusion

SA is the only state that has not significantly amended their laws to recognise and in certain circumstances facilitate same-sex parenting.

SA is the only state that does not recognise the female co-parent of a child conceived through assisted reproduction.

Simple legislative changes to SA laws will bring the state into step with the rest of the nation and remove discrimination against GLBT individuals, same sex couples and their children.

The Hon. S.W. KEY (Ashford) (11:12): I am very pleased to follow the member for Unley on this bill. For quite some time, a number of us in this place have been campaigning for people to have the same rights and responsibilities as others, and that their sexual preference should have nothing to do with those rights. We have made some progress over the years. In the time that I have been here, I have been very pleased to be involved in campaigns to amend the Equal Opportunity Act and also to introduce some changes and some rights for same-sex couples.

Certainly, the area where South Australia is lagging behind the rest of Australia is in recognising the rights of the children who are under the influence and responsibility of same-sex couples. It seems to me that it is really important that we actually get with the rest of the program in regard to that parenting agenda and support this legislation. Unfortunately, this legislation will not cure all the ills and the inequities we have with regard to same-sex couples as parents. There are quite a few steps still to go but, on the basis of this being one step in the right direction, I urge members in this house to support this bill.

Mr PENGILLY (Finniss) (11:13): I am adamantly opposed to this bill. It goes against everything that I have ever been brought up with. I am firmly of the view that former prime minister John Howard was right when he talked about a family unit being a father and mother and children who came out of it. I will not be supporting the bill.

Mr PISONI (Unley) (11:14): I understand in speaking I close the debate and I hope that means that we can move to vote on the second reading. I recommend that members support this legislation as a first step in bringing South Australia back into the fold with other states in Australia on important social issues

The house divided on the second reading:

AYES (24)

Bedford, F.E.	Bignell, L.W.	Caica, P.
Conlon, P.F.	Fox, C.C.	Gardner, J.A.W.
Geraghty, R.K.	Key, S.W.	Marshall, S.S.
McFetridge, D.	O'Brien, M.F.	Odenwalder, L.K.
Piccolo, T.	Pisoni, D.G. (teller)	Portolesi, G.
Rankine, J.M.	Redmond, I.M.	Sanderson, R.
Sibbons, A.L.	Such, R.B.	Thompson, M.G.
Vlahos, L.A.	Weatherill, J.W.	Wright, M.J.

NOES (15)

Atkinson, M.J.	Brock, G.G.	Goldsworthy, M.R.
Griffiths, S.P.	Hamilton-Smith, M.L.J.	Kenyon, T.R.
Koutsantonis, A.	Pegler, D.W.	Pengilly, M. (teller)
Rau, J.R.	Treloar, P.A.	van Holst Pellekaan, D.C.
Venning, I.H.	Whetstone, T.J.	Williams, M.R.

Majority of 9 for the ayes.

Second reading thus passed.

Bill taken through committee without amendment.

Mr PISONI (Unley) (11:21): I move:

That this bill be now read a third time.

The house divided on the third reading:

AYES (24)

Bedford, F.E.	Bignell, L.W.	Caica, P.
Conlon, P.F.	Fox, C.C.	Gardner, J.A.W.
Geraghty, R.K.	Key, S.W.	Marshall, S.S.
McFetridge, D.	O'Brien, M.F.	Odenwalder, L.K.
Piccolo, T.	Pisoni, D.G. (teller)	Portolesi, G.
Rankine, J.M.	Redmond, I.M.	Sanderson, R.
Sibbons, A.L.	Such, R.B.	Thompson, M.G.
Vlahos, L.A.	Weatherill, J.W.	Wright, M.J.

NOES (15)

Atkinson, M.J.	Brock, G.G.	Goldsworthy, M.R.
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NOES (15)

Griffiths, S.P.
Koutsantonis, A.
Rau, J.R.
Venning, I.H.

Hamilton-Smith, M.L.J.
Pegler, D.W.
Treloar, P.A.
Whetstone, T.J.

Kenyon, T.R.
Pengilly, M. (teller)
van Holst Pellekaan, D.C.
Williams, M.R.

Majority of 9 for the ayes.

Third reading thus passed.

EGYPTIAN CHRISTIAN MINORITY

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (11:30): I move:

That this house:

- (a) deplores the killing of Egypt's Christian minority by extremists and killings in intercommunal violence; and
- (b) requests the interim government and security forces of Egypt to do more to protect religious minorities.

Contrary to popular belief, there is a very strong Christian minority in Egypt. They are made up of several different denominations, mainly Coptic Orthodox. There is a very small Greek expatriate community, and I recently celebrated the 50th year of that community's existence in South Australia with Jing Lee, the opposition upper house member, on Richmond Road, Keswick, and we talked at length to community members about what is going on in Egypt.

Just so that people understand, Christianity has been established in Egypt since 284 AD. The Egyptian government has, over a long period of time, accepted and been very mindful of religious minorities in Egypt and, given the popular uprising against the Mubarak regime, some extremists groups in Egypt have taken it upon themselves to attack Christian minorities.

There has been a long history of intercommunal violence in Egypt, and I will list a few: in 1972, a mob attacked and burned a prayer meeting at a Coptic church at the Holy Scripture College; in 1981, 81 Christians were killed by a mob and the interior minister blamed the deaths on a lack of adequate security measures; in November 1981, a Coptic priest was kidnapped and threatened to death unless he denounced his faith and publicly converted. He refused and his throat was cut, and he was left on the street to bleed to death; in 1991, mobs attacked students; in 1992, farmers were attacked; on 4 May, 1992, villagers of Manshia and Weesa in Dyroot, Upper Egypt were attacked for weeks and 13 of them were shot dead, including 10 farmers and a child tending their fields, and a doctor leaving for work.

That same year, at the celebration of Easter, there were six people murdered outside a church and 50 injured, followed by some 200 arrests. There were mobs attacking, burning and looting shops and 42 houses owned by Christians, and three people were injured and approximately £5 million worth of property, livestock and merchandise were destroyed. In 1992 and 1997, there were further attacks.

In 1997, one of the most celebrated attacks occurred when three masked terrorists entered St George Church in Abu Qurqas and shot dead eight Christians at a weekly youth group meeting. As the attackers fled, they were gunned down by another mob of Christian vigilantes who were enforcing their own form of inter-communal violence.

At Al Kosheh, a predominantly Christian town in southern Egypt, a customer at a Christian shoe store fell into an argument, and three days of rioting erupted in the street, leaving 20 Christians, including four children, and one Muslim dead. In the aftermath, 38 defendants were charged with murder in connection to the deaths of the 20 people but all were acquitted of murder charges and only four were convicted of any charge, the longest sentence being 10 years. After a protest by the Coptic Pope Shenouda, the government granted a new trial. In November 2000, a mob attempted to force Christians to pronounce a different faith, and then beat him to death when he refused.

There has been recent violence—just in case people think this is all in the past. In April/May 2010, a mob of 3,000 people attacked a Coptic Christian population of about

400 Christians, who had no choice but to barricade themselves in their church while the mob went about the town destroying their homes, shops and cars. On New Year's Day 2011, a car bomb exploded in front of an Alexandria Coptic Orthodox church killing at least 21 people and injuring at least 79. The incident happened a few minutes after the midnight mass as Christians were leaving the New Year's Eve church service.

On 11 January 2011, it was reported that a policeman opened fire on six worshippers in a province resulting in the death of a 71-year-old man and the injury of five others. On 5 March 2011, a church was set on fire in Sole, Egypt, by a group of angry men. Basically, this church was set on fire based on a rumour—a rumour—that a Muslim woman was romantically involved with a Christian man. The woman's father was killed for refusing to perform an honour killing, and the man's father was also killed. Many Christian residents of Sole fled that village, with the remainder living in fear. At least six Christians were killed in Cairo four days later when they were attacked by Muslims while protesting the church's burning. I add that there was nothing to substantiate that rumour at all.

Following the death of two Muslims, sectarian violence broke out in the southern Egyptian town of Abu Qurqas El Balad, 260 kilometres south of Cairo. A Christian was killed, an old woman was thrown from her second-floor balcony, and 10 Christians were hospitalised. The then terrorised Christian villagers sent pleas everywhere asking for protection, even to Coptic groups in Europe and the United States. In May 2011, orthodox Christians held a large protest in Tahrir Square, outside the main Egyptian television station, demanding an investigation into the recent attacks.

Largely because of the mounting violence against Christians and other smaller minorities, the US Commission on International Religious Freedom recommended on 28 April that the State Department list Egypt as 'a country of particular concern' under the International Religious Freedom Act and adopt foreign policies to defend religious freedoms. In May 2010 the *Wall Street Journal* reported increasing 'waves of mob assaults', forcing many Christians to flee their homes. Despite frantic calls for help, the police typically arrived after the violence was over. Police have also allegedly coerced Christians to accept reconciliation with their attackers to avoid prosecution.

After the 2011 Egyptian revolution, *Time* magazine reported on the fears of the Christian population, finding widespread terror in their lives. The *New York Times* had a headline on 30 May 2011, stating that Egypt's Christians fear violence as changes embolden extremists. According to other international press agencies there are headings such as 'Moves to undermine the Egyptian revolution' and 'Christian-Muslim affair tests Egypt's revolution'. A news report on 14 May states:

It started with a Christian woman who wanted a divorce to marry her Muslim lover. With divorce strictly banned by Egypt's Coptic Christian community, she found no other way but to convert to Islam.

These sorts of myths and rumours about intercommunal violence between both sides—Christian and traditional Islamists in Egypt—are causing intercommunal violence. In Australia, we find that type of violence abhorrent and difficult to understand. However, it is important that the South Australian parliament recognises the importance of religious freedom in Egypt because there are many South Australian citizens here today who come from Egypt and who are from both the Islamic faith and the Christian faith, and they live together here in South Australia in harmony. They all deplore intercommunal violence. The breakdown is not through the spiritual leaders of the two great faiths in Egypt; the breakdown is in the government of Egypt policing to make sure that minorities are not attacked.

The reason I think it is important that Australia and South Australia make a stand is that we say to those citizens, 'We understand your love and affection for your homeland,' as many Irish Catholics and Irish protestants, people from England, Greece, Italy and Cyprus who come to this country do not lose a love and affection for their home country but still adopt and love their new country.

The reason we should stand up to intercommunal violence in Egypt and send out that message is to let those communities here in South Australia know that we stand with them and that they have come to a better country, a country that respects and understands religious differences and tolerates those differences and that we do not seek to divide even further or use those differences for any political gain; but what we do is make stands to protect the most vulnerable.

Unfortunately, what some people are attempting to do is hijack the Egyptian revolution, which I and the entire international community thought was about making sure that democracy was returned and a voice was given to all of Egypt's people because of the Mubarak regime trying to

suppress freedom of expression. Some people are attempting to take advantage of that and apply their own extremist views on minorities.

When a country undergoes a revolution there is always a period of flux, a period of change and a period of difficulty, and that is when it is most important for the international community to stand up and shine a light on what is going on. One of the most fundamental freedoms that you enjoy in a democracy is the right to exercise your freedom of faith—to freely worship, to understand your faith's tradition, to express it, not be ridiculed because of it, and to be able to go about your business without fear of prosecution, without fear of intimidation and without fear of violence.

Currently, Christians in Egypt are fearful of attending mass. They are fearful of taking the Eucharist. They are fearful of expressing who they are in their home country. We are not talking about groups of migrants: we are talking about natural born Egyptians who happen to be Christian. I think it is important that we speak up about this and protect those fundamental core beliefs that we hold very dear. Indeed, our troops who are serving actively now are there defending those key principles.

I think it is important, and I ask the house to consider, why is it the South Australian House of Assembly would want to note intercommunal violence in Egypt. Why it is important? It is important because, wherever there is tyranny or free men are victims of it, we should speak out against it. Wherever there is religious intolerance we should speak out against it. This is not merely because they are Christians. I would be saying the same if it was done in a Christian country to an Islamic minority. This is about a very old, proud religion, a 2,000-year old religion, being trampled down by a small minority.

Mr Goldsworthy: It's older than that.

The Hon. A. KOUTSANTONIS: No, Christianity is only about 2,000 years old.

Mr Goldsworthy interjecting:

The Hon. A. KOUTSANTONIS: That's a moment for truth. You will be reading about it tomorrow, no doubt.

An honourable member: Is that a different calendar?

The Hon. A. KOUTSANTONIS: A different calendar, that's right, yes. The truth is that we must speak out. This is not me attacking the great faith of Islam. Islam also has in the tenets of its faith tolerance, understanding, compassion and religious freedoms. There are simply those who wish to interpret that faith in a different way that makes it unrecognisable to moderates.

The great thing about Egypt is that there has always been a different mix of different ethnicities and religions that have worked quite well, and it is important that it not be lost. I think Egypt is an important site for Christians. It is where the Holy Family fled from Israel. It is important that we protect people's rights there and it is important that we send a message to those people who have migrated from Egypt to South Australia to let them know that we stand with them in lock step. I ask the house for its tolerance, and I ask the house for its compassion. I ask members to support the motion, and I ask them to pass it quickly.

Mr PENGILLY (Finniss) (11:45): I rise to support the minister's motion. I think he has put the case profoundly and eloquently, and, clearly, he has a good knowledge of the subject. I believe that the motion is in the best interests of that minority of Christians in Egypt, who do need some protection. If there is one thing that Australians do not tolerate it is small minority groups like that being absolutely castigated and ridiculed. Once again, as the minister put it, it has nothing to do with the Islamic faith.

The very reason we are in Afghanistan is to protect minority groups that are being persecuted by others. This does not go away. Australians do this regularly; we do it all the time. We went into Timor to do it, but these are federal matters. However, in supporting the minister's motion, I think they are important to note.

We had the ridiculous situation a week or so ago when Ratko Mladić was captured. He is now pleading his innocence and saying he was not involved in all the atrocities against the Bosnian Muslim men and boys in Srebrenica so many years ago. It is absolute madness. If this small parliament in this small state puts this on the table, it may not have much significance anywhere, but at least it allows us to put our thoughts on the table and address the issue in the chamber. Once again, I do not intend to go over everything the minister said, but I think it is an important little motion and I support it.

Mr GARDNER (Morialta) (11:47): Like the member for Finniss, I will not take up much of the house's time, but I do wish to speak on the motion briefly to commend the minister for bringing it forward. I thought that his contribution was very good, and his detailing of the history of the Coptic Church in Egypt in particular was important, as was the detailing of the sufferings they have faced at the hands of extremists.

I was in Italy over the time of the Alexandria bombings (I was on my honeymoon and we had just arrived), and it was dominating the press throughout Europe. It was the lead story there for probably a week until the Australian floods started to take over. I cannot speak for what the media in Australia was like at the time, but the level of anger, concern, disquiet and distress over there was palpable. The Pope made a very significant contribution on the matter.

I think that sometimes the sufferings that are faced in these circumstances do get lost a bit in time. That is why I agree with the member for Finniss and the minister that it is worthy of the house's attention for a little bit of time to put this on the record, that we stand against tyranny and that we stand against violence and oppression. With those few words, I support the minister's motion and I urge all members of the house to support it.

The Hon. R.B. SUCH (Fisher) (11:48): I support this motion. I indicated, when the minister was speaking, that I think there are something like eight million plus Coptic Christians in Egypt, and any violence or discrimination against them is to be deplored. The Australian government should do all it can to help ensure that those people can practise their religion without the fear and reality of being tortured or oppressed.

I do not want to amend the motion, but I am sure the minister would appreciate that in countries like Iraq or Iran Christians are also oppressed and tortured. It does not matter which religious group it is, any action by extremists and any form of violence or intimidation against anyone, no matter what their religion, is unacceptable. We do not have much of it in our country. I think in the United States there are extreme elements from the Christian side against other people. We have seen it recently with that so-called 'pastor' who decided to burn the Koran, which was an offensive and inappropriate action.

I support this motion. I have met some people from the Coptic community; there are quite a few in Australia, particularly in Melbourne. Anything that can be done by the Australian government in particular to help protect the Christian minority, and any other religious group in any other country, including Iran, Iraq and others, is to be supported.

Mr GRIFFITHS (Goyder) (11:50): I will also be brief. I do commend the minister on bringing this to the attention of the house. The history of this place we call Earth, sadly, has too many stories of such levels of persecution that have occurred. Those who read history will reflect upon it and hopefully try and improve themselves as people and influence those around them to be better people, too.

Just some of the examples that the minister provided are outrageous, disgraceful and disgusting and should never be allowed to continue. I commend him on bringing this to the house. I hope only that, as we broaden the perspective of things that we look at, we consider other terrible instances of atrocities that are occurring in other countries. I also hope that we as a nation, who pride ourselves on the quality of life that we provide, but also have some sad aspects of our history, too, try to influence those nations to create a better opportunity for those people to live in a peaceful way. Well done, minister.

Mr VENNING (Schubert) (11:51): Very briefly, I wish to add my support for this motion and commend the minister. As President of the Parliamentary Christian Fellowship, I do certainly welcome motions like this, because we do have to stand up and be counted sometimes, in this place and, indeed, on the world scene. Religious persecution is not acceptable to anybody at any time by any parliament anywhere. I commend the minister for bringing this motion to the house. I think there are many other issues similar to this that we could be addressing on a totally bipartisan basis. I think this motion should pass and pass strongly. I commend the minister.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (11:52): I am glad that I could bring everyone together in the house. I know I am usually a figure of unity.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Thank you, brother. I am someone who is renowned for bringing peoples together. 'Blessed are the peacemakers, for they will be called sons of God.' I thank members and I will pass on to the Coptic community in South Australia the house's resolution, as I am sure members will themselves, and I encourage them to contact people in their own communities, in their own electorates, to let them know the stand that we have made today in stamping out violence based on religion.

