

LEGISLATIVE COUNCIL

Thursday 6 June 2002

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

CHILD SEXUAL ABUSE

A petition signed by 313 residents of South Australia, concerning the statute of limitations in South Australia on child sexual abuse and praying that this council will introduce a bill to address this problem, allowing victims to have their cases dealt with appropriately, recognising the criminal nature of the offence; and see that these offences committed before 1982 in South Australia are open to prosecution as they are within all other states and territories in Australia, was presented by the Hon. Sandra Kanck.

Petition received.

LUCAS HEIGHTS NUCLEAR REACTOR

A petition signed by 35 residents of South Australia, concerning nuclear reactors at Lucas Heights and praying that this council will call on the federal government to halt the nuclear reactor project and urgently seek alternative sources for medical isotopes and resist at every turn the plan to make South Australia the nation's nuclear waste dumping ground, was presented by the Hon. Sandra Kanck.

Petition received.

VOLUNTARY EUTHANASIA

A petition signed by 65 residents of South Australia, concerning voluntary euthanasia and praying that this council will reject the so called Dignity in Dying (Voluntary Euthanasia) Bill; move to ensure that all medical staff in all hospitals receive proper training in palliative care; and move to ensure adequate funding for palliative care for terminally ill patients, was presented by the Hon. A.L. Evans.

Petition received.

POLICE MINISTER

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P. HOLLOWAY: During the matters of interest debate yesterday, the Leader of the Opposition (Hon. R.I. Lucas MLC) made certain allegations against the Minister for Police (Hon. Pat Conlon). The Commissioner of Police has forwarded a response to the minister in relation to those allegations, and I will read that response into *Hansard*. It is headed, 'The Hon. the Minister for Police' and states:

I refer to your request for advice on the comments made by the Hon. Rob Lucas, MP, in the Legislative Council on 5 March 2002—I am sure that means '5 June'—

and your minute this date in respect to those comment.

The Hon. Diana Laidlaw: I hope he is more accurate with the rest of it!

The Hon. P. HOLLOWAY: Well, this is from the police commissioner—if you want to laugh at the police commissioner's response, you are welcome to do so. I would advise

you to listen to this—in fact, all members of the opposition should listen to this. The police commissioner continues:

In early February 2002, a number of matters were referred to the South Australia Police Anti Corruption Branch involving the Hon. Peter Lewis MP.

To minimise the risk of South Australia Police being drawn into political issues, especially those of a party political nature, the standard procedure is for a preliminary assessment to be conducted to determine whether an investigation is warranted. This process occurred on this occasion.

On Friday, 1 March 2002 I received a telephone call from the Solicitor General, Brad Selway. Mr Selway expressed concern that South Australia Police may be drawn into a political/constitutional situation through allegations involving Mr Peter Lewis. I advised him of our process and that we would follow normal procedures.

I reflected on Mr Selway's call and later spoke to the investigating officer, Inspector Rick Pery and the Officer in Charge, Anti Corruption Branch, Superintendent Mick Symons. I was concerned that Superintendent Symons had been associated with the Liberal Party and that his involvement in the case may raise perceptions of bias. Consequently, I told him that I would arrange for Commander Phil Cornish to oversee the case from a quality assurance perspective, so that not only would it be impartial it would be seen to be impartial. I made that arrangement with Commander Cornish.

I further considered the matter over the weekend and decided that it would be better to remove Superintendent Symons entirely from the case. On Monday 4 March—

two days before this government was sworn in—

I made that arrangement. The case remained in the Anti Corruption Branch but overall responsibility was passed to Commander Cornish.

On Thursday, 14 March 2002 I attended a meeting with you at your office. I confirm you informed me of concern that had been raised with you about the independence of the police handling of the Lewis case with Superintendent Symons being involved. I advised you that I had taken steps to overcome this problem and undertook to provide you with a briefing note on the way these matters are handled. A copy is attached.

I advised both Superintendent Symons and Commander Cornish of the issue you had raised to confirm with them the action I had taken was appropriate and had been reinforced by subsequent events.

I am somewhat unsure on whether you raised any concerns on this matter prior to 14 March.

Members interjecting:

The PRESIDENT: Order! Honourable members will contain their enthusiasm.

The Hon. P. HOLLOWAY: He continues:

I have no specific recollection of this occurring and no notes on this subject apart from the matters referred to above, of which I made notes.

In any event I made the decision to remove Superintendent Symons from the case prior to and quite independent of any concerns you raised with me.

In respect to the specific issues raised in your minute to me today, I advise:

- On two occasions that I recall when raising matters with me you prefaced your comments with words to the effect that you did not want to discuss anything which was not proper for you to do so. I do not recall whether this occurred on 14 March in the context of our discussion on the Lewis case, though it is quite likely you did so as it was one of our earlier meetings.

- I confirm my policy is to maintain strict operational independence and would not discuss matters with you where it was not proper to do so unless I was directed under the Police Act.

- You neither sought to direct me on the Lewis case nor sought the removal of any officer. You did concur that the action I had taken was appropriate.

- I confirm that the decision to remove Superintendent Symons was solely mine and not as a consequence of any request or direction from you.

I trust the Leader of the Opposition will apologise, but I would not hold my breath.

Members interjecting:

The Hon. P. HOLLOWAY: I also table a statement by the Minister for Police in another place in relation to that matter.

CONSTITUTIONAL CONVENTION

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a ministerial statement from the Attorney-General in another place on the Constitutional Convention.

QUESTION TIME

POLICE INVESTIGATION

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make an explanation before asking the Leader of the Government in the Council, representing the Minister for Police, a question about police investigations.

Leave granted.

The Hon. R.I. LUCAS: At the outset in quick response, as I have only just read the statement from the Commissioner of Police, I, as do all members of the Liberal Party and members of the Legislative Council, have great respect for the integrity of the Commissioner of Police. I have not made and will not make any criticism of the integrity of the commissioner. My criticisms have been directed at the Minister for Police. He should never have raised this issue with the commissioner in the first place, and that is the issue that I raised.

The PRESIDENT: Order!

Members interjecting:

The Hon. R.I. LUCAS: On 13 May the Minister for Police was asked the following question: has the Minister for Police expressed concern to senior management about the participation of any police officer in a current investigation?

The Hon. A.J. Redford: What date was this?

The Hon. R.I. LUCAS: On 13 May. The second part of the question was: has any police officer been removed from that investigation after the minister's expression of concern to senior police? It is important to describe that question exactly, because the minister has tabled today a statement from the Commissioner of Police that says he confirms that the Minister for Police did not direct or seek to direct him or request him. That was never the question on 13 May. The question on 13 May was whether the minister had expressed concern to senior police management about the participation of any police officer—not whether he had directed the commissioner and not whether he had requested him. Had he expressed concern to senior police about it, and then, had any police officer been removed from the investigation after the expression of concern?

The answer from the Minister for Police on 13 May, which started all this further consideration, was as follows:

I am a little puzzled by the question but, if the member does have some belief or allegation to make, I would be more than happy to hear it.

He then said (as he highlighted yesterday afternoon and again today, as I understand it) that he was unaware of any police officer being removed from an investigation, which is a bit hard to contrast now with statements that he has made. He said:

Certainly, I am unaware of any police officer being removed from an investigation as a result of anything that I have said or done. Without going through all the statements that have been made yesterday and today—suffice to say that the Minister for Police has now confirmed on the public record that he did express concern to the Commissioner of Police (we are not

sure yet on which particular dates, and that is the subject of some of my questions)—that he did raise these issues with the Commissioner of Police, which is the subject, of course, of my criticism yesterday and the further questions—

The Hon. T.G. Cameron: For what purpose?

The Hon. R.I. LUCAS: That is, indeed, an apt question, which will be further pursued. Yesterday afternoon on ABC radio in an interview with Kevin Naughton the Minister for Police was asked about the time frame within which this particular meeting was held. As members know, yesterday I asked questions about the timing and when decisions were made. In the transcript that I have been given, the Minister for Police states:

He had—well I understand the time frame. I mean, feel free to speak with the Commissioner. The time frame had been the previous Friday and over the—he had made the decision on the previous Friday. He had thought further about that and then spoke to me on Monday and then. . .

The *Government Gazette* of 6 March highlights that the Minister for Police was sworn in on Wednesday 6 March. Of course, the first possible Monday that he could have discussed this, as Minister for Police, would have been Monday 11 March, the following Monday. If that meeting was held on 11 March, the decision, according to Mr Conlon in his statement yesterday, was made by the Commissioner on Friday 8 March and he then reflected on it (this is the Minister for Police saying what he was told by the Commissioner). He then thought further about that over the weekend 'and then spoke to me on that Monday'—and, as I said, the earliest possible Monday would have been 11 March. It could have been later, but the statements of the Commissioner of Police today seem to indicate that those discussions were going on in the first week of the government.

The third issue that I raise, before putting a series of questions to the minister, is that, as members will know, for some time since the public announcement of the ACB inquiry into the member for Hammond, he has been expressing considerable concern about both the inquiry and its make-up. He has made a number of statements, and again, given that it is question time, time does not permit me to go through all of them. I just put on the public record a statement that the member for Hammond made on 5 April. The journalist is Carol Altmann and the story is entitled 'Police in Smear Bid: MP'. The first sentence of that story from Carol Altmann is:

South Australian independent MP Peter Lewis has accused police with links to the Liberal Party of accelerating a smear campaign to punish him for installing a Labor state government.

The Hon. A.J. Redford: What date was that?

The Hon. R.I. LUCAS: It was 5 April. Further on it states:

They have been trawling through my life for months and I believe there have been police associated with the Liberal Party. It's a vendetta. . .

That is only one quote, but ever since the inquiry was established the member for Hammond has been making a number of statements publicly and privately criticising police and the ACB inquiry and making allegations that they had links with the Liberal Party. I am advised that those concerns of the member for Hammond, either directly or indirectly, were made known to the Minister for Police, both before he was sworn in and in the period immediately after he was sworn in. My questions to the Minister for Police are:

1. Given that the minister has now been forced to admit that a number of people raised concerns with him about the particular police officer on the ACB inquiry into the member

for Hammond, will he rule out unequivocally that any of the people who approached him on this issue had previously discussed the issue with the member for Hammond; and, in particular, will he rule out unequivocally that Mr Randall Ashbourne, a senior political adviser to the Premier, Mike Rann, discussed this issue with the member for Hammond and that then, directly or indirectly, those concerns were raised with the Minister for Police through Mr Ashbourne?

2. When the minister was asked on 13 May 'Has the Minister for Police expressed concern to senior police management about the participation of any police officer in the current investigation?' why did he reply 'I am a little puzzled by the question. But if the member does have some belief or allegation to make, I would be more than happy to hear it'; and does he now concede that that answer was misleading, given that he has now been forced to admit that he did raise concerns about a police officer on the ACB inquiry into the member for Hammond?

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order! The leader does not need any help.

The Hon. R.I. LUCAS: My next question is:

3. What was the date of the meeting between the Minister for Police and the police commissioner when he first raised concerns about membership of the ACB inquiry into the affairs of the member for Hammond?

4. What was the date when the particular police officer referred to by the minister was formally removed from the inquiry team—I have advisedly drafted it in this way? Not the date when the commissioner says that he made the decision: what was the date when the particular police officer about whom concerns were raised by the minister was formally removed from the inquiry team; and what was the date when the police officer was removed from any management position which meant that the actual ACB inquiry team would have to report through that officer to the Commissioner for Police?

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): He's not bad, the Leader of the Opposition, is he? Yesterday in this parliament the Leader of the Opposition made allegations which were totally without any evidence whatsoever. He said that those allegations were provided to him by a very senior government source. Who was that senior government source? Are you prepared to say?

The Hon. R.I. Lucas: I wouldn't want to reveal them.

The Hon. P. HOLLOWAY: Oh, you wouldn't want to reveal them. So, he is happy to come in here and make allegations that were given to him by some unnamed person, whom he is not prepared to name. He provides no supporting evidence whatsoever, and then, today, we get a statement from the police commissioner which totally contradicts the allegations made by the Leader of the Opposition. Let us look at one of the allegations that the leader made yesterday. He said:

I have been further advised that the minister expressed concern at at least one police officer's being a member of that ACB inquiry into the member for Hammond. I am also advised that soon after that meeting, that officer and one other were removed from the inquiry into the member for Hammond and replaced by other police officers.

That was the allegation made yesterday by the Leader of the Opposition. The police commissioner has said today quite clearly—

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order! Mr Cameron will have an opportunity to ask a question later. He will come to order and allow the minister to answer.

The Hon. P. HOLLOWAY: He states:

I made that arrangement—

he was talking about removing the particular officer—

with Commander Cornish. I further considered the matter over the weekend and decided that it would be better to remove Superintendent Symons entirely from the case. On Monday, 4 March I made that arrangement.

So, he made that arrangement with Commander Cornish.

The Hon. R.I. Lucas: That's not what Conlon said yesterday.

The Hon. P. HOLLOWAY: Whatever the leader says, his allegations of yesterday are contradicted by that statement. He should have the decency to apologise, but we know this person, we have seen this Leader of the Opposition in action for a number of years and we know that he will not do that. He will never apologise even when he has quite clearly been found out making completely unfounded allegations against a member of this government, because we know that he does not have that sort of decency.

It reminds me of the current dispute that is going on with the World Cup Soccer at the moment. Under FIFA, they have what they now call simulation. Those of us who saw the World Cup the other day saw Rivaldo take a fall where he was hit in the leg but went down clutching his head.

What we have seen today is a bit of simulation from the Leader of the Opposition; that is, he has been simulating, or, in other words, misleading us about what has happened. The fact is that the Leader of the Opposition has been caught making false accusations and he should have the decency to apologise. In relation to the specific questions he raised, I will see whether the Minister for Police wishes to respond to them further.

The Hon. A.J. REDFORD: I have a supplementary question.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Redford has a supplementary question and he will be heard in silence.

The Hon. A.J. REDFORD: Does the minister agree that the Hon. Rob Lucas's statement yesterday has brought forward a far different set of circumstances and a far different explanation than that which was disclosed by the Minister for Police on 13 May and 5 June this year?

The Hon. P. HOLLOWAY: The allegations made by the Leader of the Opposition yesterday are completely wrong, and indeed the statement that was read out earlier from the Commissioner of Police confirms that.

Members interjecting:

The PRESIDENT: Order!

INDIGENOUS CONSULTATION

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation a question about indigenous consultation.

Leave granted.

The Hon. R.D. LAWSON: In answer to questions I asked the minister on 8 May, the minister indicated that a committee of inquiry was to be appointed. He said:

We hope the inquiry will run for no more than 90 days and that it will make recommendations in relation to governance.

He did not confirm at that time that the suggested members of the inquiry who the *Australian* had reported were to be Messrs Mick Dodson, Andrew Collett, Philip Toyne and David Wilson. However, he did confirm that the amount to be expended was in the region of \$300 000, which I mentioned.

In response to an interjection from the Hon. Diana Laidlaw, he confirmed that the recommendation he had made—and I am quoting the minister—was to include an Aboriginal woman on that committee. Yesterday, in response to a question from the Hon. Gail Gago, the minister said:

... we need direct dialogue with people on the ground within the communities talking to the traditional owners, to the elders, to make sure that the systems of governance that are in place have been put in place by the indigenous communities and that they are paid the respect that they deserve. I think that is the first point—that respect has to be paid to the leadership within those communities. . .

My questions are:

1. Has the minister abandoned his proposal to hold an inquiry and, if so, why?

2. The minister referred to a recommendation concerning an Aboriginal woman in the explanation which I have given. Has the recommendation that he has made in relation to this matter been rejected and, if so, what were the reasons for the rejection of that suggestion?

3. Will the minister indicate to the council why, as was noted in a letter to the *Advertiser* today from a respected ATSIC commissioner, Mr Brian Butler (South Australia's own), that David Rathman has been moved from the state Department of Aboriginal Affairs to the education department, given that, as Mr Butler says, he has served Aboriginal affairs admirably in this state?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I am only too happy to give an update on the discussions that we are having with the groups within the lands and their representatives. I announced a full inquiry, which may have been avoided temporarily—I would hope permanently—as a result of our negotiations. I have embarked on a more conciliatory approach to outcomes, given that there has been a change of attitude to the government's position by, if not both parties, at least one.

In order to get the governance right for the delivery of human services and infrastructure to the Aboriginal people in the remote regions, there was a necessity for a form of governance that had agreement to a delivery prospect that was to cooperate with a program or regime put in place by the previous government. That involved two stages, tier one and tier two, plus the announcement that the commonwealth was to use, at this state government's recommendation, communities in the Pitjantjatjara lands for a commonwealth program that would assist in coming to terms with a range of problems facing the communities.

