

LEGISLATIVE COUNCIL

Tuesday 16 July 2002

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

CROTHERS, Hon. T., DEATH

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

That the Legislative Council expresses its deep regret at the recent death of the Hon. Trevor Crothers, former member of the Legislative Council, and places on record its appreciation of his distinguished public service.

On behalf of government members I express our sorrow on hearing of the death of our former colleague Trevor Crothers, particularly as he left this chamber only a few months ago. In condolence motions in this chamber we are more accustomed to recognising members of parliament who left this chamber many years ago. It is particularly regrettable that the Hon. Trevor Crothers enjoyed such a short retirement after so many years of service to the community and this parliament. He deserved better.

Trevor Crothers was born on 20 May 1938 in Thurles, Ireland. We know from the stories he has told many of us that he was a particularly good sportsman in those days and certainly had a very interesting background during that time in Ireland. He began work as a ship's carpenter and joined the Carpenters and Joiners Union and ultimately the Irish Labour Party. He served for a period in the British army in Malaysia, about which he certainly had many stories in which I am sure members who have been in this parliament for some years would have shared at various times. In 1958 he moved to Australia where he worked for the State Electricity Commission in Victoria.

In 1963 he moved to Adelaide where he worked as a forklift driver for SA Brewing. He then joined the Liquor Trades Union and rapidly rose through the ranks of that union. It was during that period that the Hon. Trevor Crothers became one of the first people involved in the Aboriginal land rights movement. I know again from the stories he would tell on many occasions to those of us who had been in this place for some years of how he was a supporter of the Gurindji tribe at Wattie Creek and those events that began the whole Aboriginal land rights movement many years ago.

In 1981 Trevor Crothers became State Secretary of the Liquor Trades Union, which was a very significant affiliate of the Labor Party at that time, and in 1983 Trevor helped found the Centre Left, a grouping within the Labor Party. The 1980s were a particularly turbulent time in the Labor Party and it was in that period that Trevor served as President of the ALP. With his wit and a considerable ability as a chairman, which I think long-term members of this chamber would have witnessed, he was certainly one of the best presidents of the party that I have witnessed—and there have been more than 30 of them in my time in the ALP.

On 24 February 1987, Trevor was elected to fill the vacancy created by the departure of Brian Chatterton from this place. After he had been here for some years, I joined the Hon. Trevor Crothers as a colleague. Unfortunately, it was a period during which he had some health problems, which ultimately perhaps led to Trevor's frustration at many of the events that happened later. One could tell many stories of Trevor Crothers during his 15 years in parliament, stories that

made him a legend in this place. I expect that Trevor will be remembered in this chamber long after those of us who have had less interesting lives have left.

The Hon. T.G. Cameron: You speak for yourself.

The Hon. P. HOLLOWAY: Perhaps with the exception of Terry Cameron, whose name might also live on in legend after less interesting characters such as us have left. As has been said previously, Trevor left the ALP in controversial circumstances. I prefer not to dwell on those circumstances but to remember the many positive contributions that Trevor made to both the ALP and the parliament over many years. The Legislative Council has lost one of its most colourful characters and certainly debate in this chamber has not been the same: it has been much less exciting since Trevor left such a short time ago. On behalf of the government, I express my condolences to Trevor's family.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise on behalf of Liberal members, although I know a number of my colleagues want to make a contribution to this debate. I join with the Leader of the Government (Hon. Paul Holloway) in saying how tragic it is that we are embarking on this condolence motion so soon after Trevor's retirement from the Legislative Council. Yesterday at the funeral, a number of us remarked that there have been others—whom most of us knew, respected and admired in various proportions, depending on their perspective—such as Gordon Bruce and John Burdett who, having spent a distinguished period in the Legislative Council, did not get the opportunity to spend a long and healthy retirement with their families, friends and acquaintances.

I think it is a salutary lesson, to not only all members in this chamber but also in the house, that you cannot always rely, whenever you make the decision to retire from parliament, on being able to enjoy that long period of happiness and good health that you might have envisaged with family and friends. As I said, it is a lesson for us all as we contemplate respectively our futures. One of the great unknowns of parliament is that everyone other than members of parliament think that we are all mortal enemies, that is, that there are no friendships across the political divide and that people from one side of the house do not share time and friendships with those from the other side of the political fence.

I think everyone in this chamber knows that many of our acquaintances are surprised if we talk even moderately favourably about a political opponent or the fact that you are having a cup of tea, a beer—whatever it is—or sharing a social engagement with a member from the other side of the political fence. That is sad. It is part of the nature of the adversarial system in which we engage—all of us willingly, I might say, from time to time—but it does mask the fact that very strong friendships are made by members of parliament across the political divide. I am sure that most members—perhaps I cannot say all members—would find themselves in those circumstances, that is, that, after a period in the parliament, they will have made strong friendships with people from other political parties.

In my 20 years in parliament that, indeed, has been true for me, and I have been fortunate for the experience of making friendships with members in particular of the Labor Party, but other parties as well, and the last was, as the Hon. Paul Holloway indicated, 14 years or 15 years, since 1987, with Trevor Crothers. Just as the comments of the Hon. Paul Holloway reflected his friendship with Trevor, I am sure other members will recount from their own particular

perspective their views and their friendships with Trevor during that period.

I want to make some comment about family. The *Advertiser*—I think, sadly, and perhaps the story will be told one day but today is not the day—did not devote a great deal of space to Trevor's career and, sadly, I think some people write him off, in a way—and I do not mean to be unkind—as a colourful character. He was that and much, much more in his contribution to his political party, to his beliefs and to the parliament.

Obviously, I want to make some comments about the significant debate on ETSA but, if one goes back over the 15 years, if ever there was a debate on the Liquor Licensing Act, up would pop TC, as we knew the Hon. Trevor Crothers in friendly terms in the latter days, because that was a great passion for him. He knew a lot about it and he spoke often and eloquently on liquor licensing legislation. Anything to do with the trade union movement, with WorkCover legislation or with industrial relations legislation, or the debates about whether contractors should be deemed to be employees or about the rights of trade unions, trade unionists and trade union officers and officials—his time in this parliament is littered with his significant contributions. Of course, on the other side of the chamber we only saw his debate and contribution in parliament. Those of you fortunate enough to be his former colleagues in the Labor Party will be able to attest to the strength and the value of his contributions within the forums of your own party.

So there are many issues over his 15 years to which Trevor, at least from our perspective on the other side of the political fence, made a significant contribution. When we in recent times came to concentrate more on areas of gambling and its crossover with the liquor licensing legislation he, of course, on behalf of former members and colleagues within his old union, continued to express very strong views on the appropriate nature and structure of the casino legislation and the gaming machine legislation as it related to hotels and clubs, and sought to continue to represent the views of his fellow workers.

The strength of his friendships with his fellow workers was attested to by the fact that some of the people who worked with him as forklift drivers at SA Brewing when he first came to Adelaide were amongst the group that was there yesterday. I was fortunate enough to sit next to a friend of Trevor's of 35 years standing from their SA Brewing days, who said he had not seen Trevor for a few years but that they had spoken on the telephone quite frequently, even during the later years of his being involved in parliament but not necessarily being in great health.

However, on the key issue of the ETSA privatisation—and I said this at the time of the legislation, and I want to put it on the record during this debate, although I do not do so to be divisive, because there were differing views among members in this chamber—I believe that the places of both he and the Hon. Terry Cameron will be recorded in history in terms of the difficult decisions that both of them made on that particular legislation. I spent a lot of time with the Hon. Trevor Crothers in the period leading up to his decision, which was not an easy one for him, and obviously after that time. Obviously, we believed that a small number of members within the Labor Party potentially felt strongly enough about this issue to make it worthwhile devoting a certain amount of time to talking to them and providing them with information on these issues, and Trevor was one of those.

Members will know that there was long discussion and debate during that time. The Hon. Ian Gilfillan, the Hon. Sandra Kanck and the Hon. Nick Xenophon were members who were not from major parties and who all had differing perspectives and different issues that were important to them. I have not said this before, but in all the discussions I had with Trevor there were really only two broad issues that he wanted to talk about. One was his notion of what he believed was in the best interests of not only his grandchildren specifically but also future generations. That was in terms of jobs and the state's capacity to continue to be a viable state in terms of competition and for industry in this state, and the problems of the state debt.

It came back to that all the time. It was not state debt for state debt's sake. It was state debt in terms of its capacity to impact on this state's ability to generate jobs for young people in the future. There might be differing views in this chamber about that issue, and I respect those views. As I said, I do not share this aspect of Trevor's private discussions with me in order to seek in any way to recreate that particular debate. I do it, rather, to indicate, as someone who had the discussions one on one with Trevor, that that was the driving influence for him. It was the issue that drove him to make that fateful decision which severed a 40 or 45 year connection with Labor members of various persuasions and the industrial movement in some part.

As the Hon. Terry Cameron said yesterday, it was a very difficult decision for him because he knew what that decision would entail. He knew that friendships of decades' standing would be lost or jeopardised because of the decision. He knew that. He knew the strong views of the Labor Party and the Labor movement in relation to crossing the floor on issues like that. But, in the end the driving influence of the issue of jobs for young people in the future was so strong a motivation that he was prepared to take that and accept the problems that that would involve for him and his family and to vote in accordance with his conscience.

The second key issue that he raised—and, as I said, there were only two key themes—was to try to lock in protection for the workers within the old ETSA. We had interminable discussions with the lawyers (not the lawyers involved with Trevor) to try to put into legislation the provisions—the 'rolled gold' clauses as I referred to them at the time—to protect the existing workers within ETSA. That was—and the Hon. Terry Cameron has spoken of this before—almost solely as a result of Trevor's very strong representations. It was supported by the Hon. Terry Cameron and others, but it was driven by Trevor.

With regard to political issues, Trevor Crothers is undersold and undervalued by commentators if he is only referred to as a 'colourful character'. He was much more than that in terms of his contributions, and I know that members of all persuasions in the council will acknowledge that he made significant contributions on a range of issues and not only the fateful ETSA issue.

I turn now to the second area that I want to address. Given that the council was sitting, a number of us were fortunate enough to be able to represent the rest of the members at the funeral service yesterday. On behalf of members, I congratulate the Hon. Terry Cameron for his eulogy. It was a very difficult eulogy for him to deliver personally, a very emotional eulogy, but all who were there acknowledged the excellence of the contribution made by the Hon. Terry Cameron and the fairness of his summary of Trevor's

contribution to the parliament, the community and, more importantly, to his family.

I share the Hon. Paul Holloway's view that many of us would have heard many stories, not only of Trevor's sporting endeavours in the past but in latter years more particularly of the contributions that his grandchildren were making in their various endeavours. We heard of his joy each Friday as he looked forward to babysitting Billy or whoever it would be for that weekend at home. We heard many stories about what he was looking forward to in his retirement. It was a sad set of circumstances yesterday, and not just because of the Hon. Terry Cameron's emotional contribution. It did not seem so long—12 years ago—that I had been at that funeral parlour to attend the funeral of Trevor and Pam's son Bill in tragic circumstances. It was soon after Trevor had come into the parliament—it must have been around 1990. I know it was one of the most emotional and sad funerals I had ever attended at that time, and to return to that venue yesterday added to the emotional nature of the circumstances.

In concluding, I know that a number of my colleagues will speak of a number of circumstances in relation to the Hon. Trevor Crothers, and I hope they will include some of the more cheerful and pleasant circumstances, such as his love for Manchester United, soccer, family and the things he was going to do. My final comment is to thank the Hon. Terry Cameron for organising (it seems only a few weeks ago, but I am not sure how long ago it was) an opportunity for a lunch—it turned out to be a final lunch—in the Parliament House dining room with the Hon. Trevor Crothers. A number of members were able to attend. I thank the one or two government members who, for varying lengths of time, given the business of being in government, were able to pop along and at least wish Trevor well. I know that meant a lot to Trevor. It was terrific that a number of Independent and Liberal Party members were able to be there, but the fact that one or two government members were able to come along and pay their respects and, as it turns out, say a final g'day and goodbye meant a lot to Trevor. I speak on behalf of a number of my colleagues; we pass on our formal condolences to Trevor's family, daughters, foster daughter, sons-in-law and all 15 grandchildren. I did not count them, but they all seemed to be there at the funeral service yesterday.

The Hon. IAN GILFILLAN: I rise on behalf of the Democrats to pay our last respects to Trevor Crothers and to extend our condolences to his family on his untimely death. Part of the reason for my taking this opportunity to speak is that I shared the second floor territory with Trevor for some time and, as members know, to be within range of or in propinquity with Trevor Crothers was almost an irresistible contact. He often used to hail me as I tried to skip past the door with 'Limavady!' because he had identified that my forebears had come from Northern Ireland, and that sealed a continuing dialogue, about a third of which I understood, the rest I guessed at. I do think it is an eternal testimonial to Hansard that they have, presumably accurately, been able to transcribe Trevor Crothers' eloquent speeches. They were eloquent, and very erudite. It was interesting to know that Trevor housed within himself the body of an elite sportsman. It was not always apparent in the time that I knew him, and I think that in some ways his superior intellect was not always apparent.

He was a remarkable man in many ways. I found from time to time that he and I had a remarkable harmony of principles, quite often in extraordinary circumstances, and I

cherish the memories of those times when Trevor lent over here and gave me the benefit of his opinion and his support, and it is clear that many people who knew him far more deeply than either my colleagues or I would have an even warmer and more profound reason to admire and respect him, and will possibly indicate that today.

However, it is sad that Trevor has not been able to enjoy a period in which a relaxed evening in his life would be shared with his family, and anyone who spent any time with him would realise that his family was of prime importance to him as a loving grandfather and father, and as a caring man. With those words, I extend the Democrats' sincere and profound condolences to his family.

The Hon. R.D. LAWSON: I, too, join in the expressions of regret at Trevor Crothers' passing. Like all his colleagues and friends, I was deeply saddened and shocked by his passing. I regard myself as honoured to have served in this place with Trevor. My first experience of him was on the Marineland select committee, which was resuscitated shortly after the 1993 election, on which Trevor had previously served and on which he continued to serve. His interchanges with his political colleague Anne Levy were a great education to a new member.

I always found Trevor to be a most friendly person, most intelligent and quite intellectual in many ways, thoughtful about what he said, always ready with an anecdote, and full of picturesque historical events and incidents that he was very happy to share with any member. He was also a most principled man, and I saw that on the Marineland select committee. There were some who were keen to sweep that matter under the carpet, but Trevor was always prepared to ensure that we got the full facts. He was principled and he was courageous and, in the events described by the Hon. Rob Lucas in connection with the lease of ETSA, I think he showed his courage and his principle.

In his maiden speech he described himself as an Irishman by birth but Australian by choice, and I think that he summed himself up very well because he had a deep commitment to Australia and a great commitment to the working people of this community. Trevor Crothers was no chardonnay socialist. He was, as the Hon. Rob Lucas said, deeply concerned about the welfare of ordinary men and women.

He was also modest and self-deprecating. Trevor Crothers was not one to big-note himself or blow his bags about his achievements, and they were considerable achievements for someone who came to this country at about the age of 20, or shortly before. In a relatively short time he rose through the ranks of the union movement and the Labor Party, he was a member of the National Executive of the Australian Labor Party, and he became a member of this council.

He was, indeed, as other members have mentioned very proud of his Irish heritage and proud also of his family. To sum him up, I would say that in every respect he was a lovely man, most companionable, truly a good man, and I extend my condolences to his family.

The Hon. A.L. EVANS: I speak from a Family First perspective to honour the life of Trevor Crothers. I never met Trevor, but I have read a great deal about him. Just three weeks ago, my brother-in-law, who was a boss at SA Brewery, said to me, 'Have you met Trevor Crothers?' I replied, 'No, I haven't.' He said, 'He is a very fine man.' He then described his working relationship with Trevor when he was a boss at the brewery. He said that they had a wonderful

working relationship and that they were able to work things out to achieve the least number of disruptions for the work force. He also spoke of Trevor's ability as an intellectual and that he was widely read. He mentioned that on many occasions he would drive Trevor home and he referred to their many discussions.

What was remarkable to me about this conversation was that my brother-in-law raised the subject. We had this conversation three weeks before Trevor's passing, so there was no agenda. It demonstrated that my brother-in-law had in his heart real affection, love and appreciation for this man who put South Australia first and honoured the concept of producing harmony and unity between workers and the boss.

The Hon. CAROLINE SCHAEFER: I add my condolences to the family of Trevor Crothers. I never met his family, but Trevor was in this place from the time I began my career in this parliament. Indeed, he was here as a relatively new member when my father served in this parliament.

Many members have described the colourful nature of Trevor's character. He had an amazing history ranging from being Junior Lightweight Boxing Champion of Ireland to being a VFL footballer to being a prolific reader. Like many others, when I sat in that corner as Whip, he would come over and chat to me at length. As the Hon. Mr Gilfillan has said, I would have to wait to see whether he smiled or scowled to know what my reaction should be. Trevor in full flight, with his amazing brogue, was indeed very difficult to understand.

The Trevor Crothers that I remember was a man of immense strength of character and principle. He was a true Labor man, and an even truer union man. Over recent years, I have met quite a number of now senior people in the wine industry who all had great respect for Trevor. Trevor was the union rep for a great number of the winery workers and he was always able to negotiate and settle conflicts without strikes and animosity.

At least to me, he was unfailingly of good humour and he was always polite. He had a sense of justice and the courage to pursue it. He kept a confidence and he expected others to do the same. He loathed deception and had no time for opportunists, either political or personal. Equally, he was totally loyal to those few he called his close friends. He was unfailingly generous to his family and those he believed to be less fortunate than himself. Trevor will not, I think, leave a large estate, because he gave much of it away to those he believed needed it. He had the greatest understanding of Aboriginal culture and the problems of Aborigines that I have ever encountered. Not only was he widely read on the issue but he also had personal contact with and a great deal of understanding of Aborigines, both those living in the city and those living in the remote parts of South Australia.

I understand that Trevor grew up on a farm in Ireland. Since migrating to Australia in 1962 he lived in the city, but he had a great understanding of people who were struggling. He understood poverty, but he also understood lack of opportunities. I think it was this understanding and this passion for what he believed to be right that led him to take the decisions he did. Trevor told me once that he was brought up by a very strict old Catholic mother. He did not share that faith at the time of his death, but I think if there is a heaven for agnostics, certainly Trevor is up there telling Irish jokes. I wish him well and extend my sympathies to his family.

The Hon. T.G. CAMERON: My best friend for over 25 years was Trevor Crothers, and I will talk a little about his

family history, if honourable members will indulge me. Trevor was born on 20 May 1938 in Thurles, County Tipperary, Ireland, and he remained fiercely proud of his Irish heritage all his life. I can recall the first time I met Trevor Crothers. I had only recently joined the Australian Workers Union as an industrial officer. I went down to the watering hole, which used to be the basement of Trades Hall. I was standing waiting to be served and then Trevor was at my side saying to me, 'You're young Cameron from the AWU. I understand we're going to have to keep an eye on you.' I turned around and said to him, 'I've been told you're a CIA agent employed by Lee Kuan Yew to spy on the Australian Labor Party. I suppose I'm going to have to keep an eye on you, too.' We both laughed, shared a beer and became firm friends from that day on.

Trevor left school at the age of 14 and became a carpenter, and once said, 'The son of the Almighty got it right 2000 years ago.' Had Trevor been born in a different family, had his family had money, I feel quite confident in saying Trevor's life probably would have been completely different and he would have had a distinguished academic career. He won scholarships to both high school and to university. After winning a scholarship at the age of 14 to go to the best university in Ireland, after coming second in the entrance examination, he discovered that the cost of the books alone for his first year of study was more than his working mother, who worked as a washerwoman scrubbing floors, earned in a whole year. To avoid embarrassment at home and in order not to disappoint his mother, Trevor was off to see the world. Shortly after that, he first joined Ireland's Labour Party, at the age of 15.

Growing up in Belfast, Trevor had a couple of natural skills going for him. I know you would not have believed it if you had seen him in the past few years, but Trevor in his early days could run like the wind, was a champion cross-country runner and, in fact, I think came second in the All Ireland cross-country run. Another of his attributes, which served him well not only in Belfast but certainly in his union days, was that he could box a bit. In fact, he fought under the name of Macca here in Australia and won an Australian junior welterweight title. He did play VFL football in the seconds, but only for a short time.

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: That's right. As the Hon. Angus Redford says, the fact that Footscray, for whom he did play, are now called the Bulldogs may have had something to do with Trevor Crothers. Whilst in Ireland, Trevor qualified as a ships carpenter and travelled the world. Time does not permit me to go into all of the details, but he served in Africa and in Malaysia. He used to regale me with stories of his military service.

It was this trade as a ship's carpenter that brought him to Australia in 1961 where at the age of 23 years, ironically, he went to work for the Victorian State Electricity Commission as a rigger and heavy plant driver. A lull in the building industry saw him take a job as a forklift driver with the SA Brewing Company, a position which gave him entry into the South Australian trade union movement and indirectly led to a career in politics, where he would become one of the most influential members of the Australian Labor Party in South Australia.