Motion carried.

JUDICIAL REFORM

The Hon. R.B. SUCH (Fisher) (11:53): I move:

That this house calls for reform of our court system using, as a basis, the report of Judge Peggy Fulton Hora (Ret) entitled 'Smart Justice: Building Safer Communities, Increasing Access to the Courts, and elevating Trust and Confidence in the Justice System'.

I am sure members have had a chance to look at the report of Judge Hora. It is quite an extensive report. Judge Hora was a thinker in residence. I know there has been criticism of that program over time, but I am not convinced that everyone takes on board, in a sense of critical evaluation, the work that is done by the thinkers in residence. We do not have to agree with every point that is made by a thinker in residence, but I think it is good that we are sometimes challenged in regard to what we do to see if we can improve it and make it better.

I cannot go through every single recommendation and I want to get onto my own experience, because, unless you have been in and through the system, I do not believe you can really understand how our court system works, or sometimes does not work, and how I believe it could be improved. I do not agree with all of the things that Judge Hora recommended, but some of them were quite sensible, I believe. She recommended:

- Expand the use of existing video conferencing;

I think that it is a good idea—

- Require the justice system personnel and members of the judiciary to take up professional development opportunities, including cross-disciplinary training;
- Adopt standards of judicial education that require professional development for both new and experienced bench officers;
- Restructuring bail and bond legislation so the court has more options and will respond to breaches, consistent with evidence-based practice;
- Create a mental health and addiction service team to ensure an integrated response to alcohol and other drug abuse and mental health issues.

One recommendation I did not agree with was the suggestion that the terms 'drink driving' and 'drug driving' be replaced with the term 'driving while impaired'. I disagree with that suggestion because I think that calling it 'drink driving' and 'drug driving' says exactly what it is and that calling it 'driving while impaired' could mean you were wearing very thick sunglasses, for example.

She recommended legally underpinning the right to a speedy trial. She did make the comment that lawyers who dragged out court cases should be penalised, and I would argue that it should apply both ways—to the Crown, as well as to defending lawyers—because the Crown can also delay and cause significant cost to people involved in the court process. She recommends advanced training for SAPOL prosecutors. I know some people argue that it should not be the police prosecuting at all; it should be someone who is a qualified lawyer, probably under the umbrella of the DPP. As I say, the list of recommendations is quite significant.

One of the points she made, and one which I have touched on, was the need for improved training of judicial officers. I was talking recently to a former magistrate who said that he was sworn in at, I think, 11 o'clock by the Chief Justice and was basically told, 'You can't go back to your legal office because you are now a magistrate,' and the next morning he was adjudicating on cases. That can be fine, but the background of that magistrate may not be sufficient or appropriate for the cases they are going to be dealing with, and that brings to mind my own experience.

I do not want to reflect on the magistrate unfairly (Magistrate Joanne Tracey). I believe she had a history of working with Mellor Olsson in legal defence matters relating to medical issues, but then she comes into court and deals with an issue like mine, for example, which was a highly technical traffic matter. I do not believe it is appropriate to have magistrates dealing with a matter if they do not have the necessary technical background to deal with that issue.

I have raised before the point of having a specialised traffic court, which some jurisdictions have. The answer from Chief Magistrate Elizabeth Bolton—and I have said before that I have the highest respect for her—was, 'Look, magistrates have to deal with every issue.' I think members can understand that if you have a complex issue and the magistrate does not have the necessary background, you can end up with an injustice being created.

I will give you some examples from my case—and I am not trying to use this as a justification and a personal focus but, because I experienced it, I know what can happen. In my case, the police officer (Gregory Luke Thompson), who had been a constable for 30 years, said that he saw my car at a distance of 500 metres. He swore on his affidavit that at 500 metres he could tell that my car was travelling at more than 60 km/h.

I have yet to find any professional—optometrist, ophthalmologist, anyone who knows anything about eyesight—who agrees that, at that distance, you can tell the speed of an oncoming car. In fact, I was told by a former magistrate that there is a ruling of the Supreme Court (we did not know it at the time) that that sort of claim is just not acceptable in court. When we get to court, the officer said (and I am paraphrasing), 'No, it wasn't 500 metres, it was 450.' The magistrate obviously took that into account. I believe that anyone who understands distances or the speed of vehicles would say that that is a claim which is fanciful at that distance.

On the expiation notice—the details of which I finally got seven months after the alleged offence—the officer claimed to be 20 metres north of Crossing Road on Oakridge Road, on the western side, at Aberfoyle Park. When he came to court he said, 'Oh no, I wasn't 20 metres north, I was further down the road.' He alleged he was on these Telstra plates 30 metres down the road. I believe he misled the magistrate, because the Telstra plate is 40-odd metres down the road.

The magistrate did not inspect the site, is not familiar with the site, and relied on the honesty of the police officer—in this case, I think, wrongly. She accepted that he did not change his location because at the point he had written down you cannot pull cars over because there is a yellow line against the kerb and a solid centre line. She said he did not change his location because of that. Under the Australian road rules, you understand that a police officer cannot pull someone over where there is a solid yellow line and a solid centre white line.

I gave evidence that he was not wearing a reflective jacket. It was a hot day. In court he said he was, that he was wearing his winter reflective jacket. That is a nonsense, but she accepted it. She had no evidence that he was wearing it. She just said, 'Yes, he was wearing it.' So it goes on. He made a lot of errors. She acknowledged that he made a lot of errors. In fact, on appeal at the Supreme Court the lawyer for the Crown, Susan Halliday, whom I have a lot of respect for, said to me in the gallery of the court that 'police officer Thompson made a lot of errors, didn't he?' I agreed with her. In her findings the magistrate said:

Constable Thompson was clearly an experienced police officer who despite having made a number of errors and omissions in his notes impressed me...

I think he made so many errors that he should not have impressed anyone. In fact, he claimed that he wrote down the results of the afternoon test in the morning. She said that basically he should not do that but nevertheless allowed his evidence to be accepted. The other very important point is that the magistrate said:

Constable Thompson is not qualified as an expert in scientific or engineering matters relevant to the operation of lasers and many of the issues sought to be established through his cross-examination could more properly have been put to an expert with those qualifications.

We suggested an expert, but the police said, 'If you bring one, we are going to bring someone from England. It will cost you another \$20,000 if you lose.' You have to weigh that up. That is what the police do and that is what they currently say to people, 'If you challenge us in court, we'll bring the people who supply the fixed cameras.' My case involved a laser. The police say, 'We'll bring someone from Germany and put that on your costs.' It is another form of intimidation and threat.

We had an expert lined up to test the laser, and we asked in court for the police to provide the laser and technical information for independent testing by Professor Veitch at Adelaide University. That was refused on the ground of commercial in confidence, which is a nonsense in a criminal case, which is what a traffic matter is. If you ask to have a Smith and Wesson tested, you are not going to get the answer, 'Look, you can't have it tested because Smith and Wesson won't allow their property to be tested; it's commercial.' That means that you cannot defend yourself because you are not allowed to have the instrument to have it checked by Professor Veitch using equipment at Adelaide University. So you are on the back foot.

Cost is another point in relation to court procedures. The Magistrates Court hearing cost me \$14,000. I think I attended 11 half-days. The trial was supposedly three days. There was never a pre-trial conference. The magistrate got angry at one stage and asked why there had not been a pre-trial conference. In preliminary hearings, two magistrates said there should be a pre-trial conference; there never was. The processes of the court need to be looked at, revised and reformed.

As I said, Constable Thompson made many errors. I think he also told many untruths. He claimed he was under a tree; there is no tree at the location, and people can still have a look and see that is the case. He said that he always went to work down that road; he does not go to work down that road, he goes in the opposite direction to Sturt. The magistrate does not know that, and I guess it is up to the lawyer (if you have one) to point it out.

The other major deficiency was the certificate that, basically, got me hung. The police had three goes at that. With the first one that they provided under discovery, the officer could not say whether or not he had organised it, and he was not sure who had signed it. It was discussed in court. Then, at the start of the court, a certificate was introduced which was accepted on a qualified basis—*de bene esse*—and then, after cross-examination, police brought in another certificate which was different again. It had white-out on it; they had whited out the front with the name of the laser, LTI (made by Laser Technology Industries), and someone had handwritten on the certificate 'speed guns'. That was accepted, and basically that is what got me hung. I do not believe that is a satisfactory process. If you go to any government office with a certificate that has had part of it whited out and written over with biro, they will not accept that—nor should they.

The police are supposed to provide proof beyond reasonable doubt, but we provided the photographs. The magistrate said that maybe they did not do justice, that they could be misleading. Well, the police did not provide any. We did not seek to mislead; they were the photos taken looking at the street. The police did not provide any, and they are supposed to prove beyond reasonable doubt. This is where, if you have a magistrate whose background is in balance of probabilities and civil matters, I do not believe you get the right outcome.

Recently there was a case with Elizabeth Bolton, the Chief Magistrate (members may have seen it), where a pensioner was charged with going through a fixed camera. The police had a photograph and a certificate of accuracy, but she said that the police had not proved beyond reasonable doubt that that person was speeding and dismissed it. In my case, there was no photograph, three different certificates of accuracy, and a story from the police officer that I believe was, in essence, largely inaccurate.

We had mathematical information: vehicle speed per second, distance of the vehicle. The police officer thought it was a Ford Festiva; it was not (it was a German car, a Ford Focus), and he is supposed to be an experienced police officer. However, the defence lawyer—one of the top traffic lawyers in Adelaide, Michael Woods, an ex-police prosecutor—had all the mathematics, and the magistrate said that applying such an apparently logical mathematical formula was attractive; however, the results must, of their nature, be speculative. I am alleging that the magistrate did not understand the mathematics and therefore did not give them any regard.

The defence lawyer—as I said, one of the top traffic lawyers in South Australia and an experienced police prosecutor—showed that the police officer could not have pinged my vehicle at 416 metres; it was just not mathematically possible. However, it was dismissed. I think it comes down to the fact that you have a magistrate who is not fully briefed on and does not fully understand the technical aspects. That is where the system can go astray.

The long and short of it was that I was found guilty. When you appeal to the higher courts, they basically say 'Look, the magistrate has looked at it,' and that's it. I think that before a judgement is finalised in the Magistrates Court there should be an interim judgement which the parties can respond to.

Debate adjourned on motion of Mrs Geraghty.

CIGARETTE PACKAGING

Mr SIBBONS (Mitchell) (12:09): I move:

That this house expresses its support for the federal government's move to introduce plain label packaging for cigarettes across Australia by 1 July 2012.

Tobacco smoking remains the single most preventable cause of illness and death within Australia. Three South Australians die every day from tobacco-related illness and an estimated \$2.39 billion is lost to South Australia's economy each year in health costs and lost productivity related to smoking.

Currently, 21 per cent of South Australians aged 15 years and above smoke and 23 per cent of young people aged 15 to 29 years are also smokers. Half of all teenagers who start smoking and do not quit will die prematurely as a result of their tobacco use. It is not just those who smoke who are affected, it is also their families, children and other members of the community who are exposed to potentially dangerous passive cigarette smoke.

The Australian government's proposal on plain packaging aims to prevent the attractiveness and appeal of tobacco products to consumers, particularly young people. Along with other tobacco control measures, it will be an important contribution to removing the power of advertising and marketing of tobacco products to potential customers, particularly young people.

The South Australian government has a strong commitment to tobacco control and reducing the prevalence of smoking by both encouraging smokers to quit and discouraging the uptake of smoking. New and expanded measures to help smokers give up, help ex-smokers stay on track and reduce the community's exposure to cigarette smoke are being implemented.

Along with the Australian government, this government has increased its investment in effective quit smoking media campaigns across South Australia to encourage smokers to quit, support quitters to stay on track and discourage non-smokers from taking up smoking. Campaigns are important because they encourage smokers to think about how smoking affects their health and encourages them to quit.

Together with the increased cigarette taxes introduced by the Australian government on 30 April 2010, these actions are likely to have a dramatic effect on reducing cigarette smoking in Australia. South Australia has committed \$5.76 million over four years to reducing smoking amongst Aboriginal people as part of the Council of Australian Governments' Closing the Gap initiative.

The government is in the process of introducing new legislation to prohibit smoking under covered public transport and taxi waiting areas, ban smoking within 10 metres of children's public play equipment and allow local councils and other bodies to apply to have their outdoor areas or events declared smoke-free.

This government is also removing all tobacco products from display in general retailers from 1 January 2012, with a temporary exemption for specialist tobacconists until 31 December 2014. This measure will remove the strong inducement for young people to take up smoking and will help ex-smokers stay quit by reducing their exposure to relapse triggers. In addition, we are working with the hospitality sector to introduce smoke-free outdoor dining and drinking across the state by 2016. Every smoker who gives up and every young person who decides not to start is a life potentially saved, and these measures will contribute to that important goal.

Debate adjourned on motion of Mr Treloar.

STATE GOVERNMENT ELECTIONS

Adjourned debate on motion of Ms Chapman:

That this house congratulates Premier Ted Baillieu, Premier Barry O'Farrell and their respective Liberal Coalition teams on their election to government .

(Continued from 5 May 2011.)

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (12:16): The government will propose an amendment to this motion to make it read:

That this house notes Premier Ted Baillieu, Premier Barry O'Farrell and their respective Liberal Coalition teams on their election to government.

The government wishes to amend this to say 'note' for a very good reason. It is not the place of this house to congratulate any one politician on their victories; it is the place of this parliament to debate matters of importance. While their victories are impressive and they should be congratulated, I am

sure that the people of Victoria and New South Wales have already congratulated them by bestowing them high office.

I think what Ms Chapman is attempting to do here is to play a bit of politics. Quite frankly, I suspect it is a little bit embarrassing because, in the same breath that she congratulates Mr Baillieu and Mr O'Farrell on their victories, she fails to mention the dismal loss of her own leader at her own hands at the last election last year.

Mr Pengilly: Who's playing politics now?

The Hon. A. KOUTSANTONIS: I am simply responding to an unprovoked attack by the Liberal Party. I am above these forms of petty politics. I have risen above the mere political politicking that the member for Finniss does day in, day out, in his desperate attempt to crawl back into government.

The SPEAKER: Minister, I have to remind you that you have already spoken on this. I've got a feeling you know you have also. I also remind the minister that his amendment is out of order.

Debate adjourned on motion of Mr Treloar.

Mr PENGILLY: Madam Speaker, I am just wondering when we are actually going to get to a motion to debate today. I have had motions on the *Notice Paper* for months and I know that other members have introduced them but they are not here to speak to them. It is totally ridiculous to have private members' business—

The SPEAKER: You really—

Mr PENGILLY: I just draw it to your attention.

NON-GOVERNMENT ORGANISATIONS

Adjourned debate on motion of Ms Sanderson:

That this house urges the government to better support non-government organisations by streamlining application processes for government funding and creating electronic information sharing to reduce time wasted on applications and increase service delivery.

(Continued from 7 April 2011.)

Mr SIBBONS (Mitchell) (12:25): The government opposes this motion. The reason for this is the government is always keen to receive feedback on ways to improve its funding processes and, if the member for Adelaide has any specific concerns or suggestions about one of the grants programs, she should write to the responsible minister, who will then investigate the matter.

The specific way that funding is provided varies from agency to agency and individual chief executives are ultimately responsible for the process in each case. Grant applications are designed to identify funding recipients that have the capacity to best meet the individual policy objectives of each grant program and agency. Centralisation of application processes to a single office would remove the ability of each individual department or agency to oversee their funding programs and ensure they are appropriately reviewed and administered to best respond to the work of the agency and, ultimately, the needs of the community.

Contrary to the member for Adelaide's assertions that organisations waste time on applications, a thorough application process helps ensure that public money is most appropriately spent. It would be irresponsible of the government to adopt a policy of giving out funding without first appropriately screening organisations and determining their suitability for funding. It is important that good financial management principles are applied to the application of public funds and all public authorities are required to apply Treasurer's Instruction 15, Grant Funding, which provides an accountability framework for grant funding.

The state government maintains a number of online resources to help ensure community groups and the non-government sector can access information about funding. This includes a grants page and grants directory on the sa.gov.au information portal and a funding and grants register on the southaustralia.biz website maintained by the Department of Trade and Economic Development. In addition, most individual grant programs have pages on their agency websites where users can download application forms and funding guidelines.

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (12:28): The opposition is very disappointed at the response that the government has just given to this very worthwhile

motion calling on some streamlining. I know that the government has made much over its term of office about getting rid of red tape and streamlining government. This is—

The Hon. A. Koutsantonis interjecting:

Mr WILLIAMS: I said you have made much of it. I didn't say you have actually achieved anything, minister. You have made much of it.

Mr Marshall: Hear, hear!

The Hon. A. KOUTSANTONIS: I have a point of order, ma'am.

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: I ask that you remove the member for Norwood from the gallery for making remarks outside of his place. It is highly disorderly and, in fact, I think, rude to the chamber.

The SPEAKER: I did not notice the member for Norwood there. If that is the case, I ask you to refrain and come and sit in your seat if you wish to make remarks. However, that is not appropriate, either. Your interjections are certainly out of order, wherever they are made from. Member for MacKillop.

Mr WILLIAMS: Thank you, Madam Speaker. I was just making the point that the government has put out lots of press releases and made lots of statements about its wont to reduce red tape. I have not actually seen many positive results emanating from that fine body of rhetoric that has emanated from this government. Notwithstanding that, what the member for Adelaide is calling on here—and as she pointed out to the house—is that a lot of the NGOs operate from within her electorate, notwithstanding their services are quite often right across the state. A lot of them are based within her electorate, and she, as a good, hardworking member, has visited the offices of many of these NGOs. She has reported to the house that what has driven her to move this matter before the house is that she is constantly told by the NGOs that it is overly burdensome for them to make applications for government grants.