The decision by the commonwealth government to pick up the programming requirements for dissecting, if you like, the communities taking a snapshot, identifying their problems, then trying to coordinate activities at various levels across agencies between the commonwealth and state, certainly needed a governance on the ground that was able to cooperate, take ownership of and help administer those problems. At the time I announced the inquiry, a very complicated set of circumstances was running which needed to be addressed, that is, the differences in views and opinions on a way to proceed by the two executives of the land councils in the Pitjantjatjara region.

I announced the inquiry on the basis that I was dealing at that time with two organisations that could not come to agreement on a way to proceed. During the formation of a submission to go forward to cabinet, I was able to meet with some of the executive of both the Pitjantjatjara council and the AP council, and I was able to get an understanding or an agreement on a joint meeting between the two parties to see whether progress could be made to get the AP council and the Pitjantjatjara council to work together with a view to forming one executive council made up of the two bodies, plus one service delivery body made up of AP services and the Pitjantjatjara council services.

When I made that announcement for the full inquiry, I did not have at my disposal that agreement with which to negotiate. It was a last resort in negotiations to have that inquiry at my disposal as a negotiating tool—and I may still have to go back to it. If I cannot get the agreements that we require on the ground in terms of local governance, to assist the commonwealth and state in administering the programs needed to address the problems of petrol sniffing, alcohol abuse, domestic violence and drug abuse, then I may have to set up the inquiry to which I have made reference.

What I presented to cabinet to be noted as a recommendation was a submission to have an individual mediator, Mick Dodson, who has been given a brief this morning to try to mediate a settlement process with the two administrative bodies and the traditional owners, which is an important aspect of change in terms of governance for consultation.

The terms of reference are being drafted at the moment with Mr Dodson. Mr Dodson will be assisted—not only on my insistence but on his own insistence—by an Aboriginal woman so that in the mediation process he can have that cultural assistance that goes with the programming that he will be inquiring into. It will not be taking the form as I have originally made a statement to the council about. It may have to be; there may be a staged development that takes place if the negotiations and mediations fail. But I am quite confident now after meeting with the executives again in Alice Springs during the break that there is a view being expressed by the majority of the AP executive and the Pitjantjatjara executive, and certainly the traditional owners, who appear to be the last voices to be consulted and heard, that all now require and need and are demanding a negotiated settlement using the skills of a mediator who has been agreed to by those people.

Mick Dodson was one of three names that was put up. The other two names were of equal popularity, but both organisations agreed with Mick Dodson. The AP Council did raise the question of using a tribal mediator, or a tribal assessor, and, on advice given to me, a tribal assessor would find it more difficult to negotiate a required outcome than perhaps a mediator. A mediator should have, could have, and hopefully will have, more flexibility to get agreement out of both sides, and my intentions are to get a combined executive as an interim measure out of both the AP Council and the Pitjantjatjara Council, to then move forward with the traditional owners to deal with the myriad of administrative problems that will come with the involvement of commonwealth programming within the lands.

I have also been able to get the commonwealth to look at Coober Pedy as an area for assessment, because of the many problems there. Members on both sides of the council who are familiar with the Coober Pedy area would know of a whole range of problems associated with dry areas and outcamping around the perimeter of Coober Pedy. It will look

at some of the problems that are emanating in that community as well.

The priority at the moment is to engage Mick Dodson with the terms of reference, with assistance from an Aboriginal woman who is not part of the community but is familiar with the problems that the community faces and experienced in assisting such a mediation process and, hopefully, out of that will come a recommendation for a form of governance that the elders can have a general meeting on and can endorse any recommendations that come out of the mediation process. My preferred intentions for the mediation process are to bring both the Pitjantjatjara Council and the Anangu Pitjantjatjara Council together, form an interim committee and then move towards an endorsed governance of a single committee using the elders as the final arbiter.

VISITORS TO PARLIAMENT

The PRESIDENT: I draw honourable members' attention today to the presence of St Michael's College students, with their tutor Rick Sommariva, who are sponsored today by the member for Colton, Paul Caica. I am sure honourable members join with me in hoping that they find their visit to this parliament both interesting and educational.

MURRAY RIVER FISHERY

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the Murray River fishery.

Leave granted.

The Hon. CAROLINE SCHAEFER: As we all know, the Hon. Paul Holloway has agreed, at last, to meet and consult with the river fishers, and I believe that will occur late tomorrow morning at Loxton. The briefing that was offered to the Leader of the Opposition has been cancelled until after Mr Holloway has met with the fishers. So, this is the last opportunity for any such decision to have the scrutiny of parliament before these people lose their livelihood on 30 June.

The fishers met on Tuesday evening to discuss their tactics and what they believe they should discuss when they meet with the minister. They are fishermen—they are not lawyers, they are not accountants, they are not bankers, and they are not facilitators. So, they took a unanimous decision to ask to have their legal representative come with them for support and advice. Terribly sadly, I believe that request has been refused. They have been refused advice. They asked again—as late as this morning—and again were refused on the ground that the adviser was not invited. My questions to the minister are:

1. Will he show some compassion and reverse that decision and invite the adviser?
2. If not, would he be prepared to go to Loxton and meet with the fishing families without the support and advice of his departmental officers?

Members interjecting:

The PRESIDENT: Order! The minister does not need any assistance.

The Hon. T.G. Cameron: Tell her she's wrong.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will in a moment.

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. Cameron: Restore my faith!

The PRESIDENT: I wish you would restore our faith in you, Mr Cameron.

The Hon. P. HOLLOWAY: I would like the shadow minister to tell us whether she still approves the removal of gill nets from the Murray River fishery because, as I have pointed out to this parliament before, it was part of the budget bids, but it seems as though members opposite have changed their mind.

Let me return to the question. For weeks the shadow minister has been requesting—demanding—that I meet with the fishermen. It was always my intention to do so, as I informed her. I am about to do that tomorrow, but it seems that is not good enough, and she has changed her mind. The honourable member would be well aware of the letter I sent to the fishermen, because she quoted from a copy of it the other day. Let me read it again. The letter states:

I am inviting all licence holders in the river fishery and their partners to meet with me in the Conference Room at the Department of Primary Industries and Resources, Loxton, on Friday 7 June, commencing at 11 a.m. A light lunch will be provided at 12.30 p.m.

Senior officers from PIRSA Fishery will be attending the meeting and will be available to meet with you individually after lunch, should you request such a meeting, to further discuss the assistance arrangements.

I have also invited a representative of SAFIC to attend. However, the meeting is closed to members of the public, to provide licence holders and their partners an opportunity to discuss the proposed arrangements without interruptions from other parties.

I would have thought that was a thoroughly reasonable request. My department has contacted those fishers to see who was intending to come to this meeting. As I understand it, one of the people attending said that he wanted to bring along a representative, and he was reminded of the passage in the letter. It had been raised in a number of other conversations, as I understand it, with my office, as I have not been personally involved. My office informed me that they reminded the fishermen of the position as set out in the letter. It was then suggested that the particular person concerned had been given the imprimatur of the meeting. As I understand it, my office conveyed the message that, if he could show that in fact he was the representative of the 30 fishers who were coming to the meeting, I would consider whether the adviser could attend.

How do I know if somebody turns up at this meeting whether or not they are a representative of the individual fishers? As I understand it, that was the message conveyed to that person: that I would consider it if he could show that he was a genuine representative of the fishers concerned. That then does beg the point that, if we are to have one representative of all the fishers, perhaps I could meet that one person and discuss it with him. The question is: do the 30 fishers want to speak to me or do they want me to speak to their legal representative? I am prepared to do either. It is also quite clear—and was quite clear from the letter—that the fisheries officers would be quite prepared to meet with the fishers and their agents in relation to the specific details.

We have seen an enormous amount of hypocrisy from members of the opposition in relation to this and other matters. Just what do they want? Do they want to remove the gill nets from the fishery? Do they support it or not? It is a very simple question, and it is about time the opposition had the courage to answer it. I am pursuing the policy I promised. The opposition has been doing everything it can to frustrate that—it wants it both ways.

The Hon. T.G. Cameron: The answer is no.

The Hon. P. HOLLOWAY: I did not say no. I suggest that the Hon. Terry Cameron reread *Hansard*. I would have thought that it was in the best interests of all concerned if we waited until tomorrow, when I will discuss with the river fishers the proposals that the government is prepared to put forward, and from that position we can then move forward. It is in the best interests of us all if we calm down a bit and let that process happen.

1080 POISON

The Hon. J. GAZZOLA: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about 1080 poison.

Leave granted.

The Hon. J. GAZZOLA: It was recently reported that foxes are making their way from country areas along the Torrens River linear park in search of food. There was footage of a fox in a suburban front yard, and the concern was that these foxes are now posing as members of the opposition and are a threat to domestic pets, backyard chooks, native animals and livestock. I heard that Kent Martin, the Environmental Resources Chairman of the South Australian Farmers Federation said that the 1080 program is the only cost effective and efficient solution for controlling foxes. I also heard that 1080 poison may be taken off the market. My questions to the minister are:

1. What is the current situation with regard to 1080 poison?

2. Will there be any changes to its use?

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank the honourable member for his question. I was rather disappointed by the interjections from the Hon. Angus Redford as I would have thought that as someone who comes from the South-East he would be well aware of the concern in that region in particular about the prevalence of foxes this year. The District Council of Grant has written to me about that matter. The question of the use of 1080, or sodium fluoroacetate, is important as 1080 is available for fox and rabbit control under strict conditions imposed by section 22 of the Controlled Substances Act 1984, which requires a licence to possess specified poisons. Section 16 of the Controlled Substances (Poisons) Regulations 1996 exempts possession of 1080 by farmers conditional on written approval from the Animal and Plant Control Commission, the only license holder under the act. Strict policy and operational guidelines have been developed by the APCC for the use of 1080 to minimise risk to human health and the environment.

Some concern exists that non-target species, particularly native animals, are being killed by 1080 baits intended for foxes or rabbits. A notice in the commonwealth government *Gazette* No. NRA12 of 4 December 2001 indicates that 1080 use will be reviewed. Personal communication by my department with the National Registration Authority indicates that the scope document about what information will be collected for the review is due out in July 2002. Re-registration will be renewed as a matter of course while the review is conducted, which could take as long as a year.

I also add that other poisons are available for use in baits, but they suffer from the same problems of non-target effects. There is no guarantee that the availability of an equivalently effective substitute for 1080 will influence the review recommendations, although it may affect whether 1080 is deregistered.

The Hon. T.G. CAMERON: As a supplementary question, could the minister outline what other poisons, apart from those mentioned in his reply, are available for the eradication of foxes?

The Hon. P. HOLLOWAY: I will ask my department to supply the specifics in respect of that question.

ROADWORKS, SPEED RESTRICTIONS

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, a question about roadworks speed restrictions.

Leave granted.

The Hon. SANDRA KANCK: Employees or contractors working on our roads are in a very vulnerable position and need to be protected. It is therefore appropriate that we have 25 km/h speed zones to protect them. I am concerned, however, that at the present time the currency in effect is being devalued. Five times in the past fortnight, when I have been driving, I have had to slow down on a road where no work was happening. On each occasion I have encountered a 25 km/h speed zone more than half a block before reaching a cross street or road and, on looking to the side, I have seen that there has been line marking in the side street or road, and then, when I have continued across, I have found that the speed limit has not been increased back to 60 km/h for more than half a block.

As a law-maker, it is important that I set an example and observe these speed signs, but on each of those five occasions I have done so while thinking that what I was doing was really farcical, because the car behind me tailgates me to push me along and to increase my speed, and all other cars in a position to do so have passed me. My questions to the minister are:

1. What education is given to road work contractors about the placement of signs to reduce drivers' speed?

2. Does the minister consider that limiting this speed to 25 km/h is warranted when the roadworks are occurring on a cross street?

3. Is the minister concerned that imposing speed limits where there are no roadworks is causing motorists to treat such speed signs with disdain?

4. Will the minister investigate this situation and provide clear directions to road workers, so that the workers continue to have protection, traffic flow is not unnecessarily impeded, and drivers are able to treat 25 km/h zones with respect?

The Hon. T.G. CAMERON: As a supplementary—

The PRESIDENT: Hang on, we will have the question answered first!

Members interjecting:

The PRESIDENT: Order!

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

The Hon. T.G. CAMERON: As a supplementary question, will the minister also investigate instances of road signs being left out after hours, on weekends, etc., when roadworks are not being progressed?

The Hon. T.G. ROBERTS: I will refer that important supplementary question to the minister in another place and bring back a reply.

FOSTER CARE

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Health, a question about foster care in South Australia.

Leave granted.

The Hon. A.L. EVANS: Foster care is close to my heart, as my wife and I are respite foster carers. We provide care for three children once a fortnight. Today's *Advertiser* contains an interesting article written by Melissa King on this issue. The article highlights a range of problems, including delays in obtaining medical services for children, a lack of CPI-linked rises in subsidies and the frequent damage to carers' homes. It calls for a national framework for carers' payments, for more counselling for children and insurance cover for carers.

In South Australia, 1 145 children are in foster care, while there are only 640 carers. An article in the *Advertiser* of 25 June 2001 stated that more than 15 per cent of children in foster care had behavioural problems, which the carers were not trained to manage. One child who participated in the study, which was conducted by Flinders and Adelaide universities, had lived in 23 homes in four weeks. The government has said that it will ensure that there is a high quality program in place to recruit foster parents, and also provide training and support. My questions to the minister are:

1. Does the government plan to look at insurance cover for carers?
2. Will the government address delays that are occurring in obtaining medical services for children placed in foster care?
3. Will the government provide more counselling for children who are placed in foster care?
4. What training and support will the government provide for foster carers, specifically training to manage children with behavioural problems?
5. What program will the government put in place to recruit foster parents?

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

MURRAY-MALLEE STRATEGIC TASK FORCE

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Regional Affairs a question about the Murray-Mallee Strategic Task Force.

Leave granted.

The Hon. J.S.L. DAWKINS: The Murray-Mallee Strategic Task Force was established in 1996 by the Hon. Rob Kerin, then Minister for Primary Industries and Resources, following a meeting with a delegation of concerned community members from the Murray-Mallee. These community members initially came together due to the release of several reports on rural debt and poverty that highlighted the Murray-Mallee as a region that was having major difficulties servicing debt and maintaining a reasonable quality of life. Following the formation of the task force, several community meetings were held throughout the region to hear the concerns of the community. From these meetings, a number of major issues were raised.

In early 1997, the Murray-Mallee Strategic Task Force applied for federal government funding under the Rural Partnerships Program. Through the federal government's rural plan funding, which has been matched by funding from the South Australian government, the task force was able to employ a full-time facilitator to assist the group to accomplish its goals. At this point the Murray-Mallee Strategic Task Force has over 50 members, with membership on four priority issue subgroups, including an 11 member executive committee. The four priority issue subgroup members meet on a regular and as needed basis, whereas the executive committee meets every four to six weeks. Apart from input from one or two state government agency representatives, the membership is comprised of community members who use their own time and resources to organise and attend meetings and other activities.

In October 2001, the task force finalised the development of a strategic plan for the Murray-Mallee, which is entitled *Getting Traction in the Murray-Mallee*. The Murray-Mallee community has played a major role in the development of this plan through a lengthy and intensive community consultation process. The focus of the strategic plan is to improve the viability of the Murray-Mallee on all fronts—that is, economically, socially and environmentally. In addition to the executive committee, the task force had a chairman appointed by the minister. This position has been filled, since the inception of the task force, by your predecessor Mr President, the Hon. Jamie Irwin. I know that task force members have much appreciated having an MP as chairman, as well as the particular interest shown by the Hon. Mr Irwin in the work of the task force. My questions are:

1. Will the minister indicate whether he intends to agree to the task force's request that he appoint a member of parliament as the new chairman of the task force?
2. If that is the case, when can an appointment be expected?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): I thank the honourable member for his important question. His description of the circumstances under which the rural task force was set up in the Murray-Mallee highlights the desperation of the people in that area in those difficult years when the resources required for infrastructure support in the Murray-Mallee were not available to the same extent as they were in other parts of the state. We have uneven regional development due to a whole range of factors. I must congratulate the Murray-Mallee and the development board in that area for the work that they do under very difficult circumstances.

