

HOUSE OF ASSEMBLY**Tuesday 19 February 2013**

The SPEAKER (Hon. M.J. Atkinson) took the chair at 11:00 and read prayers.

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

STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (11:02): I move:

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

Motion carried.

WILDERNESS PROTECTION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 February 2013.)

Mr VAN HOLST PELLEKAAN (Stuart) (11:02): I pick up from where I left off in the middle of my contribution last sitting week on the Wilderness Protection (Miscellaneous) Amendment Bill 2012. At that point in time, I was talking about a concern that I and many of my colleagues and constituents have about the fact that while technically there are the same expectations and requirements for land managers, whether they be those in charge of freehold land, crown leases, pastoral leases, perpetual leases or taxpayer-owned land managed by a government department on the taxpayers' behalf, those rules and regulations are often not equally applied.

I would like to reiterate that the sort of land we are talking about in this bill, but also conservation reserves, national parks and many others, is actually taxpayer-owned land. It is not the government's land. It belongs to South Australians. It is managed by the government on behalf of all South Australians. I think that is a very important principle to keep in mind. I am not criticising that, by the way, of course it is important that that does happen in many instances, but it is actually taxpayer-owned land. There are certainly cases where the rules and regulations with regard to control of feral animals, weeds, native vegetation, a range of issues, are the same but they are applied differently, and I think that is a very serious concern.

It does happen. It happens in my electorate of Stuart and in many other places across the state where if the resources are not available for the private landowner, or land manager, to do the job that is required they can be told by the government, 'Well, we'll send a contractor in and we'll just do it for you and send you the bill.' If the resources are not available, this is often quite understandable because the people who work for the Department of Environment, Water and Natural Resources, on the whole, do a very good job and, in my opinion, are understaffed, underfunded and underresourced to do what is expected of them in a perfect world.

If they cannot do it, they say, 'We have not got the resources. I am sorry, we have not got the people to do it ourselves. We have not got the money in our budget to get a contractor in to do it, so it will have to wait. It will get done later.' However, the private landowner is not given the same courtesy to the same extent and I would say quite openly that they are often given time to do things. It is not a sledgehammer approach, but the courtesy does finish; whereas, with the government operations, the courtesy really never finishes. If there are budget concerns, it just gets done later.

I point that out as a broad, general issue that I think is very important, but it is also directly relevant to this bill with regard to the resources that may or may not be made available for this new section of land. This new section of land, while it is a wilderness protection area, cannot just be left alone. You cannot just sort of ring fence it, shut the gate, walk away and say, 'Right, now that is fine.' It will require significant government taxpayer-funded resources to manage this piece of land and that will be absolutely critical with regard to its success or failure.

I say quite clearly that I am concerned about this because, in a national park, for example, which is the most commonly known, highest accepted use of public land, we struggle for the resources to do everything that government staff, the public and neighbours of those national parks

would like to have done. If we cannot do it in national parks, I really do worry about whether we are going to be able to do it in wilderness protection areas. So, I really urge the government very sincerely and very strongly to think very hard about the resources that are going to be necessary to manage this tract of land because there will be pests, weeds and a whole range of other issues that will need to be dealt with in this new category.

That leads me to my next point which is this is another category. We already have many categories of taxpayer-owned government-managed land out there, largely but not exclusively for environmental protection and conservation purposes. That is a very good thing but I question whether we need another category again which, presumably, will entail another level of management and which will struggle to attract the funding that it actually needs.

With regard to management, I would like to just touch on co-management, which is a key feature of this bill. Let me say very clearly that I am a supporter of co-management; that is, government management with regard to local Indigenous management of certain sections of our state—not for every conservation reserve, not for every recreation reserve, not for every national park, but there are certainly some places where I think that is very important. I will have some questions to ask in detail during the committee stage about exactly how that can be applied.

The thrust of my comment here is I think it is sensible. How on earth could you think otherwise? If you have a tract of land that you really want to optimise with regard to its environmental and conservation value, then why would you not include the knowledge and experience gained over thousands or tens of thousands of years from people who have been living on, working and caring for that country in one way or another for that period of time. I think that makes great sense.

The trick, of course, is who then gets involved in the co-management? Who has the right to do the co-management? There is nobody alive today who knows what people knew 1,000, 2,000 or 10,000 years ago. There are certainly Aboriginal people who know lots of it. There are certainly Aboriginal people who know far, far more than non-Aboriginal people, but purely by definition of the fact that society has moved on and technology has moved on, even people who live on the APY lands and have done so all their life cannot possibly know as much as they or their forebears would have known 1,000 or 10,000 years ago.

So, who then gets involved? One of the things I fear is that it can be the people who are the current day leaders, and they are often the current commercial or political leaders, or leaders in some other way. They get involved either by having the opportunity to participate actively and directly in the co-management or the opportunity to appoint the person or people who will actively participate in the co-management.

I have a few more questions to ask about that during committee but, let me say again, I support the principle of co-management, not for all land like this but, certainly, this would a very good example of it, and there are others in Stuart whom I support as well, and I think that that is very important. I will leave it there and come back with some more questions during the committee stage. Thank you.

Dr CLOSE (Port Adelaide) (11:10): I rise to make some comments about the co-management regime under the National Parks and Wildlife Act, as one of the principal aims of this bill is to insert that regime under the Wilderness Protection Act. The South Australian protected area system encompasses over 21 million hectares, equating to around 22 per cent of the state. The majority of these parks and reserves are significant to Aboriginal people.

Relationship to country is central to Aboriginal culture, identity, spiritual beliefs and wellbeing. Access to country is critical in maintaining this relationship and can provide additional social, health and economic benefits to Aboriginal people. Traditional knowledge and land management practices can also inform and improve contemporary approaches to science and park management, and significantly enhance park visitor experiences. In recognition of this, the National Parks and Wildlife Act was amended in 2004 to provide for the joint management of national parks and conservation parks between the Minister for Sustainability, Environment and Conservation and traditional owners.

These amendments to the National Parks and Wildlife Act were prompted by a state government commitment in 2002 to grant ownership in the 2.1 million hectare unnamed conservation park (now re-named the Mamungari Conservation Park) in the far west of South Australia to the traditional owners while continuing to maintain the area as a conservation park. This represented a significant commitment by the state to work with Aboriginal people to jointly

manage natural resources and conservation lands. Prior to the amendments, there was no formal mechanism to transfer control and management to traditional owners.

The National Parks and Wildlife Act now provides for the co-management of existing Crown-owned parks, and also provides for the establishment of parks over Aboriginal-owned land and subsequent co-management. A co-management agreement is based on four principles: first, to ensure the continued enjoyment of the park by the traditional owners for cultural, spiritual and traditional uses; second, to ensure the continued enjoyment of the park by members of the public; third, to ensure the preservation and protection of Aboriginal sites, features, objects and structures of spiritual or cultural significance within the park; and, fourth, to provide protection for the natural resources, wildlife, vegetation and other features of the park.

Co-management agreements over Crown-owned parks can establish one of two governance structures. The first, a co-management advisory committee is established to provide advice to the minister and the director of National Parks and Wildlife in the management of the park. This advice usually includes the preparation and implementation of management plans, protection and management of Aboriginal heritage and culture on the park and increased cultural awareness for park visitors.

The alternative structure is a co-management board. A board is established by regulation under the National Parks and Wildlife Act and assumes the control and management of the park from the minister and the director of National Parks and Wildlife. To reflect the spirit of co-management, membership of a co-management board is usually equal between the state and traditional owners.

Co-management agreements may also establish parks of Aboriginal-owned land. The Governor may proclaim Aboriginal-owned land as a park or reserve provided there is a co-management agreement in place. For Aboriginal-owned co-managed parks there is also a co-management board established which assumes the control and management of that park. The membership of these boards is predominantly traditional owners, and the chairperson is also a traditional owner.

A key feature in the establishment of co-managed parks is the requirement under section 38 of the National Parks and Wildlife Act for new management plans to be prepared for the park by the minister in collaboration with the co-management board or committee. The new management plan is the critical first step to achieving a shared vision between the department and the traditional owners of the park. The process of undertaking joint planning is fundamental for the development of relationships and capacity on both of the parties.

Co-management arrangements have the potential to support active involvement of Aboriginal people in the control and management of their traditional lands, improve the protection of cultural sites, maintain traditional practices that might otherwise have been excluded and provide for greater conservation of biodiversity.

This government has entered into 10 co-management agreements to date over a wide variety of parks across the state. Other than the Mamungari Conservation Park with Maralinga Tjarutja and Pila Nguru people, the other Aboriginal-owned co-managed park is the soon-to-be proclaimed Breakaways Conservation Park.

Under an innovative arrangement, the District Council of Coober Pedy has agreed to facilitate and support the operation of the board and undertake the operational aspects of park management on behalf of the co-management board. This reflects the previous status of the land as a reserve under the Crown Land Management Act 2009.

Under the co-management agreement, the land will soon be transferred to the Antakirinja Matuntjara Yankunytjatjara and then proclaimed as an Aboriginal-owned co-managed park, which will be managed in accordance with the National Parks and Wildlife Act and contribute to the national reserve system. The co-management board will also have an advisory role to the minister and the director of national parks and wildlife over the Tallaringa Conservation Park.

Co-management agreements establishing co-management boards over Crown-owned parks have been entered into over the Vulkathunha-Gammon Ranges National Park and Flinders Ranges National Park with the Adnyamathanha people; the Witjira National Park with the Lower Southern Arrernte and Wangkangurru; and most recently, the Lake Gairdner National Park with the Gawler Ranges people.

Co-management agreements establishing co-management advisory committees over Crown-owned parks have been entered into over the Ngaut Ngaut Conservation Park with the Mannum Aboriginal Community Incorporated; the Coongie National Park with the Yandruwandha Yawarrawarka; the Gawler Ranges National Park and Lake Gilles Conservation Park with the Gawler Ranges people; and most recently, the Wabma Kadarbu Mound Springs Conservation Park, Lake Eyre National Park and Elliot Price Conservation Park with the Arabana people.

Co-management recognises and respects the connection between indigenous Australians, their cultural heritage and connection with place and country. It enables the state government to actively engage with indigenous Australians and support the management of their traditional lands by incorporating traditional knowledge and practices with contemporary land management and conservation techniques. It represents a true partnership between the state government and traditional owners.

VISITORS

The SPEAKER: I would like to draw attention to guests we have in the gallery, who are a contingent of hospital administrators from Norway. Welcome.

WILDERNESS PROTECTION (MISCELLANEOUS) AMENDMENT BILL

Mr PENGILLY (Finniss) (11:17): I, along with others on my side of the house, indicate my support for this legislation. Having had a few areas of land under wilderness protection in my own electorate, I would like to make a few comments. I heard what the member for Port Adelaide had to say about co-management and everything else, and I hope that it actually works well. I do not have that problem in my electorate.

However, we do have a problem with proclaimed wilderness areas that are, to all intents and purposes, not well managed, particularly in respect to fire danger and the fire risk to farming land. The issue with weeds is really not dealt with in these areas, nor is the issue of feral animals: deer, goats and pigs that come out of these wilderness protection areas. Supposedly no-one is allowed into these areas, yet animals come out of them and do a lot of damage in the surrounding farmlands. Also, weeds that might blow in off the road or come from bird droppings get started in these areas and then build up a source of seed supply. They say one year's weed is seven years' seed. They do not go away.

This department is seemingly incapable of dealing with a lot of these matters. I hope it is a different situation in and outside the member for Flinders' electorate when this wilderness protection area comes into existence. I do have major concerns. This is a department that does not have a good track record because it does not do a substantial amount of burn-offs. It puffs and blows about what a wonderful job it is doing. It does not do enough. Only five years ago, I lost 100,000 hectares of land principally under the care and control of the department of environment on Kangaroo Island at an enormous cost. You may all well remember that.

In my view, they are an incompetent mob of dunderheads at the head of this department and they have made a joke out of a number of matters. I hope they get it right over there because it is a cause of great concern to the farming community, particularly on the north coast of Kangaroo Island, in this case, where the wilderness protection area and Western River west of there are, that ultimately a fire will result from a lightning strike.

They are not doing considerable burning in there and nature will take its own course—and it will be, 'Look out,' when it does because it will come roaring out on a hot north wind, and unfortunately it will be a revisit of what has happened in the past. So, I do have some misgivings about this. I am a bit fed up to the back teeth with being told by departmental offices that everything is alright and that it will be managed properly.

The jury is out on what will happen in and outside the member for Flinders' area, but not enough work is being done on feral animal management and weeds control. I know that the KI Natural Resources Management Board have shooters in their employ who go out and do as much as possible to get rid of deer, goats and pigs, but I am not sure what the feral animal position will be out on the West Coast.

It is alright to put these things into place, but they have to be managed properly. If they are not managed properly and normal land management processes are not followed, you are going to end up with an environmental disaster, rather than with something South Australia can be proud of. So, while supporting the bill, I just raise a few issues and hope that they are picked up on in due course.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (11:21): I thank members for their insightful and colourful contributions to the debate on this bill, in particular the lead speaker, the member for Flinders—going through this exercise for the first time as I am, I think he did a very good job.

This bill provides for amendments to the Wilderness Protection Act 1992 to improve arrangements for the ongoing protection of wilderness in South Australia. The area of land forming wilderness protection areas has increased significantly in recent years to what will be 1.8 million hectares following the proclamation of the Nullarbor Wilderness Protection Area.

While this increase in the area under the highest level of protection is a significant achievement, it has brought to the government's attention some practical matters that are not adequately addressed by the current act. In some respects, the amendments bring the Wilderness Protection Act 1992 more into line with the National Parks and Wildlife Act 1972, but they still preserve the different intent with respect to the higher degree of protection in perpetuity for wilderness values.

To facilitate co-management of wilderness protection areas, the bill proposes to incorporate the co-management provisions of the National Parks and Wildlife Act 1972 into the Wilderness Protection Act 1992 with consequential amendments to tailor the provisions to suit the Wilderness Protection Act 1992. The extension of co-management to the Wilderness Protection Act 1992 is an important feature, as a number of conservation parks and national parks have recently become or may in the future become wilderness protection areas.

An unintended consequence of these parks becoming wilderness areas is that they could no longer be considered for co-management under the current Wilderness Protection Act 1992. This is directly relevant in the case of the Nullarbor. This bill rectifies this issue and also assists the agreement-making process used in resolving native title claims.

Another objective of the bill is to recognise that there are some circumstances where it is appropriate and necessary to preserve existing leases or licences over land on proclamation of a wilderness protection area. This is the case for the proposed Nullarbor Wilderness Protection Area, which will be an area of more than 900,000 hectares, and includes some telecommunications facilities that need to be preserved over a small area of land.

The bill has been drafted with a view to finding a balance that enables infrastructure to continue to be licensed where appropriate but protects wilderness values against the construction of commercial infrastructure. Proclamation of the Nullarbor Wilderness Protection Area will be one of the most significant achievements for wilderness protection in this state. The Nullarbor is an iconic Australian visitor destination, and creating one of Australia's largest wilderness areas there will protect and enhance that tourism product.

A few matters were raised by members during this debate, and I would like to briefly touch on some of those points, and I am sure I will answer more questions during the committee stage. On a point of clarification, I am advised that the Nullarbor Roadhouse (about which many members spoke fondly) is not located within the proposed the Nullarbor Wilderness Protection Area. It is on freehold allotment adjacent to the eastern boundary of the proposed wilderness area.

The member for Hammond asked whether, in providing for existing leases and licences, there had been consideration of future telecommunication needs within the proposed Nullarbor Wilderness Protection Area. I am advised that the bill will not permit new infrastructure to be licensed, consistent with the aims of the legislation. There are, however, numerous small crown allotments near the Eyre Highway which are not being included in the Nullarbor Wilderness Protection Area and which could be used for such purposes in the future. Of course, in any event, should there be an unforeseeable future need for infrastructure, parliament reserves for itself the right to alter the boundaries of the wilderness area.

The member for Hammond also questioned how the proposed Nullarbor Wilderness Protection Area would be managed with respect to new tracks that might be created for mineral exploration. I can confirm that the proposed Nullarbor Wilderness Protection Area will not allow exploration for mining to occur.

I would like to extend my appreciation to the Wilderness Advisory Committee which provided independent advice on the bill to the former minister for sustainability, environment and conservation, and also to the Wilderness Society and the Environmental Defenders Office for their considered comments on the bill. Thanks also to Mr Jason Irving, Ms Eliza Northrop, Ms Kathryn

Nicolai and other Department of Environment, Water and Natural Resources staff for their dedication to this important work. I also extend my appreciation to the Far West Coast native title claimants and their legal representatives, South Australian Native Title Services, for supporting the co-management provision of the bill.

I would also like to acknowledge and thank the former minister and acknowledge his commitment to the Far West Coast native title claimants, that he would seek parliament's support for amending the legislation before the government proclaims the Nullarbor Wilderness Protection Area. So, to the member for Colton, thank you very much for all the hard and long work that you put in not only to this wilderness protection area but also all the great things you did for water, the environment and other great initiatives that came under your responsibility as minister.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr TRELOAR: In talking about the granting of licences for various activities within the wilderness area, what is the process and time frame for the application and granting of such licences and what sort of fees and costs might be applied to that?

The Hon. L.W.K. BIGNELL: There is a standard form that people are given to fill out and they work on a 30-day turnaround, and there is a nominal fee to put in an application of such sort.

Mr VAN HOLST PELLEKAAN: This question refers to the very beginning, subsection (5), I think it is, but essentially with regard to the activities that are not allowed to be undertaken in a wilderness protection area—taking people on sightseeing or scientific expeditions, filming, etc. There is a list that you would be familiar with. Does that apply to all people who do not have a licence?

The Hon. L.W.K. BIGNELL: That is right. A licence is required.

Mr VAN HOLST PELLEKAAN: To be really clear, then, even Aboriginal people who do not have a licence would not be able to undertake any of those activities?

The Hon. L.W.K. BIGNELL: Yes, they would need a licence, unless there is a co-management agreement that would give them access to that area.

Mr VAN HOLST PELLEKAAN: I have two questions together that follow on from that. If they do not have a licence or access granted through a co-management agreement, how is that enforced to be sure that nobody, Aboriginal or non-Aboriginal, undertakes any of these activities? Also, if they are granted access under a co-management agreement, can you elaborate on how that might be?

I can understand if they are undertaking co-management and they need to be out and about and have a look and understand what is going on and see things firsthand if they are a co-management board member or perhaps another person specifically invited for a specific task on a specific day to support the co-management board or board member in undertaking that activity, but are there any other situations in which the co-management board could provide that permission?

The Hon. L.W.K. BIGNELL: The co-management board has procedures in place and they will work with Aboriginal people to manage their access to the area for sightseeing or other purposes.

Mr VAN HOLST PELLEKAAN: We will deal with that second question, then. Is that for any Aboriginal people for sightseeing or other purposes, or is it for, specifically, work directly related to the co-management of the park?

The Hon. L.W.K. BIGNELL: It will be for any Aboriginal person.

Mr VAN HOLST PELLEKAAN: Still on the second question, just to be really clear, what you said before was only a person with a licence can undertake any of these activities unless they have permission from the co-management board, and what you are saying is that the co-management board would give permission to any Aboriginal person to do any of these things without a licence, if I understand exactly what you said.

The Hon. L.W.K. BIGNELL: They can give them permission but they may also decide to give them a licence.

Mr VAN HOLST PELLEKAAN: No restriction?

The Hon. L.W.K. BIGNELL: It would still have to be consistent with the management plan for the park.

Mr VAN HOLST PELLEKAAN: My next question is along the same line and we will come back to the enforcement for non-Aboriginal people. How is an Aboriginal person defined then? Must it be, to one extent, a full blood, local Aboriginal person; or any Aboriginal person; or a local person of mixed blood; or an Aboriginal person from another part of the state? This is a co-management agreement drawing on the strengths and knowledge and historical experience of local Aboriginal people to manage local lands, so can you tell me, in the context of your previous answers that the board could give any access to any Aboriginal people: does that really mean any Aboriginal people? How do you define who is entitled to get this access from the board without a licence?

The Hon. L.W.K. BIGNELL: Thank you again for that question. The board would generally reserve those agreements to local community people, but they may also give wider permission on a case-by-case basis.

Mr VAN HOLST PELLEKAAN: And that permission would be documented?

The Hon. L.W.K. BIGNELL: Yes; it would be a decision of the board and that would be documented.

Mr VAN HOLST PELLEKAAN: Thank you. Returning to the previous question about enforcement for the non-Aboriginal people who are not allowed to go there without a licence, who oversees that and how is that done? What are the resources put in place? Who is actually responsible for that and how would they do it?

The Hon. L.W.K. BIGNELL: There would be departmental field officers and, generally, it is about education and getting the word out there that people do need to let management know that they intend to go out there and that permissions and licences are required, so it is more of a softer approach rather than a heavy stick. It is just about making sure that people know who is going to be in the area and the intent for their visit.

Mr VAN HOLST PELLEKAAN: This is my last question in this area. You talked about the co-management board providing this permission. The bill actually talks about the director granting the permission. Can you inform the committee exactly how that works? Is that something that would be solely at the director's discretion, or something that the co-management board must decide and it would then give permission to the director to, essentially, sign the document? How does that work, given that the bill says it is actually up to the director, not the co-management board?

The Hon. L.W.K. BIGNELL: Where there is a co-management agreement in place, the board takes the director's powers. So the director's role, where there is this co-management agreement, is taken over by the co-management board.

Mr PEDERICK: I brought up in my speech, minister, the potential building of more communication towers that may be necessary across the Nullarbor and I have noted on my last trip across there in the last couple of years that there is more mobile service coverage and there is, obviously, the wider network of, I guess, the radio wave towers that are already there. I am concerned about whether the appropriate licensing will be given if there is a need, noting that their footprint is fairly limited, for communication towers across the Nullarbor, and I go to new subsection (6)(b) of section 26 of the bill. Would those structures be covered under that section under a licensing arrangement with the director?

The Hon. L.W.K. BIGNELL: I think we have moved on to clause 5?

Mr PEDERICK: I am just asking if it is applicable under subsection (6) under clause 4? I guess that is my first question—whether the licensing you are talking about in that part of the bill is in regards to structures that could be built, like mobile phone towers, because I note from the current act that section 26(1)(b) talks about the prohibition of activities, which includes 'the construction or erection of roads, tracks, buildings or structures (except those that are specifically authorised by the plan of management of the wilderness protection area or zone)' and the clause

about licensing is an adjunct to that. I am just asking first: is that specifically covered there or does it, as you say, go into the next section?

The Hon. L.W.K. BIGNELL: Yes, member for Hammond, it is not covered there, but more likely to be covered in clause 5.

Mr PEDERICK: Thank you. I have not had a good look through section 5 because I thought I had it covered, minister.

The Hon. L.W.K. Bignell interjecting:

Mr PEDERICK: Clause 5, sorry.

The Hon. L.W.K. Bignell interjecting:

Mr PEDERICK: Under new subsection (2), which talks about 'a lease or licence enforced in respect of land immediately before the constitution of the land as a wilderness protection area zone, remains in force', I understand from my reading of that—and I am not a lawyer—that refers to current leases.

What I am talking about is if there was the likelihood, which I think there could be, of other telephone towers, communication towers, being put up by other companies, and obviously this would not be something that would litter the landscape with a whole range of structures because the communications companies are all working together on mobile phone coverage.

I am well aware of the towers that are out there now and they could possibly, depending on the companies, work with the structures and communication equipment that is on them. I am not sure about that. I believe mobile phone coverage is a great thing, especially in the outback, and you do not have to go that far out in my electorate, I can assure you, to lose it, but that is another story.

The Hon. L.W.K. Bignell interjecting:

Mr PEDERICK: Okay, well, that would be very good, minister, but I just want to make the point because they certainly will not make a very big footprint, and I think it is vital for communication and safety, especially in the outback.

The Hon. L.W.K. BIGNELL: I thank the member for Hammond and I am not sure when he took Sally out there for that pre-wedding trip. It was probably morse code, was it?

Mr PEDERICK: I had to check the dates on that and I should have come back to the house. It was actually after we were married.

The Hon. L.W.K. BIGNELL: As long as it was still Sally.

Mr Pederick interjecting:

The Hon. L.W.K. BIGNELL: In respect of the question, there are a number of small crown allotments near the Eyre Highway which are not being included in the Nullarbor Wilderness Protection Area and which could be used for things like telecommunications towers in the future. Of course, in any event, should there be an unforeseeable future need for infrastructure, parliament reserves for itself the right to alter the boundaries of the wilderness area. I agree with the honourable member that it is very important to have that access to mobile phones and other telecommunication out in that area.

Mr VAN HOLST PELLEKAAN: The probing questions from the member for Hammond made me think of something else on this clause, and I seek some clarity because no doubt this applies to lots of co-management agreements, not just this one, and the principle would be the same in a lot of places.

You have said that, essentially, a non-Aboriginal person would have to have a licence agreement to undertake these activities and that an Aboriginal person could have a licence agreement or could be given particular permission from the co-management board. Very often there are fees paid. Tourism operators pay fees all the time to national parks and things like that, so presumably there is the capacity for charging fees for these licences.

Is it entirely up to the co-management board, or do the department or the government have a structure or a plan in place for where the fees go? Do they go to the department, do they go to the co-management board or do they go into some park funding account that supports work to be done on the park? Where would the fees go that would quite likely be paid in return for a licence

agreement? Also, is it possible that Aboriginal people who have permission from the co-management board to undertake filming, sightseeing, tourism, etc., without a licence, might be asked to pay fees and, if so, where would they go?

The Hon. L.W.K. BIGNELL: The director of national parks sets the fees and the fees go into the general reserve trust and are reinvested in the parks. That is part A of the question.

Mr VAN HOLST PELLEKAAN: The specific park where they were collected?

The Hon. L.W.K. BIGNELL: Into parks in general. Part B was the question about Aboriginal people without a licence. If they had to pay a fee, it would have to be done under a licence, which would then give permission to charge the fee.

Mr VAN HOLST PELLEKAAN: If the co-management board provided permission to Aboriginal people to undertake these activities without a licence, it would be inappropriate for that Aboriginal person or group to pay any sort of fee or commission, or any sort of transfer of funds in return for that permission that is granted without the licence; is that correct?

The Hon. L.W.K. BIGNELL: That is right, member for Stuart. There has to be a legal basis for charging that fee.

Clause passed.

Clause 5.

Mr PEDERICK: I know we had a bit of this debate before, but I was just getting clarification of which clause we were working around. I am just a bit concerned, minister, because you said that, on the outside chance that we did need to put communication towers in the designated wilderness protection area, we would have to amend legislation. To me, that seems like having to come back here and rework the act.

I would have hoped that there was some other way under a licensing arrangement with the department and the director, so that if there was that chance—especially in the light of communication towers, which are the main things I am talking about here and which have a very small footprint but could become very vital in the future, and they should be in more areas now—I am just concerned that we would have to come back and re-legislate to get those structures in place.

The Hon. L.W.K. BIGNELL: The whole point of these wilderness places is to give them the highest possible protection. We think there are adequate facilities there at the moment for new infrastructure, but no-one can tell what sorts of new technologies will come along into the future. To afford this land the highest protection means that if things are to be reassessed in the future about putting in something that we do not know about now, it will have to come back to parliament to get the tick-off.

Mr TRELOAR: Clause 5 again: I note, in subsection (8):

(8) A lease or licence cannot be transferred or otherwise dealt with except with the consent of the Minister.

I assume this means that the minister of the time will become a key figure in transfer of what is, in effect, commercial property (for example, the Nullarbor Roadhouse), should—

The Hon. L.W.K. Bignell interjecting:

Mr TRELOAR: That's not in?

The Hon. L.W.K. BIGNELL: That is not in the wilderness area.

Mr TRELOAR: That is just outside? Okay; well, thank you for clarifying that. But, if there was to be a commercial venture within the wilderness zone, the minister becomes a key figure in the transfer of a licence or, in fact, the commercial property. The member for Stuart has just reminded me that even though the Nullarbor Roadhouse is not within the wilderness area, it could hold a licence, for example, to have activities within the wilderness zone as part of that proponent's business. How does the minister deal with that should the entity be put up for sale?

The Hon. L.W.K. BIGNELL: I thank you for the combined questioning. It is two against one there; you're coming after me.

The CHAIR: It's a tag team.

The Hon. L.W.K. BIGNELL: If a licence is going to be transferred, the minister would need to be satisfied that the new person would be able to meet the licence agreements.

Mr VAN HOLST PELLEKAAN: Thanks for that, minister. Could you tell me why is it that the co-management board can issue licences whenever it chooses via its right to assume the director's authorities, and yet only the minister can actually transfer existing licences? Why is it set up that way? It seems to me that that could cause a problem.

The member for Flinders has quite rightly pointed out that these licences probably have some commercial value and it might be that the Nullarbor Roadhouse proprietor has a licence to undertake tours outside of their freehold land in the park, or it might well be that a successful Aboriginal cultural tourism operator has a licence.