They are basically operating on government grants. They are delivering services which would otherwise be delivered by government, and they are doing it by receiving government grants and then delivering their services on behalf of government. It is a system that has served the state very well. It is a system that delivers high quality services at a relatively low cost. This is why governments of all persuasions use NGOs, but the burden that is put on these NGOs is that they have to fill out incredibly detailed applications.

Quite often, the same NGO will apply to a number of government agencies for funding to provide a not dissimilar service, but they have to go through the whole process each time. They have to rewrite their funding application. They have to comply with the individual nuances of the government agency that they are making their application to.

I would have thought that, if the government had any common sense and any desire to cut red tape, this would be an ideal place to get cracking, to actually go to the various agencies that are dispensing grants to NGOs for this sort of work, and say to these agencies, 'Let's develop a common template for the process of issuing grants, accepting applications, processing applications and the making grants. Let's develop a common template process.' Surely, it is not imperative that every agency does it differently.

The government has argued for a long time over the benefits of shared services. Again, it has failed to deliver, but the basic principle of shared services is doing collectively what you would otherwise do individually in a lot of different places, because you are of the mind to apply the same template and do the same thing in a central location, but it is farmed out to the various agencies that you are supporting through the shared services network.

The government is on one hand arguing with regard to the services that it provides to its own agencies. Yes, we will have one template, and we will have a common set of laws and a common set of practices and policies, but when it comes to dealing with NGOs, particularly when they are asking us to develop a common template which would allow them to increase their level of efficiency and in so doing drive the efficiency of the taxpayers' dollars, which are funding these NGOs, when they ask the government to do this, the government says, 'Sorry, not interested.' It then has the temerity to say, 'The reason we are not interested is because we are trying to protect the integrity of the process and we are trying to protect the use of government money.' Nonsense.

The fact that two agencies cannot provide the same set of policies, the same template application process and the same adjudication process to the applications that come in is a nonsense. It is that silo mentality which really costs taxpayers greatly, where one agency says 'We've always done it this way, and that's the way we are going to continue to do it,' and the other agency says, 'No, no; we've done it this way, we are going to continue to do it that way, and to hell with the impact that that has on the expenditure of taxpayers' money and to hell with the impact it has anybody else outside of our silo.'

It is time that the government got serious about this and accepted the motion that has been put forward by the member for Adelaide as a good place to start. Part of what the motion goes to is to have this process done electronically so you can speed it up. Goodness gracious, in this day and age we might even have an interactive process where an NGO could put forward some or all of its application and get a response from the assessing agency to say, 'Sorry, we need to have this additional bit of information.' That could be an interactive process where the NGO could then provide the additional information.

Currently, the NGO has to put forward virtually every piece of information that it even suspects the agency might want. As was pointed out by the member for Adelaide, that is a very long and burdensome task, largely being funded by money either derived from an earlier government grant or from some fundraising activity by the NGO. In any case, the member for Adelaide was arguing that it is a waste of money. The process is causing us to waste money.

I repeat that I am very disappointed with the government's attitude to this, but obviously not surprised, because the government has shown that it will rarely, if ever, certainly in the first instance, take up a good idea that is proposed by the opposition. The government's default position is not to agree. Generally what the government does is wait for a while and then reintroduce the idea and try to mask it as one of its own ideas. There are a huge number of examples of that. I suspect we might even see a couple of those in the budget this afternoon, good ideas of the opposition roundly and soundly rejected as stupid by the government at the time. We will no doubt see some issues raised in this budget where the government will brand them as its ideas.

I put to the house that this is a good, sensible idea proposed by the member for Adelaide. It should be taken up by the government as at least a starting point. The government should say, 'Yes, we agree.' Some of these agencies need to sit down together—have their heads banged together, if that is necessary—and formulate a template system to make life easier for NGOs.

Mr PENGILLY (Finniss) (12:38): I support the motion of the member for Adelaide. It is a common-sense motion.

An honourable member: We can't have that.

Mr PENGILLY: No, we can't have that; you are quite right. You only have to go back over these last nine years or so of this government, and it has employed nearly 20,000 additional public servants in that nine or 10 years, and it is even further bogged down. So, the member for Adelaide, supported by others in this place, has come up with this motion to try to assist the government and give it the message. Remember, the Premier said last year after the election, 'We are going to reconnect.' Well, there ain't a lot of reconnecting going on. The government does not want to reconnect with anything from outside this place.

However, when a member on this side of the chamber comes forward with a good idea to assist the government and to try and streamline things for the poor old, long-suffering taxpayer of South Australia, who is faced with hideous increases in the price of power, water and just about everything else, it is pooh-poohed by the government. Is this good government? I think not. Is this the reason that the government is sitting, in the last poll, on 24 per cent? I think yes. Government members do not want to listen. They do not want to listen at all. They are that bound up in their own internal squabbles that they cannot even think through and give due attention to a perfectly good motion put forward by the member for Adelaide.

My offices have a constant stream of people coming into them highly indignant over the nonsense and the paperwork they have to go through to apply for funding. Sporting organisations and any non-government organisation that come through are totally frustrated. Not only are they frustrated with the paperwork but they are also frustrated with ringing up government offices or government numbers and being put on hold forever and a day while listening to nice music or a recorded message or, usually, promotions of a failing government, that come over while they are hold—whether it be for five minutes, 55 minutes or an hour and 55 minutes.

The motion put forward by the member for Adelaide deserves a lot more respect. Not everything that comes from this side of the chamber is foolish, just as not everything from the other side of the chamber is foolish. Why don't you give a show a bit of respect to the member for Adelaide who, let's face it, represents the central business district of the city? Why don't you allow this motion to go through and support it in the best intent and for the aims of the people of South Australia? I just find it absolutely foolish. It is no wonder that people ridicule politicians when this sort of thing is held up because of the political reality that the government does not like it because we thought it up, or in this case, the member for Adelaide.

The member for Adelaide is out there pounding the pavements of her electorate and listening to people; that is why she was elected with such a large majority. She is still out there doing it and going to this, that and everything else. She is seen everywhere and she listens everywhere. She is reporting back to this parliament and getting good feedback. She has come back to this place with a motion to try to simplify government process, and she is getting knocked down by the government. I just think it is damned foolish.

Ms SANDERSON (Adelaide) (12:41): I am very disappointed that the government has spoken against this motion. It certainly was not a passion of mine to be so involved with NGOs. However, I have spent the last 18 months—because there are so many in the electorate of Adelaide—visiting as many of them as possible. It was consistent feedback when I met with these people and asked, 'What can we do to make this system better? If I did not have more money to give you, how could I improve it?' Consistently, they came up with the same answer—that no-one else had asked them before, and they were surprised to see me. Many of them had not even seen their local member of Parliament before.

I thought, after six months of visiting endless numbers of NGOs and the same pieces of information being put forward, that I would continue meeting with more people but that I would bring a motion to parliament so that maybe we could start work on fixing a very broken system. Currently, there are four recommendations in particular, and one of them is to do with a database, which I do not think would be that difficult to set up.

I had someone from Lutheran Care who had a family that needed emergency accommodation, and he said that Lutheran Care has financial assistance for three nights' accommodation. He rang Families and Communities Services and could not get an appointment for them for one week. He said, 'Where do I send the family? We can only fund them for three days,' and he was given a pamphlet (which I photocopied) and told to just start ringing all these other services.

I copied the pamphlet because half the numbers are wrong, and half the people who used to give food, accommodation or help with certain things are not even the same people who do it any more because it changes so often. Departments keep changing and staff move, and you have to apply for funding so often that there is no consistency.

My own office is trying to work on a spreadsheet to actually work out where you would go if someone came in to my electorate office with these issues and who I would ring. There are a hundred different people and no-one ever knows, so one of the ideas would be a database where I could just go online, as could anyone else in the system, and say, 'Right, I have a family that needs a home. Who can I ring? How many beds are available at this place? Where can I get food, accommodation, and really help them in the system?' and see the information immediately.

If you had someone with a drug and alcohol problem, you could see that there were two beds were available in Whitmore Square and that there was one bed available at Hutt Street (not that they have beds) and you could see information about different facilities. I think it would save a lot of time, whereas at the moment you have to ring around endlessly and cannot even get help. So that would be one idea, that you could actually access the services online and be up to date and see what was available.

Another computer system that would also be useful is a database of the same people, the people who have required assistance in the past. If you went to Anglicare you would see that they had been to Centacare, that they had had financial counselling at Lutheran Care, and that they had been here and there. You could actually track what they had already been given and what they now needed, because clearly, if you keep giving them the same thing you are not improving their life. You need to get them off the system and help them in a better way. So, I do not think computer programs are really that difficult to sort out, and I think they should be worked on.

The other issue was that a lot of the larger organisations—Lutheran Care, Centacare and Anglicare—have enough staff available to spend two weeks putting in a proposal for funding; and that is what they are telling me they have to do. The proposals are so lengthy and copious that they are losing staff for two weeks just to put in a submission. A small place like Cystic Fibrosis does not have a spare staff member for two weeks to fill these in, so it puts them at a serious disadvantage, and a lot of the smaller agencies are being taken over by the larger ones.

Another example was that you put in this proposal, you spend all this time and effort, and then you do not actually find out until the last minute whether you have got it. So, the smaller agencies, and even the larger ones, find it very hard to keep their staff when they are on a contract basis. There is no job security and they do not find out till the last minute whether they have the next contract and whether that means you have a job or you have not. So they often lose some of their good staff to government departments, because they have job security rather than continually having to put in for more money and waiting till the last minute to find out if they have got it.

Again, the issue that comes up with that is that the larger agencies have spare space available, so if they get funding for a training course they have actually already got the space, whereas a smaller agency that finds out only four weeks before the program is due to start has to hire staff, and rent or lease space to perform their duties.

The house divided on the motion:

AYES (19)

Brock, G.G.
Goldsworthy, M.R.
Marshall, S.S.
Pengilly, M.
Sanderson, R. (teller)
van Holst Pellekaan, D.C.
Williams, M.R.

Evans, I.F.
Griffiths, S.P.
McFetridge, D.
Pisoni, D.G.
Such, R.B.
Venning, I.H.

Gardner, J.A.W.
Hamilton-Smith, M.L.J.
Pegler, D.W.
Redmond, I.M.
Treloar, P.A.
Whetstone, T.J.

NOES (22)

Atkinson, M.J.
Caica, P.
Fox, C.C.
Kenyon, T.R.
O'Brien, M.F.
Portolesi, G.
Thompson, M.G.
Wright, M.J.

Bedford, F.E.
Conlon, P.F.
Geraghty, R.K.
Key, S.W.
Odenwalder, L.K.
Rankine, J.M.
Vlahos, L.A.

Bignell, L.W.
Foley, K.O.
Hill, J.D.
Koutsantonis, A. (teller)
Piccolo, T.
Sibbons, A.L.
Weatherill, J.W.

PAIRS (4)

Chapman, V.A.
Pederick, A.S.

Rann, M.D.
Snelling, J.J.

Majority of 3 for the noes.

Motion thus negatived.

ANZAC ACTIVITIES

Adjourned debate on motion of Hon. R.B. Such:

That this house requests all schools in South Australia to hold commemorative ANZAC activities to acknowledge the more than 100,000 Australian men and women who have given their lives in the service of their country.

(Continued from 7 April 2011.)

Mr ODENWALDER (Little Para) (12:54): I am delighted to support this motion, which has been moved by the member for Fisher, and I think it is the first time in this place that I have found myself in the happy position of supporting a motion.

An honourable member: And probably the last.

Mr ODENWALDER: Probably the last, that's right. I have to say that over the years I have been greatly encouraged by the growing involvement of our South Australian youth in ANZAC Day remembrance and commemoration activities. I have been going to the Elizabeth RSL for years, and the number of young people who get themselves up at 6am to show their respect is remarkable. The member for Reynell has previously spoken on this motion and comprehensively outlined many of the activities undertaken in our government schools for remembrance of ANZAC Day and the ANZAC spirit.

The Rann Labor government encourages the observance and remembrance of ANZAC Day in our schools through a number of initiatives. The Premier's ANZAC Spirit School Prize was established by the Rann government in 2007, in association with the SA branch of the RSL. The Premier's ANZAC Spirit School Prize is testament to this government's desire for our young people to learn about the ANZAC spirit and the sacrifice made by our servicemen and women in the Great War of 1914 to 1918. The prize is open to all year 9 and 10 students in South Australia from all government and non-government schools.

Students undertake research on a South Australian serviceman or woman who is buried or commemorated on a World War I battle site. Students then work with the RSL to research history, family, role in service and other significant information to take as a personalised commemorative item or story to honour the person's service to our nation. Prize recipients have a once in a lifetime chance to go on a study tour visiting the Western Front and to participate in ANZAC Day remembrance ceremonies.

This initiative of the Rann government provides kids with a poignant reminder of the service and personal sacrifice made by many South Australians during World War I. By researching the life and retracing the footsteps of an individual serviceman or woman students gain a personal insight into life on the Western Front and the privations servicemen and women endured every day away from their families, friends and loved ones.

This last ANZAC Day showed that our young people are involved in many of our ANZAC Day commemorations in South Australia. I understand that the recent ANZAC Eve Youth Vigil was, again, successfully conducted at the State War Memorial on North Terrace. This service, organised by the RSL, highlights the growing interest in ANZAC Day by young South Australians.

The ANZAC Eve Youth Vigil has become an integral part of ANZAC Day commemorations in South Australia, with participation from a wide range of youth organisations as well as youth from a number of multicultural groups. I am aware that the Salisbury Police Rangers and the Holden Hill Police Rangers, who I have been involved with, were also present.

One of the speakers who addressed the large number of participants and those in attendance was Miss Brigid O'Farrell-White, the recipient of the 2010 Premier's ANZAC Spirit School Prize. I understand that Miss O'Farrell-White spoke poignantly about the life of South Australian serviceman Corporal Alan Leschen, who she researched as part of her participation in this school prize. Miss O'Farrell-White, through her research, had gained a deeply personal insight into the ANZAC spirit, the life of our ANZACs on the Western Front and the life of Corporal Leschen, who departed our shores in 1915 and made the ultimate sacrifice on the Western Front in 1918.

ANZAC Eve Youth Vigils are also conducted at Morphett Vale, Blackwood and Marion, and I hope that over time we will see ANZAC Eve Youth Vigils conducted in the northern suburbs of Adelaide.

While most government and non-government schools already conduct a whole range of activities that highlight the sacrifice made by our servicemen and women during conflict, there is currently no compulsion for schools to run ANZAC Day commemorative activities. I think the growing appreciation and respect for ANZAC Day and the ANZAC spirit is more than evident now in the young people of South Australia and so I support the member for Fisher's motion, although I do express some disappointment that the member's motion does not adequately recognise the current level of initiatives undertaken in our schools for the remembrance and commemoration of ANZAC Day. I am happy to support this motion.

Mr PENGILLY (Finniss) (12:58): I also support this motion. It is a motion from the member for Fisher that I believe will receive widespread acceptance across the house. It is absolutely critical, and it has probably been made even more critical after the events of the last couple of weeks with the deaths of four of our men in Afghanistan, that we educate this generation and future generations about ANZAC Day and the service that has been given.

We remember that some 60,000 men from Australia were killed in World War I and some 30,000 men from Australia were killed in World War II, and never forgetting the nurses and other women, particularly the nurses in the Bangka Strait massacre, and others who were killed. We remember the service of our personnel in Korea, the forgotten war, where Australia once again suffered numerous casualties, and those of us in my generation remember clearly the Vietnam War and the fact that we lost over 500 personnel, including the first national serviceman from Australia, Errol Wayne Noack, who was a Kangaroo Island lad with family connections to the island.

Then we go on to other theatres where there have been casualties. We lost two in Iraq in the Gulf War, and I think we have now lost 28 in Afghanistan. It was clearly brought home to my electorate, and the Australian community, but very much to the Kangaroo Island part of my electorate, with the death of Sapper Jamie Larcombe on 18 February this year.

It is absolutely critical that we never forget. I do not forget. I am a baby boomer, progeny of my mother and father who were married just after World War II. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

ANSWERS TO QUESTIONS

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

PUBLIC HOSPITAL BEDS

21 Dr McFETRIDGE (Morphett) (1 June 2010). Using the OECD classification of in-patients beds, how many public hospital beds were there in South Australia in each year from 1995 to 2009 according to the following categories—

- (a) acute care beds;
- (b) curative care beds;
- (c) psychiatric care beds; and
- (d) long term care beds (not including the following—surgical tables; recovery trolleys, emergency stretches, beds for some day care, cots for healthy infants, beds in wards closed for any reason, provisional and temporary beds, beds in nursing and residential facilities, and chairs and recliner chairs used for same day care)?

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): I am advised:

The number of public acute hospital inpatient beds from 1994-95 to 2008-09 are as per the table below. These are consistent with OECD definitions. The Department's usual convention of excluding public psychiatric hospitals from counts of public hospital beds has been followed in preparing this response.

Average available inpatient beds in public acute hospitals

	Metropolitan hospitals	Country hospitals	All hospitals
94-95	2,811	2,298	5,110
95-96	2,713	2,177	4,891
96-97	2,651	2,073	4,724
97-98	2,665	2,025	4,690
98-99	2,624	2,003	4,627
99-00	2,539	2,015	4,554

	Metropolitan hospitals	Country hospitals	All hospitals
00-01	2,605	1,996	4,600
01-02	2,601	1,962	4,563
02-03	2,552	1,939	4,491
03-04	2,585	1,938	4,523
04-05	2,653	1,861	4,514
05-06	2,673	1,862	4,535
06-07	2,759	1,855	4,614
07-08	2,838	1,866	4,704
08-09	2,819	1,819	4,638

Only total bed numbers have been provided. The data source for beds does not distinguish between different types, such as acute and psychiatric.