The gap that the Murray-Mallee Strategic Task Force fills is currently being considered by the Office of Regional Affairs as to how other regions may emulate the work that was done in the Murray-Mallee during those years under the former premier and the guidance of a government member who chaired those meetings. Some of the strategic planning that is going on at the moment includes cross-community support programs and the generation of ideas through community consultation. We are encouraging that to continue and providing some resources for the setting up of an interchange of visits by leaders within rural areas to look at ideas that are coming out of the more deprived areas of the state so that we can start to rebuild some of those areas, particularly on the West Coast and in the North and the North-East which lack resources.

The future of the strategic task force is assured: first, because it was a demand of the community that the gap

between the Regional Development Board, the economic development boards and the state bodies be filled by more direct contact by local people. It appears that that is working in the Murray-Mallee. I have met with two members of the executive of the task force and given them an assurance that their situation will be given consideration. I understand that the Hon. David Ridgway is a member of that committee.

An honourable member interjecting:

The Hon. T.G. ROBERTS: Was a member of the opposition backbench invited to sit on that committee? I understand that an invitation was to be sent to both a government member and a member of the opposition. That invitation is probably in the mail.

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: No, it will be a good example of cooperation and bipartisanship working in regional areas.

An honourable member interjecting:

The Hon. T.G. ROBERTS: Oh, eventually that will happen. I hope there are backbench members on our side fighting to get onto committees such as the task force so that they can meet in places such as Pinnaroo and Lameroo to familiarise themselves with the geography and the difficult issues that have to be dealt with and then, in a bipartisan way, bring solutions (to problems that regional and rural people want) to both the parliament and the committees that work hard within the parliamentary fora. They do not want the politics of diffusion and discord; they want problems solved.

I know that the Hon. Ian Gilfillan goes out into the regions quite a bit. He will probably want to be invited, and he will probably get letters of invitation as well. It is a matter of linking community groups, bureaucratic structures and economic development boards at a local level with the parliamentary process, and we will do everything that we can on our side of the council to enable that to continue.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

CRIMINAL INJURIES COMPENSATION

The Hon. J.F. STEFANI: 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 criminal injuries compensation fund.

Leave granted.

The Hon. J.F. STEFANI: In an article published in the *Advertiser* of Monday 27 May 2002, the Attorney-General (Hon. Michael Atkinson) was reported to be considering legislative changes to provide greater powers for the confiscation of criminal property based on the Western Australia model. In the same article, it was reported that, since the confiscation laws were introduced in South Australia in 1993, more than \$3 million in assets have been seized. The proceeds of these assets have been paid into the criminal injuries compensation fund to award compensation to victims of crime. My questions are:

1. Will the Attorney-General advise the total amount held in the criminal injuries compensation fund as at 30 June in each of the following years: 1999, 2000 and 2001?
2. What was the total number of victims of crime who received compensation for each of the above years and the respective total amount paid during each period?
3. What was the total amount collected and paid into the criminal injuries compensation fund for each of the years detailed in my first question?

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

BIOLOGICAL SURVEY

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Environment and Conservation, a question on the biological survey of South Australia.

Leave granted.

The Hon. CARMEL ZOLLO: I understand that a survey of the state's biodiversity began in 1984. The information collected is used to inform biodiversity planning and conservation management in South Australia. Will the minister advise the council about the progress of the biological survey of South Australia?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I am pleased to be able to update the parliament on the success of this 30 year environmental program, given that we celebrated the 30th anniversary of World Environment Day yesterday. The survey is a statewide audit of plants and animals across South Australia. The survey was established by the former Labor government in 1984, and it is the most comprehensive biological survey of its type in Australia. It has collected data from 15 000 vegetation sites and 4 000 vertebrae sites spread across the state.

It has produced the most complete database of its kind. No other state or territory has such a valuable resource; and the information collected is used to inform biodiversity planning and conservation management in South Australia. It plays an important role in the management of existing protected areas. The state government is seeking commonwealth government funding for surveys of the Murray River flood plain, the Mid North and Yorke Peninsula. Surveys currently underway and near completion cover the West Avenue Range, the South-East, the Anangu Pitjantjatjara lands, the southern Mount Lofty Ranges and the Simpson, Terowie and Pedirka deserts. Surveys in progress include Eyre Peninsula and the Great Victorian Desert.

The Department of Environment and Heritage maintains biodiversity information and digital vegetation maps produced from all the surveys. These databases are accessed by thousands of people every year, including naturalists, environmental consultants, local government, state departments and the commonwealth government. The statewide survey is expected to be completed by 2015. I expect that, as this program was initiated by a Labor government, it will be completed by a Labor government. Surveys are also being done of a marine nature in preparation for the siting of aquaculture programming where it exists.

YOUTH, PORT LINCOLN

The Hon. IAN GILFILLAN: I seek leave to make an explanation before asking the Minister for Regional Affairs a question about youth facilities in Port Lincoln.

Leave granted.

The Hon. IAN GILFILLAN: In the *Port Lincoln Times* of 23 May, it was indicated that there was a significant problem with funding for youth participation and recreation needs in Port Lincoln. Youth Connection, a drop-in centre for recreation and games, has shut its doors. This has been done

so the Port Lincoln council can bulldoze the building for foreshore redevelopment.

Information provided by Youth Connection coordinator Margaret Argent shows that up to 140 young people were spending time at the centre on the weekends. Currently, the centre is managed by West Coast Youth Services' Graham Steele. Mr Steele said that he and the volunteers are very keen to continue the service that they provide for the young people of Port Lincoln. He said also that they have been searching for alternative premises but one of the only current relocation prospects, the broadbased facility at the Baptist Church, will not be available for a couple of years.

One young person, Zach Stewart, said the closing down of Youth Connection was a serious negative. He said:

I reckon it's bad. This place is really good and I don't want to see it closed down. It's got a pool table and games. It's got everything.

This issue also comes at a time when former Youth Advisory Committee member, Jaime Caruana, says that the council does not understand or listen to the young people in Port Lincoln. The council cut the youth committee in April citing the lack of members, yet Ms Caruana points out that it had not been given time to conduct further recruitment. She says that they have had to put enormous effort into lobbying the council for youth facilities, such as the proposed skate park, but she believes the council has 'acted unfairly' in axing the committee.

Meanwhile, Mayor Peter Davis says that the youth were given 'neither special nor unfair treatment' by council and that 'it sees the youth in the city as the same as anybody'. He acknowledges that they are the future of the town, but fails to address the needs they have, or provide any reason to stick around for the future. A regional town that laments the exodus of its youth yet provides no incentive to stay is obviously heading for an early demise. Two years ago I ran a regional youth forum after an LGA audit found an enormous disparity between metropolitan and regional council funding for youth services. This case seems to continue a long-term trend of regional local government ignoring its youth. My questions are:

1. Will the minister investigate this Port Lincoln matter and endeavour to find a solution for the youth of the town?
2. Has he met with regional local government mayors to discuss plans to keep youth in regional South Australia?
3. Does he have a plan to ensure youth are not lost to regional South Australia?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): I will refer that question to the minister in another place and bring back a reply. I agree with many of the comments made by the honourable member, and report that from my personal knowledge a lot of local government programs in regional areas do a good job for young people and put a lot of resources into trying to support them. There are others, such as in this case, which act negatively.

KNIVES, CARRYING

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a ministerial statement made by the Attorney-General in another place on knives in and near licensed premises at night.

FEDERATION TRAIL

The Hon. CAROLINE SCHAEFER: I seek leave to make a personal explanation.

Leave granted.

The Hon. CAROLINE SCHAEFER: By way of an answer to a question from the Hon. Robert Sneath yesterday, the Minister for Agriculture, Food and Fisheries read into *Hansard* a letter from South Australian Recreational Trails Inc. alleging, amongst other things, that I had misled the parliament because I alleged that inappropriate consultation had taken place with farmers along the federation trail. I seek leave to read a copy of a letter which has been faxed to me and which entirely vindicates my position.

The PRESIDENT: Order! Your responsibility under the standing order is to address a material part of your statement where you have been misquoted or misunderstood. We are not here to debate it. The standing order does not provide for that. Are you saying this is your explanation of where you have been misquoted or misunderstood?

The Hon. CAROLINE SCHAEFER: It is my explanation as to where I was misrepresented. This is a copy of a letter from the Chair of the Community Services Committee of the South Australian Farmers Federation which was sent to the minister and also, I believe, the Hon. Ian Gilfillan: The letter states:

The Federation wishes to respond to a letter tabled in parliament by the SA Recreational Trails Inc (SARTI) in regard to their alleged consultation process offered to landholders affected by the Federation Walking Trail in the Murray Bridge council area.

We are currently taking instruction from members as to the lack of consultation that has taken place in regard to the Federation Trail and other recreational trails in the state. The initial contact letter from SARTI to affected landholders is included for your information.

Anecdotal evidence received from our membership indicates they believed the initial letter received from SARTI to be a directive of intent to enter and use land leased from our members, not in any way information of any consultative process. This letter stated that 'This latter piece traverses land owned by yourself and the purpose of this letter is to assure you that we will be guiding walkers only along the road reserve.'

We are sure that you would agree this does not sound like correspondence informing landholders that there is a proposal for a walking trail, asking a landholder for their comments or any such proposal, or even asking politely if they can utilise a road reserve leased by a landholder. This was correspondence stating that SARTI would be accessing and completing their proposal regardless.

Nowhere in the received correspondence does it state that landholders are able to lodge input to a formal public consultation process, nor does the correspondence outline any method of resolving any issues raised by consultation with our members. It is also interesting to note that the initial letter states that the Federation Trail affecting the members is nearing completion, which would suggest that the process was begun before any formal consultation was undertaken.

We are further concerned that the proponent received an extensive list of issues relating to public use of a trail or on adjacent or private land. These issues were raised well before the opening of the trial. However, the proponent elected to open the Federation Trail before the issues raised by the member were addressed, which is unacceptable.

In our experience this correspondence does in no way amount to any form of invitation for involvement to a consultation process. Neither give a proper time frame for the responses to be received by the proponent, then addressed, nor does it provide a formal framework for the execution of a consultation period. This was a token effort by SARTI to sweep landholders issues to one side while continuing to complete the proposal. We feel that our members have been very badly treated by the proponent throughout this entire process.

We are requesting that the minister and shadow minister for agriculture present a bipartisan approach for the sake of those under your portfolio in an attempt to resolve the many issues surrounding walking trails. We must also state that these proposals are for RECREATION and that they could have very wide-ranging and lengthy negative impact on primary producers' LIVELIHOODS if they are not correctly addressed and resolved.

That was my issue originally, and I hardly think that I misled the parliament.

REPLIES TO QUESTIONS

MOTOR ACCIDENT COMMISSION

In reply to **Hon. NICK XENOPHON** (14 May).

The Hon. P. HOLLOWAY: The Deputy Premier has provided the following information:

1. The Motor Accident Commission has forecast a loss of \$55.5 million to 30 June 2002. Furthermore latest CTP Fund results reveal an increase in outstanding claims and liabilities and based on the latest advice from actuaries Brett & Watson, the Motor Accident Commission's best estimate is that at 30 June 2002 the solvency level will be 4 per cent approximately. Naturally the forecast is subject to a number of variables, including volatility in investment earnings and any changes in claim experience which cause the actuarial estimates to change.

2. No there has not. The same methodology has been applied consistently throughout the period.

3. The Motor Accident Commission has for a number of years committed significant funds to road safety. Funding of \$3.6 million is allocated annually to a range of preventative programs for road safety and rehabilitation to assist the victims of motor vehicle accidents, their families and friends. MAC's philosophy is to provide support to the State's effort to reduce road crashes and its funding allocation has been benchmarked (positively) against other CTP fund insurers around Australia.

4. On 1 June 1999 MAC wrote to the former treasurer attaching package of recommendations which had been developed by Mr Gary Davis (then associate professor and now dean of law, Flinders University) and Mr Stephen Walsh QC to minimise the risk to the South Australian CTP fund of international forum shopping. The treasurer approved the referral of the package to the former attorney-general for comment.

On 5 April 2000, the former attorney-general wrote to MAC (refer attachment) explaining that some of the recommendations appeared to be contrary to the basic rationale of the CTP scheme. The former attorney-general concluded that he was not convinced of the desirability of the wide ranging amendments to laws to address the forum shopping concern.

The rights of a tourist to issue legal proceedings in a foreign country in order to receive the benefit of its laws, to the detriment of the South Australian CTP fund, very much depends on the 'choice of law' rules that apply in that particular jurisdiction. It is a complex area of the law but it is possible, in the example given by Mr Xenophon, for a US tourist who was injured in Australia as a result of a South Australian registered motor vehicle to return to the US and issue legal proceedings in order to receive the benefit of the laws of that country. However, for that process to be effective, it requires the defendant to be answerable to the US jurisdiction. This is possible if the defendant was within the jurisdiction to accept service of the legal proceedings or if, for example, that jurisdiction allowed for service on the defendant in Australia.

Once service of proceedings has legitimately been attended to, the courts in the US could hear the case. It is also possible that the US jurisdiction would observe its own domestic laws and deliver a substantial judgment. Once delivered, our commonwealth Foreign Judgments Act could give recognition to the judgment. Thus, MAC would be required to provide indemnity for all liability in connection with the personal injuries arising out of the use of the South Australian registered motor vehicle.

Currently, MAC has 33 claimants who are residing overseas. The total estimated value of those claims is approximately AUD\$7 million, but this estimate relies on the claims being settled in accordance with South Australian law.

5. The Motor Accident Commission is anticipating an increase in reinsurance premium rates of between 15 per cent and 35 per cent, due predominantly to the events of September 11. It is not possible to be more precise due to the volatility in that market and a lack of certainty about whether full cover, including terrorism cover will be available and, if so, at what cost.

CANE TOADS

In reply to **Hon. J.S.L. DAWKINS** (7 May).

The Hon. P. HOLLOWAY: The Minister for Environment and Conservation has advised that:

1. Cane toads are prohibited from entry, sale and possession in South Australia under the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986. However, toads are sometimes inadvertently introduced into the Adelaide area and elsewhere in the state in plants, furniture and vehicles brought from tropical areas. The Animal and Plant Control Commission maintains surveillance for possible incursions of cane toads into South Australia. Any reports of escaped or released toads are investigated and eradicated. Anyone who sees a suspicious toad is advised to bring it to the commission for identification.

Whilst the possible spread of cane toads in the Murray Darling system is a major concern, there is a low risk that low populations will survive at Renmark. Scientists from the CSIRO Division of Entomology have used a sophisticated computer model (CLIMEX) to predict the potential distribution of cane toads based on climatic data. This research by Sutherst, Floyd and Maywald entitled *The Potential Geographical Distribution of the Cane Toad, Bufo marinus L in Australia* published in 1995 in *Conservation Biology*, suggests that little, if any, of South Australia is suitable for cane toads. The authors used the known distribution of cane toads in Central America, Mexico and southern Texas to determine ecoclimatic parameters for their model. The values indicate that the toad is most successful under hot wet conditions and is sensitive to prolonged cold. Experimental data indicates development and survival threshold temperatures of 16°-19°C for aquatic stages which translates to 12°-15°C for ambient air temperature. The analysis using the CLIMEX model indicates the toad could permanently inhabit the wet coastal areas from Port Macquarie in the east to Broome in the west. Furthermore in the southern parts of this range low ecoclimatic matches suggest that the species is unlikely to reach high population levels. Based on long term average climate the authors found that the ecoclimatic index for South Australia is negligible. The authors have run the model specifically for the wetlands in the Murray using temperature alone as the variable and found they may survive but under stress and in low numbers.

The Commonwealth Government has allocated \$1 million over two years (2001-2002) under the Natural Heritage Trust's National Feral Animal Control Program to fund bio-technological research to reduce the impact of cane toads on native wildlife. CSIRO scientists from the Cooperative Research Centre for Pest Animal Control are searching for a genetic weakness that can be targeted with biotechnology. The Commonwealth Government had previously funded a long-term project to find a biological control agent against the cane toad. This project failed to find any suitable agents and was abandoned.

Based on current scientific knowledge there are no methods that will prevent the natural spread of toads down river systems. Even in a well resourced world heritage area like Kakadu National Park there has been no method available to prevent their self-introduction through natural dispersal. A report by van Dam, Walden and Begg titled *A preliminary risk assessment of cane toads in Kakadu National Park*, conducted by the Commonwealth Office of the Supervising Scientist in 2002 recommended that Parks Australia North manage the invasion of cane toads initially by ensuring that monitoring efforts are underway to assess the impacts of cane toads upon the natural and cultural values of Kakadu and by investigating measures by which cane toads can be managed on a localised basis.

