

LEGISLATIVE COUNCIL

Thursday 16 May 2002

The **PRESIDENT (Hon. R.R. Roberts)** took the chair at 2.15 p.m. and read prayers.

POPULATION PROJECTIONS

The **Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation)**: I table a ministerial statement on population projections by the Hon. Jay Wetherill in another place, along with a report on population projections for South Australia and statistical divisions.

BEVERLEY MINE

The **Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries)**: Today, we are pleased to present to the parliament the final report of the high level investigative team that visited the Beverley uranium mine on 10 May. The investigation concentrated on three issues: assessment of operating procedures at the mine; workers' safety and actual environmental harm. The report recommends that changes be made in the areas of operational procedures and spill management and reporting, including increased involvement of the EPA and monitoring and evaluation. The Minister for Environment and Conservation advised the house of the details of these recommendations on Monday.

We stress that the report found no evidence that license conditions have been breached or that workers were exposed to unacceptable risks. We make it clear, furthermore, that there is nothing in the report to suggest that the mine should be shut down. We commend the efforts of the investigative team brought together at short notice from several government departments, and I seek leave to table that report.

Leave granted.

MINISTERS' CODE OF CONDUCT

The **Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries)**: I lay on the table a copy of a ministerial statement and a code of conduct that was earlier today presented in another place by the Premier.

HANSARD POLICY

The **PRESIDENT**: It is my intention to make a presidential statement so that we do not use up members' question time. In reply to a question asked by the Leader of the Opposition in this council yesterday in relation to Hansard policy, I point out that the JPSC does not have oversight of the services which Hansard provides to the two houses of parliament: that is very much a matter for the two houses through the respective Presiding Officer. The JPSC manages the staffing resources of the Hansard division of the Joint Parliamentary Services. In respect of the issue raised by the honourable leader, I have been advised by the Leader of Hansard that it is Hansard policy to include any rulings by the Presiding Officer, admonition of a member or an explanation from the chair.

In the particular circumstances referred to on 9 May in the House of Assembly, Hansard believed that the Speaker's words did not fit these criteria. It is Hansard policy not to

include an aside by a member or an interjection that is not replied to by the member who has the floor. Hansard believed that the member who had the floor did not reply, indeed, he did not respond; therefore, in accordance with normal practice, the words were not included in the *Hansard* for the *Hansard* record.

QUESTION TIME

MINISTERIAL ADVISERS

The **Hon. R.I. LUCAS (Leader of the Opposition)**: I seek leave to make an explanation before asking the Leader of the Government, representing the Treasurer, a question about ministerial advisers.

Leave granted.

The **Hon. R.I. LUCAS**: Last month the Treasurer appointed as his new chief of staff, I understand, a Ms Anni Foster. I am advised that Ms Foster was previously a senior legal adviser to Mr Lew Owens, the South Australian Independent Industry Regulator. Ms Foster was appointed from that position directly to the very powerful position of chief of staff of the new Treasurer. One Treasury insider commented to me that he felt that it was a most unusual appointment. Nevertheless, that is really not an issue for Treasury insiders. I am advised that, in what must be a world record for shortness of appointments, this week Ms Anni Foster has resigned from the position as chief of staff to the Treasurer. I am told that she has commented privately that she had significant concerns with her job as chief of staff to the Treasurer. My questions to the Treasurer are:

1. Can he confirm whether or not Ms Foster has in fact resigned from the position as chief of staff?
2. Can the Treasurer confirm when Ms Foster was appointed, what were the terms of her engagement, had she signed a ministerial contract, and what were the provisions in that contract as they relate to either resignation or termination?

The **Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries)**: I will refer those questions to the Treasurer for his response.

The **Hon. A.J. REDFORD**: As a supplementary question, will the minister bring back an answer to my question on ministerial staff that I asked last week and which was promised within a period of six days, some eight days ago?

The **Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries)**: I remind the member that the undertaking was for six sitting days of parliament. I understand that that has not yet expired.

The Hon. A.J. Redford interjecting:

The **Hon. P. HOLLOWAY**: Anyway, I will—

Members interjecting:

The **PRESIDENT**: Order!

The **Hon. P. HOLLOWAY**: —contact the Treasurer and bring back a reply.

PUBLIC LIABILITY

The **Hon. R.D. LAWSON**: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Attorney-General, a question on the subject of public liability.

Leave granted.

The Hon. R.D. LAWSON: On Monday of this week in the Supreme Court of New South Wales, a jury ordered that Sydney's Waverley Council had to pay a Mr Guy Swain \$3.75 million for injuries he suffered while diving into a sandbar swimming between the safety flags at Bondi Beach. Mr Swain, aged 28, tragically was left a quadriplegic as a result of those injuries. The verdict of the jury in New South Wales has again highlighted issues around public liability insurance, and it has been widely reported that local authorities, especially those with popular beaches, are concerned at their potential liability.

It was reported today in the *Sydney Morning Herald* that Chief Justice Spigelman of New South Wales has attacked New South Wales proposals to limit damages payouts and has suggested that other legislative means could be adopted to reduce compensation payouts. They include matters such as restricting the circumstances in which a person must guard against the failure of another to take reasonable care for his or her own safety, reducing proportionate liability for property damage or economic loss so that a defendant who is partially responsible for the damage does not have to bear all of the loss when some other person is insolvent, and a number of other suggestions.

All of these matters have been raised in South Australia in recent times, but the South Australian government has not yet announced any proposal to address the concerns of the community, local authorities, tourism operators, and others, about the very grave difficulties which are being experienced in obtaining insurance cover. My questions to the Attorney-General are:

1. What legal measures will the government take to allay the fears of local authorities, tourist operators, small business and the like?
2. When will those measures be introduced?
3. Will due account be taken of the helpful suggestions made by Chief Justice Spigelman in the paper to which I referred?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to my colleague the Attorney-General in another place and bring back a reply.

The Hon. A.J. REDFORD: As a supplementary question: will the government also publicly release the submission made by the state government in (to quote Mr Weatherill's statement to parliament today) 'Labor's commitment to openness, accountability and transparency' to the recent national summit chaired by Senator Coonan in relation to this important issue?

The Hon. T.G. ROBERTS: I will dutifully take the honourable member's supplementary question on notice to my colleague in another place and bring back a reply.

FISHING, RECREATIONAL

The Hon. CAROLINE SCHAEFER: Will the Minister for Agriculture, Food and Fisheries either confirm or deny his intention to introduce recreational fishing licences as a budgetary measure?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will not confirm or deny anything in relation to these matters.

CAULERPA TAXIFOLIA

The Hon. J. GAZZOLA: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the exotic seaweed *Caulerpa taxifolia*.

Leave granted.

The Hon. J. GAZZOLA: I am inspired by the question on fishing. I understand that *Caulerpa taxifolia* is a highly invasive tropical seaweed that may dominate marine communities and has had a significant impact on fisheries and marine environments in other parts of the world, principally the Mediterranean. I believe that in mid March 1992 a SARDI researcher identified *Caulerpa taxifolia* in West Lakes, and a subsequent diver survey also located the seaweed in the Port River north of the Birkenhead Bridge. This exotic seaweed would cause significant environmental damage to marine biodiversity and ecosystems should it escape its current area of invasion into Barker Inlet and Gulf St Vincent. What action is being taken by the government to address the threat posed by the exotic seaweed *Caulerpa taxifolia*, which has been discovered in West Lakes and the Port River?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank the honourable member for his question. It was a blow to this state when the exotic seaweed *Caulerpa taxifolia* was discovered in West Lakes. This exotic seaweed is a declared marine pest in this country. It has invaded parts of New South Wales. As I understand it, there are two strains of this pest: one is the tropical strain, and there is also an aquarium strain. Following testing of this variety in Switzerland, I am advised that the results of those tests show that it is the aquarium version, which unfortunately is the more virulent of the varieties, if that is the correct expression. This pest has caused great damage to the Mediterranean, and its threat to the ecosystem in this state would be considerable. It is a weed that is slightly toxic to fish; therefore, obviously our native species would not eat this variety. The problem is that this weed tends to displace other forms of native weed, so clearly it has the capacity to destroy native habitats.

In recent days the Minister for Transport and I have extended the closure of West Lakes and the Port River between Bower Road and the Birkenhead Bridge to 30 June this year. At a meeting of the key user groups—the Aquatic Centre, the Dragon Boat Club, the Rowing Association and others—on 9 May, all groups supported the continuing closure of the lake. I point out to the council that exemptions for the use of West Lakes will continue to be available.

Each application for exemption is subject to a rigorous risk assessment. SARDI is undertaking tests on a range of methods which might be used to eradicate the weed. These include the use of fresh water, salt, copper sulphate, chlorine and algaecide. A preferred option for the treatment of this weed is expected to be known shortly. I would indicate that approval will be sought from the Environment Protection Agency before cabinet approval of any use. I would also point out to the council that PIRSA, in conjunction with Transport SA, is developing engineering options relating to the installation of screens at the West Lakes outlet so that this weed does not spread further into the Port River, where, obviously, if it got out into the gulf, it could have potentially catastrophic consequences.

Residents, stakeholders and the public will be advised as soon as a preferred option has been identified. However, it is likely that all activities in the lake may have to cease during

any treatment to eradicate this weed. I point out that PIRSA has also enlisted the support of aquarium suppliers to ensure that the weed is not brought into or sold in South Australia. In conclusion, I thank the public of South Australia, particularly the residents who use West Lakes and that upper reach of the Port River, for their cooperation in this matter. It is unfortunate that the lake has had to remain closed but, given the threat to the ecosystem and the economy of this state as far as fishing in Gulf St Vincent is concerned, I believe that is a necessary step. We thank the public for their patience.

BEVERLEY MINE

The Hon. SANDRA KANCK: I seek leave to provide an explanation before asking the Minister for Mineral Resources Development questions about uranium yellowcake from the Beverley uranium mine.

Leave granted.

The Hon. SANDRA KANCK: Two to three times each week uranium yellowcake is transported on dirt roads away from the Beverley uranium mine. I understand that the mine does not have the facilities to handle emergencies involving the transport of yellowcake. My questions to the minister are:

1. Is there any possible threat to the Gammon Ranges National Park from the transport of uranium yellowcake through that area?

2. What emergency procedures exist for a clean-up in the area of the Gammon Ranges National Park should there be a radioactive spill during transit of material from Beverley?

3. Are any facilities or personnel available to clean up a spill associated with the transport of yellowcake on the dirt road through to Yunta?

4. Who is responsible for the upkeep of the road out of Beverley and at what cost?

5. What training in regard to spills is given to the drivers whose trucks are transporting the yellowcake out of Beverley?

6. What health checks are given to the drivers of those same trucks?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development): The honourable member has asked a range of questions coming under a range of portfolios. For example, obviously the question in relation to health checks would need to be put to the Minister for Health, and I will do that. The question in relation to the drivers, I suspect, comes under the Minister for Transport. I am not sure what route is used for the transport of yellowcake—

The Hon. Sandra Kanck interjecting:

The Hon. P. HOLLOWAY: Well, through Yunta. I think the honourable member was asking whether it was a threat to the Gammon Ranges. If it is going through Yunta, I would be surprised if it actually passed through the Gammon Ranges. However, I will check the information and seek a reply for the honourable member.

The Hon. A.J. REDFORD: I have a supplementary question. First, why have mining operations not been suspended whilst the inquiry is conducted, in accordance with the Labor press release issued on 13 January? Secondly, on 13 January, when the Labor Party called for mining at the Beverley mining uranium project to cease while a full inquiry into the safety of the operation was undertaken in the wake of Friday's radioactive spill, was it lying or was this a simple comment made during the course of an election campaign?

The PRESIDENT: Order! The Hon. Angus Redford knows that the word 'lying' is intemperate. 'Misleading' would be a better word for the honourable member to use on this occasion.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development): I think the Hon. Angus Redford has tripped up here, because after the events on 13 January mining did cease. It is my understanding that mining did cease subject to an inquiry by the inspector, and following the reporting of that a further report was undertaken by the Chief Mines Inspector.

The Hon. A.J. Redford: You're playing politics.

The Hon. P. HOLLOWAY: No, it's the honourable member who is playing politics. He has been caught out. He is trying to accuse the Labor Party of doing something, but he has been found out. In fact, he has made a blunder. The mine was closed. Mining operations did close subject to that particular investigation and, as a result of that investigation, there was a HAZOP study, and, as a result of that study, undertakings were given by the company, and the company has made some progress.

Indeed, following the inquiry there last Friday, one of the things that they looked at—if the honourable member cares to read the report—was the progress that the company had made in relation to implementing parts of that HAZOP study. Indeed, I am pleased to say that significant progress has been made by the company. So, in fact, there is no basis for the honourable member's question whatsoever.

TC TRUCK AND BUS SERVICES

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, questions regarding the closure of TC Truck and Bus Services.

Leave granted.

The Hon. T.G. CAMERON: A disturbing letter appeared in Tuesday's *Advertiser* written by Mr Glenn Statham, Production Manager for MAN buses, TC Truck and Bus Services. His letter states:

Heather Webster, Executive Director, Passenger Transport Board, is correct in her statement to the *Advertiser* of 10 May that the Adelaide metro fleet is replacing diesel buses with CNG units. Ms Webster goes on to state that there will be more of these 'clean and green' buses to come. Unfortunately, this will not happen for some time, as Transport SA (the government department responsible for managing the assets of the passenger transport fleets) has committed to diesel power for at least the next 50 buses.

This decision, along with other influences, has resulted in the loss of 12 jobs involved in producing the CNG buses. If and when the government resumes purchase of CNG-powered buses, the necessary skills and experience will not be easily replaced. I have been forced to sack the staff contracted to produce these (and 500 other public transport buses over a ten-year period) and we are now closing the doors for good on Friday.

My questions are:

1. Is the minister aware that a local firm with the skill to produce CNG buses is about to go out of business because the PTB has committed to purchasing 50 new diesel buses?

2. As the ALP transport policy as listed on the party's—

The Hon. A.J. Redford: What policy?