METROPOLITAN HEALTH SERVICES

27 Dr McFETRIDGE (Morphett) (1 June 2010). How will the \$49 million of operational savings by Metropolitan Health Services (as identified in the 2007-08 Budget) be achieved and what programs and services will be affected in achieving these savings?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (00:00): I am advised:

The Metropolitan health services were required to meet savings, as part of the 2007-08 Budget, of \$48.689 million over the four years 2007-08 to 2010-11 through a range of operational savings.

Of the total 2009-10 savings of \$15.674 million, approximately \$13 million (2008-09 component) in savings have been achieved through the implementation of a range of Regional strategies.

In 2010-11, SA Health is continuing to work towards identifying strategies in consultation with Health Regions to meet existing and growth in savings required across the forward estimates. The management strategies targeted in 2010-11 include:

- improved leave management through the standardisation of leave management and review of annual leave policies across the Portfolio
- better management of overtime costs through a comprehensive review of overtime and the implementation of standard overtime policies across all major metropolitan hospitals
- more efficient utilisation of agency staffing
- reduction in administrative support costs through the review of all non-clinical services and the reduction of duplication of support services
- vacancy management through review of historical practices surrounding filling vacancies and the focus of priority filling of essential positions.

These management strategies will not affect frontline health care services.

CENTRAL NORTHERN ADELAIDE HEALTH SERVICE

45 Dr McFETRIDGE (Morphett) (1 June 2010). Which intensive care units will be closed and consolidated within those services managed through the Central Northern Adelaide Health Service to achieve the \$12.5 million in savings identified in the 2007-08 Budget?

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

At the time of the preparation of the State Budget in 2007-08, the consolidation of intensive care services was identified as a savings initiative through *South Australia's Health Care Plan 2007-2016*. The Budget papers refer to savings of \$1.7 million (part year) and then up to \$3.5 million there after. The services identified at the time included those at The Queen Elizabeth Hospital (TQEH) and the identified single Intensive Care Unit (ICU) bed at Modbury Hospital, the latter of which was not actually funded as an ICU bed.

However, in consultation with the clinicians at TQEH, it was resolved that the ICU would continue at TQEH until the opening of the new Royal Adelaide Hospital and expansion of the Lyell McEwin Hospital intensive care facilities are complete.

ROYAL ADELAIDE HOSPITAL

61 Dr McFETRIDGE (Morphett) (1 June 2010). What procurement process was undertaken for the new Royal Adelaide Hospital?

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

Following the development of an Outline Business Case in late 2007, to assess the optimal delivery mechanism for the new Royal Adelaide Hospital, the South Australian Government endorsed a recommendation to proceed with a Public Private Partnership procurement for the delivery of the new Royal Adelaide Hospital.

CENTRAL NORTHERN ADELAIDE HEALTH SERVICE

70 Dr McFETRIDGE (Morphett) (1 June 2010). How much commonwealth funding has been provided to the Central Northern Adelaide Health Service for Hospital and Health Workforce Reform and the Commonwealth Dental Health Program?

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

The Commonwealth funding provided to South Australia as part of the Hospital and Health Workforce Reform is made up of three primary funding components: activity based funding, subacute care and taking pressure off public hospitals (emergency departments).

During 2009-10, funding was distributed across the Department of Health and regions, including the Central Northern Adelaide Health Service (CNAHS), relating to the subacute care and emergency department funding elements. The focus of the activity based funding component is towards the development of a nationally consistent activity based funding capability and is directed towards activities currently performed within the Department of Health.

During 2009-10, \$4.831 million (investing and operating funding) was distributed to CNAHS for emergency departments.

During 2009-10, \$1.398 million was distributed to CNAHS for subacute services.

The previous Federal Government withdrew from the Commonwealth Dental Health Program (CDHP) in 1996. Closure of the Program removed annual funding of \$10 million from SA Dental Service at that time, halving the funding available for the dental treatment of pensioners and other concession card holders in South Australia. As a result, the average waiting time for routine dental care peaked at 49 months in 2002.

The Rudd Federal Government announced its intention to reintroduce the CDHP from July 2008. This would have provided \$24.7 million over three years (\$7.5 million in 2008-2009—now \$8 million) in additional funding for South Australian public dental services from that date. This was projected to rapidly reduce the average waiting time for public general dental care.

The reintroduced CDHP was to be funded with savings achieved through the cessation of the previous Federal Government's Medicare Chronic Disease Dental Program (the Medicare Program). The Medicare Program enables people whose poor oral health is impacting on a chronic disease to be referred by their medical practitioner to a private dentist for a range of Medicare-funded dental care, and it is limited to people with chronic diseases. However, this option has some limitations in that the patient may still incur significant out-of-pocket costs. It is also non-capped and is costing far more than was originally budgeted by the former Howard Federal Government.

Regrettably, the Federal Senate has so far rejected the cessation of the Medicare Program and, as a result, the CDHP is now on hold. This delay has caused significant difficulties in funding new CDHP projects already approved, and the SA Dental Service has had to put strategies in place to manage these projects whilst continuing to provide essential services to the public.

I have written directly to South Australian opposition Senators and the Federal Minister for Health and Ageing to report the impact caused by the failure to resolve this matter. Unfortunately, the matter remains unresolved.

ADELAIDE HEALTH SERVICE CHIEF EXECUTIVE

106 Dr McFETRIDGE (Morphett) (29 June 2010). What procedures and protocols were undertaken before the appointment of the new CEO of the Adelaide Health Service and did a merit based selection process occur?

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): I am advised:

An extensive executive search was undertaken late last year for the role of Chief Executive Officer, Central Northern Adelaide Health Service. Following a comprehensive merit based selection process, Mr Martin Turner was appointed to the position from 8 March 2010 to 6 December 2013.

The skills and expertise required of the Chief Executive Officer role for Adelaide Health Service replicated those required for the role to which Mr Turner had been appointed. A further advertising and selection process was seen as a costly and unnecessary administrative procedure.

Mr Turner was therefore appointed to the role of Chief Executive Officer, Adelaide Health Service from 1 July 2010 for the balance of the term of his existing contract (that is 6 December 2013).

Q FEVER

109 Dr McFETRIDGE (Morphett) (27 July 2010).

1. How many people have been diagnosed with Q Fever and what is the total number of vaccinations given in each year since 2006?

2. What action has the government taken to encourage all farmers and abattoir workers to be vaccinated against Q Fever?

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): I am advised:

1. Since 2006, the Australian Government has been responsible for the management of the Q Fever program.

All statistics in relation to disease and vaccine coverage are held with the Commonwealth Department of Health and Ageing.

Unlike other funded vaccines on the National Immunisation Program, States and Territories are not involved in the purchasing, distribution, promotion or collection of any data relating to the Q Fever program.

2. SA Health does not hold any information in relation to the promotional aspect of the National Q Fever Vaccination Program. This information is held with the Commonwealth Department of Health and Ageing.

INFECTIOUS DISEASES

116 Dr McFETRIDGE (Morphett) (27 July 2010). What was the rate of infection (per 1,000 persons) for the diseases known as Whooping Cough, Measles, Swine Flu and RSV by South Australian Local Government Area in 2009-10?

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): I am advised:

Data on notifiable diseases are collected at the time of diagnosis from the responsible medical practitioner.

Reported cases often under-represent actual numbers and regional variation may reflect testing practices of individual doctors.

RSV (Respiratory syncytial virus) is not a notifiable disease in South Australia, so the Communicable Disease Control Branch does not have infection rates for this disease.

One measles case was reported in a resident of the Salisbury local government area in 2009-10, giving a rate of 0.01 persons per 1,000 population. This infection was acquired overseas.

The rates of whooping cough (pertussis) and swine flu (Pandemic H1N1 influenza 2009) infection per 1,000 persons in local government areas (lga) during 2009-10 were:

Local Government Area Council	Pertussis Rate per 1,000 lga Persons	'Swine' Influenza H1N1 Rate per 1,000 lga Persons
Adelaide City Council	1.6	4.9
Adelaide Hills Council	5.2	5.6
Alexandrina Council	3.5	5.8
Barossa Council, The	3.9	2.8
Barunga West, District Council of	0.4	2.3
Berri Barmera Council	1.1	2.8
Burnside, The City of	2.7	4.6
Campbelltown City Council	2.8	5.4
Ceduna, District Council of	1.6	3.0
Charles Sturt, City of	2.5	3.8
Clare & Gilbert Valleys Council	3.7	5.9
Cleve, District Council of	9.1	3.0
Cooper Pedy, District Council of	0.5	10.7
Copper Coast, District Council of	4.0	3.4
Elliston, District Council of	2.6	2.6
Flinders Ranges Council	3.9	8.3
Franklin Harbour, District Council of	2.2	0.7
Gawler, Town of	4.7	7.5
Goyder, Regional Council of	2.1	2.3
Grant, District Council of	2.1	0.1
Holdfast Bay, City of	3.0	3.9
Kangaroo Island Council	2.7	2.7
Karoonda East Murray, District Council of	7.5	1.7
Kimba, District Council of	1.7	0.9
Kingston Regional Council	3.3	1.2
Le Hunte, District Council of	2.3	1.5
Light Regional Council	2.4	5.0
Lower Eyre Peninsula, District Council of	2.6	0.0
Loxton Waikerie, District Council of	1.7	1.7
Mallala, District Council of	4.2	4.7
Marion, City of	3.1	3.5
Mid Murray Council	3.3	3.3
Mitcham, City of	4.5	3.7
Mt Barker, District Council of	5.8	3.9
Mt Gambier, City of	5.8	1.5
Mt Remarkable, District Council of	3.4	3.4
Murray Bridge, The Rural City of	3.1	3.6
Naracoorte Lucindale Council	3.0	4.0
Northern Areas Council	2.3	2.3
Norwood, Payneham and St Peters, The City of	2.4	5.4
Onkaparinga, City of	4.5	4.8
Orroroo Carrieton, District Council of	1.0	2.1
Peterborough, District Council of	1.5	4.0
Playford, City of	3.9	5.8
Port Adelaide Enfield, City of	2.6	4.8
Port Augusta City Council	3.7	13.6
Port Lincoln, City of	6.4	3.4
Port Pirie Regional Council	2.8	5.2

Local Government Area Council	Pertussis Rate per 1,000 lga Persons	'Swine' Influenza H1N1 Rate per 1,000 lga Persons
Prospect, City of	1.8	3.3
Renmark Paringa, District Council of	2.5	4.4
Robe, District Council of	0.7	0.7
Roxby Downs, Municipal Council of	0.0	0.5
Salisbury, City of	3.2	5.9
Southern Mallee District Council	1.8	5.3
Streaky Bay, District Council of	0.0	0.9
Tatiara District Council	1.1	3.9
Tea Tree Gully, City of	3.6	4.4
The Coorong District Council	14.7	18.0
Tumby Bay, District Council of	3.0	0.8
Unley, City of	3.5	4.0
Victor Harbour, City of	4.1	4.6
Wakefield Regional Council	3.9	3.5
Walkerville, Corporation of the Town of	2.3	3.8
Wattle Range Council	4.8	1.1
West Torrens, City of	2.5	4.1
Whyalla, The Corporation of the City of	7.7	9.7
Yankalilla, District Council of	3.4	1.8
Yorke Peninsula, District Council of	7.4	6.1
Unincorporated Areas of SA	3.6	35.5

VETERINARY SCIENCE RESEARCH PROJECTS

133 Dr McFETRIDGE (Morphett) (27 July 2010). What Veterinary Science Research projects are currently or planned to be supported by the Department of Health?

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

The Department of Health does not conduct any Veterinary Science Research projects. SA Health, however, does support and conduct Biomedical Research through the SA Pathology Veterinary Services Division, although this is for the direct benefit of human health.

The ultimate goal of biomedical research conducted at SA Pathology is to improve the health and wellbeing of humans through scientific discoveries and translation of that knowledge.

The Veterinary Services Division at SA Pathology provides veterinary services for human health research by:

- supplying a wide range of biological products and laboratory animals to the research community
- carrying out diagnostic work for biomedical research facilities throughout Australia
- providing clinical, surgical and imaging services to the biomedical research community.

ELECTIVE SURGERY

150 Dr McFETRIDGE (Morphett) (27 July 2010).

1. How much Commonwealth Government funding did the South Australian Government receive in 2007-08 and 2008-09 from the additional elective surgery funding announced in January 2008?

2. How many additional elective surgery procedures were performed as a result of this additional funding in 2007-08 and 2008-09?

3. What were the diagnostic related grouping classifications of the additional elective surgery procedures performed in 2007-08 and 2008-09 as a consequence of this Commonwealth Government funding?

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

1. South Australia received \$13.6 million as part of the Commonwealth Stage One Elective Surgery Waiting List Reduction Plan to undertake an additional 2 262 procedures during 2008 compared to 2007. South Australia also received \$3.1 million in 2008-09 as part of an \$8.1 million allocation for the Commonwealth Stage Two Elective Surgery Waiting List Reduction Plan. The remaining \$5 million has been allocated for 2009-10.

2. South Australia undertook an additional 3 196 procedures between 1 January 2008 and 31 December 2008 as part of Stage One.

3. SA Health monitored total State and Commonwealth funded Elective Surgery activity undertaken at hospitals. As waiting list demands are dynamic in nature, monitoring of 'state funded' and 'commonwealth funded' procedures was not undertaken individually. Therefore, the table below of diagnostic related grouping classifications (DRGs) of additional elective surgery undertaken during Stage One can be assigned to both State and Commonwealth additional procedures undertaken during 2007-08 and 2008-09.

PAPERS

The following paper was laid on the table:

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

Consumer Affairs, Commissioner for—Annual Report 2009-10

CHILD'S DEATH

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M. RANKINE: The death of a child under any circumstances is a tragedy. Like any decent parent I am horrified about the circumstances that have been reported about the death of a little five-year-old boy yesterday. I am at a complete loss to understand how or why a child could ever be given a drug used to treat drug addiction. However, there are difficulties in discussing this matter as a woman has been charged with a very serious criminal offence arising from this tragedy.

I have been informed that this family was a tenant of a Housing SA property and there had been contact by both Families SA and Housing SA. I have received some initial information from these agencies and I am seeking further information. I have asked for a detailed assessment of the processes undertaken and whether the actions taken were appropriate considering the information they had. I am keen to identify if there were any gaps in how this family were dealt with or whether there are any difficulties in the protocols for handling such cases, and if there are we will fix them.

The circumstances of this child's death will also be put under the scrutiny of the Child Death and Serious Injury Committee whose task is to investigate the death of any child, identify any systemic gaps and make recommendations for change.

Members interjecting:

The SPEAKER: Order, member for Bragg!

ECONOMIC AND FINANCE COMMITTEE

The Hon. M.J. WRIGHT (Lee) (14:05): I bring up the 74th report of the committee, entitled Emergency Services Levy 2011-12.

Report received and ordered to be published.

PUBLIC WORKS COMMITTEE

Mrs VLAHOS (Taylor) (14:06): I bring up the 404th report of the committee on the Bowden Urban Village.

Report received and ordered to be published.

Mrs VLAHOS: I bring up the 405th report of the committee on Bolivar Waste Treatment Plant: Energy Use Optimisation.

Report received and ordered to be published.

Mrs VLAHOS: I bring up the 406th report of the committee on Adelaide TAFE SA Campus.

Report received and ordered to be published.

QUESTION TIME

ROYAL ADELAIDE HOSPITAL

Mrs REDMOND (Heysen—Leader of the Opposition) (14:08): My question is to the Minister for Health. As the education department has spent \$12.9 million on consultants for the \$323 million super schools PPP, how much will the government spend on consultants for the \$3.2 billion new RAH PPP?

The Hon. K.O. Foley: A lot less than you spent on selling ETSA.

The SPEAKER: Order! The Minister for Health.

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) (14:08): Madam Speaker, I do not have the exact figures in front of me—it is a matter that Treasury has been handling—but I am happy to get the information. It would be more but, as my colleague says, a lot less than the Liberal Party spent on the privatisation of ETSA.

Members interjecting:

The SPEAKER: Order! Member for Mawson.

CHILD PROTECTION

Mr BIGNELL (Mawson) (14:08): My question is to the Premier. Can the Premier advise the house about the government's initiative to help protect children and, at the same time, help keep families together?

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) (14:09): I think the fact that members opposite laugh about child protection issues says more about them than anything else.

The Hon. P.F. Conlon: It speaks volumes.

The Hon. M.D. RANN: It speaks volumes.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: We have seen today in the newspapers the story of an immense tragedy that has shocked and sickened every single South Australian, who is asking how a small child could possibly be administered methadone.

Members interjecting:

The SPEAKER: Order! The Premier will sit down a minute. We will not have this across the floor. It is a big day today and this is a serious issue.

The Hon. K.O. Foley interjecting:

The SPEAKER: Order, the minister for defence! The Premier.

The Hon. M.D. RANN: It is just appalling to turn a tragedy like this into some kind of political issue. It is absolutely—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —shocking, because every single South Australian—

Mr Pisoni interjecting:

The SPEAKER: Order, the member for Unley!

The Hon. M.D. RANN: —is disgusted with what happened—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —with this tragedy, and we are disgusted with you—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —trying to play games on this issue.

Ms Chapman interjecting:

The SPEAKER: Order, the member for Bragg!

Ms Chapman interjecting:

The Hon. M.D. RANN: This state government, after the Layton review—

The SPEAKER: Order, Premier! The member for Bragg, you are warned. We won't have this yelling across the floor. This is a very serious issue. The Premier.