He became a shop steward with the Liquor Trades Union at the South Australian Brewing Company in 1963. Like the Hon. Andrew Evans, I have had many discussions with people who sat on the opposite side of the fence at SA

Brewing and who had the utmost regard for Trevor and the way he conducted himself. It did not take long for Trevor's natural oratory skills, his intelligence, knowledge and intellect to see him rise quickly to become the union's president in 1981, and he was then elected secretary of the Liquor Trades Union—a post he held until entering the state's upper house in 1987.

Trevor also served on the State Executive of the South Australian United Trades and Labor Council. He was the longest serving member on the ALP State Executive, the longest serving member on the Centre Left State Executive, and he was both president and vice president of the South Australian Labor Party. I had the pleasure of having Trevor act as my president whilst I was secretary of the Australian Labor Party. I was a member of that organisation for 40 years. Not only was Trevor the best and fairest president that I ever served under but I think he was the best president I ever witnessed during not only the 40 years I was a member but also for the many years before I turned 12 that I used to attend Labor Party conferences.

As a president, Trevor was probably tougher on me as party secretary than was any other president I served under. That was the nature of the man's loyalty: if he was loyal to you he would always be the first one into your office to tell you when you were wrong and, after berating you and giving you a pretty tough time, he would often say, 'Oh well, you are wrong, but we have to go in there and do battle with the Left—I'll be supporting you', and he would. That is who your true friends are: those who tell you that you are wrong on an issue, that you are dead wrong, try to talk you out of it and, when they cannot, still say, 'Well, I'll still support you, anyway.'

Trevor was a founding member of the Centre Left and was a confidante of Premier Bannon, who often sought his advice on party matters. Trevor was viewed as a father figure by many people, and his knowledge and experience about trade union matters, ALP rules and the constitution were often sought by people who did not know how to deal with their problems.

Trevor was elected to state parliament on 24 February 1987 when he was preselected to replace former Labor Minister of Agriculture Mr Brian Chatterton. Trevor said at the time the two issues that were most important to him were unemployment and the social fabric and well-being of society. In the parliament, Trevor played an active role. He was until his retirement a member of the Statutory Authorities Review Committee and served on a long list of select committees.

Trevor would often take up causes and meet delegations that other members of parliament would ignore, such as the time he met a delegation from six charities who wanted to tell politicians how poker machines had cost them each millions of dollars. Only Trevor and two other MPs turned up. Trevor was a man of courage and conviction. When he believed something to be true, his mind could not be changed, no matter what pressure was brought to bear. That is why it broke his heart to cross the floor to support the lease of ETSA in 2000, but to the bottom of his heart and soul he believed it was the right thing to do for South Australia. It was not an easy decision for him to make. He knew that he would lose 40 years of friendships and the support of the union movement and the party he loved—a party he continued to love until he died, the ALP—but he wanted to do what he thought was best for the long-term interest of the state he loved.

I now want to talk briefly about the Trevor Crothers whom only his family and close friends knew and understood. Firstly, I would like to place on record my heartfelt condolences to his family: to his ex-wife Pam Crothers and his children—Cheryl and Robert and their children Alison, Ben and Alannah; Linda and Andy and their children David, William, Andrew and Dannel; Maureen and Anthony and their children Charlene, Belinda, Amanda, Todd and Ciara; and also his foster daughter Tina and her children Alisha, Jakob and William. My condolences also go to his very good friends Joe Mitchell and Pam. Trevor also had a son who was deceased, and the Hon. Robert Lucas referred to him earlier. I attended the funeral, along with the Hon. Robert Lucas, that day.

Trevor could be a very tough man, a very stoic man, and I think only a few of us actually appreciated how hard he took the loss of his son. Many a time, when I would be sitting alone with him in his office, he would start to shed a tear about his long lost son and tell me how lucky I was that my three sons were still alive and well. Trevor talked about his children, his grandchildren and his family for hours. In fact, it would probably be fair to say that Trevor could talk about any subject for hours. I felt as though I knew all his children and grandchildren personally. He loved his children with a passion. He was proud of their Aboriginal heritage; and his grandchildren were just the sunshine that lit up his life.

Trevor was a self-taught man, having left school early. I guess I know things about Trevor that no-one in this chamber would know, but he told me that he quickly determined that, when he left school at the age of 14 and not being able to accept the scholarship to go to university, he would educate himself. It might surprise members to know that Trevor could speak seven languages. He could read and write Latin. I used to hear Trevor from time to time speak a bit of French, Latin or German. On one occasion we went to the Polish Club on Grand Junction Road and I, like many others, were a bit sceptical about this man who claimed he could speak a number of languages.

I went with Rod Sawford and Mick Young. It was during the Port Adelaide by-election. Trevor was president of the party and when the invitation came he said, 'Look, I think I'll go with you.' I said, 'Well, it's not necessary, it's just a bit of campaigning.' He said, 'No, the Poles are funny people, I might be able to make the situation a bit easier for you.' That was it; that was all I knew. I picked him up and took him to the Polish Club. Within about 15 minutes, as was often Trevor's way, he had the entire Polish executive all clamouring around him, marvelling at this man who could speak Polish. It was the first I had ever heard of him speaking Polish. They then insisted that Trevor and I go into their committee room—what we call our executive room—where, as is the tradition with many of the migrant clubs operating here, there were pictures around the committee room (or executive room) of places at home.

Spread around that room were pictures of all of the prominent buildings in Warsaw. Trevor walked over to one of the pictures with the president of the Polish Club and started talking about the building that was depicted and proceeded to tell us in which year it was built, who the architect was and how long it took to build. In fact, he knew more about the building than any of the Polish people there. He then proceeded to lead the delegation of Poles around their committee room and describe the building in each picture and where it was. We were about half way through the exercise when the president of the Polish Club said, 'When

did you go to Warsaw, Mr Crothers? How long did you live there?' He said, 'I've never been to Poland.' Yet, because he had read so much, he knew every building in the pictures as he walked around that committee hall.

It was the nature of the man. He taught himself. On the way home I asked, 'Trevor, where on earth did you learn to speak Polish? You've never been to the country.' He said, 'It's all right, mate. Thirty-odd years ago I shacked up with a Polish girl for three months. She taught me.' As I am sure many of you would agree, his memory was so phenomenal—and he used to often say 'built like an elephant, but a memory like one, too'—that he could still remember what he had been taught 20 years or 30 years ago.

Trevor was the most widely read man whom I have met. He once said to me that he believed that he had read more than half of the books in the parliamentary library. I know that when his health was better—he was a bit of an insomniac—he would sometimes go through 10 or 15 books every week. It would not matter what the subject was, Trevor would read it; and, because of his wonderfully retentive memory, he enjoyed nothing more than educating someone who was a bit ignorant on subjects such as history and the arts (as the Hon. Diana Laidlaw would know) and a few other subjects; and he took it upon himself to teach me what he had spent a lifetime learning.

You could not ask Trevor about a king in England, a president in America or a president of France without his being able to discuss their personal history, when they were elected, etc. His knowledge of English, Irish and Scottish history was such that he could not only talk about their kings and queens, prime ministers and presidents but he could go right down to the detailed family history of the lot of them. It was phenomenal.

Trevor touched everyone he met. Both friend and foe admired and respected him. Recently, a group of politicians held a luncheon at Parliament House to wish him well in his retirement, and there were a number of people at that lunch. I will not run through who was there, but I acknowledge two people who came to that luncheon because, in his own way, I believe Trevor would like me to put it on the record. I drove him home from that luncheon and we sat in his apartment and spent an hour or so talking about politics and history. He was so pleased that a bunch of people had turned up to have lunch with him that he actually wept in his lounge. He was particularly pleased that the Hon. Paul Holloway and the Hon. Michael Atkinson, two people from his old Labor Party, had turned up. It should come as no surprise to either of you that he regarded you both with enormous respect, and I think the fact that you turned up that day signalled to him that you had respect for him as well.

Trevor was a wise and intelligent man. He was passionate about politics. He had an army of friends. I think his compassion, his wicked sense of humour and his wit, his loyalty and his wisdom endeared him to us all. Trevor was a tireless champion of the underdog who never forgot his humble beginnings. Despite poor health in recent years, his spirit remained indomitable.

I will remember my friend's loyalty and companionship. I will remember a principled man who fought for what he believed in, and I was proud of the fact that he used to call me 'son'. I will remember Trevor's wise counsel and friendship. Everyone who knew him, and who knew him well, remembers a man who lived his life to the full. He often used to joke, saying, 'Lead a hard life but leave a good-looking corpse.' He would always laugh and say, 'That is what I

intend to do, son. I'm going to live my life to the full, but I'm going to leave a good-looking corpse.'

We will always remember Trevor on his feet in this parliament with his booming Irish voice echoing around the chamber. If people dared to not listen to him he would just raise the tempo a little bit and his brogue would bounce off the walls of this chamber, commanding everybody's attention. We will remember that cheeky, fresh Irish manner that he carried with him until his death, and those sparkling eyes that twinkled as he laughed and joked, which he did constantly.

I will remember Trevor Crothers lovingly reminiscing with me about his children and his grandchildren whom he idolised. I am sure every member of this council and all his friends will join me in offering condolences to his family. And Trevor, old mate, you will be sadly missed, but there are a lot of people in this place who will always remember you.

The Hon. R.K. SNEATH: Unfortunately, in life there are too many workers who work and farmers who farm up to 65 years old who have only a short retirement. Perhaps they move into town to enjoy their retirement but all too soon they pass away. Such was the case with Trevor. Unfortunately, he did not have the opportunity to enjoy his grandchildren and his children in leisure time, which is a shame.

We do not know some of our fellow members here outside the chamber and it was not until I attended his funeral service yesterday that I saw the other side of the Hon. Trevor Crothers: as a family man, a father and a grandfather. It is very sad that those wonderful healthy looking grandchildren who were at the service will not have their grandfather to guide them in the years to come. It is very sad because I think that he was the sort of fellow who would show wonderful guidance to grandchildren and children. I am sure that he was a wonderful grandfather and you could see the respect that they had for their grandfather in the eyes of his grandchildren at that service.

Another side of Trevor that I would like to touch on is the union side. Trevor spent most of his life working hard for better conditions for workers, and there is no doubt in my mind that Trevor went to his grave still thinking about better conditions and rights for workers. I would also like to pass on the condolences of the Statutory Authorities Committee members, and past members of that committee, which Trevor served on. Even through ill-health he made every attempt to get there when the committee was sitting and he made a wonderful contribution to the committee. I am sure that the past presiding member, the Hon. Legh Davis, who attended the funeral yesterday, would like his condolences passed on in the council. He sometimes had great trouble chairing the committee with Trevor's advice coming frequently. On behalf of the secretary and research officer of that committee I also pass on their condolences, with my deepest sympathy to the family.

The Hon. DIANA LAIDLAW: I also pass on my condolences to Trevor's family. I used to hear a lot about the family, because on occasions the Hon. Trevor Crothers and I would share a cigarette out on the steps of Parliament House. Family has always been important to me, and it was certainly important to the Hon. Trevor Crothers, and we shared many happy times. At one time I alerted him that my father was seeking to write our early family history, having come from border country in Scotland. Dad need not have delved far into the family archives; Trevor knew it all, and I

understand that some contact was made. It was much easier for me to put Trevor Crothers in contact with Dad than to try to remember everything that Trevor told me because, as others have mentioned, I did not understand it all and, secondly, it was so much information coming so thick and fast. I was there just to have a quick cigarette and run back into the council; I did not have pad and pencil and the hours to spare.

I remember Trevor Crothers principally for being such a big hearted, caring man. The Labor Party has—perhaps I should not say an uncanny—a wonderful way of introducing colourful, caring characters in this place. I could name some I have served with or knew over time from Jimmy Dunford to Norm Foster, and I put the Hon. Trevor Crothers in the same category. He was not well educated in the sense of school years and qualifications, but well educated in the sense of the world, experience and caring. He had a bigger heart than most people who claim to be religious would ever be able to demonstrate. I found those three characters—gentlemen—from the Labor Party some of the most wonderful people I have ever been fortunate to meet, and they were part of the privilege of serving in this place.

He did have a bewildering memory for quotations from poetry to plays, and it surprised me that the Hon. Terry Cameron today said that he would just laugh at me about going to play after play and art galleries and the rest. He did not frequent the theatre or go to the art galleries, but he knew about the works and the wealth of collections not only here but also around the world. He would cite paragraph and page and almost act from Shakespeare to Shaw. I would stand there agape, confident that there would not have been a word misplaced and that he was doing it all from memory; it was fantastic. As a minister I also found him highly irritating when he became an Independent Labour member, because he would never tell me what he would do or when he would do it. He always told me that he never wanted a briefing on any bill; he would listen to the debate and make up his mind on the spot. I actually never knew what was coming when a bill was being debated in committee.

One time that he did come forward and let me know what he wanted was in respect of the Development Act (Significant Trees) Amendment Bill. He was passionate about a gum tree that was on part of a neighbouring property next to the house he was renting. He wanted a branch if not the whole tree removed because every time the Hon. Trevor Crothers put out his washing he would get leaves and gum dropped on it, and there were also birds—I heard the lot. It became an obsession with him and I was very pleased that, when he spoke on the significant tree legislation on 11 April 2000, the government was able to accept the amendment that the Hon. Trevor Crothers moved, which was that a neighbour could apply for a tree to be lopped and that in such circumstances, if the council agreed, that neighbour would not have to incur the costs. It was an important matter of principle that the costs would not be something that the land owner or ratepayer would have to incur in such circumstances.

Briefly I read from his contribution on that bill because, even on trees, he was able to refer to Latin phrases. I will not do justice to either the Hon. Trevor Crothers or Latin, which I learnt in my first year at high school, the equivalent of year 8, and failed. I think this paragraph also sums up the Hon. Trevor Crothers well because he gave credit where it was due, and he was even prepared to give it to the Hon. Mr Elliott. He stated:

I thank Mr Elliott, too, for the commonsense and practical approach embraced in his speech. However, unlike him, I do not think we have made haste, although perhaps we have made haste in the terms that could be described by the old Latin maxim *festina lente*, which in English means 'to hasten slowly'.

That is my memory of Trevor. He did hasten slowly. I never could believe he was a runner, but his mind never stopped and I thank him for some wonderful memories of a big man with a big heart.

The Hon. A.J. REDFORD: I support the motion. Not only was Trevor a parliamentary colleague but he was a genuine friend and confidant throughout the whole eight year period that we shared membership of this place. Yesterday I had the honour of attending my friend's funeral, and I congratulate the Hon. Terry Cameron on his speech yesterday, expressing grief on our behalf. It was pleasing to see not only the number of present members in attendance but also former members and, given the similarity, in some respects, of their histories, it was also particularly pleasing to see the Hon. Norm Foster in attendance at the funeral yesterday.

I also endorse the Hon. Rob Lucas's comments in relation to my former colleague and friend, particularly his comments about the media coverage in relation to the enormous contribution that Trevor, or TC as we used to call him in the corridors, made to this parliament and to the life of South Australians.

I know that Trevor would have been so proud of his grandson who did the Bible reading yesterday. He is almost the spitting image of Trevor, with the broad shoulders and the same way that he carried his frame. Indeed, as he did the Bible reading, he held the podium in exactly the same way as Trevor would lean over the podium in this place. I know also that he would have been extraordinarily proud of his grand-daughters, who read a poem in his honour at the funeral, which was quite moving.

I first met Trevor when I took over his old office as he was moving out following the 1993 election. I remember that he said to me that he had left a number of ashtrays. He said, 'You can never have too few of those in the office for my benefit,' because he always intended to give up smoking one day. I believe he recently endeavoured, in quite a serious way, to give up smoking. However, he was pretty committed to it over the years.

In the bottom drawer of one of the cabinets, he also left a whole set of speeches, which he described to me as some of his better ones, and he said that I could use them. When I picked them up they were not in any printed form; they were all carefully handwritten. I asked him, 'Do you always hand write your speeches?' He said, 'No, I make it up as I go along, but I have to give them to Hansard otherwise they will have nothing to report because they don't understand a word I say.' The biggest piece of advice I got from different colleagues on both sides of the chamber at that time was that I should never interject on Trevor, because he was always going to better you. In fact, I did try it once. It was a quick lesson learnt, because I do not think I ever endeavoured to interject on Trevor again.

He was great for us younger members. I think I was the youngest member in this place at the time, and he would always come over and say, 'Son, that was a good speech,' or 'Son, that was a bad speech.' Later in my career it was, 'Son, why do you talk so long?' He was always very forthcoming with his advice, and I know that it was given in a genuine

way. Again, I share the Hon. Terry Cameron's observation that Trevor was hardest on his close friends.

He was well respected. I have had a lot to do with the hotel industry over the years, and I know that everyone in that industry spoke highly of him and his involvement as a union representative. He was passionate when he came into this place when speaking on behalf of the industry. He intrinsically understood that what was good for the industry was good for workers. Many, many thousands of young people who are making their way through universities through part-time jobs and the like owe the very good wages and conditions they enjoy in that industry to the work of the Hon. Trevor Crothers.

My other abiding memory is sharing time with him on the Statutory Authorities Review Committee. It was an interesting committee, because Legh Davis, who was not strongly passionate about smokers' rights—although he did occasionally steal one from me—was confronted with the Hon. Anne Levy, the Hon. Trevor Crothers and me. I think we were the only parliamentary committee that used to break every 48 minutes (Anne used to leave early) for a 10-minute cigarette break.

It was during that period that we had four years of investigating ETSA. We would get witness after witness coming in and explaining how difficult it was to manage ETSA, particularly in the new competitive environment created by a former federal government and just how hard it was going to be to manage it. When talking about the electricity industry, he showed genuine care for the extraordinarily difficult task confronting the managers, workers and other people involved in the electricity industry. Indeed, I do not think anyone should underestimate the impact of that inquiry on his ultimate decision. I know, and others have said, that it was a very difficult decision.

I will never forget that night—and it was very late at night. I think he commenced his speech well after midnight—at about 2 a.m. He had spent a very long and nervous day in his office preparing for that speech. Terry Cameron, a couple of other members and I had a coffee with him throughout the course of the day. As I said, he rose to speak well after midnight. Now, Trevor was wont to doze off occasionally in parliament, but he certainly did not on this occasion. When he rose to his feet he gave an absolutely tremendous speech. I know that many in this place did not agree with everything he said, but the way in which it was delivered—the power and courage with which it was delivered—was something that had all on our side of the chamber bolt upright.

I know that our respect for him, which was already great, grew enormously that night. He was a straight-up bloke and was never disingenuous. I know that there are a number of stories, and many of us have them, but I remember the night that the Hon. Terry Cameron and I went to watch Australia versus Ireland in football at Football Park. I remember talking to Terry, trying to work out which team Trevor would barrack for—Australia or Ireland. Well, he did not disappoint us: I do not think he saw one kick. He was in close discussion with a number of union officials, who were also at that function, justifying his decision on ETSA, and it was a great night.

Late last year, I also remember the enormous love he showed when his grand-daughter worked with him here for a while on a volunteer basis. Trevor, who did not wander around parliament an awful lot, spent the whole week taking his grand-daughter to every single possible place that you could imagine a member of parliament might be, introducing her and telling her what a wonderful person this member was

and what a great person that member was; just the depth of pride that he had in his face and his eyes was a sight to behold.

I pass on my condolences to his family, who arranged a magnificent funeral yesterday. To Cheryl, Linda, Maureen, Tina and their respective children, I pass on my condolences. Yesterday, the order sheet was quite touching and there was a little poem included in the service, which I will read into *Hansard*. This is the Irish mother's blessing, and I am sure Trevor would have been very proud to have this at his funeral. It reads:

May the road rise up to meet you
 May the wind be always at your back
 May the sun shine warm upon your face
 The rain fall soft upon your fields
 And, until we meet again
 May God hold you in the palm of his
 hand.

Ode to Trevor Crothers.

The Hon. J.S.L. DAWKINS: I rise to support the motion. I first met the Hon. Trevor Crothers during the 1989 state election, when he and I both spent many hours handing out how to vote cards at the Elizabeth polling booth. I was handing out cards for one of a series of unsuccessful Liberal candidates in that area, while Trevor was handing them out for the official Labor Party candidate against Martyn Evans, who, of course, in those days was an Independent Labor member. He started telling me stories that day and continued to do so right up until the last time I saw him.

The Hon. Bob Sneath and other colleagues have talked about Trevor's time on the Statutory Authorities Review Committee. Certainly, in the middle of a discussion on any subject, he would find the occasion to regale us with stories, quotations, and even occasionally a song in Gaelic. Much of the time that I was on the committee we were dealing with the West Terrace Cemetery, and Trevor could tell you just about everybody who was ever buried at West Terrace, right back to the earliest days of this colony.

From about the second day that I was in this chamber, I was asked to sit in the President's chair as Acting President. Trevor, who of course loved performing that role as well—and I think probably would have loved to be President—took me under his wing and gave me little coaching tips, occasionally telling me that I had done a good job. I remember that very fondly. I do not remember as fondly the day that the Hon. Trevor Crothers came in with his hat on and caused me a little embarrassment in the chair, but he did apologise for that at a later date.

I always remember Trevor telling me that he came from a family where the males were either six feet six or five feet three. He was intrigued to know that I knew a family called Crothers at Gawler, some of whom I had played football against, and that generally they were of the taller variety. Once I gave him a contact, he arranged for them to come in for dinner. Most members would know that Trevor did not spend a lot of time in the dining room, but he organised a dinner for this family in the parliament and insisted that I join them; it was a very enjoyable night.