The Animal and Plant Control Commission maintains close links with the current research and will seek to use any practical methods to control the pest.

ADELAIDE WOMEN'S PRISON

In reply to **Hon. T.G. CAMERON**.

The Hon. T.G. ROBERTS: The Minister for Correctional Services has been advised by the Department for Correctional Services of the following information:

In responding, it is important to clarify terms. The question of 'how many were found innocent' has been defined as 'how many were not found guilty or convicted of any offence'.

543 women were remand during the period 1999-2001. Of those 110 (20.3 per cent) were not found guilty or convicted of any offence, 75 (13.8 per cent) were still awaiting finalisation, and three had application related matters. This meant that 355 (65.4 per cent) had been found guilty or convicted of at least one offence.

The Department for Correctional Services is actively pursuing options for the development of a new women's prison, the provision of which would allow greater opportunity to consider the separation of remand and sentenced prisoners.

While every effort is made to keep sentenced and remand prisoners separate, there are circumstances when remand prisoners may choose to be co-located with sentenced prisoners. The circumstances to which I refer include work and protection.

I would like to remind the honourable member that the Adelaide Remand Centre is a facility provided for remand male offenders only.

AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) BILL

Adjourned debate on second reading.
(Continued from 4 June. Page 266.)

The Hon. R.D. LAWSON: I wholeheartedly support the Agricultural and Veterinary Products (Control of Use) Bill which was introduced into the previous parliament and is the result of significant consultations over a long period of time. However, I should not let it pass that this legislation is in a form which makes it extremely difficult for laypersons to comprehend its full import. One of the great advantages of the new information technology is that legislation and regulations in South Australia are available free and online to anyone in the state who has internet access. That means that farmers in rural areas and people in country towns, as well as people in the metropolitan area, can access instantaneously an up-to-date copy of South Australian legislation. It is very important that our legislation and our regulations be accessible, available and, one would hope, comprehensible.

However, legislation of the kind that we have before us requires a great deal of cross-referencing, and all the material necessary to have an understanding of a particular provision is not readily available. For example, in the definitions of this bill, which refers occasionally to the Agvet Code of South Australia, there is cross-referencing to another piece of legislation, namely, the Agricultural and Veterinary Chemicals (South Australia) Act 1994.

That act is accessed easily, because one then goes out of the internet page, into another piece of legislation, finds the definition there and pursues it. That is an undesirable form of cross-referencing, but not fatal. However, the definitions state:

MRL Standard means the National Registration Authority for Agricultural and Veterinary Chemicals, *MRL Standard—Maximum Residue Limits Food*. . . published by the Australian Government Publishing Service, Canberra, as amended from time to time.

That document may not be as readily available as the South Australian acts and regulations. Once again, although this legislation is complementary—and I am not critical of those who are proposing it—the legal fraternity, as well as the bureaucracy, have something to answer for in devising this type of legislation. This regulation ought be understood readily and easily by its practitioners, and it ought be accessible.

Whilst I support the measure and the philosophy behind it, and the objects to be achieved by it, I deplore the method used to achieve that. I know the minister was kind enough to put into *Hansard* additional material in relation to the effect

of the Hughes case, and members should be indebted to him for that explanation. Notwithstanding that, I believe that in future we must use a better mechanism than exists in this particular legislation to achieve national standards. I support the second reading.

The Hon. R.K. SNEATH secured the adjournment of the debate.

SUPPLY BILL

Adjourned debate on second reading.
(Continued from 5 June. Page 354.)

The Hon. M.J. ELLIOTT: I did not take the opportunity to speak during the Address in Reply, so there are some matters that I will raise now, because I think they are equally relevant to the Supply Bill, in so far as it is part of the overall process of funding the workings of this state.

I want to flag some caution, which I have been flagging for the past couple of years, and it is something of which the government is well aware in any case. We are certainly going through a period now where traditionally the new government says that things are worse than it thought they would be, and the opposition says that they are not. There is much of that particular debate at the moment. However, the former opposition knew things were not good before it was elected, and it always knew that there would be some difficulty.

Other than that, in this case the cry that things are bad or that we are at risk is unfortunately well placed. During the period between the time we became aware that Labor would take government and the break that ensued as it sought to get its act together—and still seems to be to some extent—I took the opportunity to travel overseas, particularly to look at aspects of regional development. I am not talking of regions within South Australia—although that is a matter in which I am vitally interested, and I was one of the originators of the Regional Development Association in South Australia—but, rather, in looking at South Australia as a region. I will have an opportunity on a later occasion to speak at some length about what I saw when I travelled.

When I met with people I was saying at the time that I was looking at regional development because I felt that South Australia for some time had been under-performing and that we were at some grave risk, because of the structure of the industry in South Australia, particularly if the Australian dollar moved upwards, which I said I thought it was likely to do. Even since I was in Europe saying those things the Australian dollar has gone up about 10 per cent.

The Hon. R.D. Lawson: As a result of what you said probably.

The Hon. M.J. ELLIOTT: Not as a result of, but it was obvious that it was going to happen. In fact, it has risen 20 per cent since the trough, which was not all that long ago now. That is important for the South Australian economy when you look at the structure of it. If we look at what is doing well and how susceptible those things are to the movement of the Australian dollar, what has been doing well?

The car industry has been doing particularly well. Where has it been exporting to? It has been exporting to the United States and the Middle East. An obvious movement in the Australian dollar of some 20 per cent will have a significant impact upon the competitive ability of the Australian manufacturers in the United States. That comes as no surprise. How much lift in the Australian dollar we can have

before it has a dramatic effect on exports only time will tell, but a 20 per cent increase clearly will have a significant impact.

It is also worth noting that the sale of Australian cars into the Middle East is transacted in American dollars. So far as we are in any competition with cars coming out of North America, then we have lost the 20 per cent advantage against them as well. The Australian dollar has also risen, not just against the American dollar but also to a lesser extent against the Euro and quite a few other currencies. The good news about the strength of the Australian economy is bad news for South Australia in terms of our ability to export cars and car parts.

Unfortunately, it will also put a lot of pressure on the wine industry. Anyone who has travelled overseas will know that, while we are proud—and rightly so—of our wine industry in terms of its quality and the speed of its growth if you look on the shelves of European supermarkets at wines being sold, Australian only make up only a small component of what is there, or at least outside the United Kingdom. Sitting next door to them are wines coming out of other countries with rapidly growing wine industries, for example, South America and eastern Europe—places like Bulgaria and northern Italy.

I was surprised to see how much they have moved in terms of their technology for grape growing, and to look at the vineyards in northern Italy is not much different from looking at those in Australia. They have adopted the same trellising and drip technology we are using in Australia. So, with the movement of the Australian dollar, combined with the fact that other countries are working vigorously, another genuine success story in South Australia will be under significant pressure. We knew that it would struggle to sustain the growth it has had so far, but that will apply even more pressure.

To take things further, we know we have been blessed with a series of good seasons and good commodity prices. Those commodity prices are underpinned by the Australian dollar being low. Not only does it give us more return on Australian dollars but makes us more competitive. They are the three areas of the economy that have been most important to us over the past five or six years and one would have to say that all of those areas will be at some significant risk.

The other side is that, despite the fact that those industries have performed well, what is the truth about how the South Australian economy has travelled over the past eight years? From 1993 to 2001, on average each year the South Australian gross state product growth per capita was about 1.4 per cent behind the gross domestic product growth for Australia. Every year we fell 1.4 per cent behind the rest of the nation. The gap between GSP and GDP, between South Australia and nationally, from 1993 to 2001 increased by \$1 808. That is the difference in productivity per person in South Australia. There was a similar decline in relative state final demand versus Australian final demand. We have the worst GSP of any mainland state and the gap has been widening, even during this period when the government has been telling us we have been going so well.

This is undeniable as it is from the Australian Bureau of Statistics and not something pulled out of the air. Certainly we have enjoyed good export growth, but there will be a major challenge for the state to sustain that. My concern is that we have not been growing strongly in the new technology areas or as strongly as have other states. Between November 1993 and 2001, \$8.5 billion of state public assets were sold for a net reduction in debt of \$5 billion, which is

not good news for us. Treasury figures show that from 2001 onwards South Australia will be increasingly worse off in net terms than had we not sold our electricity assets.

The gap between state and Australian weekly earnings has decreased from \$47 to \$29 since 1993. However, the gap between per capita household income has increased over the same period per household by \$2 277 and disposable income by \$2 308. South Australia has the lowest per capita gross household income of the mainland states. When one looks at unemployment figures, it is important to look at trend figures and, even more importantly, we must look at the participation rate.

While the government has continually grasped at one set of figures, the raw unemployment data in terms of the percentage of people designated unemployed—and the definition of ‘unemployed’ needs to be looked at carefully—one needs to look behind those figures to see the real picture, which shows a significant deterioration. In South Australia the participation rate has been far worse than in other states. If South Australia had the same participation rate as the other states—the same number of people actively seeking work—then our unemployment rate in trend terms would not be 6 per cent plus but 11.7 per cent.

It is different because, in South Australia over a long period of time, significant numbers of people have given up looking for work which is not there. In December 2001, youth unemployment in original terms was 27.2 per cent, which is still nowhere near good enough. The South Australian trend participation rate was 60.3 per cent in December, while the national rate was 63.5 per cent, and that difference in participation rate can be directly hiked into unemployment.

The other very worrying trend is that there has been no growth in full-time work in South Australia since 1993. If one looks at the figures, there has been no real net growth in full-time employment since 1993. All of the growth has been in the area of casual and part-time work. You cannot base a sustainable economy on large percentages of the population being reliant upon casual and part-time work. It is one of the major challenges that faces South Australia. At this stage, there are very few bright lights.

In fact, the only one I have seen in recent times is the Coles group of companies, which has said that it is committed to making all of its employees permanent. I spoke in this place some two years ago after visiting one of its stores at Firlie, the first store to move to have entirely permanent staff. At that stage it reported that a consequence of that was that the productivity of the store had improved in a whole range of ways, because the employees could see that the company was now committed to them, they were committed to the company, and career paths were available. Only two days ago, I think it was, I read in a paper that Coles is now moving to do that right throughout its work force. There needs to be much more of that.

South Australia in particular is suffering from a lot of that casual part-time work, and much of it has been coming from these industries that have been booming. I am not referring to the car industry, but the wine industry is a major employer of casual labour. Some people take the attitude: take any job you can get; you are lucky. At the end of the day, you might make that comment to an individual, but you cannot have whole communities with a large percentage of the people not having permanency in work, and not being able to make the sorts of commitments that we in this place take for granted, such as buying a home or a car because you can get a loan.

South Australia has some major challenges ahead of it and, in the drafting of the budget, I am sure the government will take that into account. There are some people who say, 'Don't talk down South Australia.' I am not talking down South Australia. I am saying that that is the situation right now that we have to face up to. For the past eight years, we have had nothing but denial, and still to this day we have the Leader of the Opposition trying to say what a wonderful job the previous government had done.

The figures speak for themselves. South Australia is in a very fragile position. It has not performed as well as the rest of the country, despite growth in three areas—areas which are particularly susceptible to movement in the Australian dollar, movement that was inevitable and which is now happening and is likely to happen further over the next year or so. The next two years will be fairly crucial to the future of South Australia, and there is a major challenge for this government and for this parliament. I support the bill.

The Hon. R.D. LAWSON: I too support this Supply Bill, which is the traditional device for the government to ensure that the public services of this state can continue to be delivered from 1 July until the Appropriation Bill is introduced, considered and passed by parliament. That may not be until as late as October or perhaps even later this year. So, this bill, which appropriates some \$2.6 billion from the Consolidated Account, will enable public servants to be paid and services to continue to be delivered.

As the Leader of the Opposition in this place pointed out, there is a nice question as to whether in accordance with traditional practices changes can be made by the incoming government to the programs which have been announced previously and approved. I note that there is to be a Constitutional Convention as a result of the agreement between the Labor Party and the member for Hammond.

Just today the Attorney-General made a ministerial statement in which it is interesting to note that cabinet has proposed a budget of \$570 000 for the Constitutional Convention process. It is a rather unusual announcement to make at this stage—clearly as a result of the deal with the member for Hammond—because these funds are to be held in a special deposit account as an administered item within the Attorney-General's Department. This rather unusual measure of appropriation is being adopted, and it would appear that \$570 000 is being made available to the member for Hammond as Speaker for the purposes of his proposed Constitutional Convention. It is a rather unusual view of the way in which public finances should be applied.

The *Australian* reported that the Speaker, in negotiations with the Labor Party earlier this week, demanded that this money be made available and that it be made available this week before parliament rose. I think it is most regrettable that the finances of this state are at the beck and call of one particular member with whom the government party has entered into an arrangement.

While talking about the Constitutional Convention, if it is a serious attempt to review the constitutional, governmental and parliamentary structures in this state, the finances of the state are something that could seriously be looked at. Traditionally, of course, parliamentary appropriation and parliamentary authorisation of expenditure is at the cornerstone of our system of government. When you look at the constitutional texts, it is clear that revenue cannot be raised and money cannot be spent unless appropriated, and appropri-

ated by the parliament. However, parliament's scrutiny of budgetary matters has become more form than substance.

Estimates committees were introduced to this parliament a number of years ago. It is a process in which the Legislative Council does not play any part, and I think from a personal point of view—I am not sure that all in my party agree with this—that is regrettable. In my view, the committees are not an effective mechanism for holding accountable executive government. The exclusion of this council from the process is, I think, regrettable. I believe that we should be looking at applying a system similar to the Senate estimates committee process in Canberra, because I do believe that members of the Legislative Council should play some role in this important measure of accountability. When the Constitutional Convention starts, that is a matter which I think anyone looking seriously at our parliamentary and governmental system should examine.

I think it is deplorable that the ministerial statement today on the subject of this convention does not mention its terms of reference or its processes. It simply states, somewhat blandly:

The process of the convention has not yet been formalised.

There is no undertaking to consult with the opposition, other parties represented in this parliament or the community generally about the terms of reference. There is no blueprint for the processes of the commission. The only important measure that the ministerial statement addresses is the fact that \$570 000 has been put in a special deposit account and that four staff members will be dedicated to the project. How they are appointed—by whom—remains unstated, although it is fair to believe that they will be selected by the Speaker, possibly in consultation with the government. There is no assurance that anyone else in this parliament will have a say. It is stated:

An informal group of constitutional experts is being gathered to write papers.

Who is gathering these constitutional experts? Who is selecting them? Who is having some input into the agenda items that they are to address?

As we move forward, the opposition will certainly be testing the government on this matter of the Constitutional Convention and, speaking for myself, I believe that it will be an ineffective convention if it does not address the role of this parliament with respect to the finances of the state. I support the bill.

The Hon. A.J. REDFORD: One of the most important roles of parliamentary government is the control over the raising of public moneys and the accountability for its expenditure. It is basic, and it permeates all government activity. As part of our system of government, it has been recognised that the Crown, or the executive arm of government, cannot raise a tax or a levy without a grant from parliament. That has been recognised since the 16th century. In other words, the raising of taxes by the executive must have some statutory or parliamentary authority. As part of this fundamental basis of our system of government, on receipt, all public moneys must be paid into Treasury. Section 5 of the Public Finance and Audit Act 1987 provides:

Moneys and revenues of the Crown should be credited to the Consolidated Account.

Section 6 of the Public Finance and Audit Act 1987 provides:

Money must not be issued or applied from the Consolidated Account except under the authority of a Supply Act.

This bill is promulgated as a consequence of section 6 of that act. This bill authorises the government to appropriate \$2.6 billion from the Consolidated Account for the Public Service of the state for the financial year ending 30 June 2003. It goes on and makes some provision concerning changed agency functions or duties. According to Bradley Selway's book *The Constitution of South Australia*, an appropriation by the parliament is merely an authority for the Crown to spend public moneys. Yes, snap. In other words, this is the fun side of public policy; the spending of money.

Nothing makes a politician happier than the opportunity to spend public money. It is normal that supply acts give a general appropriation, and determinations as to exactly how that money is to be spent can be made after the appropriation. Supply bills are less common since the last government adopted the practice of presenting budgets before the expiration of the financial year. That occurred in 1995. In the case of this year, the budget will be presented in the following financial year as a consequence of the election and the change of government.

Mr Acting President, you may be interested to know that the payment of the Governor's salary, the salaries of judicial officers and MPs' salaries, allowances and superannuation are not dependent upon the passage of this bill, or bills of this type, being the subject of separate acts of parliament. I suppose it enables us to be more dispassionate in our consideration of the Supply Bill.