As I understand it, only the minister can give permission to transfer that licence, but if the minister does give that permission, the board could immediately provide another licence to somebody else if they want to. It seems to me that it would be more sensible to have either the co-management board, because it assumes the authority of the director, or the minister doing both.

The Hon. L.W.K. BIGNELL: There are two different things here: if someone was operating a tour, it would get back to the co-management board or the director. If we go back to clause 4(6)(c) it says:

(6) A licence granted by the Director—

or the co-management board, as we have explained—

(c) cannot be transferred or otherwise dealt with except with the consent of the Director.

So, that still stays with the director or the board of management if it is something like a tour. What we are talking about in section 5(8) is a lease or a licence being transferred, so they are two different things.

Mr VAN HOLST PELLEKAAN: Are you saying that the licence referred to in clause 4 is completely different to the licence referred to in clause 5?

The Hon. L.W.K. BIGNELL: Under clause 5, section 28(8) refers to infrastructure, so it is a long-term lease perhaps or then an annual licence—that is what we are dealing with there.

Clause passed.

Clause 6.

The CHAIR: I draw to the committee's attention three minor typos that appear in clause 6 on page 6: in paragraph (d) it states 'a reference in section 28 (5), (6) and (7)' and it should read 'a reference in section 28 (6), (7) and (8)'; and in paragraph (e), 'section 28(8)' should be 'section 28(9)'.

Mr TRELOAR: My question relates to co-management. We have talked a lot about co-management both during the contributions from members and also in the minister's wrapping-up in his final speech. Obviously it is the minister's intention to establish a co-management board, and we have talked about that. I am very conscious of the time frames involved. What is the time frame likely to be? How is the process gone through? Who is likely to be on these co-management boards and fill those roles?

The Hon. L.W.K. BIGNELL: The state is negotiating native title at present and co-management may be an outcome of that process. Co-management boards usually comprise fifty-fifty Aboriginal people and departmental people but it is by negotiation and it is done on a case-by-case basis. As for the timing, as I say, it is underway now but we are not exactly sure where the end point will be on the formation of the co-management board.

Mr TRELOAR: Given that the process is underway now, when would the minister expect that a plan of management would be in place for this wilderness area?

The Hon. L.W.K. BIGNELL: We would have to wait until the co-management board was put in place, and the first job of the board would be to put up a draft management to the minister who would then release it.

Mr TRELOAR: I would like to make a further comment on clause 6. I notice that one of the objectives within the wilderness protection zone is for the restoration of land and its ecosystem to their condition before European colonisation and the protection of land and its ecosystems from the

effects of modern technology and exotic animals and plants and other exotic organisms. As has been mentioned by numerous contributors that, in itself, presents one of the great challenges in the management of these parks.

The Hon. L.W.K. BIGNELL: That is the object of the Wilderness Act and that is the highest priority for the management board when put in place.

Mr VAN HOLST PELLEKAAN: Following up from a couple of questions ago about the appointment of the co-management board, the minister mentioned the fifty-fifty typical model of departmental people and Aboriginal people. Obviously the department would choose its 50 per cent of the board. Who would have the authority to choose the 50 per cent of the board representing Aboriginal people?

The Hon. L.W.K. BIGNELL: That comes from the Aboriginal group that is a signatory to the co-management agreement with the minister.

Mr VAN HOLST PELLEKAAN: I think I know the answer to this, but I would like it clearly on the record: they are opportunities or authorities to appoint people, but certainly the department could appoint an Aboriginal person if it wanted to and certainly the co-signatory group could appoint a non-Aboriginal person if it choose to. Is it entirely up to those two groups to choose whoever they think would make the best contribution?

The Hon. L.W.K. BIGNELL: That is correct, member for Stuart.

Clause passed.

Clause 7.

Mr TRELOAR: With regard to entrance fees, the minister responded earlier to a question regarding funds raised and the establishment of a trust. With regard to entrance fees, it seems that the fee payable must be paid to the trust established for the area or zoned under the National Parks Act. I assume that that is one and the same trust, which accommodates licence fees as well.

The Hon. L.W.K. BIGNELL: That is right, member for Flinders. The trust we were talking about before is where the money goes and is then dispersed into the parks system across South Australia. It does not go into general revenue.

Clause passed.

Mr VAN HOLST PELLEKAAN: I have a general question. I thank the minister for clarifying things for us. How will the co-management board, the government, the minister, determine whether this changed land use and changed management has been successful? It is a difficult question, so I do not expect a full and complete answer, but the member for Flinders quite rightly pointed out that what is trying to be achieved here—and it is a good aim and a good objective—is probably one of the most difficult things you could do with any land anywhere, namely, to bring it back to its pre-colonial state.

It would be silly for any of us here to think that that could be achieved 100 per cent perfectly. We respect the fact that the government has that as a very good objective, but one, five or 20 years down the track what is the government's determination with regard to how we would consider whether or not this change has been successful?

The Hon. L.W.K. BIGNELL: I thank the member for Stuart for his question. The board will have to report to the minister annually. The annual report for the co-management board will have to be tabled in parliament each year. The Wilderness Advisory Committee can report directly to the minister on how well things are going. I also remind members that we have people from both sides of the house on committees, such as the Natural Resources Committee, who may take an interest in these in the future to see how well they are going.

Mr VAN HOLST PELLEKAAN: Is it the government's intention that that suite of reports and opportunities for committees will include comparison with how things may have gone if the change had never taken place?

The Hon. L.W.K. BIGNELL: The intention would be to monitor the impacts over time, and that would include looking at reduction in weed species, feral animals and other pests, and the NRM board would play a crucial role in all of that.

Mr VAN HOLST PELLEKAAN: Minister, would not exactly that have happened anyway without this bill?

The Hon. L.W.K. BIGNELL: That is correct, member for Stuart.

Mr VAN HOLST PELLEKAAN: So, then, all of the objectives, all of the measurements and all of the tools and opportunities to manage, report and inquire that will happen under this bill were all available under the previous bill. Why is the government pursuing this?

The Hon. L.W.K. BIGNELL: Once something has been declared a wilderness area, there is a higher level of focus than there would have been. So, different procedures but same reporting standards.

Mr VAN HOLST PELLEKAAN: With that higher level of focus will there be a high level of resourcing to achieve these objectives?

The Hon. L.W.K. BIGNELL: That will depend on the need, and also working to what the co-management plan is.

Mr VAN HOLST PELLEKAAN: I will take this opportunity to say a couple of things. Minister, I think that that answer would be exactly the same whether it was a conservation reserve, national park or a wilderness protection area. Unless there are extra resources to support the extra focus you are talking about, I cannot see what this is all about; I cannot see what you are really trying to achieve.

We can certainly have co-management boards. We can have co-management without wilderness protection. As I have said many times, I think it is a good thing to have the co-management, there is no doubt at all about that. But I would say very strongly and very clearly that to say that there is a higher focus is terrific but, if there are no additional resources, it is irrelevant.

To say, 'Well, it will depend on what the reports say, what the management says and what the priorities at the time seem to be,' I accept is the reality of the world, but I say again that that would be exactly the same reality if we had never come here to debate this bill, never made this change—that is, the answer would be exactly the same.

The Hon. L.W.K. BIGNELL: I did not say there would not be more resources put in. This is about giving that land the highest possible protection and, once the board has been set up and they come up with their plan, that then goes to the minister and then the decisions will be made on what the resourcing needs are to maintain this land at the highest level it can be maintained at.

Mr TRELOAR: I have just one very general question and after this I have no further questions. I will just take the minister back to his remarks when he closed the debate. I think you spoke and mentioned the national parks act as well in your remarks and suggested that there may be, at some time in the future, an attempt to combine the two acts—this particular act and also the national parks act. I just ask the minister what the government would be thinking they might achieve by doing that?

The Hon. L.W.K. BIGNELL: As a point of clarification for the member for Flinders, what I was saying was not about bringing the acts together. I will read exactly what I said:

In some respects, the amendments bring the Wilderness Protection Act 1992 more into line with the National Parks and Wildlife Act 1972, but they still preserve the different intent with respect to the higher degree of protection in perpetuity for wilderness values.

Schedules (1 and 2) and title passed.

Bill reported without amendment.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Tourism, Minister for Recreation and Sport) (12:12): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CRIMINAL LAW CONSOLIDATION (CHEATING AT GAMBLING) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 November 2012.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:14): I rise to speak on the Criminal Law Consolidation (Cheating at Gambling) Amendment Bill 2012. In doing so, I should disclose to the house that I am a former member of the Totalizator Agency Board—which would be well known to you, Mr Speaker, of course, an avid client and chair of their audit committee—a

former member of the South Australian Jockey Club and a current member, proudly, of the Kangaroo Island Racing Club.

I also note that in recent times the Australian Crime Commission has tabled its report in respect of apparent rampant abuse of drug taking—particularly performance-enhancing drugs—in elite sport in Australia. In that report, it is apparent that there is also a significant level of corruption in the wagering and gambling side of the industry in sports betting. Clearly, at a national level, there has been an identification of significant concern, but this bill and its introduction predates this recent revelation and the report from the Australian Crime Commission.

According to the government, this bill has been brought before us for consideration as a result of a Standing Council on Law and Justice meeting (probably a number of meetings) which had decided that it was important to develop nationally-consistent match-fixing offences with a maximum penalty of 10 years. Indeed, the Attorney-General said in his second reading explanation:

All States and Territories agreed that their framework of existing offences, both at common law and in legislation, deal with the agreed match-fixing behaviours in almost all circumstances.

There have been some concerns particularly raised by the Law Society in respect of this bill. I think it is fair to say that, in summary, their position is that the introduction of the four new areas of offence that are proposed in this legislation, which I will refer to shortly, are in fact covered by current law. They point out that there is an attempt to upgrade some provisions in the proposed section 144(1), which they say 'extends more widely than is appropriate for criminal law', in that it makes offering to engage in one of the—

The SPEAKER: The member for Bragg will cease emitting harp sounds.

Ms CHAPMAN: Thank you—offences above a major indictable offence, even though no harm has actually resulted. That is one aspect that is not covered in similar legislation in New South Wales. I will come to how that might be remedied during the course of this debate, but certainly we are happy to look at that, having been alerted to it by the Law Society.

I also point out that the New South Wales act contains a provision requiring a review after three years from the commencement of this part and, in particular, whether the policy objectives of the act remain valid and whether the terms of the part remain appropriate for securing those objectives. That is in the New South Wales Crimes Amendment (Cheating at Gambling) Act 2012. They are aspects that we will be asking the government to take into account, particularly the provision of a review after three years, or such other suitable time that may be considered, and we will be looking for there to be some modifications to incorporate those two issues.

I also note for the purposes of this debate that although the behaviours in question that are being sought to be outlawed arguably are covered in existing laws, the government still claims—and I assume this was also followed as a result of the SCLJ meetings—that the rationale upon which they are introducing a duplicate level of laws is to provide clarity for betting industries and persons involved in events subject to bets, ensuring that equivalent practices are treated the same in each state and providing a serious penalty for that behaviour. Personally, I do not see how this legislation actually advances that. Simple uniformity can be achieved in a number of ways and in itself does not necessarily produce a better outcome.

However, it seems as though the Attorney-General has fallen into line with the SCLJ decision. I am assuming that this postdated your contribution, Mr Speaker, to the SCLJs. I am a little surprised that the current Attorney-General has acquiesced so readily to this decision, given his apparent belief that it is important that South Australia retains some autonomy as a state and does not jump into bed with all of the other states just because they think it is a good idea.

Nevertheless, I will place on record the areas of behaviour that are purported to be necessary to contain. The SCLJ identified six match-fixing behaviours. The first was that a person intentionally fixes or influences the outcome of a sporting event or contingency for the purposes of causing a financial benefit for him or herself or for any other person or a financial detriment to any other person. Actions could include deliberate underperformance, withdrawal, an official deliberate misapplication of the rules of the contest, interference with the play or playing surfaces, or any other action or omission designed to influence the outcome of a game or contingency.

Apparently, actions where the intent is to gain tactical advantage—for example, a more advantageous draw or more advantageous draft picks—are not subject to any offences. I am sure there is some reason for that but, in any event, members would be aware of the most common of

these—and that is, as best as I understand it, deliberate underperformance. Recently after the Australian Crime Commission report was tabled, one of our federal senators called for some embargo or ban or interim suspension of the capacity to bet on any sport as a result of the number of concerns that were raised. I think it is fair to say that in a circumstance where, for example, a football team is the subject of a betting opportunity in a football match, if the bet is that a certain team will win or lose, the theory goes that it is more difficult to fix a match outcome with 18 or 20—I am not even sure how many play in football any more—I think it is 18.

The SPEAKER: Correct.

Ms CHAPMAN: Correct. Thank you, Mr Speaker. It is more difficult to fix all 18 players than to be able to fix one or two players in relation to a single bet, not on the outcome of the match but of how many goals or points a player might kick, or whatever might be the particular unit of effort or achievement that is the subject of the bet. There is probably some merit in that. I think in examples that are given at an international cricket level, the units in betting opportunities are down to how many wickets will be taken by a certain bowler, how quickly they can do it, over what period of time and on what day they are going to get somebody out. I mean, the sub-units of betting opportunity in elite sports never cease to amaze me. To be able to identify a deliberate under-performance of one or two players in a cricket game, for example, to have the effect, ultimately, of the outcome of the match would, I think, be more difficult than specifically his or her under-performance.

Another area that members might be aware of, which came to my attention as chair of the audit committee of the TAB, was the withdrawal of bets, the opportunity, particularly in horse racing, to withdraw a bet if the betting capacity didn't exactly coincide with the jump of the horses. So, what was apparently available to those who follow these things and had some vested interest in it was that they could place a bet and if there was a delay of even a second after the horses had jumped then the proponent of the bet was in a position to press a button and cancel their bet in the event that their nominated horse jumped poorly or slowly, or whatever, to the extent that they were able to withdraw that commitment to that bet. This is the sort of behaviour which I think everyone agrees should not be tolerated in an environment where there are betting opportunities for one or more persons to act in a manner where they would be able to intentionally fix or influence the outcome of a particular event or a contingency aspect of it.

The second type of behaviour is where a person provides or uses insider information relating to a sporting event for the purpose of directly, or indirectly through a third party, placing a bet on a sporting event or contingency where he or she knows or is reckless as to the fact that the outcome of the sporting event or contingency has been fixed. Again, a common example of this, I am sure, would be the alleged state of health of a particular participant, whether it is a horse, a jockey or a player in an elite sport. That may well be a factor which, if that information were passed onto a third party, would enable them to introduce or proceed with or, indeed, withdraw from a particular betting situation. I think the house would agree that that behaviour should not be condoned.

The third type of behaviour is a person who accepts a benefit for the purpose of fixing or influencing an outcome of a sporting event or contingency, whether or not that action occurs. Members would be well aware of the circumstances of that. That is why jockeys on horses are not only not allowed to receive any payment, benefit or in kind for how they might ride or progress in their event, but they are prohibited from betting themselves, all for good reason in the rules that apply to this. To accept a benefit for the purpose of being complicit in some activity that would give someone some other advantage is clearly unacceptable.

I am not sure why a number of jockeys ever get on horses; it is a fairly dangerous activity. For those of us who are interested in racing, we should at least be appreciative of their risk-taking and the effort that they contribute. Just on Sunday last week, I attended a race meeting in the country where a young female apprentice jockey was thrown from the lead horse and hit a barrier upright. Fortunately, she was not seriously injured, although she was not able to continue riding for the day, but she was injured and did not go on to win the race which, I think, had that not happened, she clearly would have.

However, it is a dangerous enough occupation without being in a circumstance where any one of the riders might have placed themselves in a position where they were trying to hold back a horse or interfere with another horse in such an activity. This just adds to the danger and is unacceptable behaviour toward those who would be participating in a fairly dangerous activity. So, for the safety of riders and our horses in those circumstances, it is important that we do not add to

the problems. In addition to that, it is quite unacceptable that they even be exposed to the temptation to accept a benefit for the purpose of fixing or influencing an outcome.

The fourth match fixing behaviour which the committee looked at was where a person offers a benefit for the purposes of fixing or influencing an outcome of a sporting event or contingency, whether or not that action occurs. This obviously covers the person who might approach the jockey to say they would like them to do this or that, hold back, slow down on the turn or whatever the arrangement is. It is obviously designed to catch both the person who offers the opportunity and the person who will carry it out.

The fifth area of match fixing behaviour is a person, such as a betting agency or bookmaker, accepting a bet on a sporting event or contingency where he or she knows that the outcome of the sporting event or contingency has been fixed. Personally, I think this is going to be very hard to detect.

I think that, obviously, if there is some trail of emails or some capacity to be able to identify the conveying of information to the betting agency or the person who is in charge of that or the bookmaker, then that may not be too difficult, but I think that most would accept that even the most hapless of criminals is not likely to leave an email trail when it comes to fixing some race or sports event. In any event, I think that members would accept that it is reasonable that the agents, in respect of this opportunity to place a bet and receive a benefit, are a key part of the transaction and, therefore, there has to be some culpability on their part if they fail to act or, in this case, accept a bet in full knowledge that that situation is about to prevail.

The sixth area of match fixing behaviour that the committee considered was where a person offers another person a benefit for the purposes of fixing or influencing an outcome of an event or contingency and encourages that other person not to report the approach to the sporting organisation, event or competition organiser or the police. That is obviously in a circumstance where it comes to the attention of the person and then they try to persuade that person to keep it secret and not advise the lawful authorities.

I suppose the encouragement to keep quiet and not to report does extend outside the principal offence of participating in the match-fixing behaviour itself because obviously the failure to report could be an offence when, in fact, the match-fixing itself may not have ultimately occurred. I think there is a danger of capturing those who might have acted with certain intent but in fact ultimately caused no harm because the actual event may not have occurred, but they may still be captured.

The Independent Gambling Authority in South Australia oversees the statutory obligations of operators offering wagering or bets. I do not know how much they were consulted in the development of this bill. They obviously provide an annual report to this parliament, and I note that the 2011-12 annual report states that South Australia at that stage had 27 licensed bookmakers, 344 TAB agencies and 37 active racing clubs. Also, at 30 June 2012, there were 26 interstate betting operators providing services in South Australia and, during that year of reporting, they received 10 complaints relating to wagering; two of those complaints were in relation to telephone bets, one of which was resolved in favour of the patron, and no other breaches were identified.

It seems that on the information they have at least reported to us that there is not any rampant behaviour in South Australia that would need to attract the attention of this legislation, but it may be that they had provided separate advice to the government in the development of this bill as to need. If that were the case, though, I would have expected the Attorney-General to have presented some of that detail to us in the second reading speech. I am hoping that the absence of any mention means that it is not rampant in South Australia but, again, it comes back to this question then of whether it is really necessary for us to slavishly adhere to the SCLJ's proposal.

I am not sure what happens at these meetings. I do not know whether somebody goes along to them and puts on the agenda that this would be a good idea, and they all go off and take some papers back to their departments and have a chat about them and then think, 'Oh, well, it's not such a bad idea. Perhaps we'll tick off on that,' and they go back three or six months later and think, 'Okay, well, does everyone agree around the table?' 'Oh, yes, no problem, we'll sign off.'

I am not quite sure where these brainchild thought bubbles come from but, in any event, there seems to be in the time I have been here a flurry of these meetings where they go off and think, 'Wouldn't it be marvellous if we all had it all the same? If we had this model legislation or this harmony, this consistency, this sort of one-size-fits-all, this would produce a beautiful environment of peace and goodwill and everything would be beautiful.'

I have seen a lot of this legislation go through this parliament in the last 10 years, and I am not convinced that it has made any great improvement or a scrap of difference to a lot of the implementation or curbing of behaviour, criminal or otherwise. However, I note that on Saturday morning minister Koutsantonis attended a transport forum and provided an opening address.

The SPEAKER: The Minister for Transport.

Ms CHAPMAN: The Minister for Transport, yes. Minister Koutsantonis, in his role as Minister for Transport, attended the transport forum and was then available to answer questions. Some issues were raised in respect to the national regulations for heavy vehicle transport. Not surprisingly, industry representatives and truck drivers raised some potential difficulties with the nationalising of this type of regulation. Indeed, present at the SARTA conference was the new national commissioner who, from memory, is to be based—once everyone has passed legislation—in South Australia.

In any event, questions were raised about this, and the minister was quite quick to point out that—and I will paraphrase him, but I think I give a respectful representation of what he said—'if these things don't work then we can just bring it back. We can just get out of the system; we can go back to using our own structure. We can go it alone again.' I note that the minister has not been in this particular position for very long, but he has been in cabinet for quite some time. I would expect him to realise that it is not all that easy to unscramble the eggs when you have gone into a national scheme, especially when relevant staff have been transferred out of those positions—the people with the expertise—and the revenue arrangements that flow from having a national fee and payments back. These are all things that are significantly modified when we go into a national scheme.

Just the simple stroke of a pen and thinking, 'Well, we'll just go back to our own system' is not all that easy. In some ways, from a federal perspective, at the national level, they do not want it to be easy. I think there is a rather limited understanding of how difficult that exercise can be, so I am a little cautious when we just simply think, 'Well, let's all be happy and have it all the same.' Quite often what happens is that, having agreed that there be some general approach to a particular model, people then want to change it. So what we end up with, in fact, is an attempt to all have the same but then there are dissenting views about certain aspects and then different rules apply.

Even here in this bill, New South Wales, Queensland, I think, and the ACT have already gone down this road. New South Wales passed its legislation last year to cover this initiative, yet it made a decision that it would not have the extension as wide as set out in our proposed section 144(1). New South Wales did not go down that track. I do not know why our Attorney-General decided he would tack that on. I do not know why he ignored what New South Wales had done in respect of a three-year review.

It seems that what is common now—and I am not so sure that it was in your day, Mr Speaker—is that they all find things that are a bit different to justify their own stamp of autonomy on it. I do not know what the answer is, but it just seems to me wholly inconsistent with the principal that national consistency is going to produce a good outcome. They all seem to be hell-bent on having their own stamp of difference on it. Leon, you are supposed to be down here!

The Hon. L.W.K. Bignell: No, I am not the lead speaker, but thanks for trying to tell me what I'm meant to be doing.

Ms CHAPMAN: The bill deals with the offence of corrupt betting practice in four particular ways. One is to have under section 144H, 'engaging in conduct that corrupts the betting outcome of an event'. This includes conduct that knowingly or recklessly corrupts the betting outcome of the event and to cause or obtain a financial benefit for themselves or others. It is all self-evident.

The second under section 144I is the offence of making an offer encouraging a person to engage in or entering into an agreement that facilitates corrupt betting conduct. Under section 144J is the proposed offence of encouraging the concealment of an agreement to corrupt a betting outcome or the concealment of a corrupt betting outcome.

Under section 144K is the proposed offence of possessing corrupt conduct information or insider information and using that information to corrupt a betting outcome, either by placing a bet themselves, encouraging another to place a bet, or communicating relevant information to a person whom the supplier of information ought to know or was reckless to the fact that the person was likely to bet on the event.

Consistent with the agreement, all the offences carry a maximum penalty of 10 years imprisonment, except for the offence of using insider information, which has a two-year maximum penalty. Members would be aware that the existing South Australian laws, whilst they are found in different pieces of legislation, are quite comprehensive. Pursuant to our Criminal Law Consolidation Act 1935, under offences for dishonesty, section 139 provides for the offence of deception, which carries a penalty ranging from 10 to 15 years, depending on whether the offence is aggravated. Under the Lottery and Gaming Act 1936, section 49 also has an offence of obtaining money, etc., by cheating with penalties of up to \$10,000 or imprisonment for two years.

Elements of the offence include winning money or a valuable thing by fraud or other unlawful means: in playing with cards, dice, tables or other games; in bearing a part in the stakes, wages or adventures, or betting on the sides of the hands of them that do play; in betting on the event of any game, sport, pastime or exercise. That just about catches everything, but in any event, there are clear penalties there under section 49.

Under our Gaming Machines Act 1992, there is the offence of bribery in section 79. There are related offences in our Casino Act 1997, Authorised Betting Operations Act 2000, Independent Gambling Authority Act 1995, Racing (Proprietary Business Licensing) Act 2000 and the State Lotteries Act 1966 that oversees those related activities.

So, there is a compendium of legislation that deals with the betting activity when someone has acted in some manner that is corrupt or unlawful. It does raise the question of how we should add to that. I think it is fair to say that the one aspect which perhaps has motivated the government to have some clarity or universal application of the law is their intent to sell the Lotteries in South Australia. It may well be that they have decided that, to clear the decks, make it easier for the sale business case or whatever, they need to tidy this up.

It may enhance the value; I do not know but, whilst there has not been any demonstrable need, some identified inadequate provision under our current legislation, I can only think that they want to be able to provide this on their prospectus for sale (whatever they call that, in relation to the sale of a business) to pump up or beef up the price that they might receive from the lotteries. It will be a sad day when it is sold, given it has had a very important role in the history of South Australia.

I think there was a need to establish the Totalisator Agency Board and the Lotteries Commission, the latter of which was to provide a revenue stream to assist hospitals in South Australia, I think under the late Hugh Hudson, who was a minister for health in South Australia in a former Labor parliament. From memory, his department (in those days the health commission) was to be the beneficiary of proceeds from the lotteries agency.

In any event, there was a significant need in South Australia, and probably across the country, for a regulated agency structure to deal with betting, wagering and gambling generally, because there was such an opportunity for corrupt behaviour. Some would say that wherever there is property and money there is corruption. Even I am old enough to remember the days of SP bookmakers when corrupt activity was able to occur without scrutiny.

There was certainly a significant movement by the 1960s to have a regulated industry in respect of the supervision of wagering and gambling, and I think that has been good for South Australia. I just want to make it clear that the opposition's agreement to the passage of this bill is not on the basis that we see in any way that those structures have failed us as a state, and the legislation under which it sits, in ensuring that we have a well supervised industry in respect of the gaming and wagering world.

However, I do make this point: it is the opposition's view that there is a level of serious and organised crime in this state, there is a level of corruption, and there is a level of dishonest conduct, which needs to be dealt with in the most severe way. Hence, for some years now, we have been asking the government to progress the ICAC, an independent commission against corruption.

We are looking forward to news of the government's appointment of a commissioner to follow on from the legislation which has been passed in this house, which was finally introduced by the government and which we have been pleased to support. Certainly from our side—and I do not want to traverse that debate—we are getting the skinny version—

The SPEAKER: That's happening today.

Ms CHAPMAN: I know; I understand. I wasn't going to preannounce it. Was it an hour ago?

The SPEAKER: Yes.

Ms CHAPMAN: Yes, I can say it. Right; I will not traverse all the debate, but we certainly think we are getting the skinny version, the cheap option, and we will be looking forward to working—

The SPEAKER: Member for Bragg, be seated for a minute. I have been listening carefully and I think there is a risk that you might be testing the limits of relevance. I draw your attention to standing orders 127 and 128 about digression and irrelevance. Member for Bragg.

Ms CHAPMAN: This whole bill is about corrupt behaviour. When this state appoints the new ICAC Commissioner, we will have a place of sanctuary in which good South Australians will be able to refer matters that need to be dealt with. This piece of legislation may well deal with criminal offences for corrupt behaviour and, although we think it is pretty much covered in any event by current legislation, we still need to consider the level of systematic corruption that apparently exists as disclosed in the Australian Crime Commission report.

We in South Australia cannot think that we are in some way removed from this. We are going to need the resources of the ICAC Commissioner, and his or her work will be valuable. Even though this legislation pre-dates the tabling of the final report of the Australian Crime Commission, that report clearly says that this situation is rife. It is a very serious situation. South Australia does not have a little chapter in there that says everything is rosy in South Australia.

At the national level, we are part of a federation which operates at the elite sport level in every sporting code that I can think of. We may not be all that high up in rugby but South Australia is up there in participation in all of the major elite sports. Some would say we are the leader in Australian Rules football. Certainly, in racing, we have had a horse from South Australia that has won three Melbourne cups. We have a proud history of being involved in elite sport in South Australia.

The Hon. L.W.K. Bignell: The horse never came to South Australia.

Ms CHAPMAN: Don't be rude.

The Hon. L.W.K. Bignell: I'm not being rude. The owner lived in South Australia; the horse never came to South Australia.

Ms CHAPMAN: I understand that. Actually, he did come for a visit. If you go to Port Lincoln, you might find that out.

The Hon. L.W.K. Bignell: There is a statue there.

Ms CHAPMAN: The statue is there now, indeed, it is. I saw it again the other day, but—

The SPEAKER: Member for Bragg.

Ms CHAPMAN: I won't respond to those puerile interjections.

The SPEAKER: I call the minister to order. It was a great surprise to me, recently, to discover that there is a standing order against interrupting a member who is speaking (standing order 131) and a standing order that does not allow members not speaking to make a noise or disturbance or to converse aloud (standing order 142). It took me 23 years to discover those. I draw the minister's attention to them. Member for Bragg.