The Hon. T.G. CAMERON: Well, it does have a policy listed on its official website. It is a little different from the piping shriek: it will not automatically take you to Mike Rann. My second question is:

2. As the ALP transport policy as listed on the ALP's official website states 'Labor will promote greater use of CNG vehicles', why then is the government allowing the PTB to purchase the 50 diesel buses?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer that question to the Minister for Transport in another place and bring back a reply.

The Hon. Diana Laidlaw: I'm not sure that I have licence to answer the last question, but there are no gas facilities down south at Lonsdale or in the Adelaide Hills.

The PRESIDENT: Order!

The Hon. Diana Laidlaw: Therefore, those areas would have no new buses at all if they did not have diesel buses.

Members interjecting:

The Hon. Diana Laidlaw: Well, I know more than the minister knows.

The PRESIDENT: Order!

The Hon. Diana Laidlaw: I'm just helping him.

The PRESIDENT: You're trying my patience.

TAXIS, SAFETY

The Hon. DIANA LAIDLAW: I apologise for the licence I have just taken. I seek leave to ask the minister representing the Minister for Transport a question on the subject of taxi safety.

Leave granted.

The Hon. DIANA LAIDLAW: In relation to taxi safety, I welcome the Minister for Transport's statement this week that he is prepared to reconsider the government's ill-considered decision to extend to February 2003 the deadline for the compulsory installation of video surveillance cameras in Adelaide's taxicabs. If the former government's deadline of 1 May this year had been adhered to, and not extended for base political purposes, the three villains involved in dousing the taxi driver and his car last weekend would have been identified by now and would not still be at large. The cameras may even have acted as a deterrent, preventing this ghastly incident from happening in the first place. I ask the minister, in the context of reconsidering the government's decision to extend to February 2003 the deadline for the compulsory installation of cameras, whether he will guarantee—

The Hon. T.G. Cameron: It was a sop to Independent Taxis.

The Hon. DIANA LAIDLAW: Of course it was. It was for base political purposes and now they have been caught out because one of their own drivers has been doused with petrol. Another has been robbed.

The PRESIDENT: Private conversations can take place in the lobby.

The Hon. DIANA LAIDLAW: I'm sorry, Mr President, it is the end of a long week. I ask the minister if, in considering bringing back this deadline from February 2003 to, ideally, as soon as possible, he will guarantee that he will not trade off the reversal of Labor policy by authorising the use of taxpayers' funds or any funding from the Passenger Transport Research and Development Fund for the purchase of the cameras for some 850 taxicabs that have not yet installed the cameras? My reasons for seeking the guarantee are as follows:

1. At the request of the industry. Since 1997, a 1 per cent levy has been applied to all taxicab fares, specifically to help taxi owners and operators fund the purchase of safety measures in cabs.

2. Over the past 4½ years taxicabs have collected on average over \$4000 in levies from taxi customers—you and me—for safety purposes, while the cost of the cameras over the same period has increased to a figure of \$2000 or \$2500.

3. All other taxi costs, including registration fees, are taken into account as part of the industry PTB established taxi cost index, when taxi fare increases are determined each year.

4. When the Western Australian government required the compulsory installation of the cameras some five years ago, the cameras cost about \$1000 and the government agreed to fund two-thirds of this cost, but no levy was applied at that time or has been since in Western Australia for the maintenance and upgrade of the cameras or to be accumulated for any other safety purposes.

5. No other state government around Australia—and it is my understanding that that includes all state governments now—that now require the installation of video surveillance cameras in taxis have agreed to contribute any taxpayer or general revenue funds for this purpose. Indeed they have not even provided the taxi industry with a levy to help fund the cameras.

And last but not least, use of the Passenger Transport Research and Development Fund for the purchase of the cameras would clean out the \$2 million fund, denying the taxi industry access to an important source of funding for promotional, administrative and other initiatives now and in the longer term.

The PRESIDENT: Following those eight questions and four explanations, I call on the Minister for Aboriginal Affairs and Reconciliation.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): Plus the ministerial statement that has to be taken into account. I will endeavour to pass all those questions on to the Minister for Transport in another place and bring back a reply.

The Hon. A.J. REDFORD: I have a supplementary question. Does the minister now admit that the ALP put political considerations before the safety of workers in developing ALP policy on the topic of cameras in taxis?

The Hon. T.G. ROBERTS: I will refer that statement, in the form of a question, to my colleague in another place and bring back a reply.

FREEDOM OF INFORMATION

In reply to **Hon. A.J. REDFORD:** (7 May).

The Hon. T.G. ROBERTS: The Minister for Administrative Services has advised that:

1. A review of FOI legislation is under way to assist the government in achieving its objectives of openness and accountability. This incorporates a review of the objects of the act to enable maximum disclosure to be made as well as a review of the complex set of exemption provisions. It is anticipated that the amendments will be brought forward during this sitting of parliament.

2. I intend to give consideration to a wide range of issues as part of the review of FOI legislation to which I have just referred. The issue of whether or not the agenda and submissions of ministerial councils can be released will be included in that consideration. The policy outcome will be consistent with the objectives of open and accountable government announced by the Premier.

However, I draw the attention of the house to the fact that some of the papers described in this question are exempt documents under Schedule 1 of the Freedom of Information Act 1991, for example, they have been prepared specifically for cabinet or are based on information that belongs to third parties including other jurisdictions. Consequently, I cannot give an assurance that all agendas and submissions can be released.

3. For the present, if there is information held by the South Australian Government derived from ministerial councils, we will

deal with any request for such information from any member of the public under the existing FOI legislation.

4. Was answered in the parliament by the minister representing the Minister for Administrative Services in the Legislative Council.

WIND FARM, SELICKS BEACH

In reply to **Hon. T.G. CAMERON** (9 May).

The Hon. T.G. ROBERTS: The Minister for Environment and Conservation has advised that:

1. He understands no development application has been made for a windfarm at Selicks Hill to date and until such an application is made there will be no detail as to location and number of windmills nor a determination of what kind of environmental impact study is required.

2. The Minister for Urban Planning will also be responding to matters regarding his portfolio.

ARTS, MINISTER ASSISTING THE PREMIER

In reply to **Hon. DIANA LAIDLAW** (7 May).

The Hon. T.G. ROBERTS: The Minister Assisting the Premier in the Arts has advised that:

1. The question refers to the State Library's fundraising dinner to which he contributed a dinner with him at parliament house to the evening's auction. The honourable member's assertion that guests at the function bidded to have dinner with the minister because they had been unable to obtain an appointment with him is mischievous and misleading.

The minister has checked his diary which reveals that, contrary to the honourable members' accusation, he has two appointments with representatives of the Botanic Gardens in May and June and that his office has been in contact with Mr David Klinberg, the chancellor of the University of South Australia.

The minister will always be accessible. The minister would never require that people seeking appointments with him should first donate to the State Library, or any other worthy or unworthy cause.

2. The Premier wrote to Ms Gunner on 21 March 2002 regarding the expiry of her term on the board of the State Library. A copy of that letter was again sent to Ms Gunner on 8 May 2002.

REGIONAL IMPACT STATEMENTS

The Hon. R.K. SNEATH: I seek leave to make a brief explanation before asking the Minister for Regional Affairs a question relating to regional impact statements.

Leave granted.

The Hon. R.K. SNEATH: As everybody in this chamber would be aware, government makes the best decisions when it consults, and cabinet makes the best decisions when all the implications for the whole community are placed before it. As people from country areas have particular matters that concern them, and as government decisions can have specific implications for our regions, I would like the minister to answer the following question: can the minister outline the government's commitment to ensuring that the impact on regions is taken into account in the cabinet process?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): I thank the honourable member for his question. I indicate that the President, in opposition, was one of those members, along with other regionally-based members, who was forming policy for the party, probably two or three years ago now, and pushing to have, when in government, regional impact statements associated with all of our policy development. The regional impact statements that appear now on the cabinet submissions are one of the responsibilities for all ministers to consider. The other initiatives have been taken to ensure that the work carried out by the previous government, including the good work of members of this chamber, continues, and we certainly have a commitment to regional people in relation to the wealth that is created in

regional areas and the contribution that is made to our budget. The state would be hard pressed to do without it.

Community cabinet itself will make a great difference to the relationships between metropolitan and non-metropolitan policy development. Now that we are in government, we have to show that we are truly committed to listening to people directly, and the community cabinet is one way of doing that. The previous government did set up a wide range of consultative processes through the Regional Development Office, processes that we will continue, and we hope to add weight to the regional impact statements that we will consider with regard to policy.

The process of establishing the Office of Regional Affairs will be completed in the near future, and it will have a role in assessing the delivery of services and government operation in country communities, which is another commitment we have to regional development. We will build into our policy for regional development not only an economic development strategy but also a social development strategy associated with that.

Another important function of the Office of Regional Affairs will be to coordinate the processes and oversee the development of regional impact statements as part of the cabinet process. So, Mr President, you can see that the good work that you did in opposition, in pushing hard inside the party to ensure that regional voices were heard, has been successful, and also there was the good work done by the previous government in lifting the profile of the regional areas through into a metrocentric-based party. I think the previous government will be hard pressed to criticise the initiatives that we are taking to try to continue that work.

The Hon. CAROLINE SCHAEFER: A supplementary question: will a regional impact study be part of the determination of the package that will, apparently, be offered eventually to the river fishery?

The Hon. T.G. ROBERTS: In relation to the matters associated with the Murray River, environmental considerations and development issues need to be taken into account. In some cases, environmental impacts will be weighed up against development considerations. In this case, the impact of fishing of native species within the Murray River has been considered. There is a broad consensus that change has to take place in relation to the effort within the community. I would expect that, when the final determinations are made and the final policy is developed, an impact statement will be part of that process.

VISITORS TO PARLIAMENT

The PRESIDENT: Before calling on the Hon. Mr Elliott, I draw honourable members' attention to the presence today of some young South Australians from St Peters College, with their teacher, Mr Andrew Greenwood. They are guests today of the member for Norwood. They are here as part of their educational studies. We hope that you find your visit educational and informative.

WALKING TRAILS

In reply to **Hon. CAROLINE SCHAEFER** (7 May).

The Hon. P. HOLLOWAY: The Minister for Recreation, Sport and Racing has informed me that the Office for Recreation, Sport and Racing (ORSR) will continue to work in partnership with other government agencies to develop policies and procedures in relation to walking trails.

The Office for Recreation, Sport and Racing is responsible for the management and maintenance of a range of walking, cycling and horse-riding trails in South Australia. Road reserves, or unmade roads, are an important part of the existing trail network in SA, including the Mawson and Heysen trails. It is important to secure and support this network of recreational trails for use now and in the future. Road reserves are under the care and management of local councils and the public liability for road reserves lies with the councils.

The Local Government Act 1999 provides for councils to issue permits to landowners with exclusive use of road reserves for business purposes. Where a landowner holds a permit for exclusive use of a road reserve, the landowner is required to take on the liability for that parcel of land. The boundaries between walking trails and road reserves are not always clearly identified and it is possible that some walking groups may be unaware that they are not permitted on road reserves for which a farmer holds an exclusive permit.

The Recreational Access of Road Reserves Committee has been established by the Office for Recreation, Sport and Racing to consult with government and key stakeholders on recreational access and usage of road reserves. The committee includes representatives from local government, DEH, PIRSA, DAIS, ORSR, SA Farmers Federation, Walking SA, Horse SA and Bicycle SA. Particular reference has been made to the Federation Trail. The Federation Trail is not a government managed trail. Rather, the trail is an initiative of SA Recreational Trails Inc. (SARTI), a community based, not-for-profit organisation.

The first stage of the Federation Trail commences in Murray Bridge and traverses to Mt Beevor via Monarto Zoo and SARTI was successful in gaining minor funds through the 2001 Active Club Program to assist with trail signs, markers and stiles. To ensure that the consultation process undertaken by SARTI fully addresses the concerns of landowners, a representative of ORSR will meet with SARTI to discuss the SA Farmers Federation's issues in relation to walking trails.

Representatives of ORSR recently met with the executive officer, Agribusiness and Community Services for the SA Farmers Federation to discuss the issues and concerns of their members in relation to trails. It was agreed that ORSR and the SA Farmers Federation would work together to seek to achieve workable outcomes that consider the needs of farmers and the need to secure and develop the trail network.

The issues of public liability, permits on road reserves, spread of disease and trails adjacent to fenced farming areas are all items that are being discussed at the Recreational Access of Road Reserves Committee.

In reply to **Hon. CAROLINE SCHAEFER** (7 May).

The Hon. P. HOLLOWAY: The Minister for Recreation, Sport and Racing has advised me that the Office for Recreation, Sport and Racing (ORSR) is working with relevant government agencies to develop policies and procedures relating to walking trails. The Recreational Access of Road Reserves Committee has been established by ORSR to consult with government agencies and key stakeholders on recreational access and usage of road reserves.

The committee includes representatives from local government, DEH, PIRSA, DAIS, ORSR, SA Farmers Federation, Walking SA, Horse SA and Bicycle SA. The issues of public liability, permits on road reserves, spread of disease and trails adjacent to fenced farming areas are all items that are being discussed at the committee.

In reply to **Hon. CAROLINE SCHAEFER** (8 May).

The Hon. P. HOLLOWAY: I can advise that the Office for Recreation, Sport and Racing has been working with the Department of Water, Land and Biodiversity Conservation to clarify if the Federation Trail or any other trail traverses the quarantined branched broomrape area. As advised in response to an earlier question, the Office for Recreation, Sport and Racing is responsible for the management and maintenance of a range of walking, cycling and horse-riding trails in South Australia.

The Federation Trail is not a government initiative, rather it is a project of SA Recreational Trails Inc (SARTI), a community based, not-for-profit organisation.

Advice from the Department of Water, Land and Biodiversity Conservation indicates that the Federation trail line is 5 km outside of the current quarantine area for branched broomrape. Surveys indicate that there is no broomrape in the area of the Federation trail. Further surveys will be undertaken this spring.

DRUGS SUMMIT

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Premier, a question about the proposed Drugs Summit.

Leave granted.