The Hon. M.D. RANN: Thank you. The government very early on—in fact, with Steph Key as minister, and the Layton review, which ended up with the biggest commitment of money for child protection, which had been neglected by previous governments—we saw the resources put in—hundreds of millions of dollars of extra resources—in this critical area of child protection because there is nothing more important than the care of our children.

Today we are going one step further in today's budget. The state government will spend an extra \$69.1 million over the next four years to boost the state's child protection system. The initiative funded in this budget will have a strong focus on protecting the most vulnerable in our community, including a significant increase in spending to meet the growing number of children needing state care.

Importantly, much of this investment will be aimed at keeping siblings in state care together and reunifying them with their families sooner. As part of the initiative, we need to be supporting our children in state care and making sure we have the right services in place. That is why the government will be allocating an extra \$41.7 million over four years to meet the home-based, residential and emergency care costs of children in need of alternative care.

We will also be investing \$8.4 million for six new residential care homes, which will help us provide a stable and secure environment for children in state care. The new residential care arrangements will see the homes in clusters of three, drawing on the successes of two other residential care facilities funded in the 2008-09 budget.

Each cluster will be home to up to 12 children at a time, living across the three homes, and they will be cared for by Families SA staff and supported by social workers. These new homes will focus on keeping sibling groups together, while working towards reunifying them with their parents when—and only when—it is appropriate.

The new facilities will also help us achieve the goal of having no children in motel-style accommodation. When children need to be removed from the family home, as is the case on many occasions, it is important that the alternative care arrangements give them the best chance possible for reunification with their family and provide them with a safe and comfortable place to stay while working towards this outcome.

The government is also allocating an additional \$19 million over the next four years to increase services to support the reunification of children in state care with their families. The funding will enable dedicated reunification teams to work intensively with families. These Families SA teams will include therapists, nurses, specialist social workers and family support workers to work with parents in their own home to help families get back together and reduce the number of children needing long-term alternative care arrangements. This issue is too important to play games with.

HOSPITALS, FUNDING

Mr GRIFFITHS (Goyder) (14:14): My question is to the Minister for Health. Why is it that the government can find \$23 million to backflip on the decision from last year's budget to cut Public Service leave entitlements but cannot find \$1.2 million per year to help keep the Moonta, Ardrossan, Glenelg and Keith community hospitals open?

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) (14:14): Once again, the opposition asks questions about private hospitals in this place, which is obviously their priority. They privatised Modbury Hospital when they were in government—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: They wanted to do the same thing to The Queen Elizabeth Hospital—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: What they are on about, let's be clear about it. They are in favour of the private sector, and that's fine. That's their right to get in here and advocate for private hospitals. However, this government is interested in public health and we are prepared to help the private sector supply services to their communities.

That is why we have helped Moonta hospital adopt a business plan which will make it sustainable into the future, that is why we have helped Ardrossan hospital identify money that they are entitled to get from the commonwealth government, multiple times more than the money that was taken away from them by our budget, and that is why we are helping the Keith hospital make themselves sustainable into the future. It makes them independent. They will be sustainable. The same services will be continued without having government subsidy. The government puts pressure on itself to make sure its systems and its hospitals run efficiently and tightly; the private sector ought to do the same.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. Foley interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop and the member for Port Adelaide!

INTERNATIONAL TOURISTS

Ms FOX (Bright) (14:16): My question is to the Minister for Tourism. Can the minister inform the house about the current state of international tourism in South Australia?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (14:16): We are actually in a position where there is some very good news for South Australia in relation to international tourists visiting this state. It needs to be seen against the backdrop of an increasing Australian dollar, which obviously means that for people to come here is even more difficult than it has been in the past, because they obviously—particularly if they are working in American dollars—are finding it a more expensive exercise.

Nevertheless, in spite of that, there is strong growth in tourism in South Australia. In the 12 months to March this year, we attracted 768,000 international visitors, which is a 2 per cent growth. Over this period, international visitors spent 8.5 million nights in our state, which is a 5 per cent growth, compared with a 3.2 per cent national growth. The international visitors generated expenditure of—

Members interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: The international visitors generated expenditure of \$741 million, which is a 10.6 per cent growth, compared with only 3.1 per cent nationally. The fact is that international visitors to South Australia are now staying longer and spending more per day.

Mr Pisoni interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: The member for Finniss would be delighted to know that Kangaroo Island—and I know the member for Bragg also—

Ms Chapman: Is popping up in the figures.

The Hon. J.R. RAU: —is popping up in the figures. In fact, Kangaroo Island is very well known in Europe and the United States. Members might be interested to know that I have done a bit of field research on this. I was there with my children during the school holidays, not far from where the member for Bragg has her connections with the island. We were on a beach and there were tourists from Italy there, who were all over the beach and were interested in talking to me because my son was wearing an Italian soccer shirt. Anyway, that is by the bye. The fact is there are a lot of people—particularly, strangely enough, Italian honeymooners. I think the member for Finniss is aware of that.

The Hon. P.F. Conlon: Full of Italian honeymooners.

The Hon. J.R. RAU: Full of Italian honeymooners in Kangaroo Island. This is obviously a big drawcard for South Australia. Can I say that this government values Kangaroo Island greatly as a tourism asset and is looking forward to working constructively with the member for Finniss and the member for Bragg on ways to actually improve the facilities on the island and improve the draw of international tourists to the island. But the good news is they all know it is there. The good news is also that a great deal of them wish to go there. In fact, international visitations to Kangaroo Island increased to 42,000, which is up about 20 per cent. So, the people involved in tourism on KI are doing something very well—

Mr Marshall interjecting:

The Hon. J.R. RAU: —as is the South Australian—

The Hon. P.F. Conlon: The member for Norwood is an expert on KI, too.

The SPEAKER: Order!

The Hon. J.R. RAU: He is an expert on many things. I have to compliment people at the Tourist Commission, because their focus on marketing, particularly marketing Kangaroo Island, is obviously doing some good, and it is showing up in the figures. Interestingly enough, visitation to the Fleurieu Peninsula—again, the member for Finniss, I know that is part of his bailiwick, and the member for Mawson, I know, is very interested in that part of the world—visitor numbers are up 9.3 per cent. So, you are doing well.

The Hon. K.O. Foley: What about Port Adelaide?

The Hon. J.R. RAU: Port Adelaide does not appear on my list at the moment, but I will look into that for the member. The member for Schubert might be interested to know that those visiting the Barossa are up 4.1 per cent to 12,800 international visitors. Now, you are not quite up with the member for Finniss yet, but, if you keep trying and you follow his lead, I think you will be able to improve things in the Barossa Valley. Of course, Madam Speaker, we are doing what we can to make the Fleurieu and the Barossa more attractive places—

Members interjecting:

The SPEAKER: Order!

Ms Chapman: Like Ivan in budgie smugglers.

The SPEAKER: Order! Member for Bragg, you are on your second warning. Minister.

The Hon. J.R. RAU: Yes, thank you—

Mr Goldsworthy interjecting:

The SPEAKER: Order! Member for Kave!

The Hon. J.R. RAU: Madam Speaker, we are trying to assist people, particularly in the Barossa Valley and the Fleurieu Peninsula also by the measure we have announced recently of a protection zone to make sure that those important parts of our state are not encroached upon by urban sprawl. That is something I know the member for Schubert is feeling more and more strongly about. The member for Mawson has been feeling strongly about it for some time.

There is a welling up of enthusiasm for this, and the member for Schubert might be interested to know that we met the other day with a couple of mayors from his part of the world, and they said they felt pretty confident that you would be on the same page as them because they were very enthusiastic about it—extremely enthusiastic about it—and said that they were going to be talking to you along those lines. But I know they do not have to, because you are enthusiastic about it anyway, as is the member for Mawson.

So, it is all good news, Madam Speaker. We are protecting those areas. More tourists are going there. They are coming from overseas. Kangaroo Island is getting greater notoriety. We are on an upward trend.

PATIENT SAFETY REPORTS

Dr McFETRIDGE (Morphett) (14:22): My question is to the Minister for Health. In the 2009-10 year, how many patients died after falling, and how many required surgical repair for fractures of the hip or skull after falling in our public hospitals? The 2009-10 Patient Safety Report shows the number of patients who had falls in our public hospitals rose to 7,401, whereas in the 2008-09 report, serious falls were also itemised to reveal nine deaths, 20 broken hips and a fractured skull. The 2009-10 report does not detail these serious outcomes.

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) (14:23): I am absolutely disappointed that the member for Morphett did not ask me this question yesterday. As it happened, I had a Dorothy Dixer prepared on this very topic and, sadly, it has been removed from my file. So the detail—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: The detail which I would have been absolutely pleased to provide to the member is no longer with me, but I will get it back. I acknowledge that falls is one of the number of issues in hospitals—other than the issue that causes people to go into hospital—that we have to address. Infection control, of course, is one of the major issues, but falling is also one of the major issues, and the member raises it appropriately as an important matter. That's why I—

The Hon. P.F. Conlon interjecting:

The Hon. J.D. HILL: I wonder if the Minister for Transport would let me complete this answer all by myself. That would be nice. I always—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —appreciate his assistance. He is an insightful and intuitive person when it comes to these matters and, indeed, all matters.

The Hon. A. Koutsantonis interjecting:

The Hon. J.D. HILL: You be careful there. But falls in hospitals are a very big issue, as the member would understand. Part of that is about the design of the hospital; that is why one of the very important reasons to build a new Royal Adelaide Hospital with their own single rooms—

Members interjecting:

The Hon. J.D. HILL: This is an absolutely serious point that I make: we are designing the single rooms at the new Royal Adelaide Hospital to make—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Look, it is easy to trivialise things, but the new hospital's bedrooms will be designed—and all of the new bedrooms in all of our redevelopments across country and city

will be designed—to minimise the chances of people falling. (I knew if I talked long enough they would arrive.) The new bedroom in the Royal Adelaide Hospital, for example, will have the bed in an orientation towards the bathroom so that when the patient gets out of the ward there will be a rail connecting the bed all the way through to the bathroom, minimising the chance. My wife was recently in hospital having some procedure done and she was in a single room—

Members interjecting:

The Hon. J.D. HILL: It was a private hospital. We paid for it ourselves. She was in a single—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I imagine if I had just said it was in a public hospital, they would have said, 'Why didn't you have it in a private hospital?'

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I am happy to have a system where people who wish to pay for private health can have it, and I certainly support the private system that consumers pay for. We paid for it. She was in a room, and the bathroom was some way across, and there was no way for her to get to the bathroom by holding onto anything. It was an open space which she had to traverse. If she were elderly and it was in the middle of the night the risk of a fall would be much greater. So designing a bedroom around a patient's needs to reduce that rate of falling is very important.

However, I can give further advice to the house. A snapshot study, for example, of 181 clients of the Falls Prevention Program between January 2009 and December 2010 showed that there had been a 55 per cent reduction in ambulance call-outs to falls, an 80 per cent reduction in ambulance transports and emergency department presentations, a 70 per cent reduction in hospital admissions, and a 50 per cent reduction in bed days for a falls-related injury, comparing the data before and after the program's introduction. This is the SA Health's Falls Prevention Program and that—

An honourable member interjecting:

The Hon. J.D. HILL: It has a lot to do with the question: it was about falls. This equates to a \$900,000 saving to the health system and an estimated 88 fewer trips to hospital for the cohort in this risk group across the period of the snapshot study. We have a Falls Prevention Program focus in South Australia and of course there are falls assessment clinics, which are a key part of the program, to provide multidisciplinary assessment and management for older people with complex falls-related presentations. Based upon a client's assessed clinical needs, a range of services may be organised for them, such as medical—

Mrs REDMOND: Point of order, Madam Speaker: the relevance. The minister is talking about something entirely unrelated to the question, which was about the deaths and surgeries which had to be performed as a result of falls in hospitals.

Members interjecting:

The SPEAKER: Order! Minister, have you finished your answer, or are you going to resume your answer? I will listen very carefully.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: Madam Speaker, I was making the point that we are actually—

The Hon. P.F. Conlon interjecting:

The SPEAKER: Order, Minister for Transport!

The Hon. J.D. HILL: We have programs that can help. I was making the point that we actually have a falls prevention strategy in place, and we are doing a lot to try to ensure that people who are subject to falls are helped and that, of course, takes pressure off people who end up in the hospital system. I am happy to get a more complete answer for the member if he is not happy with

this general information that I am able to provide. I can provide an answer to the first question asked by the Leader of the Opposition: my advice is we have spent \$21.555 million to date.

Members interjecting:

The SPEAKER: Order!

SPORTING OFFICIALS

Mrs VLAHOS (Taylor) (14:28): My question is to the Minister for Recreation, Sport and Racing. What is the state government doing to curb unsportsmanlike behaviour towards sporting officials?

Members interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON (Newland—Minister for Recreation, Sport and Racing, Minister for Road Safety, Minister for Veterans' Affairs, Minister Assisting the Premier with South Australia's Strategic Plan) (14:28): The government is concerned about any unsportsmanlike behaviour in the sporting arena, whether directed at umpires, referees, officials or other participants. It is vitally important that clubs, teams and individuals respect umpires, referees, officials and other participants. A couple of recent incidents of referee abuse have attracted attention—and for good reason, as any abuse or attack on a referee simply cannot be tolerated.

In the first instance, each club has the responsibility to educate its own players, officials and spectators regarding appropriate behaviour and to take prompt action to address matters as they arise. Resources are available to help with this responsibility. The Play by the Rules website provides free online awareness training on appropriate sporting behaviour. Codes of behaviour set out clearly the behaviour expectations a club has of its players, coaches, officials, parents and spectators.

The Office for Recreation and Sport manages the Coloured Shirt program, which supports new officials and encourages positive spectator behaviour. The program aims to make all beginner or inexperienced officials easily recognisable to players and spectators by wearing a fluorescent green shirt, leading to greater tolerance and a reduction in harassment, and thereby making officiating more attractive to participate in. It focuses on educating not only the new officials but also the players, spectators and coaches, to help them understand what the shirt means so that they can modify their behaviour accordingly. I can tell the house that I have had direct experience of playing in a game officiated by one of the officials in a green shirt, and it takes a certain amount more discipline to interact with such a referee.

Scouts SA has partnered with the Office for Recreation and Sport to help deliver this important message to the sport and active recreation community. Information stands at various sporting venues have been set up throughout May and June to remind the sport and recreation community of the Coloured Shirt program and of the acceptable sideline behaviour towards new or inexperienced officials. When you see a learner official in their fluorescent green shirt we must all stop, think and support them.

Without officials, sporting activities so important to individuals and communities simply would not exist. It is therefore vital that we help new officials to have a positive experience so that they will be encouraged to continue, and that we do not tolerate attacks on referees at any level.

CEDUNA TRANSITIONAL ACCOMMODATION CENTRE

Ms CHAPMAN (Bragg) (14:31): I have a question for the Minister for Housing. How many deaths have been recorded at the Ceduna Transitional Accommodation Centre for Aboriginal people since the centre opened? How do the deaths occur?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:31): I do not have that information, but I am happy to take the question on notice.

ADELAIDE CABARET FESTIVAL

The Hon. S.W. KEY (Ashford) (14:31): My question is directed to the Minister for the Arts—the Premier. Could the Premier tell the house about the program for the very important 2011 Adelaide Cabaret Festival?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:32): I know that many members are great fans of the Cabaret Festival, and tomorrow night I will have the pleasure, along with many of us in this place and many music lovers, of attending the opening gala performance of the Cabaret Festival. While last year's Adelaide Cabaret Festival was the most popular to date, breaking all previous box office records, I am hopeful that this year's festival will do the same. I was pleased to see that sponsorship support also increased last year.

The Adelaide Cabaret Festival has grown to become the biggest cabaret festival in the world held under the one roof, and South Australians and cabaret lovers from around the world have warmly embraced this festival and international artists clamour to be included. This year will be artistic director David Campbell's third and final Cabaret Festival. As a mark of confidence in his direction, the Adelaide Festival Centre Trust received an additional \$250,000 from the state government to help David Campbell to secure what I believe is the best ever program of cabaret performances. This year's program offers 15 international shows, 32 Adelaide premieres, three Adelaide exclusives, seven Australian premieres and 15 world premieres.

The queue to buy tickets immediately after the program launch two months ago snaked around the Festival Theatre foyer, and the BASS counter did not close until 12.30am the following morning due to the very strong demand for ticket purchases. The demand for tickets has continued, so that tomorrow night's variety gala event is a sell-out, and 15 other performances are well on their way to being sell-outs. With Australia's international chart-topper Olivia Newton-John, New York's master of song Michael Feinstein, legendary Broadway stars Chita Rivera and Bryan Batt (I think Bryan Batt is in the series *Mad Men*), Australia's sultry singer/dancer Rhonda Burchmore, ultimate songsmith and chairman of the Songwriters Hall of Fame Jimmy Webb, Australia's much-loved country music star Melinda Schneider, chart-topper Leo Sayer, and Adelaide's international legend rock singer Glenn Shorrock heading up a star-studded list of Australian and international entertainers, there is little wonder that the interest is high.

In all there will be 129 performances of some 47 different shows across 16 nights, with plenty of variety to appeal to different age groups, and the festival will include a range of both ticketed and free activities. There will be performances paying homage to the great musical masters as well as musical comedy, jazz, an exhibition of Peter Allen memorabilia, masterclasses and a drag show, which, as David Campbell points out, has been programmed for the Queen's Birthday weekend.

David Campbell and musical director Matthew Carey have once again been working to inspire and help the next generation of cabaret artists in the weeks leading up to the festival. The High School Cabaret initiative this year will see students from Blackwood High School and Pembroke School presenting their own programmed cabaret performances during the festival.

I am pleased to say that box office takings this year are 8 per cent higher than they were at the same time last year. So, I urge everyone to come along and check out the 2011 Cabaret Festival program and enjoy some of the world-class performances on offer over the next three weeks. I hope members opposite will join us at the Cabaret Festival because in the arts this is real work.