Ms CHAPMAN: In any event, South Australia has a proud history of participation in elite sport. We have had magnificent athletes who have been born and bred in this state and who have done us proud. We have had people who visited here who have been very much involved in behaviour which has now been disclosed as totally unconscionable. Lance Armstrong's current predicament ought to remind us that even those of the elite sports world whom we think of as being clean and pure and who have been great icons have fallen into disgrace in some circumstances.

So, be under no illusion: South Australia is either the producer of or has provided the forum for elite athletes and elite competition. We are proud of it but we have to be honest about the fact that we cannot be excluded from what the Australian Crime Commission has exposed, that is, systematic corruption in the betting and wagering associated with sports particularly. That is so important because we also need to consider the drug taking, particularly performance-enhancing drugs, for the next generation of athletes. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

GRAFFITI CONTROL (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

SPENT CONVICTIONS (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

ANSWERS TO QUESTIONS

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

INDIGENOUS PROGRAMS, GRANTS AND FUNDING

371 Dr McFETRIDGE (Morphett) (11 September 2012).

1. List all the indigenous related programs and grants provided within the Department of Premier and Cabinet for 2010, 2011 and 2012 and provide details of how much each has received?

2. List all the indigenous related programs and grants provided within the Arts portfolio for 2010, 2011 and 2012 and provide details of how much each has received for 2010, 2011 and 2012?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts): I have been advised of the following:

1. The Department of the Premier and Cabinet (DPC) provided assistance to Indigenous arts through the following Arts SA programs and grants in 2010, 2011 and 2012. As these programs are delivered on a financial year basis, the information is provided in this format.

2009-10

Program/Grant	Purpose	Amount
Indigenous arts programs		
Aboriginal and Torres Strait Islander (ATSI) arts development program	Total grants 2009-10	\$134,706
Aboriginal and Torres Strait Islander (ATSI) Strategic funding	Total grants 2009-10	\$52,850
Indigenous arts organisations		
National Aboriginal Cultural Institute (Tandanya)	Operating grant 2009-10	\$780,000
	Community arts development grant	\$18,000
Ananguku Arts and Culture Aboriginal Corporation	Industry Development Funding (2010)	\$91,971
	Statewide Indigenous Community Arts Development (SICAD) funding (2009-10)	\$100,000
	APY Lands art centres' housing	\$450,000
	Indigenous visual arts professional development and training	\$67,650(1)
	Funding for <i>Tjukurpa Pulkatjara Benchmarks</i> exhibition	\$28,000
Other Arts SA programs and grants		
Community arts development	Projects with Indigenous content	\$99,000
Contemporary music	Projects with Indigenous content	\$1,828.50
Independent makers and presenters	Projects with Indigenous content	\$31,951

(1) \$33,000 Arts SA/\$34,650 Australian Government Office for the Arts (OFTA) funding

2010-11

Program/Grant	Purpose	Amount
Indigenous arts programs		
Aboriginal and Torres Strait Islander (ATSI) arts development program	Total grants 2010-11	\$143,604
Aboriginal and Torres Strait Islander (ATSI) Strategic funding	Total grants 2010-11	\$36,139
Indigenous arts organisations		
National Aboriginal Cultural Institute (Tandanya)	Operating grant 2010-11	\$792,000
	New Exhibitions Fund for <i>Deadly: In between Heaven and Hell</i>	\$197,558
	Community arts development grant	\$18,000
Ananguku Arts and Culture Aboriginal Corporation	Industry Development Funding (2011)	\$93,466
	Statewide Indigenous Community Arts Development (SICAD) funding (2010-11)	\$100,000
	APY Lands art centres' housing	\$655,000(2)
	Indigenous visual arts professional development and training	\$33,890(3)
	Community arts development grant	\$21,000
Other Arts SA programs and grants		
Community arts development	Projects with Indigenous content	\$103,720
Contemporary music	Projects with Indigenous content	\$990
Independent makers and presenters	Projects with Indigenous content	\$19,060
Richard Llewellyn arts and disability trust	Projects with Indigenous content	\$18,000

(2) Australian Government Office for the Arts (OFTA) funding

(3) Australian Government Office for the Arts (OFTA) funding

2011-12

Program/Grant	Purpose	Amount
Aboriginal and Torres Strait Islander (ATSI) arts development program	Total grants 2011-12	\$133,460
Aboriginal and Torres Strait Islander (ATSI) Strategic funding	Total grants 2011-12	\$19,141
Aboriginal and Torres Strait Islander (ATSI) work placements	Total grants 2011-12	\$38,800
Indigenous arts organisations		
National Aboriginal Cultural Institute (Tandanya)	Operating grant 2011-12	\$805,000
	Spirit Festival 2012	\$250,000
	Community arts development grant	\$18,000
Ananguku Arts and Culture Aboriginal Corporation	Arts organisations program (2012)	\$100,000
	Statewide Indigenous Community Arts Development (SICAD) funding (2011-12)	\$100,000
	Community arts development grant	\$21,000
Other Arts SA programs and grants		
Community arts development	Projects with Indigenous content	\$105,612
Contemporary music	Semaphore Music Festival—ATSI artists & Songs project	\$22,470
Independent makers and presenters	Projects with Indigenous content	\$25,113

Program/Grant	Purpose	Amount
Public Art and Design	Projects with Indigenous content <ul style="list-style-type: none"> • RSL—SA for the ATSI war memorial • Christies Beach and Whyalla Aboriginal Children and Family Centres • Defence SA—Lefevre Cultural Park • City of Salisbury—<i>Kaurna Recognition Marker</i> public artwork 	\$48,500
Other arts assistance	Projects with Indigenous content <ul style="list-style-type: none"> • Australian National University <i>Alive with the Dreaming</i> • Ernabella Choir 	\$20,000 \$15,000

2. The Arts portfolio (non DPC) provided assistance to Indigenous arts through the following programs and grants in 2010, 2011 and 2012. As these programs are delivered on a financial year basis, the information is provided in this format.

2009-10

Program/Grant	Purpose	Amount
Carclew Youth Arts	Investment in Aboriginal and Torres Strait islander projects (including Kurruru Indigenous Youth Performing Arts funding)	\$234,361(4)
Country Arts SA	Indigenous-related programs and expenditure	TBA

(4) \$88,403 Arts SA/\$145,958 Other

2010-11

Program/Grant	Purpose	Amount
Carclew Youth Arts	Investment in Aboriginal and Torres Strait islander projects (including Kurruru Indigenous Youth Performing Arts funding)	\$278,179(5)
Country Arts SA	Indigenous-related programs and expenditure, including: <ol style="list-style-type: none"> 1. Regional arts grants 2. Visual arts & performing arts touring 3. Regional Centre of Culture—Murray Bridge 4. Indigenous arts officer program 	\$289,787

(5) \$131,000 Arts SA/\$147,179 Other

2011-12

Program/Grant	Purpose	Amount
Carclew Youth Arts	Investment in Aboriginal and Torres Strait islander projects (including Kurruru Indigenous Youth Performing Arts funding)	\$218,990(6)
Country Arts SA	Indigenous-related programs and expenditure <ul style="list-style-type: none"> • Regional arts grants • Visual arts & performing arts touring • Regional Centre of Culture—Goolwa Indigenous arts officer program 	\$456,507

(6) \$81,600 Arts SA/\$137,390 Other

The film agencies have provided the following information:

Adelaide Film Festival (AFF)

In 2011, AFF developed an *Indigenous Art & Moving Image* program, which involved three major art exhibitions, public projections, a film program, a forum and a number of high profile social events by and about Indigenous filmmakers and moving image artists to accompany it.

South Australian Film Corporation (SAFC)

While SAFC does not yet have a targeted program that is specifically aimed for outcomes in this area it has done quite a lot to support film production that has Aboriginal content and screen industry training/experience for Aboriginal people.

SAFC has supported a number of SA Aboriginal film organisations through its Screen Organisations Program, including PY Media, Umeewarra, and Yaitya Makkitura.

It has also provided funding to assist the development of filmmaking and production for promising emerging Indigenous filmmakers.

In addition, it has provided matched funding for the development of a film project with Indigenous content, *The diary of Jimmy Porter*, involving the Adnyamathanha Traditional Lands Association.

It has also funded four projects that had direct employment outcomes for over 50 Aboriginal cast and crew residing in South Australia.

Other agencies and organisations

In addition, a significant number of agencies and organisations funded through Arts SA, including the Adelaide Festival and Adelaide Fringe, Adelaide Festival Centre Trust, South Australian Museum and others, include Indigenous artists and projects in their core programs.

LEGISLATURE BUDGETS

In reply to **Mrs REDMOND (Heysen)** (20 June 2012) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts): I have been advised of the following:

The increase in both the Legislative Council and House of Assembly lines relates to an increased employer superannuation contribution and increased on-costs as a result of an increase in members' salaries. The employer contribution is made regardless of the particular scheme. It should also be noted that a minister's employer contribution is accounted for in their departmental line.

SURPLUS EMPLOYEES

In reply to **Mrs REDMOND (Heysen)** (20 June 2012) (Estimates Committee A).

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts): I have been advised of the following:

There were 312 excess employees as at 30 June 2012. This is down from 419 as at 30 June 2011.

The agency, classification, title and total employment cost for each excess employee is listed in Attachment 1.

Attachment 1—Excess Employee List as at 30 June 2012

Agency	Classification	Substantive Job Title	Total Employment Cost
Attorney-General's	ASO2	Administrative Assistant	56,362
Attorney-General's	ASO3	Admin and Project Support Officer	68,222
Attorney-General's	ASO3	Media Monitoring	59,648
Attorney-General's	ASO4	HR Consultant	69,489
Attorney-General's	ASO5	Financial Consultant	79,250
Attorney-General's	ASO5	Policy and Research Officer	95,966
Attorney-General's	ASO5	Senior HR Consultant	95,966
Attorney-General's	ASO6	Contract Administrator	91,077
Attorney-General's	ASO6	Office Manager	92,863

Attorney-General's	ASO6	Office Manager	97,762
Attorney-General's	ASO6	Senior HR Consultant	95,037
Attorney-General's	ASO7	Business Partner, Team Leader (Interactive Comm)	103,400
Attorney-General's	ASO8	Manager Corporate Communications & Public Affairs	110,017
Attorney-General's	MAS3	Manager Customer Services Technology	117,666
Communities and Social Inclusion	AHP2	Senior Social Worker	92,147
Communities and Social Inclusion	AHP4	Project Officer	114,485
Communities and Social Inclusion	ASO2	Records Support Officer	56,296
Communities and Social Inclusion	ASO3	Assistant Project Officer	64,858
Communities and Social Inclusion	ASO3	Senior Administration Officer	64,858
Communities and Social Inclusion	ASO4	Housing Officer	72,425
Communities and Social Inclusion	ASO4	Project Officer	72,425
Communities and Social Inclusion	ASO5	Operations Manager	88,603
Communities and Social Inclusion	ASO6	Chief Project Officer	94,925
Communities and Social Inclusion	ASO6	Data Administrator	94,925
Communities and Social Inclusion	ASO7	Executive Project Officer	107,170
Communities and Social Inclusion	ASO7	Manager—Govt and Coordination Branch	109,796
Communities and Social Inclusion	OPS1	Community Service Order Supervisor	22,788
Communities and Social Inclusion	WHA2	Disability Services Officer	51,405
Communities and Social Inclusion	ASO3	Senior Purchasing Officer	64,826
Communities and Social Inclusion	ASO4	Mid Range Programmer	72,425
Communities and Social Inclusion	ASO6	Business Manager	94,925
Communities and Social Inclusion	ASO6	Manager, Staff Development	94,925
Communities and Social Inclusion	ASO6	Regional Youth Services Coordinator	94,925
Communities and Social Inclusion	ASO6	Team Leader Projects and Program	94,925
Communities and Social Inclusion	ASO8	Manager Investment Partnership	118,505
Communities and Social Inclusion	ASO8	Principal Contract Consultant	115,670
Communities and Social Inclusion	OPS3	CSA7 Key Contact	58,344
Communities and Social Inclusion	Registered (RN)	Palliative Liaison Officer	103,011
Correctional Services	ASO5	Business Manager	87,668
Correctional Services	ASO6	Business Manager	95,829
Correctional Services	ASO7	Team Leader Injury Management	108,191
Correctional Services	OPS4	Coordinator of Operations	77,698
Correctional Services	OPS4	Coordinator of Operations	77,698
Correctional Services	OPS6	Unit Manager	87,267
Correctional Services	OPS6	Unit Manager	87,307
Courts Administration Authority	ASO4	Manager Finance	68,855
Education and Child Development	AHP1	Community Support Worker	62,683
Education and Child Development	AHP2	Social Worker	75,393
Education and Child Development	AHP2	Social Worker	92,147
Education and Child Development	ASO4	Office Manager	74,944

Education and Child Development	ASO6	Lead Program Officer	94,925
Education and Child Development	ASO7	Manager Workforce Development	109,796
Education and Child Development	OPS2	Community Support Worker	56,199
Education and Child Development	OPS2	Community Support Worker	56,199
Education and Child Development	OPS3	Community Support Worker	64,826
Education and Child Development	OPS3	Community Support Worker	64,826
Education and Child Development	OPS3	Community Support Worker	64,826
Education and Child Development	OPS3	Community Support Worker	64,826
Education and Child Development	OPS3	Community Support Worker	64,826
Education and Child Development	OPS3	Community Support Worker	64,826
Education and Child Development	OPS3	Financial Counselling Community Support Worker	64,826
Education and Child Development	OPS4	Family Support Worker	72,425
Education and Child Development	ASO4	Records Management Officer	73,115
Education and Child Development	ASO6	District Coordinator	95,830
Education and Child Development	ASO6	Infrastructure Contract Administrator	95,830
Education and Child Development	ASO6	Manager personnel counsellor	95,830
Environment and Natural Resources	ASO1	Support Services Officer	51,013
Environment and Natural Resources	ASO4	IT Asset Support Officer	73,055
Environment and Natural Resources	ASO5	Information Delivery Coordinator	90,195
Environment and Natural Resources	ASO5	Senior Heritage Interpretation Officer	87,235
Environment and Natural Resources	ASO5	Senior Heritage Officer	90,193
Environment and Natural Resources	ASO6	Policy and Planning Officer	98,997
Further Education, Employment, Science & Tech	ASO1	Administrative Officer	49,988
Further Education, Employment, Science & Tech	ASO2	Administration Officer	28,764
Further Education, Employment, Science & Tech	ASO2	Administrative Officer	51,871
Further Education, Employment, Science & Tech	ASO2	Administrative Officer	57,531
Further Education, Employment, Science & Tech	ASO2	Executive Assistant	57,531
Further Education, Employment, Science & Tech	ASO2	Learning Materials Helpdesk	57,531
Further Education, Employment, Science & Tech	ASO3	Administrative Officer	66,281
Further Education, Employment, Science & Tech	ASO3	Coordinator, Food Store	66,281
Further Education, Employment, Science & Tech	ASO3	ESOS Compliance Officer	66,281
Further Education, Employment, Science & Tech	ASO3	Human Resources Consultant	66,281
Further Education, Employment, Science & Tech	ASO3	Office Coordinator	66,281
Further Education, Employment, Science & Tech	ASO3	Theatre/Arts Manager	66,461
Further Education, Employment, Science & Tech	ASO4	Briefing Officer	74,015

Further Education, Employment, Science & Tech	ASO4	Executive Assistant PA/Office Manager	59,209
Further Education, Employment, Science & Tech	ASO4	Marketing Officer	74,015
Further Education, Employment, Science & Tech	ASO4	Program Administrator	74,015
Further Education, Employment, Science & Tech	ASO4	Project Officer	74,015
Further Education, Employment, Science & Tech	ASO4	Project Officer	74,015
Further Education, Employment, Science & Tech	ASO4	Quality Officer	74,015
Further Education, Employment, Science & Tech	ASO5	Bookshop Manager	88,381
Further Education, Employment, Science & Tech	ASO5	Business Manager	88,381
Further Education, Employment, Science & Tech	ASO5	Graphic Design Officer	88,381
Further Education, Employment, Science & Tech	ASO5	Senior Project Officer	88,381
Further Education, Employment, Science & Tech	ASO5	Team Leader/Coordinator, Infrastructure & Desktop	88,381
Further Education, Employment, Science & Tech	ASO6	Manager, International Students Admissions	97,008
Further Education, Employment, Science & Tech	ASO6	Manager, Marketing and Recruitment	94,203
Further Education, Employment, Science & Tech	ASO6	Senior Communications & Telephone Officer	97,008
Further Education, Employment, Science & Tech	ASO6	Senior Policy Officer	97,008
Further Education, Employment, Science & Tech	ASO6	Senior Project Officer	97,008
Further Education, Employment, Science & Tech	ASO7	HR Team Leader	106,624
Further Education, Employment, Science & Tech	ASO7	Manager, Client Services	109,520
Further Education, Employment, Science & Tech	ASO7	Senior Project Officer-Communications	109,520
Further Education, Employment, Science & Tech	ASO8	Executive Officer, Premier Science Research Council	118,208
Further Education, Employment, Science & Tech	ASO8	Manager Business Planning and Finance	118,208
Further Education, Employment, Science & Tech	ASO8	Manager, Assets & Procurement	118,208
Further Education, Employment, Science & Tech	ASO8	Program Leader, Industry Skills Development	118,208
Further Education, Employment, Science & Tech	EM-A	Educational Manager	119,913
Further Education, Employment, Science & Tech	EM-B	Educational Manager	132,286
Further Education, Employment, Science & Tech	EM-B	Educational Manager, Vocational Prep and Equity	132,286
Further Education, Employment, Science & Tech	EM-C	Educational Manager	141,649
Further Education, Employment, Science & Tech	GSE1	Child Care Worker	31,733
Further Education, Employment, Science & Tech	GSE1	Child Care Worker	37,136
Further Education, Employment, Science & Tech	GSE3	Child Care Coordinator Level 3	76,197

Further Education, Employment, Science & Tech	MAS3	Manager Marketing Unit	120,357
Further Education, Employment, Science & Tech	MAS3	Manager, International Students	120,357
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer	85,779
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer	107,011
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer	107,011
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer Assistant, English Language	75,224
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer Hospitality	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Commercial Cookery	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Commercial Cookery	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Communications Office	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Food & Beverage Services, ICHM	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Hospitality	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Hospitality Management	101,433
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Hotel School	101,433
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, ICHM	80,501
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, IT	85,779
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Meat	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Mechanical	107,011
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Mechanical Engineering	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Mechanical Engineering	107,011
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Sheetmetal	101,433
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Shipbuilding	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Voc Prep	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Voc Prep	101,433
Further Education, Employment, Science & Tech	TAFE Lecturer	Lecturer, Meat	94,055
Further Education, Employment, Science & Tech	TAFE Lecturer	Principal Lecturer	113,077
Further Education, Employment, Science & Tech	TAFE Lecturer	Senior Lecturer, Commercial Cookery	107,011
Further Education, Employment, Science & Tech	TAFE Lecturer	Snr Project Officer	113,077
Further Education, Employment, Science & Tech	TGO3	Illustrator	81,916
Health	AHP5	Unit Manager, Medical Imaging	135,109

Health	ASO1	Central Referral Unit Coordinator	53,374
Health	ASO2	Admin Assistant/Secretary	59,215
Health	ASO2	Outpatient Admin Assistant	57,771
Health	ASO3	Administrative Officer	39,934
Health	ASO3	ATSI MS N&M AH Executive Assistant	66,557
Health	ASO3	Personal Assistant—ATSI	66,557
Health	ASO4	Executive Assistant	74,323
Health	ASO5	Maintenance Manager	90,969
Health	PO1	Counsellor	77,369
Health	Registered (RN)	Clinical Practice Consultant	94,773
Health	Registered (RN)	Clinical Services Coordinator	106,770
Health	Registered (RN)	Project Director NMA&PC	106,770
Health	WME	Electrician	78,852
Health	WMM	Refrigeration Mechanic	82,713
Health	OPS1	Car Parking Inspector	50,197
Health	OPS4	E&BS	74,323
Health	AHP2	Lifestyle Advisor	84,588
Health	ASO1	Laundry Hand (work injured unable to return)	50,197
Health	ASO2	Receptionist	57,773
Health	ASO3	Snr PATS Officer	66,558
Health	ASO4	Lifestyle Support Officer	33,839
Health	ASO4	Lifestyle Support Officer	74,324
Health	ASO7	Director Riverland Community Health Services	109,979
Health	Enrolled (EN)	Enrolled Nurse	58,305
Health	Registered (RN)	ERNI Coordinator	106,770
Health	WHA2	Ancillary Staff	47,952
Health	WHA2	Services Assistant	37,295
Health	WHA2	Services Assistant	42,624
Health	WHA2	Services Assistant	42,624
Health	WHA3	Ancillary Staff	49,162
Health	WHA4	Team Leader Security	51,590
Health	WHA5	Cook	53,686
Health	WHA5	Senior Cook	34,471
Health	ASO2	Admin Support Officer	31,147
Health	ASO2	Injury Management Assistant	60,778
Health	ASO2	Motor Vehicle Administration Officer	60,178
Health	ASO3	Budget Officer	71,771
Health	ASO3	Budget Officer	71,771
Health	ASO3	Workforce Planning Support Officer	63,284
Health	ASO4	Management Accountant	73,674
Health	ASO4	Project Officer	77,591

Health	ASO4	Senior Administration Officer	73,085
Health	ASO4	Senior Budget Officer	81,910
Health	ASO4	Senior Finance Officer	78,191
Health	ASO4	Senior Finance Officer	81,910
Health	ASO4	Senior Human Resources Consultant	80,146
Health	ASO4	Team Leader/Senior Finance Officer	78,191
Health	ASO5	Assistant Financial Accountant	95,702
Health	ASO5	Senior Budget Officer	95,702
Health	ASO5	Senior Facilities Management Supervisor	92,449
Health	ASO5	Workforce Analyst	88,702
Health	ASO6	Management Accountant	105,044
Health	ASO6	Management Accountant	130,560
Health	ASO6	Manager Customer Service and Helpdesk	105,044
Health	ASO6	Senior Injury Prevention Consultant	105,044
Health	ASO7	Manager Executive Services	118,593
Health	ASO7	Principal Consultant WD&L Pol/Str	114,561
Health	ASO4	Claims Administrator	77,421
Health	ASO1	Project Officer Secretary	50,197
Health	ASO2	Administrative Services Officer	59,215
Health	ASO5	Lifestyle Advisor	85,507
Health	ASO5	Lifestyle Advisor	85,507
Health	ASO5	Lifestyle Coordinator	85,507
Health	ASO6	Project Officer	98,299
Health	ASO7	Team Manager—The Parks	103,848
Health	ASO2	Event Planning Assistant	54,539
Health	ASO6	Project Coordinator	77,444
Health	ASO7	Emergency Operations Centre Manager	98,438
Health	AHP3	Regional Referral Unit Coordinator	90,264
Health	ASO5	Lifestyle Advisor	82,258
Health	ASO8	Manager, Office of the CEO	118,702
Health	Registered (RN)	Clinical Services Coordinator	106,770
Health	Registered (RN)	Nurse	86,115
Health	OPS3	Senior Dental Assistant	33,278
Manufacturing, Innovation, Trade, Resources and Energy	ASO2	Corporate Services Officer	58,711
Manufacturing, Innovation, Trade, Resources and Energy	ASO2	Customer Services Officer	58,711
Manufacturing, Innovation, Trade, Resources and Energy	ASO2	Reception/Admin Officer	46,968
Manufacturing, Innovation, Trade, Resources and Energy	ASO3	Licensing Officer	69,331
Manufacturing, Innovation, Trade, Resources and Energy	ASO5	Trade Support Officer	86,897

Manufacturing, Innovation, Trade, Resources and Energy	ASO6	Project Officer	101,472
Manufacturing, Innovation, Trade, Resources and Energy	ASO7	Media Communications Officer	111,767
Manufacturing, Innovation, Trade, Resources and Energy	ASO7	Principal Policy Officer	92,449
Manufacturing, Innovation, Trade, Resources and Energy	ASO7	Senior Policy Officer	111,767
Manufacturing, Innovation, Trade, Resources and Energy	ASO8	Manager, Climate Change & Sustainability	120,632
Manufacturing, Innovation, Trade, Resources and Energy	ASO8	Principal Project Manager	120,632
Planning, Transport and Infrastructure	ASO2	Customer Service Officer	68,286
Planning, Transport and Infrastructure	ASO3	Communications Assistant	76,568
Planning, Transport and Infrastructure	ASO4	Executive Assistant	72,387
Planning, Transport and Infrastructure	ASO4	Performance Monitoring and Reporting Officer	34,435
Planning, Transport and Infrastructure	ASO5	Auditor	102,083
Planning, Transport and Infrastructure	ASO5	Senior Project Officer	59,167
Planning, Transport and Infrastructure	ASO6	Senior Business & Procurement Analyst	107,361
Planning, Transport and Infrastructure	ASO6	Senior Communications Adviser	112,065
Planning, Transport and Infrastructure	ASO6	Senior Project Officer	112,025
Planning, Transport and Infrastructure	ASO7	Ministerial Liaison Officer	87,049
Planning, Transport and Infrastructure	ASO7	Project Manager	109,431
Planning, Transport and Infrastructure	GSE1	Government Services Employee	38,162
Planning, Transport and Infrastructure	IWS4	Construction and Maintenance Worker	58,741
Planning, Transport and Infrastructure	PO1	Coordinator, Resource Centre	77,370
Planning, Transport and Infrastructure	TGO4	Bio Medical Technician	88,751
Planning, Transport and Infrastructure	ASO1	Ticket Clerk	49,202
Planning, Transport and Infrastructure	ASO1	Ticket Clerk	49,202
Planning, Transport and Infrastructure	ASO2	Ticket Clerk	62,497
Planning, Transport and Infrastructure	ASO2	Ticket Clerk	62,497
Planning, Transport and Infrastructure	ASO2	Ticket Clerk	62,497
Planning, Transport and Infrastructure	ASO2	Ticket Clerk	62,497
Planning, Transport and Infrastructure	ASO2	Ticket Clerk	62,497
Planning, Transport and Infrastructure	ASO3	Business Support Officer	67,640
Planning, Transport and Infrastructure	ASO6	Public Transport Passenger Analyst	105,381
Premier and Cabinet	ASO2	Administration Officer	54,508
Premier and Cabinet	ASO2	Collections Officer	56,394

Premier and Cabinet	ASO3	Assistant HR Consultant	40,583
Premier and Cabinet	ASO3	Senior Administration Officer	65,282
Premier and Cabinet	ASO4	Project Officer	75,532
Premier and Cabinet	ASO4	Prosecutions Officer	63,447
Premier and Cabinet	ASO6	Manager, Marketing and Communications	95,546
Premier and Cabinet	ASO6	Project Manager	95,546
Premier and Cabinet	ASO7	Business Manager	107,870
Premier and Cabinet	ASO8	Program Manager	116,427
Premier and Cabinet	MAS3	Manager, Workforce Evaluation	118,543
Premier and Cabinet	WPE7	Printing Employee	56,352
Primary Industries and Resources	ASO1	Administrative Officer	49,779
Primary Industries and Resources	ASO1	Administrative Support Officer	50,606
Primary Industries and Resources	ASO2	Administrative Services Officer	60,179
Primary Industries and Resources	ASO2	Business Support Consultant	57,772
Primary Industries and Resources	ASO4	Communications Officer (On-line)	77,421
Primary Industries and Resources	ASO4	Project Officer Property and Facilities	75,563
Primary Industries and Resources	ASO6	Executive Officer	105,531
Primary Industries and Resources	ASO6	Office Manager	96,135
Primary Industries and Resources	ASO7	Regional Manager	119,144
Primary Industries and Resources	OPS1	Project Support Officer	48,973
Primary Industries and Resources	OPS2	Admin Services Officer	58,711
Primary Industries and Resources	OPS5	Snr Fisheries Officer	81,836
Primary Industries and Resources	PO1	Land Management Consultant	75,608
Primary Industries and Resources	PO1	Salinity Consultant	75,608
Primary Industries and Resources	PO1	Technical Officer	75,608
Primary Industries and Resources	PO2	Animal Health Adviser	94,771
Primary Industries and Resources	PO2	Horticulture Consultant	88,910
Primary Industries and Resources	PO2	Senior Catchment Hydrology Consultant	88,968
Primary Industries and Resources	PO4	Principal Consultant Livestock & Emergency Management	110,963
SA Fire and Emergency Services Commission	ASO2	Administrative Officer, HS&W	58,242
SA Fire and Emergency Services Commission	ASO4	Volunteer Support Officer	76,801
SA Fire and Emergency Services Commission	ASO4	Volunteer Support Officer	76,801
SA Fire and Emergency Services Commission	ASO3	Business Support Officer	67,315
SA Police	ASO1	Administration Officer	47,953
SA Police	ASO1	Switchboard Operator	47,953
SA Police	ASO2	Admin Assistant	55,189
SA Police	ASO5	HRM System Manager	84,782
SA Police	ASO5	Mgr, Business & Admin Unit	84,782
SA Police	ASO7	Mgr, Preventions	96,786
SA Police	GSE2	Handyperson	47,216
SA Police	GSE2	Handyperson	47,216
SA Police	GSE3	Security Officer	48,449

SA Police	GSE5	Assistant Sadler	51,035
SA Police	MAS3	Mgr, Procurement and Contract Management	115,456
Treasury and Finance	ASO4	Executive Assistant	70,926
Treasury and Finance	ASO4	Team Leader Business Services	71,227
Treasury and Finance	ASO5	Accountant	84,673
Treasury and Finance	ASO5	Team Leader	85,052
Treasury and Finance	ASO7	Manager Information Systems	104,901
Treasury and Finance	ASO7	Manager Supplier Development	43,659
Treasury and Finance	ASO7	Strategic Procurement Officer	104,901
Treasury and Finance	ASO8	Manager Financial Services	112,666
Water, Department for	ASO2	Administration Officer	56,396
Water, Department for	ASO3	Team Leader, Records Management	55,913
Water, Department for	ASO4	Executive Assistant	73,395
Water, Department for	ASO4	Project Officer	72,511
Water, Department for	MAS3	Manager Strategic Projects	115,881

Source: Excess Employee Database

Note: The whole of government Excess Employee Database is updated in 'real time' and data is subject to change

Data provided in this report is current as at 30 June 2012 as recorded by agencies.