The Hon. M.J. ELLIOTT: There has been broad spread applause for the Premier for his announcement that he will hold a Drugs Summit. However, some concerns have been raised about the precise structure and instructions under which it will operate. I will raise those concerns. The first concern is that, in looking at illicit drugs, the summit seems to have a heavy emphasis towards one particular set of drugs, that being amphetamines. Those people who have worked in the drug field would know that, if one seeks to tackle one drug in isolation and to suppress its use, some other drug replaces it. People would argue that the increase in use of amphetamines now in part reflects a diminished supply of heroin due to things that have happened overseas. Concern has also been expressed that not only will it focus more heavily on one illicit drug but that it will not look at licit drug use at all. The point has been made that some 96 per cent of drug-related deaths are due to alcohol and tobacco.

It is also known that even the consumption of caffeine increases the risk of coronary heart disease by between 9 and 14 per cent, and the instance of stroke between 17 and 24 per cent. The concern is that we need to treat this issue with regard to both illicit and licit drugs and perhaps produce a consistent strategy if we are to succeed. I ask the leader of the government in this council: is the government prepared to make this summit as broad as possible? I know it makes the task more difficult, but it is more likely to succeed if it looks not just at amphetamines but broadly across drug use, both illicit and licit.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank the Hon. Mike Elliott for his interest in the Drugs Summit, and he indicated it is an important measure. I will take his suggestion to the Premier. I am not sure where preparations are at this stage, but I will take his comments to the Premier and seek his urgent consideration of them.

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Attorney-General, a question about the Drugs Summit.

Leave granted.

The Hon. A.L. EVANS: During community consultations of the New South Wales drugs summit, the issue of safe injecting rooms was not considered. Regardless of this fact, shortly afterwards, the New South Wales government introduced safe injecting rooms. Until September this year, the safe injecting room in Sydney is costing taxpayers \$8.1 million. My questions to the minister are:

1. If the summit is not going to address the issue of safe injecting rooms, what is the government's attitude towards this issue?
2. Does the government plan to introduce safe injecting rooms into South Australia without the issue being considered by way of a summit forum?
3. If the government is considering introducing safe injecting rooms, from where will the funds come?

4. If the funds are already available, why are they not directed into treatment rehabilitation centres that aim for individuals to be drug free?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will take those important questions on notice to the Premier and ask him to bring back an urgent reply.

SHOP TRADING HOURS

The Hon. T.J. STEPHENS: My question is directed to the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Industrial Relations. Does the minister intend having any review of the Shop Trading Hours Act and if so, when? Will the minister give an assurance that no change to shop trading hours will be made unless measures are taken to protect the legitimate interests of small business and of shop workers employed in small business?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer that important question to the Minister for Industrial Relations in another place and bring back a reply.

DISABILITY SUPPORT PENSION

The Hon. G.E. GAGO: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Social Justice, a question about the disability support pension.

Leave granted.

The Hon. G.E. GAGO: As members will be aware, I raised issues of concern about federal government changes to the assessment criteria for the disability support pension yesterday during Matters of Interest. In particular, I was concerned about the potential impact on those people who suffer from hearing and visual impairment. However, clearly I am concerned about the potential for these changes to affect many other groups and types of disabilities. My question is: has the minister seen reports that the commonwealth government intends to change the assessment criteria for the disability support pension, and will the minister advise the council what changes are proposed and what impact they will have on disability pensioners in South Australia?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I thank my colleague for the question and indicate that, although the government's budget strategy has been outlined publicly, I understand that negotiations and discussions are ongoing with the major parties, and some of the minor parties, as to the outcomes of those budget deliberations. I have been advised that, as a consequence of Tuesday night's federal budget, recipients of the commonwealth disability support pension will face additional difficulties and hardship. Those who receive the pension suffer from a range of physical and mental disabilities. As a result of measures announced in the budget assessment, the criteria relating to the disability support pension will be tightened.

The DSP will now be paid only to people with a very restricted capacity to work. Those people who are now recipients of the pension, and future applicants, who are assessed as able to work at least 15 hours per week at award wages within two years of assessment will no longer be qualified to apply for DSP. I understand that currently the assessment is based on the capacity to work 30 hours a week. These changes will apply to new recipients from 1 July 2003.

As far as existing recipients of the DSP are concerned, I am advised that the changes will apply from the time of their next review.

Progressively, all existing recipients will be affected by the changed arrangements over the next five years. The only people who will be excluded from these new arrangements are those with the most severe and profound disabilities and those people who clearly have no work capacity within five years of pension age. I understand that the commonwealth expects to claw back \$28.2 million over four years from existing pensions and to make further savings as a result of making it more difficult for future applicants to satisfy eligibility criteria.

The shift of the responsibility for payment, or the changes to the payment, to the most vulnerable in this community have been deplored by a wide range of community-based organisations representing those people on disabilities. The shift of these vulnerable people from the DSP to Newstart Allowance places them in the precarious position of running the risk of being breached because their Access Cab does not arrive to take them to an interview. Not only do they run the risk of financial penalties but the payments available under the Newstart Allowance cuts their fortnightly income by \$52.80.

As those vulnerable people lose their commonwealth entitlements, there will be an increased impact on the demand for state services, particularly for FAYS' anti-poverty programs, as well as in the areas of housing and health. In short, the commonwealth has targeted one of the most disadvantaged groups of people to achieve commonwealth savings, whilst at the same time engaging in cost shifting to South Australian taxpayers. I would issue an invitation to members of the opposition to join with the government in lobbying the commonwealth government, if not to change its direction, which it will be fairly hard to do, to see whether other concessions could be put in place to relieve the state of the increased burden that we face because of this change.

CASINO, CODE OF PRACTICE

The Hon. NICK XENOPHON: My questions to the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Gambling, are:

1. Does the Minister for Gambling consider that the Sky City Adelaide Casino's latest promotion, the party pit, which offers gambling lessons using false chips graduating to real chips is appropriate? Is it in potential breach of the new casino code of practice released yesterday or, if not, does he consider that the code should be amended to encompass this sort of promotion?

2. In relation to the code's not dealing with the issue of smoke-free gambling venues, the casino in particular, can the minister advise of any research that the Independent Gambling Authority has possession of, or has undertaken, on the link between problem gambling behaviour and smoking at gambling venues?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Gambling in another place and bring back a reply.

JUSTICES OF THE PEACE

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs

and Reconciliation, representing the Attorney-General, a question on the subject of justices of the peace at Padthaway.

Leave granted.

The Hon. D.W. RIDGWAY: Approximately seven years ago there were five justices in the town. However, over the past years, all but one of the justices have either moved out of the district or died. The remaining justice does not reside in the town and is away for extended periods because of his ongoing involvement in a trucking business. Some months ago a resident applied for appointment and received a letter stating that they were not eligible as they had not had enough input into community service in the town.

Further inquiries to the Attorney-General's office revealed that the new criteria now included involvement in three community groups for a period of three years before appointment would be considered. These community groups did not include schools or sporting bodies, he was told. It was pointed out that, '... if you did not count work done for the school or sporting bodies as community activities, there were not enough activities in Padthaway to fulfil the criteria offered by your office.' He was also told that he would have to get involved in activities in Naracoorte, a return trip of about an hour. Further, he was told there was no quota for Padthaway, and that appointments were done by postcode, and unfortunately Padthaway carries the same postcode as Naracoorte.

Further inquiries revealed that Mount Burr is in a similar situation, except that it has no justices of the peace at all, and people must drive to Millicent when they are required to have a document witnessed by a justice of the peace. If any resident of Mount Burr was willing to give their time to the district as a justice of the peace, they would have the same problems as the residents of Padthaway, in that they would not be able to fulfil the criteria within the town. My question is: What strategy will the Attorney-General put in place to address these anomalies in regional and rural South Australia?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer the question to the Attorney-General in another place and bring back a reply. I do sympathise with him and can relate to many of the statements in his explanation of the question as I understand how difficult it is for people to travel, particularly when meetings in most country areas are held in the evenings when the kangaroos are at their worst, and the risks of travel increase at that time.

Other issues are associated with the difficulties of establishing your credentials in country towns over a period of three years. In some cases it takes much longer for people to get to know you and elect you onto a committee within small communities. Certainly, small communities are far more open now than they were some time ago in accepting contributions made by all citizens. It is up to governments to try to make it as easy as possible, while still having a screening program, for its citizens to become JPs if there is a determined shortage. I understand that there is a concentration of JPs in particular areas of the metropolitan area and some have been losing their status. I will take this back to the Attorney-General and add some weight to the submission.

HEALTH, SOUTH-EAST

The Hon. CARMEL ZOLLO: Will the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Health, tell the council what action is being taken

to contain overexpenditure by health services in the South-East region and what community consultation will take place before any changes are implemented?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I have been involved in this question at a personal level when discussing the implications of not only the restructuring but also overspending within the Mount Gambier hospital and some of the implications that surrounding hospitals have to face in dealing with policy development to contain overspending in the region. Certainly, the people in the hard-working administration of the Millicent hospital are very nervous about who will pay the price for the overspending in the Mount Gambier district hospital, because it has certainly been running very tight budgets within its administration. Although they have been given definitive answers as to future programming in relation to the integration of services within the region, I guess there is a degree of nervousness in other areas with regional hospitals and district health services.

The question relates to yet another budget blow-out that the former Minister for Human Services failed to deal with over a number of years. I am advised that from 1998-99 to 2000-01 the Mount Gambier and District Health Service ran up cumulative deficits of \$4.4 million, and this year the deficit is forecast to increase by a further \$2.2 million. After three years of apparent inaction by the former minister, the Neilson report was finally commissioned in October 2001 to examine the delivery of services in the South-East region. This report highlights the need for regional and local financial management strategies to reflect clinical planning. The Minister for Health has written to the Chairman of the Board of the South-East Regional Health Services and invited the board to provide her with advice on the findings and recommendations of the report. I believe it is vital that all interests be consulted, and everyone in the community who has an interest and the board have agreed that a unified approach is needed to ensure that quality services are delivered quickly and effectively.

I acknowledge the cooperation that the Minister for Health has received from the Chairman of the Board, Mr Bill DeGaris, and the board's willingness to address this issue. I understand that the Minister for Health will also be taking advice from the members for Gordon and MacKillop and that she plans to visit the South-East in the second week of June for further discussions with local members and to meet the health board's hospital executives, clinicians and interested parties. The goal is to improve health services in the South-East and ensure sustainability in the delivery of quality health care—something the former minister failed to do.

QUEEN ELIZABETH HOSPITAL

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Health, a question about the redevelopment of the Queen Elizabeth Hospital.

Leave granted.

The Hon. SANDRA KANCK: The Queen Elizabeth Hospital has been the subject of many reviews, reports, committees and announcements. The decision by the previous state government to downgrade hospital services in March 1999 was followed by a string of committee reports and inconclusive recommendations which had no support from the community and health professionals. As a result of the

confusion and the fear, I moved for a select committee to investigate the future of the Queen Elizabeth Hospital. An interim report was tabled in this parliament from the committee chaired by the Hon. Julian Stefani—and that was a unanimous report. Recommendation 10 of the report states:

In order to ease pressure on accommodation and waiting times for patients at TQEH, that priority is given to the early completion of an appropriately sized and located Extended Emergency Care Unit.

The report also states:

The Hospital Redevelopment Project will be a crucial factor in addressing major changes in service needs and inadequate facilities which contribute to unsustainable costs of operation.

Labor's document 'New Directions for Human Services, a plan for government' highlighted the uncertainty of services which continues for people who live in the western suburbs.

Capital redevelopment plans for the hospital commenced after six years and seven announcements by the previous government. Stage 1 is due to be completed by April 2003. The next two stages were to include emergency, imaging and operating theatres and a new ambulatory care centre. However, according to minutes from the Keep the QEH Delivering Action Group dated 16 April, stages 2 and 3 are now on hold—'No plans or funding exist for these stages.' Given that the government has stated its commitment to the redevelopment, my questions to the minister are:

1. Will the government commit to stages 2 and 3 of the QEH development?

2. Will the government be allocating capital works funds in the next budget for stages 2 and 3 of the QEH redevelopment?

3. Will the government be undertaking further reviews and reports regarding the future of QEH services?

4. Will the government act on all the recommendations of the Select Committee on the Future of the Queen Elizabeth Hospital? If no, which ones will it act on, and why will it not act on the others?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer the member's important questions to the Minister for Health in another place and bring back a reply.

PARLIAMENTARY COMMITTEES

The Hon. A.J. REDFORD: I seek leave to make a brief explanation before asking the leader, representing the Premier, a question about parliamentary committees.

Leave granted.

The Hon. A.J. REDFORD: I am sure everyone in this chamber would agree that parliamentary committees play a very important role in our democratic processes in this state. Indeed, a combination of parliamentary standing committees set up under the Parliamentary Committees Act and the select committees that undoubtedly will be established—and we have already managed to establish one in the short time we have been back—contribute to the important work in the parliamentary process. Some concerns have been raised with me about how this government might treat these committees in relation to a number of issues: for example, whether or not ministers may or may not appear, whether or not public servants will appear and what their marching orders will be, and what rules will be relevant and apply in relation to ministerial staff.

It was disturbing to note some two weeks ago that the Victorian Labor government, despite its claim to open

government, reported through the Attorney-General (Rob Hulls) that five ministerial advisers were not to appear before a parliamentary inquiry into the appointment of a government official in the guise of Mr Reeves.

Mr Hulls said that he had a QC's advice that the select committee conducting the inquiry did not have the power to summon advisers and ministers who were members of the Legislative Assembly. Indeed—and this was a shock to me—he cited a decision in the 1950s by the then Prime Minister Robert Menzies—not that we are ashamed of citing his position—which prevented his advisers from giving evidence to a Senate inquiry.

That is to be contrasted with Odgers Australian Senate Practice to which we commonly refer in this place, which provides that ministerial advisers have no immunity against being called to give evidence. Indeed, editorial criticism was made of the Bracks government that it is looking secretive and smacks of hypocrisy. In the light of this issue in Victoria, my questions to the Premier are:

1. Will he instruct staff members or ministerial staff members to give evidence to standing committees and select committees established by this parliament?