APY LANDS, SAFE FACILITIES

Mr MARSHALL (Norwood) (14:36): My question is to the Minister for Aboriginal Affairs and Reconciliation. Why has the government failed to establish a facility on the APY lands to help protect women and children from abuse three years after the federal government promised \$4.9 million for such a project?

Members interjecting:

The SPEAKER: Order! Member for MacKillop and the Minister for Police!

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:36): The government has undertaken negotiations with Nganampa Women's Health and their very strong recommendation was that a facility not be established on the land, that safe facilities be provided for women in other locations.

SOUTH AUSTRALIAN SENIORS

Mr SIBBONS (Mitchell) (14:37): My question is to the Minister for Ageing. Can the minister please advise what initiatives the government has in place to increase support, accessibility and inclusion for South Australian seniors in the community?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:37): I am pleased to advise the house today of the arrival of our new Thinker in Residence, Dr Alexandre Kalache. Dr Kalache is a leading world authority on ageing. He pioneered 'active ageing' and directed the global movement—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —on age-friendly cities at the World Health Organisation, an initiative across 35 countries. We are embracing both concepts in South Australia. The state government understands the importance of not only helping South Australians live longer but supporting them to live well as they age.

Dr Kalache's residency will not only help us adapt the World Health Organisation's age-friendly cities principles, but build on them to create a best practice model for other states and, we think, the world to follow. We are already well on the way to achieving this through our age-friendly environments and communities initiative, part of our dynamic state reform agenda.

This project will help achieve social inclusion, increase participation and employment opportunities, improve communication and information, community support and health services. It will also inform the design of age-friendly public spaces, buildings, transport and affordable and appropriate housing.

In South Australia we have already applied the age-friendly concept to the \$130 million Woodville West redevelopment with a great deal of success. Woodville West has achieved a gold rating, reflecting its many and innovative features that will make living in the community easier for older people.

As Dr Kalache turns his age-friendly lens towards South Australia he will see that while we are keen to work harder, we are not starting from scratch. Since coming to office, our government has been listening to older people to identify and address issues they face. That is why during the last election we introduced policies to help older people remain in the workforce and continue to live safely in their own home with the supports they need.

The sum of \$613,000 is now being spent to make working environments more inclusive for people who want to stay working, those wishing to re-enter the workforce and those wanting more flexibility. The sum of \$3.1 million over four years is providing for 25,000 home visits to tackle social isolation and loneliness amongst our seniors, and to help connect them to services and support; while \$2.9 million has been allocated to support around 2,400 people to receive a Personal Alert System rebate. The response to this scheme, since it began just weeks ago, has been extremely positive.

We are very fortunate to have Dr Kalache in South Australia and I take this opportunity to acknowledge the state government's partners in his residency: the Council on the Ageing Seniors' Voice; the Australian Centre for Social Innovation; Aged and Community Services (SA and NT); Helping Hand Aged Care; City of Unley; the universities of Adelaide and South Australia; and Flinders University. I know I speak on behalf of all my cabinet colleagues and the community when I say we look forward to working with Dr Kalache to increase accessibility and inclusion for older South Australians and to harness the opportunities our older population brings.

Members interjecting:

The SPEAKER: Order!

BLACK HILL FIRE SIREN

Mr GARDNER (Morialta) (14:41): My question is for the Minister for Emergency Services. Can the minister advise if the government is still demanding that the Campbelltown council pay for Labor's election commitment to construct a fire siren for the residents of Athelstone, near Black Hill?

The Hon. K.O. FOLEY (Port Adelaide—Minister for Defence Industries, Minister for Police, Minister for Emergency Services, Minister for Motor Sport, Minister Assisting the Premier with the Olympic Dam Expansion Project) (14:41): I have absolutely no idea.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. K.O. FOLEY: How is that business of yours going? Closed?

The SPEAKER: Order!

The Hon. P.F. Conlon: Tell him he didn't get the Adelaide Oval job.

The Hon. K.O. FOLEY: He put in an expression of interest to supply the furniture for the new Adelaide Oval. Talk about a hypocrite.

The SPEAKER: Order, minister! Back to the question.

The Hon. K.O. FOLEY: Talk about a hypocrite. I will come back to the member.

The SPEAKER: Member for Flinders.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. Foley: A dickhead like you.

The SPEAKER: Order!

Mr WILLIAMS: Point of order: quite often there are schoolchildren in the gallery and I don't think that the member should be using that sort of language in the house.

The SPEAKER: Yes, I would ask the member to withdraw that. It is not appropriate language.

The Hon. K.O. FOLEY: I withdraw and I apologise.

Members interjecting:

The SPEAKER: Order! The member for Flinders.

PUBLIC SERVICE ASSOCIATION LEGAL CHALLENGE

Mr TRELOAR (Flinders) (14:42): My question is for the Premier, but he does not appear to be in the house at the moment. I will ask the Deputy Premier then, Madam Speaker. Deputy Premier, can you tell the house—

Members interjecting:

The SPEAKER: Order! Member for Flinders, ask the question, and whoever chooses can answer it.

Mr TRELOAR: Premier, can you tell the house please, how much money to date the government has spent on legal costs in defending the Public Service Association's legal challenge against the government's cuts to public sector entitlements?

The Hon. P.F. CONLON: Point of order: I point out to the member for Flinders that questions have to be asked through the chair, not directly to the Premier.

The SPEAKER: Thank you, minister.

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) (14:43): I must say I was so shocked to see the honourable member actually ask a question, so therefore—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —I will give you the honour of getting a report.

Members interjecting:

The SPEAKER: Order!

WATER ALLOCATIONS

Mr WHETSTONE (Chaffey) (14:44): My question is to Premier Rann. Will the Premier detail the proceedings of the state government's High Court challenge to Victoria's 4 per cent water trading cap? If not, will the Premier now concede that it was simply another political stunt?

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) (14:44): Given that we have already seen Victoria make concessions over the 10 per cent cap—

Mr Williams: No we haven't.

The Hon. M.D. RANN: Yes, we did. It just shows you don't read anything.

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Point of order: the deputy leader's behaviour is appalling.

The SPEAKER: Yes, the question was asked; you did not need to answer it, member for MacKillop. The question was asked of the Premier, not you.

Mr Williams: I thought they would want to know the truth.

The SPEAKER: Order!

The Hon. P.F. Conlon: The truth is you are a buffoon. What other truth do you want?

The SPEAKER: Order!

The Hon. M.D. RANN: But, of course, it was the same approach from the Liberal opposition when we took on the federal government—of their persuasion—that wanted to impose a nuclear waste dump on this state. They said it was a waste of time and they said it would fail, and we won. They said it was a stunt, and we won it 3-0 in the court. What you would have done—and we saw what the Leader of the Opposition said on some kind of bizarre interview—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —she thought the nuclear waste dump—

Mr WILLIAMS: Point of order, Madam Speaker.

The SPEAKER: Point of order, member for MacKillop.

Mr WILLIAMS: This is just another political stunt when the Premier is asked a question about another political stunt: the one about the River Murray.

The SPEAKER: Order! I am not sure what that point of order—

Members interjecting:

The SPEAKER: Order! I don't think there is a standing order that talks about political stunts. However, I ask the Premier to go back to the question. You have finished the question, thank you.

WATER ALLOCATIONS

Ms CHAPMAN (Bragg) (14:45): I have a supplementary question. If the Premier is so confident about the court case, why in the current budget is there a contingency allowance to pay the legal costs for Victoria?

The Hon. P.F. CONLON: Point of order, Madam Speaker. I wonder if you could rule on whether that is a supplementary because I can't remember the Premier referring to any confidence.

The SPEAKER: I will consider it a question. Premier, do you want to respond to that question?

An honourable member interjecting:

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) (14:45): Member for Norwood—there he is. He's trying desperately to get down there. Apparently they cannot—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —contemplate—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —a reshuffle because the member for Norwood—you know, the Marshall plan or the *Pelican Brief*—which is it? How are they going to get down to the front row? It is about time for the *Pelican Brief* to start mouthing off again to match the member for Norwood. Can I just say one thing about you all: none of you are scary. None of you are scary at all. What we will continue to do on any issue is put South Australia's interests first, as we are with the hospital—

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. RANN: —as we are with Adelaide Oval, which is something that only the member for Waite seems to understand.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! Members on both sides of the chamber will restrain themselves. It is a big day, and if we want to go home early we should concentrate on the matters in hand.

ADELAIDE OVAL

Ms SANDERSON (Adelaide) (14:47): My question is to the Minister for Environment and Conservation. What input has the minister for the environment and his department had into the Adelaide Oval redevelopment, given that he is the minister responsible for the Parklands? The then minister for environment told the house on 6 July 2005, 'The Minister for Environment is now the minister responsible for the Parklands.'

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (14:48): As a member of cabinet, of course, I am heavily involved in a number of discussions that—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: One thing, I think—for the benefit of the member for Unley—is that he shouldn't have done what it was that people were telling him to do when he handed those papers to Marty.

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: As a member—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: —of cabinet, of course, some of those will find out what that's like in the distant future, I expect. Quite simply, we have discussed around cabinet issues associated with the Adelaide Oval, as you would expect, and of course cabinet—

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: As has been mentioned previously outside of this chamber, the utmost protection will be given to the Adelaide Parklands.

Members interjecting:

The SPEAKER: Order! The Minister for Transport and the member for Norwood will behave. The member for Stuart.

WATER PRICING

Mr VAN HOLST PELLEKAAN (Stuart) (14:50): My question is to the Minister for Water. Can the minister explain why the communities of Terowie, Oodla Wirra, Yunta, Manna Hill, Olary and Cockburn must pay \$11 per kilolitre for non-potable water and yet still pay the River Murray levy?

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (14:50): The cost of the non-potable water that is provided to the residents of Terowie and the other towns is, of course, reflecting the cost of the provision of that water. Quite simply, it costs money. With respect to the Save the River Murray Fund, all South Australians will continue to pay into that fund because we are committed to ensuring that this state is able to improve, and continue to improve, the level of health of the component of the River Murray for which we are responsible.

PIKA WIYA HEALTH SERVICE

Mr VAN HOLST PELLEKAAN (Stuart) (14:51): My question this time is to the Minister for Health. Why have staff at Country Health SA in the Pika Wiya Health Service, who are about to become redeployees in the transfer of this health service to Aboriginal community control, not been offered TVSPs?

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) (14:51): This is a very complex circumstance and I am not entirely sure which members of staff the member is referring to. Pika Wiya is a state government service which provides services to Aboriginal people in the Port Augusta area and beyond. As part of our Health Care Plan we are turning that service into an Aboriginal controlled service, which is the wish of the community which is served by it and the wish of the board that looks after it, and we are doing it in a sensible way.

There are issues of transition for the staff associated with that. My understanding is that nobody is being terminated. Nobody is being asked to resign, so I am not sure of exactly the input of the question. What we are trying to do is transfer the management and control of the service into Aboriginal hands.

The reason for doing that is the evidence that Aboriginal controlled services have better health outcomes for the citizens they look after and that is our general policy. There have been some staff issues. I was not aware that was one of them. They are not related to the transfer from the state to Aboriginal control: they are related to other issues. I am happy to have it further investigated and advise the member if I can. To my knowledge, the process to transfer is happening appropriately.

VILI'S BAKERY

Dr McFETRIDGE (Morphett) (14:53): My question is to the Minister for Health. Will the minister now apologise to Vili Milisits, the owner of Vili's bakery, and offer compensation for damages caused by the allegation that Vili's bakery was the source of a recent salmonella outbreak?

The recent outbreak of haemolytic E.coli in Europe was claimed to be coming from Spanish cucumbers. This caused hundreds of millions of euros worth of damage to Spanish growers while no evidence of the source was proven. The European Union is now offering Spanish growers

€200 million in compensation for this false allegation. Despite numerous tests at Vili's bakery, the Department of Health has never isolated the source of salmonella STM9 at Vili's bakery.

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:53): I am fascinated by this question, Madam Speaker. As I remember it when this issue first came up, the member for Morphett called on the government to identify the source of the infection.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: As he and the member for Bragg have demanded on every other occasion, we have to tell the people of the state where the infection is coming from, where the spoilt goods are coming from. In the past, I remember in relation to the listeria outbreak some years ago, I said, 'We cannot identify the company until we have gone through the appropriate process.' No, that was not good enough, I had to tell. I think you have to be a bit consistent in what you wish for here.

The process which public health goes through when they are trying to identify an outbreak of a particular gastric problem is asking people what they have eaten and then trying to track it down. It is very painstaking and difficult process to go through. They identify what people may have had in common, and then they go and find samples of it. They did all of this. They put that evidence to the two companies.

As I understand it, the companies chose of their own volition to issue recalls of their product. That was something that they did on voluntary basis, as I understand it. So, to suggest that I should apologise to them for something that my health officers did in good faith, which they then acted upon in good faith, is just a little bit strange.

Vilis, as you probably know, is, I think, contemplating some legal action, so it would be improper for me to talk about where that matter is at. The reality is that public health has to be protected. If we identify that there is a potential source of a bacterium which may cause a problem, then we have to let the public know. Obviously, that is done in a very careful way; but, as I say, on this particular occasion I think it was Vilis themselves who withdrew the goods.

CHILD ABUSE REPORT LINE

Ms CHAPMAN (Bragg) (14:56): My question is to the Minister for Families and Communities. What is the longest recorded time for a person who has called the Child Abuse Report Line? What is the longest time recorded?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:56): I thank the member for Bragg for her question. I don't have that information to hand, but what I can tell the house is that it has been identified that there are on occasions lengthy times that people are waiting when they ring the Child Abuse Report Line. The average times vary between two minutes and five minutes, as I understand, but there are times during the day when peak numbers of calls come through. We have been looking at that, and we are about to commence negotiations with the Public Service Association about a change in the roster system.

Ms Chapman: Blame the union.

The Hon. J.M. RANKINE: That is just typical of you.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: We are going through—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —proper workplace negotiations about changing—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —the roster system on the Child Abuse Report Line, which is an absolutely reasonable thing to do. We think that by changing the roster system we will be able to better address those concerns. There are also a number of people who have the ability to lodge e-CARL reports. These are not just emails that come from anyone who wants to lodge a report. These are trained, mandated notifiers who know the detail, have the experience to provide information that those people on the end of the line receive.

I am told that these mandated notifiers are people from health, from the education department and from the police department. They are able to lodge those very quickly using our IT systems, but there are issues around waiting online, as I said, on average between two to five minutes. I cannot tell the member what is the longest time anyone may have waited. What I can tell people is that we have something like trebled the budget for the Department for Families and Communities for child protection in this state. When the Liberals were in government—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —it was about \$90 million per year. With the additional funding we have put in this year, it is about \$300 million. We have about 38 per cent more social workers working with people, we have better supports for foster carers, we have better reunification processes, we have better accommodation for our children.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: We have shown that we have a commitment for child protection. We have shown that it is a priority.

Members interjecting:

The SPEAKER: Order! The member for Florey.

SCHOOLS, STATISTICS

Ms BEDFORD (Florey) (14:59): My question is to the Minister for Education. Can the minister advise the house about recent steps to increase openness and transparency about our public school system?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (15:00): In January this year, we created a new statistics portal on the Department of Education and Children's Services website to make school data more accessible and to ensure that there is greater transparency and accountability for our state's public school system. The data initially released covered things like behaviour management, suspensions, critical incidents and retention rates. We said at the time that we would update that data to make sure that progressively we had more and more data on that website.

Earlier this week, to coincide with the tabling of the DECS report, the next set of data was uploaded to the website. Parents and the community will now be able to see the latest data on issues such as attendance figures, student enrolments, numbers of schools, workforce data, and occupational health and safety. While we know that 97 per cent of our students attend school or have some authorised absence from school, or at least a legitimate reason for absence, the new data includes attendance data listed by school for the first time.

What this data shows is that the overwhelming majority of students in most schools attend school regularly, or have a legitimate reason, but it does show that some schools, such as those schools on the APY lands, have too many children who do not attend our schools. So, we are continuing to focus on attendance through a range of programs to support students to stay at school. We are employing an additional 12 attendance officers. This is in addition to the 10 attendance officers that already exist. The first two of the six planned better behaviour centres have started to work. We also have our ICAN program, the school retention program, which has been expanded to most regions of the state.

All public schools are required to implement an attendance improvement plan with clearly stated targets and strategies. Where there are attendance concerns, teachers, student attendance counsellors and other agencies work together with the family to address those concerns. It is also, beyond attendance, important that we shine a light more generally on our public education system,

and we are doing that, to make sure that the problems are there for everyone to see, as well as the successes, and that we can be held accountable for them.

We have a very bright, I think, and solid public education system in our state. It is important that everybody see how well that system is going. It also continues our commitment to the highest standards of openness and accountability in this government. I must say it contrasts very favourably with the secrecy that was in play when those opposite were last in government. Indeed, they made an art form of secrecy.

The Hon. P.F. Conlon: Take them to court to get it off them.

The Hon. J.W. WEATHERILL: That's right. In fact, they were resolutely against openness and accountability in government. In fact, they stood on principle—

Members interjecting:

Mr WILLIAMS: Point of order, Madam Speaker.

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

Mr WILLIAMS: The minister, in answering his question, is clearly debating.

The SPEAKER: I don't think we can say that. The minister can answer the question as he chooses. I will look again at the question. Minister, I refer you back to the substance of the question.

The Hon. J.W. WEATHERILL: I will conclude by saying that they have stood on principle on this matter. They refused to take government if it meant open and accountable government. They refused to sign a compact, so you have to say they are men and women of principle. They refused to sign the compact.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. WEATHERILL: That's right, that's the bit! They said, 'We're not prepared to be in government if we are open and accountable. Please, don't give it to us on that basis.'