Total Employment Cost includes salary and on-costs as recorded by agencies.

PAPERS

The following papers were laid on the table:

By the Speaker—

Local Government Annual Reports—Wakefield Regional Council Annual Report 2011-12

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

Regulations made under the following Acts—
 Criminal Law (Sentencing)—Fees—Vehicles
 Magistrates Court—Fees—Criminal Division
 Youth Court—Fee Increases

By the Minister for Planning (Hon. J.R. Rau)—

Development Plan Amendment—City of Unley—Local Heritage Places Report
 Regulations made under the following Act—
 Development—Control of External Sound

By the Minister for Industrial Relations (Hon. J.R. Rau)—

Abrasive Blasting—Code of Practice
 Confined Spaces—Code of Practice
 Construction Work—Code of Practice
 Demolition Work—Code of Practice
 Excavation Work—Code of Practice
 First Aid in the Workplace—Code of Practice
 Hazardous Manual Tasks—Code of Practice
 How to Manage and Control Asbestos in the Workplace—Code of Practice
 How to Manage Work Health and Safety Risks—Code of Practice
 How to Safely Remove Asbestos—Code of Practice
 Inspector Attendance at Workplaces SafeWork SA—Policy

Labelling of Workplace Hazardous Chemicals—Code of Practice
 Managing Electrical Risks in the Workplace—Code of Practice
 Managing Noise and Preventing Hearing Loss at Work—Code of Practice
 Managing Risks of Hazardous Chemicals in the Workplace—Code of Practice
 Managing the Risk of Falls at Workplaces—Code of Practice
 Managing the Risks of Plant in the Workplace—Code of Practice
 Managing the Work Environment and Facilities—Code of Practice
 Preparation of Safety Data Sheets for Hazardous Chemicals—Code of Practice
 Preventing Falls in Housing Construction—Code of Practice
 Safe Design of Structures—Code of Practice
 Spray Painting and Powder Coating—Code of Practice
 Welding Processes—Code of Practice
 Work Health and Safety Consultation, Co-operation and Co-ordination—Code of Practice

By the Minister for Business Services and Consumers (Hon. J.R. Rau)—

Regulations made under the following Acts—
 Liquor Licensing—
 Dry Areas—
 Bordertown Area 1
 Naracoorte

By the Minister for Health and Ageing (Hon. J.J. Snelling)—

Ageing, Office for the—Annual Report 2011-12
 Public Health Council, South Australian—Annual Report 2011-12
 Response by the Minister for Health and Ageing to the 33rd Report of the Social
 Development Committee—Inquiry into Food Safety Programs
 Regulations made under the following Acts—
 Health and Community Services Complaints—Code of Conduct

By the Minister for Mineral Resources and Energy (Hon. A. Koutsantonis)—

Australian Energy Market Commission—Annual Report 2011-12
 Energy Consumers' Council—Annual Report 2011-12

INDEPENDENT COMMISSIONER AGAINST CORRUPTION

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: I was very pleased this morning to announce that the Hon. Justice Bruce Thomas Lander QC will be appointed as South Australia's first Independent Commissioner Against Corruption. I am sure all members will agree that the Hon. Justice Lander, a judge of the Federal Court of Australia, is an outstanding appointment for this state's ICAC.

His Honour brings a wealth of experience and gravitas to the critical role of the inaugural Independent Commissioner Against Corruption. Justice Lander was admitted to the Supreme Court of South Australia in 1969 after completing articles with Baker McEwin & Co. (now Minter Ellison). Justice Lander practised as a solicitor until 1982, when he joined the independent bar as one of the founding members of Jeffcott Chambers. He was appointed Queen's Counsel in 1986. His Honour's first judicial appointment was to the Supreme Court of South Australia in November 1994. In July 2003, Justice Lander was appointed as a judge of the Federal Court.

Later judicial appointments included becoming an additional judge of the Supreme Court of the Australian Capital Territory in January 2004; the Deputy President of the Administrative Appeals Tribunal in November 2005; a judge of the Supreme Court of Norfolk Island in December 2008; and His Honour has also been an auxiliary judge of the Supreme Court of South Australia since 2008. In one of my first acts as Premier, I moved for the government to establish an Independent Commissioner Against Corruption. We secured the passage of our ICAC legislation despite opposition last year. This morning—

Members interjecting:

The SPEAKER: Order!

Mr Marshall interjecting:

The SPEAKER: I call the Leader of the Opposition to order.

The Hon. J.W. WEATHERILL: This morning the Attorney-General called together a meeting of the Statutory Officers Committee which resolved that the proposed appointment of Justice Lander be approved. Today is the next milestone in our state's ICAC. Other state ICACs have been born out of crisis—this is not the case in South Australia. Our ICAC has been born out of a recognised need to improve the community's confidence in the integrity of public office. As I said, it is my view that South Australia needed an ICAC and I am very pleased today to mark the next milestone in its establishment.

Members interjecting:

The SPEAKER: Premier, could you resume your seat. I call the member for Morialta, the member for Unley and the member for Heysen to order.

The Hon. J.W. WEATHERILL: South Australia is fortunate in being able to attract a person of Justice Lander's standing to this important office. It is a real vote of confidence in our model of the ICAC; a model that will ensure that corruption is actually stamped out. Justice Lander will commence his office appointment on 1 September, and the government looks forward to working with His Honour, to ready the office of public integrity and His Honour's own office of commissioner to open as soon as possible.

NATURAL RESOURCES COMMITTEE

The Hon. S.W. KEY (Ashford) (14:11): I bring up the 77th report of the committee, entitled 'Foxes: Hunting for the Right Solution'.

Report received and ordered to be published.

QUESTION TIME

POLICE NUMBERS

Mr MARSHALL (Norwood—Leader of the Opposition) (14:12): My question is to the Premier. Does the Premier stand by his promise of 300 extra police officers by 2016, revised from Labor's previous promise of 300 extra police by 2014?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:12): As the member would be aware, there has been some discussion recently about the numbers in our South Australian police force. Perhaps by way of preface, it is worth bringing to the attention of the house that the number of police in this state is the highest per capita of any state in the commonwealth, and by some considerable margin, I might say.

That, of course, is part and parcel of the reason why we have been able to deliver an almost 40 per cent reduction in victim-reported crime over the last 10 years—and just remember what that involves. That involves recruiting against attrition—so replacing those police officers who leave—and then, in addition to that, putting in additional numbers of police that has led us to that particular outcome.

In the 2010, I think, budget arrangements—indeed, the Mid-Year Budget Review, I think—there was, in fact, a rephrasing of some of the commitments that were given by the government in relation to its commitment to employ an additional 300 police officers. I think in the order of 100—I think in the order of 116, in fact—of those additional 300 police officers have already been recruited. The proposition we took to the people was that we would employ an additional 300 police officers—we have an additional 100-odd police officers—and we have pushed out the time line for doing that to 2016, and that remains our present intention.

What members need to be aware of is that every government agency has been asked to make savings. In relation to the police department, some of the more modest savings have been asked of the police department in recognition of the fact that this is a particular priority of government. So, we do expect them to maintain their savings. Despite the fact that they have been asked to make savings, the amount of money that goes to the police department continues to grow throughout the forward estimates. So, it is our intention to meet our targets, as we have outlined.

Mr MARSHALL: Supplementary, Mr Speaker.

The SPEAKER: If indeed it is a supplementary.

POLICE NUMBERS

Mr MARSHALL (Norwood—Leader of the Opposition) (14:15): My supplementary is to the Premier. What is the difference between an intention and a promise, and why should the people of South Australia trust you on this issue of the new commitment when you couldn't reach the previous commitment?

The SPEAKER: That is not a supplementary: that is a separate question, and I do think it comes very close to breaching the rules on questions, but I will allow it. The Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:15): If it is a question of trust, all they need to do is compare the two records of the two parties, because when they were in government they left us with a police force which I think was in the order of 3,700 police officers; now we have in the order of 4,500 police officers—the highest number of police officers per capita of any state in the commonwealth. One only needs to compare the two records to actually look at the performance that has been delivered, and in relation to the—

The SPEAKER: The deputy leader has a point of order.

Ms CHAPMAN: The Premier is directly going into debate on the basis that he is comparing different options, allegedly which he claims to know about. The question was very simple: what is the difference between an intent and a promise, and can he be trusted on this latest announcement? Now, that is not a comparison between the two different propositions being put; that is debate.

The SPEAKER: I think if you ask questions like the leader asked, you expect answers such as the Premier is giving. The question suggested its own answer, and it imputed if not dishonesty then incompetence, and the Premier is answering the question in the spirit it was asked.

Ms CHAPMAN: We withdraw our question. We are happy with your question.

The SPEAKER: The Premier.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. I was asked to furnish evidence of why we should be trusted, and what I am furnishing as evidence for why we should be trusted is: (1) a comparison between our record and the previous record and also some of the other matters that we have attended to. I think these are all relevant to the question of whether you can trust us to keep our commitment. For instance, in the last round, the 400 additional police which were phased in from 2006-07, we delivered on that. When we made that commitment last time, we delivered upon that.

In relation to a new police academy, we have delivered on a new police academy. In relation to new police stations in Murray Bridge, Roxby Downs, Yalata, Mount Gambier, Amata, Ernabella and Mimili, we delivered on that. In relation to a new police headquarters, we delivered on that. In relation to upgrades of police stations at Christies Beach, Elizabeth, Port Adelaide, Golden Grove, Para Hills and Aldinga, we delivered on that; a new police records management system and new technology crime-fighting equipment, we delivered on that. We also indexed the outlaw motorcycle gang and serious organised crime operating resources, which we promised and we delivered on.

This is the evidence we furnish of our commitment to policing resources in South Australia. Of the 300 that we have committed to recruiting, we have already managed to recruit in the order of 100—in fact, in excess of 100—and will continue to work to recruit the balance of that sum.

MANUFACTURING SECTOR

Mr SIBBONS (Mitchell) (14:19): My question is also to the Premier. Can the Premier inform the house how manufacturing in South Australia will be assisted by recent announcements?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:19): I thank the honourable member for his question and acknowledge that the member for Mitchell has an intimate understanding of the manufacturing sector, having been a longstanding employee of the Mitsubishi

factory. He also understands the dislocation that can occur when there is massive restructuring in the manufacturing sector.

Manufacturing remains a cornerstone of the South Australian economy: 73,000 South Australians are employed in that sector. It represents 10 per cent of the gross state product of the state, and we know that manufacturing provides decent jobs for not only those people directly employed in it but the many other jobs—

Ms Chapman: What about the unemployed?

The Hon. J.W. WEATHERILL: —that rest upon those particular sectors.

The SPEAKER: I warn the deputy leader for the first time. Premier.

The Hon. J.W. WEATHERILL: Industries like hospitality, retail, transport services, all of those sectors rely on the manufacturing sector. Between two and five jobs are created in the rest of the economy because of that important sector.

Last October, members would recall, we released manufacturing works, and we did so because we wanted to meet the challenges that face us. With a high Australian dollar, the truth is that the challenges for South Australian and, indeed, national manufacturers, are enormous.

In relation to the federal government, we are very pleased to collaborate with them. They are adopting a policy direction which is completely consistent with the policy direction which is sought by the South Australian government. It is very pleasing to see that they have committed a billion dollars in a package of support for jobs and, in particular, manufacturing jobs.

I am particularly pleased that it is focused on advanced manufacturing, that is, transforming our existing manufacturing sector so that we can compete with other countries, with our ingenuity, with our capacity to make things which find their place in world markets. It emphasises that the path to advanced manufacturing is through innovation and collaboration—doing new things, doing new things in partnership with other people.

One of the key elements to this is the creation of our high-tech precincts: defence, in mining services, in clean tech, food and fibre and automotive, with a cluster of businesses coming together, together with the knowledge industries that spawn around those particular manufacturing sectors, in close collaboration with universities and other institutions.

One of the other key elements of the federal strategy is, of course, the creation of industry innovation precincts which the commonwealth are also proposing. That will fit neatly into the propositions that we have been advancing here.

We have also identified the power of procurement to drive innovation in manufacturing and so we have established a new industry participation policy and industry participation advocate. The truth is that when large corporations, and state governments, when they make purchasing decisions they can drive the creation of new products and services. That is a power that we should harness, and I am pleased to note that the commonwealth have directly identified that as part of their strategy.

We can see that both state and federal Labor believe in a manufacturing future for South Australia. They also believe that innovation and collaboration will be at the heart of that. The reality is that protecting the status quo, protecting existing interests, and rejecting progress because it is unsettling, are simply not options for us here in South Australia.

I know that those opposite would like to choose the comfortable course and protect existing interests, but what we are interested in here is doing new things because we know the status quo is simply not going to take us where we need to go.

Mr GARDNER: Point of order, Mr Speaker: I draw your attention to the sessional orders; the four minutes are up.

The SPEAKER: In fact, the Premier has eight seconds on the clock.

Mr GARDNER: Your clock is still slow, sir.

The SPEAKER: I'm sorry, I didn't bring my Crvena Zvezda stopwatch so I am relying on the Clerk's electronic timer. Premier.

Members interjecting:

The Hon. J.W. WEATHERILL: At the heart of the economic policy choices which are in front of South Australians is the comfortable, lazy course, or a course—

The SPEAKER: Yes, Premier, I am sure you have wound up.

The Hon. J.W. WEATHERILL: I think my eight seconds was eaten into, to some extent.

The SPEAKER: Have you got something to say that will last three seconds?

The Hon. J.W. WEATHERILL: Yes, I do—or the course which challenges South Australia to be ambitious about its future.

VISITORS

The SPEAKER: On that note, I would like to welcome Concordia College to the house. They are here as guests of the member for Unley. Leader of the Opposition.

QUESTION TIME

POLICE NUMBERS

Mr MARSHALL (Norwood—Leader of the Opposition) (14:24): My question is to the Premier. Who is right? Was the Premier right when he said, and I quote, 'There will be no cut in police numbers. In fact, police numbers will grow,' or was SAPOL's evidence to the Budget and Finance Committee right, that this financial year there will be a cut of 71 police officers?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:25): I thank the honourable member for his question and, unsurprisingly, I am right. Properly understood, I think the evidence that was given is really a discussion about the rate of growth of police numbers. I've got to say, it sits ill in the mouth of those opposite to be talking about police numbers when they couldn't actually furnish South Australia with the police force that it demands and needs.

We have done that consistently during our term of office, and so what we are talking about here is the rate of growth of police numbers. The rate of growth of police numbers. Now, true it is that we've asked the police department, as we've asked every agency, to contribute to the savings effort. I might quickly add that the police agency has been asked to do less of the heavy lifting than almost any other agency, in recognition of the central role that they play in protecting our community and their need for resources.

They have a relatively light savings task; we expect them to meet that. At the same time, in every year of the forward estimates, the police budget grows considerably, so we do expect police numbers to grow and not be cut. We've delivered 100-odd of the 300 that we committed to, and we will continue to work with the police agency. The minister will work with the police agency to make the sensible economies that will allow us to both achieve the savings targets and grow our police numbers.

MINING INDUSTRY

Mrs VLAHOS (Taylor) (14:26): Can the Premier please advise the house about recent efforts to expand our mining sector in South Australia?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Treasurer, Minister for State Development, Minister for the Public Sector, Minister for the Arts) (14:26): Thank you, Mr Speaker, and I thank the honourable member for her question. She also represents an electorate that relies very heavily on the manufacturing sector. I note and applaud her for her advocacy in relation to the Holden co-investment package and thank her for her advocacy. Can I note that the mining sector across this nation is fuelled by, in many respects, graduates and skills that come from South Australia.

We produce a very large proportion of the mining engineers, a very large proportion of the geologists and a very significant proportion of the tradespeople who go interstate and overseas and work in the mining sectors in those particular jurisdictions. So, it was with some pleasure, when I attended a visit recently to Perth to pitch the South Australian story to mining services contractors and the mining companies, that I saw the large number of South Australians who are working in significant positions in those particular—

An honourable member: There's none here.

The Hon. J.W. WEATHERILL: Well, they were attracted by what, on any view of it, is a massive expansion of the mining industry in Western Australia, so it's not unnatural that they would seek employment in those jurisdictions. I think what is in fact pleasing to note is that, as our mining sector grows—and I note the interjection 'there's none here'—to the contrary, what we've seen since coming into office is driven in large measure obviously by the natural abundance we have here but also by intelligent government decision-making like the PACE initiative, the plan for accelerated exploration, we have seen mining exploration increase by in the order of \$29 million in 2000-01 to \$328.4 million in 2011-12, an increase of over 1,000 per cent.

We've also seen a very significant expansion of that initiative. We've seen the number of mines obviously go from four to 20 during that period, and we've opened up the Woomera Prohibited Area, which is unlocking mineral wealth which is estimated to be in the order of \$35 billion. In fact, the actual mining employment story is estimated in November 2002 to be 3,621. It is now estimated at 12,947—an increase of more than 250 per cent.

But we want to take that further. We want to realise our ambition to be a mining services hub not only for South Australia but for the nation and, if possible, the world, and there are real reasons for believing this is possible: not only do we have the particular skills and capacities here but we also have a growing set of opportunities.

I met with companies—many of those opposite would be familiar with international companies such as BP, Chevron and Shell—all of whom have expressed real interest in our unconventional gas. In relation to mining services, companies Schlumberger, Halliburton, Clough, Pacific Industrial Company, Monadelphous, and Southern Cross Electrical Engineering are all expressing interest in setting up or expanding their operations, or shifting their operations, to South Australia. They see the cost benefits associated with being in a competitive jurisdiction.

We are already seeing companies like Maintenance Technique—a young South Australian tradesperson who got overseas experience, set up in Perth and has now moved back to the northern suburbs; he can make a go of it here because of the skills and the relatively lower costs of doing business here in South Australia—and Osmoflo, supplying kit wastewater and desal plants around the world—

The SPEAKER: Alas, the Premier's time has expired.

Members interjecting:

The SPEAKER: Not wishing to interrupt the Premier's flow, I now warn the member for Heysen for the first time and the member for MacKillop for the first time and inform the leader that because he finds an answer humorous does not mean that it's out of order. The leader.

POLICE NUMBERS

Mr MARSHALL (Norwood—Leader of the Opposition) (14:31): My question is for the Minister for Police. How will the government achieve savings of \$150 million and yet grow police numbers with no new budget allocation, given that the police commissioner and the minister himself have said that this is not possible?

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:31): As Minister for Police, I'd like to extend my congratulations to the member for Stuart, on his appointment as the shadow minister for police in the outer cabinet, and the Hon. Stephen Wade, shadow minister for police in the inner cabinet. I have yet to come to grips with the ins and outs of the ins and outs. All I see in my portfolio area is a recipe—

The SPEAKER: A point of order from the member for Davenport.

The Hon. I.F. EVANS: The minister is not addressing the substance of the question.

The SPEAKER: I invite the Minister for Police to come a little closer to the substance of the question.

The Hon. M.F. O'BRIEN: In answer to—

Members interjecting:

The Hon. M.F. O'BRIEN: No, it's a point worth making because confusion reigns supreme in my portfolio area.

The Hon. I.F. EVANS: Point of order.

The SPEAKER: Is it the same point of order?

The Hon. I.F. EVANS: No, it's actually a more severe point of order: the minister is ignoring your ruling.

The SPEAKER: Yes, I will be the judge of whether the minister is ignoring my ruling. Minister for Police.

The Hon. M.F. O'BRIEN: I think the Premier has clearly articulated the issue. We have savings challenges which, for a number of agencies, including SAPOL, will be challenging. There is an expectation that those savings objectives will be met, and they will be met within the context of setting the next budget.

As the Premier has outlined, I had the privilege to be in Murray Bridge, I think last Friday, to open a new police station. We have the highest number of front-line police per capita in the nation. We have achieved that outcome for six clear years in a row; it's not something that we have arrived at of late.

We have attained a position of pre-eminence in the nation in terms of the staffing of our police force; that has translated into a 36 per cent reduction in crime. There is a clear correlation between the resources that this Labor government has committed to SAPOL and the results that SAPOL is getting in the field. Then as I mentioned, we opened the new police station in Murray Bridge, a \$12.6 million development, a new police complex, a headquarters for the eastern region of the state. We have committed—

Ms Chapman interjecting:

The SPEAKER: The Minister for Police will be seated. The question is relevance?

Ms CHAPMAN: Indeed. So far, Mr Speaker, the minister has not gone anywhere near identifying how he intends to reach the savings.

The SPEAKER: Yes, yes, I think I understand what the point of order is without your making an impromptu speech. Could you be seated. The Minister for Police, would he answer the substance of the question, please?

The Hon. M.F. O'BRIEN: I think I have covered the matter in some detail. It should be of some interest to you, because I was going to give you some detail on our investment in regional South Australia in addition to the considerable amount we have put into the Murray Bridge facility, but I think I have covered the ground.

CONSUMER AND BUSINESS SERVICES

Ms BETTISON (Ramsay) (14:36): My question is to the Minister for Business Services and Consumers. Can the minister please inform the house about the key work happening in the business services and consumer portfolio and why it is important for the portfolio to have a direct voice in cabinet?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:36): I thank the honourable member for her question. Yes, the business services and consumer portfolio impacts on every South Australian. Consumer services (CBS) provide a core service delivery component for the portfolio, assisting South Australian consumers and businesses with thousands of matters each day.

In protecting and assisting consumers during the 2011-12 financial year, CBS recalled or withdrew from sale more than 100 product lines; inspected thousands of items for compliance with safety legislation; investigated more than 4,400 consumer complaints; processed more than 115,000 rental bond lodgements and refunds; undertook court action that secured compensation orders totalling more than \$56,000 for consumers who had suffered loss; and informed the public of a number of consumer law campaigns, including the Do Not Knock campaign, aimed at protecting consumers from unwarranted approaches by door-to-door salesmen.

CBS also serves as a key link between many SA businesses and government issuing and monitoring more than 67,500 occupational licences annually, and licence renewals can now be done online, saving business red tape. The other key services provided through the portfolio include: providing more than 115,000 certificates through Births, Deaths and Marriages annually; providing advice and more than 114,000 inquiries on tenancies each year; managing the Residential Tenancies Tribunal, which heard approximately 9,000 hearings in the 2011-12 year;

administering the liquor licensing process, dealing with more than 10,000 applications for renewal each year; and implementing the liquor licence general code of practice, designed to encourage responsible attitudes towards promotion, sale and consumption of alcohol.

The functions of Consumer and Business Services play a vital role in our community. When the hard policy decisions impacting on consumers and businesses are before cabinet, could the best outcome be reached if the person leading the discussion is not the minister at the table? I would be happy to provide a briefing to the member for Goyder, if he needs to brief his senior colleague at any time, in relation to these matters. I look forward to speaking to him in due course.

POLICE NUMBERS

Mr MARSHALL (Norwood—Leader of the Opposition) (14:39): My question is to the Minister for Police. Is the minister seeking additional funding through the budget process to achieve Labor's promise of recruiting 300 extra police, given his statement on 13 February, and I quote:

We may have to return to the budget process to do a top up.

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39): As I said, these issues will be dealt with in the budget process. Agencies have savings targets that have been outlined. Some of them are going to be of some difficulty—

Members interjecting:

The Hon. M.F. O'BRIEN: No, that's the fact of the matter; I am sure that this would come as no surprise. This is the business of government, the allocation of resources amongst competing demands. As the Premier said, we have a commitment to the protection and wellbeing of the community of South Australia. We will determine our budget deliberations with that particular objective in mind. We have made a significant investment in SAPOL over the past 10 years which, as I said, has meant that there are more police officers on the beat in South Australia per head of population than any other state in Australia. This has been the case for six clear years. We intend to maintain our commitment to the wellbeing and protection of the community of South Australia and those issues will be addressed—

Mr MARSHALL: I rise on a point of order.

The SPEAKER: Point of order. The Minister for Police will be seated. Point of order by the Leader of the Opposition.

Mr MARSHALL: It is very simple: it is relevance. The question is: is the minister seeking additional funding? That is all it is.

Mrs Geraghty: Don't make a speech.

Mr MARSHALL: It is not a speech.

The SPEAKER: The point of order will be sufficient to make the point, rather than repeating the question. I ask the Minister for Police to come back to the substance of the question.

The Hon. M.F. O'BRIEN: The police budget has more than doubled in the past 10 years since we have been in government, from \$369 million in 2001-02 to \$767 million in 2012-13. We have the runs on the board. The South Australian community can see, by the number of police that are actively involved in the day-by-day process of looking after our citizenry and the fact that we have more than doubled the budget, that this Labor government is committed to SAPOL and it is committed to our community's safety.

COMPULSORY THIRD-PARTY INSURANCE

The Hon. S.W. KEY (Ashford) (14:41): My question is to the Minister for Health and Ageing. Can the minister update the house on whether other state governments are following South Australia's lead with regard to forming the compulsory third-party insurance scheme to make it more affordable for motorists?

The Hon. J.J. SNELLING (Playford—Minister for Health and Ageing, Minister for Mental Health and Substance Abuse, Minister for Defence Industries, Minister for Veterans' Affairs) (14:42): I thank the member for Ashford and acknowledge her interest in delivering a cheaper, more affordable and fairer compulsory third-party scheme for South Australian motorists. Members of this house would be aware that this government is looking to change our CTP scheme

to make it fairer and more affordable for South Australian motorists by moving to a no-fault scheme for motorists who are catastrophically injured.

I am pleased to tell the house that on Sunday, New South Wales Premier Barry O'Farrell announced that his government was also looking to move to a no-fault scheme. According to Mr O'Farrell, the current scheme in place in New South Wales has turned into 'a lawyer's picnic' and their proposed changes could save motorists in New South Wales about 15 per cent a year. In Mr O'Farrell's media release, he says that the current system is 'simply not good enough'. He goes on to say that 'these proposed changes will drive down costs by ensuring the system is focused on those who are injured, not ambulance chasing lawyers'.

Like Mr O'Farrell in New South Wales, the South Australian government is also looking to reform the scheme to make it more affordable for motorists. In November, the Premier and I announced proposed changes which would see South Australian motorists save around \$160 over the next two years. The average family with two cars would save more than \$300 over two years. The cost of living is a big concern for our community and reducing motor insurance premiums will help just about every South Australian family. On top of this, it is also to be fairer to people who are currently not covered by CTP insurance when they suffer debilitating injuries in single vehicle accidents.

Each year about 40 per cent of catastrophically injured road accident victims are left without compensation from our CTP insurance scheme. Despite announcing our plans to introduce legislation to make this happen some 87 days ago, we are still waiting to hear whether those opposite—

The Hon. I.F. EVANS: Point of order, Mr Speaker.

The SPEAKER: The point of order will be that the minister is not responsible to the house for the opposition's policy.

The Hon. I.F. EVANS: No; that is one point of order that you can bring to the house's attention, Mr Speaker. The minister is entering debate. The question was simply about what other states are doing.

The SPEAKER: Yes, I got what the question was. Would you please be seated? Could the Minister for Health give us more information about what other states are doing?

The Hon. J.J. SNELLING: Happily, sir. I would also like to address what the opposition is doing, because we have not heard what the opposition's position is on these reforms.

The Hon. I.F. EVANS: Point of order, Mr Speaker.

The SPEAKER: The point of order is that you ask the questions, not the minister?

The Hon. I.F. EVANS: The point of order is that the question—

Members interjecting:

The SPEAKER: Member for Davenport?

The Hon. I.F. EVANS: Sorry, Mr Speaker. I was just waiting for the interruptions to stop, which are, of course, unparliamentary. I just make the point of order that the question was not about what the opposition's policy was. The question you quite rightly drew to the attention of the house was: what are other states doing in relation to this matter? The minister is not addressing the substance of the question.