I remember his strongly voiced view that, once he had made the decision to leave the ALP, he would call himself an 'Independent Labour' member—with a 'u'. He always said that very strongly. He privately told me one day that the 'u', as well as being the traditional spelling of Labour, also stood

for union because he never lost his strong support for the union movement.

We have heard about his Irish background and on one occasion I must have told him that some of my ancestors on my mother's side came from Enniscorthy in southern Ireland. Trevor bailed me up for half an hour telling me of the history of Enniscorthy and the castle there. He knew everything about the history of that part of his native country. Most of us, during our life, have had a nickname or two that we have not liked, sometimes directly related to our surname. Members here would not be surprised that one of the names I have not enjoyed, particularly in more recent years, is 'Dawky', but Trevor used to call me 'Dawky' all the time and he was probably the only person I tolerated doing so. The Hon. Trevor Crothers was a great friend to me from the day I came here. I cherish his memory greatly and extend my sincere condolences to his family.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I rise to indicate my support for the motion and place on record my condolences to Trevor's family, both immediate and extended. I have a few recollections about Trevor, having known him for a number of years, going back to the 1970s in the Labor Party, during which time it had two major factions—the Left and the Right. Trevor was a natural to join the Centre Left and be a foundation member because of his nature in relation to how he dealt with politics. His general view on politics both at a union and political level was that he could always work out a compromise and a deal where nobody lost. That is basically what he tried to do, from my observation, within the party structure.

I am sure that when he made his decision to cross the floor he genuinely felt that he might have been able to make a decision on such an important issue as that where there would be no losers. I make no judgment on the formation of his decision, other than those I put on record at the time in *Hansard*, but he knew that when he made that decision he would be cutting his formal ties with the Labor Party. He went out of his way to speak to those people in the party for whom he still had respect and whom he felt would carry the flag for those industrial issues on which he felt he still had contributions to make, so that his influence could be carried back into the Labor Party and he could be seen as still being a part of the general labour movement; he had formed the view that, although he was no longer a contributor to the party through its formal structures, he would do it informally through individuals.

We would talk from time to time about his opinions on a wide range of issues. Contributions have been made by the Hon. Terry Cameron, who was a close friend, and others, so I will not elaborate on Trevor's personal history. Trevor was not just a colourful character; he was a very colourful character. He was almost larger than life, figuratively and relatively speaking. Our paths crossed in a number of ways in relation to his having been a carpenter in the Belfast shipyards. That was a shipyard that had sectarian based employment, where the large majority of those who worked were Protestant. Catholics struggled, and probably still struggle, to find employment in a number of places in Northern Ireland. Trevor was opposed to that sort of policy development, although he was a beneficiary of it. Someone else mentioned that he was raised by and had a lot of respect for his Catholic mother. I understand that his father was Protestant. Therein, with the Centre Left formation, policy development and his whole theory on life, he decided that he

would not be Catholic or Protestant but rather agnostic. I am not sure whether that was the middle ground of the sectarian argument, but he decided to take neither his mother's side nor his father's side. Those Centre Left tendencies were probably also indicated when, at the football match where Australia played Ireland, he did not barrack for either side but rather talked to his mates about legislation past and to come.

He was a ship's carpenter, as he reminded me many times when I sat in front of him and beside him and shared an office over the years. He worked on ships in the Belfast shipyards in the mid to late 1950s, and I sailed as a ship's engineer on two of the ships he worked on, which was coincidental. I related a story to him about one occasion when the crew rebelled in the United States; the food had started to deteriorate after we had been at anchor for some three months during a longshoremen's strike, and there was a fight in the saloon. A plate went whizzing past my head and hit the bulkhead, which was made of Queensland maple. I did not know that until I relayed the story to Trevor about the plate flying through the air. He said, 'Yes, I put up the panels in the saloon you were dining in and you were the beneficiary when you weren't hit by a plate during that dispute.' He also had many other stories he would relay to me ad nauseam and, in most cases, they were repetitive, but he wanted to make points about his close affinity with the sea and the life he had there. He also worked as a rigger for a company that helped put up a plant at Kimberly-Clark, their No. 2 machine, which I later worked at in the South-East. It seemed that wherever he went I was following him in some sort of strange way.

The story about his speeches being in the bottom of his desk is another indicator of Trevor. I am surprised that he had put only his 'better speeches' in the bottom drawer because, if you spoke to him, every speech he made was a major contribution to the debate. I will not describe some of the experiences on trips that the Hon. Mr Elliott and I had on a number of select committees because they may be seen to be not respectful, but he did not mind our telling some of those stories because he was not afraid of self-criticism and we used to add to it from time to time in a fun way.

The contributions that have been made today have separated the man from the politician, or from the political operator, and that is basically what I have tried to do. Trevor has made a strong contribution to industrial politics and political life in parliament. I think he has brightened up our lives from time to time. Sometimes he made them easier, sometimes he made them harder, for people on both sides, but certainly one thing you could not do was ignore him. He was a very strong individual who, at the end, worked in his own way to empower the community.

The PRESIDENT: There being no further contributions, I rise to make a short contribution to this debate. As someone who spent more time with the Hon. Trevor Crothers than almost anyone bar the Hon. Terry Cameron, I have mixed memories dating from the time when I first arrived and Trevor took it upon himself to take me, mould me, shape me, and whatever else had to be done. In many ways, what members see before them today is as a result of the examples set by Trevor—some by good example, some by bad. And so what members see before them today is somewhat the fault of Trevor Crothers. I make this contribution at this stage so that members cannot retract any of the nice things they said about Trevor. However, I did spend a lot of time with Trevor and I can remember some of the legendary stories that we all witnessed at that time, such as the time he proved that you

could swallow a Mars bar whole. Those were the days when the *News* was—

The Hon. T.G. Roberts interjecting:

The PRESIDENT: The Hon. Terry Roberts reminds me that, just to prove it, he did it twice. It was one of those tired and emotional times that we were all experiencing during that period. I can remember many examples. I spent a lot of time with him on the very sad death of his son, and I used to drive him home many times because he was tired and emotional. I can remember taking him home on many occasions. On one occasion it was about half past 3 or 4 o'clock in the morning and he had a JPSC meeting the next morning. He kept reinforcing with me that I had to be there at 8.30 because he had the JPSC meeting. Finally, at about 4 o'clock, I got him to alight from the car, in line with his door—and the Hon. Terry Cameron would appreciate that you went into the driveway, dropped him off, and then you had to back around and go out. I dropped him off, although it ended up that I actually threw him out. He headed toward the door, so I proceeded to reverse the car, when I heard a loud clunk and looked up to see this 23 stone man doing a backward somersault across my bonnet. He landed on his feet and then sat on his glasses. I cannot tell members what he said, but I am sure that everyone within a three kilometre radius of his home in Campbelltown could. We cannot mention it here today because it would be unparliamentary and certainly not able to be printed!

I spent many hours with Trevor on other occasions and we did go through a lot of things. He lectured me many times and gave me a report on my own progress as I went along. He often said to me that I was probably the best orator in the council on our side—next to him of course—and probably the most intelligent—next to him of course. However, they were fun times and we enjoyed a lot—

The Hon. Diana Laidlaw: And you believed it!

The PRESIDENT: Whether or not I believed it is really not the point. However, in conclusion, I do thank the Hon. Trevor Crothers in many ways for the examples, especially when I was a new member of parliament, because he would take me aside and give me those lectures which give you some grounding about where you needed to go or where you need not go. Many of the happiest moments of my parliamentary life were shared with the Hon. Trevor Crothers, and he also gave me probably the saddest moment as well. I conclude by confirming the motion.

Motion carried by members standing in their places in silence.

[Sitting suspended from 3.52 to 4.05 p.m.]

ASSAULTS, PENALTIES

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I lay on the table a copy of a ministerial statement on the subject of aggravated offences made by the Premier in another place.

NURSES

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I lay on the table a copy of a ministerial statement relating to Exelcare made by the Minister for Health.

PAPERS TABLED

The following papers were laid on the table:

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

University of South Australia—Report, 2000-2001.
Regulation under the following Act—
Freedom of Information Act 1991—Universities.
Corporation By-laws—
Norwood, Payneham and St. Peters—
No. 3—Roads.
No. 4—Local Government Land.

STATE BUDGET

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Treasurer, a question about the state budget.

Leave granted.

The Hon. R.I. LUCAS: Late last month a question was asked of the Treasurer by the member for Davenport on the issue of wages contingency being held for public sector wage increases. Information provided to the opposition from within government indicates that the budget has been predicated on the basis of 4 per cent wages contingency in the public sector being held from 1 July this financial year, from 1 July next year and for each of the forward estimates periods. The Treasurer received advice from the Under Treasurer that indicated that, in the past, part of that wages contingency was allocated to government departments and agencies and part was held in a central Treasury contingency allowance. The advice from the Under Treasurer to the Treasurer was that all of that contingency should now be held by Treasury in a contingency allowance and not provided to departments and agencies.

The Treasurer was asked whether he had been advised by the Under Treasurer that for the purposes of budget presentation the Treasurer could make a decision to allocate all of the 4 per cent wages contingency held in Treasury to the education and health budgets—and, I interpose, also other departmental budgets—as long as he told the ministers and agencies that the funds were not controlled by them, despite these amounts appearing in their state budgets and, if so, would the Treasurer agree to include this process in the budget papers.

The Treasurer on that occasion indicated that the member for Davenport would need to wait for the budget to be handed down. When one looks at the budget and the press releases that have been issued, there has been no response from the government to this serious claim that has been made and the information provided, as I said, from within government about a change in the presentation of the budget papers.

As a number of people have commented, the important issue that is being debated at the moment is whether or not, for example, there has been a real increase in education and health budgeted spending for this year compared to last year—and there are varying views about that. That, of course, would be impacted upon by whether or not the Treasurer accepted the advice that he received from the Under Treasurer to change the public presentation of the education and health figures by the presentation of this contingency allowance. So my questions to the Leader of the Government, representing the Treasurer, are: will the Treasurer now provide an answer to the question asked by the member for Davenport prior to the budget? And, will the Treasurer now

provide details of the presentation of the accounts, in particular as they relate to the wages contingency that has been provided?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer those questions to the Treasurer and bring back a reply.

PRISONS, PSYCHOLOGICAL SERVICES

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about psychological services in prisons.

Leave granted.

The Hon. R.D. LAWSON: In the latest annual report of the Correctional Services Advisory Council, a reference is made to psychological services in the Adelaide Women's Prison. The council says:

The Adelaide Women's Prison has the services of two part-time psychologists, one solely for indigenous prisoners, who visit the prison for several sessions a week. There is need for at least a full-time position as so many of the women have histories of self harm, previous suicide attempts, previous psychiatric hospital admissions, drug abuse and current emotional problems.

In the latest annual report of the department, under the heading Psychological Services, mention is made of the part-time psychological services provided at the Adelaide Women's Prison. The report goes on to say:

Form links with the University of South Australia have continued through the department's funding of the Chair of Forensic Psychology. These links have helped to encourage Forensic Psychology as a speciality area in the training and recruitment of psychologists and the area of professional development for a range of departmental staff. This partnership has resulted in the development of a clinic, based at the university campus, which provides community based offenders with psychological intervention services. Postgraduate students in the School of Forensic Psychology are conducting research based in the correctional environment relating to assessment and intervention of service delivery to prisoners and offenders.

It has come to my attention that, as a result of budget cuts in the Department of Correctional Services, three positions previously funded by the department at the University of South Australia, including the Chair of the Centre of Excellence in Rehabilitation there, as well as two lecturer positions, have been removed.

This is of particular significance in relation to the mental health issues surrounding many Aboriginal prisoners, and I am informed that the funding cuts will mean that the Centre of Excellence will be closed. The cuts will also affect the research arm which will mean that four postgraduate students will not be able to complete their course and five clinics which deal with pre-release prisoners will have to be abandoned.

Can the minister confirm that it is the case that psychological services to our prisons, including the Adelaide Women's Prison, have been cut, and would he indicate to the council the extent of those cuts? Will he also indicate whether the association between the department and the University of South Australia is being jeopardised by the withdrawal of funding by the department to the Chair of Forensic Psychology and the Centre of Excellence, as referred to in my earlier quotes?

The Hon. T.G. ROBERTS (Minister for Correctional Services): I thank the honourable member for his important question and it certainly gives me no pleasure to confirm that, due to the budget problems that we have had to deal with this financial year, the service provisioning within the prison

system has been reduced in terms of psychological services. The operational arrangement that we had with the University of SA will be one of the victims of the cuts in order to provide the budgetary responsibility that the Treasurer and the Premier have promised this state.

The government is to cease funding for psychological services, with the University of South Australia to make recurrent savings in the order of \$184 000 in the first year and \$264 000 each year thereafter. It was one of the more difficult decisions that we had to make. My portfolio area is made up of Aboriginal affairs, regional affairs and correctional services, whose budgets in real terms are quite small, but any cuts to any services will make an impact and, as the honourable member points out, there will be some impact from the cuts to psychological services and the arrangement with the chair at the University of South Australia.

One of the problems that we had to wrestle with in relation to service provision was that, if we were to overcome the problems associated with the withdrawal of funding from correctional services over the previous eight years—the life of two Liberal government terms—and try to come to terms with a shortage of beds within the prison system, unfortunately services had to be the victim. In this budget the government is providing additional medium security accommodation which will cost \$3.8 million in capital funding over two years and \$0.85 million in recurrent funding. We are also addressing some of the problems associated with the women's prison: in fact, we will not be able to address all the problems associated with the women's prison over the life of this budget.

The budget also provides funds to expand the extensive bail supervision program which provides electronic monitoring for persons on bail which we hope will address part of the problem we have with churning in the remand system. Therein lies another problem: the number of remandees that we have in the state system who need to be taken care of in terms of the provision of beds and services for them.

So, we have expended extra money in some areas of correctional services but in other cases we have unfortunately been forced to cease funding important programs that we would have liked to continue funding. Unfortunately, each ministerial portfolio had to take some hard decisions to fall into line with the budget strategy that was put together by this government to try to reduce some of the debt servicing that was left from the previous government's policies.

The Hon. R.D. LAWSON: I have a supplementary question. Will the minister confirm that the services of the two part-time psychologists at the Adelaide Women's Prison are the victim of the cuts to which you have referred?

The Hon. T.G. ROBERTS: I will ask my departmental head to monitor how the cuts are going to impact in the correctional services area and bring back a report to this council as soon as possible. My understanding is that they will be or have been.

The Hon. A.J. REDFORD: I have a supplementary question. Did the much-publicised Drugs Summit have any impact on this budget, particularly in your portfolio?

The Hon. T.G. ROBERTS: I can only assume that the assessments being made by the Drugs Summit are being made now in relation to portfolio responsibility, and I suspect that the full reports of the Drugs Summit will be known some time down the track.

The Hon. A.J. REDFORD: I have a further supplementary question. Do we have to wait until next year's budget

before anything can come out of the Drugs Summit or can something happen earlier?

The Hon. T.G. ROBERTS: That is a hypothetical question that I cannot answer.

STATE BUDGET

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 budget.

Leave granted.

The Hon. CAROLINE SCHAEFER: Over the past four or five years—possibly longer, but four or five years that I can remember—one of the remarkable turn-arounds in rural South Australia has been the access to practical, locally based educative programs organised and run out of the department of primary industries, with the assistance of TAFE lecturers. Over the past two years it has been my pleasure to be present at the presentation of certificates to graduates of some of these courses, including the Certificate of Rural Office Practice, the Diploma of Farm Management and the Advanced Diploma of Rural Economics, which has led to a degree. Probably more important have been the practical courses which have been offered locally for issues such as farming to land capability and minimum tillage practices.

Sources have informed me today that the FarmBis programs of which I speak have been cut by 70 per cent in this budget. As we all know, FarmBis funding is on a dollar for dollar basis with the commonwealth government, and the effect of these cuts means that a total program worth \$24 million over three years will now be worth approximately \$14 million over the same three year period. I understand that this has caused a total rethink of the entire planning group, and I can assure the council that it has certainly caused a great deal of anxiety in regional South Australia, particularly at a time when seeding has finished and many people from the land take the opportunity to take up these courses. This particular time is probably the worst, because this is the time of greatest uptake of these courses. Will the minister outline for me and the public of regional South Australia what programs are to be cut as a result of the 70 per cent reduction and how many regional jobs will be lost as a result of this decision?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I am pleased to be able to talk about the issue of FarmBis. Certainly, there will be cuts in this budget, and I am very disappointed about that. However, let us get the facts on the table about what the budget position facing this state was like before that happened. FarmBis was yet another of those areas where the previous government did not make forwarding provision in the budget. The previous government announced FarmBis as a \$24 million program over three years, funded half by the commonwealth and half by the state, at \$4 million from each for three years. Unfortunately, the \$4 million for 2003-04 was missing; it was not there. So, when this government came into office, it was faced with a situation where it had to find money for FarmBis for 2003-04, because there was no provisioning.

Incidentally, let me digress for a moment and talk about another area. Another black hole the government has found in the budget is in relation to fisheries compliance officers. The previous government announced that it would put in an extra \$1 million for three years, but nothing after that. What do you say about a former government and a former treasurer who put \$1 million into the budget to employ compliance

officers but for only three years, then there is nothing; it vanishes; it goes? What sort of provisioning is that? Those are classic examples of why the budget of this state was in such a mess and why this government has to deal with the situation and make some very tough decisions. That is how the former government got the nominal surpluses out in its forward estimates: it simply let programs run out, even though, quite clearly in the case of fisheries compliance officers, people would expect that that would be an ongoing program involving current expenditure.

The FarmBis program was not funded for \$24 million: it was funded for \$16 million. Rather than have the program end abruptly in 12 months, as it would have done, the present government has decided to investigate, and obviously the state planning group of FarmBis will have to determine how that is done. We have said that we would make it a \$14 million program rather than \$16 million and look at the possibility of phasing it out over time so that we can have some reasonable continuity of services. That will have to be looked at. It should also be pointed out that (and I do not have the figures with me at the moment), although \$8 million was allocated for FarmBis for the 2001-02 year, I believe the figure that was actually spent was half that, so there is a large carry-over. During the current year, 2002-03, there will be significant expenditure involving the carry-over of funds. What happens in the year beyond that is something the government will have to look at, but the FarmBis situation—

The Hon. Caroline Schaefer: What; you haven't made provision in advance, either?

The Hon. P. HOLLOWAY: You were the ones who didn't make provision. It was the Liberal Party that didn't make provision for this; you didn't make provision for TEISA, aquaculture, compliance officers or FarmBis. That was the situation: there were no provisions in the Liberal's budget. Let us just look at the starting point about where the primary industries budget would actually be. This is the starting point; this is the no policy change bit. If these people were in government, this is the no policy change budget we would be faced with. In the 2001-02 year, estimated payments were \$173.3 million—

Members interjecting:

The Hon. P. HOLLOWAY: No; this is 2002-03; this is the Liberal Party's no policy change budget, and this is what this government is facing—reducing it to \$166.8 million. For the following year, 2003-04, the figure is \$160.2 million; for 2004-05, \$157 million; and for 2005-06, \$154.2 million. That was the no policy change provision in the budget. All these programs were to run out on either 30 June last or 30 June next year. So, with their no policy change budget, that was the situation we had to deal with. As well as that, we have the commonwealth government, the colleagues of these people opposite—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: You can look at it in the budget papers, for heaven's sake. Go and look in the budget papers.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: I know what it is; everybody knows what it is. Look at it in the budget paper figures.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: You really want to know, do you? You go and look in the budget; I'm not doing your homework. It's in the budget.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: I do know it; I know it far better than you and, what's more, I know what you did. You are a failure. You are sitting down there and you ought to be ashamed of what you have done. It was one of the most fiscally incompetent performances that this state has ever seen—an utter disgrace.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: To get back to the budget—

Members interjecting:

The Hon. P. HOLLOWAY: Just go and look at the budget papers and you'll see what it is.

The PRESIDENT: Order! Members of Her Majesty's Loyal Opposition will come to order.

The Hon. P. HOLLOWAY: The Leader of the Opposition would clearly like—

The Hon. R.I. Lucas: It's embarrassing.

The Hon. P. HOLLOWAY: Yes, it's embarrassing for you all right; your performance and what you have done were embarrassing, and that is why you want to divert attention. You want to keep answering the question, because you do not want to know the truth of what you have done. To return to the question asked by the Hon. Caroline Schaefer—

The PRESIDENT: I will be pleased if you could do that.

The Hon. P. HOLLOWAY: It is with great regret that this government has had to cut some projects, including a phase-out of the FarmBis program. However, given that no provision was made for it in the 2003-04 year, we believed that this was the best way in which we could do it.

PORT LINCOLN MAYOR

The Hon. IAN GILFILLAN: I seek leave to make a brief explanation—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Gilfillan has the call.

The Hon. IAN GILFILLAN:—before asking the Leader of the Government in this place a question about local government and multiculturalism.

Leave granted.