2. Will ministerial advisers be instructed to be open and cooperative with all parliamentary committees established by the Legislative Council, the House of Assembly or jointly?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): The honourable member refers to the important work that is done by parliamentary committees. I think we would all agree with him that both standing committees and select committees do a lot of work. The honourable member mentioned some concerns that he might have in the future. I do not know who actually raised those concerns with the honourable member because I certainly have not heard of any.

The Hon. A.J. Redford: In our party room.

The Hon. P. HOLLOWAY: I see—from the party room. I think if we look at what has happened over the past eight years under the previous government, the main problem that we had in relation to parliamentary committees was actually getting them to meet. This was not always the fault of the then government, but on many occasions it was very difficult to get these committees together to do their important work.

The Hon. A.J. Redford: Carolyn didn't like getting there before 9.30.

The PRESIDENT: Order! Interjections are out of order.

The Hon. P. HOLLOWAY: Nevertheless, there were a number of occasions when it was difficult to get these committees to work, and that is why some of them have taken so many years. The honourable member raised his question in relation to ministers and ministerial staff appearing before committees. I am not aware of any minister, certainly of the previous government, having appeared before a select committee.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: Well, she may have been there on a committee of her own, chairing it.

The Hon. R.I. Lucas: Economic and Finance.

The Hon. P. HOLLOWAY: Sorry?

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: You attended—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: No. Well, there might be cases. I think there certainly were cases with the previous Labor government. I was not there at the time, but I understand that at one stage Lynn Arnold, when he was Minister

for Agriculture, appeared before a select committee on a specific matter. As far as ministerial staff are concerned, I am not exactly sure in what context they would be required to appear before a select committee.

The Hon. A.J. Redford: What if the committee asks; what are you going to do?

The Hon. P. HOLLOWAY: Well, I think one must consider under what circumstances ministerial staff may be required to appear before a committee. I think the question that the honourable member asks is theoretical in relation to that matter because it has not arisen, and I therefore suspect that it is probably out of order. Nevertheless, I will refer it to the Premier in another place to see whether he chooses to answer it.

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order! Time having expired—

The Hon. A.J. REDFORD: As a supplementary question, if it is out of order—

The PRESIDENT: Order! The honourable member is out of time. Call on the business of the day.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from 15 May, Page 160.)

The Hon. R.K. SNEATH: I congratulate the Governor on her speech when she opened the 50th Parliament. South Australia has been fortunate with its appointment to the governorship. Past governors have done their office proud and have been hard-working, down-to-earth people. Our current Governor is no exception. She is very approachable, hard-working and community friendly.

I join the Governor in passing on my sympathies to members of the royal family for the loss of the Queen Mother and Princess Margaret. Even a republican such as I cannot help but admire the work that Queen Elizabeth, the Queen Mother, accomplished over her wonderful century of years. I am sure that such an innings would be comparable to the centuries made by Doug Walters or the late Don Bradman, rather than that of Geoff Boycott. The Queen Mother's love of racehorses, and her ability to attend public functions at the age of 100, must surely put her in the same class as the champion Sunline.

I would also like to pass on my condolences to the family of the late Ruth Cracknell who, I am sure members in the council would agree, gave us many wonderful and entertaining moments during her outstanding career as an actress. Her effective timing and delivery of humour was priceless and she was adored by many Australians. I hope that the ABC in particular produces a Ruth Cracknell television special, while further indulging us with repeats of her exceptional talents in shows like *Mother and Son*. She was a great Australian.

I was recently fortunate enough to open the extensions of the Spalding Sports Association netball change rooms at the Spalding oval. I would like to thank the president of the Spalding Sports Association, Kevin Fitzgerald, the grounds convener, Darianne Bunfield, and their committees and volunteers for their warm hospitality. On that day there were some 20 teams representing the two clubs that were participating, from seniors right down to the very junior primary

school level, in both netball and football. The wonderful thing about country sport is its ability to bring the community together. Netball and football being played at the same place on the same day, with all these age groups, caters for all the family.

The volunteers who give their time to run such clubs in the country and metropolitan areas are also to be congratulated. It is the recruiting and training ground for future volunteers when they see their parents giving their time freely. It plants the seed for young people to become volunteers, well before their playing days are over. When the young move from the country they take that seed with them and there is a fair chance that they will become volunteers and play some role in the community in their new places of abode.

It is a credit to all these country communities that hold sporting functions on weekends. They have been able to continue to field some 20 teams on a Saturday, catering for all ages, when a lot of their young people and families have moved to the city. Monetary pressures on the country and metropolitan sporting clubs is enormous and any help, such as grants to upgrade facilities, is very appreciated by the hard-working volunteers.

One thing I have discovered in the short period that I have lived in the city is that unfortunately football and netball teams very rarely participate at the same venue and share the same entertainment facilities. This is no doubt a strength of country communities.

The visit to Spalding brought back many memories for my wife and me, of when our children were at home and all playing sport in the South-East. Our Saturday would start at 8 a.m. with us both coaching junior teams in football and netball and playing senior netball and football in the afternoons. Our day would finish at the clubrooms for tea, mixing with people and making many new friends. I can remember when I was playing senior colts for Tantanoola. My father, who was 45 at the time, was playing in the B grade and my older brother was playing in the A grade, and dad was still quite capable of doing a very good dropkie.

I take this opportunity to touch on the recent pay increase for low income workers. Eighteen dollars was recently awarded by the Australian Industrial Relations Commission to the lower paid workers. The pay-rise covers about 1.8 million award workers. It will see the lowest paid earning \$431.40 per week. The Federal government wanted the living wage claim limited to \$10 a week, while the ACTU was seeking \$25 a week. This \$18 is not enough to solve the problems of the lower paid, as they have been slipping behind for a long time, with the gap getting wider over many years.

The miserable \$10 that the Liberal federal government was trying to impose as a limit for these people is just another insult to be thrown at the working class. It introduced a tax that was hard on the working class, and then attempted to con them with a miserable tax cut—the same tax they introduced to tax pensioners without any investments for the first time in their lives. This shows that the current federal government has no sympathy whatsoever for the battler.

It is time, perhaps, to look at the hours worked per week and possibly reduce them to a 35-hour week, because 40 hours is obviously too much work for a miserable \$431.40, which amounts to \$10.79 per hour before tax. The employer groups have said this large rise to the lowly paid will cost jobs. This is a normal reaction from employer groups when any increase is granted to workers. If their argument is that it is fair for the employers to put more money in their pockets whilst some in the community working 40 hours a week are

unable to afford to look after their families, then perhaps they, too, should be supporting a 35-hour week.

The sum of \$431.40 per week, less tax, less the expenses of going to work—such as travelling, child care, etc.—is very close to the unemployment benefit payment. Surely, we must make it more attractive for people to work. Jobs need to be rewarding, fair and something of which to be proud. Active employment should lift the self-esteem of those who get up each morning and go to work. They should not feel disadvantaged but should be able to hold their head high in the community. Parents should be able to provide their families with a good, reasonable life that does not deprive children of a proper education and a holiday once a year. For once, the Australian Industrial Relations Commission nearly got it right.

I would also like to mention the serious position the grapegrowers of the Riverland face that threatens their livelihoods. Since the demise of Norman Wines, a number of growers have been left out of pocket with nowhere to go with their grapes. At least 200 growers last year lost three-quarters of their vintage because of the collapse, and they found themselves with no contracts.

The federal government's tax incentives are allowing huge corporate plantings for tax benefits. When these extra acres of grapevines start producing fruit, many of the smaller growers in the Riverland who have made up the community for many years may go out of business. This is a situation the Riverland can ill afford. The flow-on will be detrimental to business, sporting clubs, consumers, holidays and tourists. It will also have a tremendous effect on the Riverland in general. If some kind of protection is not given to the small, private growers, this could also become an epidemic that spreads to the Barossa and Clare Valleys.

There have been a number of articles in Australian newspapers over the past 12 months or more about the federal government and the last Liberal state government's attempt to introduce new workplace laws, such as those which prevent casual employees with less than one year's steady work from making unfair dismissal claims and which exempt small businesses with fewer than 15 staff. These laws encourage workers to leave the award system and sign secret job contracts and force unions to give written notice before visiting a work site.

In my experience with the Industrial Relations Commission whilst I was a union official, only those who deserved payment for unfair dismissal ever received one. The protection that the current laws gives workers must be maintained. Those who are shamefully mistreated and those who have no other voice or who are bullied and frightened into submission must have an avenue for protection. Unions must have the right to visit work sites without written notice, because we continue to see unsafe work practices that kill or injure workers every day.

Workers are subjected to work in such conditions because they are threatened with their jobs. If the unions are not allowed to go onto the job site when things are reported to them as not being safe, they would have to write and warn the employer of their visit, thus allowing the employer time to hide the problem, only to revert back to unsafe practices once the union has left.

With the improved industrial dispute procedure that is currently in place, together with the lower numbers of industrial actions and strikes compared to 10 and 20 years ago, South Australia is currently experiencing very good industrial harmony. Why disrupt this by continually trying to

pass a one-sided bill, or is this another attempt by the Liberals to divide and conquer?

It was interesting to hear the Hon. David Ridgway's maiden speech. In that speech, he referred to the National Farmers Federation as the National Farmers Union. Of course, that is correct; it is their union. However, do the Liberals want the same visiting rights for the National Farmers Federation, the South Australian Farmers Federation, the Australian Medical Association, the Chamber of Commerce and various other employer bodies? I do not think so. The proof was in the state Liberal Party's decision whilst in government to stop the deduction of trade union fees from the payroll of more than 30 000 public servants. The Rann government rightfully reinstated this practice. The opposition industrial relations spokesman, Robert Lawson, said that this would only benefit the unions, which proves he knows little about union membership. It is important to members of trade unions to have continuity of membership. The easy way for that to happen is through payroll deductions, and the union member must agree to those. I understand that no other organisation was denied the right of payroll deductions, only trade unions. That is yet another example of kicking the working class and its organisations.

When the Hon. Terry Stephens asked his maiden question, he expressed his concern about the ongoing rise in insurance costs for country shows—a concern that is very well founded. I understand that the increase has forced the Royal Agricultural and Horticultural Show to add \$1 to the price of admission to this year's show. Not only do the shows face these increasing costs, but the performing people and the events that make up the show and make it more interesting for the country people are also facing increased costs; for example, those involved in sheepshearing, which is part of the Adelaide show, are now paying \$2 500 per year so they can put on demonstrations of shearing at the Royal Adelaide Show and another five other country shows. How long this can last, with sponsorship getting harder, remains to be seen.

A lot of these people who voluntarily put on these shows with prize money, such as the sheepshearing, require good coverage, and that makes good sense. In his answer to the Hon. Terry Stephens's question, the minister referred to collective insurance and said that that could be the only way to allow these wonderful country community shows to continue. I certainly encourage them to look at that.

We must move away from the American way of doing things. Our CEOs have picked up a lot of American industrial relations ideas which just do not work in Australia. I hope our law courts do not follow the American courts where people sue one another so readily. I have recently heard about a couple of examples of this. One involves a fellow who was locked in a shed after attempting to rob a residence whilst the residents were away on holidays. He accidentally locked himself in the shed for over a week and had to survive on dog biscuits. Then, when the residents came home and let him out, he successfully sued them for \$500 000 for his suffering. Another example involved a woman who threw a drink at her boyfriend in a restaurant. She then got up immediately after doing so and slipped in it. She successfully sued the restaurant for \$200 000. Surely this cannot be the Australian way.

I read with interest in the Australian of 9 May that the Prime Minister, John Howard, praised disgraced Liberal Senator Bill Heffernan, labelling him a fine politician. Under parliamentary privilege, Senator Heffernan had accused High Court Judge Michael Kirby, without proof or reason, of various sexual exploits. The senator later apologised in the

Senate to Justice Kirby. It was also interesting to hear the speech made by the Hon. Rob Lucas in this council a couple of days ago, when he touched on parliamentary behaviour. I remember before I came to this council that I was referred to as Attila the Hun by the Hon. Legh Davis, whom I had never met. This occurred before I entered the parliament. When I entered the parliament and during the AWU elections, on numerous occasions the Hon. Legh Davis, in cahoots with the then Leader of the Government in this place (the Hon. Rob Lucas), continued to make accusations without proof about me and the AWU. Of course, to me this was like water off a duck's back, as it probably would be to most other members in the council.

However, personal attacks do have some effect on the family. My elderly father, who gets *Hansard* all the time, was rather upset, and of course my wife was rather upset. Perhaps members should have solid proof before they attack personally. Of course, people take it in different ways. Indeed, it could do the individual some damage if they came from a different environment and were not used to it. However, I am sure that, now that the Hon. Rob Lucas is in opposition, and the Hon. Legh Davis has retired and his place has been taken by a more principled person, the Hon. Rob Lucas will set an example for his new colleagues to follow.

New members, and most members who have come into this place over the past 20 years, and even the Hon. Diana Laidlaw in her maiden speech, have all touched on the matter of improving politicians' standing in the community. Perhaps the problem is that we have not then gone on to implement any changes under parliamentary reform to show the community that we deserve respect and that we are committed to a better future for all South Australians. Compared to some corporate heads who have successfully put companies into receivership or seen a downturn in businesses they control, along with the responsibilities that they hold, in my opinion our parliamentary leaders are underpaid.

Whilst I agree with the Hon. Rob Lucas that the press has a lot to answer for in the way that politicians are portrayed, perhaps there could be an effort starting in the parliament. Doing a workplace review and perhaps an enterprise bargaining arrangement, such as we have forced upon the working class, would be a good start to lifting our profile amongst the community. Perhaps we could start by absorbing into our wages some of our allowances, such as travel, as salary and wage earners have already done under enterprise bargaining. In fact, I read with interest that the new Speaker, the member for Hammond, has made some comments about changes to travel allowances.