The SPEAKER: Yes, thank you. I have got that. Minister, you might wrap up.

The Hon. J.J. SNELLING: I might wrap up. I simply make the point that if it is good enough for the New South Wales Liberal Party to support these types of reforms, what is wrong with the South Australian Liberal Party?

The SPEAKER: I think the minister has finished.

The Hon. I.F. EVANS: Mr Speaker, I draw to your attention the practice of ministers using the last 30 seconds to have a go at the opposition, which is totally unparliamentary in a form of debate. The process needs to be—

The Hon. J.D. Hill interjecting:

The SPEAKER: I call the member for Kaurana to order.

The Hon. I.F. EVANS: Thank you. The process needs to be, of course, that the minister addresses the substance of the question for the whole four minutes, and does not just have a go at the opposition.

The SPEAKER: Yes, of course, we all think it is deplorable that ministers tip a bucket in the last 30 seconds. The Leader of the Opposition.

POLICE NUMBERS

Mr MARSHALL (Norwood—Leader of the Opposition) (14:46): My question is to the Minister for Police. Was the police commissioner wrong when he said, 'If we are to meet the savings commitment we won't be able to recruit the extra 184 police officers'?

Mr Venning interjecting:

The SPEAKER: I call the member for Schubert to order. The Minister for Police has the call.

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): I have great respect for the parliament and its institutions and its committee system, and I expect the Commissioner of Police or any other public sector employee to—

Mr Pederick: Tell the truth.

The Hon. M.F. O'BRIEN: —to tell the truth. I think that is particularly—

Members interjecting:

The SPEAKER: Will the Minister for Police be seated? I call the member for Hammond to order and, alas, I must warn the member for MacKillop for the second time. The Minister for Police.

The Hon. M.F. O'BRIEN: I find that quality particularly admirable in a senior police officer. I think we expect the highest level of integrity and honesty from our police officers of all ranks, but particularly in the senior ranks. He has expressed a view which comes down to the economics or the accounting treatment of his savings targets. I have listened to him. I have had extensive discussions with him. It will be dealt with within the budget setting context.

Members interjecting:

The SPEAKER: I call the member for Finnis and the member for West Torrens to order. The member for West Torrens has been disorderly through mime. The member for Torrens.

PLANNING IMPROVEMENT PROJECT

Mrs GERAGHTY (Torrens) (14:49): My question is to the Deputy Premier as Minister for Planning. Can he please inform the house about the government's planning improvement project and if he is aware of community responses to the government's initiatives?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Planning, Minister for Industrial Relations, Minister for Business Services and Consumers) (14:49): I thank the honourable member for her question. Yesterday, there was a very important planning improvement project announced. This involved the establishment of an expert panel central to this project; it includes Mr Brian Hayes QC, Natalya Boujenko, Theo Maras, Stephen Hains and Simone Fogarty. All of these people, as I said, are experts in their own respective fields.

South Australia's planning system already leads the nation, but at yesterday's launch the chair (Brian Hayes QC) asked the crowd to raise their hands if they thought our system was absolutely perfect—no hands, of course, were raised; there is always room for improvement. We are proud of the reforms that we have made as a government to the planning system, but we recognise the need to continually improve the system.

This year, the Development Act 1993 will be 20 years old. The past 20 years have seen considerable change—technological and social. We recognise the need to examine all aspects of planning law and seek to integrate and improve. The panel is examining more than just legislative change. All aspects of the planning process are to be considered. The terms of reference (which I will be happy to provide to members if they are interested) include recommendations directed towards a vibrant inner city, liveable neighbourhoods and thriving regions.

The expert panel is required to consult widely with the community, industry, councils and parliamentarians. The new shadow planning minister may like to discuss with the panel where she thinks the future growth in this state should go, considering that those opposite don't want it on the fringes, they don't want any infill. Where, in fact, do they suggest that we can accommodate all our growth? Anywhere or nowhere so long as it is out of the sight of the people of Burnside, where the warm smell of—

Members interjecting:

The Hon. I.F. EVANS: Point of order, Mr Speaker: standing order 98.

The SPEAKER: Is the Deputy Premier finished?

The Hon. J.R. RAU: I'm done, thank you, yes.

POLICE STATIONS

Mr VAN HOLST PELLEKAAN (Stuart) (14:52): My question is for the Minister for Police. Minister, given that you have told the media that the government is considering closing police stations, would you please tell this house which police stations are being considered as part of your budget cuts?

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:52): It was a great pleasure to open the new police facility in Murray Bridge—an investment that was very much welcomed by the member for Hammond, and I was pleased to have him present at the opening. All matters relating to budget savings as they relate to SAPOL will be dealt with within the budget-setting process, and I am not going to get into the position of ruling things in or ruling them out because it would be a never-ending process and would not ultimately give clarity or the most desirous ultimate outcome.

POLICE STATIONS

Mr VAN HOLST PELLEKAAN (Stuart) (14:53): I have a supplementary question. Given the minister's answer, that he refuses to rule in or rule out—

The SPEAKER: Yes, what is the supplementary question, member for Stuart?

Mr VAN HOLST PELLEKAAN: Why is it that he did tell the media that they were considering closing the Firlie and Malvern police stations?

The SPEAKER: I will treat that as a supplementary. Minister for Police.

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:53): If you can supply me with the transcript that—

Members interjecting:

The Hon. M.F. O'BRIEN: No, seriously, if you—

Members interjecting:

The Hon. M.F. O'BRIEN: No, I did not single out any particular police stations. I made reference to a discussion that I had had with the police commissioner where he flagged this as a particular proposition. We were not discussing police stations per se, we were discussing shopfront operations. He had a view, and it will be injected into overall deliberations on attainment of the savings objectives as outlined in the previous budget.

Any matters will be determined within the context of discussion for the next budget. We are not ruling anything in or anything out. At this stage we are taking on board suggestions as to best ensure that South Australia remains at the forefront in the nation in terms of having the highest number per capita of front-line police protecting our community. It is a position that we have held for six years, and it is not one that we will relinquish.

Ms Chapman interjecting:

The SPEAKER: Member for Bragg, if you are interjecting backwards and sideways, I can still hear you, and it is still out of order. The member for Mitchell.

DISABILITY SERVICES

Mr SIBBONS (Mitchell) (14:55): Thank you, Mr Speaker. My question is to the minister for disability services. Can the Minister for Disabilities advise the house on the progress of new legislation to enhance disability services?

The Hon. A. PICCOLO (Light—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:55): I thank the member for Mitchell for this important question, and I acknowledge his commitment to constituents with a disability in his electorate.

Mr Pisoni interjecting:

The SPEAKER: I warn the member for Unley for the first time. The Minister for Disabilities.

The Hon. A. PICCOLO: Thank you, Mr Speaker. In October 2011, the social inclusion board released 'Strong voices: a blueprint to enhance the life and claim the rights of people with disability in South Australia 2012-20'. In this report, there were a series of recommendations designed to assist the government and future governments on enhancing the wellbeing and quality of life for people with a disability. The recommendations from this report included:

- aligning with the United Nations Convention on the Rights of Persons with Disabilities and specify high-level service standards, such as minimising the use of restrictive practices;
- directing all state government agencies and local governments to lodge access and inclusion plans with the social inclusion board for public release;
- establishing an integrated suite of appeal processes and safeguards; and
- establishing a community visitors scheme to monitor standards of disability housing and accommodation service settings.

To do this most effectively, it was recommended that the parliament enact a new disability act to replace the existing Disability Services Act. An extensive consultation process was carried out throughout the middle part of 2012 with key people and organisations within the disability sector.

Mr Venning: Inspiring!

The Hon. A. PICCOLO: Well, I think it is quite important, member for Schubert. Special attention was given to target consultation with groups that are not traditionally well represented in the community, such as Aboriginal people, young carers and people from a culturally and linguistically diverse background. This information and feedback was analysed, reported on to cabinet by the previous minister and drafting commenced on the bill shortly thereafter. It is also important to note that the disability sector, despite the comments made by those opposite, actually has a voice in cabinet, unlike the Liberal Party, which does not—

Mr GARDNER: On a point of order, Mr Speaker: standing order 98.

The SPEAKER: You are saying that it is not relevant?

Mr GARDNER: I am saying that he is entering into debate, sir.

The SPEAKER: I will listen carefully to what the Minister for Disabilities has to say. Minister.

The Hon. A. PICCOLO: Thank you, Mr Speaker. It was the intention of the previous minister to introduce the bill before the end of last year. However, the announcement of a National Disability Insurance Scheme Bill by the commonwealth has meant that a review of the South Australian draft bill must now be undertaken. The comprehensive and wideranging nature—

Mr Gardner interjecting:

The Hon. A. PICCOLO: Well, if you just wait, you will hear. The comprehensive and wideranging nature of the NDIS draft legislation addresses many of the same issues that were contemplated for the draft state legislation. The commonwealth draft also introduces a range of provisions that have not previously been enshrined in legislation and were not considered when drafting the new state legislation. A draft commonwealth bill is currently under consultation. I am advised that the final form is likely to be presented to the commonwealth parliament in March or April.

Reforming disability services is a very high priority for this government, and we are playing a crucial role in helping to launch the NDIS. We need to ensure, however, that efficiencies are maximised, red tape is not increased and that the people in need are given the best and most effective service. I can therefore advise the house that, once the final NDIS bill is passed through the federal parliament, we will conduct a final review of our own draft disability service bill and make amendments as required. Once this is carried out, I will consult with my colleagues on this side of the house on its detail and then introduce the bill at that point.

CHILD PROTECTION

Mr PISONI (Unley) (15:00): My question is to the Minister for Education and Child Development—and, please, take your time. Why was the file relating to the youth worker charged with the rape of a student sitting on the minister's desk unread for more than two weeks?

The SPEAKER: Is the member for Unley quite certain he wants to use the term 'rape' for the record?

Mr PISONI: Certainly.

The SPEAKER: I see. The Minister for Education.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:00): Every situation that is going to occur is going to be unique and different. This government expects the department to move as swiftly as it can in providing information to those parents who should receive it. We believe parents should be the first to know.

The SPEAKER: Point of order, member for Bragg.

Ms CHAPMAN: This question is nothing to do with advice to parents. The question was: why didn't the minister deal with this for two weeks?

The SPEAKER: The member for Bragg is out of order. That is not a point of order. The minister is actually addressing the substance of the question, as I noted it when the member for Unley asked it, and that is why the file was (as he put it) sitting on the minister's desk. The Minister for Education.

The Hon. J.M. RANKINE: The important thing in all of this is what action was being taken to protect the victim in this case, a victim about whom someone has been charged with unlawful sexual intercourse and indecent assault offences. I am concerned that the member for Unley continues to misquote the public statements that have been made by police in relation to these offences. There is no charge of rape, and these families are facing enough concerns without politicising and repeating this misinformation. I think this is incredibly concerning.

Mr Pisoni: Splitting hairs. Can she give permission at 16?

The Hon. J.M. RANKINE: I am sorry, are you prepared—

Mr Pisoni interjecting:

The SPEAKER: Will the minister please be seated. The member for Unley is warned for the second time. The minister.

The Hon. J.M. RANKINE: I think it is important that parents and the public have correct information. There is no charge of rape. That does not lessen the importance of these charges. This person has been charged with unlawful sexual intercourse with a person under the age of consent, and that is incredibly concerning. There is no doubt about that. As soon as the department was made aware of these charges, as I understand it, action and steps were put in place. The first thing was to ensure that the young victim was protected.

The SPEAKER: Minister, there is a point of order from the member for Davenport.

The Hon. I.F. EVANS: While the minister's answer is interesting, she is not addressing the substance of the question, which is why the file sat on her desk for two weeks.

The SPEAKER: Member for Davenport, the way I am hearing the answer is that the minister is addressing precisely that point—the length of time before parents receive notice.

The Hon. I.F. EVANS: Point of order, Mr Speaker; you may be confused about the question. The question was not about the length of time it took to notify the parents. The question was why the file sat on the minister's desk for two weeks unread.

The SPEAKER: The minister.

The Hon. J.M. RANKINE: The file was not sitting on my desk for two weeks. The file was in the office. The department provided the file. My staff were across the file. We had meetings with officials of the department and, importantly—most importantly—actions were being taken to support the victim, to identify other children who may have been in contact with this person, confirm their addresses, ensure that appropriate correspondence was prepared with factual information to go out to parents, and that correspondence was prepared and ready to go out last week.

Mrs Redmond interjecting:

The SPEAKER: The member for Heysen is warned for the second time. The member for Port Adelaide.

RENEWABLE ENERGY

Dr CLOSE (Port Adelaide) (15:05): My question is to the Minister for Mineral Resources and Energy. Can the minister inform the house on how renewable energy stimulates economic activity in South Australia, and are there any threats to renewable energy investment in our state?

The SPEAKER: Just before the minister answers the question, in the House of Representatives addendums to questions such as, 'Are there any threats?' are often ruled out of order because they might lead to a diatribe about the opposition's policy. I hope that wouldn't be the case—

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Transport and Infrastructure, Minister for Mineral Resources and Energy, Minister for Housing and Urban Development) (15:05): Surely not, sir.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: I usually wait for the last 15 seconds myself. I thank the member for this important question. The government recognises the role renewable energy plays in providing clean power, but also in providing positive economic benefits to our state. As a state, we have the reputation for a fair and expeditious planning system which has resulted in 15 operational wind farms with a capacity of 1,203 megawatts and a total of 559 turbines.

According to the Clean Energy Council, South Australia has attracted \$3 billion in capital investment which has translated to 842 direct jobs and 2,500 total jobs. This is investment and job creation in our regional communities and, quite frankly, it is a very important investment in our regional communities. In fact, a recent Garrad Hassan report, commissioned by the Clean Energy Council, showed that the construction of a 50 megawatt wind farm provided \$50 million to South Australia's gross state product and 2.6 per cent to a region's gross regional product. Furthermore, this creates a diversified and steady income for these communities.

When an area experiences drought, or grain prices are low, these projects still provide economic activity. Thanks to the government's policies on renewable energy, we have more than \$5 billion worth of wind farm developments in the pipeline, creating more than 1,800 jobs. The projects include:

- the \$35 million Barn Hill Wind Farm project;
- the \$1.3 billion Ceres Project;
- the \$950 million Hornsdale Wind Farm;
- the \$360 million Lincoln Gap Wind Farm;
- the \$180 million Mount Bryan Wind Farm;
- The \$250 million Robertstown Wind Farm;
- the \$550 million Snowtown Wind Farm, stage 2;
- the \$350 million Stony Gap Wind Farm;
- the \$118 million The Bluff Wind Farm; and

- the \$650 million Tungketta Wind Farm.

When you combine the proposed investment with the completed wind farms in South Australia, that is a total of \$8 billion worth of investment into our state. That is nearly triple the \$3.2 billion members opposite got for their fire sale of ETSA. However—

The SPEAKER: We're not in the last 15 seconds.

The Hon. A. KOUTSANTONIS: No, sir—a pre-emptive strike, sir. However, this \$5 billion worth of investment and thousands of jobs in our regional communities is at threat. I understand the Liberal Party has announced a moratorium on all wind farms if they gain office. While the leader opposite—

The SPEAKER: Minister, that will be enough, thank you.

CHILD PROTECTION

Mr PISONI (Unley) (15:08): My question is to the Minister for Education and Child Development. Does the minister stand by her media comments that the previous conviction of the youth worker charged with sexual assault of a child under 16 years was not a child protection issue?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:09): Again, I will point out that the member for Unley has misrepresented what I said. When I was asked a question about the background screening and criminal history check of this person, I told the media that there was a 15 year old offence which had attracted a \$400 fine and that there had been no child protection notifications. I am advised that is accurate.

CHILD PROTECTION

Mr PISONI (Unley) (15:09): A supplementary, if I may, Mr Speaker.

The SPEAKER: If indeed it is a supplementary.

Mr PISONI: Can the minister, then, confirm that the alleged perpetrator was previously convicted for indecent behaviour in a public place in front of a woman and child? How is this not a child protection issue?

The SPEAKER: That is a supplementary. The Minister for Education.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:09): I never said this is not a child protection issue. I said there were no child protection notifications as a result of that offence.

Mr Pisoni: No you didn't; that's not what you said.

The Hon. J.M. RANKINE: That is exactly what I said.

CHILD PROTECTION

Mr PISONI (Unley) (15:10): My question is to the Minister for Education. Further to my previous questions, during the education portfolio handover to the minister did the former education minister raise the issue relating to the alleged sexual assault of the school student?

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:10): The former minister for education was on leave when this person was charged. The file was received in her office at that time. It was noted the day after, and in fact the minister never personally received the file, so, no, she didn't brief me, because she didn't see the file.

CHILD PROTECTION

Mr PISONI (Unley) (15:11): A supplementary, if I may, sir. Was there not an acting education minister while the minister was on leave?

The SPEAKER: The Minister for Education. That is a supplementary.

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (15:11): Let me be really clear here, sir: the former minister was on leave, and, yes, there was an acting minister. I was also on leave and there was an acting minister.

Ms Chapman: So nobody told nobody.

The Hon. J.M. RANKINE: No, there was an acting minister, and his question is about the former minister and myself, and I am answering that question exactly. We returned from leave—

Mr PISONI: Point of order, Mr Speaker. My question is now about the acting minister.

The SPEAKER: Yes, and—

Mr PISONI: My supplementary question.

The SPEAKER: I'm sorry, but actually the question is out of order, because the identity of the acting minister is readily available from the *Government Gazette*, and so you don't actually need to ask it as a parliamentary question. Customarily, those kind of questions have been ruled out of order. The Minister for Education?

The Hon. J.M. RANKINE: Both the former minister and I returned from leave on the day of the reshuffle.

Mr Pisoni: It's a mess, isn't it, Jennifer? It's an absolute mess, isn't it, your department? It's an absolute mess.

The Hon. J.M. RANKINE: No, what is really concerning, sir, is that I think the member for Unley—

Mr Pisoni: What an absolute mess your department is.

The Hon. J.M. RANKINE: —has gone from a situation of perhaps wanting—

Mr Pisoni: What an absolute mess.

The Hon. J.M. RANKINE: —to amend and correct a system—

Mr Pisoni: No leadership for years.

The Hon. J.M. RANKINE: —to actually just grandstanding and wanting base political point scoring.

Mr GARDNER: Point of order, Mr Speaker.

The SPEAKER: Is there a point of order?

Mr GARDNER: Yes. She is debating and she is imputing improper motive.

The SPEAKER: Is the minister finished?

The Hon. J.M. RANKINE: I am finished.

The SPEAKER: Thank you. The motion is that—

Mr WILLIAMS: Mr Speaker—

The SPEAKER: The member for MacKillop has a point of order.

Mr WILLIAMS: Thank you, Mr Speaker. I seek a point of clarification. The opposition asks questions of ministers. Quite often, the opposition directs a question to a particular minister and the Westminster convention is that any member of the cabinet is able to answer the question. That is a well-established convention. The opposition asked a question to the minister and the minister happens to be on leave and there is an acting minister—what is the flow of responsibility under those circumstances? Should the minister absolve themselves from any responsibility for answering the question because there was an acting minister in the role at the time, or should the question actually be taken by the person who was in that acting role at the time?

The SPEAKER: No—

Mr WILLIAMS: Who—

The SPEAKER: Yes, I can answer that.

Mr WILLIAMS: Who is responsible to the house under those circumstances and how is the house's question satisfied?

The SPEAKER: Yes, thank you. The minister for this portfolio is responsible to the house for all questions about the portfolio, including acting and previous ministers. So, it would not be in

order to ask a question of the acting minister or the previous minister unless, for some peculiar reason, they wanted to answer that question.

Mr WILLIAMS: Further to my point of clarification, sir, the Minister for Education and Child Development, I thought, made the point that, because she was absent from the office at the time and there was somebody acting, she—

The SPEAKER: No, member for MacKillop—

Mr WILLIAMS: —didn't have to answer the question.

The SPEAKER: Member for MacKillop, will you please be seated. That is not a point of order; it's not a point of clarification: it's an impromptu speech. If you make another one, I am afraid I will suspend you under the sessional order.

GRIEVANCE DEBATE

CHILD PROTECTION

Mr PISONI (Unley) (15:15): Do I get the call? I am standing. Is that how it works?

The SPEAKER: Not drowning, just waving.

Mr PISONI: I am standing. Do I get the call?

The SPEAKER: I am afraid there is a forest of people standing on the opposition side because they are now leaving the chamber, as they are entitled to. The member for Unley.

Mr PISONI: I thought it was disorderly, sir, to discuss just what members of the chamber were doing.

The SPEAKER: You are right.

Mr PISONI: We have just heard the education minister trying to explain the unexplainable in answers to questions in question time today about another child protection issue—another failure by this government to notify parents and to act on the statutory rape of another student in the school. This is the fourth education minister in three years that Labor has delivered, and things are not getting any better.

Let us have a look at what has happened with education over the last three or four years. KPMG, last year in February, released a report that highlights that the Department for Education had a culture of bullying and cover-up. This report, of course, was to do with occupational health and safety issues, in particular, within the department.

Then, in October last year, after weeks of extensive investigations, the Liberal Party was able to expose to this parliament with, of course, the help of a brave mother who came forward to tell her story about the sexual assault of her children at the western suburbs school, that parents were not told for two years that Mark Christopher Harvey, who was charged in December 2010 and convicted in February last year, had raped an eight year old in his care when he was running the out of school hours care.

For two years, the governing council wanted to tell those parents just what had happened and, for two years, the department bullied and intimidated the governing council, telling them they were not to discuss the events of that day outside of the governing council meetings and that, under no circumstances, were they to tell parents that there was a—

The SPEAKER: The member for Unley, would you address the Chair, please?

Mr PISONI: Certainly, Mr Speaker. For two years, they threatened parents and the department said that the minister would remove the indemnity that governing council members have and they could be sued and lose their houses if legal action was instituted because of the comments they made about their children being in the care of a paedophile.

The Premier's response to the questioning was to set up an inquiry and then, of course, to use the inquiry as a reason not to answer any further questions on this issue. Other parents then came forward. We heard about the lack of support and empathy from the department for victims. It was often the victims who were asked to change their behaviour or to move schools, not the perpetrators.

The minister was forced to reveal that there were at least five other schools where parents were not told that an employee had, in fact, been arrested and, in many cases, convicted of sexual

offence charges against students. The former education minister, Grace Portolesi, did such a poor job in handling this issue that she was removed from the portfolio after—

The SPEAKER: Member for Unley, would you please be seated. We will give you extra time. It is a deplorable development in parliamentary debate that we start throwing in, in this case, unnecessarily, the names—Christian name and surname—of members. There is good historical purpose for keeping personal names out of it and using the member's electorate or the member's ministry, and that is to avoid personal offence and quarrels. So, would you please comply with the standing orders and the custom and tradition of the house? Member for Unley.

Mr PISONI: Thank you, Mr Speaker. The member for Hartley, minister Portolesi, did such a poor job handling the issues—

The SPEAKER: Member for Unley, would you please be seated? You just flagrantly—flagrantly—defied my ruling. If you do it again I will be forced to suspend you under the sessional order.

Mr PISONI: There is a complete understanding of why the government is trying to shut down debate on this issue. First, it was with the Debelle inquiry. Any questions from the media, any questions from the opposition, and the minister and the Premier would stand behind the Debelle inquiry. The new education minister, the member for Wright, talked tough when she took over, and she said she would not accept any more excuses. She was told of the new school sexual assault on the day after the arrest when she was police minister, yet she let the file sit on her desk unattended.

She told the media that it takes time to identify students who are participants in the program, but she should know, as the education minister, that each school has a list of students that participate in such programs, as such funding relies on it, and a call to the five schools that use that particular NGO would have given anybody in the department who wanted it, including the minister, that information within about five minutes.

The minister was then pushed to admit that the alleged rapist had a previous conviction that should have prevented him from having access to schools. We have learnt today that the conviction was, of course, indecent behaviour in front of a woman and child. Who takes responsibility for the fact that a child has been sexually assaulted because of poor processes? The DCSI officer was moved sideways—so no responsibility there. So, is it the CEO who takes the responsibility or is it the minister who should take the responsibility?

SAILABILITY SOUTH AUSTRALIA

Dr CLOSE (Port Adelaide) (15:22): This past weekend I had the absolute pleasure of opening the Sailability South Australian Championships at the Port Adelaide Sailing Club and, the next day, giving out medals to participants alongside club patron, Colin Adams. As a relatively new member of parliament, people often ask me how I find the job, and there is frequently a quizzical look in their eye which suggests that this might be a funny profession to have taken up. I can honestly say that most of this job is a pleasure and a privilege, and attending the Sailability championship is a perfect example.

I think Sailability SA President, John Johnston, past Commodore of the Port Adelaide Sailing Club, hardly slept with last week. Along with his hardworking team, he delivered a brilliant championship event. I particularly pay tribute to the women's group, who sponsored and arranged the catering; Commodore Martin Oates, who both hosted and staffed the bar; and Port Adelaide Sailing Club patron, Colin Adams.

This weekend, 22 boats, each with an able-bodied sailor and a sailor with a disability at the helm, competed over the two days. Despite a worrying lack of breeze early on Saturday and having to end at lunch on Sunday because of the overwhelming heat, all the sailors had a good time and the competition was fierce. In a pleasing result for the hosting club, the Port Adelaide Sailing Club team won the club trophy, and young Ben Walters now has more trophies than his dad, setting up for a fine competition over the next few years.

The two clubs adjacent to each other, the Port Adelaide Sailing Club and the Port River Sailing Club, are both shining examples of the generosity and energy in our community. People helping each other, encouraging others, bringing in the young ones, and showing hospitality even to passing members of parliament, are all routine and second nature for these two clubs.

MARINE PARKS

Mr TRELOAR (Flinders) (15:24): I rise today to speak about something which I have spoken about often in this place, and which many other speakers have spoken about, and that is the issue of marine parks, and it has been highlighted again quite recently with a taxpayer-funded advertisement. The funding was in excess of \$1 million, and the idea was for the government to remind people of the importance of marine parks. Unfortunately, it illustrates a young man crabbing off the end of the Port Noarlunga jetty, and of course that is within a sanctuary zone and crabbing is, in fact, banned from the end of that jetty. How unfortunate for the government, particularly given that it was taxpayer funded.

I think what it demonstrates, more than anything, is how out of touch this government is with the realities of its sanctuary zone implementation. It is embarrassing and it beggars belief the lengths this government will go to to sell its policy. It highlights, in many ways, all that is wrong with the sanctuary zone policy. We have heard from the government that it is not a fishing managing tool. Of course it is.

Ten of the 19 marine parks in this state are located around the coastline of Eyre Peninsula so I have more than just a passing interest in this. PIRSA has been responsible over many years for the management of fisheries in this state, both wild catch fisheries and aquaculture zones. It has done a remarkably good job at fishery management. It has been responsible and effective in working with the industry and reaching quotas and licence arrangements for the various fisheries throughout the state.

In fact, I was speaking with a fishing friend of mine who has been involved with a number of the wild catch industries over the years, including tuna, rock lobster and pilchards, and in his 40 plus years in the wild catch industry, he said to me the other day, he has never seen this state's oceans look so healthy and be so productive. So, all credit to the industry and all credit to PIRSA in this case for the management it has rolled out. Of course, all of a sudden DEWNR has decided to become involved with fishery management through its sanctuary zone implementation.

The oceans and fisheries have never looked so healthy, but the government has decided that it is going to implement sanctuary zones that have an impact and a cost to industry, tourism, coastal communities and, ultimately, taxpayers, because it will be the taxpayers who will pay for this. It will be the taxpayers who will pay for the administration of the sanctuary zones. It will be the taxpayers who stump up the cash for the buyback of fishing licences and it will be taxpayers who will pay for the compensation for fishers who are no longer able to fish what are often their most productive grounds.

We hear from the government almost every day about the importance of jobs, particularly to rural and regional communities. There is no doubt that the implementation of sanctuary zones will have a direct impact on industry: the fishing industry, the tourism sector industry and also those communities. It will spell the end for some fishing families, there is no doubt about that. It puts at great risk those family businesses that are involved in the processing of fish. They are a big part of my coastal communities and they are very concerned about this.

It seems that this government is intent on shutting this state down. There are many examples of 'shut the gate' conservation, both on land and on sea. I think the days of that are long gone. I do believe in active management but I also believe in a productive landscape and the responsibility we have to maintain that productive landscape, which we have been able to do. Obviously, mistakes have been made in the past but we have learned to manage a delicate environment and maintain its productivity.

I feel for those fishermen, fishing families and coastal communities who are about to feel (by October of next year) the impact of the implementation of these sanctuary zones and what it might mean for their communities and businesses. There is no doubt that you have not heard the last on this from me, or from other members on this side. I believe it is still a live issue and we will continue to lobby on behalf of our constituents.