The Hon. IAN GILFILLAN: I hope I can get the attention of the leader; he seems to have become a bit emotionally upset. I do not want to be diverted, but FarmBis needed a shake-up, anyway. In May this year, the Office of Multicultural Affairs facilitated a meeting of representatives from a number of South Australian local government bodies to share ideas and strategies on suitable programs and services for people of culturally diverse backgrounds. In an article in *Multicultural Life*, issue 2 June 2002, entitled 'Local government showing the way', details of the meeting as well as some useful outcomes are spelt out. The article highlights the positive way in which local government in South Australia approaches multiculturalism. It states:

Local councils are becoming increasingly aware of how well placed they are to provide leadership and good service to people of culturally and linguistically diverse backgrounds.

The leader may wonder why I am directing the question to him, and I know that he may share it with his colleague the Minister for Local Government, but I make plain to him and to the chamber that I regard this matter of prime importance to the chamber and the government and that is why I ask him to comment.

The comment quoted above is in stark contrast to the recent statements of the Mayor of Port Lincoln, which I have raised previously in this place. The mayor made comments in June this year as reported in the *Advertiser* of 20 June, and again in the *Australian*, as follows:

In interviews with media outlets ranging from John Laws on radio and the Nine Network's *A Current Affair* on television, Peter Davis said troublesome asylum seekers should be lined up for 'live target practice'. The refugees should be sent to El Alamein, the Port Augusta army base where the Baxter Detention Centre is being built, and told, 'Settle down boys or you might be buried,' said Mr Davis, who had sparked controversy with previous comments. 'We'll only have to shoot a few to get the message across,' he added.

The following week the Port Lincoln council passed a motion rejecting the mayor's claim, which reads:

The City of Port Lincoln distances itself from the personal statements Mayor Davis made regarding the detention centre issue and advises that the views are not necessarily those of the council.

This motion was passed unanimously by the council and, further to that, three of the councillors took part in a march in Port Lincoln on 30 June in support of multiculturalism, accompanied by some 300 people. My questions to the leader, which I hope he sees fit to answer himself, are:

1. Given the positive role that local government plays in our community, does the minister agree that it is reprehensible for elected representatives to make such disgusting, racist and inhumane comments as expressed by the Mayor of Port Lincoln?

2. Will the minister affirm that he believes that Mayor Davis's views thus expressed are in no way reflective of the local government community and that he joins with me and others in this place and totally exonerates the local government community from any such slur?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I hope all members of this parliament would agree to both of those questions.

PRISONS, FIRE SAFETY

The Hon. R.K. SNEATH: I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about the implementation of the recommendations of an MFS safety audit.

Leave granted.

The Hon. R.K. SNEATH: In this year's budget there has been an allocation of \$1.86 million over the next two years and \$70 000 in recurrent funding as a consequence of an audit of the fire safety systems in the state's correctional facilities. Can the minister outline why this funding was needed?

The Hon. T.G. ROBERTS (Minister for Correctional Services): I thank the honourable member for his important question in relation to correctional services. This year's budget has made provision for fire safety in the state's correctional facilities, and with good reason. During 2001, there were 11 fires in the state's prison system. Any one of them could have developed into a major incident. This year we saw a fire in the women's prison that had the potential to cause great damage and loss of life.

During 2001, the Department for Correctional Services arranged for the MFS to audit its fire safety systems. In the past there has been inadequate investment in the fire safety systems for our prisons and that has exacerbated the risk. When spending money on infrastructure such as fire prevention, there is little to show other than that people's safety is not put at risk, but, as far as service delivery goes, we are no further forward after we spend the money. That was the

situation we inherited, and we knew that we had to rectify those circumstances within the prison system.

We have provided funding to upgrade thermal alarms, fire detection systems and monitoring systems, and we will install very early smoke detection alarm systems. In addition to these capital upgrades, we have now provided new funding to create the position of fire officer. I am pleased that this government has shown the foresight to provide \$1.863 million for this capital upgrade and \$70 000 in recurrent funding to create the position of fire officer.

CONSTITUTIONAL CONVENTION

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Premier, a question relating to the Constitutional Convention.

Leave granted.

The Hon. A.L. EVANS: A constitutional convention is a good thing provided it has the outcome of increasing the effectiveness of our parliamentary system. I understand that 300 delegates will be randomly selected and there will be no prerequisite for any of the delegates to be experts in politics or experts in our electoral system or the parliament. I also realise that politicians will be expressly excluded as delegates to the convention. My questions are:

1. How does the government propose to educate the citizens randomly selected from the community? What will be the cost of preliminary education, if any, that would have to be carried out to prepare delegates?

2. What is the likely expense of bringing the 300 delegates together for the period of the convention?

3. How will the government ensure a broad representation of our community to guarantee that, among those selected, women, young people, indigenous people and those from non-English speaking backgrounds are fairly represented? Will the delegates be selected from the electoral roll?

4. What are the terms of reference of the convention? Who will be setting them?

5. Who will be the experts comprising the Constitutional Advisory Board?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will take those questions on notice and bring back a reply from the Premier.

ARTS BUDGET

The Hon. DIANA LAIDLAW: I seek leave to make an explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for the Arts, a question on the subject of the arts budget.

Leave granted.

The Hon. DIANA LAIDLAW: The media statement issued by the Premier and arts minister, the Hon. Mike Rann, last Thursday trumpets that the arts budget will gain an extra \$4.4 million this financial year.

The Hon. R.K. Sneath: You said it was going down.

The Hon. DIANA LAIDLAW: Well listen. The same media statement, however, ignores all reference to the State Library redevelopment, a major three-year capital works project that was commenced and funded by the former Liberal government as part of the successful 10-year undertaking to upgrade all our cultural institutions along North Terrace over a 10-year period to 2004. This omission is interesting as I note that the government's capital works

budget for this financial year includes an allocation of \$22.1 million to progress the State Library redevelopment. Incidentally, it is the third biggest single capital works project in the budget but it did not even rate a mention in any budget press release, let alone the arts press release.

This figure of \$22.1 million for the redevelopment represents an increase of \$6.1 million above last year's allocation and, of course, more than accounts for the \$4.4 million that Labor claims the arts budget will gain this year. I also highlight that Mr Rann's media statement fails to identify a \$3.2 million or 7.8 per cent blow-out in the estimated capital cost of the redevelopment from a total of \$41 million last financial year to \$44.2 million this financial year. I ask the Premier and arts minister, particularly in view of all his protestations about honesty and integrity in government, the following questions:

1. Why did the minister issue a misleading media statement last Thursday which omitted all reference to the previous government's provision of funds for the State Library redevelopment as the reason for the increase in the arts budget for the 2002-03 financial year?

2. Why did the minister approve the issue of a media statement which implied that Labor's new arts initiatives, ranging from the Film Festival to Thinkers in Residence, will be funded by new money for the arts when, in truth, the initiative will be funded at a high cost to other areas of arts activities, including cuts in operating funds to all the cultural institutions along North Terrace—\$180 000 for the South Australia Museum alone?

3. What are all the reasons for the blow-out of \$3.2 million in the estimated total cost to redevelop the State Library? For the minister's benefit, that blow-out is identified on page 11 of Budget Paper 5—Capital Investment Statement 2002-03.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer the detail of those questions to the Premier in another place and bring back a reply. However, I make the comment that I am very pleased that, under the new government, new arts initiatives are on the horizon. In fact, a new government has been elected in this state, and it is actually resetting priorities as is its entitlement.

RURAL ROADS

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Regional Affairs a question about rural roads funding.

Leave granted.

The Hon. D.W. RIDGWAY: We are all aware of the good times in our rural and regional economies. Our rural sector has become much more diverse over the past 20 years. The value of South Australian farm production will reach about \$5 billion in the year 2001-02—a doubling of the production since 1994-95. To facilitate and complement this huge expansion of our rural sector the former Liberal government implemented a strategy called the Unsealed Rural Arterial Roads Program. This program was providing significant benefits to rural communities through improved accessibility and transport efficiencies, and it had broad support across regional South Australia. All council areas where work was to be undertaken have made allowances in their capital works programs and budgets to maximise the benefits for their local communities.

For example, the Wattle Range council—the minister's own home council—obtained approval to commence

construction of the Lucindale to Mount Burr Road in 2000-01 using council funds. This approval was on the understanding that the council would be reimbursed at the scheduled time for the construction in 2002-03 and 2003-04. It was with great disappointment and disbelief that I read in last Thursday's budget papers that the Rann government has slashed nearly \$6 million from the current year's program, down from \$8.45 million signed off by the former government in June 2001 to \$2.828 million. Rural and regional South Australians may well question the commitment of this government to our rural sector. My questions are:

1. Where has the \$5.625 million gone?

2. How does the minister expect rural and regional South Australia to grow and prosper if his government is not prepared to invest in road infrastructure?

3. Given the minister's passion for his portfolio, what action does he propose to assist the district councils that are now facing significant problems due to the \$5.6 million cut?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): I thank the honourable member for his important question. Certainly, I was disappointed, at a personal level, to see the funding for that particular road not proceed. However, I understand that every ministerial portfolio has challenges in relation to their own budgets. I will refer the question to the Minister for Transport and bring back a reply.

The Hon. T.G. CAMERON: As a supplementary question: can the minister outline to the council when the government intends to restore the funding so that the roads can be built, and will the Hon. Terry Roberts raise the matter in cabinet if he is so disappointed with the decision?

The Hon. T.G. ROBERTS: I will talk to my colleague in another place as well as refer the question to him.

The Hon. Diana Laidlaw: And the Treasurer?

The Hon. T.G. ROBERTS: No, the Minister for Transport in another place. I would hope that he will take it up with the Treasurer.

OYSTERS

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

Leave granted.

The Hon. J. GAZZOLA: Recent press reports have mentioned that new technology has enabled the shelf life of oysters to be extended long enough for them to be exported and therefore opening up new markets and opportunities for South Australian producers. My question is: will the minister inform the council of the nature of the new technologies being developed for the oyster industry and their likely impact on the future of the industry?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank the honourable member for his question. There have been some exciting new developments in the area of oyster production technologies in the past 12 months, with perhaps the most exciting of these being ultra high-pressure processing technology. This technology, which is expected to be used commercially soon, will extend the shelf life of refrigerated oysters from four days to around 20 days. This is achieved by using high pressure to destroy the surface bacteria and micro-organisms that cause food spoilage, without resorting to the use of chemicals, heat or irradiation. This means that the texture, flavour and nutritional benefits of the food are preserved.

Planned for use from August this year is technology to allow the automatic shrink-wrapping and packaging of oysters, which will help to create a new retail market for oysters and assist in the logistics of transport. OYSA, the cooperative marketing enterprise established by South Australian oyster growers in 1994, is confident that these new technologies will not only open up new opportunities for its product domestically but also create opportunities for the export of its product to Europe, Japan, China and the United States.

I had the good fortune earlier this year to travel to Osaka in Japan and also to South Korea, and there is no doubt there are a number of opportunities for our fish and other food-stuffs in those areas. There are some problems in relation to that being realised. Of course, there is a shortage of oysters in the summer season in those parts of Asia and, clearly, if it is possible for us to deliver oysters in that market, there could be a great potential for our industries.

So, OYSA's innovative use of new technologies to expand its markets both here and overseas is another example of the resourcefulness and dedication of our aquaculture industry. It is helping to give the world a taste of our very exceptional South Australian produce, and I wish it well in these ventures.

The Hon. Diana Laidlaw interjecting:

The PRESIDENT: Order!

OFFICE OF SUSTAINABILITY

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Environment, a question about the Office of Sustainability.

Leave granted.

The Hon. M.J. ELLIOTT: On World Environment Day this year, Premier Mike Rann announced, as he is wont to do, that this government would create an Office of Sustainability which would be 'the centre for environmentally innovative thinking for the whole of my government.' In a ministerial statement to the parliament, the Premier said:

The office will be responsible for developing future planning directions for South Australia, and then identifying practical measures for responding to them.

According to this announcement, this office was to commence administrative operations on 1 July 2002, supporting new development with the formation of the Green Business Unit. This unit would provide a resource for people and businesses with creative green ways of doing business.

My office was keen to make contact with this new office to explore the opportunities arising from these exciting innovations, which, to quote the Premier, 'demonstrates that my government is committed to ensuring that we all live in a safe and clean environment and to ensuring that there is environmental security for the future'. After failing to find any indications of the office on the department's web site, my office rang the department and asked to be put through to the Office of Sustainability. It was referred to the Waite Institute's water, land, biodiversity and sustainable resources areas, where the front operator said that such an office was not located at the institute. When the switchboard of the Department of Environment and Heritage was asked for the Green Business Unit, the switchboard operator was very helpful in trying to locate it, even going through the minister's office as well as the department's marketing and policy section, but neither had heard of it.

Concerned at the apparent absence of an office, my office finally checked the budget papers to see whether any allowance was made for the Office of Sustainability, which, according to the Premier, would be 'the centre for environmental innovative thinking for the whole of my government'. The only mention that could be found is the establishment of such an office as a target for the 2002-03 financial year (Output Class 7: Coordination and Advice; Budget Paper 4, volume 2, 8.22).

A couple of hours after my phone calls, Mr Hanna happened to ask a question in the lower house about the Office of Sustainability—I am glad to see that the minister's office at least was awake enough to know that questions were being asked—which did give Minister Hill the opportunity to say that there would be some money, there would be 25 staff and who would be the head. However, at that point specifics were still rather lacking. Noting that the Premier's initial statement was that it would commence on 1 July, I ask: when will the office commence operations and is the minister in a position to give us more detail than the limited detail given yesterday in answer to Mr Hanna's question?

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

TRUCK DRIVER TRAINING

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, questions regarding truck driver training.

Leave granted.

The Hon. T.G. CAMERON: A new study shows that up to 30 per cent of South Australia's 30 000 truck drivers are considered at risk and should not be on the roads. The South Australian Road Transport Association (SARTA), which looks after the interests of the state's truck drivers, has revealed that one in three have behavioural, technical or stress related problems that could lead to accidents. The association discovered the problems during a new pilot safe driving program involving 300 drivers. During the assessment for its driver-safe program, SARTA found high risk taking among transport drivers, low stress tolerance towards other road users, inadequate appreciation of the workload and unacceptable attitudes towards driving.

In categories tested so far, 32 per cent of drivers were found at high risk, 20 per cent were classified medium risk and just 9 per cent were considered low risk. SARTA Executive Director, Steve Shearer, was quoted in the *Sunday Mail* recently as stating that, of the 30 drivers already tested, more than 30 per cent have been found to be high risk and would not be recommended for employment. My questions to the minister are:

1. Considering that SARTA, the association that looks after the interests of truck drivers, believes that almost one third are unsuitable for driving trucks, what steps is the government taking to reduce this dangerous situation?

2. Will the government, in consultation with the trucking industry, namely, SARTA, introduce improved truck driver education programs?

3. How many fatal and serious accidents involving trucks occurred on South Australian roads during 2001-02 and could that figure be broken down into intrastate and metropolitan categories?

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

The Hon. DIANA LAIDLAW: By way of supplementary question, could the minister at the same time take the opportunity to inquire of the government what initiatives have been taken to introduce new younger drivers to the industry to help support a lowering of the average age of truck drivers in South Australia, whilst at the same time introducing new and enhanced skills and training?

The Hon. T.G. ROBERTS: I will refer those two important questions back to the minister as well and bring back a reply.

CROWN LAND

The Hon. T.J. STEPHENS: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about crown perpetual leases.

Leave granted.

The Hon. T.J. STEPHENS: Today I received a copy of an email. I think all members were sent a copy, the original having been sent to the Hon. Terry Cameron. I will quote from this email as it gives a reasonable explanation. It says:

Dear member of Legislative Council,

Re: Increase in Crown Lease Rental & Freehold Purchase Price.

We are writing to strongly protest against the unjust and horrendous increase in perpetual lease rental to \$300pa indexed, along with the freehold purchase price for perpetual leases to \$6 000.

In our situation this is a 3 000% increase in rental. This is a critical situation in the current economic and agricultural environment.

There appears to be little thought given to the impact on farmers in the transition, for example we feel that there should be an amnesty period where by the leaseholder has the opportunity to freehold before the 400% price increase.

Please consider how you would feel in the following situation:

If you had purchased a property for \$255 000 (\$265 460 after SA government fees) in February this year. After consulting with professionals and Dept. for Environment & Heritage concluded there was no commercial advantage in free holding the land. (Land prices reflect this fact, with no premium for freehold title over perpetual lease.)

You hold three perpetual leases, which in the past you have paid \$30p.a. and without warning this has increased to \$900p.a. indexed overnight, as well as the opportunity to freehold at \$1500 per lease to \$6 000. Then in the Minister's News Release (Hon. John Hill) on 11 July 2002 would lead the general public to believe we have only ever paid \$30 p.a. for this land and not the \$255 000 to the vendor along with \$10460 of government fees.

The Hon. Caroline Schaefer: That is without the rise in stamp duty.

The Hon. T.J. STEPHENS: My colleague says, 'That is without the rise in stamp duty.' The email continues:

Minister Hill's Press Release is misleading and demeaning to the farmers of this state.

Please take into account the effect this change will have on the rural community with many farmers in the same situation as ours. When voting on this legislation please consider its ramifications along with the responsibility to govern fair and justly.

There is a contact number and it is signed by concerned constituents. My questions are:

1. Can the minister give details of how many crown lease perpetual properties there are in this state with annual fees of over \$300?

2. Is the minister aware that most farming properties will have rises of between 500 per cent to 1 000 per cent as a result of this budget?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will take those important questions to the minister in another place and bring back a reply. I indicate that a select committee is being set up to look into the problems associated with the changes in the rental formulas. Hopefully there will be a solution drawn out of that select committee—

The Hon. A.J. Redford: Is it joint or select?

The Hon. T.G. ROBERTS: Lower house, as far as I know.

Members interjecting:

The Hon. T.G. ROBERTS: My understanding is that it is a lower house select committee. I will take those questions to the minister and bring back a reply.

CRIME POLICY

The Hon. A.J. REDFORD: I seek leave to make a brief explanation before asking the Leader of the Government in this place a question about an unanswered question on crime policy.

Leave granted.

The Hon. A.J. REDFORD: On Wednesday 8 May, shortly after the parliament resumed, I asked a question of the Minister for Police about Labor Party policy confusion in the area of crime policy. In my question I noted that the Labor platform for government, adopted by the ALP state convention in October 2000, stated:

In the claim of all citizens to equality and justice before the law is the fundamental ordering principle of South Australian society.

I went on and pointed out that the policy stated that individuals should:

... be able to go about their business without undue interference.

I also drew attention to the policy that Labor would support the proposition that there is a presumption of innocence and that an accused person has a right to silence. I then drew the leader's attention to this statement made during the course of the election campaign:

Under a Labor government the state's law enforcement agencies will be given unprecedented new power to investigate organised crime activities and will bring the perpetrators to justice. The measures to curtail the activities of gangs include the power to compel uncooperative witnesses to answer questions on oath.

During the course of that question I clearly identified a major inconsistency in the Labor view and I was of the view that that inconsistency ought to be drawn to the attention of the Labor government and that we all then should be given some explanation as to how it proposes to reconcile that inconsistency.

As a consequence of that question, the honourable member indicated—from where I do not know—that I did not have any concern about the activities of organised crime and gangs within the community and gave me a couple of slaps on the way, but he did say:

I will refer the more philosophical points in the member's question to either the Attorney-General or the Minister for Emergency Services.

I can well understand that both ministers would be fighting not to answer the question because it is a difficult question but, notwithstanding that, it is such an important issue that it ought to be reconciled within government, and the people of South Australia ought to know what its basic philosophy is on these important issues. I feel that I have no choice other than to point out the slowness of the government in responding to this question, and obviously allude to the fact that there

is considerable disagreement within government ranks on these important principles. In the light of that, my questions to the minister are:

1. When is it likely that I will receive an answer to this question, notwithstanding the fact that it might involve some difficulty and some internal division within the Labor Party?

2. Has the state ALP Council endorsed the policy which has been described—by me, I might add—as an attack on our fundamental rights; and how does the ALP reconcile the two principles?

The PRESIDENT: Order! I call on the minister and I hope that there is less opinion in the answer than there was in the question. I draw the honourable member's attention to the fact that opinion in questions is out of order.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will follow up the question. If I undertook to give an answer to it, as the honourable member claims, I will take it up with the minister in another place and see what information is available.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: I am not sure to whom it was referred: it was probably the Attorney-General in the first instance. I will follow that up and seek to bring back a reply. However, as the honourable member said, if he is going to ask broad philosophical questions rather than questions of specific detail, he can reasonably expect to wait.

CROWN LAND

The Hon. J.S.L. DAWKINS: 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 about crown leases.

Leave granted.

The Hon. J.S.L. DAWKINS: There has been significant publicity in recent days following the budget increase in crown lease fees. However, there has been little media coverage of the impact on residential properties which are situated on crown lease land. I will read into *Hansard* a letter which appeared in the *Advertiser* of 13 July from Trevor and Carol Balshaw of Berri. The letter states:

I refer to the budget measure to introduce a minimum and indexed rent of \$300 a year for all crown leases and licences. Mr Foley, we live in the Riverland in a house that is valued at \$84 000, not a mansion, but a modest three-bedroom home. This house is on a town block, does not derive any income and covered by a perpetual lease for which we pay \$5 a year.

For this, we receive, and expect, nothing. We have investigated making it freehold but were told that it would not add to the value of the property. Added to that, the old \$1 500 to make it freehold at a payback of 300 years. Not worth it. Now you are putting up the lease by a minimum of 6 000 per cent and increasing the cost of transferring to freehold to a minimum of \$6 000. While bringing the payback period down to 20 years, I do not have \$6 000-plus to avoid paying the minimum of \$300 a year (which will go up, as you intend to index it).