I would like to offer some comments on and advice to some ministers on the expenditure that inevitably follows the authorisation created by this bill. One of the items that this Supply Bill will authorise is the payment of money. Last week, an issue concerning the payment of money arose as a consequence of the Hanna and Matthew case, and the Attorney-General made some comments about it in another place. Before proceeding with this issue, I should say two things. First, I have great respect for the current Attorney-General and, in making these comments, I am talking, by way of gentle advice to the Attorney, about a matter that can affect a payment by the Crown. Secondly, I disclose that the firm for which I am a consultant, Scales and Partners, acted for Mr Matthew in that matter. I do not have any direct financial interest, and I certainly did not become involved in any way in the conduct of that matter.

For those members who are not familiar with what occurred, the member for Mitchell issued proceedings against the Hon. Wayne Matthew for damages arising from defamatory comments contained in media releases and letters published in various forums. Mr Matthew sought an indemnity for costs and damages following the issuing of proceedings in about July 2000. The Crown Solicitor advised the Attorney on 31 July 2000 and 12 September 2000 that the occasion of the alleged defamation did not come within the cabinet guidelines entitled Representation for Ministers in Defamation Proceedings. On 11 December 2000, cabinet approved the government's funding legal representation for Mr Matthew in defending the action. On 21 June 2001, cabinet approved an indemnity for costs and damages that might be payable by the Hon. Wayne Matthew to the member for Mitchell. On 24 May 2002, His Honour Judge Rice found that the comments were defamatory and assessed damages at \$65 000. Obviously, that money might come out of funds appropriated pursuant to this bill. In his judgment, Judge Rice found that the defamatory comments made by the defendant were made on behalf of the government at the direction of the

Premier, and those terms were used by His Honour in the judgment.

The Hon. T.G. Roberts: It's a tenuous link to supply.

The Hon. A.J. REDFORD: No, it's not. You raise your point of order: I am happy to argue it.

The Hon. T.G. Roberts: No, I'm just saying it's tenuous.

The Hon. A.J. REDFORD: It is not tenuous at all. The member obviously has not been listening.

The PRESIDENT: Order!

The Hon. T.G. Cameron: I was listening too, and I was having trouble—

The Hon. A.J. REDFORD: Perhaps it is just a bit complex for the honourable member.

The PRESIDENT: Order! Let us just say that this is the best effort so far. The Hon. Mr Redford has the call.

The Hon. A.J. REDFORD: The Attorney-General, on 27 May 2002, asked the Auditor-General (whose office is established under the act through which this bill is being paid) to report on the indemnity and said that the government would write to the member for Bright and ask whether the indemnity ought to be withdrawn and, in particular, the basis upon which it can properly be said that he was acting in the course of his ministerial duties. He was also asking for particulars of losses that he would suffer attributable to his reliance upon the indemnity. He concluded that the government had not made up its mind.

This begs some issues in relation to the potential liability of the state in terms of what money might be incurred as a consequence of the appropriation of money pursuant to this bill—and there are a number of issues that have to be considered. First, should there be an appeal against the decision of Judge Rice, whether it be on liability, damages or both? Secondly, what is the status of the indemnity, and is it appropriate, or, indeed, can it legally be withdrawn?

The Attorney-General's office carries some common law functions, including: responsibility for the legal representation of the Crown in civil proceedings; primary advice to the government; legal adviser to the parliament; and acceptance of instructions from a house of parliament unless there is a conflict of interest; and it is also the source of the expectation that the Crown will be a model litigant. The Commonwealth Law Ministers Conference held in Canada in 1977 noted that the Attorney-General's independence depends 'to a large extent upon the unimpeachable integrity of the holder of the office'. That is consistent with the Attorney-General's role as head of the bar.

Some concerns might be raised in terms of how the Attorney-General might deal with this particular issue and, in particular, its impact upon how much might be paid out as a consequence of moneys appropriated pursuant to this bill. First, he has used the parliamentary forum and the status of his office—and I say so in an oblique sense—to question Judge Rice's finding that the defamatory statements were made 'on behalf of the government at the direction of the Premier'. Secondly, by introducing political comment juxtaposed with issues arising from court proceedings, he brings into question his capacity to objectively consider the status and possible revocation of the indemnity and the prospect of the successful prosecution of an appeal. In other words, as Attorney-General he has a responsibility to look at not only the indemnity and the political issues associated with that but also the judgment itself to see whether or not it is appropriate that moneys should be authorised to be expended in relation to the prosecution of an appeal.

It is possible—and I am not attempting to do so, but we all know that justice must be seen to be done as well as done—to imply that, by bringing into question the indemnity, he has prejudiced his responsibility to carefully and dispassionately consider an appeal against the judgment (including the quantum of damages). This implication or appearance is exacerbated by the fact that the plaintiff in this matter is a party colleague. Put at its highest, the Attorney-General could be accused of making his statement to the parliament and questioning the indemnity for the purpose of discouraging any appeal to the benefit of his party colleague. I am not saying that he has done that or that he has even considered that as an issue, but there is a risk that he could be accused of that. At best, he has put the integrity of the office of Attorney-General behind political considerations to the detriment of the office itself.

I urge the Attorney-General to be very cautious about the way he deals with this sort of matter in the future, because, as I said, in his capacity as the Attorney-General he has some significant responsibilities and duties, not only as a member of the Labor Party and a member of the government but in his office as Attorney-General and, indeed, in his responsibility as the first law officer of the state, leader of the bar and leader of the legal profession. As I said, I give that advice to the Attorney in the kindest possible way so that he might exercise some degree of caution and put his responsibilities and duties as Attorney-General before what might seem to be a short term and simple opportunity for a political headline or political gain.

The second issue on which I will touch briefly involves the Treasurer and some comments that have been made about expenditure and the impact that that might have on the way in which this government might operate in the future. Again, I am putting my point of view by way of gentle advice to the Treasurer who is struggling with his task very early in the term of this government. I want to deal with two specific issues. First—and I will not get into the detail of the dispute between the former treasurer and the Treasurer about the state of the books—one thing has been made very clear during that dispute and that is—and I think everyone agrees on this—that there was an over-expenditure when one compares the expenditure in health and education with what was budgeted—and there was some dispute.

The Hon. Robert Lucas, in his capacity as treasurer, when told of the spending overruns responded that it was the agency's responsibility to bring their expenditure back into line with the budget. The Treasurer, who I accept is very green behind the ears, walked into Treasury and they gave him a worst-case scenario. We are all big people around this table; we all know that early in a term of government the idea is to ensure that the worst possible gloss on a budget situation is announced to enable you to make the toughest and hardest, most taxing decisions in your first budget in the hope that by the time the next election comes around everyone will have forgotten the pain and there will be money washing around in the Treasury to make things look good leading into the next election.

An honourable member: That's a good idea.

The Hon. A.J. REDFORD: The honourable member interjects that that is a good idea. I will come back to the honourable member, because I think the Treasurer is fooling him on more than just this issue—and I will explain why in a moment. That is the nature of the game, and we have all played it. I am sure that you, Mr President, would be aware of this game and would have seen it take place throughout

your parliamentary career; probably even prior to that when you were a keen and astute observer of politics. Some of us who have been around can look at this quite cynically; however, the difficulty is that, by swallowing that line, the Treasurer, the Hon. Mr Foley, has set a dangerous precedent and created a rod for his own back because, every time an agency overspends, it can now use this as a precedent to go to Treasury to ask for more money.

That is what this Treasurer is doing. It is good politics at the moment, but what will happen next year when health, education or transport overspend? They will go to Treasury and say, 'Well, you did this last year' or, if you happen to be in transport or the police you will say, 'You did it for health' or 'You did it for the education and Treasury came in and saved the day'—and there is a real risk that that will cause problems.

I do not know, Mr President, whether you have had an opportunity to read the report on governance of the public sector which was tabled in another place last week. It contained a recommendation to remove all headroom contingencies in the budget to ensure that agencies spend their money within the budget. That section of the report indicates that agencies ought to be made to expend their moneys within the budget. My advice to the Treasurer in relation to this specific issue is that, in spending this \$2.6 billion, which this bill authorises the government to expend for the period that the bill covers, a strong sense of discipline needs to be brought to bear on these agencies.

The Hon. Terry Roberts would be very interested in what I am about to say. It is very risky to allow Treasury to dominate the conduct of government. In the very early days of this government that is what we on this side are starting to see. We are not seeing members opposite governing the state; what we are seeing is Treasury using the Treasurer as its mouthpiece and becoming the de facto government of this state. The last time that happened in this state was when John Bannon was premier and treasurer. If there is one group of people who escaped the wrath of the State Bank royal commission and were never brought to account as a consequence of the State Bank, who sat around every table (whether it be at the State Bank, SGIC or any other agency that lost significant sums of money) it was Treasury and Treasury officials.

All I can say to members opposite is just be careful: Treasury is not the fount of all wisdom. Treasury needs to be probed, and everything its officers say is not correct. If you are in government, you need to question, to probe and to ensure that Treasury justifies its position. If you do not (as Mr Bannon did not), you will find yourself in serious trouble. I have to say that some of these officials are past masters at avoiding accountability and responsibility.

Mr President, you would be very well aware that it was the politicians who got it in the neck as a consequence of the State Bank fiasco. Not too many others got it in the neck, particularly in the public sector—

The Hon. R.D. Lawson interjecting:

The Hon. A.J. REDFORD: Yes, he did, but there were others—some of whom are still around who did not—and that is to what I am pointing. The second piece of advice I will give to members opposite concerns this rather absurd thing that was done yesterday in relation to my colleague the Hon. Diana Laidlaw. What the Minister for Transport, supported by the Treasurer, is saying is that, if you are given a budget line item, for example transport, you cannot spend that transport money in another portfolio that, as I understand the

situation, might be under your administrative control as a minister. That is what he is saying.

That is an extremely naive position to put. All I can say is that next time the Hon. Terry Roberts and the Hon. Paul Holloway are sitting around a cabinet table, they had better start thinking that they had better have 16 and 18 hour cabinet meetings because, every time a minister wants to do something slightly different from a budget line item, they will have to have cabinet approval and they will be really long cabinet meetings. Indeed, if you take it to the extreme—and the Treasurer seems to be going this way—I will be suggesting to members of the South Australian public that it is an absolute waste of time to see any minister in this government other than the Treasurer, because you cannot do anything that is not already locked in concrete in the budget or move outside it because, on the basis of what the Treasurer is saying, that is wrong. On the basis of the criticism made of the Hon. Diana Laidlaw, you will not be allowed within your department and within your responsibilities—

The Hon. Diana Laidlaw: Within the portfolio.

The Hon. A.J. REDFORD:—and within your portfolios to shift any money around. If that is the standard that the Treasurer wants us as a parliament to apply, I am sure that I will have a lot of fun from the position of opposition, as will many of my colleagues. What I am trying to demonstrate is that what was said by the Treasurer yesterday is naive at best and political opportunism for a one day headline at worst. The consequences of that—and I am giving this advice free of charge I might add—is that it will bog this government down so tightly that it will not be able to move and it will not be able to respond to community concerns.

Contrary to the statements made in the other place yesterday, there was nothing sinister about the transfers. Indeed, a quick check of *Hansard* would indicate that there were at least three references to the issue prior to the last election. Indeed, Premier Olsen, in an answer to a question from shadow treasurer Foley on 25 July last year concerning the \$1.5 million festival shortfall, was told:

As I understand the circumstances, she was advised of the funding shortfall; she then said that she would attempt to manage that within her portfolio, and I understand that she has done so.

For the sake of a one day headline, what the Treasurer has done in this case is hamstringing this government and these ministers—Hon. Paul Holloway and Hon. Terry Roberts—and nail them down so tight that, every time they want to deal with something within their portfolios, they will have to prepare a cabinet submission, send it in, ring their colleagues, probably divide on some bizarre factional basis—and it does move around a bit and there has been some recent movement, particularly in Victoria—and then—

The Hon. T.G. Roberts interjecting:

The Hon. A.J. REDFORD:—sorry, I want to talk to Supply, and you are just baiting me off the topic—and then—

The Hon. T.G. Roberts: That's easily done, Mr President.

The PRESIDENT: The Hon. Terry Roberts will stop his baiting.

The Hon. A.J. REDFORD:—have to go through a whole cabinet process. What will the Hon. Terry Roberts do if he has—and I acknowledge he is doing an exceptional job with Aboriginal affairs in what I would have to suggest are very difficult circumstances—a humanitarian problem that needs an immediate response in Aboriginal affairs and he has some money lying in Corrections that is not needed for the short term? Will he say, 'I am sorry, but the Treasurer says

I have to go back to cabinet and you people can suffer until I go through a three to five week process'—I think it is—'to get even the simplest straightforward things through the cabinet process.'

My advice to members opposite is that at the cabinet meeting next Monday they need to say to the Treasurer, 'You are not running the state; your department is not running the state: we as a cabinet are running the state, and what you are doing for the simple purpose of a headline that will be completely and utterly forgotten by the next election will deliver bad government.' I know members opposite can have a lot of fun with these sorts of things, but I can say it was nothing like the fun we had when we took over government in 1994 and we found out about such things as 'Africans' and various other exercises and jaunts that the Bannon government, of which the Hon. Paul Holloway was a member, embarked upon in that period. It is great politics, but it does cause problems in terms of your management.

Another statement made in this place was in an answer by the then treasurer (Hon. Robert Lucas) to a question from the then shadow finance minister (Hon. Paul Holloway) on arts funding in October last year, when the Treasurer, unchallenged, said:

... the minister has made it quite clear that she will be handling this particular announcement in terms of the funding from within the portfolio—

I emphasise 'portfolio'—and, just so the Hon. Paul Holloway can understand, he went on and said:

of DETPA (Department of Transport, Urban Planning and the Arts), which is her broader portfolio.

While the Treasurer and the Minister for Transport yesterday were saying, 'Woe is us' and 'The sky is falling' in terms of expenditure, they are setting parameters and precedents, as I said, that will tie this government to a position from where it will not be able to move or respond to any challenge that might arise from time to time. That is disappointing—and this advice is free. The third time—

The Hon. M.J. Elliott: Thank goodness, he is going on for a long time.

The Hon. A.J. REDFORD: Some of them are a bit slower than the Hon. Mr Elliott. The third time that this was raised—and it had to be done twice, because, as I said, some people are slower than others—was in answer to a question from the then shadow minister for finance (Hon. Paul Holloway) on the Festival of Arts on 3 October last year (not that long ago) when the then minister was talking about the Festival of Arts and the financial difficulties that were occurring at that time which were pretty well publicised. She said:

No program will be cut. There are some cash carryovers and a range of areas that will help us address this issue across the portfolio.

When she gave that answer, did we see the shadow treasurer or the shadow minister for transport—I do not think he was then; he was the shadow minister for something else—

The Hon. Diana Laidlaw: Racing.

The Hon. A.J. REDFORD:—say, 'Woe is us'? Did the Hon. Paul Holloway say, 'This is shocking, this is disgraceful'? They took the answer and accepted it. They made some legitimate criticisms about budget over-runs in the festival, but they made no criticism of managing a financial situation within a portfolio. What I suggest to the government is that, when the cabinet meets on Monday, it explains that this is not the Foley government; that it is not the Foley-Treasury government; that it is the Rann-Lewis

government; that it is a government comprised of 12 other cabinet ministers; and that Mr Foley issues a press statement apologising to the former minister for transport and the former treasurer, saying, 'We will run this as a cabinet where we all are involved; where I will not hamstring the hard and good work that the Hon. Terry Roberts is endeavouring to deliver to the Aborigines across his portfolio and that the Hon. Mr Holloway is endeavouring to deliver across his portfolio.'

If members opposite do not stand up to the Treasurer and Treasury now, this will be a short-term government. There will be some—I think 35 per cent voted for them at the last election—who will be disappointed. It would be a very naive government that thinks it can set a budget and a course of expenditure and that there will be no adjustments to be made throughout the year. The Treasurer may say, 'Well, you can come back to cabinet.' I am sure the Hon. Terry Roberts, having been in cabinet for some little while, knows full well that if he has a proposal which he wants to put on the cabinet agenda—and I know with his portfolio responsibilities of Aboriginal affairs and corrections—it gets bumped off or not reached more often than not.