HOLDEN COMMODORE

Ms BETTISON (Ramsay) (15:29): I rise to inform the house today of what was a very positive event on Friday 15 February, with the unveiling of Holden's new V8 Commodore. It was a beauty, with 13 layers of paint to produce the orange jewelled appearance, and I was fortunate enough to try out the driver's seat amongst several hundred Holden workers headed by Mike Devereux, the chairman and managing director. Also in attendance were Premier Jay Weatherill,

Minister for Manufacturing, Innovation and Trade Tom Kenyon, and Nick Champion, federal member for Wakefield.

It was a really positive day, with a response both nationally and internationally in the media to the expectation announced by Mike Devereux that the new V8 Commodore will generate more than \$6 billion in economic benefits for Australia. The new car will boost job security at the Elizabeth plant and provide additional work for local component suppliers. While it directly employs more than 2,000 workers, the Elizabeth plant, as advised by Barry Burgan from Adelaide University Business School, has indicated that more than 16,000 indirect jobs rely on the future of the plant.

We were told by Mike Devereux that buyers are waiting for the new model, which will be on sale from June. Unfortunately, this has had the impact of fewer sales in the first half of this year, along with the challenges of the high Australian dollar. However, Holden intends to double the production of Commodore in the second half of this year.

On a very exciting basis, we will be exporting this model to North America. That will be recommencing in November 2013. It is sold in the US as the Chevrolet SS. It was debuted at the Daytona 500 on Sunday, where the car will be seen in the NASCAR competition. What is very exciting about this car is the world-class features with a high focus on technology. There will be a larger touch screen, which means we can listen to whatever we want; you can turn it up if you need to. There will be a rear camera display, heated leather seats as part of every model, a collision alert camera for the front end and rear self parking sensors to help you parallel park. They have LED daytime running lights and it will be provided in both V6 and V8 models.

Last year the South Australian government and the federal government secured the future of Holden with a \$275 million co-investment package to support the future until 2022. This deal from Holden's was committed to them securing \$1 billion in investment in local manufacturing, of which the VF is part and parcel.

The future of manufacturing is challenging. However, what is clear is the need for South Australia to seize opportunities offered by the advanced manufacturing sector. Premier Weatherill is leading the commentary about the future of manufacturing, publicly acknowledging there is risk without reform. Manufacturing is a cornerstone of the South Australian economy, with the sector directly employing 73,000 people. With a focus on innovation and upskilling, Australian manufacturing must follow the lead of nations like Germany and Sweden to focus on high value and specialised consumer products rather than compete on volume with low labour cost nations.

The Prime Minister's recent announcement of a new blueprint for protecting jobs, which is highlighted by creating manufacturing hubs that link research and commercialisation, supports this aim. In closing, I welcome the commonwealth government's recently announced funding for a manufacturing hub with a focus on defence in Adelaide.

ROBIN BRIDGE

Mr VENNING (Schubert) (15:33): I want to begin my presentation by expressing my condolences to the member for Colton and Mrs Caica on the passing of their mother and mother-in-law today. Our thoughts are with Annabel and Paul and the family.

Painting the Robin Bridge in Nuriootpa was a task that showed everyday people that not all MPs are afraid to roll up their sleeves and get their hands dirty—and in my case my face, my pants, my shirt, much to my wife's disgust. To be serious, though, it showed that a member of parliament who is passionate about an issue is willing to take some common-sense but unorthodox action that also saves the taxpayer an exorbitant amount of money.

I found, via FOI, that the last estimate undertaken by the department for painting the Robin Bridge was back in April 2010. The cost was estimated to be approximately \$660,000. Given the Weatherill government's track record with blowouts as well as inflation over the last two years, it would be safe to assume that the repainting of the Robin Bridge if undertaken by the government today would have cost at least \$800,000.

What thanks did I get for saving the government this money? When I asked the previous minister during question time on 29 November last year if the savings to the government could be spent on dialysis for the Barossa, the minister called my actions in painting the bridge 'stunts of a local politician', and spoke about James Hardie and its failure to put adequate safety measures against asbestos in its factories which resulted in the death of people. That has nothing to do with this.

The minister also said, in relation to my painting of the Robin Bridge, 'I hope he doesn't get into trouble for it.' I have said ad nauseam that I knew that the bridge was originally painted with lead-based paint, but there was hardly any left on the bridge, and I took measures to stop any further pollution to the creek below. On the other hand, the government had taken no action and had allowed lead paint flakes to drop into the river for years.

What thanks did I get for saving the government hundreds of thousands of dollars—a thank you? No; contact from the EPA to say my actions would be investigated to see if they had resulted in pollution to the river. A senior EPA investigator and his officer visited the Barossa Valley on two days to conduct an examination of the site, and two more days to undertake separate recorded interviews with both myself and the professional painter, Mr Craig Marston, who volunteered his time and his team's time to get the bridge painted. This year I received a letter from Mr Stephen Barry, manager of the Investigations Branch of the EPA, dated 3 January. It stated:

The Environmental Protection Agency (EPA) has completed its investigation into the painting of the Robin Bridge at Nuriootpa on 22 and 23 November 2012.

An inspection of the Bridge and its environs by the EPA on 1 December 2012 found no evidence of paint scrapings and the methods described by you to collect the paint that was sanded would have minimised the risk of paint particles entering the waters.

The EPA is satisfied that in the circumstances of this incident the potential environmental impact was minor and no further action will be taken.

Amen—end of quote. Another win for common sense, but how many taxpayers' dollars were wasted undertaking this investigation? I was inundated with messages of support from constituents following media reports that I would be investigated by the EPA for my conduct in painting the Robin Bridge. Many also expressed their absolute disgust at the waste of resources used to investigate my actions—and I could not agree more.

During the interrogation by the EPA senior investigator I was asked, if I had the opportunity again (if I knew I was breaking the law), would I still paint the bridge? I responded that I would. Before I finish, I want to put on the public record that I did not send out a press release on any of this. It was an ABC reporter on holidays in the Barossa who had been walking past who blew the whistle. It went to national ABC within an hour.

Papers in all states of Australia and New Zealand ran this story; also radio stations, particularly the 2UE drive home show. All but one of the papers in Australia ran this story—all of them except one. Guess which one that was? *The Advertiser* was totally silent on the issue. Why was that? The question is: why were they so embarrassed? It was laughable. Clever joke—call it what you like; it was not supposed to be a stunt. That is perhaps how it turned out but I want to thank the ABC particularly, and ABC National and also the local papers, *The Leader*, *The Herald* and *The Bunyip*. Yes; if I was asked to do it again I would.

GOODWOOD RESIDENTS ACTION GROUP

The Hon. S.W. KEY (Ashford) (15:38): A new group has been established in the electorate of Ashford called the Goodwood Residents Action Group. This new residents' group has been established in response to the many infrastructure works that are happening in this area. In fact, the group even has a website: www.grag.org. The different works include electrification of the rail lines, the Goodwood Junction Rail Grade Separation Project and stormwater mitigation works, which have been coordinated by the Unley council.

Last year I arranged a number of meetings both on weekends and weekdays, as well as a large meeting held at the Goodwood Primary School, to discuss these projects. I invited the Department of Transport officers to answer specific questions which had been raised with me by local residents and which had been given to the department before the meeting. I also took up some of these questions at the parliamentary Public Works Committee.

The Goodwood Residents Action Group was built on the work done by many other different groups within the electorate—I particularly note the Leah Street residents—and what they are doing is relating directly to issues in relation to where they live. The group meets regularly. Other streets within the electorate have also taken up specific issues in their street that relate to the three projects I have just mentioned.

I have to commend the residents because they have also been meeting regularly with an established community advisory group, where we have officers representing the Department of

Planning, Transport and Infrastructure and also the different work contractors. Unley council is also represented on the CAG. Some of the questions that are coming up for the next meeting include:

- What are the short and long-term plans for the Goodwood train station?
- What is currently planned for the pedestrian crossing at Leader Street: a single/double active/passive crossing? When will the plans be finalised and will the public be consulted?

Having attended many meetings, we are also aware that modelling data and fact sheets will be available. We are particularly waiting to find out about those fact sheets, as well as design proposals that have been put forward. The community eagerly await that information, as do I.

One of the things that has come from all the works that have been happening is the problem of noise. We have been told that noise readings have been taken around the works, although the information that has been supplied to me says that the readings are averages that were taken over three periods (from 7am to 7pm, 7pm to 10pm, and 10pm to 7am) and that the average noise levels are 50 to 60 decibels. The residents are asking the following:

- Do these figures include when the trains were operating and the noise from those trains, especially the freight trains? These trains have been a source of concern not only throughout the electorate but also, I know, in other electorates.
- Will the readings now be taken when a freight train actually passes through our community?

Another question that is being asked is in relation to the frames that are being used for the power. We want to know whether the electrical cables can be housed in what are called T-frames instead of square frames. We think that this not only looks better but the T-frames take up less room.

We also want a report on the coordination we have been told about. I attended a meeting with the Cromer Parade residents recently, where the head of the rail electrification project, Mr David Bartlett, told us that all of the project managers meet fortnightly. We are not really sure that this happening, so we are asking for a report on the coordination.

Really importantly, we want to make sure that the landscaping and urban design leaves all the projects, as well as our area, looking better than when the project started. We are really concerned that we have heard that 77 trees have been cut down. We want to know what will happen to make the place look better.

LEGISLATIVE REVIEW COMMITTEE

The DEPUTY SPEAKER (15:44): I advise the house that I have received advice of the resignation of the member for Morialta from the Legislative Review Committee.

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:44): By leave, I move:

That Ms Redmond be appointed to the committee in place of Mr Gardner (resigned).

Motion carried.

CRIMINAL LAW CONSOLIDATION (CHEATING AT GAMBLING) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:44): I will conclude my remarks in respect of this legislation and convey my hopeful expectation, with the advent of the ICAC Commissioner's appointment that was announced today, that the progress of that entity will be advanced. I think it will be an important tool in dealing with the issues of corruption in elite sport that have been so clearly outlined in the Australian Crime Commission's report.

Whilst this legislation was drafted and presented prior to the publication of that report, if there is any aspect of that report in respect of widespread, systemic corruption, as alleged, then South Australia will be touched by it and we will need to have an entity that is able to deal with it, in the event that there is any assertion that a person in public office may be involved. That is primarily because we have betting agencies under the control and responsibility of government, and supervised by legislation in this parliament. That, in my view, is going to be an important step.

With the Premier's announcement today of the appointment of the Hon. Justice Lander, I did note that his commission will not commence until 1 September. That is disappointing, to the extent that there is another six or seven months' delay before the Office of Public Integrity and the ICAC will effectively be operational under his stewardship. Nevertheless, his appointment is most welcome.

In conclusion, the opposition will support the passage of this bill. We do consider that there are some aspects that have reasonably been raised by the Law Society. We are concerned that the government did not pick up these issues when reviewing the New South Wales legislation. If there was a justifiable reason for providing the expanded offences under the proposed section 114I, that should have been explained in the second reading explanation. If they thought that a review was not appropriate after three years, as prescribed in the New South Wales act, some explanation should have been given. Nevertheless, they are matters we think are worthy of consideration and we hope that the government will take the same view.

With that contribution, I indicate that we will not be opposing the bill. In addition, we will not be seeking for the matter to go into committee on our side of the house. If the member for Mount Gambier wishes to make a contribution, I am sure that will be most welcome.

Mr PEGLER (Mount Gambier) (15:48): First of all, I should say that I do like to have a flutter on the horses occasionally and I own a few racehorses, so I think this bill is extremely important. The bill itself will bring some consistency into gambling and hopefully stop the cheating that does happen in gambling. Of course, nowadays, with the internet, etc., gambling has no borders in Australia, and there are also opportunities for people to gamble on sporting events and races in overseas countries. If we can bring in consistent rules right throughout the states of this nation we will go a long way to perhaps stopping some of the cheating.

I do agree with the set of six descriptions of behaviours that form the national consistency. I feel that these basically fix the problems where people who benefit from cheating at gambling and cheating in sporting events and those who actually do the cheating, those who benefit from it and those who are affected by it will all be brought to justice, so I support that initiative. I might say that as a nation, a lot of Australians do enjoy gambling, but one thing they do hate is cheating and, with national consistency and tighter rules, we hopefully can stop that cheating happening in sporting events and people will have much more surety of what is actually happening. So I will be supporting the bill.

Mr SIBBONS (Mitchell) (15:50): I rise to express my support for this bill. In light of recent revelations surrounding professional Australian sport, it is both timely and necessary to speak on this bill. It is clear that match fixing and cheating at gambling is a serious issue that is being addressed by governments across the country.

In June of 2011, the Australian sports ministers signed Australia's first national policy on match fixing on behalf of their governments. Following this, in July 2011, the then Standing Committee of Attorneys-General (SCAG) created a working group to develop an approach to criminal offences relating to match fixing that would be consistent on a national level.

In November 2011, at the Standing Council of Law and Justice (SCLJ) meeting, Attorneys-General strongly agreed to support the development of specific match-fixing offences with a maximum of 10 years' imprisonment. After several meetings of the SCLJ working group on match fixing, they had produced a set of guidelines to assist in developing match-fixing offences in each Australian jurisdiction. Further to this, they came up with a set of descriptions of match-fixing behaviours to form the basis of consistent criminal legislation.

Also in 2011, the New South Wales Law Reform Commission had undertaken significant research on cheating and gambling. Their report recognised that, although existing legislative arrangements varied, all states and territories agreed that their framework of existing offences, both at common law and in legislation, deal with the agreed match fixing behaviours in almost all circumstances. Despite existing legislative arrangements, the SCLG working group agreed that it was necessary to implement a specific legislation to maximise the prevention of match fixing, and that is what this bill will do, by:

- providing clear signals to the public as to the criminal aspects of match-fixing behaviour;
- clearly defining the reach (on the one hand) and the limits (on the other hand) of the behaviour determined to be criminal;

- enabling law enforcement agencies and the courts to move more effectively in dealing with match-fixing behaviour through a clear set of offences; and
- demonstrating a commitment by governments to addressing the issue of match fixing.

This bill plays a role in ensuring that professional sport in South Australia is something we can be proud of internationally, so that we will all have an opportunity to host World Cup cricket matches in the future. This bill is necessary to help repair the integrity of the Australian sport, not just in South Australia, but the whole nation.

Bill read a second time.

The Hon. M.F. O'BRIEN (Napier—Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:54): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CONSTITUTION (RECOGNITION OF ABORIGINAL PEOPLES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 November 2012.)

Dr McFETRIDGE (Morphett) (15:57): I am not the lead speaker, but it gives me great pleasure to speak on this bill.

Wati Speaker, ngyalu Pitjantjatjara wankapai tjuku tjuku. Ngyalu wea wankapai Kurna munta. Ngyalu wankaku nyangantja manta ka nyarratja manta Kurna manta. Mr Speaker, I just said that I speak a little bit of Pitjantjatjara (I do not speak any Kurna, and I am sorry about that) and that this land and the surrounding lands are Kurna lands and that we recognise that. It is important that we do acknowledge the long history of Aboriginal people in South Australia and Australia. The bill before us now is a small step in further reconciling the history of the interaction between the white settlers and the original inhabitants of this country, and it is a very important step.

I like to think that from the reaction I get from the Aboriginal elders in South Australia that I have a very good relationship with them. I like to respect their cultures. In fact, this morning I was telling a delegation of Norwegian nurses here about the fact that in South Australia we have about 39 different distinct tribal groups. When you put Australia across Europe and talk about the Aboriginal people, we should be talking about the 400-plus diverse groups of Aboriginal people and, here in South Australia, the 39 different groups that have been here for thousands and thousands of years.

That said, the relationship with the Aboriginal elders here is very full and frank. I undertook to learn a little bit of Pitjantjatjara so that I could show my own respect for the history and also get a better dialogue going between those Pitjantjatjara-speaking people in my interactions with them. When the Kurna elders come down to my electorate of Morphett, which of course is where the original proclamation was read on 28 December 1836 by Robert Gouger, the colonial secretary, I say to them, 'Welcome to my country.'

Now, they know exactly what I mean. This is not any usurping of their backgrounds, their rights or privileges: it is about the fact that I am now working with them and reconciling with them that this is a country we are all sharing now, and I recognise the fact their history here is an inalienable one and their right to have that acknowledged is an inalienable right. So, that is what we are doing with this piece of legislation: we are enacting some legislation to bring into the South Australian Constitution Act a recognition of Aboriginal people.

By saying that to the Aboriginal elders, I am also making the point that I am doing my very best to continue that level of care for not only the people who are living in that area now but also the environment, the whole of the ecology and the social welfare of the electorate of Morphett. Some of the Aboriginal people who I do not know so well are a bit miffed when I first say that but they very quickly realise where I am coming from. I hope to continue to improve my relationship and my understanding of the relationship of Aboriginal people with the land.

I was very privileged a number of years ago to be taken by some of the elders from out at Oak Valley to a particular site. I cannot speak about it in here because there are women present,

but I was taken out there to observe some of the tjukurpa. We talk about Aboriginal dream stories and dreaming. The tjukurpa is the Pitjantjatjara word that we would call dreaming; it is more than that. It is a religious experience that is as real to the Aboriginal people as Catholicism is to the Pope, and we should never ever forget that. It was a very moving experience for me to be out there with the watis, the older men—the tjilpis—the really old men out there, to listen to them talk to the young men about this particular part of tribal law.

Those sorts of experiences have ingrained in me the real need and the real passion to improve Aboriginal welfare in South Australia. We spend \$1.3 billion, between the federal and state governments, every year in South Australia on our Aboriginal people. About \$200 million goes into the APY lands. We spend \$50,000 per man, woman and child on the approximately 30,000 Aboriginal people in South Australia.

To see some of the hardships and living conditions that some people are having to put up with—never mind those massive gaps that still exist between the opportunities, advantages and living conditions of Aboriginal people in South Australia and those of the white population—there is still a long way to go to explain to Aboriginal people what we want for them and what we think we should be able to do to assist them to achieve their goals and their ambitions.

The \$1.3 billion does not seem to be doing a lot. There have been some significant improvements; there are still lots and lots of challenges though, and I hope to be part of a parliament—not just a government or an opposition—that moves together to make sure that Aboriginal people are having a big say in what they want to do and where they want to go. Recognising them in the Constitution Act is something that we really need to emphasise is just another step forward on a long road and we have a fair way to go yet.

Can I just read from the proclamation which Robert Gouger read out, and which is read every year down in my electorate of Morphett at the Old Gum Tree. In the proclamation, Robert Gouger, who was reading the words of the king at the time, said:

It is also, at this time, especially my duty to apprise the Colonists of my resolution to take every lawful means for extending the same Protection to the Native population as to the rest of His Majesty's Subjects and of my firm determination to punish with exemplary severity all acts of violence or injustice which may in any manner be practised or attempted against the Natives who are to be considered as much under the safeguard of the law as the Colonists themselves, and equally entitled to the Privileges of British Subjects. I trust, therefore, with confidence to the exercise of moderation and forbearance by all Classes, in their intercourse with the Native—

I am reading from the original handwriting, and it is a bit difficult to read—

in their intercourse with the Native inhabitants, and that they will omit no opportunity of aspiring to fulfil His Majesty's most gracious...intentions.

So, initially, there was recognition of the fact that the initial inhabitants, the Aboriginal people, were to be treated with exactly the same rights and respect as those who had arrived in the 1830s. Unfortunately, we know that the outcomes of that desire were very short lived. What we need to know now is that we are still moving forwards towards the ultimate goal of complete reconciliation and complete achievement of the aims and ambitions of all Aboriginal people in South Australia.

I taught high school at Port Augusta for three years in the mid-seventies. I used to drive the school bus out to Davenport Mission, as it was then, and I had a lot to do with Aboriginal families. It was really amazing to be involved with those families, to be with the kids at the high school, to see the interaction between their family groups, their traditional obligations and their participation in school. There were some conflicts, there were some issues, but we worked around them. We had a great time, and there were some really inspiring young people who I was working with then. I have tracked down a few of them, and I am very pleased to say that they are doing very well for themselves. I do not know where a number of them are right now, but I just hope they are doing well.

One young fellow I was with in grade 7 at Salisbury Consolidated Primary School was young Kenny Haines. Kenny was a full-blooded Aboriginal fellow and one of the most gentle people you could ever find, young Kenny. I remember that he left me behind academically. He was a well-mannered example to the rest of us in grade 7 at Salisbury, because we were a bit rowdy. Kenny was a fantastic bloke. I do not know where Kenny Haines is nowadays, but I just hope he is going well. Kenny was taken from his family and put in a foster home.

There are massive and serious issues with that, and we know that. We are currently looking at ways of going back to try to repair the damage that was done. Dean Brown in this place in 1997 issued the first apology to Aboriginal people for removing them from their families. We

heard Kevin Rudd's apology (with its fifth anniversary just last week) on behalf of the nation to the whole of the Aboriginal people across Australia, for the issues they faced in the past and are trying to overcome today.

The need to move forward is something that I think this piece of legislation will come somewhere towards achieving. It does have written in it in the last paragraph of the particular copy I have, which I think is the latest one, that the parliament does not intend this section to have any legal force or effect. I do not think the Aboriginal people want that. They are not looking for another handout. What they are looking for is recognition of the fact that they are the original inhabitants and that they have a relationship with this country that is as real today as it was 170-odd years ago when we first arrived here and as real as it was those many thousands of years ago.

This is a vital piece of legislation, and it is an important step forward for all of us in this place, and I mean all of us, not just opposition, not just government, but everyone in this place. It is really pleasing to see that it has been put forward. I know there has been some criticism about the need to do this, that it should not be necessary in 2013, that it should have all happened in the past, that we should have reconciled, but the reality is there are big issues out there. There are serious issues which we need to reconcile, and I for one will be doing all I can to continue that in this place as a member of parliament.

With that, I congratulate the Aboriginal leaders in South Australia on the fine work that they are doing. The Commissioner for Aboriginal Engagement, Khatija Thomas, is in the gallery today, and I thank her for the work she is doing and continuing on, and I thank the members of the board for Reconciliation SA who are here as well. I think we have to make sure we continue to reconcile the past so that we can move on with the future.

The Hon. S.W. KEY (Ashford) (16:09): I am very honoured to be able to contribute to this debate today. I pay recognition to the leaders and workers who have made this possible who are in the gallery and thank them for all their ongoing work, and also the former minister of Aboriginal affairs, minister Paul Caica, who, after cabinet approval, established the advisory panel to make this recognition of Aboriginal people in our constitution a reality.

I should go back a little bit and say that I was very shocked when I came into parliament in 1997. I remember having a discussion in the very first days that I was in this place with the members for Giles, Florey and Reynell, in particular, about how surprised we were that there did not seem to be any recognition of the first people of South Australia. I was particularly surprised because I came from the trade union movement and quite a lot of work had been done by Aboriginal workers and trade unionists to try to educate us non-Aboriginal people about the importance of paying our respects and also the recognition that needed to be made to people in particular areas.

I had also come from the experience of supporting the United Trades and Labor Council, as it was then called, now SA Unions, Aboriginal Affairs Standing Committee that had been running for quite some time and had been educating us about issues that we needed to take up and work with Aboriginal workers about. As a shadow minister, I had an opportunity to work with other Labor shadow ministers to talk about how we would address those issues. I think you will remember, Mr Deputy Speaker, that that was certainly on the agenda for the shadow cabinet about what we would do to actually change the recognition that did not seem to be there.

I particularly remember former shadow minister, and also minister, the late Hon. Terry Roberts talking about some of the views he had put together with regard to recognition of traditional owners. Some people, not necessarily people outside of the Labour movement, but some people really did not understand why we would acknowledge traditional owners, why we would acknowledge leaders or cultural views and also the connection of our first people to the land.

It took quite a bit of discussion to get to the stage where it became part of our policy, as government in 2002, that that acknowledgement should start all government speeches, and in fact all speeches that Labor Party politicians made, and that it would be made clear to the departments and the people who worked under the government that they would need to find out what the protocols were of a particular area and make sure that acknowledgement was given to traditional owners. So, although it seemed, at the start, a small thing, I am particularly proud that it is something that anyone from the kindergarten I was in yesterday right through to the Premier and the Leader of the Opposition is making that acknowledgement there.

Having the honour, in what was the Rann government, of being the minister for the status of women, it was really interesting to work with Senator Amanda Vanstone in recognising that we

needed to look at establishing an Indigenous women's forum. I am pleased to say that when the status of women ministers met on a federal level under the leadership of then Senator Vanstone, we made sure that there was also a gathering of Indigenous women at the same time. I have to say those meetings were a little bit scary because we also had the influence of women who represented the Pacific rim, and I remember the Māori women in particular being very fierce and talking about how all of us, particularly us non-Aboriginal and non-Torres Strait Islanders, should get our act together and recognise the different issues that were being faced by our sisters.

There has also been over time, and certainly in my experience, an acknowledgement of the fact that not only did we need to do the symbolic recognition of Aboriginal people but that, if we were serious about what we were going on about, the constitution had to be changed. I must say that, although it took quite a while, I am very pleased that the South Australian government, in support of everybody else in here, did make contributions to the advisory panel and here we are now, finally, with a bill that says that we need to recognise our first people in our state's constitution.

I thank everybody who has had an input in this process and say that it is about time, and I am very pleased to be part of this debate.

The Hon. R.B. SUCH (Fisher) (16:15): I support this bill. I only heard part of the contribution from the member for Morphett outlining his experiences growing up and teaching, when he worked with Aboriginal people. I have been fortunate. I went to school with some of the people from the then Colebrook home. Graham McKenzie was one of them and, as far as I know, he is still around the place, either at Murray Bridge or Port Augusta.

When I was only a little tacker, Lowitja O'Donoghue and Faith Coulthard, as she was then, (now Faith Thomas) used to come to our place, partly to get some support and just interact with us. They were nurses at the Royal Adelaide when Aboriginal people were not that well accepted. So, I have known Lowitja for quite a long time. She is the same age (and I know we do not mention the ages of women) as my older sister, Pat.

Within my extended family now we have quite a few Aboriginal people. I do not profess to be an expert in any way, shape or form about traditional Aboriginal culture, but I have read quite a bit and I used to work with people who lectured on the subject at the Underdale campus of what was then the Adelaide College of the Arts and Education. It is quite sad, I think, that not only do European Australians not know much about traditional Aboriginal culture but that many young Aboriginal people know very little about it—and they should.

We should ensure that not only young Aboriginal people learn about their traditional culture but that every Australian understands and learns about it. It is often portrayed in simplistic and inaccurate terms, and there are some fantastic values and concepts in traditional Aboriginal culture. Sadly, many of the languages have disappeared and only a few are now left. Clearly, many of the tribes have disappeared as well. It is important, I think, that people have an understanding of traditional Aboriginal culture.

Some members would be aware of a recent book by Bill Gammage about the use of fire by Aboriginal people in managing what he called 'the greatest estate on earth', and it is well worth reading. It describes a very skilful use of fire to manage the environment, and that ties in with a point I want to emphasise. Aboriginal people in their traditional setting did not have a concept, as we do, of ownership of land. They believed that the land in effect owned them. I do not want to be nitpicking in terms of the wording, but where reference is made to traditional owners I think it would be more accurate to say that Aboriginal people were custodians of the land. The notion of ownership is a Western-type concept.

We often hear people talk today about sustainability. Traditional Aboriginal culture was sustainable: it went for 60,000 years, and it could have gone on forever because it was genuinely sustainable, renewing itself and allowing for renewal of the landscape. If people want to look at the notion of sustainability, then look at how Aboriginal people, as custodians of the land, looked after the land.

I only heard the tail end of the member for Morphett's speech, but I believe he made reference to the proclamation in South Australia that was dated the 28th day of December 1836 and issued by Governor John Hindmarsh on behalf of the king. I will say it again, even though the member for Morphett may have quoted some of this. The Governor said:

...especially my duty to apprise the Colonists of my resolution to take every lawful means for extending the same Protection to the Native population as to the rest of His Majesty's Subjects and of my firm determination to punish with exemplary severity all acts of violence or injustice which may in any manner be practised or attempted against the Natives who are to be considered as much under the safeguard of the law as the Colonists themselves, and equally entitled to the Privileges of British Subjects.

We know that that good intention was never followed strictly to the letter but I think it is fair to say that in South Australia, whilst there were some bad practices and bad outcomes particularly in certain areas, South Australia, to its credit, did things in relation to recognising Aboriginal people long before the other states. In fact, in the 1850s South Australia gave voting rights to Aboriginal men. I think the year was 1856 but I stand to be corrected—it was certainly the 1850s. Then Aboriginal women in South Australia got the vote in 1894, the same year as European women. So South Australia was and has been a leader in respect of giving some acknowledgement to Aboriginal people. They were also given early recognition in courts of law as being able to give evidence and so on.

That does not diminish the fact that in many other respects they were not treated as they should have been. However, when South Australia became part of the federation in 1901, the other states would not agree to Aboriginal men and women having the vote. They then had to wait basically until the 1960s before that injustice and denial of a basic right in a democratic society was corrected.