I will now have to try to find the extra money as well as extra for electricity, plus 4.1 per cent for all other government charges.

If we are to pay this huge increase, what do we get for it—lawns mowed, reduced council rates or something else?

My questions are:

1. Is the minister aware of the large number of residential properties, particularly in the Riverland, which are on crown lease land?

2. Is the minister aware that these residents have had to purchase the leasehold tenure of these properties as well as paying the annual lease fee?

3. Will he concede that this budget decision will have a considerable impact on the families who live on these properties?

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

REGIONAL ROADS

The Hon. DIANA LAIDLAW: 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 the regional roads program.

Leave granted.

The Hon. DIANA LAIDLAW: I could see no reference to the regional roads program in the budget statements overall from the capital works or operating statements for transport. This initiative was launched by the previous government in the year 2000 and dedicated all increases in heavy vehicle registration charges to investment in regional roads deemed to be important for economic development or tourism purposes. Incidentally, South Australia is the only state to have dedicated these increases for this purpose. A forward program was announced by the previous government because, in dedicating these increases in heavy vehicle charges to regional roads, we did require a joint commitment from their respective local government body; and this program, overall, complemented the special local roads fund which was a federal government-local government joint initiative. My questions to the minister are:

1. How much is anticipated to be raised through increases in heavy vehicle registration charges in the coming financial year?

2. Will all these funds be dedicated to the regional road program or has the government abandoned or amended that program? If it has been amended, in what ways?

3. What forward commitments provided by the former government will no longer be met, or will they be met in full?

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.

REPLIES TO QUESTIONS

ADELAIDE RAILWAY STATION

In reply to **Hon. T.G. CAMERON** (29 May).

The Hon. T.G. ROBERTS: The Minister for Transport has provided the following information:

1. *Since the Labor Party took office has there been any direction to cut the number of checks of tickets by railway staff at the Adelaide Railway Station or on the trains themselves? If so, why has this occurred?*

There has been no such direction by the government to change work practices. TransAdelaide has had to use a number of staff for customer briefing and assistance on the Outer Harbor line during the concrete resleeper project. This has taken some resources away from ticket checking.

2. *When will the ticket validation machines be fully operational, and why has it taken so long?*

The installation of the twenty-four ticket readers was completed on 30 June 2002. Operations commenced on 1 July 2002.

The installation process included the research of existing technologies, a trial and review of reader machines in March and April 2002, the preliminary and detailed design of the new system, the removal of the old and subsequent commissioning of the

replacement system. From start to finish, the upgrading project took approximately four months.

3. *Can the minister supply figures for the number of people who have been issued infringement notices resulting from ticket inspections at the Adelaide Railway Station for each month between 1 January 2002 and 30 April 2002?*

The number of people issued expiation notices resulting from ticket inspections by Adelaide Railway Station for each month between 1 January 2002 and 30 April 2002 is as follows:

January 2002	February 2002	March 2002	April 2002
343	369	336	278

ROAD SAFETY STRATEGY

In reply to **Hon. DIANA LAIDLAW** (4 June).

The Hon. T.G. ROBERTS: The Minister for Transport has provided the following information:

1. *When does he propose to take the strategy to cabinet for consideration, and what is his timetable for release of the strategy?*

It is the intention of the government to announce an integrated package of road safety measures shortly. The government has been considering a comprehensive package of a wide range of road safety measures designed, quite simply, to save lives. The government recognises that reducing the causes of the road toll is a complex issue and there is no simple answer. Nor does the government have unlimited resources to pursue all possible road safety initiatives simultaneously. The effectiveness of potential measures and their cost vary enormously, and the government needs to give careful consideration to determining which package of measures will provide the most effective means of reducing the road toll, whilst at the same time being both affordable to the people of South Australia and recognising community views.

2. *When he finally releases a comprehensive, coherent strategy (at least, let us hope that it is), rather than the ad hoc, isolated initiatives that we are now being bombarded with from the minister and the Premier without the aid of research or any context, will the minister also undertake, as part of the government's open government agenda, to release all the submissions received by Transport SA during the public consultation phase?*

One of the legacies of the previous government was a road safety regulatory regime that lagged the rest of Australia in practically every effective intervention. If the decisions to date appear ad hoc, that is because the current government has a lot of catching up to do.

At the time comments were invited on the draft strategy, the community was not advised that submissions would be made available publicly. However, there is nothing to prevent any agency, organisation or individual member of the public who has provided a submission from making their submission publicly available. In a spirit of open Government, I will arrange to seek their consent to public release and will advise further once the responses have been received.

BUILDERS INDEMNITY INSURANCE

In reply to **Hon. R.D. LAWSON** (30 May).

The Hon. T.G. ROBERTS: The Minister for Consumer Affairs has been advised by the Office of Consumer and Business Affairs of the following information:

The first question was what steps will be taken to ensure that the process of obtaining a case by case exemption from the requirement to obtain building indemnity insurance will not be as time-consuming as the process that led to the current difficulties.

Since the Minister for Consumer Affairs made his ministerial statement, guidelines have been sent out to those builders who have approached the Office of Consumer and Business Affairs or the Minister seeking an exemption application. Resources have been allocated to assessing those applications and, if necessary, additional resources will be allocated to ensure applications are assessed as quickly as possible. To a certain extent, however, the length of time it takes to assess a builder's application will vary considerably depending on that builder's circumstances and the information supplied by the builder in support of the application. Approximately a dozen exemptions have already been granted, and half that number are still under consideration.

The second question related to an apparent mistake in the minister's statement. *Hansard* quotes the minister as saying 'it is intended to grant exemptions to those who are unable to obtain insurance because they are a bad financial risk'. The honourable member has identified an error in the statement. The statement

should have read: 'it is not intended to grant exemptions to those who are unable to obtain insurance because they are a bad financial risk'. Hansard have been alerted to the error and in time will make a correction.

The third question related to a reference in the minister's statement that there is anecdotal evidence that builders and owners are already finding ways in which to circumvent the insurance requirements in the legislation. The honourable member asked what steps the government will take to ensure that these new arrangements will not be circumvented in a similar way. These new arrangements are designed to grant builders, where appropriate, an exemption from the requirement for insurance. It is not clear what the honourable member means with his question as, having been granted an exemption, there would be no incentive to circumvent this arrangement. Applications will be assessed carefully and information verified where appropriate. No exemption will be granted unless the minister is satisfied that the owner has given informed consent to the application for exemption so the builder will not be able to circumvent that requirement. Councils require evidence of insurance or an exemption before work is permitted to commence. In addition, many banks will not release funds to purchasers until a certificate of insurance or exemption has been sighted.

The fourth question asked was whether the Housing Industry Association supported the scheme outlined in the ministerial statement. The ministerial statement acknowledged that not all sectors of the building industry were in favour of exemptions. Although the HIA conceded that the exemptions would benefit some builders who are experiencing genuine difficulties having their insurance applications assessed by the HIA's insurer, the HIA ultimately maintains that exemptions are not required because the HIA's insurer is in a position to insure 100 per cent of the market. They have consistently maintained this, yet builders continue to complain that they have been waiting for some months and their applications for insurance are yet to be processed. Notwithstanding the HIA's reservations, it has been accepted that something needs to be done to ensure that, where possible, builders are provided with some temporary relief to enable them to continue building and stay in business whilst they sort out their insurance situation.

Finally, the honourable member asked whether exemptions will be available to companies which are able to obtain insurance but which choose instead to seek an exemption. The criteria for exemptions that have been announced make it clear that an applicant for an exemption should demonstrate that the applicant has applied for building indemnity insurance with respect to the project the subject of the application. It is not accepted that builders, and buyers or owners of the relevant properties, who do obtain insurance and thereby incur an additional cost, will be prejudiced as against builders or buyers who obtain exemptions. The advantage of not having to pay the insurance premium is balanced against the fact that there will be no insurance. Also, given that the intention is to grant exemptions to builders who have experienced delays in obtaining insurance, the reduction in cost associated with the exemption is unlikely to go any significant way towards offsetting the financial disadvantage that builder has experienced as a result of delays in obtaining insurance.

REGIONAL AIR SERVICES

In reply to **Hon. CAROLINE SCHAEFER** (27 May).

The Hon. T.G. ROBERTS: The Minister for Transport has provided the following information:

The government, since it took office, has continually assessed the possible impacts on regional communities of the loss of regional air services. However, the honourable member may be confused about the government's intentions with regard to community impact statements. The Premier has requested chief executives of government agencies to document consultation in cabinet submissions as community impact statements, to inform Cabinet of the full range of costs and benefits of proposals to the community. It may be that requirement that the honourable member is referring to. Since Australiawide Airlines' request for assistance was made directly to the Treasurer and the Minister for Transport, this formal requirement did not apply.

In regard to the assistance requested by Australiawide Airlines, it needs to be understood that the current situation surrounding the sale of Kendell Airlines is immensely complex. To take a simplistic view that governments should intervene in the process to pre-empt a market solution is not in the best interests of either the regional airline industry or the communities it serves. Assistance provided to

a potential purchaser of Kendell Airlines to the level suggested would immediately disadvantage competing airlines, create barriers to entry on what would effectively be subsidised routes and put large sums of tax payers' money at unjustifiable risk. It should be noted that all other state governments involved have taken similar positions.

This government does not believe that it is the business of government to subsidise commercial air services. However, the Government did signal to the Kendell Airlines administrator's preferred bidder that it is prepared to discuss what general types of industry assistance at the margin it might be able to provide.

The answers to the honourable member's questions are therefore:

No; because it was not required;

No, unless a proposal is made to cabinet; and

No. Cabinet documents are not publicly released.

MAGISTRATES COURT

In reply to **Hon. SANDRA KANCK** (3 June).

The Hon. T.G. ROBERTS: The Attorney-General has been advised by the Courts Administration Authority of the following information:

1. The courts have both internal and external monitoring systems. The administrative performance of the court is reported on a fortnightly basis and periodic checks are made of the operation of the court.

2. A record of complaints is kept in the Courts Administration Authority. Complaints are recorded in a register and forwarded to the director for consideration. If necessary information is then sought from the administrative unit and a reply formulated. The reply is then forwarded to the appropriate person and the date of reply is recorded in the register. The register is available to senior officers of the court and replies are available for the parties involved in the actions concerned.

3. The level of expertise required by court staff is extensive and staff training and development is ongoing. Where staff find themselves unable to deal with a situation, this is referred to a higher level. Court staff are expected to read court orders and take appropriate steps as directed in the order.

4. The managing registrar of the Adelaide Magistrates Court manages payments from the courts litigant trust fund. These payments in and out are checked by an independent officer and are subject to internal and external audit. In this case the payment was not placed in the litigant fund but was instead put into the suitor payment account which is paid out on a monthly basis. The current system for cheque production has been in place for four years and this is the first occurrence of such a situation.

5. The managing registrar is in receipt of a written complaint from Mrs Boyd. The deputy registrar is handling the matter and has made a registrar's application to the court, returnable on 12 June, seeking an order from the court to rectify the errors made. It is anticipated that the hearing on 12 June will restore the matter to its original status, that is, the money incorrectly paid out will be returned to the court and the order previously made will stand. A written apology will be provided to Mrs Boyd at the hearing on 12 June.

POLICE INVESTIGATION

In reply to **Hon. R.I. LUCAS** (6 June).

The Hon. P. HOLLOWAY: The Minister for Police has provided the following information:

1. Please refer to my answer to the question without notice from the Hon. Dean Brown MP in the House of Assembly on 6 June 2002.

2. Please refer to my ministerial statement tabled in the Legislative Council on 6 June 2002.

3. Please refer to my ministerial statement tabled in the Legislative Council on 6 June 2002.

4. The Commissioner of Police has advised me of the following:

- On Monday, 4 March 2002, I called commander Phil Cornish and superintendent Mick Symons to my office and advised them both that the former would take over the investigation into Mr Peter Lewis MP.

- Commander Cornish is the officer in charge of Ethical and Professional Standards Service (EPSS). Previously he was in charge of the Anti-Corruption Branch (ACB). EPSS and ACB are both located on the 6th floor of the headquarters building.

- Superintendent Symons remained at the ACB as officer in charge. He reports to me on all corruption matters, other than the Lewis investigation.
- Commander Cornish also reports directly to me from EPSS. In respect to the Lewis investigation, he also reports to me direct, being the officer in charge of the task force investigating Mr Lewis. He manages the task force at the same time he does with EPSS.
- No-one was formally removed from any management position in the ACB. Inspector Rick Perry, who is in the operations inspector within ACB, has always been involved with the Lewis task force. The task force operates in its own operations room and uses a separate computer case management system which superintendent Symons cannot access.

GOVERNMENT PROMISES

In reply to **Hon. A.J. REDFORD** (28 May).

The Hon. P. HOLLOWAY: The Premier has provided the following information in answer to the questions:

An offer of financial assistance capped at \$21 000 to the Justice for Cyprus Coordinating Committee has been accepted. The \$21 000 is a contribution towards the lodgement of a number of cases before the European Human Rights Court. The government has not received any other requests in relation to restitution and compensation cases before the European Human Rights Court.

FISHERIES (VALIDATION OF ADMINISTRATIVE ACTS) BILL

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries) obtained leave and introduced a bill for an act to validate certain administrative acts and payments. Read a first time.

The Hon. P. HOLLOWAY: I move:

That this bill be now read a second time.

This bill seeks to validate certain administrative acts and payments. It was originally introduced by the previous government in the spring 2001 session of parliament but lapsed when parliament was prorogued. The bill specifically relates to the administration of the blue crab fishery under two sets of regulations between 11 June 1998 and 16 September 2001, being the Scheme of Management (Blue Crab Fishery) Regulations 1998 and the Scheme of Management (Marine Scalefish Fisheries) Regulations 1991.

In early 2001, it became apparent that PIRSA Fisheries had incorrectly interpreted and applied some regulations relating to the allocation and transfer of blue crab quota and related gear entitlements. These errors affected the calculation of licence fees payable. The Crown Solicitor has recommended that the regulations be amended to provide for correct administration of the fishery prospectively and that a bill be passed to validate the past incorrect acts or omissions to provide legal certainty for the management of the fishery in the future.

The bill will also preserve the validity of negotiated and agreed licence fees paid by commercial fishers under the cost recovery policy during the period from 1 July 1998 to 30 June 2001. The passing of the bill will not have any detrimental effect on any commercial blue crab fisher, as the bill essentially validates the management arrangements for this fishery that were expected and understood by all licence holders for a long period of time before the errors were uncovered. The department was acting in good faith and in line with the best interests of the fishery and, while depart-

mental officers thought the regulations provided for the arrangements in line with agreements with operators within the fishery, the regulations did not fully authorise these management arrangements. I commend the bill to the council.

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

Leave granted.

Explanation of clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the measure to be taken to have come into operation on the day on which the Bill for the measure was first introduced in the Parliament.

Clause 3: Validation of certain administrative acts and payments

This clause validates acts done or omitted to be done prior to 17 September 2001 in or with respect to the variation of conditions of fishery licences relating to matters prescribed by regulations 14 and 15 of the *Scheme of Management (Blue Crab Fishery) Regulations 1998* (see *Gazette* 11 June 1998 p. 2519), and regulations 14A and 14B of the *Scheme of Management (Marine Scalefish Fisheries) Regulations 1991* (see *Gazette* 27 June 1991 p. 2187), as in force from time to time. It also validates the collection of amounts paid prior to 27 June 2001 purportedly as renewal fees or instalments of renewal fees under regulation 8 and Schedule 2 of the *Scheme of Management (Blue Crab Fishery) Regulations 1998*, and regulation 8 and Schedule 2 of the *Scheme of Management (Marine Scalefish Fisheries) Regulations 1991*, as in force from time to time.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

EDUCATION (COMPULSORY EDUCATION AGE) AMENDMENT BILL

In committee.

Clause 1.

The Hon. P. HOLLOWAY: The Hon. Rob Lucas asked about the relationship between unemployment rates, especially youth unemployment, and school retention rates. He asked whether high retention rates are more likely at times when unemployment levels are high. Advice from the Australian Bureau of Statistics (ABS) is that the relationship between youth unemployment rates and school retention rates cannot be quantified easily. There is no definitive answer to the proposition that high retention rates are more likely at times of high youth unemployment. Some commentators argue that high retention rates are the result of high unemployment rates. In South Australia, there have certainly been many such commentators in the eight years prior to this government's taking office in March.

The fact is that, even after eight years of trying to explain the disappointing decline in youth retention rates, no matter how many studies the former government commissioned, the link is not as clear as those commentators would have us believe. After many years of the steady implementation of Labor policy and programs, the 1993 retention rates, even taking into account part-time students, stand as a marker to the steady decline in students' willingness to stay at school under the changes brought about by the former Liberal government.

The leader also asked about the manner in which year 12 retention rates are calculated. He specifically asked whether they take into account part-time year 12 students and whether there are ways of calculating retention rates that account for part-time year 12 students. My advice is that part-time students are not part of apparent retention rate calculations at a national level, even taking into account South Australia's

high proportion of part-time students. The year 8 to year 12 retention rate in this state has fallen by 23½ per cent since 1993, and the year 10 to year 12 rate has fallen by 17.9 per cent. No matter how we look at it, that is a woeful situation. In South Australia apparent retention rates are calculated as full-time equivalent (FTE) and take account of all persons for both year 8 to year 12 and year 10 to year 12. At the national level, full-time year 8 to year 12 and year 10 to year 12 apparent retention rates for students are reported in the ABS Schools Australia Report, whilst in the report on government services only year 10 to year 12 rates are reported.

The manner in which apparent retention rates are calculated involves the number of students in year 12 compared with the number of students in year 8 (four years earlier) and/or in year 10 (two years earlier). Part-time students can be calculated within the apparent retention rates using, for example, full-time equivalent students—that is, full-time plus the proportion of workload undertaken by part-time students—or all students, that is, person or head counts of all full-time and part-time students.

I seek leave to have inserted in *Hansard* a statistical table that shows apparent retention rates in South Australian government schools.

Leave granted.

	1993	2001	Difference
8-12 full time	80.5	57.4	-23.1
8-12 full time equivalent, FTE (includes part-time students)	92.6	68.9	-23.7
8-12 all students (includes part-time students)	101.3	77.8	-23.5
10-12 full time	82.4	61.7	-20.7
10-12 full time equivalent, FTE (includes part-time students)	93.7	73.9	-19.8
10-12 all students (includes part-time students)	101.0	83.1	-17.9

Source government F/T—ABS Schools Australia Cat. 4221.0. Government FTE/Persons—Calculated from Schools Australia and MCEETYA data.

The Hon. P. HOLLOWAY: I make the following comments regarding retention rates, because that matter was raised in the debate. With the exception of the Northern Territory, South Australia has the lowest apparent retention rate of all jurisdictions, I am advised. South Australia is the only state which has shown a marked deterioration in apparent retention rates over the past seven years. South Australia's apparent retention rate of 65.4 per cent in 2000 compares to a national average of 72.3 per cent. I seek leave to have inserted in *Hansard* a statistical table showing apparent retention rates of secondary students from years 7 to 8 to year 12 for all states and the nation.

Leave granted.

Apparent retention rates of secondary students^(a), from year 7/8 to year 12

	NSW Per cent	Vic. Per cent	Qld. Per cent	SA Per cent	WA Per cent	Tas. Per cent	NT Per cent	ACT Per cent	Australia		
									Males Per cent	Females Per cent	Persons Per cent
1995	69.1	75.0	76.3	71.4	71.2	59.7	42.7	91.1	66.7	77.9	72.2
1996	67.7	75.3	76.5	68.4	70.7	53.1	41.0	91.3	65.9	77.0	71.3
1997	67.2	76.3	77.9	66.9	71.6	58.6	42.0	91.6	66.2	77.8	71.8
1998	67.2	75.9	77.3	66.7	71.1	62.1	42.9	91.0	65.9	77.7	71.6
1999	67.6	76.2	77.5	67.0	71.5	66.7	52.9	92.5	66.4	78.5	72.3
2000	67.5	77.2	77.3	65.4	71.3	69.5	49.7	87.1	66.1	78.7	72.3
All schools	68.2	79.3	79.0	66.4	72.0	68.7	50.9	89.3	68.1	79.1	73.4
Government	62.0	73.7	73.6	57.4	65.9	68.5	59.7	107.6	62.1	73.9	67.8
Non-government	81.5	88.7	89.3	85.1	85.1	69.3	35.3	65.6	79.8	89.1	84.4

Source: Australian Bureau of Statistics Cat. No. 4221.0. Schools Australia, 2001.

^(a)Full time students only.

The Hon. P. HOLLOWAY: The leader also asked about the status of a longitudinal study conducted by DE TE and Flinders University which was approved by the former Minister for Education and which was conducted by Professor John Smyth. I will place some information on the record in relation to that.

It is about the Students Completing Schooling Project (SCSP), which was a three-year collaborative project funded by the Australian Research Council for the period 1997 to 1999. Professor John Smyth was the chief investigator for the project. The research project was jointly conducted by Flinders Institute for the Study of Teaching at Flinders University, the Department of Education, Training and Employment and the Senior Secondary Assessment Board of South Australian (SSABSA).