The Hon. R.D. Lawson interjecting:

The Hon. A.J. REDFORD: The Hon. Rob Lawson did indicate that regional development is a cash cow. I do not think it is, but I stand to be corrected. He runs the risk of never being able to use his considerable ability and talents to deliver to those disadvantaged groups he represents. The Hon. Paul Holloway is in the same situation. If members go across the whole-of-government they will see ministers who are absolutely hamstrung. What we will be saying to our constituents is, 'Yes, the Hon. Terry Roberts is a great bloke; yes, he would love to help you. But you might as well cut out the middle man and go to the Treasurer Mr Foley to get the decision out of him. He will be the only one authorised to do it.' That is where this government appears to be heading.

I am grateful for the opportunity to give some advice to members opposite, and I look forward to seeing their press releases next week apologising to the Hon. Diana Laidlaw and the Hon. Rob Lucas. I look forward to the Premier saying that he is again taking charge of this government; that cabinet and the Premier will be running this state, not the Treasurer.

The PRESIDENT: That contribution started out to be probably the best contribution on supply and focused on that. There was a gallant defence of the Hon. Diana Laidlaw, which I know was also for free, but I ask members when making a contribution in future on the Supply Bill to focus on the Supply Bill before us. I believe the Hon. Paul Holloway is about to sum up.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank all members for contributions to the Supply Bill debate. As has been pointed out during the debate, the Supply Bill this year is necessary because of the delay in the opening sitting of parliament due to the election and the subsequent delayed change of government. It is necessary that we pass the Supply Bill this afternoon so supply will be extended into the new financial year, as the budget will not be brought down until July.

A number of issues were raised during the debate, but some went broader than one might normally expect in a Supply Bill. I will not respond to them all now. I think some very interesting comments were made. I appreciate the comments that the Hon. Mike Elliott made today in relation to the pressures on the state economy. I think it was a very

interesting speech, which reminded us that, with rising interest rates, the rising Australian dollar and falling commodity prices, it is a situation that will put considerable pressure onto this state. I will make some comments on the contribution of the Leader of the Opposition. He tried to raise this furphy where he claimed that the Labor Party had misled the electorate before the election in relation to fees and charges.

I point out that in its election policies before the election the ALP had its policies costed by Ernst & Young, and that letter was made available to the media before the election. The opposition (the then government) was not prepared to have any independent costing of its policies. As was pointed out in the Ernst & Young document, they were unable to verify the forward estimates put forward by the government.

I remind members of a couple of comments on the forward estimates made by the Auditor-General in his report last year. I think they are important to the process now because they say a lot about the approach of the current Leader of the Opposition (the former treasurer) to the budget. In his overview report last year the Auditor-General said:

To achieve the budget targets, the government has deferred other revenues and brought forward other payments. For the most part, such transactions are simply presentational. The government considers the headline result is important to managing the public face of the budget. To most readers, deficits look bad; surpluses in the public sector environment look like missed opportunities to spend further. In audit's opinion these are better regarded as matters to be explained over a cycle rather than one year to allow for unplanned impacts. The key point to acknowledge is that the achievement of the cash-based budget target is readily accommodated through timing of transactions. In these circumstances the structural soundness of the budget is a more important element than the headline result.

What we have been discovering since there was a change of government and we have looked through the budget papers is exactly the point that the Auditor-General made in his report last year. I will not delay the council further in relation to the Supply Bill. It is important we pass it so the public servants can get paid after 1 July and that the services of government can continue. I thank members for their contribution, and I ask the council to support the passage of this bill.

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

EDUCATION (COMPULSORY EDUCATION AGE) AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I move:

That this bill be now read a second time.

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

Leave granted.

The Government has a commitment to improve the economic and social outcomes for young people and education is one of the key vehicles to the achievement of that goal.

Fewer of our young people today are remaining at school until year 12 in South Australian schools than was the case in the 1990's, particularly in the early 1990's. There is clear evidence of the link between young people proceeding through education and training, getting a good education and training, and having success in finding long-term employment. The link between school leaving age and unemployment rates is strong. For example, the Transition from Education to Work statistics show that at August 2001 12.7 percent of people who were schooled only to year 10 were out of work

compared with an unemployment rate of 8.5 percent for those who completed year 12.

Overseas trends are to raise the school leaving age and extend the period of compulsory education. For example, fifty American states and countries including Britain, Canada, Denmark, Finland, France, Spain, Sweden, Germany and New Zealand have a school leaving age of at least 16 years. Tasmania has had a school leaving age of 16 for some years. Queensland has recently released a green paper debating the school leaving age and has proposed raising the school leaving age to 16 or 17 years in the paper.

The amendments to the Education Act 1972 are intended to send a strong message to schools of their responsibilities to the educational welfare of these young people. The Education Act 1972 currently requires student to remain in school until their 15th birthday. For the majority of young people that means staying in school until year 10, but with changes made to early childhood education, a significant portion of our students who leave school at 15 are leaving at year 9 level. It is the Government's view that this does not give them a sufficient basic education to sustain a successful transition to adulthood or the skills needed to compete in the labour market. The education and skills gap compared with someone who completes year 12 is too great.

The Government is addressing this problem by introducing this Bill to amend the Education Act 1972. Under this amendment Bill from January 2003 children will be required to remain enrolled at school until they turn 16. They will be able to stay at school or participate in other forms of education and training, but they will be required to remain enrolled at school to enable them to receive improved support and assistance and to stay engaged in their learning.

Two previous attempts were made to raise the age of compulsory education. In July 1996, Labor Leader of the then Opposition in the Legislative Council, Hon Caroline Pickles, introduced legislation to make it compulsory for children to be enrolled in schooling or an approved form of training until the age of 16. That legislation was opposed by the then Liberal Government whose Education Minister told Parliament on 2 July 1997, in opposing the Bill:

'This will be one of the significant issues of difference between the Government position on education and that of the Labor Party. The Leader of the Opposition (Hon. Mike Rann) has indicated that this is a key issue for him as Premier. (They) have indicated that, if the Government opposes this issue, the Labor Party will campaign long and hard about it in the schools and, should they be elected to Government, this policy will be implemented by a Labor Government. I am delighted to hear that the Leader of the Opposition and the Labor education spokesperson feel so strongly about this issue and will seek to make it a campaigning point. The Government strongly opposes this bill. We see it as being ill-conceived'.

After the Labor Party took the policy of raising the school leaving age to 16 to the 1997 State Election another attempt was made on 26 October 2000 to raise the school leaving age when I introduced the Education (Compulsory School Age) amendment Bill on behalf of the then Opposition.

Despite public statements from March 1999 by former Premier John Olsen that his Government would legislate to raise the school leaving age, no such legislation was introduced by the former Liberal Government in their previous term of office.

This Government recognises that simply raising the school leaving age will not address the problem: schools must and will develop specific strategies to meet the needs of those young people who find that schooling does not suit their needs and is not relevant to their lives. The Government is therefore proposing to improve counselling and one-on-one support services to help students identify a clear path, and, if they falter, to be there to help them on their course. In addition, there will be targeted programs at schools where there are particularly high numbers of students who do not complete their schooling.

As is currently the case under the Act, it will be possible under the proposed Bill to seek exemptions from the compulsory attendance provision. However, exemptions will not be a rubber stamp, and it will not be acceptable for schools to allow students at risk of leaving early to abandon their middle years of schooling and in doing so disrupt their peers. Nor will it be acceptable for schools simply to use suspension or exclusion to avoid supporting these students in the future. The Government is committed to the education and training of our young people and this Bill is the first step in achieving our objective.

A provision for expanded exemptions by the Minister from compulsory attendance requirements is included in the Bill in order to allow for new negotiated arrangements for students who choose to participate in training or further education options outside of the school setting.

I commend this Bill to the House.

Explanation of clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides that the Act will come into operation on 1 January 2003.

Clause 3: Amendment of s. 5—Interpretation

This clause amends the definition of 'child of compulsory school age' with the effect of raising the school leaving age from 15 years to 16 years. The intention of this amendment is to ensure that all children under 16 years of age will be involved in some sort of education or training.

Clause 4: Repeal of s. 77

This clause repeals section 77 which provides for exemptions by the Minister from the compulsory attendance provisions. This exemption power will now be found at new section 81A.

Clause 5: Amendment of s. 78—Employment of children required to be enrolled

This clause strikes out subsection (2) of section 78 which provides for exemptions by the Minister from the provisions prohibiting the employment of children of compulsory school age. This exemption power will now be found at new section 81A.

Clause 6: Insertion of s. 81A—Exemptions

This clause sets out an expanded exemption provision. New section 81A gives the Minister the power to grant an exemption from any requirements of the Part (consisting of sections 74 to 81), conditionally or subject to conditions. An example of such a condition could be that the child attend training of a particular kind for a certain number of hours per week instead of attendance at school. The clause also gives the Minister the power to vary or revoke an exemption. Subclause (3) makes the contravention or failure to comply with a condition of an exemption an offence attracting a maximum penalty of \$500.

The Hon. J.S.L. DAWKINS secured the adjournment of the debate.

CITY OF ADELAIDE (DEVELOPMENT WITHIN PARKLANDS) AMENDMENT BILL

The Hon. IAN GILFILLAN obtained leave and introduced a bill for an act to amend the City of Adelaide Act 1998. Read a first time.

The Hon. IAN GILFILLAN: I move:

That this bill be now read a second time.

This is a bill that is aimed quite unapologetically at protecting the parklands. I open my contribution with four words: unique in the world. These four words aptly describe that belt of land that surrounds our city of Adelaide. Nowhere else in the world is there a capital city that is completely encircled by parklands. In this modern world of development, this is no easy feat. It is so easy to erode parklands and so difficult to return used land. Nowhere is this more true than in city areas. One just has to look at the sprawl of our cities on the east coast to see the truth of this.

We as a state and as a city owe a great debt to past generations for their diligent protection of the Adelaide parklands. It has not always been the priority that it should be, but they are still there, and that is testimony to those who have been vigilant in guarding these lands from rape and pillage. The Adelaide parklands are a jewel that must be guarded jealously.

It was 15 March 1837 when the parklands which surround north and south Adelaide were dedicated as park, or public place. At this stage the parklands encompassed some 2 300 acres. It is easy to find people who support the parklands—in

fact, even in this parliament most if not all members would profess to supporting the preservation of the parklands. However, in recent years we have seen numerous transgressions on the parklands by both Liberal and Labor governments—from the Festival Theatre, the Hyatt Hotel, the Convention Centre and the Exhibition Centre to the Tennis Centre, the Wine Centre and a new Convention Centre. Clearly, governments do not understand the real value of the parklands.

Premier Bannon announced in 1985 the return of the old tram depot on Hackney Road. This was vigorously supported by Mr Olsen, then leader of the opposition. What has happened is lamentable history. Large parts of it have been alienated to the Wine Centre, headquarters of a major industry which is, as honourable members would know as well as I, in a very parlous state with its future at serious risk. In the meantime, of course, the damage has been done to the parklands.

The National Trust of South Australia recognises the uniqueness and value of the parklands. In May 2001, the Council of the National Trust of South Australia adopted a parklands policy, which states:

The National Trust recognises the City of Adelaide's parklands as the most distinctive and unique asset of the capital's cultural landscape. The National Trust believes the Adelaide parklands are a definitive icon, an invaluable asset of the city, and their preservation is essential to the city's cultural identity and the growth of South Australia's cultural tourism enterprises.

The National Trust primarily asserts the protection and enhancement of the parklands as a place of unique and potent character, natural beauty, solitude and passive recreational endeavour. The National Trust believes Adelaide's parklands are under threat and deserve the highest and most comprehensive level of statutory protection the state can offer.

The paper outlines five policy items, the first two of which are very important:

The National Trust of South Australia believes:

1. The parklands should be protected and enhanced as a place of unique and potent character, natural beauty, solitude and passive—

and I emphasise 'passive'—

recreational endeavours.

2. The parklands should be recognised and promoted as one of South Australia's most valuable assets and essential to its cultural identity by its entry on the state Heritage Register.

It is an embarrassment, in fact, that, with all the rhetoric about the value of the parklands, no previous government has moved to have them listed on the state Heritage Register.

Much has been discussed on the definition of the parklands and, in introducing this bill, I have chosen to utilise the definition agreed to by the Adelaide Parklands Preservation Association, with which I have reasonably intimate contact. This association is a group of South Australians who are dedicated to defending and enhancing the parklands. It seems that in every generation there is such a body that takes up the challenge of being advocates for the preservation of our city's parklands: from Colonel Light himself to the Parklands Defence Association of 1869-1887; the Parklands Preservation League of the early 1900s and the 1940s; and the Adelaide Parklands Preservation Association, to which I have referred, which was formed in 1987 and which has had illustrious patrons. The founding patron was Sir Walter Crocker, who is still going strong in support; Dame Roma Mitchell; and now Robert Champion de Crespigny.

Even a former speaker of the other place, George Strickland Kingston, Speaker of the house from 1877 to 1878, strongly denied the right of government to interfere with the

parklands dedicated by Colonel Light, as has our Speaker today (Hon. Peter Lewis). The definition of the parklands, as set out in the bill, includes:

... the parklands under the care, control and management of the Adelaide City Council; unalienated crown lands within or immediately abutting parklands; roads abutting or running through the parklands; and the six squares: Victoria Square, Light Square, Hindmarsh Square, Hurtle Square, Whitmore Square and Wellington Square.

The primary effect of the bill is to ensure that certain developments proposed for the parklands can be taken only with the support of both houses of parliament, as well as the City of Adelaide Council. As honourable members would realise, those are extensive fora in which issues of substantial development are tested and debated.

The bill allows some leeway in that a number of developments are exempt from the act, or those particular clauses, and those are: developments that cost less than \$100 000; development that involves the replacement, or partial replacement, of existing buildings; developments that are temporary in nature, that is, less than three months; the granting of a lease or licence by the council in a case where section 206 of the Local Government Act 1999 applies; and the renewal or extension of a lease, or granting of a licence or lease that has expired only in the last six months.

There is an added safeguard in this bill and that is that, once enacted, the provisions of the bill will be able to be changed only by the people of South Australia at a referendum. So, when the bill becomes an act, the only way it can be changed is in this very substantial test of the will of the people of South Australia, and it would require a confirming referendum. The bill provides some important measures to safeguard the Adelaide parklands. In fact, John Ruskin has said:

The measure of any great civilisation is its cities, and the measure of a city's greatness is to be found in the quality of its public places, its parks and squares.

I urge members to support this bill. Adelaide is a great city, renowned for its parklands. Let us protect that sign of greatness, that richness of the parklands, for future generations.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

ELECTORAL DISTRICT BOUNDARIES COMMISSION

The Hon. R.D. LAWSON: I move:

That the Legislative Council condemn any attempt of the government and the member for Hammond to avoid the provisions of the Constitution Act by seeking to have the Electoral District Boundaries Commission defer its current proceedings pending some as yet unspecified proposal to amend the constitution.

On 5 June the *Australian* reported that, in an interview with the member for Hammond on Monday, he said he feared that the government was seeking to renege on the proposed Constitutional Convention. He said that the government:

... must delay the Electoral District Boundaries Commission's deliberations until after the convention in order for its recommendations, which might include reducing the number of MPs in both houses, to be considered by parliament before the boundary changes.

It is apparent that the government has bowed to the demands of the member for Hammond. Indeed, the *Australian* reported:

South Australian Premier Mike Rann has caved in to the first threat to his tenuous hold on power from independent Speaker, Peter Lewis.

The idea that the House of Assembly can by resolution force or even invite the Electoral District Boundaries Commission to not proceed with its constitutional obligations is offensive. The idea that one house of parliament can, in effect, speak on behalf of the parliament is constitutional nonsense and anathema. The Constitution Act lays down a process for the conduct of boundary redistribution after every election. Section 82 of the act requires the commission to commence its proceedings within three months of each polling day, and section 82(3) provides that after commencing proceedings for a redistribution the commission:

... shall proceed with all due diligence to complete proceedings.

The commission actually commenced the current proceedings in April this year. The first public hearing was on 6 May. The commission at that hearing laid down a timetable. A number of parties were represented—the Labor Party, the Australian Democrats and the Liberal Party were present—and each of those parties addressed arguments and the commission laid down its timetable. Since that time there have been two further hearings on 28 May and 3 June and witness have given evidence. There has been argument and rulings of the commission.

Mr Ian Hunter, the State Secretary of the Australian Labor Party, has been present at each hearing. He has never uttered a word about deferring the processes of the boundaries commission to enable this Constitutional Convention to meet. It is amazing that the Labor Party would now support the notion that the boundaries commission should defer its hearings. This shows the contempt the Labor Party has for not only the commission but also the constitution itself.