As I say, the track record in South Australia has not been anywhere near as good as it could have been, or should have been, but, in comparison to what happened in much of the rest of Australia, South Australia established some practices which were, at the time, very commendable and showed considerable foresight and a step towards some recognition of the traditional people who had custody of this land.

I support this bill. Some people say words do not mean much—words do mean a lot. We often hear people quoting the Magna Carta or the Declaration of Independence and a whole lot of other documents—words are important. They are not just part of a symbolic act; they do have some significance. I think that linking this bill with the Constitution Act is important.

I will conclude by saying that, whilst we tend to focus on Bridging the Gap and the fact that we still have a long way to go in respect of Aboriginal people with regard to education, health and so on, I think we should also focus on the positives. There have been tremendous achievements by many Aboriginal people. I quoted a figure the other day to someone and said that there were 165 Aboriginals in Australia who have PhDs. This person said to me, 'Oh, that's not worth much.' I invite them (and I am sure the member for Port Adelaide would, too) to have a go at doing one and see what is involved.

I think that figure of 165 would surprise a lot of people but there are many Aboriginals who are doing great things. John Moriarty was at Flinders University when I was there. I saw him recently and he is very successful as a designer and business person. There are many Aboriginal people in all walks of life who do not necessarily make a big fuss of the fact that they have achieved success. There is more than one dance company and there are all sorts of opera singers.

What we are doing here is part of a legal process. I know that this does not have any legal force in a technical sense, but what it does is acknowledge that Aboriginal people are part of the family of Australia and that they are achieving. In some areas, it is taking a lot longer than we would wish, but I think that, in focusing on what has been in some ways a negative aspect in our history, we should also acknowledge that things are going forward and Aboriginal people are achieving and contributing in a whole multitude of ways to modern Australia.

I support this bill. It does not undo the wrongs of the past, but I think it does help chart the future so that Aboriginal people can be recognised more fully, more adequately in our society and acknowledged as fellow Australians.

Mr PEGLER (Mount Gambier) (16:26): I rise to support the Constitution (Recognition of Aboriginal Peoples) Amendment Bill. This is a great step forward for this state and for all the peoples of this state, especially the Aboriginal peoples of this state. If you think back to when white man first came to Australia, the land was referred to as terra nullius, which is Latin for a place that belonged to nobody. Basically, it was not recognised that the Aboriginal peoples even existed on these lands, and the British government believed that very strongly.

South Australia first became a province in 1836, and then we went through to about 1934, when we got a Constitution Act. The unfortunate part is that, in that Constitution Act, we did not

recognise the Aboriginal peoples of this state. It has taken until now for us as a parliament to bring that about. I certainly support this bill.

My people first came here in the 1850s, and they always had a lot of respect for the Aboriginal people in my district, and I have always continued that myself. They are great people, they contribute a lot to our society, and we as a government and as a state should be recognising the Aboriginal people in our constitution.

I think that it is also important to bear in mind that the consultation process for bringing about this bill was very well done. Aboriginal leaders from right throughout the communities were consulted in a proper manner, and they came to agreement on the wording of this amendment bill. I certainly congratulate all those people who were involved. I will not go through and name them all, but they all know who they are.

It is also important to recognise that all the parties who were involved in that consultation process are aware that it was not intended that recognition would either create any new rights or remove any existing rights. Of course, this was necessary to avoid this important step of formally recognising Aboriginal peoples from becoming subject to a series of technical and legal debates and objections; we would have ended up in a hell of a mess.

I think that it is really tremendous that all those people worked together to basically bring about this recognition and ensure that it is not going to create another bun fight, which none of us want. The main objective is to recognise Aboriginal peoples within this state. I certainly support this bill.

Mr BROCK (Frome) (16:29): I also rise to speak in favour of the Constitution (Recognition of Aboriginal Peoples) Amendment Bill to amend the Constitution Act of 1934. I think it is well and truly overdue. The member for Mawson has left, but I want to acknowledge and pay tribute to him for speaking in the Pitjantjatjara language. I have not had that pleasure. I have had lots of dealings with Aboriginal people throughout my employment over many years, but I want to congratulate the member for Mawson on doing such a—

Ms Thompson: Morphett.

Mr BROCK: That's right. Dr Duncan McFetridge did a fantastic job. I also want to pay tribute to the member for Giles. The member for Giles has always spoken in this chamber about the high regard she has for the Aboriginal people across all of regional South Australia in her dealings with the Aboriginal people in her electorate. Again, I pay tribute to the previous Speaker, the member for Giles, and recognise her great contribution in this chamber.

In my past roles I have had many dealings with many Aboriginal groups. When I was an area manager for an oil company at Port Augusta, I had the opportunity to go to Ernabella mission and Indulkana and sit around the camp fires with the elders. I talked to them about their culture and the opportunities they have had, and you learn from those people. You learn how they have survived, how they can live and do all sorts of things. They are a very proud people.

My late brother accompanied me to Coober Pedy when I was there in my role as the area manager, and over a three-day period he ran up a great friendship with many of the Aboriginal people in Coober Pedy. It took a bit to get him out of there because he was enjoying the camaraderie and would not leave. He always spoke very highly of those encounters.

We can all learn from the great tradition and the culture of the Aboriginal people across all of Australia. When I was living at Port Augusta, I had the great pleasure of being able to go out to the Davenport facility just outside Port Augusta. Unfortunately, I did see some of the living conditions out there, and I think it is something our white society needs to be very ashamed of, but I think that has changed dramatically in the last few years. Certainly, we can learn from the traditional owners of our country because they have all the knowledge, and we should be learning from them and working together to have not only a far better South Australia but also a far better Australia.

I will also make mention of the great things I learnt about how to live in the outback. I was up at Port Augusta for five years. I travelled a fair bit, and every time I met the Aboriginal groups, whether at Ernabella, Indulkana, Coober Pedy or wherever it might have been, I learned more ways of survival and traditional ways of living.

One thing both the South Australian government and the federal government should be looking at improving is the living conditions and housing in some of our regional areas for the

Aboriginal people. Health is a big issue across all of South Australia, but the life expectancy of certain cultures or nationalities is less than others, and we all should be having great health. Education is another issue we should be pushing very strongly.

On education, I will not mention this gentleman's name—he is a student at the John Pirie Secondary School. Minister Portolesi and the Premier were up there recently. This young fellow is an SRC leader in the school. He has come through and he has done it the hard way. He is a very proud person. The minister and the Premier asked him what he wants to be when he grows up, as we all do when we go to schools, and he wants to be the first Indigenous Prime Minister of Australia. I thought, 'Now, here is a young lad who wants to get ahead.' We encouraged him, if he has a vision and a goal, to go for it, and we said, 'Don't let anybody say you cannot achieve that, because if you want to do something you can achieve it if you set your mind on it.'

After I left as an area manager for the oil company, I took on my own roadhouse at Port Augusta and had 55 people working for me. A young lass from the Aboriginal community got a job with me (and I will not mention her name because I do not think we should do that), and she was my best worker. She was an absolutely fantastic worker: always the first to be there, always the last to leave, and, no matter if I was ever short of somebody, I could ring this young lass up, and I was only sorry that when I got out of the job she did not retain her employment there.

The other thing I want to pay tribute to is the local Aboriginal groups around my electorate in Port Pirie, in particular. I have quite a few different tribes and I have a great rapport with the Aboriginal community in my city at Port Pirie, and I only have to walk down the street and we stop and have a chat about things in general. I have young students from the primary schools there come to talk to me and also from the local groups who you see in the street. I think it is a beautiful thing and it is a bit of a shame that it takes so long to actually put this recognition and to change the constitution, but congratulations and I hope everybody in this house supports it.

The Hon. J.D. HILL (Kurna) (16:36): I would like to begin by acknowledging the traditional owners of the land, the Kurna people, and also say how pleased I am to represent an electorate which is also named Kurna. It is a pleasure to be able to stand in this place—for me it is a particular pleasure at the moment—to speak in relation to this legislation.

This legislation is not about rights but it is about recognition. It is about recognition that the doctrine of terra nullius was a flawed doctrine and has now been considered to be flawed and invalidated by the very highest court in our land, in our federal parliaments. It is about recognising that this land that we occupy and this land that we live on and enjoy was owned by other people before us and it is recognising that their cultural connections to the land and their familial connections are still profound and are still ongoing.

Some might criticise this legislation and say that it is just symbolism, it is just about symbols. To them I would say that symbols are really important. In all cultures, symbols are very important. If you think about the important days of celebration and commemoration in our annual calendar—ANZAC Day, Easter, Christmas—all of those days are replete with symbols, whether it is the symbol of the cross, the symbol of the Easter egg, or the statue of a soldier who may have fallen, or the symbol of a soldier who may have fallen. Symbols are very important in a culture. It is a way that a culture does recognise and does unify itself. So I think this symbol, this way of recognising the traditional owners of the land, is very profound.

I know that the process by which these words were formed was a very extensive one, and I understand that there is a broad consensus that this is the right way to go. Other jurisdictions have developed similar kinds of language to put in their constitutional acts at other times, so I am very pleased that our state is joining with them.

As a former health minister, I know that the issues in relation to Aboriginal health in our state and in our nation are very significant ones, indeed, and that we need to go beyond just symbols and we do need to go beyond just recognition to deal with the very practical day-to-day issues that people in our society have. I am really not here today to talk about what is needed—lots of things are needed—but I just wanted to make it clear that I do understand that this does not address all these issues. It is something which is complementary to those issues, but it is a very important and significant act. I am very pleased to add my voice to those who are supporting this legislation.

Dr CLOSE (Port Adelaide) (16:39): I rise briefly to indicate my support for this bill and do so proudly as the member for Port Adelaide and, therefore, representing a relatively high number of Aboriginal people for a metropolitan electorate and a part of this country that has a long Aboriginal

history and an ongoing cultural importance. I look forward to seeing some of that culture celebrated in Port Adelaide as the public spaces begin to be upgraded.

The South Australian constitution is our most fundamental document setting out the rules of governance for our state. The planned amendment to the constitution is a real and powerful demonstration of the parliament's commitment to healing and reconciliation.

I understand that the advisory panel consulted widely on the wording, particularly among the Aboriginal community, and I commend the Aboriginal leadership for their generosity of spirit in working on something that is so very long overdue. At the heart of this bill is how to recognise Aboriginal people as the first Australians and their unique contribution to our state's identity and culture.

Recognition is important to us all. It makes us feel included and improves our self-esteem, and self-esteem is important when we consider our self-identity. The history of Australia has been one that has constantly challenged Aboriginal Australians' identity, families and culture, and yet they have survived, and because they have survived, we are all richer for their strength.

Adding a statement of recognition of Aboriginal peoples to the constitution is a mark of respect. It furthers the process of reconciliation and it is important for present and future generations of Aboriginal people. Why should our Aboriginal citizens continue to be invisible in our founding document? It is the next step in reconciling our past, and it is the right thing to do.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:40): I indicate that I am not the lead speaker on this and will be proud and very attentive to listen to my leader as lead speaker on behalf of the opposition on this matter. I would like to say that I am pleased to support this bill and thank the Premier for bringing it to the parliament. This is a bill to amend our South Australian constitution to recognise Aboriginal peoples in our most fundamental document.

It is a bill to provide for a new section in part 1 of the Constitution Act 1934, entitled 'Recognition of Aboriginal Peoples'. This new section begins with two statements of historical fact: first, the establishment of the Province of South Australia by the 1836 Letters Patent, and that there has been no proper and effective recognition, consultation or authorisation of Aboriginal peoples either then or when the present Constitution Act 1934 was passed almost 100 years later.

As is evident from other speakers, our constitution developed over a number of years after the establishment of the South Australian colony as a British province back in 1834, and that was followed by the 1836 Letters Patent, which of course formally established South Australia, and the Proclamation of Government, which has been recognised today, in December 1836. I am pleased to say that a motion that was passed in this house, following a successful motion in the Legislative Council recognising the first white settlement in South Australia commencing on 25 July 1836 on Kangaroo Island, included as the first point the recognition of the Aboriginal people as the first occupiers of South Australia.

Although they had come to and left Kangaroo Island several thousand years before white settlement, they were still very important and appropriate to be recognised as the first people of South Australia. That has been followed in many other ways—not followed, I shouldn't say. I don't give myself that privilege, but that has been in recognition of a number of others that preceded that, including acknowledgement in an apology by former premier Brown in this very chamber as the first of the Australian chambers of parliament to apologise to the Aboriginal peoples and to give them proper recognition.

Just in the last week or so, the passage of the federal recognition bill has been applauded and was eloquently contributed to by the Prime Minister and Leader of the Opposition of the federal parliament. I noted that in media coverage—indeed in Victoria—Ms Shirley Peisley, who had been a member of the Premier's panel established to look into how the recognition should apply in South Australia, is quoted as saying:

This is what we have worked for all our lives, to see us as being part of the country. The biggest fabrication was creating a constitution that said nobody was here, that the land was barren and empty. We definitely were here. It's the biggest lie ever told in this country and we've got to change that. It's about setting the record straight.

No truer words could be said in relation to the failure to recognise at the Australian national level. Here in South Australia, as other speakers have pointed out, the Letters Patent set out an admirable aspiration to properly recognise and ensure that the first people—that is, Aboriginal people—were to be respected and a commitment by the then king to ensure that they would be protected.

Nothing could be further from the truth. Some have described what has happened as a failure to prevent abuse to Aboriginal people in South Australia. I would call it acts of brutality and barbaric behaviour toward fellow men. One only has to read the history of the conquest of the Ngarrindjeri in the Coorong region to understand the disgraceful conduct that some of our forebears perpetrated on our Aboriginal counterparts.

I also note, particularly in this region—in the Adelaide Hills and on the plains of areas that I now represent—the thousands of people in the Aboriginal community who died as a result of the introduction of disease by white colonists. The significance of smallpox and other contagious diseases, which all but wiped out Aboriginal people living on the Adelaide Plains, should not be underestimated. That is an aspect, inadvertent as it was, that should be acknowledged.

I also wish to thank the Premier for appointing a distinguished advisory panel. Each of those has been recognised in the *Hansard*; I will not repeat them. Each of them has had a very important role to play in Aboriginal recognition in this state, independent of that which is about to be in our constitution. Some comment and criticism have been made about the establishment of a hand-picked panel. I want to say, with no reflection on those who have been appointed because I have great admiration for all of them, that, yes, there are a number of other people in the Aboriginal community who ought to be recognised.

I would hope that, in the nearly 50-odd written submissions that were received, there was an opportunity for others in the Aboriginal community to present their proposals and that that has been incorporated in the ultimate legislation which we currently have under consideration. So, I do not pursue that criticism. I think that it was appropriate that the Premier appoint such an eminent council and to follow that through.

Can I also say that, whilst the recognition in the constitution is long overdue and we should be recognising the importance of the Aboriginal history as part of our state and, as more recently in the federal parliament, as part of our country, I come from a slightly different background with my early association with Aboriginal people in our community. I did not, in the first part of my life, meet with Aboriginal people who were in, as we often repeat in this house, a parlous and desperate circumstance.

There is no question that the life expectancy of many Aboriginal people and the health, welfare and education challenges that exist cannot be diminished and I do not attempt to do that, but frequently in this parliament we fail to celebrate the high achievements of Aboriginal people in our community and recognise that, whether it is in the arts world or the elite sports world, whether it is in political life or other areas of endeavour or enterprise, Aboriginal people are very successful. My first encounter with Aboriginal people in my life, both on Kangaroo Island and in Alice Springs, was actually with some of the most famous people in our community, who were Aboriginal people, so I came from a different position.

The first person I met was the late Garnett Wilson AO, who was the first Aboriginal qualified wool classer in Australia. When he first arrived on Kangaroo Island, he was like God. If anyone understands the pecking order, a wool classer in the shed is at the top of the pack. You have the shearing contractor, the wool classer, the shearers, the shedhands, and the rouseabouts, all the way down. The wool classer is top of the pack.

When I first encountered Mr Wilson, not only was he a wool classer but he was to be respected. I called him Mr Wilson. Everybody called him Mr Wilson. He looked a little bit darker than me and my brothers and sisters but, as far as we were concerned, he was the top of the pack. I went to visit my grandmother in the Northern Territory, who had established an Aboriginal art gallery in the 1950s in recognition of and at the request of people at Hermannsburg who were developing the then fairly embryonic market for Aboriginal art, in particular for Albert Namatjira.

When his sons (five of them) from time to time came into the gallery they were all recognised as Mr Namatjira. These were very important people. These were people to be respected. They had achieved, they were very successful. A number of those sons went on to follow their father and, in fact, a number of the descendants, girls as well, have been very successful in the art world. So, the people I met, the people I associated with, were not those who were facing some major welfare issue; in fact, they were people of very high achievement.

There was one person I did see who had significant notoriety. He was a bit like the Ned Kelly of the Aboriginal people, and that was Maxwell Stuart. Obviously having some history in the law it is hard to not go past legal history without understanding the extraordinary royal commission and a privy council hearing on the Maxwell Stuart murder case. I also had the privilege

of meeting Mr Stuart at the launch of a film called *Black and White*, which was about the legal history of the case in respect of the murder of a young girl for which Mr Stuart had been found guilty.

As for the rest, everyone knows the history, of course. He was subsequently, after a royal commission, released from prison and provided with a pardon to be facilitated. In the world that I was living in, in the legal world, he was someone of extraordinary note and quite a hero in respect of the exposé in that instance of what was seen to be—if I can put it as kindly as possible—the unfair police treatment in respect of the interrogation and the confession obtained during the course of the conduct of the investigation for that trial.

It does not come as a surprise to me, of course, to know that many Indigenous people are in a place of disadvantage in our community, because obviously in legal practice, and in a number of cases I did for the Aboriginal Legal Rights Movement, one cannot help but become exposed to that. But, let me give you the hope, I think, of what I see for the future of other successful Aboriginal people. When I visit a program such as the Wiltja program, which provides accommodation and support for Aboriginal children, largely to come from the APY lands to Adelaide to attend school and have school opportunities, with the consent and support of their parents, I see this as remarkably successful, after 20 years of operation, in giving young people the opportunity for education, access to play sport and to be able to achieve in other fields of endeavour. I commend successive governments in continuing to support that program.

My brother has worked in the program over a number of years and has continued to participate in it. It is an absolute joy to see young people, through that program, have an opportunity, especially if they complete their year 12, to have higher educational training. It makes me feel very proud that we can stand today and support the passage of legislation that will truly recognise not only the original occupation but that Aboriginal people in South Australia will continue to stand shoulder to shoulder with us and enjoy the rewards and fruits of the state's endeavours.

Ms BEDFORD (Florey) (16:53): Today I am heartened to see and support this bill as it comes before the house. I have been asked to make some remarks. I am glad to say I believe in and hope the proposed amendment to our state's constitution will mark a significant step forward in the reconciliation process for all Australians.

Words are powerful. Last year, the South Australian government made a commitment to give formal recognition to Aboriginal people as the first peoples of this state. Following the formation, work and deliberation of an advisory panel of eminent people, the government has taken on the recommendations of the panel to change our constitution to fulfil this commitment. The bill, and I quote:

...acknowledges and respects Aboriginal peoples as the State's first peoples and nations...

The majority of the written responses and participants at the consultations throughout this process strongly supported these words. 'First peoples' and 'nations' are expressions now used internationally. The bill also states, and I quote again:

...[it] recognises Aboriginal peoples as the traditional owners and occupants of land and waters in South Australia...

The amendment to our constitution will represent a significant moment of recognition as we formally acknowledge the Aboriginal peoples as traditional owners and occupants of this state. This is made even more significant when considering the meaning of land for Aboriginal peoples across South Australia.

The bill acknowledges 'spiritual, social, cultural and economic practices come from their traditional lands and waters'. The wording of this clause is specifically important because the Aboriginal participants in consultations explained that to say their cultural, spiritual, social and economic practices are related to or are connected with their land is to understate the relationship between Aboriginal law and the land. Expressions such as 'related to' and 'connected with' fail to convey that Aboriginal law governing practices comes from the land and that their beliefs are inseparable from the land.

I do not want to put all of my personal stories on file today. I would like to keep it brief so that we actually see it all pass today. Suffice to say that the Florey Reconciliation Taskforce was founded with the help of Aunty Shirley Peisley and the late Aunty Vi Deuschle and has always known that Aboriginal people are connected to and come from the land. We meet continually, and have for many years, and stand ready to work with local Aboriginal people on their initiatives.

The bill is an indicator of how far South Australia has come in reconciliation and addresses the need to recognise the true history of our state, as we all embrace and honour this recognition and acknowledge the dignity and respect it enshrines in our shared future. As an earlier speaker said, it is not a hand-out. Rather, it is restorative and extends a hand up. It is another step on the journey, and I commend the bill.

The Hon. L.R. BREUER (Giles) (16:56): I am honoured today to speak in support of the bill. I would particularly like to recognise the work of the advisory panel established by the government last year. The advisory panel was asked to advise the government of South Australia, through the Minister for Aboriginal Affairs and Reconciliation, on the preferred form and content of a statement of Aboriginal recognition, prepare options for cabinet's consideration regarding the statement of recognition for inclusion in the Constitution Act 1934 and to seek the views of South Australians on the alternatives of constitutional amendment to recognise Aboriginal peoples through the insertion of a preamble in the act or a statement in the body of the act.

As a result of the work of the advisory panel, we are now able to make changes to the constitution that will formally recognise Aboriginal peoples as the first people of this state—about time. Reconciliation is a fundamental issue for all Australians, and it is an ongoing process. The bill acknowledges and builds on the apology given on 28 May 1997 in the parliament on behalf of the people of South Australia—I think that should be 2007. Acknowledgement of the apology reflects the wish of people who identified themselves as Aboriginal during the consultations. They expressed in various ways how Aboriginal people in South Australia have suffered as a result of dispossession from lands. At the same time, it was said that Aboriginal people did not want to pass on their grief and loss to future generations. It is important to recognise in the amendment that the apology is a vital part of reconciliation and that it helps provide the opportunity for future generations to move forward.

The bill also 'acknowledges that the Aboriginal people have endured past injustice and dispossession of their traditional lands and waters'. In stating this, we are able to see how past injustices continue to have an impact on Aboriginal peoples today, but in highlighting this it creates a platform for forgiveness and change. Last week, the country celebrated five years since the national apology was given by the federal government. And now, the passing of this bill will see South Australia join New South Wales, Victoria and Queensland as states that have changed their constitution in order to acknowledge the Aboriginal peoples as the traditional owners and occupants of this land.

I would like to particularly acknowledge the members of the advisory panel, one or two of whom I see here today. First, Professor Peter Buckskin, who is well known in South Australia. He is a Narungga man from the Yorke Peninsula in South Australia. He is currently the inaugural Dean of Indigenous Scholarship, Engagement and Research at the University of South Australia. He has been involved in education and has been a professional bureaucrat for more than 30 years. Shirley Peisley AM, a Ngarrindjeri elder, has worked in government and community for more than 50 years. She is very well known. She was an active participant in the 'Vote Yes For Aborigines' campaign way back in the 1967 referendum and has always been a strong advocate for Aboriginal rights and Aboriginal women.

The Hon. Robyn Layton, who is presently an adjunct professor at the University of South Australia School of Law, was a judge of the Supreme Court of South Australia. Her legal career spanned more than 40 years, and she has had very strong connections with Aboriginal issues. Khatija Thomas, who is in the gallery today, is the Commissioner for Aboriginal Employment. She was born in Port Augusta, a suburb of Whyalla, and is a proud Kokatha woman. She has been a solicitor with the South Australian Native Title Services and worked for the Aboriginal Legal Rights Movement.

She is focused on delivery of legal representation and advocacy for Aboriginal women. She comes from a very important Aboriginal family in my part of the state—the Thomases, whom I have known for many years—and certainly is doing an incredible job now as Commissioner for Aboriginal Employment. We also had the Hon. John von Doussa, formerly president of the Australian Human Rights Commission and Chancellor of the University of Adelaide at one stage. He was a trial judge in the Hindmarsh Island Bridge case and participated in early appeals to the Full Court of the Federal Court in native title cases.

I particularly wanted to mention those people because we do have a panel of people there who actually knew what they were talking about, who actually knew the issues and were able to go out there and work with them. I am pleased to serve on the board of Reconciliation SA with three of

those panel members, Professor Buckskin, Ms Khatija Thomas and Robyn Layton. Reconciliation SA, of course, works towards an improved quality of life for Aboriginal and Torres Strait Islander peoples in this state, particularly in areas such as health, education and employment, and in order to achieve equality for all South Australians. It is good to see Mark Waters here today, also listening. He does an incredible job keeping the board on tap and keeping them working.

What I really want to say today is that, despite this bill, despite the work of organisations such as Rec SA and other organisations who are working so hard throughout South Australia to try to better the lives of our Indigenous South Australians, we still have such a long way to go. I am sick of hearing all the bullshit about this. (I am not sure if that is a parliamentary word, but I am sick of it.) I regularly visit communities and I have a huge network of Aboriginal contacts. I hear their stories constantly and I see their needs.

I am not an academic, but I am a bush woman and I have my feet on the ground. I am sick to death of hearing platitudes, of bleeding hearts crying into their cups of peppermint tea, and of reading newspaper reports about what is being done, which really amounts to not very much at all. I am sick of token Indigenous people being put on committees and being given no support to stay there, to help them relate to what they are doing and contribute to the committees that they are on.

I am sad in my heart that we still have such a high infant mortality rate in Indigenous communities. I weep when I visit the Port Augusta gaol and I see the number of Indigenous prisoners who are there. I am sick of watching TV reports of the latest crimes involving young Indigenous men and women, and I weep when I talk to mothers, grandmothers and grandfathers whose hearts are breaking because they have children taken from their families by welfare because of neglect or abuse, or for some other reason.

What is wrong with what we are doing? Why is it not working? Why are all the good news stories that are out there, like the achievements in education, successful business people, and other achievements, not reported as day-to-day events? Why are they seen as novelties still in 2013? This bill is necessary and it is good, but we have to stop this common mentality out there that our Indigenous people are a problem and if we ignore it might go away, or that if we pump enough money into it we will fix it.

Money is not the answer any more. We have to make it work. We have to work together and stop making decisions as a government about them based on what we think is right. We need to be working with them, we need to be consulting with them, we need to talk to their leaders and we should not think that we know it all. We have to make it happen. We cannot hold our heads up high if we do not do this. We cannot pat ourselves on the back about the changes to the constitution if we do not do this. We have to stop patronising, we have to stop pontificating, we have to stop bleating about how good it is. We are not the experts: they are. We need to get on and do it, and perhaps this could be the first step.

I listened to the comments today from my colleagues on both sides of the fence. I know that you are sincere and I know that you mean well, and it is good to hear what you are saying, but I am not a bleeding heart: I am a realist. I would like to know how many have actually been into Aboriginal homes and sat and eaten with people, have sat in the dirt with people, have cried with them when they tell their stories as I have cried when I have heard stories, particularly from the stolen generation or from grandparents who have lost their grandchildren. How many people have really done that in this place?

I am proud that the Kungkas in my electorate chose to give me an Aboriginal name and let me go through the business with them. With that, I feel that there is an obligation to get on and get things done, and certainly I will do what I can. Aboriginal people are not different: they are not a strange race, they are people. They are fellow Australians and yet we treat them often as unique specimens—but they are just people.

I am pleased to see the progress we have made with reconciliation across the nation, and it is an honour to be part of this significant moment in South Australia's history. I hope it does contribute to alleviating some of the issues I have talked about today. We just have to get on with it and do it properly.

Mr MARSHALL (Norwood—Leader of the Opposition) (17:05): I rise to indicate that I will be the opposition's lead speaker on the Constitution (Recognition of Aboriginal Peoples) Amendment Bill 2012. It is a great privilege for me to be the lead speaker on behalf of the opposition in this parliament. On being elected to parliament in 2010, I was very fortunate in my

party room to be elected onto the Aboriginal Lands Parliamentary Standing Committee. I served on this committee for approximately two years. This was a very important step for me in understanding many of the issues which face Aboriginal people in South Australia. To be quite honest, it was a rude awakening for me.

I attended a school in South Australia that had long had boarders who came down from Hermannsburg and Finke River (or, as the Germans say, 'Finkie' River) Mission. In fact, I was surrounded by people from an Aboriginal background at school, but nothing really prepared me for what I would see when the Aboriginal Lands Parliamentary Standing Committee visited some of the Aboriginal lands in South Australia. We made many trips as a group, and I think we worked very well together as a committee. We visited the APY lands, of course, and also Yalata, Point Pearce, Raukkan, Koonibba and many other areas. It was a real eye-opener for me.

I also made a trip under my own steam last year, when I spent a couple of nights in Fregon. I was very fortunate to attend the Lightning Football Carnival which was held in Pukatja at the same time, where I saw the great joy that many people derived from the football. Of course, many of them played without football boots, but you could really see their joy from the footie up there. However, we also saw the very desperate conditions many of them lived in and the desperate circumstances that they had to endure.