Members interjecting:

The Hon. J.W. WEATHERILL: That's right.

Mr WILLIAMS: Point of order, Madam Speaker.

The SPEAKER: Order! Point of order.

Mr WILLIAMS: Not only is the minister debating, he is talking about fairyland stuff. He is making it up.

The SPEAKER: I'm not sure what standing order 'fairyland' comes under, but I do uphold your point of order. Minister, have you finished your answer?

The Hon. J.W. WEATHERILL: Yes.

CHILD ABUSE REPORT LINE

Ms CHAPMAN (Bragg) (15:04): I have another question for the Minister for Families and Communities. When calculating the average time for the Child Abuse Report Line—that's the wait time on this line—are the calls where the person hangs up before they get to make their report included?

The SPEAKER: Minister for Families and Communities.

Members interjecting:

The SPEAKER: Order!

Ms Chapman: Yes or no.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! There are four minutes left of this question time; can we have some orderly conduct, please?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:05): Madam Speaker, we have some concern around the length of time people have been waiting on the Child Abuse Report Line in peak hours. There are peak periods during the day where the volume of calls coming in increases significantly. So, we are actually working to address that. We have been looking at this for some time.

I have to say that I accept that the member for Bragg is a mother and a grandmother, and I accept that she is as horrified as I am about the death of this little boy, as I am sure everyone in this chamber is. But, we will be looking at whether we were able to respond appropriately to the issues that were brought to our attention. Let me say: the staff in Families SA deal with the most difficult circumstances every day across South Australia. They work to support families, and they work to protect children.

This is a circumstance which is just horrendous. To contemplate someone giving a child a drug like this, that has taken his life—I think we need to be really clear; the person who was responsible for this child's death is the person who has administered that drug. Now, I am happy to get more detail for the member about the Child Abuse Report Line, but let's be really clear: we have people in this state who work in the most difficult of circumstances every day to protect children here in South Australia, and they deserve your respect.

Members interjecting:

The SPEAKER: Order!

INTEGRITY COMMISSION

Ms CHAPMAN (Bragg) (15:07): I will give her a break; she obviously can't answer any questions, so I will go to the Attorney-General, Madam Speaker. Attorney—

Members interjecting:

The SPEAKER: Order!

Ms CHAPMAN: —will the government's new integrity commission be able to demand emails from a government agency, or will the integrity commission encounter the same problems as Mr Ken MacPherson in the Burnside Council inquiry encountered when requesting access to emails, as detailed on Adelaidenow in September 2010—but if the minister doesn't recall it, in particular, emails out of the police department.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (15:07): I thank the honourable member for her question. The answer to the question is this: the exact details of the powers of the commissioner are being presently worked out. However, the intention is very clear, and the intention is that the commissioner should have the power to seek and obtain whatever documentation (electronic or physically recorded) that the commissioner considers important or necessary for them to do their job. So, I think that this is one of the things that we need to actually wait until we have the actual draft legislation in front of us before we can descend into some of these particulars.

That is why, I think, some of the debate about this topic over the last couple of days has been a bit premature, because people are saying what this will or will not do, and what it is or is not going to be capable of and, to talk about that in the absence of any information about it—in the form of a bill—is premature. But, I can assure you my intention is that those sorts of things should be capable of being obtained by the commissioner.

Mr Williams interjecting:

The SPEAKER: Order! I would ask the Treasurer to take a place next to the Premier today. I would remind members that this is the Treasurer's first budget speech. I hope that members on my left and my right will treat him with the respect he deserves.

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. J.J. Snelling)—

Budget—

Paper 1 Budget Overview 2011-12

Paper 2 Budget Speech 2011-12
 Paper 3 Budget Statement 2011-12
 Paper 4 Agency Statements 2011-12—Volume 1
 Paper 4 Agency Statements 2011-12—Volume 2
 Paper 4 Agency Statements 2011-12—Volume 3
 Paper 4 Agency Statements 2011-12—Volume 4
 Paper 5 Capital Investment Statement 2011-12
 Paper 6 Budget Measures Statement 2011-12

I move:

That the Budget Statement, Agency Statements, Capital Investment Statement and Budget Measures Statement be published.

Motion carried.

APPROPRIATION BILL

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education) (15:10): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the year ending 30 June 2012, and for other purposes. Read a first time.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education) (15:11): I move:

That this bill be now read a second time.

Madam Speaker, when this government came to office in March 2002, we had a clear vision for this state.

We envisaged a South Australia that had shed the 'rust bucket' tag and rebuilt prosperity on its natural endowment of its minerals, a renewal of its infrastructure and a highly skilled workforce to match the needs of a modern economy. We were also dedicated to a South Australia that took seriously its obligations to the most vulnerable of its people.

But all this, Madam Speaker, rests on the bedrock of the prudent stewardship of the state's money. All of us know the dangers of borrowing to finance your day-to-day expenses—sooner rather than later those credit card bills catch up with you. But that is not to say that it doesn't make sense to take on debt to buy a house, for example, or perhaps buy a car or get a qualification that is going to increase your ability to earn. What is true for individuals and families is true for governments; taking on debt to build new infrastructure which will benefit future generations is prudent—to take on debt merely to pay for the running costs of government is tantamount to stealing from our children. It obliges them to pay tomorrow what we can't or won't pay for today. That is why I cannot agree with those, however well meaning they might be, who blithely recommend running up debt as a quick fix.

When putting this budget together, there were three priorities:

- that whatever new money in the budget was available, more would be made available to the most vulnerable. The Labor Party was established to provide a voice for those who could not be heard. That was what inspired me to join the Labor Party 21 years ago—

Members interjecting:

The Hon. P.F. CONLON: Point of order, Madam Speaker. It is ordinary courtesy to hear the budget speech in some degree of silence. The interjections are completely against the ordinary protocols of this place.

The SPEAKER: Yes, I will uphold that. In my time in this place the budget speech is usually heard and the Treasurer is treated with respect, and I would ask members on my left to please maintain that respect and the decorum of this place.

The Hon. J.J. SNELLING: When putting this budget together, there were three priorities:

- that whatever new money in the budget was available, more would be made available to the most vulnerable. The Labor Party was established to provide a voice for those who could not be heard. That was what inspired me to join the Labor Party 21 years ago;

- that the government continued the massive infrastructure investment that will transform our state and renew its capital as a modern, vibrant polis;
- that debt was kept to sustainable levels that are consistent with a AAA credit rating.

This is a budget for mums and dads who want to be confident that South Australia will be the place where their children, in turn, will want to raise their families. It's a budget that delivers confidence to those who are looking to invest in our state and to create jobs. And it's a budget that provides for those who are most in need.

I spent eight years as a backbench MP and met hundreds, perhaps thousands, of people asking me to intervene on their behalf. What always cut me to the quick were those parents of adult children with a profound disability, usually in need of the help that allowed them to continue looking after their son or daughter at home. I particularly remember one couple and their wheelchair-bound daughter in her early 20s. They had given their all in caring for her—their dedication was of a depth that only such a parent can know.

I know a little about caring for small children, perhaps not as much as my wife, but enough to recognise how draining it is. But with my six, I have always understood that they'll soon be able to care for themselves. For those parents who do not have that day to look forward to—it can only be a constant struggle.

We need to do all that is within our means to help these parents, many of whom live with the anxiety of not knowing who will care for their children when they are no longer able to do so. It is just that we help these parents to continue caring for their children as long as they can.

The budget provides \$37.5 million over four years for extra resources for disabled people and their carers. This delivers continued funding for anticipated growth in demand for disability services.

Further, \$10.8 million over four years will provide disabled people with access to the equipment they need to improve their quality of life and independence. No disabled person should languish on a waiting list for the equipment he or she needs to have an active and independent life.

\$7.7 million over four years will get 32 residents out of the Strathmont Centre and into better-suited supported accommodation in the community.

For a variety of reasons, sometimes children need to be removed from their homes and taken into state care for their own protection. Sadly, despite all our efforts, this is occurring more frequently. \$41.7 million over four years, along with \$8.4 million to build more accommodation, will provide for growth in the number of children entering state care into the future. A motel room is no place for a child who has suffered the disruption of being removed from his or her family.

Taking children from their families should always be a last resort, and this budget also provides the wherewithal for programs designed to strengthen families and reduce the number of children having to stay in state care. \$19 million over four years will increase services that allow children to be returned to their families and provide home-based support to maintain a stable and safe home environment.

Many members will be aware from their own constituents of the need for extra help for low-income people who require heating and cooling for a medical condition. Even mildly hot days can be debilitating for people with multiple sclerosis, Parkinson's and other illnesses if they do not have adequate air conditioning. \$1.8 million over four years is provided in this budget to a medical heating and cooling concession for people on low incomes who, because of a medical condition, need to use air conditioners to control the symptoms of their disease. People who qualify under existing criteria for a concession on energy costs, and who also have a prescribed condition that requires temperature regulation, will have the current energy concession doubled to a maximum of \$316 in 2011-12 rising to \$330 in 2012-13.

The budget continues the government's strong record in health. It gives an extra \$133.3 million over four years for our health system including more doctors, more nurses and more health workers in our hospitals to meet growing demand.

Too many women die of breast cancer, but if it's detected early, breast cancer survival rates are high. \$19.3 million over four years will increase and support digital screening services at BreastScreen SA. The replacement of old analogue with digital technology will improve productivity

and screening times and, together with the extra support, will mean that 23,000 more South Australian women will be screened.

Difficult decisions needed to be made last year because of falling GST and taxation revenue.

And it would be no surprise to anyone that some decisions did not sit easily with us.

Since becoming Treasurer, I have been determined to make myself available to those aggrieved by savings measures to hear their concerns. I have met with relevant unions—in particular the Public Service Association. I also from the outset made clear that it would be difficult to unwind any of the measures in last year's budget.

So I'd like to thank all involved for the constructive professional approach they have brought to these discussions. I certainly have a better appreciation of how the changes affect public sector workers—especially the lowest paid.

From these discussions:

- the government will not proceed with the abolition of 17½ per cent leave loading for public sector employees. The Budget Bill will repeal the relevant sections of the Statutes Amendment (Budget 2010) Act 2010;
- the government will proceed with the removal of extra long service leave for public sector employees from 1 July this year. However, we recognise the importance of skills retention in the public sector and will swiftly establish a senior representative group to make recommendations on appropriate inducements designed to retain and recognise experience in the public sector;
- the government will honour the Premier's pledge for a 'no forced redundancy' policy for the duration of this term of government. From 2014, public sector employees who have been on the redeployment list for more than 12 months will be able to be separated in accordance with the Public Sector Act 2009;
- to provide better help to state employees trying to find a new position, a central redeployment unit will be created to re-train, support and place redeployed public sector employees. This unit will have appropriate authority to match and place those redeployed to appropriate jobs anywhere across government.

I believe that these measures are a reasonable compromise.

It is necessary that we continue to invest in measures to protect South Australians from crime and natural disasters.

DNA analysis can solve many crimes that, until recently, would have been considered unsolvable. The state's forensic services need more resources for an increasing workload as this new technology comes into its own. \$2.1 million over four years will provide further support for DNA analysis and forensic services. It will bring more criminals to justice and allow closure for victims and their families.

The budget also provides \$11.4 million to create a public integrity office.

The 2009 Victorian bushfires showed us that, despite the best equipment and modern firefighting techniques, there is always the potential for major disaster. Good rains this winter could create the sort of tinderbox conditions for the bushfire season that firefighters dread.

The Royal Commission into the Victorian bushfires highlighted the importance of prescribed burning to reduce the fuel load in danger areas. In today's budget, by 2014–15, there will be extra resources of \$7.3 million every year for prescribed burning. The program will reduce the risk of significant bushfires on public land that can threaten homes, farms and businesses. The extra resources will provide an extra 56 positions to manage the burning, 13 permanent and 43 seasonal firefighters. There is also an ongoing investing budget of \$1 million a year for the purchase of fire management equipment, including firefighting appliances and bulk water carriers.

Our CFS and SES volunteers give freely of their time to provide help when it's needed. It's only proper that as a state we make sure that those volunteers get the best possible training. \$2.1 million over four years for extra training resources will ensure that our CFS and SES volunteers are ready should disaster strike.

Since 2002, this government has made education a priority. We want the best start for every child and this year we are investing \$2.66 billion in education and in children's services. That includes relief for school communities of \$16.6 million over five years to help reduce the pressure of rising electricity costs.

The budget continues the government's massive infrastructure investment.

When I finished university in the early 1990s, South Australia was somewhere many of our best and brightest left to pursue a career interstate or overseas.

The government's hard work over almost a decade is changing this. The coming decade will see a massive expansion of our state's economic potential. As a government we can either ride its coat-tails, or put the policies in place that will drive this transformation and make the most of the opportunities that it offers.

The four years of forward estimates in this budget contain a major investment program of \$9.1 billion that will rebuild and expand South Australia's strategic economic and social infrastructure, including:

- the electrification of the Gawler rail line
- the Seaford rail upgrade
- the creation of the South Road Superway
- the duplication of the Southern Expressway
- the new Sustainable Industries Education Centre at Tonsley.

Our investment program for 2011–12 alone is \$3.369 billion, which includes several new projects.

As fuel prices rise, more people make the decision to catch public transport into the city. The Park 'n' Rides along the O-Bahn track that I'm familiar with are especially popular. But as anyone who uses them can tell you, they need to be enlarged, and \$17.1 million will increase the capacity of Park 'n' Rides and improve passenger amenity and safety at interchanges along the O-Bahn bus corridor. To meet increased demand the government will purchase seven extra buses and improve public transport accessibility across the entire metropolitan network.

Nearly two-thirds of our road deaths every year are on rural roads—often because of drivers losing control after running off the road. \$54.8 million over four years will continue the successful rural road shoulder sealing, the rural freight improvement program and extra regional road rehabilitation works. It will extend road-surfacing works to improve the condition of regional road pavements.

The metropolitan rail revitalisation project will see a big increase in the frequency of trains, and \$50 million is now budgeted to install a state-of-the-art computerised train protection system that will make our trains safer.

I visited Trinity Gardens and Black Forest primary schools when I was Road Safety Minister because parents were worried it was only a matter of time before a red-light runner at their school crossings killed a child. Both schools are located on major arterial roads, and the sum of \$7.4 million will fund the installation of pedestrian crossing safety cameras at school crossings on high-risk arterial roads like those at Trinity Gardens and Black Forest primary schools. It will also pay to install mid-block and point-to-point safety cameras to reduce speeding.

The government has a proud history in the arts. The move of the Fringe to an annual event has drawn bigger crowds and now brings a carnival atmosphere into the city every year. From next year, the Festival will itself at last become an annual event, and be better funded and better able to compete with other annual events. It is therefore clear that the use of the Festival Theatre, which has never had a significant upgrade, will increase substantially. Today's budget provides \$750,000 to plan for a major refurbishment of the Adelaide Festival Centre, in line with the government's phased redevelopment of the Riverbank precinct.

I am confident these combined measures will achieve the government's aim of restoring Adelaide as the pre-eminent arts festival of the nation.

The budget also provides \$1.2 million to support extra programming at the Art Gallery of South Australia.

The Hon. K.O. Foley: Hear, hear!

The Hon. J.J. SNELLING: I am glad the former treasurer is pleased to hear that. The South Australian economy is expected to maintain solid economic growth over the next four years. Economic growth of 2¾ per cent a year is forecast from 2011-12 through to 2014-15. Employment growth is expected to be 1½ per cent in both 2011-12 and 2012-13.

Nevertheless, several risks to the economic outlook remain. While the world economy has continued to recover from global recession, there are still risks associated with the sovereign debt problems of some European Union nations, the United States' fiscal position and the speed and strength of the Japanese recovery following the recent earthquake and tsunami.

The performance of some sectors of the South Australian economy continues to be challenged by the high Australian dollar. For this financial year and the next one, taxation, GST and royalty revenue will be almost \$650 million lower than had been estimated for the same period before the global financial crisis. As recently as a month ago, the commonwealth informed Treasury of a projected reduction in the GST take across the nation of \$1.5 to \$1.6 billion per year and a consequent reduction for South Australia.

Households, some perhaps for the first time in generations, are saving and paying down debt. This has some economic benefits as banks are provided with more domestic liquidity for investment and interest rates are kept lower. But with 29 per cent of state revenue derived from GST transfers, the budget's bottom line has been hit hard. This drop in GST and taxation revenue since the 2010-11 budget puts back a year the return to surplus of the net operating balance, but by keeping a tight rein on new spending we will return the budget to surplus in 2012-13, with the surplus growing to \$655 million in 2014-15.

The largest program of infrastructure renewal in our state's history means there will be net lending deficits to 2013-14. Net debt is forecast to peak at \$4.2 billion in 2013-14 and then decline to \$3.6 billion in 2014-15. These are big numbers in anyone's language but, to provide some perspective, you need to remember that the budget this year is just under \$16 billion. This debt is akin to a household with a yearly income of \$100,000 having a mortgage of around \$26,000—a moderate amount of debt. But to be doubly prudent, we are also building into the budget the capacity to pay down this debt sooner rather than later.

The net financial liabilities to revenue ratio—which is an important indicator the ratings agencies look at because it shows our capacity to pay what we have borrowed—is forecast to peak in 2013-14. The ratio then declines to below 90 per cent. To ensure that we are spending only what we can pay for, the budget provides for modest net extra operating savings of \$38.4 million over four years:

- the government will seek a further 400 FTE reductions, to be completed in the financial years 2012-13 and 2013-14. This will deliver savings of \$31 million every year once fully carried out;
- the \$8,000 first home bonus grant, which is currently available for eligible first home buyers who purchase or build a newly constructed home, will be reduced to \$4,000 from 1 July 2012 and abolished from 1 July 2013. First home buyers will continue to be eligible for the \$7,000 First Home Owner Grant. The phased abolition of the first home bonus grant will save \$21.3 million over the next four years; and
- \$2 million a year as a result of further streamlining of SAFECOM's functions.