The idea that the boundaries commission should be directed by one house of the parliament to cease its current proceedings is flawed for a number of good legal and other practical reasons. First, it flies in the face of the constitution. You cannot change a provision of the constitution by a resolution of one house of parliament, and you cannot do it by resolution of both houses of parliament. The constitution contains provisions, and these provisions were inserted after a referendum of the people of the state—they are important provisions in our constitution. The notion that, in order to meet some side deal with some other member of parliament, one house should seek to interfere with the work of the commission is outrageous.

It is true that the constitution says that the commission has to proceed with due diligence, and the expression 'due diligence' does not have a particular legal meaning of which I am aware, although it does allow some latitude. 'Due' means fitting and appropriate for the purpose, in this case the serious constitutional process upon which the commission has embarked. 'Diligence' means doing something with care and perseverance, which means getting on with the job you started and not deferring it, as now proposed, on the off chance that at some time in the future some Constitutional Convention might recommend that the number of members be reduced and on the off chance that the parliament might, at some time in the future, agree to pass legislation.

Thirdly, the commission has already laid down the processes for submission. It has advertised publicly and invited people to make a written submission, and it has set down the date of 9 August by which time submissions are to be received. If the Labor Party, the member for Hammond,

the Attorney-General or anyone else wants to make a submission to the commission, they should put a submission in writing by that date, like every other citizen in our state.

This is highly disrespectful of the commission. The commission is not some minor government functionary that can be pushed around by political parties. It is important, and it is one of the most significant bodies in the state. It is chaired by the Senior Puisne Judge of the Supreme Court, and its members include the Electoral Commissioner and the Surveyor-General. It is an impartial, important constitutional instrument, and the notion that you can, by some resolution, tell it how to do its job is offensive.

At the moment there is no proposal to change the number of electorates. A few people have had ideas. The Speaker, for example, says that there should be only 35 electorates, and no doubt the Labor Party has a view. Over the years a number of parties and people have proposed—

The Hon. J.S.L. Dawkins interjecting:

The Hon. R.D. LAWSON: That is right. The significance is not what the member for Hammond might view as the appropriate size of the parliament but what the constitution says. It says 47 members, and until it is altered that is the way in which the electoral boundaries commission should proceed.

The Attorney-General might be relying upon the fact that in the past there was a resolution of the House of Assembly which suggested that the commission should adopt geographical names for districts rather than historical names for the reason that it was thought that many of the historical and commemorative names were not widely known in the community and that geographical names were appropriate. That was a reasonable thing for members of the House of Assembly to do. Those members represent those districts and, if they had a collective view about an issue that was only of peripheral concern to the commission, it is reasonable that they proceed. You cannot elevate the fact that, because on one occasion in the past they made a suggestion to the Electoral District Boundaries Commission, the House of Assembly has some God given or constitutional right to pass a resolution that can instruct the commission.

The Hon. T.G. Cameron: It is unconstitutional.

The Hon. R.D. LAWSON: It is unconstitutional. It is illegal. I invite members to support the motion, namely, that we condemn the attempt of the government and the member for Hammond to embark on this course. First, it is unconstitutional. Secondly, it is disrespectful in the extreme to ask the Electoral District Boundaries Commission to ignore its own constituting legislation. Thirdly, it is doubly disrespectful to do it at that stage when the parties have already made representations, and the commission has already ruled on its timetable. Fourthly, it is even more disrespectful when it is realised that the Labor Party has been present at the hearings through Mr Ian Hunter and he has not mentioned the matter.

The Hon. T.G. Cameron interjecting:

The Hon. R.D. LAWSON: As the Hon. Terry Cameron says, it is a tort. If this matter was of earth-shattering importance, as is now suggested, Mr Hunter should have spoken up. Fifthly, the fact that this motion has been rushed into the parliament at this stage is a further indication of the fact that this is just a party political exercise done for the purpose of satisfying the demands of the government's ally, the member for Hammond.

The fact that neither the Labor Party's Mr Hunter nor the Attorney-General has mentioned the matter until earlier this week gives credence to the very widely reported claims that

Labor has simply bowed to the demands of the member. Next, this proposal is highly speculative—

Members interjecting:

The PRESIDENT: Order! All honourable members will have an opportunity to make a contribution on the record.

The Hon. R.D. LAWSON: The motion is presently before the House of Assembly, and I am not speaking to that, but the proposal itself is highly speculative. The number of districts as I said before may never be changed. If the commission were to defer proceedings until the middle of next year, it may find—and it probably will find—that there are still 47 districts, and it would have deferred this important constitutional process for no good reason, notwithstanding the fact that the constitution itself directs them to proceed with all due diligence.

Finally, if the proponents of this proposal were serious, the government would have gone to the Electoral Districts Boundaries Commission, stood up, made an application, advanced the arguments and allowed the matter to be ruled on by the commission. The fact that they chose not to do so but to footsy around with the member for Hammond indicates that there is a want of bona fides in the government in this matter. I urge members to support the motion.

The Hon. D.W. RIDGWAY secured the adjournment of the debate.

WORKCOVER

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a ministerial statement made today in another place by the Minister for Industrial Relations about Workcover financial reporting.

BUSINESS LICENSING ACT

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a ministerial statement made today in another place by the Minister for Racing about proprietary racing.

GAS SUPPLY

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I table a ministerial statement made today in another place by the Minister for Energy about the lifting of temporary gas restrictions.

YOUTH OBESITY

Adjourned debate on motion of Hon. M.J. Elliott:

That the Legislative Council requests the Social Development Committee investigate and report upon the issue of the impact of youth obesity on South Australian individuals, families and the community, and in particular—

1. Recent trends in the occurrence of youth obesity within South Australia;
2. The accessibility of education strategies to minimise the occurrence and harm of youth obesity;
3. Appropriate minimum standards for physical activity in South Australian schools;
4. The health implications of youth obesity for individuals and the long-term cost to the South Australian economy; and
5. Any other related matter.

(Continued from 29 May. Page 245.)

The Hon. D.W. RIDGWAY: I move:

Leave out the word 'youth' wherever it occurs.

To most people the term obesity means to be very overweight. Health professionals define overweight as an excess amount of body weight that includes muscle, bone, fat and water. Obesity occurs when a person's calorie intake exceeds the amount of energy he or she burns. Overweight children are more likely to become overweight adults and to experience chronic health problems associated with adult obesity.

One in every five children aged between 7 and 15 is overweight or obese. During the past ten years, childhood obesity has tripled in Australia, with 19.5 per cent of boys and 21.2 per cent of girls being overweight or obese. Some factors that contribute to these alarming statistics are exercise, lifestyle, environment, culture and TV advertising. Children nowadays are being driven to school, rather than walking or cycling, often to keep them safe, and are spending more time on the computer and watching TV.

A study of 1 700 local children by the University of South Australia last year showed that the number of children playing at least one sport had dropped from 82.5 per cent in the mid-1980s to 60 per cent in the year 2000. While these figures are very disappointing, it is pleasing to note that, in a 1997 statewide random study of 10 and 11-year-olds from 28 primary schools, the Bordertown primary school was awarded the title of the fittest primary school in Australia. This is a remarkable achievement and is the result of a program introduced by a teacher, Mr Paul Adler, who was transferred to the school in 1984.

Each class twice a week completes two runs, one being an obstacle course and the other for general fitness. Over a period of time, the number of laps the students have run are recorded. Certificates are presented at the 25, 50, 75 and 100 kilometres mark. Students who reach 150 kilometres by the end of the year receive a gold medallion. Sport and fitness play a very large part in the Bordertown community, and the program is given strong support by the parents. Studies have also shown that, if children are fit, they work a lot better in classrooms, which is an added advantage.

Busier family lifestyles often mean traditional eating habits of the past are being phased out, with the ready availability of fast food and TV dinners. In 1996 the National Heart Foundation conducted a study on food choices and perceptions amongst rural teenagers in Tasmania. The results dispel the myth that children raised in the country are healthier than their urban counterparts and show that country teenagers are less aware of what food is healthy for them, whilst adolescents in the country often eat more pies, hot chips and drink more soft drink than those who live in urban areas, and country teenagers watch 3.7 hours of television a day compared with 3 hours for those in urban areas.

The eating habits of different cultural groups may also contribute to their being overweight. Children also make a strong connection between food products they see advertised on television and the food they want their parents to buy. Fatty foods are often advertised on television, so children tend to eat more food when they are in front of TV.

Earlier this year the Australian Medical Association and the Advertising Standards Bureau looked closely at these advertisements and the effect they were having on children. Many children look plump in early childhood but as they grow their legs get longer compared with the rest of their bodies, so it is not important to be too worried about a child's weight at an early stage. At the same time, any child who is very overweight in comparison to others must, of course, have a medical check to see that there are no underlying problems.

Other problems that arise from childhood obesity can include being teased or bullied, which can result in an unhappy childhood, the development of low self-esteem in school children or the development of eating disorders at a later age as children try to control their weight. In 1999-2000 over 7 million adult Australians (about 60 per cent) aged 25 and over were overweight. Of these, 2 million (or 20 per cent) aged 25 and over were obese. The proportion of overweight and obese adults has dramatically increased in the past 20 years. The proportion of overweight women aged between 25 and 64 has increased from 27 per cent in 1980 to 45 per cent in 1999-2000, and the proportion of overweight men aged between 25 and 64 has increased from 48 per cent in 1980 to 65 per cent in 1999-2000.

Obesity tends to run in families, which suggests that it may have a genetic cause. However, family members share not only the genes but also the diet and lifestyle habits that may contribute to obesity. Being overweight can continue into adulthood and cause other health problems such as heart disease and high blood pressure. Obesity in middle age is also a well known risk factor for the development of type 2 diabetes. Other diseases linked to obesity include arthritic and musculoskeletal problems, stroke, gall bladder disease and gallstones, gout, breathing problems (including sleep apnoea) and osteoporosis.

One of the many painful aspects of obesity is the emotional suffering that it causes. There is a great emphasis on physical appearance. Overweight people have complained that they have a tougher time obtaining employment, particularly in the service industries. In 2001, a New South Wales truck driver was stood down from his job because management believed that his weight prevented him from doing his normal duties. This caused a public outcry and focused attention on the widespread discrimination that overweight people face in the work force.

A psychologist specialising in employment and provision of services said overweight people were often told that they were not successful in gaining a job because their customer presentation skills were lacking—a euphemism for not liking the way the person looked. If overweight people are more likely to take time off work due to illness and are prone to accidents due to being physically unfit, hiring an equally able person of average weight makes good sense to an employer. A common misconception is that overweight people are gluttonous, lazy or both. This is not true. As a result, they face prejudice and discrimination. Feelings of rejection, and shame and depression are common.

While I acknowledge that the original motion was to focus entirely on youth obesity, when one starts to look at the facts it becomes apparent that, while most obesity begins during childhood and adolescent years, the health and social problems manifest themselves during our adult years. Obesity is a gigantic drain on our health care system. In Australia, obesity costs the community \$840 million annually (63 per cent of which are direct costs to the health care system), and a further \$500 million a year is spent on weight control programs. As members can see, there is strong evidence to support widening the terms of reference for this report by the Social Development Committee, and I commend it to the council.

The Hon. G.E. GAGO: I rise to support the amended motion. I was pleased to see that the terms of reference for the investigation into the impact of obesity have been broadened to include all ages in our community, not just

young people. Clearly, there is a very close relationship between adult and youth obesity. If we are ever going to develop lasting solutions to this problem, I believe we need to attack all aspects of the problem as well as to target those groups which may be at higher risk. Evidence clearly indicates that there is an increasing problem with respect to obesity amongst the Australian population, including our children. According to the Australian Food and Nutrition Monitoring Report, there has been a significant increase in the prevalence of overweight or obesity in adult men and women. Some 47 per cent of our women and 63 per cent of men in the Australian adult population are presently overweight or obese. A mean weight increase of 5.2 kilograms for men and 6.9 kilograms for women occurred between 1983 and 1995.

The increase in the number of overweight or obese children from 1985 to 1995 is just as alarming. The same report shows that the percentage of overweight children rose from 11 per cent to 19.5 per cent in boys and 12.2 per cent to 21.1 per cent in girls. The mean weight increase was also considerable. It appears that, once the problem of obesity is established, it is hard to reverse. A longitudinal study of children in Adelaide by Dr Anthea Magarey et al found that over 60 per cent of children who were overweight at the age of eight were still overweight at the age of 20. Further, 75 per cent of those overweight at the age of 15 were still overweight at the age of 20. These are very alarming trends and would tend to suggest that strategies aimed at preventing the problem from occurring in the first place may be an important focus for the committee's investigations. The increase in obesity is most likely to be as a result of a combination of a decrease in physical activity and an increase in energy intake. It sounds simple doesn't it?

The Hon. Diana Laidlaw: Do you think it has anything to do with smaller families and overindulgence?

The Hon. G.E. GAGO: Well, perhaps under indulgence of physical activity and an overindulgence of energy intake. No doubt, all of us here are aware of the changes to our lifestyle and diet over the years. I can remember that, when I was a child, our street was filled with children playing. We would regularly kick the footy, play cricket or have a hit of tennis out on our road with the other children from our street.

An honourable member interjecting:

The Hon. G.E. GAGO: Yes, well, very close to the truth, I am afraid. We were a pretty wild lot in Shepparton. All ages were included. However, the significant increase in traffic down the street now prohibits playing on the road. It is not surprising that children from that neighbourhood now probably play computer games or watch TV after school. Safety issues also tend to prevent these children from walking or riding their bikes to school, as we did. These are the types of changes that have resulted in a reduction in the amount of physical activity in our children.

As I have said, the issue of increased levels of youth and adult obesity are interlinked. The lifestyle patterns contributing to youth obesity, such as low levels of exercise and a poorly balanced diet, are often patterns that are carried through to adult life, resulting in overweight or obese adults. The pattern is often established by parents who themselves are overweight and have adopted lifestyle patterns that contribute to the problem. These, in turn, are mimicked by our children and the cycle continues. Of course, important contributing factors to this cycle are the social and cultural attitudes towards food and drink, and these are strongly

reinforced by TV and other multimedia outlets—by which, of course, we are all affected.

For example, food is often used as a reward or pacifier. This usually starts very early in life and is likely to become an established value or attitude that is held throughout our lifetime. Food and drink are also central to our cultural sense of ceremony and celebration. This also occurs in many other cultures. Food and drink have a greater value and meaning than just sustenance, although obviously the two are linked. Our value system around food and drink can have a significant effect on our ability to be able to make healthy choices or changes in our diet.

There are certain groups within Australia in which there is a higher risk of those individuals developing obesity. These include indigenous Australians, low income families and people with a family history of diabetes, in particular. And it is sad to note that those at greatest risk are generally those who are already the most disadvantaged. Although a great deal of data is currently available with respect to the issue of obesity in Australia, I understand that there are still many gaps. The picture we have is a bleak, although limited, one. I understand that the last extensive survey carried out throughout Australia with respect to weight was seven years ago, in 1995. Obviously, there is still a lot of work to be done.

Many studies show that overweight people, whether they be children or adults, experience greater rates of morbidity. The incidence of many diseases are closely linked to an individual's weight. Overweight people, including children, are at higher risk of many health problems (some of which have been outlined by my colleague). Some of these include high blood pressure, insulin resistance (or non-insulin dependent diabetes), as well as gastric and orthopaedic complications, especially in adults. Obese people have a much higher risk of knee damage, for instance. Sleep apnoea, or temporary blocking of the airway while sleeping, is also another problem.

Interestingly, the WHO suggests that the incidence of breast cancer in post-menopausal women, colon cancer, kidney and digestive tract cancer increase as the incidence of obesity increases. This also has been found with respect to gallstones. So, we can see that there are really far-reaching health effects. In addition, overweight children often develop psycho-social problems, low self-esteem and poor body image. Evidence indicates that social and economic problems later in life are often associated with this.

The obvious way to maintain a healthy weight is to eat a well balanced and moderate diet and incorporate adequate physical exercise. Ensuring that relevant information is distributed to people about healthy types of foods and the benefits of exercise, as well as encouraging people to make positive changes to their lifestyle, will take a well developed and coordinated plan, which will need to be maintained over an extended period of time.

This campaign would need to include the entire population of South Australia but with a focus on high risk groups and children. Children are a captive audience within schools—I think we should look at taking advantage of that—and it is important to provide children with skills that they can utilise throughout life to maintain a healthy lifestyle and weight range.

There are some good examples of successful programs for the committee to consider as models for the future. When looking at this problem it is important to look at not only what is not working but what is working. There are presently some very interesting programs in place to try to tackle the

issue, particularly for children. Again, we have heard some of these from my colleague the Hon. David Ridgway. These programs have tended to focus on schools, childcare centres and after-school-hours care initiatives.