I have also been very privileged to be the Liberal Party's representative on the Reconciliation SA board. I have enjoyed all those meetings and, again, I have learnt much. I am not sure how much I have contributed to those meetings; I feel it is more of an education for me. I feel very proud to have been our representative, and I indicate that I will continue to serve on that board now that I am the state Liberal leader.

As the state Liberal leader, you get to choose your own portfolio. One of the first things I decided was that I would remain shadow minister for this important area of Aboriginal Affairs and Reconciliation because I personally believe that there is much work to be done in this area. I am absolutely delighted that I have this opportunity to continue my efforts in that key role.

On 29 November last year, the Premier introduced this bill to the House of Assembly. Earlier in the year, he had announced that he would move to give formal recognition to Aboriginal peoples as the first peoples of South Australia. The government commissioned a consultation through the advisory panel which reported to the government on 29 November 2012.

I know that other people have spoken about the specific details of the people who were on the board, but I do want to acknowledge the efforts of the people who were appointed: Professor Peter Buckskin, Ms Khatija Thomas, Ms Shirley Peisley, the Hon. John von Doussa and the Hon. Robyn Layton. Their consultation was extensive right throughout the state, both with Aboriginal and non-Aboriginal people. Their report, which was called Time for Respect report takes into account, I believe, the views expressed by members of the public throughout this extensive consultation and also the written submissions that were made to that board.

Importantly, the report identifies that there are deep concerns in the community that formal recognition may not advance the work needed to address the levels of social and economic disadvantage faced by Aboriginal people. The report indicates that there is hope that formal recognition, whilst not giving rise to legal rights, will, like the Aboriginal flag, have positive social consequences due to its overwhelming cultural symbolism.

I am delighted that the Liberal Party here in South Australia is strongly supporting this bill in this house, and we commend the government for bringing it to this place. There is much that needs to be done. Both major parties in this parliament have made contributions to this area over an extended period of time, and there are many things that both parties can identify that have been good, where we have advanced the cause, and there are also some areas where, obviously, we have both been found wanting.

From my own party's perspective, I am very proud that it was a Liberal minister who was the first minister for Aboriginal affairs in the entire country to acknowledge the stolen generation and to apologise formally to them. This is something that was brought up only last week, when Kevin Rudd made a speech here in South Australia on the fifth anniversary of the federal parliament's apology to the stolen generation. But we did it first here in South Australia. We did it 11 years before the federal government got around to doing it, and that is something we can all be proud of here in this place.

I am also very proud of former Liberal premier Dr David Tonkin's involvement with the APY lands. This is an area that was very important to him. I highlight this because we do have a heritage in the Liberal Party of trying to advance this cause. Sometimes we are not good at putting this forward, but I feel very proud of our heritage. There is much to be done. There has been neglect, no doubt, but we have had some highlights in the past. I am very buoyed by the fact that my friend Ken Wyatt, who is the member for Hasluck in Western Australia, is the first Indigenous member of the House of Representatives in Canberra, and I hope that there are many more to come.

This bill is not a panacea. It will not completely solve the unacceptable gap which exists currently between Indigenous and non-Indigenous South Australians, but I do believe that it is an important step in the ongoing reconciliation process. It is long overdue. I am very pleased that all indications to date are that this bill will be passed by this house unanimously.

Despite the success of this bill, and the goodwill that is in this house at the moment, there still remains much to be done. I echo the comments made earlier in the house by the member for Giles and her frustrations that we still have so much work to be done. As I have said, despite the goodwill at the moment, I will not change my resolve to work as hard as I can to advance the cause and to improve the opportunities for Indigenous South Australians whilst I am in this place.

The government has indicated that it will also be bringing forward legislation to this place regarding the Aboriginal Heritage Act and the Aboriginal Lands Trust Act before the next election, and we look forward to receiving that legislation in plenty of time so that it can be considered. Updating these acts is well overdue, and this is something we should be able to work towards.

My commitment to Aboriginal South Australians is simple: I will work diligently in my portfolio area to advance the cause of Aboriginal South Australians. I know that other members of parliament, on both sides, share this objective, and I believe that it is by working together we can achieve much more, and this is my commitment to Aboriginal people the entire time I am in this parliament.

Debate adjourned on motion of Mr Sibbons.

CHILD PROTECTION

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development, Minister for Multicultural Affairs) (17:15): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.M. RANKINE: Today during question time I made the remark, 'That is exactly what I said,' in relation to a statement that I said there were no child protection notifications as a result of that offence, in response to a question from the member for Unley. I have reviewed the audio transcript that we have, and I would like to make it clear that, in relation to a question that I was asked about this person's suitability to be working with children, I said, 'As I understand it there were no child protection issues in relation to his screening.'

I was talking about the background screening that had been undertaken by the department. I was then asked, 'But you're not satisfied that he should have been employed?' and I said, 'I'm not satisfied that the proper screening process occurred. And certainly the department isn't satisfied that the proper screening process [occurred].' The meaning and intent of my words last Friday were as I have said today. There is no conflict.

There were no notifications of child protection recorded that showed up during the screening process. That is not to say that the offence could not have caused concern. I was simply responding to what screening processes had been undertaken and what was shown up. So, I want to be very clear that my intent was not in any way to diminish the fact that there may have been issues of concern. I was responding to a question about the process that was undertaken, and I have been assured on numerous occasions that there were no recorded child protection notifications.

CONSTITUTION (RECOGNITION OF ABORIGINAL PEOPLES) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Mr SIBBONS (Mitchell) (17:17): I rise briefly to indicate my support for this bill. I too briefly joined the Aboriginal Lands Parliamentary Standing Committee for a period of approximately four months. During that time, though it was brief, I certainly did learn a lot more about Aboriginal

people, their concerns and the issues that they face. However, today this parliament comes together for the benefit of Aboriginal and non-Aboriginal people of this state to jointly advance the cause of reconciliation.

There are of course very special reasons for us to come together today. It was made quite clear in the founding documents of the province of South Australia that the new inhabitants had a responsibility to safeguard the interests of our Aboriginal brothers and sisters. History is clear that many great wrongs have occurred since then. This is a statement of historical fact and one that I am pleased has been captured in the wording of the bill, under new section 2(1)(b). It states:

the making of the above instruments and subsequent constitutional instruments providing for the governance of South Australia and for the making of laws for peace, order and good government occurred without proper and effective recognition, consultation or authorisation of Aboriginal peoples of South Australia.

Also, new subsection (2)(c):

acknowledges that the Aboriginal peoples have endured past injustice and dispossession of their traditional lands and waters.

Indeed, we must acknowledge the heartache that arises from past practices and the sadness that still lingers today.

Just last week we celebrated five years since the national apology was given by the federal government. This is a welcome anniversary. Another important milestone occurred over 15 years ago, when this very parliament confronted our past and acknowledged the shameful events in our state's history. On 28 May 1997, the then minister for Aboriginal Affairs, the Hon. Dean Brown, issued a parliamentary apology on behalf of the people of South Australia.

I believe many benefits will come from the passing of this bill and that history will remember us well for having the courage to acknowledge past wrongs and to reserve in our state's founding document a special place for the oldest living peoples and culture on this planet—a culture which occupied these lands many years before the first free settlers arrived to the province of South Australia; a culture which, not unlike the Australia we know today, includes a mix of people from different sovereign nations who spoke different languages and practised different cultural beliefs and traditions; and a culture which was, and is still today, united by a common thread in the importance of living harmoniously with the land or the sea and with their own people.

I am hopeful that the actions of this parliament in passing a statement of recognition will later be used as an ideal reference point for future information, education and discussion, a further tool to assist and advance reconciliation. Public education and a renewed focus on reconciliation at the local level will also help to move the debate forward, and I am honoured that this place is doing its part.

Mr VAN HOLST PELLEKAAN (Stuart) (17:21): I rise on behalf of the people of Stuart to very warmly and strongly support this bill, and I do so on behalf of all of the people from Stuart—Aboriginal, non-Aboriginal and any other description they may like to give to themselves. I do my very best to represent everybody as well as I possibly can in here and in the electorate.

Certainly, I support this constitutional recognition; I think it is exceptionally important. As a first-term member of parliament who was elected nearly three years ago, you look forward to participating in some key milestones for your state, and you look forward to participating in some things which are of benefit to the state and which do not involve the two parties trying to bash each other up over issues. It is a pleasure to participate in one of those debates here today.

I would also like to especially thank Ms Khatija Thomas, who was the first person to actually come and see me and sit down and talk about this issue face to face—not that it was something I had never thought about before, because I certainly had; not that it was something I had not considered and bent my mind to a bit, but she was the first person to actually say, 'This is what exists now, this is the sort of work we are trying to do, and these are the things I would like you to consider as a representative for the people of Stuart.' So, I thank her very genuinely for being the first person; there have been others subsequently, but she was the first.

The words are important, but the words are not everything. A lot of time and effort have gone into selecting these words, and I am going to talk a little about the words, and about my views on some of them, and then move on to some of the broader issues. I am looking at the real heart of this constitutional recognition bill, and I will start with 'acknowledges and respects Aboriginal peoples as the state's first peoples and nations'.

This is clearly undisputable, and I think that anybody—Aboriginal, non-Aboriginal—who disputes that or who has any fear of saying that should hang their head in shame because it is a fact, it is true and we should all be very pleased to recognise the fact that Aboriginal people have lived in South Australia for tens of thousands of years. It is a fact, and we should all be proud of that. Non-Aboriginal people came much later: we are a tiny sliver of the whole history of this state. I think that is very important. The next bit:

...recognises Aboriginal peoples as the traditional owners and occupants of land and waters in South Australia.

Again, very true. It is important to recognise that there were disputes between Aboriginal people, as there have been disputes between all people all over the globe for as long as they have existed, but Aboriginal people are the traditional first owners, occupiers, managers, or however you would like to describe it, and I think that is equally important to recognise. The next bit:

...their spiritual, social, cultural and economic practices come from their traditional lands and waters.

Again, very true, and I would just like to spend a little bit of time on this. This is one of the reasons why this is so, so important, because if we all try and imagine 1,000, 2,000 or 10,000 years ago living here, it would be the land and the water that would control absolutely everything that we did. We would interact, we would be just as smart—our brains and our IQ would have exactly the same capacity. Our bodies would be able to do whatever our bodies were able to do.

But thousands of years ago it was the land, the water, the weather and all those other things that actually controlled and led how we struggled, how we achieved, how we had good years and bad years, how we got on, how we did not get on, what we fought for, and what we agreed upon, as well.

That is a very important issue to remember, and I say that because the vast majority of South Australians these days are living in heating in winter, air conditioning in summer and driving cars around the place. This is really fundamental, and I think this is often overlooked: the land and the water were critical to how people lived in South Australia for thousands of years before Europeans ever arrived here.

The next two bits I would just like to put together:

...they maintain their cultural and heritage beliefs, languages and laws which are of ongoing important; and they have made and continue to make a unique and irreplaceable contribution to the state.

I would like to pick up on something that the member for Giles said, which I agree with wholeheartedly: who are 'they'? Who are 'they'? It is not right to say 'they are Aboriginal, and they are non-Aboriginal, and they are more recent migrants'. It perpetuates the whole us and them thing, and I would like to say that my opinion is that, today, there are Aboriginal people who do and do not act in that way, and there are non-Aboriginal people who do and do not act in that way.

That is not a criticism of anybody. We all know Aboriginal people who are living a thoroughly modern life. We all know Aboriginal people who are still exceptionally connected, and through their family values, their stories and their meaning, their cultural pursuits and their recreational activities are very strongly connected to their past and doing everything they can to hold those traditions dear, but they are not the same.

It is very true of non-Aboriginal people, too. There are people, again, living in the modern world: all the technology, air conditioning, heaters, cars, iPads, phones and not particularly connected to the land or the water, and there are non-Aboriginal people who I am not suggesting have the right to pursue cultural activities and things like that but who are far more connected to the land and the water and the weather than lots of other people.

I think for me that is a really important thing to point out, that today, again picking up on what the member for Giles said, it is very hard to say who 'they' are. It does come back to your spirit, it does come back to your internal beliefs, your internal interpretation of things, and it does come back to your life, how you choose to live and what your family values are. I think we would all know people who might have a small amount of Aboriginal blood who are exceptionally connected in that way, and we would all know some people with a lot of Aboriginal blood who are not.

These days, it is not necessarily your race that is the determinant of whether you are one of them or one of them or one of them or whether you are spiritually connected. Just moving on, then, the next bit:

...acknowledges that Aboriginal peoples have endured past injustice and dispossession of their traditional lands and waters.

Fantastic. Why on earth would anybody fear stating and putting in our constitution what is absolutely true? It is an absolutely undeniable fact that Aboriginal people were treated very badly.

I think that is a very good thing to recognise, to put on paper and not to hide away from. So, I support that, as well. Really, the contribution that I want to make in sentiment and in terms of my personal beliefs and what I would like to express on behalf of the people of Stuart is that, if we continue to have Aboriginal and non-Aboriginal, or them and them and them and others, problems will not improve. Problems will not go away.

We live in 2013. People have a right to live their life however they want to. There should not be an expectation that if a person has Aboriginal blood they are automatically connected to the past or their culture. What is a fact is they have a right to be and have an opportunity to be and very often they are, but it is not automatic that that is the case. There are plenty of people who have decided to take a different path in their life.

It is also not the case that non-Aboriginal people are different again and cannot ever have a compassion, a persuasion, an interest and a genuine desire to learn and participate. Non-Aboriginal people can never participate and can never understand to the same extent that Aboriginal people can, but I think it is really important, as we move forward, to recognise the history, recognise the past and pay credit to people who found a way to live in this part of the world for tens of thousands of years that was absolutely perfect.

If you think particularly about Central Desert people, it would not have been possible to live in the Central Desert any other way. Without certain traditions, without certain customs—some of them exceptionally hard and some of them exceptionally fierce really, in terms of penalties for stepping out of line and not following laws—if you did not have a system that worked that way, everybody was going to suffer. It would not have been possible to survive without those laws, customs and traditions. So, that is a very important thing to recognise.

Moving forward, particularly as we go on decades and decades into the future, what we are doing here today is not about something that is just right for today: it is about trying to put words in place that are right for the future. Down the track, I do not know when it will be but it will be hard to say this is an Aboriginal person with full Aboriginal blood and this is a non-Aboriginal person with no Aboriginal blood.

The world moves on and people interact. If things are going well, if we genuinely do have integration and we genuinely do have tolerance, acceptance, reconciliation and all of those sorts of things, down the track it will not be so clear cut as to exactly what group you fit into. I think that is an important thing to recognise.

For me, we should recognise what has happened in the past, pay tribute to the success of Aboriginal people in the past and also recognise that the only way for any of us to move forward is to try to get away from the 'us and them', to get away from the Aboriginal and the non-Aboriginal and having people put in different groups. We actually have to get to a world where we get to male and female, children and adults, healthy and unhealthy—those need to be the descriptions that we have of people, not their race.

Ms THOMPSON (Reynell) (17:32): I had not intended to contribute on this bill, but I have been so moved by the many speakers that I feel it is important to recognise the historical nature of this bill and to comment on it. I would like to particularly commend the member for Giles, not only for her speech today and her basic good sense and good heart but also for the fact that she introduced into this parliament the recognition of the traditional owners of this land in morning prayers every week. It is only once a week, but it is an awful lot more than was there.

This bill, as has been mentioned, has been laboured over, consulted about, carefully deliberated on and we finally have some words. The words that particularly stand out to me are in clause 3(2)(c):

acknowledges that the Aboriginal peoples have endured past injustice and dispossession of their traditional lands and waters.

I had personal experience of how much that recognition means to Aboriginal people when I was presenting an Aboriginal flag to Coorara Primary School students. It was fairly early in the year. I was addressing an assembly that contained children who had only just come into the school and

could scarcely sit still on their sitting bones for more than two minutes at a time and year 7s who thought they were pretty sophisticated, being at the top of the school now.

I realised I had to find something to engage all those children because it had been a fairly long assembly, so I talked about why we had an Aboriginal flag and about how, when white settlers came here, they really did not understand what was happening on this land, that they used their values, which were primarily male values, patriarchal values, to make judgements and assessments about the peoples they found. The new settlers believed they had superior technology and knowledge and therefore treated the Aboriginal people as savages who did not understand what was going on. Indeed, there was a law that said that this land was empty.

The children seemed to understand what I talked about. I went on to talk about the diseases we brought, the disruption and devastation that caused their communities, and about how we then carelessly moved one group of Aboriginal people to the traditional lands of the others, particularly for things like the Maralinga tests. We were not mean, we were just stupid; we did not really understand what we were doing. It was words to this effect that I spoke to the children of Coorara Primary School.

Afterwards, the Aboriginal education worker came up to me in tears and said that it was the first time she had heard anybody of any official position acknowledge that story. I thought that was appalling. There was I just popping in to deliver a flag and yet it meant so much to that woman and, apparently, to her students as well. My understanding of the lack of recognition was furthered by my brother, Gavin Malone, an artist who works extensively with Kaurna people, particularly with Karl Telfer. Gavin has recently been awarded his PhD, and his thesis, in the field of cultural geography, is:

...the exclusion and inclusion of Aboriginal peoples and cultures in the symbolic value of the public space in Adelaide through monuments, memorials, public art and other commemorations.

He has presented his research paper in several important places, but he also had an exhibition at Tandanya to which I, as a sister, dutifully went, and I was shocked to learn how recent is any representation of Aboriginal peoples in our public space. My recollection is that the first representation of Aboriginal work was not done by an Aboriginal artist but was led by a white artist. I think there were some Aboriginal people involved, but the lead artist was a white artist, Carol Ruff, who is the daughter of Jan Ruff O'Herne, a very eminent South Australian. This was the mural on the back of the Festival Theatre. It is no longer there, but I think many of you might remember it.

The second representation, according to my memory, was a statue on the corner of Gulfview and Galloway roads in Christies Beach, which is about to come into the electorate of Reynell, and I am very proud that that monument is about to come into the electorate of Reynell. This was donated by the German developer of the Housing Trust area in Christie Downs and Christies Beach in thanks to the people of South Australia and in recognition of the traditional owners of the land. So, it was a German person who actually recognised that it was about time we displayed some recognition of the original occupants and caretakers of this land.

The next major representation was the Dowie sculptures in Victoria Square. I think we all see that fountain as something very special in the heart of Adelaide. So, we have moved from the fact that in the early 1960s we had no representation of Aboriginal people in our public space, to the fact that today probably most people here have an Aboriginal artwork in their home.

We have representations of the Aboriginal community as part of our every day life. We have it in smoking ceremonies, we have it in recognition of the elders, we have it in the name of the electorate of Kaurna and we have it in the name of the electorate of Hammond, in recognition of Ruby Hammond a very eminent South Australian who died far too young and we did not benefit from the wisdom that she had in walking with two cultures and in bringing much greater understanding of the issues faced by Aboriginal people in our community.

I am very pleased that we are acknowledging in the constitution the fact that Aboriginal people have been here, that we did them harm, but that we do not want to continue that and that we need to walk forward together. It does not quite go in those words, but I know that is the sentiment held by people here.

Mrs REDMOND (Heysen) (17:41): It is a pleasure to be participating in this debate, given that it is one where we have bipartisan support for the bill recognising Aboriginal people in the constitution of this state. In passing, I comment on the comments made by the member for Stuart. Not only do I want to endorse a lot of what he has said, but I have been to the electorate of Stuart

several times and on each occasion I have noted how the member for Stuart goes out of his way to ensure that he meets with people from all of the communities in his electorate, and in particular makes his way to all of the Aboriginal settlements so that he can sit down with the people in the Indigenous communities and make sure that he is listening to their concerns and not simply representing the non-Indigenous sector of the community of the electorate of Stuart, which of course is about one-quarter of the size of the state.

As has been mentioned, this bill was introduced on 29 November of last year, which was the very day after the federal Gillard government introduced the Aboriginal and Torres Strait Islander Peoples Recognition Bill in the federal parliament. I note that has also received bipartisan support. It was important, I think, for us to have this recognition. This state has been mentioned as somewhat different and, in many cases, somewhat ahead of other states in giving appropriate recognition to Indigenous people and in overcoming the dreadful lie that was held for so long that Australia had been terra nullius when the first white settlers arrived and proclaimed that this was now going to be a British settlement.

Indeed, in this state not only did we have, 11 years before the apology given by then prime minister Kevin Rudd, an apology given by the Hon. Dean Brown in this house, being the very first apology made in any parliament in Australia, but if we go even further back in history, it gives me great pride when I bring people on tours of the parliament, as I do regularly, to let them know that in this state we actually gave Aboriginals the right to vote way back in 1894 when we gave women the right to vote. In this chamber, of course, we celebrate the fact that more than 100 years ago we gave women the right to vote. We were not quite the first place in the world to give women the right to vote, but we were the very first place in the world to give women the right to stand for parliament and we have made some inroads in that regard since.

We also gave Aboriginal people the right to vote in this state. Sadly, when the founding fathers of Australia got together, through the late 1880s and 1890s, and negotiated the terms upon which we would federate in 1901, women managed to retain the right to vote but our Indigenous people lost it. To me, that was a fundamental flaw in what happened when we did form our constitution and federate in 1901, because it took until after the referendum in 1967 for that right, that very basic human right, to be restored. I think in many ways we should hang our head in shame that it took so many long years, when in fact in this state we had given them the right to vote for those few short years from 1894 to 1901.

In addition to that, of course, for a long time we did not recognise that there were various tribes of Aborigines, that they actually did have the notion of landholding and indeed recognition of some of the seas. People in this house would be familiar with the fact that I acted for a number of years for an Aboriginal tribe in a native title claim. Indeed, the group I represented, the Mirning, had a claim across the Nullarbor Plain and referred very much to the Norman Tindale map from about 1905 that showed various locations of the tribes around Australia.

As part of my acting in that particular matter, I had the privilege one night of sitting down to dinner in the Dog Rock Cafe restaurant in Albany in Western Australia and sitting with the person who had represented Eddie Mabo in the Mabo claim. He talked about the fact that they had had quite a lot of evidence about the ownership of particular parts of the sea where Eddie Mabo lived, because they actually had fishing rights in particular areas, but in fact they decided to let that go for some time so that they could get the outcome that they really wanted, which was of course the famous Mabo case and the fundamental shift in the official recognition of Aboriginal people in this country.

From there, of course, we have then had native title legislation and subsequently the apologies and the current moves for recognition within the constitution. In this state for the longest time most of our pastoral leases actually gave Indigenous people the right to go onto the land of the pastoral leaseholders, and our negotiations in the native title sphere were largely directed towards trying to come to an appropriate modern-day arrangement of that existing right.

This is just another step, and in many ways I think we have to be careful not to just rest in this area of what could be seen as tokenism. It is a hard thing to find the right balance between tokenism and actually trying to make right. Other speakers have already spoken about the fact that we still have a huge gap to close in every area: in education, in health, in all aspects of the lives of Indigenous people. Their longevity is so far behind ours that we should hang our heads in shame that we have not managed to address it as yet, notwithstanding, I believe, a lot of goodwill on the part of a lot of people in our community.

That said, we do need to do the other things. We do need, verbally and in our written approach through the constitution and through other documents, to make it clear that we do recognise, we do acknowledge and we do apologise for the vast wrong that has been done in assuming that this was terra nullius all those years ago. I acknowledge the work done by the advisory panel. Their names have already been mentioned, of course: Professor Peter Buckskin, Shirley Peisley, Khatija Thomas and two people known to me through my time in the law: the Hon Robyn Layton and the Hon. John von Doussa. That advisory panel did quite an exceptional job.

I will say that the government, I think, failed us as an opposition. They have done much talking about the fact that this is bipartisan, and certainly they have the opposition's support, but we were deliberately excluded from a lot of the discussion that went on about this matter. Indeed, I think that some members of the panel, if not all, were quite concerned when they discovered that we had been quite deliberately excluded from invitations to participate at various times and only in fact got to participate because we forced the issue, instead of having being included in the invitation in the first place.

That was not the fault of the advisory panel in any way. They rightly assumed that it would be done; it was just wrong to assume that this government would do the right thing. In fact, Robyn Layton was the very first person I engaged, when she was still a QC before she went onto the Supreme Court bench. She was the very first person to be my counsel in the Supreme Court in relation to the initial matter that I had in acting for them all those years ago.

I do want to place on the record a concern, not about the value of the work that the panel did, because I think they did an excellent job in going out to as many communities as they could. However, I think that we still have a long way to go before the community at large is even aware of this issue and accepts the need for it. I believe that most of the people who turned up to the various consultations around the state were probably the 'preaching to the converted' group; the people who were already alive to the issue and wanting to move it along.

However, I think that if you went out into the streets of Adelaide today or, indeed, most communities right around the state, you would find that most people in our community are singularly unaware; they are unaware of the state constitution for a start, but they are then further unaware of this particular amendment proposed for our constitution and they are certainly unaware of why it would be needed. I expect that they have a great fear about the legal implications of it, notwithstanding that it is very clear that it is not intended to give rise to new legal rights or to diminish any existing legal rights.

I think that in spite of the valuable work done by the advisory panel there is still a lot of work that needs to be done to inform the community more widely. I think that there is not a lot of point in having words written into the constitution unless people actually understand why they have been put there and what they are intended to do.

I think a large majority of people in the community recognise now, as the member for Stuart said, that it is simply a statement of fact that this land was occupied and, in the terms of the actual bill, that we should recognise the Aboriginal people as traditional owners and occupants of the land and waters South Australia—and then going on to talk about their spiritual, social, cultural and economic practices which come from their traditional lands and waters.

I think that it is absolutely essential and important that we move down this path, but I do not want us to do two things. The first is that I do not want us to lose sight of the fact that this really, in practical terms, does nothing to close the gap. It is an important step for us to give that verbal and written recognition of the things stated in this amendment, but it does nothing to narrow the gap.

I went to the APY lands in the middle of last year and discovered that 75 per cent of the children as they start school have some level of hearing impairment and that one in three of that 75 per cent actually need hearing aids. So, we have a long way to go and we must not take our eyes off the ball just because we are putting this through. The second thing is that, in my view, we need to make sure that the broader community is made more aware than I think it currently is of what this bill is about, why we are doing it and what is hoped to be achieved by it.

Mr GARDNER (Morialta) (17:53): I will take the opportunity to commence my remarks this afternoon, although I understand we may need to adjourn in a couple of minutes. I rise as the member for Morialta to wholeheartedly support this bill, which I am very passionately in favour of and have been for as long as I can remember. I feel humble to take part in the debate, I must say, thanks to the extraordinary contributions of those who have come before in this chamber. I particularly make note of the strong words of the member for Giles and the member for Heysen.

The words of the Leader of the Opposition and the Premier were also very good and very appropriate.

My interest in supporting Aboriginal recognition in the constitution came early in life. In fact, my very existence here would have been impossible without the contribution the Aboriginal people of Australia have made to my family in getting my mother to decide to come to Australia. In 1969, she took what I suppose you would nowadays call a gap year from her nursing career, which was just starting in England, when she went to the Northern Territory to work as a nurse with the Pitjantjatjara people at the Areyonga community, 200 kilometres west of Alice Springs.

She had a very profound experience in that role. It was a small community of some 250 people, and I believe that it is still a similar size today. My mother, Veronica Gardner, was welcomed into that community. She was taken for walks for bush tucker and she was taught stories of the dreaming. Afterwards, she continued with her intention to travel to Australia to work in Melbourne for a little while.

Then, when she was due to go back to the United Kingdom, she felt that that was not what she wanted to do, so she returned to the Northern Territory. In 1972 and 1973, she worked at Warrabri (now known as Ali Curung), which is 170 kilometres south of Tennant Creek, where she worked with the Warlpiri and the Warramunga people, who involved her in women's corroborees. They called her a Nabarnardi and told her that she needed to marry a Jambajimba.

Obviously, my mother did not marry a Jambajimba: she married a Gardner instead, but she brought me up with stories of the Dreaming and with professions of a very great passion for the status of the Aboriginal people within Australia's foundation documents, such as our constitution. It was one of the issues that she instilled in me from an early age to have an interest in politics, as well as the practical measures that need to be taken to close the gap.

So, I place on the record my mother's own commitment in this area, private as it may have been, which also led to my own previous commitments in the public space in this area as a Young Liberal agitating during what I would consider in many ways the absolutely sterling contribution of John Howard, who was one of the nation's finest prime ministers.

I found it very frustrating and disappointing that he resisted calls to undertake an apology in the Australian parliament, as Dean Brown, as the minister for Aboriginal affairs, did in 1997. I was very proud when Brendan Nelson, as leader of the Liberal Party, joined with Kevin Rudd in 2008 to undertake that apology. I seek leave to continue my remarks.

Leave granted; debate adjourned.

FINANCIAL TRANSACTION REPORTS (STATE PROVISIONS) (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

At 17:58 the house adjourned until Wednesday 20 February 2013 at 11:00.