While I am on the subject of the member for Hammond, I take this opportunity to congratulate him on his courageous decision to support the Labor Party to form government, as well as having made that decision whilst under the pressure that must be brought to bear on him after the election. It showed what a true Independent the member for Hammond is. I wish him well in his new role as Speaker, just as I wish you, Mr President, well in your new role.

It would not be right to make a speech at this time without mentioning the plight of the Australian seafarers aboard the *Yarra*, which is berthed at Port Pirie and which is involved in a dispute that was before the arbitration commission. This was not some minor industrial dispute between employers and employees over some small issue. This is a dispute about Australians—more particularly South Australians—having the right to perform Australian jobs, under Australian conditions in Australian waters. This was a dispute about the

right of any Australian citizen to expect support from the Australian government—federal and state—to protect their employment and their right to perform it in accordance with Australian laws and working standards. This dispute was about double standards and manipulation of practices and procedures to circumvent the industrial and civil laws of our country, thus denying Australians the right to perform work that is legally and morally theirs. This dispute was about treachery and manipulation by those who have been elected to protect and support all Australians. It was about providing profits for wealthy industrialists and loss of revenue to government through taxation, and about an increase in the dole queue for Australian workers.

If their rightful employment was given to overseas crews, the foreign crews would have been exploited with the support of the federal government. This was a dispute whereby we had a federal minister who was prepared to participate in a scheme that would have exploited the law of our country by giving an ongoing permit designed for specific and unusual temporary circumstances on an automatic roll-over basis. This would have had the effect of dispossessing Australians from the right to a dignified existence by performing their work in their country for fair pay and conditions.

This was a dispute that was unfair, unjust and unreasonable to any fair-minded Australian. This was why letters and telephone calls of support have come from all over Australia, from people of all works of life: unionists, non-unionists, mayors and millionaires. I am particularly proud of the support of the people of Port Pirie from go to whoa. With their proud heritage in shipping and genuine belief in a fair go in that city one would expect to receive nothing less. There have been stories of 84 year old dedicated Liberal ladies crying in front of their television sets over the disgraceful treatment of Australians in their own country.

I understand that you, Mr President, received a telephone call on the weekend from an Australian success story, a self-made millionaire, who had never voted Labor. He was so appalled at the treatment of Australian workers that he offered to pay for a meal for all the spouses of those working class warriors aboard the *Yarra*. I understand that he offered to turn up in his Rolls Royce to join the picket line to show his total disgust at the treatment of these workers. I understand that he was incensed by the injustice and appalled at the possible loss of more Australian jobs for Australian workers. He echoed his concerns to you and said, 'Where will it all end?' and 'What next?' I understand that his passionate outpouring for these workers was due to his feeling deeply offended by this dispute and, in total agreement with you, Mr President, felt it was completely un-Australian.

I would like to draw to the attention of the federal government one of the principles of the taxation laws of our country, that is, if you implement a strategy that is clearly designed to avoid your legal liability to pay tax you are liable. What the manoeuvring of this company was designed to do, with the support of the federal government, was to dispossess Australians of their lawful right to work, enabling the company to make high profits through the exploitation of others whilst paying no tax to the Australian government.

It was a rotten deal, which would have provided the sweated labour of overseas crews at the expense of the livelihood and dignity of Australians and their families. This, along with the help and cooperation of a compliant government, which only months ago was going to protect Australian shores from a flood of overseas refugees who apparently would, among other things, take away Australian jobs. This

government now, after re-election, has tried to use compliance and trickery to make industrial and economic refugees out of honest Australian workers in their own country.

The workers on board the CSL *Yarra* deserve their jobs back. They deserve natural justice. But the federal government deserves only rough justice for the unsavoury role it has played in this un-Australian, industrial and legal farce, which, if successful, would have us all hanging our heads in shame. I would like to congratulate those workers on the *Yarra* for their determination to protect their jobs and, perhaps, helping to protect other jobs. I would also like to congratulate the MUA which, over the past few years, has had tremendous pressure put on its membership by the Liberal government.

I would also like to congratulate the Australian Workers' Union and other unions for their role in helping to convince the cement companies not to use such labour in shipping their cargoes. This is another win over an extreme right wing Liberal government by the trade union movement. The MUA and its members have recorded a great victory on behalf of the working class people. Surely, this must encourage people to seek out membership of trade unions for their protection against such a federal government that is determined to help its corporate mates at the expense of workers.

I would like to congratulate the Rann government and the Minister for Agriculture, in particular, for his quick action in stopping the netting of fish in the Murray River. The minister acted in a way as to avoid anxiety amongst the fishermen and their families in not prolonging the inevitable. I hope that cabinet will deliver a fair and satisfactory monetary arrangement to overcome any hardship that this decision will bring to the fishermen and their families. In fact, the Rann government should be applauded for its entire approach to the regeneration of the Murray River waterways.

I would also like to thank the candidate who stood for the Labor Party in the Riverland seat of Chaffey, Ms Waluwe Simpson-Lytle. Waluwe was a wonderful candidate and worked very hard with little resources in a seat that is very safe and possibly out of reach to the Labor Party at this time. It is still a seat that, with its ongoing problems, could be winnable in the near future, Waluwe is among a number of candidates standing for various parties in unwinnable seats who need to be congratulated for their faith in their particular beliefs. Many, such as Waluwe, will not hear of losing during the campaign and strive only to win, therefore improving their Party's position.

I also take this opportunity to pay tribute to Annette Hurley. There are some people in all parties who are prepared to put their head on the chopping block and take the hard options. Annette is one of these. She fought a great fight and fought it well but, unfortunately, she lost. I would hope that members of the Labor Party recognise Annette's courage and commitment and, if they bump into her, thank her very much for such courage and commitment. I would like to congratulate the new members of parliament, especially my colleagues in the Labor Party and my two new colleagues in this chamber, the Hon. Gail Gago and the Hon. John Gazzola.

Both are from the trade union movement with strong working class backgrounds. They come with vast experience in their respective fields of nursing and administration. They bring with them many years experience of being in contact with problems that face trade union members and their families. I would also like to welcome the Hon. David Ridgway and the Hon. Terry Stephens. I listened to their maiden speeches with interest. I was pleased to hear that they, too, come from working class backgrounds; therefore, I

would hope that their sympathies with the working class would prevail in their caucus room when debating with some of their more right wing colleagues.

I also welcome the Hon. Mr Evans who, I understand, is an old chippie and a proud member of the old BC&J, and I have no doubt that the honourable member is very genuine in his support for low-income families. I also read the speech of the new member for Bragg with interest. I hear that the member for Bragg has already been touted as a potential leader of the Liberal Party. Well, on reading her speech, there is no doubt that she has all the qualifications. She mixed up a few of her facts in her maiden speech and made the mistake of rubbishing the great Don Dunstan, obviously unaware that both Don Dunstan and Thomas Playford are very highly thought of by the South Australian public.

At the top of the unpopular list, the honourable member ought to know, is the privatisation of ETSA, the Hindmarsh Soccer Stadium, the Wine Centre and the privatisation of the TAB. That is what the honourable member ought to know, none of which had anything to do with either the Hon. Don Dunstan or the Hon. Thomas Playford, and they would have had nothing to do with them if they had both been alive today. Yes, I think that the member for Bragg would meet the criteria of being a Liberal leader—no doubt about it. She does not have a lot going for her at all. She accused Labor people of belonging to unions—just because they are members of those unions so they are beholden to them, she said. I imagine that the member for Bragg is beholden to someone for her preselection. Like many others in here, perhaps it is an inheritance, or she owes it to dad. Yes, an ideal leader of the Liberal Party is the member for Bragg.

The Hon. A.J. Redford interjecting:

The Hon. R.K. SNEATH: I was wondering when the honourable member was going to wake up. He has woken up. The member for Bragg is an ideal leader of the Liberal Party.

The Hon. A.J. Redford interjecting:

The Hon. R.K. SNEATH: I would not indulge in any name calling.

Members interjecting:

The PRESIDENT: Order!

The Hon. A.J. REDFORD: On a point of order, Mr President, that was a reflection on the Hon. Jay Weatherill and the Hon. Michael Wright and I would ask the honourable member to withdraw it.

The PRESIDENT: Order! It was a very inventive attempt, but there is no point of order.

The Hon. R.K. SNEATH: There is no doubt that the new member for Bragg is definitely a future Liberal leader. I also understand—not that I would indulge in any name calling—that, out in the community, she is also known as Dickie Vickie or Vickie the Viper. I do not know which one, but it is one of them.

The Hon. A.J. REDFORD: I rise on a point of order, Mr President. That is unparliamentary of the honourable member, and I ask him to withdraw and apologise.

The PRESIDENT: Order! The honourable member has said he understands that others have said it, which is a technique repeatedly used in this place in recent days. I would ask the honourable member be more temperate in his remarks and have some sensitivity to reflections upon other members, even though they are given by third parties. It is not generally considered to be parliamentary.

The Hon. R.K. SNEATH: I, like all members here with a trade union background, am very proud of it. We were not born trade unionists but we chose that path after working in

industries in various jobs over the years. We wanted to help our fellow workers get a reasonable deal. While we were doing that, we listened to and learnt from other's experiences. We bring in the knowledge of many industries, situations and problems that face not only the working class but also the employers. If we had been lawyers or academics of sorts, we might have been somewhat narrower and limited in our ability to make a contribution to this council.

Perhaps an education received on the job, whether in the shearing shed or in the factory, has always been able to hold you in good stead when debating with the academics of the world. It is a valuable education for representing workers in the Industrial Relations Commission against the bosses' lawyers, because of your understanding of the awards. The current federal government's challenge to Simon Crean to weaken the role of trade unions in the Labor Party is totally based on jealousy. I have no doubt that John Howard does not intend to weaken the Liberals' relationship with the huge corporate bodies that dictate policy to him.

The Labor Party is in government in every state in Australia, with the help of the trade union movement. We would also be in government federally if it were not for the lies that were told about the boat people. However, I am sure that after the next federal election the Labor Party will be serving the people as the government throughout Australia.

Members interjecting:

The PRESIDENT: Order! Interjections are out of order.

The Hon. R.K. SNEATH: I am proud to represent a party that was formed to give the working class a voice which, over time, has become a party that represents all Australian families. I support the motion.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I rise to thank Her Excellency the Governor for her speech with which she opened the 50th parliament of South Australia, and the manner in which she has carried out her duties. Being in executive government, it is a pleasure to work alongside the Governor. I also congratulate you, Mr President, and the other new members of parliament on both sides on their election. I also thank my party and my parliamentary colleagues for my election to the ministry, which will enable me to do what I can as a member of the Labor Party in this parliament to assist in carrying forward the policies of our party and to formulate new policies to carry us forward into the future.

Many of the issues that we raise during our Address in Reply speeches sometimes bear some relationship to the address by the Governor, but in other cases we stray into areas far afield from those areas contained in the Governor's speech. I hope to be in line with standing orders and carry through the wishes of the council and confine my remarks to the address. Occasionally I will stray, Mr President, but I am sure that you will pull me up if I go too far.

The issues I would like to raise in this chamber are in relation to the developments in our society that are leading to a twin tiered economy, that is, those people who are able to participate through the good fortune of their family background, their educational qualifications and their ability to be in the right place at the right time to find suitable and appropriate employment—employment that is paying reasonable salary and wages.

There is a developing division within society at the moment that is preventing a whole range of people from participating in the mainstream economy, and they include the working poor, many of whom are represented by trade

unions, but in the main many who are not represented by any form of trade union. There is a weakening of the linkages between those people who were then the potential victims of no representation in the work force which has subsequently come to pass, and those people who have to struggle to represent themselves against some of the more powerful companies, both national and international, in the field.

As an illustration, I refer to those people who work in the wine industry. We have an industry that is doing very well. International capital has opened up new horizons for our national wine industry. Before the five major international players bought into the wine industry in Australia, most of the wine industry players were nationally or South Australian state-owned, and those players in the industry had a lot of trouble accessing international markets. As soon as the international players arrived to be players in the field and invested in the local industry, miraculously the international doors were opened and our wines were finding their way into a whole range of overseas markets where previously they struggled to make inroads.

So, I guess in terms of the twin tiers of the international and national economies, it has been a two-edged sword in relation to access to markets and availability of employment. One of the edges of the sword was the lockout from the international markets and the lack of opportunity for broadening the economic and employment base within the industry. That has changed and has now opened up, so more positions are available. The down side is that the wage levels and conditions of most of those people who make up the grape growing and pressing work force are very poor in relation to the rest of society.

We do not get the returns into local communities that you would expect out of a thriving economy. We have the folksy image of international wine being presented in all of the national magazines where it is considered very chic to be a part of the wine culture, with al fresco drinking and dining, and I am sure many people appreciate that. But all of those people who cannot participate, or cannot afford to participate, or for those people who work in the industry whose livelihood depends on the industry and cannot rise to the levels of the middle class who are benefiting from their labours, struggle to make ends meet, and I refer to those mostly in regional and outer metropolitan areas.

The other people who have been marginalised are the unemployed. I do not have to give examples of where unemployed people are located—mostly in the northern and southern suburbs. For them, the twin economies that are running side by side present little or no opportunity for them. We have generational unemployment running through many households and, associated with generational unemployment, we have generational lack of opportunity. The education system that we have in place has been starved of funds in many areas of most need, and the opportunities for choice and the choice for opportunities do not exist in many family groupings within not just Adelaide but mainly metropolitan Australia. That gap is getting wider, and I am not quite sure whether we have enough levers at our disposal in government at a state level. I am sure that those in opposition would like to be able to assist to direct some of those levers.

I am sure that we do not have the levers required to alleviate the in-built inequalities that are now starting to develop in our society. Many of the people who cannot take advantage of the opportunities that exist in the mainstream economy tend to turn to other avenues for their lifestyle. Alcohol abuse, tobacco abuse and drug abuse within many

of our communities are narrowing choices for a whole range of young people. If we do not correct some of those inequalities that are now being structured in the twin economies of advantage and disadvantage, and if those problems are not addressed at commonwealth level and administered at state level, then we will move forward into another era where the only call for administrative change by state governments will be in the range of sentencing options for law breakers.