Some of these programs include: Kids Eat Fresh—Creating a Stir, a cooking program in schools designed to increase school-age children's intake and access to fresh fruit and vegies; the GOSH program to facilitate physical activity in after-school-hours care; and the Active for Life program, which is being run through DETE. These are good examples of the types of programs that can be implemented to encourage the intake of healthy food and increased exercise in school-age children. However, the effort needs to be highly coordinated across various sections of the community with, of course, the collection of data along the way. We need to look carefully at the results of these programs and, most importantly to measure their outcomes. It is not good enough just to feel good about these programs; we need measured outcomes.

The issue of developing and implementing these programs to target adults is much more difficult and will require a more sustained approach as it often requires breaking well-established lifelong habits. The Australian Institute of Health and Wellbeing and the Centre for Health Program Evaluation has estimated that the direct cost of obesity in Australia in 1989-90 was \$464 million (calculated at 1989-90 dollar values). The indirect cost of obesity during that time was \$736 million, and approximately 60 per cent of the cost was a result of the treatment of obesity related coronary heart disease and hypertension—quite alarming results. According to these statistics, the Australian Institute of Health and Wellbeing estimated that, if the incidence of overweight and obesity was reduced by 20 per cent by the year 2000, \$59 million would be saved in health care expenditure and 2 300 years worth of life.

The Hon. M.J. Elliott interjecting:

The Hon. G.E. GAGO: Exactly. That is the point I was going to make—thank you for stealing my thunder. Interestingly, the incidence of obesity has not decreased during this period; it has, in fact, increased to, I understand, the level of 50 per cent.

Addressing the issue of managing the problem of obesity is an area in which the federal government, in particular, has lacked vision, I am sorry to say. Its failure to plan adequately for the future is obvious. It appears more concerned with bandaid solutions and attempts to hide gaping wounds. The government should be directing funding to programs in health promotion and education activities which will reduce the amount of health expenditure in the long-term whilst improving health outcomes for individuals. This would also assist to reduce the need for people to take expensive medications—an issue with which the federal government is clearly preoccupied at the moment—and, of course, eventually relieve the burden on the Pharmaceutical Benefits Scheme. However, the government appears to be much more concerned with the bottom line and has moved the burden of the cost of health care onto those who need it the most and who, in turn, are often the most disadvantaged and least able to afford it.

A comprehensive study carried out by Segal (et al) in 1995 estimated the potential cost savings for the Gutbuster program (a group program targeted at overweight men) and a mass media program to encourage lifestyle modification in comparison with the cost of non-insulin dependent diabetes as a result of obesity. It was estimated that these interventions

would result in future cost savings of \$1 400 per year of diabetes deferred or \$2 200 per life year gained. Further, a publication of the Australian Food and Nutrition Monitoring Unit) entitled 'Type 2 diabetes cost in Australia—the potential impact of changes in diet, physical activity and levels of obesity'—they always have such long titles for this sort of research—estimated that, in 1993-94, \$89 million of the \$217 million of expenditure on type 2 diabetes can be attributed directly to obesity. When the costs of treating the complications from diabetes were included, the amount was substantially larger.

In conclusion, it would appear that the prevalence of obesity in Australia and South Australia is increasing. Data also suggests that the costs of obesity both in health and financial terms to the individual and the community are high. This is an important issue which is well worth investigating and, as Presiding Member of the Social Development Committee, I look forward to being part of that investigation. I commend the motion to the council.

The Hon. J.F. STEFANI: I rise to speak in support of the motion moved by the leader of the Australian Democrats, the Hon. Michael Elliott. Obesity is a growing problem in our community. Recent studies undertaken by Adelaide University indicate that there has been a change in average body height and weight. In particular, the study identified a minimal increase in height but a significant increase in weight. It appears that overweight and obesity is on the increase in Australia and South Australia.

Data collected during the study focused on a number of areas, including women and the Aboriginal community. More than 30 per cent of the participants in the study fell within a category which rated above World Health Organisation standards and morbidity associated with health risks. From the findings of this study it appears that the size and shape of Australian people may have changed considerably over the past 70 years. There are many factors associated with obesity. I am confident that a thorough investigation by the Social Development Committee will provide both state and federal governments as well as other stakeholders with valuable information on this important community issue. I support the motion.

The Hon. NICK XENOPHON: I support the motion of the Hon. Michael Elliott, and I congratulate him for bringing this matter to the attention of the council. This matter ought to go before the Social Development Committee. We have a major health crisis in terms of the impact of obesity on heart disease and other associated illnesses. Our community, in a sense, mirrors the United States in that we seem to have a plethora of low fat, diet, low calorie, fat-free foods on the market, but for some reason there seems to be an increasing level of—

An honourable member interjecting:

The Hon. NICK XENOPHON: Mr President, I am not reflecting on you.

The PRESIDENT: Order! There will be no injurious reflections on the chair.

The Hon. NICK XENOPHON: Over the years, food companies have provided an increasing range of diet and fat-free products, but there has been an increasing level of obesity in the community. I think this is one thing on which the community could reflect. Of course, I am not reflecting on those of us who eat diet and fat-free products. Statistics indicate that there has been an increase in the level of youth

obesity in the past 20 to 30 years (the last generation), something which, I think, poses a serious public health risk. Again, I congratulate the Hon. Michael Elliott for bringing this motion before the council. I believe it will be a very important inquiry. Hopefully, we can act on the findings. I believe that it is an important part of an ongoing public health debate on an issue that is costing the Australian community quite dearly.

The Hon. R.K. SNEATH: I am one of the better people to speak on this subject—

The PRESIDENT: This is the argument for the defence, is it?

The Hon. R.K. SNEATH: I have a short and wide version. It is probably a good argument to reopen the gym in Parliament House and lead by example. I support the amendment by the Hon. Mr Ridgway because it affects all types of people. I do not support some of the argument my colleague and Mr Ridgway put forward, because, when I was 21, I was about 10½ stone wringing wet, so I have put on the weight since then. There might be a number of things—

The Hon. J.S.L. Dawkins: You stopped shearing.

The Hon. R.K. SNEATH: No, I did not stop shearing until I was 38, but perhaps a number of things have been left out. I was married when I was 21. Whether the modern day woman can cook as well as their mother or serve food as good as their mother might be debatable as well—or whether the modern day father can cook as well as his father might be debatable as well. I do not think my wife reads *Hansard*, but I started putting on the weight after I got married—

The Hon. J.S.L. Dawkins interjecting:

The Hon. R.K. SNEATH: I am sure the Hon. John Dawkins will send it to her. I support the amendment because it covers people from all walks of life. Once you put on weight it is hard to lose it and we do need some help, and I think by reopening the gym and setting an example we could show the way.

The Hon. M.J. ELLIOTT: I will be quick because everyone wants to go to dinner. I am gratified by the support for this motion. As a number of members have said, it is very important for many reasons. It would be enough if we simply looked at the health impacts alone on an increasing number of South Australians and Australians. The fact that it has such a profound economic impact, which in this state alone would run into the hundreds of millions of dollars, is another excellent reason for undertaking this investigation. It is about time we stopped addressing the problems after they occur and addressed them before they occur, which makes economic sense.

It is also a matter of social justice. There is no question that, while people from all walks of life and all incomes may suffer from obesity, it affects some parts of our community far more. For instance, people on lower incomes, generally speaking, are more likely to be obese; and people from some ethnic groups are more likely to suffer as well. There are matters of social justice. As the Hon. Gail Gago said, we are now seeing people who cannot afford to pay more for pharmaceutical benefits and so on being put under great pressure. What we should be seeking to do, if we want to save money on the PBS, is to tackle the root cause of problems caused by obesity, in fact problems caused by other factors in our lifestyles.

I would be hopeful that the programs that might be recommended by the Social Development Committee—and

hopefully then picked up by the government—will have benefits which go beyond benefiting health and the economy. If we do get our young people more physically active and eating better, I am sure that they will gain other benefits and we will be tackling other problems that they suffer and not just obesity. There will be some children who do not suffer from obesity but, through lack of exercise, lack of social interaction and other things, are suffering in other ways. Indeed, the benefits could even go beyond just the obvious health and economic points.

There is no question that the answer, in part, will relate to what we do in schools and for recreation and sport; and there will be a need for public education programs. However, I will not seek to pre-empt what the Social Development Committee may find and may recommend. I am pleased to support the amendment. I was particularly pre-occupied with the sharp end of the problem, which occurs among young people, because we do know that people who are obese when they are young are likely to suffer from that for the rest of their lives. As I said, unquestionably, that is the sharp end of the problem, but it is a growing problem throughout our community and, if the Social Development Committee is keen to look at obesity more broadly, I would welcome that. I commend the motion to members of the council.

Amendment carried; motion as amended carried.

CHAMBERS, Ms K.

Adjourned debate on motion of Hon. Diana Laidlaw:

That this council congratulates Kasey Chambers on winning the Australasian Performing Right Association 2002 Music Award as Songwriter of the Year.

(Continued from 5 June. Page 351.)

The Hon. T.G. Roberts interjecting:

The Hon. A.J. REDFORD: In response to the honourable member's interjection, he is just a decoy. I strongly support this motion, as I know the minister and serial interjector would also support this motion. Kasey comes from the same area in which both the Hon. Terry Roberts and I grew up, being a product of South End, Kangaroo Inn Area School and Millicent High School.

The Hon. Diana Laidlaw interjecting:

The Hon. A.J. REDFORD: I went to Penola High School.

The Hon. R.K. Sneath interjecting:

The PRESIDENT: Order! This is a virtuoso performance. It does not need any help from you.

The Hon. A.J. REDFORD: Kasey is an extraordinary young woman. I do not know whether many members have had the opportunity to meet her, but when one meets people of her calibre and her success one cannot help but admire them. She seems so completely unaffected by her success. Indeed, I think that her parents, Bill and Dianne, have everything of which to be proud.

The award was given for the song *Not Pretty Enough* from the album *Barricades and Brick Walls*, and I urge all members to purchase it and listen to it. It is an extraordinary piece of work, as indeed are all her recordings. Recently, upon returning from the US, a number of my friends involved in the music industry told me they spent time on many occasions explaining to Americans that Kasey is not American but, rather, Australian. She is so successful over there they naturally assume she is American.

The last time I saw her perform by herself was when the Woolshed was in operation. She gave an extraordinary performance in front of a large crowd. The late Cindy Shelton organised it. Afterwards, I sat down with both Kasey and Nash—who is an extraordinary talent in his own right.

The Hon. Diana Laidlaw: Kasey's brother.

The Hon. A.J. REDFORD: Yes—and a terrific, fun guy. We sat down to have a drink, and we sat there for 1½ hours to two hours talking about South End and Beachport and all the things we used to get up to. Kasey is 15 to 17 years younger than I, but the sorts of things she did are the sorts of things I did in my younger days—and I suspect the Hon. Terry Roberts got up to when he was younger.

The Hon. T.G. Roberts interjecting:

The Hon. A.J. REDFORD: He never has and I suspect that, now he is a minister, it is highly unlikely he will in the future. Kasey and Nash bounce off one another. I do not know whether Kasey will read this contribution in any detail, but I do hope that Nash again performs in his own right. He is a very entertaining and talented young man. Perhaps at some stage we will see the Dead Ringer Band together again and performing. If members do get the opportunity, the Country Music Showcase, which is held on an annual basis at the Norwood Town Hall, is always a great night and very entertaining. The last time I saw the Dead Ringer Band perform—and I saw them perform on a number of occasions at the Beachport Hotel many years ago—it was a standing ovation performance.

I can only endorse the comments of the former minister, the Hon. Diana Laidlaw. Indeed, I can only endorse the comment that it is absolutely vital for Australian culture to separate and distinguish itself from the American culture. Kasey is out there at the forefront, representing Australians, the Australian way of life, and our culture to the world in a way that will impact on many millions of people throughout the world. I congratulate Kasey and wish her all the best in the future. I also congratulate her family for their success.

The Hon. CARMEL ZOLLO secured the adjournment of the debate.

MACLEOD'S DAUGHTERS

Adjourned debate on motion of Hon. Diana Laidlaw:

That this council acknowledges the announcement by NWS Channel 9 on 4 June 2002 to invest in a third series of *MacLeod's Daughters* and recognises that this prime time television drama being filmed north of Gawler provides important continuity of employment for South Australia's highly skilled crews, additional work for our artists, plus economic and tourism benefits for the State.

(Continued from 5 June. Page 351.)

The Hon. DIANA LAIDLAW: I thank the Hon. Robert Lawson, my colleague, for assisting me in moving this motion which acknowledges the announcement on Monday 4 June by the head of drama with NWS Channel 9 that the network will invest in a third series of *MacLeod's Daughters*. This is great news for South Australia and for our film industry—the actors, crews and technicians—and for Gawler and the near northern areas which are benefiting enormously from the economic activity, not only in bar sales, housing sales, delicatessen and service station sales but also a range of other shops and facilities which are benefiting from the expenditure in the area as a result of the filming of *MacLeod's Daughters* at the historic homestead of Kingsford, north of Adelaide.

MacLeod's Daughters was described by Mr Chris Noble from Channel 10 as follows:

Any network would kill to have a show like *MacLeod's Daughters* which has established itself so strongly and so quickly. It is a prime time drama which is winning its time slot at 7.30 p.m. on Wednesday evenings. It is not showing at present because of some sporting programs, but the second series will resume on Wednesday 3 July for a six week period. Filming will commence on the third series in September, and it will be presented well into next year.

It is a venture that represents a dream come true for the Executive Producer, Posie Graeme-Evans, who lived in this state for many years but who now resides with her husband in Sydney. She is spending a lot of time in South Australia on this production. Her company Millennium Productions started work on this project in 1995. It took a long time, like so many film projects—*Shine*, for example—to get the first episode filmed and get all the money in place to enable that filming to be undertaken.

I emphasise, very strongly, the point that this is also a dream come true for the South Australian film industry. We have done well in this state since Don Dunstan founded the South Australian Film Corporation over 25 years ago, but the focus has always been on the feature film market—which is great when it happens. Investment goes into it, but it is a stop and start business for our film crews and actors. Successive governments have lobbied hard for, and finally achieved, a prime time television drama in this state which provides continuity of work for our film crews. We were seeing too many productions lost to Sydney, Melbourne and Brisbane—but principally Sydney—with the big American money coming in to build the film studios in New South Wales. We are now able to lure many of those crews back here and keep those who did stay in work.

It is my understanding that employment is provided for over 100 actors and crew, technicians, people in the food and make-up areas, the horse industry and even shearers. Perhaps some of the Hon. Bob Sneath's former members are finding they have an artistic bent, and surprisingly so. Some shearers are very good actors. They probably get paid more working as film crew and extras than they get paid in shearing sheds. The additional money that it brings in is fantastic, not only

through our professional actors but also the part-time people as extras in this production.

I highlight that NWS 9 has never released the entire extent of its investment in *MacLeod's Daughters*, but it is understood to be over \$10 million a series, so the announcement this week of an extra 26 episodes as part of the third series represents at least a \$30 million investment by Channel 9 in this state. The South Australian government supported it, through Arts SA, when I was minister—and clearly it has got a further sign off by the Premier and the new minister for additional top-up funds, but that is only about \$750 000 for that \$30 million from Channel 9. So we must applaud Channel 9 not only for its commitment and investment but also for the logistics issues when it is filming here and doing post production in Sydney. It has made a huge commitment to South Australia in terms of the purchase of the house and property and the production overall.

I am not good at working out these figures quickly, but for \$31.5 million (at least, on the three series to date), with a multiplier economic benefit factor of 2.67, if someone had a calculator we could then know what the economic benefit for this state is. I also highlight that for Leigh Creek and Hawker and other areas of the state (most recently the south-east) this has been a big boost for regional development.

If I were still minister, any extra funding that we had in the arts would go to film production—not to a film festival, but I am not going to dwell on that point. This issue of investing in local jobs, our own culture and independent film production is so important, whether it be country music, and the motion we talked about a moment ago regarding Kasey Chambers' success, or in terms of the success of our own stories told in South Australia with the enormous investment by Channel 9 in the production of *MacLeod's Daughters*. I commend Graham Evans, Chris Noble and everybody for the quality of the series to date, and all the actors for their mighty performances, and wish them well for the future series.

The Hon. CARMEL ZOLLO secured the adjournment of the debate.

ADJOURNMENT

At 5.54 p.m. the council adjourned until Tuesday 8 July 2002 at 2.15 p.m.