The project investigated the complex and interacting factors leading to students' decisions to complete or not complete post-compulsory schooling, culminating in the award of the South Australian Certificate of Education (SACE). Outcomes include:

- The project report, 'Listen to Me, I'm Leaving: Early School Leaving in South Australian Secondary Schools'.
- Development of the Students-as-Researchers teaching resource and web site. These teaching materials support students to investigate social issues of importance to them and in a way that focuses on what young people are saying. The materials are being used in a number of schools in South Australia. There have also been requests for the materials interstate and internationally.
- The findings of the project have also contributed to the inclusion in the 2002 Global Budget of Funding for Off-Campus Enrolments. This funding specifically relates to funding for students at risk who are involved in programs off the campus of the enrolling school. Major findings include:
 - Difficulties that schools experience in responding effectively to the complexities of young people's lives.
 - The importance of being heard in the development of young people and how some schools have difficulty in acknowledging and addressing the voices of young people.

- The importance of peer relationships to the student's perception of school.
- The importance of teacher relationships in students staying at school. One or two negative teacher relationships can severely impact on a student staying at school. One positive teacher relationship can help keep a student at school.
- The potentially negative impact on students remaining at school if behaviour management, suspension and exclusion policies are misused.
- The importance of curriculum that engages students and is related to students' lives both within and outside school.
- The need for flexibility in curriculum and assessment demands placed on young people.
- How SACE is often perceived by students as a mechanism for university entrance.
- Contradictions between policy and school practice, that is, the historical structures and cultures of school as institutions can override enlightened and informed policy.
- The importance of the 'leaving event' for students on their perceptions of schooling; that is, there needs to be consistent closure of schooling for all students no matter when they leave.
- How relationships outside of school, especially family relationships, impact on school events.
- How participation in work and youth policies regarding money, particularly for students from low socioeconomic background, can affect the completion of schooling.

During his second reading speech the Leader of the Opposition asked whether a second study was commissioned in 1997, or thereabouts, to examine why young people are either choosing part-time study or dropping out of further study. I am advised that it is difficult to establish specifically which study the former minister is referring to, as at that time a number of studies were being conducted that may fit the loose definition provided. If the leader wants more information on that perhaps he could provide more detail afterwards. I think they were the main questions that the leader asked during the second reading debate so perhaps I will leave it there, and if he wishes to raise other matters during discussion of the clauses of the bill I will do my best to answer them.

The Hon. R.I. LUCAS: I thank the minister and the minister's advisers for the response to some of the questions that were raised. I might note for the benefit of the advisers—and it may well be that we do not complete this before 6 p.m.—that there was a series of other questions which I will return to in the clauses in relation to resourcing. They were the issues of how the formula is to be calculated for students who are enrolled at a secondary school but are basically then exempted for further training in an off-school establishment, and also the impact that might have on a TAFE training institute in terms of the way they are to be resourced. There were also questions on whether or not there had been changes to the staffing formula for year 10, in particular, as a result of the recent teachers' EB, which might have some impact. There were a number of related resourcing questions and I remind the minister of them because I think it is important they are resolved one way or the other before parliament finally votes.

In relation to the report 'Listen to Me, I'm Leaving', which a collaborative exercise between the Flinders Institute for the Study of Teaching, the Department for Education, Training and Employment and the Senior Secondary Assessment Board of South Australia, I thank the minister for

providing a copy. Unfortunately, since last evening I have been able to look only briefly at the background, the conclusions and some of the testimonies of the 209 students, I think it was, who had not completed schooling or were potentially going to drop out from schooling. Certainly, for anyone who is interested in this ongoing debate and important area this report—rather than the potentially knee-jerk response to what is a difficult, complicated and complex area—shed some light and good light on what is a complicated area. As the minister has highlighted—and I will not repeat it all—he has read from some of the themes coming out of the interviews with the 209 students or young people.

As is encapsulated in the summary: this is a complicated area. There is no easy, one-policy response, either from my perspective now, as an opposition member, but also—not being a signed-up, converted member of this particular policy, as I said—acknowledging that the government of the day and now the opposition have decided to support it. In essence, the early claims, at least in terms of the rhetoric now coming from government, are changing. I think that is pleasing. I think if most people had listened to the debate two years ago from the then opposition it was, 'Well, apparent retention rates have dropped from 93 per cent to less than 60 per cent. The simple solution to this is to jam the school leaving age up to 16 and that will resolve most of your problems.'

The statements now coming from some of the ministers acknowledge more of the reality of the situation and the language is much more cautious: it is now saying this is one step of a total package and it is the first step. As I said during the second reading debate, I think it will be interesting to see, in four years, what the end result of this particular policy is on the issue of apparent retention rates. I thank the minister for a copy of the report and would commend it to other members if they want some light shed on a complex and complicated area.

The minister then went on to incorporate in *Hansard* some information in relation to apparent retention rates. I would like to ask the minister the following question, given the criticism that the government has made of the decline in apparent retention rates from 93 per cent down to what was just under 60 per cent, and is now evidently just over 60 per cent, and the clear policy objective that by the end of this term it will be heading back up to the 90 per cent region again. Has the new government changed the policy objectives of the Education Department so that there is to be greater encouragement for full-time completion of the South Australian Certificate of Education?

There has certainly been an acceptance in the education system over the past few years that the completion of the South Australian certificate over a number of years is not discouraged and certainly is encouraged with a significant number of young people, on the basis that their personal circumstances might well suit that. The pressures of doing all these subjects in the one year may not suit certain young people, and being able to spread it out over two or three years is something which at the very least has not been discouraged and which I know many schools have actually encouraged for many young people.

In addition to that, the personal circumstances of some young people who perhaps need to undertake part-time work as well mean that they have completed it over two or three years. The minister has just acknowledged that the apparent retention rate excludes these part-time students from being listed as having been retained in the system and is therefore

part of the reason for the significant decline from over 90 per cent. Given that background, my simple question to the minister is: will the government change the policy direction so that there will now be a formal policy of encouraging young people in our school system to complete the South Australian Certificate of Education in just one year? I might interpose that that is not a course of action that I would be recommending but, given the policy directions and the announcement of the objectives of the new government in relation to the need to get the apparent retention rate back up to 90 per cent, what is the government's policy on that critical issue?

The Hon. P. HOLLOWAY: I advise the honourable member that the government's policy is to allow for flexibility according to the needs of the student, and that is essentially what the government policy will be. I guess what the government is trying to do with this bill is encourage students to remain at school so that they want to remain at school rather than leave. In relation to what we are doing with the SACE curriculum, I make the point that successful schools are the best places for our young people to be. The government is committed to ensuring that the senior secondary curriculum is relevant to students and to encourage the completion of SACE.

I guess we could talk for a long time about how we might implement this program to support the increase in the school leaving age. I know there was some criticism of this bill during the second reading debate, suggesting that this is the only policy the government has. Since this bill was introduced in this parliament the budget has now come down and all members can see that the budget allocates resources to the programs to increase the school leaving age, so clearly the government is committed to resourcing this program so that we can achieve the results that are available to us. Specifically, I guess the answer to the honourable member's question is no; the government still accepts the need for flexibility in relation to the senior years of education.

The Hon. R.I. LUCAS: I thank the minister for the indication that the policy direction has therefore not been changed in relation to that. Does the research evidence available from the 'Listen to me, I'm leaving' report and the other reports that the minister referred to, which also broadly cover this area, indicate that it is advantageous for a number of young people to complete their South Australian Certificate of Education over more than the one year, that is, by a combination of part-time work and study, or because the judgment had been made by the young person or their family, the school or a combination of all that the pressures of doing all the subjects in one year might be too much? I note that the 'Listen to me, I'm leaving' report indicates that working part-time does place additional pressures on some young people in being able to try to complete year 12.

The Hon. P. HOLLOWAY: A number of matters were looked at in the studies that were referred to earlier. The studies were really about why young people leave school at an age that is earlier than we would perhaps like. I will give some brief answers about the results of some of those other studies, and that might at least help answer the questions that have been asked by the leader. There was a broad range of findings, including that students believe that schools are most successful in helping them obtain good academic results and make friends but are least successful in developing knowledge of the world, self confidence and interesting activities.

Students who believe that they are doing well are much more positive about their schools than are those who expect

failure. Some students use school as a SACE factory. Boys are more likely to see school as a prison than girls, and for both boys and girls the prison image grows as achievement in English weakens. The proportion of students studying only SAS subjects as distinct from publicly examined PES subjects increases progressively as social status becomes lower. The higher the socio-economic level of parents, based on education and occupational level, the greater the chances that students will be successful academically.

There were also studies into leaving school early without credentials. The study found that SACE emerges as only one factor in a complex array of social, economic and personal influences impacting on students' decisions about their schooling. With respect to students at risk of not completing the SACE, this project was instigated as part of an action plan for the SACE completion project. The project found that the purposes of SACE were not being clearly communicated to all students and their families. This had resulted in the broad intention of the SACE to be relevant to and valued by all in the student population not being realised. The at-riskness of not completing SACE is produced within and through students' experiences and relationships with particular schools, teachers and peers.

Schooling experiences prior to the SACE contribute to students not completing it. Students' lives outside school—that is, physical and mental illness, family responsibilities, the demands of part-time work, the after-effects of crime as victims and/or offenders, racism and sexual harassment—contribute to students losing faith in schooling and not completing the SACE, so I suppose that point is one that relates to it. Obviously, the demands of part-time work contribute to students losing faith in schooling and not completing the SACE, according to this study.

The study also found that students believe that SACE involved too much work; the timing and setting of assignments was poorly coordinated; work was duplicated and irrelevant; and there was an emphasis on work over learning. There was a dominance of written literacy and SACE assessment tasks, particularly some written genres, for example, the essay. There were variations in teachers' awarding of results, and the ingrained attitudes of some teachers resulted in the flexibility that SACE offered in assessment being ignored.

Finally, the schools involved in the project undertook a range of changes in information (institutional and curriculum), teaching, learning and assessment practices to improve students' at risk engagement and completion of the SACE. I have put on record a brief summary of the results of all the studies that were undertaken at that time but I am not certain that they address the question that was asked by the leader. However, one can take from several of those points that have been raised that the obvious conclusions emerge from them.

The Hon. R.I. LUCAS: I do not want to delay the committee on this issue, and I accept that the honourable member is not the minister responsible for the school system. I will put the specific question because, whilst I appreciate what he has just read onto the record, it did not really address the issue that I was attempting to get from the government. I would be happy to have the minister take it on notice and have the education minister, upon her return to office, send me a reply on it rather than delay the proceedings.

I will put it as simply as possible. The view that I have, as have a number of other people that I have discussed this issue with, is that the option of being able to complete SACE over two or three years, or however many years are needed, is

actually a good thing. It is advantageous that young people are given that option and flexibility, even if it means that the apparent retention rate is lower as a result of giving young people that option. My question to the Minister for Education is whether she agrees with that view and whether that will be, in essence, an objective that she will continue to provide, allow to be provided and encourage within the school system, or is the apparent retention rate mantra that a number of politicians and others have publicly hung their hats on over recent years to be the guiding light in relation to all of this? I am happy not to delay the committee on that issue any longer and, if the minister is prepared to take that on notice and ask the minister to send me a reply, I would be happy to accept that.

The Hon. P. HOLLOWAY: I will do that but I think that, if anybody has become hung up on statistics, it is the leader. This government wants to see as many students as possible remain at school and that the students who remain at school get the best education possible, and really it is as simple as that. Clearly, this bill is not the answer and I do not think that anyone is suggesting that it is the answer to keeping students on at school and completing their education with the best possible outcomes. It is clearly an important step and I think that has been made clear by the government throughout this whole debate. It seems to me that the leader is the one who is trying to let statistics get in the road of a very important principle rather than the government, but I will see whether the minister in another place has any specific information that will assist the leader.

The Hon. M.J. ELLIOTT: The debate overall so far on this bill has been extremely flimsy and I think the parliament has been treated with contempt. The second reading response from the minister runs to four paragraphs. A large number of members contributed to the debate and raised a whole range of issues, yet the response amounted to four paragraphs, and then in debate on the first clause the minister chose to answer a few questions about how the statistics are derived, which is probably the least important part of this whole debate. The most important part of this debate is what it means in terms of the education of children. What are the real consequences for the young people whom we are going to send back to school? That was not addressed during the second reading response or in the additional replies that the minister gave at the beginning of the debate on this clause.

The parliamentary process and the Legislative Council have been treated with contempt because the minister has not answered questions that have been raised by members of this place. If members—

The Hon. P. Holloway: I haven't completed it yet.

The Hon. M.J. ELLIOTT: Why didn't you do it at the end of the second reading stage? If issues are raised in the second reading debate, unless a lot of research is needed which necessitates a minister to provide information later, it is expected that, before a bill goes into committee, issues will be addressed by the minister in closing the second reading. That is what is expected and I think that we should set a standard. This government talked about standards when it came into office, so let's do it. As I said, many members raised issues and they should have been addressed at the end of the second reading stage. When the minister got up to make some points, I thought, 'Good, he is going to address all the issues now.' He did not. As I said, he has provided information about how the statistics are measured, which is probably the least important of all the arguments we are going to have in this debate.

In what limited reply we received, the minister said that this bill is not a stand alone initiative: it is a starting point. We are going to legislate to force kids to stay for another year and afterwards we are going to do something else. It reminds me of the story about how supply and demand was explained to a young child. A person falls off a cliff and, as they are plunging down, a helicopter swoops down, a rope is lowered, and the person grabs it and is rescued, and that is supply and demand. You fall, you create the demand and the supply immediately comes. We are forcing kids to be back at school and the schools will respond and provide what they need. As a former teacher, I will tell members what will happen. Later on this year—

The Hon. T.G. Cameron: Paul is a former teacher.

The Hon. M.J. ELLIOTT: Yes, the Hon. Mr Holloway should know that, because most of the curriculum development is done by teachers on the run, some time later this year, about November, there will be a mad panic: 'We are going to have some extra kids next year. They don't really want to be here so we had better offer some subjects. Who is going to do them?' Teachers will be chosen to develop something for them. Probably hundreds of these subjects will be developed around the state, one or two will not be too bad, but a lot of it will be time wasting, the kids will be turned right off and it will not help anybody. A lot of these kids will go into mainstream classes and kids who want to be there will be further distracted. That is what is going to really happen.

If government members are insistent on keeping their election promise of raising the leaving age by one year, they should come into this place and say, 'Here are the programs we have developed,' so we know that when the kids go to school they will have something that is worthwhile. I raised that issue during the second reading stage and it has been ducked. This is the starting point, and then the government mentions the redevelopment of the options available to young people. What options? Please explain what are the options that are being redeveloped.

The Hon. P. HOLLOWAY: It is all very well—

The Hon. M.J. Elliott interjecting:

The Hon. P. HOLLOWAY: Have you finished?

The CHAIRMAN: If we are demanding standards, I remind members that second reading speeches are usually made during the second reading stage. I understand that there is some disappointment that questions were not answered, so I am allowing the Hon. Mr Elliott to make extended preliminary remarks, but I think we ought to get to the bill shortly, and I am sure that the Hon. Mr Elliott is working towards that point.

The Hon. M.J. ELLIOTT: I am treating the bill now and we have traditionally raised during committee issues that were not covered in the second reading debate. My disappointment at this point is that virtually nothing was addressed at the end of the second reading stage or at the start of the committee stage. I will ask more questions after Mr Holloway responds.

The Hon. P. HOLLOWAY: The Hon. Mike Elliott asked me questions and I will give some details in a moment about what the government plans to do, but perhaps he should contemplate the question as to what those students who leave school at 15 will be doing, because all the evidence is that their futures are pretty bleak. As far as this government is concerned, we want to do something about those students, because the overwhelming evidence is that, unless we do something about it, those students do not have much of a future.

A program based strategy will be the main vehicle for the implementation of the changes to support this legislation. There are existing programs, resources and facilities that will support it, along with new programs currently being prepared. These include programs that directly support students and those that support teachers in schools to in turn support students. I will first address the programs to support students. The government is working on a new senior year strategy to encourage the use of a wider range of methodologies. Those students who are disinclined and are not meaningfully connected to their school will be encouraged to stay at school by a more tailored approach to their needs. We will address adult learning principles and make sure that school is relevant to the individual's needs. There will be one-on-one case management of students at risk of leaving school early.

Currently, school counsellors and year level managers fulfil this role. They will be asked to give greater emphasis to the mentoring of students at risk of leaving school early. Counsellors will use the mainstream curriculum and a pastoral care program to highlight the importance of school completion for work force success. A major review of vocational and enterprise education delivery is being undertaken. There will be a greater emphasis on targeting regional programs for students at risk to allow students to combine study for SACE with new VET strategies that will promote school attendance and engagement.

The new strategy will also form part of mainstream schooling in the senior years so that all students will see greater relevance to their schooling, thereby promoting improved social capital. Special programs for disinclined students, similar to those offered at Osborne House and the Hallett Cove youth project, will be further explored. There will be a commitment to reducing the number of suspensions and exclusions through re-engaging these disinclined students in a curriculum most suited to their needs.

Labor's commitment of an additional \$8 million towards computers in education will address the needs of all students but will provide necessary ICT resources and courses for senior secondary students remaining at school who would have left at aged 15. Funding provided by the Premier's Children and Youth Educational Software Awards will also aid in the improvement of information and communications technology delivery in schools. Additional departmental programs such as the DECS drugs strategy and Active for Life will support schools in addressing students' needs in the secondary years, particularly their social, emotional and physical needs. These programs are complemented by community/industry based programs and service clubs and associations. These programs play a valuable role in encouraging attendance, engagement and retention at school.

I turn now to programs to support teachers in schools. Schools will be provided with improved software packages to track and monitor a student's progress and analyse and address retention issues relevant to their particular school community. This software will reduce and streamline the current work of teachers and support staff rather than add to it. A comprehensive professional development package for teachers and school leaders will be prepared for the commencement of the 2003 school year. Teacher training and professional development will be targeted towards meeting skill shortages and providing whole school quality improvements and accountability programs. An investment in the early years of schooling with the appointment of an additional 14 primary counsellors and 160 additional teachers is a commitment to long-term student participation and retention.

Resources will be targeted to groups considered most at risk, thereby addressing the problems of retention and absenteeism before they become chronic. It is likely that there would be an increase in teaching staff at the secondary level to accommodate the increase in enrolments resulting from more students staying at school.

The Hon. M.J. ELLIOTT: I have listened very carefully to the Hon. Paul Holloway, with my former teacher's hat on, and thought, 'What does this really mean in the classroom?' The Hon. Paul Holloway has said: there will be programs; there will be resources; there will be new strategies; and we will apply new methodologies. What does that really mean in the classroom, minister? The minister talked about offering training commencing at the beginning of next year. The beginning of next year is when these kids will have to be in the classroom.

You cannot train teachers in new methodologies overnight, and new courses are not developed overnight. I want to know what these courses are; what the methodologies are; and how they will be delivered to the teachers so that they are ready for next year so that the courses and the people who have the appropriate training are ready for it. The minister really is pushing a person off a cliff and hoping that they will be rescued on the way down. Will the minister be more specific in terms of what is actually going to be done? Can the minister give us an example?

The Hon. P. HOLLOWAY: What are those students doing now? Whether 1 January next year is too early or not, even if the programs that we might devise are less than perfect, surely it is better to start on 1 January next year than not start at all. I gather that the Hon. Mike Elliott is suggesting that we should not do anything at all.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: That is exactly right. If they are roaming the streets—is that the solution that is being suggested? I have given a lengthy answer in relation to the sorts of strategies and programs that the department will be developing to address this problem. If we can get this bill through fairly quickly, we have six months in which to finalise that. Perhaps I will answer the question later on the number of students who are involved, which is another question which I think was asked during the debate. I would be happy to answer that at some appropriate time, but perhaps we should finish this issue and then report progress.

The Hon. M.J. ELLIOTT: I remind the Hon. Paul Holloway that again he did not give us a single identifiable strategy that will be adopted, one that will be applied in the classroom. I put it to the minister that perhaps this bill should be brought back in six months when he is able to say to us, 'This is what the strategies mean. Here are the programs. Here is the training that has already been given to the teachers who are going to be providing these subjects,' not the other way around. Clearly, the minister is not going to respond, but I think I have made the point.

During the second reading stage, I acknowledged the improved ratio of teachers in the junior primary schools, but it will be another 11 years before that flows through to the children who will be facing up to having to stay that extra year at school, before they hit that 16-year-old age group, which is a bit of a wait. I acknowledge that that will be useful in the long term.

I also raised the issue of middle schooling. There has been a junior secondary review sitting around, gathering dust, for some 10 years. There is no doubt in my mind, as a teacher who has taught from grade 4 through to year 12, that it is in

the year 7-8 transition when we start losing the kids. There are very few in year 7 who are disengaged but, by the end of year 8, there are a lot.

The Hon. A.J. Redford interjecting:

The Hon. M.J. ELLIOTT: Sometimes they can be re-engaged. I am saying that we tend to lose a lot of them in that transition. It is not just because they have changed schools: it is because the way that education is delivered is radically different. I am disappointed that the government did not at least respond to that. That is what we are saying in this debate. Previously, the minister was quoting from the report but not responding to it. There was no analysis. In fact, the report has not been looked at by members. We have seen the Leader of the Opposition getting his first look at it. It is relevant to the debate, and yet we will pass the bill today. There has been no intellectual analysis of the issues.