Two of my portfolio areas represent two major areas of disadvantage, and they are Aboriginal affairs and correctional services. The people who find their way into the correctional services system tend to fall into the category of those who are unable to participate in the twin economies. They are locked out; they are part of the second economy, that is, the welfare economy, or fringe law breaking activities. A number of people who find their way into correctional services tend to be those people who have had poor, little or no education, who are illiterate and who have been either victims of abuse or abusers within their own family structures. Not enough funds are apportioned to rehabilitation for people who find their way into the correctional system and, unfortunately, the recidivism rate for those people as they move out of correctional services facilities back into their peer group areas does not allow for any change to their own personal circumstances, so their own personal behaviour patterns do not change. Unless a new direction is taken in correctional services and for analysing why people find their way into correctional institutions, I do not hold a lot of hope for any change in those people's circumstances.

The other area of responsibility I have is Aboriginal affairs. Certainly, the majority of Aboriginal people in metropolitan, regional and remote areas fall into the category of non-participants in the mainstream economy. An article in the *Australian* of 7 May could relate not only to Aboriginal people in society but also to any of the working or unemployed poor on welfare. The article, by Sophie Morris and Sarah Stock and titled 'A cheque but no bank for Aborigines', states:

A cheque in the mail but nowhere to bank it bar the pub or the local store: this is the financial reality for many indigenous Australians according to the Chairman of Indigenous Business Australia, Joseph Elu. Mr Elu, who is co-chairing a workshop this week on improving banking and financial services for indigenous Australians, said many had been left behind by capitalism and deprived of the services needed to take part in modern society.

'People need bank accounts, they need insurance, they need medical insurance. The government is out there driving these things forward and yet if you go into a remote Aboriginal community there's a shop, there's a pub and that's it,' he said. 'All they know is they get a cheque and cash it and when the money runs out they ask for credit.'

The Canberra workshop, involving the Aboriginal and Torres Strait Islander Commission, the Department of Family and Community Services and the four major banks, would be co-chaired by Westpac Chairman Leon Davis. Mr Elu said the indigenous delegation would encourage the banks to adopt practices that would benefit not only Aborigines but rural communities as well. Telephone and internet banking had helped overcome the absence of bricks and mortar banks in indigenous communities in Canada, but this would only work if combined with an education program and an improvement of phone services.

'The world is moving much faster with technology and the bank is moving to close things because of that technology but the Aboriginal people have not got to the stage of having that technology,' he said. His comments were reinforced by an Australian Bureau of Statistics report, released yesterday, which found more than a quarter of indigenous communities lived in run-down housing, suffered sewerage problems, flooding, and cuts to road access, despite improvements in the past two years.

The survey looked at 1 216 rural and remote indigenous communities containing close to 19 000 dwellings. Despite a small reduction in the proportion of people who lived in temporary dwellings, and an increase in houses connected to water and power, the picture remained bleak.

If you looked closely at metropolitan communities in the outer suburbs where there is no breadwinner and the only income in the household is via the cheques that arrive from welfare, you would find that the story is the same: the financial services and financial systems are not geared for people on low incomes or welfare. The major service deliverers are not encouraging—in fact, they are discouraging—the use of their facilities by people who would need temporary placement of their funds, because in most cases they live on what they have from week to week or fortnight to fortnight.

The other ways in which people are excluded from mainstream society are mainly those due to choice; that is, you are only as free as the income you earn and, again, your mobility is restricted to your earned income. If you cannot afford to travel or if you cannot afford to run, own, insure or register a car then you are basically confined to your own home and those facilities in the immediate precinct. In regional and remote regional areas people are confined to those areas geographically because of the cost of personalised transport.

The other area that I would like to comment on relates to the way in which governments are having difficulty in protecting the interests of wage and salary earners and, in the case of large company collapses, shareholders' funds. I would like to organise a coalition of failed company directors to address employees and shareholders who, in all good faith, have bought shares in companies that have been sunk by mismanagement and greed at a directors' level and explain to them why they have received huge payouts—generally in short time frames before the companies have collapsed—and also to explain exactly what is happening to their money when, at the same time, the directors and the people responsible at management level walk away with huge bonus schemes. These people appear to be out of touch not only with reality but with the law—

The Hon. Diana Laidlaw: They must be.

The Hon. T.G. ROBERTS: Yes. Too often Australia's basic economy is tested by the lack of funds available at national level for ownership of our own industries, our own section of the international economy, because people do not have enough funds or enough faith to become shareholders of our own companies. The vacuum is being filled by overseas investors and it is no wonder why. In the past few years, we have seen corporate collapses that have left employees and shareholders shaking their heads wondering how these huge bonuses can be paid to a small number of people while they as shareholders lose money and the workers, who put more into these companies than the shareholders—that is, they give their working life and invest their families' futures in these companies—in some cases, get less than 24 hours notice to leave the premises, their colleagues and friends and are told that they have no job and no entitlements.

In relation to collapses such as One.Tel—Ansett I suspect is a different case—and a number of corporate collapses which have occurred, I cannot understand how directors walk free with no stigma at all attached to their activities. I am sure members have seen on television the daily parade before the Sydney and Melbourne courts, in the main—Adelaide

suffered the partial collapse of Harris Scarfe—of company directors and managers who have escaped the net before the collapse and received their returns through exorbitant bonuses. They smile directly into the cameras and challenge the prosecuting lawyers to put them behind bars or even charge them with any offence. It is not a matter of even getting to the point where charges are laid because, in many cases, the responsibility for their actions does not lead to a prosecution. We have seen a number of collapses that have had that result.

It does not leave shareholders with any confidence that their life savings, superannuation and future can be protected. In many cases, generations of potential investors get put off and the funds that they may have had available to invest in Australian industries—manufacturing and the areas where we can improve our GDP and provide employment opportunities for Australians—do not manifest themselves in any way at all. They will invest their money in managed funds. The managed funds will then put them into superannuation programs or managed cross portfolio funds, and most of the money then goes out of this country and, in many cases, is used to finance takeover bids by international companies.

I will make a prediction now that French capital in Australia will grow at an enormous rate. It really does not matter whether it is Japanese, French, or American capital, but Australian capital cannot get off the ground because of the lack of faith and confidence we have in our laws to protect not only shareholders but workers' entitlements. I cannot see how company directors cannot be held responsible for the loss of workers' entitlements when their superannuation—money that should have been put away for their future—is not available when they are dismissed. It is nothing but fraud.

Many of these company directors know exactly what is happening. They know that they have cash stripped the companies and driven them to the point of bankruptcy, leaving workers without holiday and annual leave funds, superannuation monies and entitlements. Australia's laws in relation to corporate citizenry certainly need to be addressed—

The Hon. Diana Laidlaw interjecting:

The Hon. T.G. ROBERTS: The honourable member makes the point of their not being able to establish. We then had the unedifying spectacle of the failed directors of One.Tel staring into the cameras and saying that they will start up Two.Tel, or a company based on similar lines to their previous company which they cash stripped and left bankrupt. Apparently, they are not expecting to be charged because they are now in the process of legitimately setting up another company and are making a call for shareholders' funds to enable it to happen. I do not think anyone with any sense would deliberately put money into a company of that nature, but there would be organisations that would collect money from unsuspecting investors and they would be seen as assisting these types of companies to get off the ground.

Our laws need to change. Our investigatory procedures for evidence gathering for fraud need to be improved. I notice the government has employed more tax collectors. That is at the revenue end of cash accumulation, but greater emphasis needs to be placed on the auditing of companies' books, and if auditors—

The Hon. Diana Laidlaw interjecting:

The Hon. T.G. ROBERTS: And regulating companies through stronger laws. When auditors fail to do the work that they are paid to do—and they are usually paid large amounts

of money—and they do not carry out their role and function legitimately, then they should be made responsible for the shareholders, workers and salaried employees' entitlements. We have a long way to go to enable that to happen. As I said, the perpetrators are out there dressed in their Armani suits, driving their BMW cars and living on snob hills all around Australia. Fortunately—or perhaps unfortunately—Adelaide does not have a lot of head office companies to enable that to happen here, but I am sure that many South Australian investors have been burnt in the unedifying spectacles which we are witnessing at the moment.

Regarding the other issue of cabotage in relation to the employment of Australian seamen on Australian ships on Australian shores, I, too, want to place on record my tribute to Port Pirie. I admire the strength of the union which stared down an international company to get an agreement. It adopted a minimalist position in relation to what you would expect in moral terms, because you would expect Australians to have the right to sail their own ships. I offer my congratulations to the families of the seamen on that ship because of the uncertainties that go with holding out against large companies. You do not know whether a dispute is going to end in a negotiated settlement because, in some cases, force is used to evict union members from picket lines to stop them from defending their employment.

However, fortunately, the negotiation process did get some acknowledgment that in Australia there are some rights still left to working people to defend their right to have Australian crews on Australian ships on Australian shores. The overseas manning or staffing of ships is a major issue that still has not been addressed. The union is trying to deal with this issue with the current government. Let us hope that some agreement is reached. I conclude my remarks.

The Hon. A.J. REDFORD: I support the motion for the adoption of the Address in Reply. I am honoured to have been re-elected to this the 50th Parliament. I acknowledge the support and endorsement of the Liberal Party and the thousands of members and supporters who worked so hard to get me and my colleagues elected to this parliament. Unlike some whose egos are exponentially greater than their actual ability, I acknowledge that I would never have been elected without the Liberal Party's endorsement. I sincerely hope that I live up to the expectations of my party and its members during my second term in this place. It is an honour to serve, and I hope that I live up to that honour, although, unlike some, I acknowledge that I am human and that, as such, from time to time I will make mistakes and reveal my human weakness.

May I also congratulate you, sir, on your election to the high office of President of this chamber. The protocol list puts the President second behind the Governor in constitutional importance in this state. I cannot think of anyone in this chamber who is more qualified to hold your position. Indeed, you managed the difficult issue of changing offices, managing new members, and dealing with staff, etc., following the election and the subsequent change of government in a highly skilled and diplomatic fashion, albeit with some advice on our part—perhaps even on my part. You have dealt with all parties equally and fairly: you have even treated the Democrats fairly despite their efforts to ensure that you were not elected. A lesser person might have sought retribution, but you, sir, forgave the Democrats for their normal lack of political judgment. Your rulings have been delivered with good grace and you have respected and understood the

position with which we mere members of parliament are confronted when going about our duties, particularly as members of the opposition who are charged—

The Hon. T.G. Roberts interjecting:

The PRESIDENT: Order! Interjections are out of order when profound statements are being delivered.

The Hon. T.G. Roberts: That means I can interject at any time.

The PRESIDENT: Order!

The Hon. A.J. REDFORD: Your rulings have been delivered with good grace and you have respected and understood the position with which we mere members of parliament are confronted when going about our duties, particularly as members of the opposition, who are charged with the important responsibility of probing, testing and challenging Her Majesty's government.

Yesterday in another place the Speaker referred to what he was 'attempting to achieve in the Assembly, which can only be of benefit to parliament as a whole and will enhance its standing in the eyes of the public'. In that respect I can assume that not only was he purporting to seek a standard in relation to the assembly but also in relation to this place. Indeed, following the election of the Howard government and the subsequent election of the Hon. Neil Andrew, MP, as Speaker of the House of Representatives, similar sentiments were expressed.

I well recall one of the most fascinating radio interviews which took place in about 1999 involving Philip Satchell and the Hon. Neil Andrew. Neil Andrew talked in an intimate way about the difficulties of being a presiding officer. We all know how skilled Philip Satchell is in drawing personal information out of people. One of the observations that the Hon. Neil Andrew made—and I am sure that every member of this place would agree that he has brought a grace and dignity to the federal parliament which perhaps has not been seen on other occasions—was that he relied substantially on the good grace of what he described as two honourable and decent individuals. He was referring to the Prime Minister John Howard and the former leader of the opposition, Mr Beazley.

He talked about how with good grace between the two major political parties there are occasions where matters of high tension can be defused. Whilst we have not approached anything like that to date in this place, I have every confidence in you, Mr President, because you have adopted a similar style. Although we have not read or heard about it in the media, in my view, your efforts and the manner in which you have applied your office have enhanced the standing of parliament—

The Hon. T.G. Roberts interjecting:

The PRESIDENT: Order! interjections interfere with *Hansard's* ability to take down accurately the remarks of the speaker.

The Hon. A.J. REDFORD: —in a similar manner to Neil Andrew. I agree with the sentiments of the Speaker in the comments that I quoted but, unfortunately, if one is to consider the public reaction to the Speaker's comments, when one looks at what has been said they appear to have had precisely the opposite effect. Indeed, there have been occasions when the Speaker has overlooked the very existence of the Legislative Council and the important role that it plays in the constitutional fabric of this state. You, Mr President, might well recall that when the then treasurer, the Hon. Robert Lucas, sought to deliver his budget speech in the House of Assembly, there was a lone voice of dissent (the

member for Hammond) on the basis that the Hon. Rob Lucas, as a legislative councillor, should not have entered into that chamber and that, as members of the Legislative Council, we should in no way have any involvement in, or any effect on, the way in which they conduct their business in another place.

I have to say that, when I received an email on 11 April last from the Speaker of the House of Assembly, directed to a range of people, including all Legislative Council committee officers and all Legislative Council members of parliament, I read it with some interest. Without traversing the whole of that document, he demanded from members of the Legislative Council an undertaking in the following terms:

I am prepared to be vigilant and prevent anyone who is not known to me to be authorised entering the parliamentary building and thereby help secure and uphold the precincts and the immunities and the privileges of the parliament.

There was a demand that it be returned, signed, by Legislative Council members by Monday 15 April. Indeed, he went on and made a threat to members of parliament, the members of the Legislative Council, in the following terms:

If you do not respond to this statement I will, without further notice, determine whether or not I will cancel your key card in the interests of maintaining that security and the amenities and privileges, which otherwise may be put at risk to other members by you.