The budget includes some minor revenue measures including:

- the introduction of annual liquor licence fees which will provide \$3.6 million a year to cover the cost of liquor regulation; and
- registration fees for motor vehicles will increase slightly above inflation to raise an extra \$2 million every year to fund extra road resurfacing and rehabilitation works to improve the condition of South Australia's regional road networks. Kangaroo Island will be the first beneficiary of this measure. A small part of our \$9.1 billion capital investment will be slightly delayed. This will reduce expenditure over the next four years by \$396.4 million.
- The standardisation of the rail network has been rescheduled and will now commence in 2015-16. The Outer Harbor electrification project will now be finished in 2015-16. These changes result in lower expenditure over the next four years of \$192.7 million.

- The replacement of the existing plenary building at the Convention Centre has been rescheduled and will now begin in 2015-16, lowering expenditure over the next four years by \$107.8 million.
- Oaklands Park road capacity improvements—it is clear the upgrade of the junctions of Diagonal Road, Prunus Street and Morphett Road at Oaklands Park will not achieve what was originally planned. \$2 million has been allocated to plan a new design that will reduce congestion, particularly in the light of the increasing frequency of trains once electrification is completed. This redesign removes \$41.6 million over the next four years and the new plan will be considered once it is completed.
- The Queen Elizabeth Hospital Stage 3A redevelopment—which follows the \$127 million Stage 2 redevelopment which will be completed in 2012—has been delayed to start in 2013-14. This has reduced spending over the next four years by \$30 million.
- The Noarlunga Health Service Redevelopment—Stage 2 will now begin in 2013-14 saving \$24.4 million over the next four years.

SA Lotteries will be licensed under strict conditions to a private operator. It will remain government owned. The gambling market has changed considerably since the 1960s when SA Lotteries and the TAB were the main forms of social gambling in South Australia. While SA Lotteries performs well, it faces ever-increasing competition in the market from the Casino, corporate bookmakers, pokies and both legal and illegal online gambling.

It is time for the government to restrict its involvement in the gambling market to that of regulator, not operator. The SA Lotteries business must be free of day-to-day government control to meet the challenge of increased competition, as almost all the other states have done. The SA taxpayer should be free of the commercial risks involved in operating a business of this kind in an environment as volatile as the modern gambling sector.

The government is dedicated to protecting the livelihoods of the hundreds of agencies who rely on SA Lotteries for their income. We will work with agencies to create the necessary conditions to protect their interests. Under this arrangement, the state will continue to collect and direct into hospitals gambling taxes that currently make up around three-quarters of the revenue that is collected from SA Lotteries.

As I said at the outset, sound public finances are the bedrock to a good government. So this budget day, I pay tribute to my predecessor, who on the last nine budget days brought down the decisions and carried out the strategy that first restored the state's AAA rating and then kept it through one of the biggest economic disruptions of the last 75 years.

My approach to the finances of the state is based on the same principles as a typical South Australian household. Families have their own household budget day every payday. They do the sums, make ends meet, find the money for what they need today, and borrow only for what will be productive tomorrow—responsible people who look to the future, people who want to be confident that South Australia will be the place where their children, in turn, will want to raise their families.

The day I became Treasurer of our state, I said:

The job of the Treasurer is to look at the financial state of the government and to make sure that our policy settings are right so that we're not living off our credit card and accruing the sort of debt that is going to be left to our kids to pay.

This has been my approach on every day since, and this is the government's approach today. Madam Speaker, I commend the budget to the house.

Debate adjourned on motion of Mrs Redmond.

STATUTES AMENDMENT (BUDGET 2011) BILL

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education) (15:41): I move:

That standing orders be so far suspended as to enable the introduction forthwith for the Statutes Amendment (Budget 2011) Bill.

The SPEAKER: As there is an absolute majority of the whole number of members of the house is present, I accept the motion.

Motion carried.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education) (15:41): Obtained leave and introduced a bill for an act to amend the First Home Owner Grant Act 2000, the Liquor Licensing Act 1997, the Statutes Amendment (Budget 2010) Act 2010 and the Summary Procedures Act 1921. Read a first time.

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education) (15:42): I move:

That this bill be now read a second time.

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

Leave granted.

This Bill introduces legislative amendments required to implement budget measures that have been announced as part of the 2011-12 Budget.

This Bill amends the *First Home Owner Grant Act 2000*, *Liquor Licensing Act 1997*, *Statutes Amendment (Budget 2010) Act 2010* and the *Summary Procedures Act 1921*.

This Bill amends the *First Home Owner Grant Act 2000* to phase out the \$8,000 first home bonus grant by 1 July 2013. The bonus grant is currently available for eligible first home buyers who purchase or build a new home valued up to \$400,000. The bonus grant currently phases out for newly constructed homes valued between \$400,000 and \$450,000.

The amendments will reduce the first home bonus grant to \$4,000 from 1 July 2012 and fully abolish the grant from 1 July 2013. The \$8,000 first home bonus grant will continue to be available for eligible transactions entered into prior to 1 July 2012.

Under current arrangements it is estimated that around 1600 first home buyers will be eligible for some level of first home bonus grant in 2011-12. The phasing out of the grant is expected to result in some first home buyers bringing forward their home purchase decisions, which could assist in stimulating the residential building sector in this period.

In recognition that the bonus grant is now only available for a limited timeframe, the Bill includes similar commencement and completion conditions for the building of new homes as were in place for the Commonwealth's First Home Owner Boost Grant, which was provided for a specific period of time as part of the Commonwealth Government's economic stimulus measures.

To qualify for the first home bonus grant, eligible first home buyers who enter into a comprehensive home building contract will be required to commence construction of the home within 26 weeks after the contract is made. In addition the contract must state that the new home will be completed within 18 months of commencement of the new home (i.e. the laying of foundations) or otherwise the home must actually completed within the same timeframe.

Owner builders who are eligible for the bonus grant will be required to complete their new home within 18 months after the commencement date. There are also completion requirements for 'off-the-plan' homes which have regard to the nature of 'off-the-plan' constructions.

The Commissioner has the discretion to allow a longer period for either the commencement of and/or the completion of the building of a home having regard to the specific circumstances of the transaction.

The requirements for first home buyers to be eligible for the \$7,000 First Home Owner Grant remain unchanged.

This initiative is expected to provide estimated savings to the state budget of \$21.3 million over four years.

This Bill will amend the *Liquor Licensing Act 1997* to introduce new fees for holders of liquor licences to offset the costs of compliance.

Currently, fees are payable for an application for a licence but not for the grant of a licence and, since licences (apart from a limited licence) are ongoing and no subject to a renewal process, fees are not collected on an annual basis to cover the ongoing costs of compliance.

The Bill introduces a legislative framework for the payment of annual fees for the ongoing licence classes. The regulations will fix the date for payment, the period to which the fee is to relate and the basis for the calculation of the fees. It is intended that the scheme will accommodate different fees that reflect the level of compliance effort required on the part of the Liquor and Gambling Commissioner. To that end it is proposed that there will be two base fees which will be different depending on the type of business conducted under the licence and significant additional fees for licences that authorise early morning trade.

A limited licence is a licence for a special occasion or series of special occasions. Some of these licences are for very large commercial events such as the Clipsal 500 and the Big Day Out. The Bill introduces a legislative framework to enable the regulations to fix a fee payable on the grant of such a licence.

The Liquor and Gambling Commissioner will have the discretion to grant either a reduction in the annual fee or an exemption under hardship provisions, both on application of the licensee.

This initiative is estimated to cost \$2.5 million over four years to implement, administer and enforce compliance. The initiative will provide estimated savings of \$15.1 million over four years to offset the cost of providing liquor regulatory services.

This Bill will amend the *Statutes Amendment (Budget 2010) Act 2010* to reverse arrangements to employee recreation leave loading entitlements announced in the 2010-11 Budget.

As part of the 2010-11 Budget initiatives, recreation leave loading for specified public sector employees was to be replaced with an additional recreation leave entitlement of two days per annum from 1 July 2012.

This amendment means leave loading arrangements will now not be altered from 1 July 2012.

This initiative is estimated to cost \$66.9 million over three years from 2012-13.

This Bill will amend the *Summary Procedure Act 1921* to introduce a cap on court awarded costs against the police.

Under current provisions, the Magistrates Court can award costs to reimburse acquitted persons for the reasonable costs of professional representation. These costs are not bound by the scale of costs set under the *Magistrates Court Act 1991*. In contrast, the South Australia Police are rarely able to recover more than a nominal amount of costs for successful summary prosecutions.

The amendment will reduce the Court's discretion to award costs against police in unsuccessful summary prosecutions through a general rule that costs are to be awarded against the Crown in such a case only if it is proper to do so. In deciding whether it is proper, the Court must consider a list of factors including whether the investigation into the alleged offence was conducted appropriately, whether the defence acted unreasonably, whether the dismissal was for technical reasons, whether the defendant by his conduct brought suspicion on himself and other matters.

Further, if costs are to be awarded, the Court must ordinarily award costs on the scale of costs, unless a higher amount is justified.

These amendments are consistent with similar legislative provisions recently introduced in Queensland.

This initiative provides estimated savings of \$1.6 million per annum from 2012-13.

This Bill will further amend the *Summary Procedure Act 1921* to introduce a court enforcement fee for police appearances at court.

Currently, the South Australia Police may be awarded a \$25 appearance fee for each court file finalised by a guilty plea or finding.

From 1 July 2012, this fee will be replaced with a \$100 court enforcement fee awarded at the time a defendant is found guilty in court. The fee would not apply where a defendant pleads guilty in writing without the need for any court hearing.

This initiative will provide estimated savings of \$13.4 million over three years from 2012-13 which will assist in meeting the cost of prosecution.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The Act will come into operation on a day to be fixed by proclamation. However, Part 2, which amends the *First Home Owner Grant Act 2000*, will be taken to have come into operation on 10 June 2011.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *First Home Owner Grant Act 2000*

4—Amendment of section 3—Definitions

Section 3 of the *First Home Owner Grant Act 2000* is amended by this clause to insert a definition of *contract for an 'off-the-plan' purchase* into the general definition section. The term is currently defined only for the purposes of section 13A but under this measure is also to be used in sections 18BA and new section 18BAB.

5—Amendment of section 13A—Special eligible transactions

This clause removes the definition of *contract for an 'off-the-plan' purchase* from section 13A as the term is to be defined in section 4 for the purposes of the whole Act.

6—Amendment of section 18BA—Bonus grant for transactions on or after 17 September 2010 but before 1 July 2012

This clause amends section 18BA so that the first home bonus grant payable under that section is not available in relation to eligible transactions that commence on or after 1 July 2012.

The clause also inserts additional criteria that are to apply in relation to eligible transactions with a commencement date of 10 June 2011 or later. Those criteria are as follows:

- if the eligible transaction is a comprehensive home building contract for a new home—
 - the laying of the foundations for the home must commence within 26 weeks after the contract is made, or any longer period the Commissioner may, in particular circumstances, allow; and
 - the contract must state that the eligible transaction is to be completed within 18 months after the laying of the foundations for the home is commenced or the eligible transaction must be completed within 18 months after the laying of the foundations for the home is commenced;
- if the eligible transaction is the building of a new home by an owner-builder—the transaction must be completed within 18 months after its commencement date;
- if the eligible transaction is a contract for an 'off-the-plan' purchase of a new home—
 - the contract must state that the eligible transaction is to be completed on or before 31 December 2013; or
 - the eligible transaction must be completed on or before that date.

A new subsection authorises the Commissioner to extend the time within which an eligible transaction must be completed under the section if the Commissioner considers there are proper reasons for doing so.

7—Insertion of section 18BAB

This clause inserts a new section.

18BAB—Bonus grant for transactions on or after 1 July 2012 but before 1 July 2013

Section 18BAB provides for an increase in the amount of a first home owner grant if—

- the commencement date of the eligible transaction is on or after 1 July 2012 but before 1 July 2013; and
- the transaction relates to a contract for the purchase of a new home, a comprehensive home building contract or the building of a new home by an owner builder; and
- the market value of the home is less than \$450,000.

The bonus is payable in the case of a comprehensive home building contract for a new home only if—

- the laying of the foundations for the home commences within 26 weeks after the contract is made, or any longer period the Commissioner may, in particular circumstances, allow; and
- the contract states that the eligible transaction must be completed within 18 months after the laying of the foundations for the home is commenced or, in any other case, the eligible transaction is completed within 18 months after the laying of the foundations for the home is commenced.

In the case of the building of a new home by an owner builder, the bonus is payable if the eligible transaction is completed within 18 months of the day on which it commences.

In the case of an 'off-the-plan' purchase of a new home, the bonus is payable if—

- the contract states that the eligible transaction must be completed on or before 31 December 2014; or
- in any other case, the eligible transaction is completed on or before that date.

The amount of the bonus grant will, if the market value of the home does not exceed \$400,000, be \$4,000. If the market value of the home exceeds \$400,000, the amount of the bonus grant is to be determined in accordance with a formula set out in the section.

The Commissioner is authorised to extend the time within which an eligible transaction must be completed under the section if the Commissioner considers there are proper reasons for doing so.

8—Amendment of section 18BB—Market value of homes

This amendment is consequential and ensures that section 18BB, which sets out how the market value of a home is to be determined, applies for the purposes of new section 18BAB.

9—Amendment of section 18C—Amount of grant must not exceed consideration

The amendment made by this clause is consequential.

10—Transitional provision

Under this clause, the amount of a payment made to a person under section 18BA of the *First Home Owner Grant Act 2000* in relation to an eligible transaction with a commencement date of 10 June 2011 or later will be recoverable from the person as a debt due to the Crown if the person is not entitled to the payment under section 18BA as amended clause 6.

Part 3—Amendment of *Liquor Licensing Act 1997*

11—Insertion of section 50A

This clause inserts a new section for the collection of annual licence fees

50A—Annual fees

The scheme for imposition of annual fees is to be set out in the regulations. It will not apply to a limited licence since a limited licence is not ongoing. The section provides for a default penalty and for suspension of a licence if the annual fee remains outstanding.

12—Amendment of section 53—Discretionary powers of licensing authority

Section 53(3) currently provides that a licensing authority may, on such conditions (if any) as it thinks fit, vary or waive compliance with formal requirements relating to an application. The amendment also contemplates variation or waiver of the payment of fees relating to the grant of the application.

13—Insertion of section 59A

This clause inserts a new section for the collection of licence fees on the grant of a licence.

59A—Licence fee payable on grant of licence

There are 2 components to this provision. The first is a fee payable for a limited licence. A limited licence is a licence for a special occasion or series of special occasions, including large commercial events such as the Clipsal 500 and the Big Day Out. The details of the fee will be set out in the regulations. The second is a pro rata payment of the first annual fee payable for a licence other than a limited licence that is payable on the grant of the licence.

14—Amendment of section 138—Regulations

This clause amends the general regulation making power so that a regulation may provide for the Commissioner to waive, reduce or refund fees payable under the Act.

15—Transitional provision

The transitional provision enables the initial regulations under section 50A to make adjustments to the scheme in its introductory period. It is also provided that an application to reduce trading hours to match actual hours made before the date for payment of the first annual fee need not be advertised and may be made without payment of a fee.

Part 4—Amendment of *Statutes Amendment (Budget 2010) Act 2010*

16—Repeal of sections 60 and 61

17—Repeal of section 63

These clauses provide for the repeal of those sections of the *Statutes Amendment (Budget 2010) Act 2010* that relate to leave loading allowances for recreation leave.

Part 5—Amendment of *Summary Procedure Act 1921*

18—Substitution of section 189

This clause substitutes current section 189 with a more detailed scheme relating to costs.

189—Costs generally

This section retains the existing general rule relating to costs.

189A—Costs payable by Crown in certain criminal proceedings

New section 189A provides that, in proceedings for an offence prosecuted by a police officer that are dismissed or withdrawn, costs may only be awarded if it is proper to do so. Subsection (2) sets out a list of circumstances relevant to the making of a costs order. Subsection (3) provides that costs may only be awarded in accordance with either a scale prescribed in the regulations or, if there is no such scale prescribed, the scale of costs prescribed in relation to criminal proceedings under section 49(1)(e) of the *Magistrates Court Act 1991*. Subsection (4) provides that the Court may allow a higher amount for costs if satisfied that the higher amount is just and reasonable having regard

to the special difficulty or complexity of the case, or where the Court finds that the prosecution has not acted in good faith in bringing the proceedings.

189B—Costs payable by defendant in certain criminal proceedings

New section 189B provides that, if the Court finds a defendant guilty in proceedings for an offence prosecuted by a police officer, the defendant must pay costs of \$100 (or, if an amount is prescribed by regulation, that amount), unless the prosecution agrees that no costs order should be made.

189C—Costs in preliminary examination

This section retains the existing provision that costs will not be awarded against a party to a preliminary examination of an indictable offence unless the Court is satisfied that the party has unreasonably obstructed the proceedings

189D—Costs against complainant in proceedings for restraining order

This section retains the existing provision that costs will not be awarded against a complainant in proceedings for a restraining order unless the Court is satisfied that the complainant has acted in bad faith or unreasonably in bringing the proceedings

189E—Costs—delay or obstruction of proceedings

This section retains the existing provisions relating to the award of costs in the event of the delay or obstruction of proceedings (and retains the existing procedures in relation to such awards of costs).

Debate adjourned on motion of Mrs Redmond.

At 15:43 the house adjourned until Tuesday 21 June 2011 at 11:00.