The Hon. P. Holloway interjecting:

The Hon. M.J. ELLIOTT: As I said, there was not much analysis of it by the government during this debate. It was just not there at all. I ask the minister to respond to the issue of middle schooling and whether the government will do anything about that.

The CHAIRMAN: I draw honourable members' attention to the time. It might be a fortuitous moment for the minister to take some advice over the dinner period and come back refreshed.

The Hon. P. HOLLOWAY: I am happy to answer that question on middle schooling after the dinner break.

[Sitting suspended from 6.03 p.m. 7.45 p.m.]

The CHAIRMAN: I understand the minister was going to get a briefing. I ask members to confine their remarks to the bill and, if we want to make philosophical statements or matters of observation, I ask them to make them at the third reading and try to address the bill in order to make progress.

The Hon. P. HOLLOWAY: Before the dinner adjournment the Hon. Mike Elliott had asked questions in relation to middle schooling and made some comments. Before I refer specifically to middle schooling I will make some other comments in relation to his remarks. There are a number of initiatives that the government proposes to take in relation to this bill. The establishment of the Social Inclusion Initiative is one of those. It has two key references, one of which is increased school retention, which is a major focus of the government through that avenue. This is an initiative that aims at ensuring a whole of government response to the challenge of increased school retention. This initiative recognises that schools cannot do it on their own. Young people have complex lives and needs, and the support of government agencies will be engaged in dealing with such issues as homelessness, mental illness, involvement with drugs and family cohesion.

SACE (South Australian Certificate of Education) will be reviewed to make sure the curriculum is relevant and appropriate to the needs of all students, increasing the capacity for young people to stay engaged in meaningful schooling. A new senior years strategy will be implemented to focus specifically on the school experience of senior year students. The establishment of the task force on absenteeism will provide advice to the minister on strategies to improve attendance and will be encouraged to focus on best practice. Along with all those initiatives, the government has pledged a further \$8.1 million to provide extra teachers, VET in school programs, individual learning pathways and improved

counselling, but none of those initiatives will be implemented in a vacuum and the department has commenced a process of consultation with principals through principal associations on programs relevant to the specific needs of specific schools. We acknowledge that individual communities will need individual responses, and it is our intention to work towards achieving that.

I also make the comment that there are, of course, within our high schools at the moment a number of students who may be on the verge of contemplating dropping out of school at the current age of 15 years, so clearly schools now have to address the problem—the same problem they will have to address with other students in there as there will be those students on the margin of dropping out. What will happen with the changes being made here to increase the school age will be a question of scale rather than a question of the issue. The need is there to try to encourage those young adults to remain at school. The challenge is there now—it is not just a matter of whether we are adding a few hundred extra to the thousands of students already in the system.

To turn now to the specific question the honourable member asked in relation to middle schooling, I point out that under the former Labor government a junior secondary review was undertaken, the report of which was published in 1993. Out of the recommendations of that review came an action plan for middle schooling. The former Liberal government did not action the recommendations of the review. There has, however, been some action on the recommendations. Most of the accommodation of the recommendations of the review has been at the local level. For example, many area schools looked at how their resources were being distributed and established agreements about how the resources would be directed at the middle school years.

Decisions about class sizes, contact time and teaming were made by local agreement. In 1998 a group of principals contributed funding for a salary to support the establishment of the middle school network. The network was managed by a project officer funded by the schools. The network currently has 12 full member schools and 28 associate member schools. An international middle school conference is taking place this month arising from a summit convened by South Australian departmental officers. The way in which middle schooling is being dealt with in schools is progressed beyond the single issue of literacy and now takes into account the whole range of learning experiences of the adolescent, including social, physical and emotional factors. This is reflected in the middle years volume of the SACSA.

The Hon. M.J. ELLIOTT: My youngest child attends Blackwood High School and I recall last year getting a newsletter talking about middle schooling at that school. As my daughter goes there, I know they do not have middle school at all, but they said they did. I wonder how much of the so-called middle schooling is smoke and mirrors with schools saying they are doing it when in fact they are not. What is the government's view in terms of what methodology and pedagogy is being applied to middle schooling, what is it expecting and doing about that so that we get genuine middle schooling and address the issues of kids being turned off school? They are not being turned off years 11 and 12 but off years 8, 9 and 10. They are the crucial years in terms of losing them absolutely.

We may be losing them part way through primary school and the changing class size will help, as will extra counsellors, but we finally lose them in those three years. It is an

important question that has not been addressed. I can tell members of one school that I know of that says it does middle schooling, but it does not. Other schools like Norwood have middle and senior schools, but it is a physical arrangement and not a change in teaching methodology. What is the government's commitment to middle schooling and what it is doing? Is it relying on some sort of osmosis process that these things will happen bit by bit?

The Hon. P. HOLLOWAY: I can tell the honourable member that in a fortnight South Australia will host the first international conference on middle schooling in Australia, which has created enormous interest in South Australia and overseas. The honourable member may care to go to it and actually see—

The Hon. M.J. Elliott interjecting:

The Hon. P. HOLLOWAY: That is very pleasing.

The Hon. T.G. Cameron: I am sure you will enjoy his contribution.

The Hon. P. HOLLOWAY: I am delighted with that. The Hon. Mike Elliott accuses me of talking in general terms. Is the honourable member really trying to say that we should go down to the intimate details on what every school is doing in individual cases, which staff they are employing and so on? For heaven's sake, this government brought down its first budget four or five days ago—on Thursday last week—and up until that time the finalisation of the budget process has been difficult if not impossible for the government to proceed in terms of many of these programs. This measure is one that the government put high on its agenda. It is one of the first bills going through parliament. The measure to increase the school leaving age to 16 years will come at the end of this year. We have about more than six months before the new school year actually starts. The budget is now allocating money towards that process. If we do not do things—

The Hon. G.E. Gago interjecting:

The Hon. P. HOLLOWAY: They will be wandering around the mall and doing all sorts of things. We have to have a whole of government—

The Hon. T.G. Cameron interjecting:

The Hon. P. HOLLOWAY: That was probably the way it happened when the Leader of the Opposition was minister for education. Perhaps that was the standard he set.

The Hon. G.E. Gago interjecting:

The Hon. P. HOLLOWAY: Exactly, as my colleague says, this government is starting the process of dealing with the problem. I make the point that the honourable member keeps saying, 'Look, these things are too general', when here it is, five days after the budget, and he wants specific details presumably at every school. Again I make the point—

The Hon. M.J. Elliott: You had this as policy going to the election. I thought you would have worked out a bit of it beforehand.

The Hon. P. HOLLOWAY: As I said, the principals are talking and looking at the issues at individual schools. Things are happening and we have indicated that.

Members interjecting:

The CHAIRMAN: Order!

The Hon. P. HOLLOWAY: It is obvious that whatever we say the Hon. Mike Elliott will not be convinced by it. I think he indicated what he will do on this bill beforehand. All I can do as the minister representing the government is put the government's plans on the record and, ultimately, we will be judged by what we do, but what I find very disappointing is the incredibly negative attitude that people such as the Hon. Mike Elliott have taken to this whole exercise.

The Hon. M.J. ELLIOTT: You can play all the games you like, but you know very well that education is something in which I have been intimately interested ever since I have been in this place, having come out of teaching—

An honourable member interjecting:

The Hon. M.J. ELLIOTT: Yes, it was a long time ago, but I have kept my kids in the public system and watched how it has worked closely. I have been committed to the system and believed in it, and I have watched very carefully what has been happening with my kids as they go through. I retain many good—

The Hon. T.G. Cameron interjecting:

The Hon. M.J. ELLIOTT: Not a lot. I retain many good friends still in the education department and they tell me the way things are working and, frankly, things have not changed. My concern is that the way things used to work was that some bright idea would come along from on high, and the bright idea is that we now need courses for all these kids, and late this year the teachers will try to invent something to keep the kids occupied. At the end of the day, that is what it will be: it will be a survival class for the teachers because that is the way it has always worked.

I wanted the Hon. Paul Holloway to convince me that there was a real plan and committed resources to ensure that it will not be a process where, at the end of the day, the principal says, 'We need some courses.' That is the way it has always been done in the past and it is not satisfactory.

The Hon. P. HOLLOWAY: If we are to have a debate on this, perhaps I could ask the Hon. Mike Elliott whether he believes that every case involving the few hundred people who leave school after the age of 15 (before they get to 16) is the same. Does he believe that you can categorise each one of those people who leave school? There is a range of reasons—

The Hon. T.G. Cameron: You know the answer to that before you ask the question.

The Hon. P. HOLLOWAY: I do know the answer to that. Certainly there is no doubt that many of those children will have specific problems, and I have referred to some of them in the answers I have given—everything from drugs to homelessness through to a whole lot of other reasons. However, many other students in that particular group will leave for other reasons as well. There is a whole range of reasons, and those issues should be addressed on that basis. It will vary geographically: probably in country areas there will be different reasons. There will be a whole range of reasons which means that a whole range of responses will be necessary, depending on the situation.

The Hon. J.F. STEFANI: Is the minister able to outline how many students might be required by this measure to continue their education? Will the effort that is being contemplated by the government to keep students at school longer be linked to TAFE colleges and other training institutions to enable the students to receive further education? Will the minister also advise what processes will be undertaken by the government through the schools to ensure that students who are being asked to stay for another year are given a clear goal and challenge to enable them to understand that this additional year of education will be to their benefit?

The Hon. P. HOLLOWAY: I thank the honourable member for his question. I think we know where he is heading—

The Hon. A.J. Redford: A good question.

The Hon. P. HOLLOWAY: It is a good question. First, he talked about the numbers. It is fairly difficult to predict the

exact number. If we looked before the election, when this was—

The Hon. T.G. Cameron interjecting:

The Hon. P. HOLLOWAY: That's right. A number of predictions were made prior to the election when this was a policy of the previous government. The former Liberal minister started off by guessing a figure of 800—

The Hon. T.G. Cameron interjecting:

The CHAIRMAN: Order! The minister is answering the Hon. Mr Stefani's question.

The Hon. P. HOLLOWAY: That was later revised down to a figure of 400; and the previous minister told the member for Gordon that the figure was 300. Obviously, one can say that it will be somewhere in that ballpark.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: It will depend on a whole lot of factors. As with every other prediction, it depends on what assumptions we make. We know how good the Leader of the Opposition is at predicting, and we can see that if we look at the football pools: he is well and truly at the bottom of the AFL tipping ladder. It depends what assumptions you make. It might be slightly more scientific than that. It does depend on the assumptions, but clearly the expected figure is somewhere around that range, that is, about 300 to 800.

The Hon. R.I. LUCAS: This follows the Hon. Mr Stefani's question, because that was one of the questions I raised in my second reading contribution. Forget about what the former minister said and what the former minister estimated—I have seen all that in the other chamber—you now have a budget which has been released, and you have costings which are \$27 million or \$28 million over four years. During the bilateral process, the department must have estimated that there will be several hundred extra students requiring extra teachers. There is not much use fudging and saying, 'The former minister said this' and 'The former minister said that'.

The process operates on the basis that, if you want to get extra funding—well I hope it operates on this basis—someone has to deliver something to someone in government who says, 'There will be an extra 900 students. We cannot guarantee there will be 900, but this is our best guesstimate'—or whatever it is—'and we will require 100 extra teachers'—or whatever it is. An estimate has to be available for the current minister. Forget the former minister. The former minister would not have been making up the numbers; they would have been provided to him by the department or someone—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: If the department got them wrong, he might have got them wrong. The minister in charge in this case has been the minister for only four months, but, believe me, ministers do not sit back and say, 'Okay, I have just done a calculation and it will be 643 15 and 16 year olds'. The minister takes advice from her department. Forget about what the previous minister was told. What have you based your budget estimates on in this budget based on your proposals? That is what the Hon. Mr Stefani has asked, that is what I asked in my second reading contribution and that is what the committee is entitled to know before we are required to vote on it.

The Hon. P. HOLLOWAY: I cannot quote the figures that were used in the budget, but I can say that obviously a number of assumptions were made and a bold number of sources used. The department's chief statistician, as I understand it, looked at a number of sets of data to work this

out and, on balance, she is of the view that the number of additional students remaining until age 16 is likely to range from a minimum of 500 to a maximum of 800 to 900—

The Hon. T.G. Cameron: How much will that cost?

The Hon. P. HOLLOWAY: The costs are in the budget: I think it is \$4.1 million for this year and \$8.1 million in the full year. They are set out on page 3.12 of the Program Estimates, Budget Paper 3. It is \$4.1 million in this budget and \$8.1 million in the forward estimates for the following three years.

The CHAIRMAN: I would be grateful, minister, if you would answer the questions that are formally asked because it is getting a little circuitous. The Hon. Mr Redford has a question.

The Hon. P. HOLLOWAY: Before I take that question, the Hon. Julian Stefani did ask some questions which I was in the process of answering. I hope I have the number, but he did ask me another question. Would he be good enough to repeat it because, unfortunately, we got a bit off the track.

The Hon. J.F. STEFANI: What linkages does the government foresee in terms of the additional year of education to be provided to the students with TAFE colleges or other training institutions? Also, can the minister give some indication of what provisions will be made to ensure that young students are given the incentive, the challenge and the goal to ensure that the additional year of education will be to their benefit?

The Hon. P. HOLLOWAY: The advice I have been given is that the government is developing a career and transition service model which has the following elements: an individual learning pathway plan for all students, which includes a transition plan and an exit map; individual support through mentoring, case management and advocacy for students at risk; access to career information, guidance and counselling; and monitoring, tracking and follow-up support for young people who require it. This model, implemented at the regional level, encourages schools and agencies providing career and transition services to develop a coordinated and collaborative approach which responds to their local needs. Current practice varies across schools.

Currently, schools have a range of processes in place. School counsellors, year level coordinators, home group teachers, SACE and VET coordinators and leadership teams can all provide students with counselling. Some schools have student support services teams which can support individuals in their pathway learning. Enterprise and Vocational Education (EVE) regional networks have links with local agencies that can provide transition guidance such as job pathway program providers, job placement, employment and training providers, job network providers and group training companies.

Four regional networks are currently undertaking career and transition services trials, supporting young people across their regions to make successful transitions through and beyond school using a range of strategies such as mentoring, case management and advocacy, and providing individuals with support to make successful transitions. Some EVE regional networks have employed career services personnel to support schools to develop and implement a range of career information, guidance and counselling strategies. These include professional development for teachers, use of software programs and access to web sites and implementation of programs such as Plan It and The Real Game series.

The transition portfolio is provided to all year 10 students in government schools as a tool to assist them to collect and

articulate evidence about their skills, knowledge and abilities in relation to their future directions. DECS is currently responding to the student support services component of the MCEETYA endorsed national vocational education and training in schools framework.

The Hon. A.J. Redford: What does that stand for?

The Hon. P. HOLLOWAY: Ministerial Council on Employment, Education, Training and Youth Affairs. So the ministerial council endorses the vocational education training in schools framework, which includes career and transition management as a key activity area. So, I trust that that answers the honourable member's question. Of course, that linkage with the outside world is very important for the students targeted by this bill.

The Hon. A.J. REDFORD: Before the dinner adjournment the minister indicated that there would be an additional number of teachers required as a consequence of this bill's being passed. How many teachers will be required?

The Hon. P. HOLLOWAY: The government is trying to deal with this program in the best way it can. We could just say that the \$8.1 million in a full year equates to X number of teachers. You could work that out, if you wanted to, by dividing the amount by the average. But the government is looking at a program response to this so that there will be flexibility because, if the money is to be spent in the best possible way, it will go on teachers as well as a range of other programs. So, within that budget, we will provide the resources that are necessary.

The Hon. T.G. Cameron interjecting:

The Hon. A.J. Redford: There has to be an estimate, Paul.

The Hon. P. HOLLOWAY: It just depends. As I said, if you want to make an estimate, divide the amount of money by the—

Members interjecting:

The CHAIRMAN: Order!

The Hon. P. HOLLOWAY: The \$8.1 million budget, of course, will be spent on programs to ensure that those students who are 15 and 16 years of age will be in schools. That is the whole point. It will depend to some extent where they are and, of course, the situations in particular schools. So it would be very easy for me to get up and say that there will be X number of teachers and if it turned out that we had Y number of teachers spend the money on something else. I suppose that would be a tactic. But I would think that what is more important is that this government has given a commitment in dollar terms to the programs that it will provide, and that will involve a number of additional teachers—a significant number.

The Hon. A.J. REDFORD: My understanding is that the cost of this bill is \$8.1 million in a full year. Is that correct?

The Hon. P. HOLLOWAY: Yes.

The Hon. A.J. REDFORD: Is there a budget as to how this \$8.1 million is to be spent: yes or no?

The Hon. P. HOLLOWAY: I suggest the honourable member, if he wants that information, gets one of his colleagues to pursue that during the budget estimates committee. That is what the question is. We are not here debating a bill that is talking about increasing the school leaving age from 15 years to 16 years. I am providing information that is available in the budget, that \$8.1 million is available. As I said, that will be program based. I suggest the honourable member gets one of his colleagues in the lower house to raise that during the budget estimates.

The Hon. A.J. REDFORD: With the greatest of respect, I find that answer offensive. This is the Legislative Council. This government wants us to pass a bill. I am not asking these questions for any political purpose other than to find out some facts, and the answer I get from the minister is go down, cap in hand, and ask one of my lower house colleagues to ask a question in budget estimates after we pass the bill. I am not going to do that under any circumstances. I do not ever recall, in the eight years I have been in this place, any minister on our side saying, 'Go down to the lower house and ask them to ask your question for us.' Through you, Mr Chair, I say that the minister has insulted this place by taking that tack.

All I have asked is whether there is a budget for how the \$8.1 million is to be spent. How is it broken up? Have you allocated a certain amount for teachers, a certain amount for programs and a certain amount for development? It is a simple question. I was pretty calm before, but the insulting answers that the minister gives tend to up the temperature. And I can fully understand what the Hon. Michael Elliott is on about—we are just being fudged around. It is a simple question: is there a budget for how this \$8.1 million is to be expended?

The Hon. P. HOLLOWAY: The budget was brought down two or three days ago. Perhaps if the honourable member had had to endure the sorts of answers provided by the previous government in relation to budget questions over the past eight years he would have a little bit more tolerance for the process. The honourable member should know that when budgets are formulated there is an enormous amount of detail that goes into the work after the departments finally get their figures. The Leader of the Opposition would know because he was the treasurer. There is the budget bilateral process and all the bids are put up—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: Well, as I said, it is a nominal thing—

Members interjecting:

The CHAIRMAN: Order!

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: Let me read it to the honourable member. Page 313 of the Program Estimates says:

Increased school leaving age: provide additional funding for up to 43 extra high school teachers, associated facilities and support staff necessary to meet the government priority of increased student retention rates.

The budget figure is there, and the point I am trying to make is—

The Hon. T.G. Cameron: So, is the answer 43 teachers?

The Hon. P. HOLLOWAY: Up to 43. The point is that the exact number of teachers will depend on the situation. The point I am trying to get across is—

The Hon. A.J. Redford: Why didn't you say that in the first place?

The Hon. P. HOLLOWAY: Well, it is there in the budget. The point that I am trying to make, in an effort to assist honourable members, is that this is about a program. What I am trying to get the honourable member to understand is that the number of teachers within this program will vary. It is not fixed and there is a need to accept that.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: The honourable member should accept that if we are to best deal with this problem it will be done in that program rather than in some specific formula.

The Hon. A.J. REDFORD: If I understand the minister's answer correctly—it has taken a while—he has now indicated that up to 43 teachers are involved in delivering this program within the \$8.1 million. How are those resources to be split between country and city? Is it going to be based on population, such as 30 teachers in the city and 13 teachers in the country?

The Hon. P. HOLLOWAY: Those sort of details obviously have not yet been worked out.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: The questions that the honourable member is asking are appropriate, as I said, to a budget estimates. He might find it offensive that I say that, but that is the way that it would have always been treated in the past. That is where those questions belong—

The Hon. T.G. Cameron: Do you want to adjourn this bill until after the estimates?

The Hon. P. HOLLOWAY: Well, no.

The Hon. M.J. ELLIOTT: We have returned to where I started. I asked for specifics in terms of precisely what was going to be done to tackle this and I got generalities: 'There will be programs, there will be strategies, and we will apply new methodologies'—those sorts of answers. I want to know what the programs are, the strategies and the methodologies. When somebody came up with this number—this magic number that is in the budget as the money that will be made available to respond to the fact that we are asking students to continue on at school—I presume that the process was that at some stage somebody sat down with an envelope and scrawled across the back of it, 'We will put \$1.5 million into new strategies and so many millions of dollars into methodologies', and perhaps they even went a step further and got another envelope out and considered how those methodologies might be delivered so that they could have some reasonable justification for the number.

I think that we do deserve to have a bit more of the picture sketched out because we are putting the cart before the horse—as I have argued all along—in terms of saying that we are going to make the kids stay without any satisfactory answer as to whether we are going to deliver something to them.