With the greatest respect to the Speaker, his jurisdiction, as he so ably pointed out when he sought to exclude the Hon. Rob Lucas from the House of Assembly chamber, does not extend to the Legislative Council, and certainly does not extend to Legislative Council members. Mr President, you immediately responded to that and I, without any qualification at all, congratulate you on your response. As part of your response you said:

As Presiding Officer of the Legislative Council it is my prerogative and responsibility to determine these matters with regard to the operation of Her Majesty's Legislative Council.

You then directed that, whilst staff could note the circular, they should not sign it, and pointed out that the issue of key cards was the province of the Joint Parliamentary Service Committee. The Speaker responded to that in a general sense, without specifically indicating that he had no jurisdiction in his capacity as Speaker. He may have some in his capacity as Presiding Officer of the Joint Parliamentary Service Committee, but he did not acknowledge that he had absolutely no jurisdiction over the members of the upper house.

They are traditions that members of the upper house have stood up for and stood by for decades. We have always claimed and sought and secured, over the decades, our rights and our privileges as members of parliament, and we have sought to do so without interference. I congratulate you, Mr President, on defending us and our privileges as members of the Legislative Council. I must say, Mr President, I never experienced you in your role as a shop steward—and I am not even sure whether you were a shop steward—but certainly if I was looking for a shop steward to represent me, based on your performance over the past few weeks, you could be very assured that you would have my vote and my support.

The Hon. T.G. Roberts: Do you want a lift home, do you?

The Hon. A.J. REDFORD: Unfortunately, Mr President, the members of the other place, because of the way they have conducted themselves, have not done anything to enhance people's opinion of this parliament. One only had to hear talkback radio this morning and the comments about the parliament, and unfortunately those listeners do not seem to

distinguish the lower house from the upper house. They have been quite derogatory in their comments.

Indeed, there was criticism on the Leon Byner show and also on 891 ABC, which are two of the most significant talkback programs. I will acknowledge that, during the course of discussion, one caller mentioned the upper house, and the commentator Matthew Abraham pointed out that it was different in the way in which it conducted question time and was also different in the way in which the members dealt with one another. Other than that, in the public arena there has been little distinction between the way in which the two houses work. In fact, the way in which the House of Assembly conducts itself can, unfortunately, have the capacity to diminish the standing of us all in the eyes of the public.

One example of that was a recent article in the *Border Watch* in Mount Gambier that was written by the editor, Gary Trotter. Members may be aware that over a period of time Gary Trotter, as editor, was quite critical of the former government. Indeed, I well remember an eight-page spread in the *Border Watch* in which he went to some trouble to point out some of the foibles of the previous government and offered it equal space. So, he is a fearless, independent editor who expresses this view. He says:

'Shock' is the best word to describe my reaction to watching controversial Speaker Peter Lewis in parliamentary action during a news broadcast this week. Shouting 'Order!' in a loud and dictatorial manner hardly becomes the supposedly august role commanded by the Speaker. In fact, the way Mr Lewis is treating fellow politicians is draconian. It is like listening to some overbearing bully. Members of parliament—

and that is the problem with this article: it does not distinguish between members of parliament in the House of Assembly and members of parliament in the Legislative Council—

—whether we like them or not, are at least deserving of the same respect Mr Lewis seems so hell-bent on demanding for himself.

He then refers to the Speaker's treatment of Dean Brown that my leader covered the other day. Without distinguishing between the Legislative Council and the House of Assembly, he says:

How are politicians able to have a good old-fashioned debate on major issues if their tongues are to be constantly tied by a Speaker who seems to pull too hard on the reins?

The public has a perception that we are similarly constrained. The article then states:

It would appear that Peter Lewis is full of self-importance to a point where parliament could suffer, and so will the state by association—

I add the words 'and so will the Legislative Council'. I am considerably concerned about the damage to the Legislative Council which is occurring as a consequence of matters and events which are entirely outside its control. He then talks about the importance of the Labor government in steering South Australia in a proper direction, and says:

There is little doubt the people of SA are not being serviced, because the incumbent government must perform under the duress of appeasing desires outside their party ranks.

The government, in fact, is being damaged by some of the actions that have occurred in another place.

The Hon. P. Holloway: Not in the least.

The Hon. A.J. REDFORD: That is not what I am hearing. I know that, when one gets into a white car, one quickly loses touch with the electorate. I can assure the honourable member that that is what they are telling me when

I get out there and mix with ordinary people. I am sure that, when you find time to deal with your backbench—and some ministers have difficulty in doing that—they will convey to you similar sentiments.

In any event, another example was a letter that was read on ABC yesterday in relation to members of parliament. This was an open letter, of 14 May, to Mr Lewis. Again, the difficulty in that letter is that there is no distinction between members of the upper house and members of the lower house. It is important that members understand that we, led by the current Speaker, will be engaging in a constitutional convention over the next 12 months. The very foundation of our parliament, the establishment of this parliament and the role of the Legislative Council in this parliament will be put under a microscope.

I am sure that members here have views about the future of the Legislative Council and want those views to be expressed, and for a considered and reasoned debate to take place before legislation comes before this parliament for our consideration. I am concerned that the diminution in the eyes of the public consequent upon what has happened in the House of Assembly will not adversely reflect on all members in this place and adversely reflect upon serious consideration of serious issues in the cold hard light of day. That letter talks about the humiliation of former premier Dean Brown by the Speaker and about the general cynicism of people towards politicians and towards us all. In the letter, Mr Foster says:

Let me say that anyone who blames you alone for Labour being in power is way off beam. The Liberal Party are far from blameless in this saga, starting with Olsen deposing Brown, the Hindmarsh Stadium fiasco and more importantly, the pre-selection of candidates to name a few. My personal opinion is that there should be no legal challenge in Hammond. It is doubtful if it would succeed and therefore achieve nothing. I guess if you look at it objectively, the people of South Australia did not believe either party was worthy of governing South Australia.

The letter continues:

I have been moved to write this letter after the Dean Brown incident. . .

I will not go into that because the Hon. Rob Lucas covered that in some detail the other day. In relation to that incident, he says:

This is big brother to the extreme. I could have believed it if it was one or two other Liberal politicians, but this was one of the 'good guys'—someone who gave you a great deal of support (and vice versa) when others were calling for your head. I might remind you that if it wasn't for Dean Brown's support some years ago you would not be sitting in the speaker's chair today.

He makes an important observation when he says this:

You have made your decision and you and the electorate must live with it. I beg you to play the game down the middle—you will only get one shot at it and your decision to walk to Labour has cemented your place in the political history in South Australia. The next four years will determine how history will judge you.

Unfortunately, the next four years will also determine how the general public will judge us all, and we all have a responsibility—particularly those who hold high office—to ensure that we are all well respected. In that respect—and I say this quite genuinely and fulsomely—Mr President, your conduct to date has been nothing but exemplary in terms of enhancing us.

I turn now to some of the reasons why we have an upper house. The world is going through a period of great change and Australia is no exception. It seems that no institution is safe from change—or at least from being questioned—no matter how firmly entrenched in our cultural traditions or,

indeed, our constitution they may appear to be. The monarchy, parliament, states and the Legislative Council are in question. I will make some comments about the future of the Legislative Council and why it exists at all. Over the years a number of calls have been made for the abolition of the upper house. Certainly, it is an issue which causes more than a flicker of interest in politicians of all persuasions. It is a question that has been raised on many occasions over the past 50 years and not necessarily by any particular party. I do not mind the debate. However, unlike the debate over the future of the monarchy, I hope it is an informed one.

What has prompted the recent debate is the level of frustration caused by the perceived obstruction of legislation of the Brown and Olsen Liberal government by the upper house, to name but one example. However, one has to be careful that the comments and views of those who advocate the abolition or destruction of the upper house are not prompted by anything more than frustration. Importantly, I hope they are not caused as a result of arrogance, for it is arrogance of governments that upper houses are peculiarly designed to deal with.

The *Advertiser* of 27 December 1996 reported a call from a prominent Liberal lower house member for the abolition of the upper house, as follows:

In the last week of the most recent session, Parliament was forced to sit on a Friday because the ALP and the Australian Democrats, who control the Upper House, had forced amendments to the Government's bill aimed at reforming local government.

The article also referred to major amendments to WorkCover and industrial relations legislation that was before the parliament. The article continues:

Prominent backbencher, Mr Heini Becker, has called for the Liberal Party to reassess its attitude to the Council.

Mr Becker stunned Parliament by calling on the Government to tackle the Council head-on and call a double dissolution on the issue. I think it (the reform of the Council) is something the party has to discuss. . .

Mr Becker was further quoted, as follows:

Mr Becker is supported by another prominent backbencher, Mr Ivan Venning, the Member for Custance, who believes the time has come for the Council to face up to change. 'I believe it should be phased out,' he said. 'We can reduce the numbers for a start and eventually look at abolishing the chamber altogether by the year 2005.'

There was another unsourced quote, as follows:

Younger MPs see the chamber as an anachronism and no longer hold to the old Liberal philosophy of ensuring its retention no matter what the cost.

I have to say that I am not sure who the younger members were, given that at that stage I was the youngest member of the Legislative Council and the Hon. Iain Evans was the youngest member of the House of Assembly. I know my views are clear about the future of this place, and the Hon. Iain Evans has been a strong advocate for the upper house. So I am not too sure who the younger MPs were. The Hon. Sandra Kanck is quoted, as follows:

It is only through an effective Upper House that the powers which the Brown Government is taking unto itself can be challenged.

Mr Brown was also quoted as saying:

A spokesman for the Premier, Mr Brown, said he would not support abolishing the Council because it was against party policy.

I digress by saying that, if there is one policy position to which Liberal Party members are bound, it is the support of the bicameral system. Indeed, when we sign our nomination form, we pledge support for the bicameral system as mem-

bers of parliament. It is one of the few restrictions that Liberal members of parliament—unlike members of the Australian Labor Party—are subjected to.

Naturally enough, I believe that the upper house—both federally and state—has a vital role to play in our parliamentary process and that the bicameral system is necessary to achieve a parliament which is truly representative of the people. What is the role of the upper house in our system of government? Odgers, which is the parliamentary 'bible', sets out a number of reasons why we have an upper house. The book deals specifically with the role of the Senate. According to Odgers, the role of the upper house includes representation to significant groups unable to secure representation in the lower house. A good example of that over the past four years is the Hon. Nick Xenophon. Whilst some of us do not agree with his position, he has carved out a place in our political landscape in this state, and I suspect many members and a great proportion of the South Australian public would acknowledge that he has a role to play. Another role is to act as a house of review and give a second opinion.

A further role is to provide a period of reflection. Another role is to protect a disciplined government against extreme measures. A further role is the scrutiny of financial measures (and an example of that was the Australia Card), although the Senate has a far greater role than the South Australian Legislative Council in that regard. It can also initiate non-government measures, and laws in relation to homosexuality in this state were initiated and promulgated from the Legislative Council. It also has power to insist on ministerial accountability which, on many occasions, does not occur in another place.

When one looks at where the government does control the numbers in its own right (and for two parliaments that has not occurred), significant accountability and bringing the executive to account did not take place in the lower house: it occurred in the upper house. One need only look at the way in which the parliament dealt with the Hon. Barbara Wiese, the then Minister for Tourism. Another example is the way in which parliament dealt with various outsourcing contracts. It also is responsible for the supervision of regulations and by-laws. The lower house rarely does it because of other issues that are peculiar to lower house members.

The bulk of the time in this chamber is taken up with scrutinising subordinate legislation and by-laws, and it is exhaustively done in this chamber. This chamber has also been a great source of protection of the personal rights and liberty of citizens. Odgers puts it well when he states:

Bicameralism is also an assurance that the law-making power is not exercised in an arbitrary manner. Such an assurance is of considerable practical significance in parliaments where the house upon which the ministry relies for its survival is liable to domination by rigidly regimented major parties.

Indeed, the philosopher John Stuart Mill—that great emancipist and free thinker—in 1861 wrote about this very issue. Whilst he wrote before the concept of strong party discipline and voting along party lines became the norm, his words are still relevant and important. I do not apologise for the length of the quote. Mill states:

The consideration which tells most, in my judgment, in favour of two chambers (and this I do regard as of some moment) is the evil effect produced upon the mind of any holder of power, whether an individual or an assembly, by the consciousness of having only themselves to consult. . . A majority in a single assembly, when it has consumed a permanent character. . . when composed of the same persons habitually acting together, and always assured of victory in their own house. . . easily becomes despotic and overweening, if

released from the necessity of considering whether its acts will be concurred in by another constituted authority. The same reason which induced the Romans to have two consuls makes it desirable there should be two chambers. . . . One of the most indispensable requisites in the practical conduct of politics, especially in the management of free institutions, is conciliation; a readiness to compromise; a willingness to concede something to opponents, and to shape good measures as to be as little offensive as possible to persons of opposite views; and of this salutary habit, the mutual give and take (as it has been called) between two houses is a perpetual school; useful as such even now, and its utility would probably be even more felt in a more democratic constitution of the legislature.

That was written in 1861. Indeed, when John Stuart Mill talks about the importance of it in a more democratic constitution of the legislature, one needs only to contrast the House of Lords, as it was then constituted in 1861, to the way in which this chamber is constituted in a very democratic fashion. The framers of the Australian Constitution found the case for a strong upper house irresistible. During the debate, a prominent South Australian, Sir Richard Baker, on 17 December 1897 said in favour of an upper house:

There are two essentials—equal representation in the Senate and for that body to practically coordinate power with the House of Representatives. . . .

He further states:

. . . I venture to think that no-one will dispute the fact that in a federation, properly so-called, the federal Senate must be a powerful house. . . . We are to have, instead of a highly centralised government, such as they have in Great Britain, a division of powers. . . .

Indeed, Odgers refers to the US when he states:

The Senate, like its United States counterpart, must have the power to veto and to suggest changes to any proposed law. It could not merely be a debating and delaying chamber.

Indeed, my observations are that, if we have only the power to delay, the whole review process is illusory. A patient government can outlast any process of scrutiny by an upper house. However, the power given to upper houses must be tempered with responsibility. It must recognise that it has a different power, and therefore responsibility, to that of the lower house, and its conduct must recognise those two things whether from an opposition, government or independent perspective. Recognition that the lower house forms government and is the most recent manifestation of the will of the people is important.

Indeed, only half the members of the Legislative Council and the Senate stand at each election. Again, that is a matter, I think, that should and will be debated in the forthcoming constitutional convention. I must say that, from a personal perspective, I have some doubt about the veracity of this, 'permanent will of the people'. There must also be recognition of a government mandate and, importantly, a mandate to govern; and, indeed, we should not interfere with that important principle.

Let us look at other more recent experiences and comments concerning the role and purpose of an upper house: first, the Fitzgerald royal commission, which looked at institutional corruption in Queensland in the 1970s and 1980s. In his final report, Fitzgerald said that it was his view that the worst excesses of the Bjelke-Petersen government may have been tempered had Queensland had an upper house. Notwithstanding that, Fitzgerald decided that, rather than support the re-establishment of an upper house in Queensland, there should be an independent commission of corruption. I must say that the cost, in taxpayer dollars, of the independent commission of corruption is about five times the cost of a Legislative Council, and it has been less than spectacular in its success. One has only to look at the

electoral rorts issue that took so long to be brought to heel by the current Premier of Queensland to find an example of the failure of the CJC.

A strong and equal upper house would have dealt with issues such as that far more effectively, in my view, than an expensive and, in some respects, unaccountable independent commission against corruption. Indeed, those who do promulgate and advance the cause of the destruction of the upper house in this state may well need to consider what they will propose to look at the excesses of executive government. Will the politicians in another place, who advance the cause of the destruction of the upper house, be happy if its replacement is an independent commission against corruption, or a criminal justice commission?

Is that what they really want? I must say that, from my discussions with individual members of parliament, they are not very much in favour of such bodies that tend to go after the little fish; they tend to be more interested in securing headlines than dealing with institutional corruption and inefficiencies that exist in our society. John Bannon, in the *News* (another institution that we all miss) of 26 April 1988, stated that there was a case for removing upper houses, including South Australia's Legislative Council in the long term.

However, I point out that early questioning in respect of the State Bank—even before that of Jennifer Cashmore—occurred in the Legislative Council by the Hon. Ian Gilfillan. Unlike the lower house, debate on the State Bank was never gagged in the Legislative Council. Indeed—

The Hon. Ian Gilfillan: It was gagged by the State Bank.

The Hon. A.J. REDFORD: The honourable member interjects in very timely fashion, I must say. I do not think I have said this on the public record before, but I have had enormous sympathy for the extraordinary legal position that the honourable member was put in by the State Bank. We ought to be looking at some of those issues to protect the privileges of members of parliament so that what happened to the Hon. Ian Gilfillan at that time could never be repeated, when we all know that he was pursuing in a vigorous fashion an issue that deserved to be pursued at that time.

Rex Jory, that champion of the abolition of the upper house, said way back in 1989—and I think Rex has this article hidden away, and, every three months when he runs out of ideas, he whips it off the computer, whacks it in and tries, although he occasionally fails, to get an up-to-date picture of the Legislative Council with its current membership—it should be abolished because it mirrors the lower house. He said:

Members of the council rarely bother with detailed problems of constituents. They mouth the beliefs of their superiors in debate, often mirror the questions of their leaders from the lower house, and assert about as much independence and individual flair as a Chinese army general in their voting patterns. The council in its present constrained and oppressed form has done itself and the public of South Australia a disservice. It is time now for a rethink about its value and its contribution to democracy.

That really does take the cake. Becker and others call for its abolition because the upper house obstructs or questions, and media commentators call for its abolition because it is simply a rubber stamp. Is it any wonder that sometimes you feel you cannot win?

In 1993, the ALP called for reform of the Legislative Council. The now Attorney-General, the Hon. Michael Atkinson, and the then premier, the Hon. Lynn Arnold, described the upper house as obstructionist. Little did they

know that they had Liberal sympathisers. Ralph Clarke, mindful of the ALP's looming electoral loss, supported its retention, although that quickly changed, and he spent most of his political career regaling the parliament about the need for the abolition of the upper house.

The Hon. Ian Gilfillan interjecting:

The Hon. A.J. REDFORD: The honourable member interjects and says he changed again. We are accustomed to the political chameleons that exist in the lower house who one day want the abolition of the upper house and the next day want its retention.

In that respect, I return to the Becker-Venning outburst which took place in December 1995. I read from the *Advertiser* the following:

The abolition of South Australia's upper house could jeopardise the democratic process, a constitutional expert has warned. Flinders University Associate Professor, Peter Howe, said that the Legislative Council was the people's house and provided safeguards on important legislation. It really is more democratically constituted and there is no way of rigging it. The upper house had upset both major parties in government but it allowed more rational consideration of bills.

I have to say that I agree with Professor Howe in one respect, and, to be honest, I have written to the Electoral Commissioner on this issue. The way in which preferences are distributed in the upper house is a mystery to most members in this chamber, let alone to ordinary members of the public. We need to consider seriously how we can bring to account the way in which preferences are distributed in the upper house so that the public is more aware of it.

I will give one example. The Hon. Nick Xenophon in the last parliament voted against every measure that I can recall that supported country people and economic development in rural areas. He voted against mining in Yumbarra National Park and a range of other issues. They were all causes that were strongly advanced by the National Party and, in particular, the member for Chaffey, Ms Karlene Maywald. The Hon. Terry Cameron and the Hon. Trevor Crothers voted with the government on those measures, and the government was seeking to enhance our rural and regional constituencies in that respect. If I can say so myself, they did so with some degree of courage.

Everything that the National Party asked for, the Hon. Terry Cameron delivered. Indeed, against my personal wishes, the Hon. Terry Cameron also supported the establishment of the now failed proprietary racing in the Riverland at the behest of the member for Chaffey. But to whom did the National Party deliver its preferences? The Hon. Nick Xenophon. They will never be called to account for why there was this arrangement to deliver its preferences to the Hon. Nick Xenophon when he had never supported any of their initiatives, and not to the Hon. Terry Cameron who on every occasion had supported those initiatives. I am sure the Hon. Terry Cameron will have something to say about that on another occasion.

But it does demonstrate the lack of transparency in relation to that part of our electoral process, so it is not perfect. I am sure the Australian Democrats may have some criticisms about people purporting in their name to say that they were acting for a particular cause, yet seeing preferences being delivered to some groups that they might have considered to be the total antithesis of the cause which was part of their name. The Hon. Sandra Kanck is nodding. This parliament endeavoured to deal with this matter of claiming to be or passing yourself off to be something you are not, and

legislation was passed in this place. I must admit that the Hon. Trevor Crothers strongly objected to it, but it seems to have fallen off the *Notice Paper* in another place.

The former premier, Don Dunstan, in the same article in 1995 said:

The Liberal Party used the Legislative Council to block an enormous amount of reform legislation in the period 1965 to 1968.

If the Legislative Council was so successful in blocking the Dunstan reform agenda, why is he so revered as a great reformist in the eyes of some parts of the South Australian public? If this place was so obstructive, he would not have been a reformist. He would be described today as that failed reformist. I have not seen any, even those who are uncharitable towards his record, ever say that he was a failure in terms of his reform.

There has been a litany of reinventing the role of the upper house over the period. Back in 1995, Heini Becker said:

The Australian Democrats, a minority party, virtually rule the state.

That changed, I can say, much to my personal enjoyment and, I am sure, the enjoyment of many members on this side, where the Democrats came to as close to becoming irrelevant as I have ever seen a group of people when the Hon. Terry Cameron and the Hon. Trevor Crothers left the Australian Labor Party and spent much of their time sitting next to the Hon. Carolyn Schaefer and me during the course of the many divisions that we had. I must say that I look forward to sitting with them, and the Hon. Andrew Evans, on similar occasions over the next four years. It may well be that the Australian Democrats do not hold this state to ransom, or they may say that some of the things we are saying in opposition—

The Hon. Sandra Kanck interjecting:

The Hon. A.J. REDFORD: The honourable member makes a very pertinent objection. If I comprised such a small minority, I would revisit what I thought. But hope springs eternal!

The Hon. Ian Gilfillan interjecting:

The Hon. A.J. REDFORD: Indeed.

The Hon. Ian Gilfillan interjecting:

The PRESIDENT: Order! You are not helping.

The Hon. A.J. REDFORD: The *Advertiser* article in 1995 stated:

Professor Howe said that if moves to abolish the council were successful, the 47 seat Assembly could be changed to five 7-member electorates, or the state should vote as a whole as for the council, where members do not have electorates.

I know that when that is advanced—and I have absolutely no doubt that someone will advance that proposition—a collective shiver will run up the spines of my colleagues in the House of Assembly.

The Hon. Sandra Kanck: I agree.

The Hon. A.J. REDFORD: The Hon. Sandra Kanck is so vigorously nodding her head, I am concerned about her health. The then acting opposition leader, Ralph Clarke—he got to some dizzy heights—accused the Liberals of rank hypocrisy when he said, as reported in that same article:

The truth is, the former champions of the upper house are now being stung by its powers and they do not like it.

Indeed, the *Advertiser* editorial of March 1994 commented on Keating's remarks regarding the Senate being unrepresentative swill. The editorial reads:

The party system made this (re a state house) largely but not entirely redundant. The modified proportional representation, which is the modern Senate voting, allows inclusion of those minority and

maverick members. It is without doubt a bad system. All democratic systems are bad systems in containing flaws.

The *Advertiser* has been notably trenchant in its criticism of the way in which some groups have used their potential balance of power in the Senate and Legislative Council. Indeed, Dean Jaensch has been a prominent contributor in relation to the *Advertiser* over the years about politics in general and the role of the upper house and, indeed, the Senate in particular. I must say that Dean Jaensch's comments about the Senate are somewhat naive and disappointingly do not seem to understand the realities of politics and what takes place within internal party forums.

Dean Jaensch has been quoted on many occasions saying that the Senate is no longer a states house. He and other so-called learned commentators ignore the fact that party rooms, which set the major party policy, reflect the smaller states' concerns in their discussions. No issue opposed by Queensland, South Australian, Western Australian and Tasmanian senators would ever get through a Liberal Party party room meeting or an ALP caucus meeting.

From a practical point of view the important role of the upper house can be demonstrated by the way in which the issue of the introduction of poker machines was handled by the government. On the topic of upper houses, Montesquieu, often described as the father of modern democracy, was aware of the implications of a single representative body, such as the House of Assembly, being liable to domination by executive power, a condition likely to occur in many assemblies of the British or Westminster type, where legislative and executive powers are united. In his view, in such a case there is a real potential risk to our liberties. In a case where there is a large lower house majority they can be confident that anything which they approve will receive sufficient support to get legislation through the lower house. In the case of poker machines, where four Liberal members crossed the floor, the government still won by 19 votes; however, the risk that two might cross the floor in the lower house meant the government had to modify its approach.

So, in relation to that issue and the comments made by Montesquieu, when they talk about the abolition of the upper house, many people forget that in our unique system of government we combine the legislative and executive arms of government. With a single chamber, even with proportional representation, there is a real risk that executive powers will be used in an untrammelled and unobserved fashion. Queensland is a classic case of that, and we all know that simply having the media or some other group to scrutinise what government does can on many occasions be illusory and in fact not deliver what the people of the state might expect.

I would like to cover a number of other things, but I think that I have spoken for long enough. I extend my sincere best wishes to all the new members of this place. There will be times where we disagree; there will be times where unfortunately, the debate may well become rancorous, but in my time here I have always found that the personal relationships that exist among members of the upper house on the whole and by and large have been very good. When there are only 22 of us you can afford to fall out with perhaps two but, if you fall out with any more, it can become a reasonably lonely place, and most of us are smart enough to avoid that prospect. There are many aspects of the upper house—not the least of which is the President's dinner, Mr President, which I am very much looking forward to this year—

An honourable member: We might get some decent red this time!

The Hon. A.J. REDFORD: I am tempted! Many traditions which do not exist in another place are similar to measures which the Speaker in another place is demanding. In fact, when properly observed by media commentators, we may well be a model for how legislatures ought to behave in the way we deal with our business, give respect to each other's agendas and allow each other to have full opportunities to express ourselves, put our points of view and test each other's points of view.

I will touch on a couple of other issues. First, education will be the great challenge for both state and federal governments over the next decade. We have gone through great economic reform, and education will now be the issue. I am very pleased with the federal government's announcement that we will increase immigration over the next 12 months, and it will come as no surprise to me if those developments continue apace. I think the Prime Minister, John Howard, has been sadly misjudged in relation to his views over the years. Indeed, the 'chattering classes', as I call them, gave him no credit for seeing off the One Nation and Pauline Hanson factor. He has seen them off, and it was only he who could have seen off that factor. The Labor Party was never in a position to do so and was simply a spectator in that. Now that we have seen it off and are enjoying good prosperity in rural and regional areas, we can look at immigration more sensibly and rationally, and I have no doubt that over the next few years we will see a substantial increase in immigration.

I congratulate the Labor government on introducing legislation in another place to provide reforms in respect of the live music and the Liquor Licensing Act, and I look forward to seeing that legislation. Finally, the only thing I will say (and there is a lot I could say about the Labor Party) is: please do not think you can rewrite history. You rewrote history successfully on so many occasions over the years. We on this side of the chamber will not wear it. You delivered to a Liberal government 1993 the greatest financial disaster per capita that has ever been seen in a first world country. You have been forgiven by the electorate, but do not seek to rewrite history, including the hard work of the previous government and the extraordinary efforts put in by Dean Brown, John Olsen and their respective teams in bringing this state back from the brink of financial disaster to the point where we are not a basket case: we can stand up in this nation and this world and look people in the eye. You do yourselves no credit by endeavouring to rewrite history, and we will not stand for it.

The Hon. SANDRA KANCK secured the adjournment of the debate.

TAXI COUNCIL

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I lay on the table a copy of a ministerial statement relating to the Premier's Taxi Council made earlier today in another place by the Premier.

ADJOURNMENT

At 5.26 p.m. the council adjourned until Monday 27 May at 2.15 p.m.