There is a range of reasons for the drop in retention rates. One of them is that the relevant programs are clearly not there. The kids are increasingly being turned off high school, and the minister has failed to in any way address any specifics in terms of what is going to be done to make sure that we do not continue to make those mistakes. Simply trying to make the kids stay at school will lead to a very heavy demand on resources. The counsellors will be very busy because the kids who are not staying at school are the kids who have significant problems. I would like them to stay at school but they have significant problems and it will be far more demanding on resources than the average kid who is staying at school.

The average kids who stay at school tend to be more academically-minded, tend to sit quietly, tend not to need as much counselling and so forth. The kids who we are asking to stay have significant problems that they are bringing from home that they have accrued over time through schooling and other environments. They will demand significant resources, and you cannot assume that you can staff them on the same ratio as we are using to staff all the other kids in the schools. These kids need significantly more attention.

Members interjecting:

The CHAIRMAN: Order!

The Hon. M.J. ELLIOTT: That is exactly the point. That is really silly. The Hon. Gail Gago keeps up the chant, 'Back on the street'. I do not want to see these kids back on the street: I want to see these kids in schools and getting genuine educational opportunity. Simply forcing them to stay at school does not give them opportunity.

The Hon. P. HOLLOWAY: I am advised that the figure provided in relation to the number of schools was actually based on the previous government's estimate; I think it was a \$2.1 million cost. This government has put in far more than that original estimate to take into account the very points that the Hon. Mike Elliott has made. Yes, it will put demand on a whole lot of other resources, and that is why this figure is significantly higher than the \$2.1 million figure that the previous minister quoted just in relation to this policy. That estimate is in recognition of the many additional costs, and it is nearly four times what the previous minister allocated. That is not all just because of estimated increased numbers. Clearly, there are all these other supports so that you can give the necessary one-to-one support.

Yes, it will be expensive, and this government has shown its commitment to that by allocating a significant sum; \$8.1 million is about four times the previous estimate for this program. Obviously, there will be some uncertainty with any new program; \$8.1 million is the best estimate, but it is just an estimate. Clearly, there are a number of factors. I am sure that, as a former teacher, the Hon. Mike Elliott would be well aware of where the demands might differ from area to area, school to school and individual to individual, but this is the best estimate we can make. Budgeting is not that certain. I think that what the Hon. Angus Redford and others are trying to suggest is that you can have this perfect budget projection into new policy areas. You cannot do that.

The Hon. A.J. REDFORD: This minister has a habit—

The CHAIRMAN: Order! There is no point of order.

The Hon. A.J. REDFORD: This minister has a habit of saying things I did not say, and I did not say that. All I did was ask some simple questions, and he spent 15 minutes fudging around and I got annoyed. That is all that has happened.

The CHAIRMAN: Order! This argument is becoming very circular. I am mindful that we are going over the same ground. The minister has made the point that it is enabling legislation and that he does not know the fine detail. We have had 20 or 30 minutes of questions about the same area, and it is very clear that we are not going anywhere with it. I would like to come back to the formal proceedings. We are still on the short title. I had an indication that the Hon. Mr Cameron wanted to ask a question, but he is not here at the moment. I will take any pertinent questions on clause 1, but I am concerned that we are going into debate on a number of occasions.

The Hon. P. HOLLOWAY: I will quickly provide one bit of information in answer to a question asked by the Hon. Angus Redford. I am advised that we will not know how many there will be in the country-metro split until December. That is when the split will be made, based on enrolments at that time.

The Hon. A.J. REDFORD: I want to ask one more question. I preface it by saying that nobody in this chamber—indeed, nobody in this parliament—has a problem with the principle of lifting the age to 16. No-one need get defensive here, least of all the government. But we will all be terribly concerned if in 18 months we have not addressed the problems that we are all concerned about. With that in mind

(and I am happy to wait for an answer or get it in writing later), is the government seeking to achieve some sort of objective with this program and, if so, within what time frame? Will that be evaluated, and how will it be evaluated?

The Hon. P. HOLLOWAY: Broadly speaking, obviously the purpose of the bill is to require students to remain at school until they are 16, and I guess the objective is to ensure that the experience of those students being at school from 15 to 16 is one that maximises their chances of getting employment and being successful in life.

The Hon. A.J. Redford: Can you be more specific than that? It's pretty general.

The Hon. P. HOLLOWAY: It may be general, but obviously if we are requiring students to be at school for an additional 12 months—and we have discussed this earlier—all the evidence is that opportunities for young people are greater the longer they stay at school. I do not think that is questioned nowadays. We need the most skilled work force possible, and it is imperative that students stay at school or in some form of education. This bill seeks to achieve that. Overall, our society will be better if students stay at school longer and are better educated. It has come through the debate that there is no point in keeping kids at school if they are unduly dissociated from the system and not getting anything out of it. We have to make their experience at school worthwhile.

The Hon. A.J. Redford: How do you evaluate that?

The Hon. P. HOLLOWAY: We have talked about other measures in relation to absenteeism and all those sorts of areas. I guess that ultimately the benefits to society that will come from this will be not only in a better skilled work force but, hopefully, also in a lower rate of social problems and a whole lot of other areas. Given that we are talking about several hundred students, I am not sure how one might quantify the benefits, but you would hope that there would be significant benefits for society coming out of this over time, because students will be better equipped to lead meaningful lives, gain employment and so on.

The Hon. A.J. REDFORD: I would hope that the Minister for Education thinks about making sure they have a set of standards that they want these students to reach and the basis upon which they can be evaluated, because that is the only way by which we will see improvement. It is not simply an issue of keeping kids in an area, which is about all this bill provides; it does not provide anything else. I think there is more to it than that, and it would be of assistance to us all if the minister published specifically what she seeks to achieve, along with a system where that could be evaluated so that we and the public know that our money has been well spent and that it is not just a system where we physically retain people in a certain environment.

The Hon. P. HOLLOWAY: It comes back to this whole of government picture. If we just ignored what is happening to 15 to 16 year olds in school, and if we did not have this bill or this measure, then where would those 500 to 800 students be and what would they be doing? That is how we should evaluate this issue. What are those students doing with their time, and what will the long term costs be to society if an almost lost part of a generation keeps accumulating? What will the cost to society be if these students are out there committing crimes or ultimately losing their potential because they cannot get jobs? We have to look at this not just in terms of the education budget and the money spent there but also in terms of the broader alternatives. We need to look at it in

the broader context of what these students—or I suppose 'non-students' would be more to the point—might be doing.

The Hon. M.J. ELLIOTT: I will not ask the minister to respond right now, unless he chooses to do so. One observation I would make about the way high schools function is that the sorts of classes that these kids would be in are not the most popular classes among teachers. At the beginning of each year there is an exercise of formulating the timetable and allocating classes to teachers. What usually happens is that the teachers with the least clout in the school, including the ones who have just arrived and the ones who are in their first year of teaching, score the unpopular classes. That is not a great start for these kids, but it is the way it works.

I wonder whether the minister, if not now then later, might recognise that problem and, as part of the strategy, ensure that these kids do not miss out. As I have commented about the school system on a number of occasions, high schools particularly are subject driven, driven by the senior teachers, and very focused on academic delivery. They offer other subjects because they have to but, at the end of the day, many teachers are there because they see themselves as being teachers of academic subjects. They have all had tertiary education and they want to deliver their lessons in a particular way. Because they have had tertiary education, they are often not on the same wavelength. Often the least successful teachers end up teaching these students, and that does not help them a lot.

The Hon. P. HOLLOWAY: The honourable member is making some generalisations. My wife is a teacher in a primary school and I have a lot of discussions with her about the education system. All I can do is refer the comments that the honourable member has made to the minister for consideration. I would have thought that, with a good principal, if these sorts of problems exist, the principal would allocate the staff accordingly to ensure that the school functions to the optimum manner. Surely that is part of good management in schools, that the problems are addressed appropriately?

The Hon. R.I. LUCAS: I point out to the minister that much of the last 50 minutes of questioning from the Hon. Mr Elliott and the Hon. Mr Redford might have been avoided if questions that were put by me and other members in the second reading were responded to, and that issue was raised earlier. My colleague the Hon. Angus Redford indicated that, if he had been given the number of up to 43 teachers, his issue might have been resolved, and evidently that is part of the budget papers. I offer that as a comment.

My other comment concerns this whole issue of resourcing, which is critical issue, and I would like to pursue other questions about resourcing that I raised in the second reading. Having been on both sides of the budget bilateral process, one as minister for education and for four years as treasurer, there is probably no-one else in the parliament who can speak about that process from both perspectives, as I can, and that is why I do not think that, at this stage of the process, anyone could reasonably expect to be able to say which schools will get what or what the breakdown might be between the city and the country. However, if the process is not such that the department is able to say that there will be up to 43 teachers at a cost of \$2.4 million, \$2 million for curriculum development, \$1.5 million for professional development and training, and \$100 000 to send teachers interstate for courses, or whatever, there must have been a budget bid put in by the department through the appropriate minister to the Treasurer for the bilateral process.

If what is being outlined to the committee tonight is not what has occurred, it is a pretty gentle process that this government is going through in relation to budget bids, that a department or a minister can just pull out a number and say, 'I want \$8.1 million in a full year,' and no-one has to produce a breakdown of that and the Treasurer does not insist on it. That has never been the practice in the past and it is disappointing to hear that we cannot get that sort of information tonight as to the detail of that budget bid. We have had 50 minutes of that and we still have not got the detail other than it is up to 43 teachers. I do not intend to further delay the committee on that aspect of the resourcing.

However, I want to clarify a number of the other issues. In response to a question from the Hon. Julian Stefani, the minister stated that the department statistician has come up with a number of somewhere between 500 and 850 students between 15 and 16 years old. In the debate in another place, minister White, when confronted with estimates from the member for Gordon and others, continued to highlight that this bill related not just to 15 to 16 year olds but also to six to 16 year olds. The minister highlighted that it was wrong to look at just those aged between 15 and 16 years who might be covered by this legislation, that there are a number of under 15 year olds who are not staying in school, either.

I want to clarify that the information that the minister has provided to the committee from the statistician is only an estimate of the 15 to 16 year olds and, if that is the case, what is the further estimate consistent with minister White's contention in the other house of the number of under 15 year olds who have left the government school system early and will now be required through these programs to stay on in school?

The Hon. P. HOLLOWAY: The honourable member asked specifically about the number of under 15 year olds affected; is that correct?

The Hon. R.I. LUCAS: I will clarify it. Does the statistic of between 500 to 850 students relate just to the 15 to 16 year olds? How many under 15 year olds are affected?

The Hon. P. HOLLOWAY: As to the likely number of under 15 year olds affected, I am advised that, because the existing data collection on this matter is inconsistent, actual numbers are difficult to get, but it is estimated that approximately 25 students would be seeking formal exemptions to leave school under the age of 15 years for reasons of employment. That is based on data from the West group of districts (country), where only one exemption has been granted to a student under the age of 15 for employment reasons in the past 12 months. These data do not include students who were aged 14 years and six months who have chosen to leave school and for whom formal exemptions have not been granted. These students have generally not reported to student attendance counsellors due to the relatively short time they have remaining to attend school under compulsion. That is what I am advised as to the likely number of under 15 year olds affected.

In relation to the other matter, from the paper that advises on the number of students between 15 and 16 who are likely to be affected by the amendment, I am advised that it is difficult to determine precisely the number of students who will be required to stay at school but who may have chosen otherwise. In order to assess the number of 15 year olds who are likely to remain in school until age 16 following the amendment to the legislation, two approaches have been adopted.

First, ABS data show that there were 20 500 15 year olds in South Australia in March 2001, and 95 per cent were at school. Of the rest, 1.5 per cent were in full-time employment and in apprenticeships or traineeships. The remaining 1.7 per cent to 3 per cent—that is the range of 350 to 630—were unemployed, not in the full-time labour force or not in full-time school or training. This last group of students are considered to be the target group.

Secondly, a DECS report that identifies reasons for students aged 15 leaving in the year 2000 shows that a total of 2 168 15 year old students left the system for the following reasons: attending a non-government school, 203; attending TAFE or private training, 78; left for interstate or overseas, 266; other not specified, 857; paid employment in SA, 183; seeking employment, 97; and in the unknown category, 484, for a total of 2 168 students.

Excluding those students who left for reasons 1, 2, 3: attending a non-government school; attending TAFE; or left for interstate or overseas; and paid employment in South Australia, on the assumption that the policy will exempt these, it leaves a total of 1 438 students who would potentially be required to remain in the system until age 16. However, this number should be seen as indicative only as the data has yet to be validated and was collected for the first time in 2000.

Clearly, these analyses provide a range of likely numbers from as low as 350 to 1 400 students. The department's chief statistician advises that both sets of data have statistical limitations, particularly the survey data, at this stage. The chief statistician has examined and considered both the ABS data and the departmental survey and compared this with the most recent enrolment data for 2001. On balance, the statistician is of the view that the number of additional students remaining at school until age 16 is likely to range from a minimum of 500 to a maximum of 800 to 900. I think that clarifies the honourable member's question.

The Hon. R.I. LUCAS: I thank the minister for that clarification of the issue of estimates and numbers. I understand that it is not possible to say exactly what the numbers are, but that is certainly closer to the way the system ought to be operating. As I have said, I think the system ought to be operating so that there is detail as to the budget bid and the breakdown of total costs.

The Hon. P. HOLLOWAY: I make the point that this bill was introduced and had actually been passed by the House of Assembly prior to the budget process. I think that needs to be recognised. So, this bill had been prepared and introduced on that basis significantly before the budget process.

The Hon. R.I. LUCAS: It is one of the great advantages of having a bicameral system with a Legislative Council—the second chamber is now looking at it after the budget has been announced. So, what might have been confidential—and understandably so—prior to a budget in the House of Assembly should no longer be confidential because the budget has now been announced and the numbers are there. I think that is a point for members of the Legislative Council in relation to the issue.

The Hon. P. HOLLOWAY: The process may have changed a bit since this bill was first introduced into the House of Assembly in May.

The Hon. R.I. LUCAS: Again, having been involved in this process on both sides, there would have been only one bid. Having got the money, if the department then decides to spend the money in a different way, so be it, I guess, if that

is the way the processes in this government work. There would have been a bid that had been closed off and locked in well prior to the announcement of the budget last week. I do not intend to go down that particular burrow interminably.

I turn to the specific questions I raised in the second reading debate. In practice, how will this process work in terms of resourcing? When we get to clauses 4 and 5—or whatever the major operative clauses are—obviously we will go into more detail. However, the way this system broadly operates is that these 15 and 16 year olds in particular will not be compelled to be at school. They will be compelled to enrol and then a whole series of exemptions or other options may well come into it. When we come to those clauses and talk about the exemptions, if the exemptions are very broad, this will be seen as very much window dressing in terms of the practical implications of this bill if virtually everyone is given an exemption from having to stay in school and they are given exemptions for the other alternatives talked about by the government. However, we will talk about those later.

If we do just talk about the example that I highlighted in the second reading, that is, if a school such as Christies Beach, or whatever school, has 10 or 20 15 or 16 year old students who are enrolled and, in the circumstances, virtually all their time is not at the school campus but is spent at TAFE or a training institution, etc., how does the minister intend the additional resources to be allocated and, in particular, how does the staffing formula for that particular secondary school operate? For the minister's benefit, the staffing formula has been on the basis of the number of enrolments, whether it be at February or some time later, such as July or August.

As I highlighted when I asked the question about year 10, as to whether it is an average number or whether it is done at the start of the school year, it is done on the basis of the number of enrolments. Given that the minister has indicated that these students who might not be at the school will be enrolled, will that school be resourced consistent with the existing staffing formula?

The Hon. P. HOLLOWAY: I will deal first with the question about how exemptions affect staffing levels. I am advised that current arrangements will continue to apply. Students who are granted exemption will still be required to enrol at a school. Staffing levels are calculated on the number of students in attendance or participating in a program of education. If a student seeks an exemption following enrolment, their status for the purpose of resource allocation depends on the reason for the exemption being granted. If they receive an exemption for the purpose of employment, they are recorded as having left school and are not funded. If a student is granted an exemption for absence, such as an overseas holiday, they are still counted on the census that is used to calculate resourcing levels, provided there is an assurance from parents or guardians that they will return to the school in the current school year. If they receive an exemption for home schooling, they are recorded but not funded.

Current practice will continue with adjustments for the leaving age to the effect that students exempted from staying at school until age 16 will be required to be enrolled but will not be funded. Students who return to school because the conditions of their exemptions are no longer able to be met will be included in the school term census and, accordingly, funded. In addition, the government is also examining a range of program based responses, which I was talking about earlier, to provide students with a curriculum that will motivate them to remain at school.

The Hon. R.I. LUCAS: Just to clarify what the minister is saying, the current staffing entitlement is not done on the basis of enrolment at the school, as might occur in relation to these students: it is the student having enrolled and also attending the school for a course of instruction. As I understood it, the current staffing formula is not just on the basis of the enrolment at the school: it is that somebody makes a judgment that they have enrolled and that they are also attending the school for a course of instruction.

The Hon. P. HOLLOWAY: Staffing levels are calculated on the number of students in attendance or participating in a program of education.

The Hon. R.I. LUCAS: I think we need to be clear on this. If I can give an example to assist you: many secondary schools are staffed on the basis of February enrolments, and one of the flexibilities that some secondary schools have is that the February enrolment is the highest enrolment for the year, as students drop out through the year.

So, the teachers will find a big class at the start of the year which steadily declines through the year. The schools are certainly staffed on the basis of the February enrolment, but certainly not on the basis of ongoing attendance, at least not during my term of 1993-97. It may well be that the system has changed since 1997.

Can that issue be clarified—and I accept the fact that he is not the minister responsible? Is it the minister's advice that that is one sort of attendance or non-attendance that the minister is talking about, in terms of staffing formula, where students have been formally exempted from attendance—that is, they have enrolled and then are formally exempted from attendance for the full year by some specific decision at the start of the year, such as going overseas or getting a job? So, they are technically enrolled, but at the start of the year everyone knows they will not be there, as opposed to the ones who enrol and then, a month into the school year, they decide they do not want to stay at school or, for whatever other reason, they leave, yet they would have been calculated in the staffing formula based on the February enrolment.

The Hon. P. HOLLOWAY: I think the answer I was referring to was the formal exemption.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: The answer I gave was specifically in relation to formal exemptions.

The Hon. R.I. LUCAS: To make sure it is clarified on the record, I understand that the advice—and if it is any different, I am sure the minister's team will clarify the issue—is that we are only talking about those formally exempted at the start of the year. In relation to those students who drop out during the year, those schools still will be staffed on enrolments at the start of the year in the February census.

The Hon. P. HOLLOWAY: It is not just a matter of having the February figures, but there are, I am advised, two census checks, including the actual and predicted. Enrolments audits are also conducted as part of the process. I am not sure whether that fully answers the question, but it is not just the February figure.

The Hon. R.I. LUCAS: To try to clarify the questions I have put and to make sure we all understand each other and how it will operate, has the minister received advice on the questions I raised during the second reading debate in relation to the teachers EB? Is he able to indicate, for example, as from next year, how secondary schools will be staffed for years 8, 9, 10, 11 and 12 enrolments? My understanding, albeit somewhat dated, is that I thought for three of the secondary years they were staffed on one entitlement, which

was the early February enrolment, and therefore they had the advantage of students declining throughout the year and having lower student-teacher ratios towards the end of the year; and in two of the years it is staffed on an average of the February and the July-August entitlements. In the EB arrangement has there been any change to year 10? If the minister has answers, that will clarify the issue.

The Hon. P. HOLLOWAY: I should have given that answer before. I am advised that the recent enterprise agreement does not change the staffing formula for year 10 students. The enterprise agreement uses the same staffing formula for schools and pre-schools as in the previous award of November 2000. I am not sure whether the November 2000 one changed the situation going back to the honourable member's experience, but certainly that has been the situation since November 2000.

The Hon. R.I. LUCAS: That clarifies the issue of the teachers' EB. I am wondering whether someone is able to advise the minister how the staffing entitlements for secondary schools for each of the years 8, 9, 10, 11 and 12 operate. I understood that some year levels were taken on the February entitlement, the early year enrolment, and for some years it was done on an average of the early enrolment and some estimate of what it might be later in the year. Does the minister have available in the team here tonight someone who can provide information on that?

The Hon. P. HOLLOWAY: It would probably be unwise for me to provide that answer, but I undertake to provide it in writing to the leader.

The Hon. M.J. ELLIOTT: Was the upper estimate of potential extra students 800? Was it 500 to 800?

The Hon. P. HOLLOWAY: It was 800 to 900, I think.

The Hon. M.J. ELLIOTT: If that is the case, if the maximum number of teachers is around 43, we appear to be looking at an average class size for these students of about 19 students.

The Hon. R.I. Lucas interjecting:

The Hon. M.J. ELLIOTT: That is true, but something like two thirds will, so it brings it down to a class size of about 14 or 15. It means that quite a few of the classes will be fairly large in terms of the sort of subjects and methodologies we would need to deliver to those students. The upper number of teachers is likely to be insufficient to meet the real demands these students are likely to make on the system.

The Hon. P. HOLLOWAY: The figures I gave earlier, as I indicated, were based on the previous government's position or costing early in the process. If you are talking of \$50 000 a teacher and you multiply that by 43, the answer is about \$2 million. With this program we are talking about \$8.1 million, so clearly the capacity is there. I tried to explain earlier that within this budget the government is trying to have a program estimate, so rather than talking about doing statistical exercises it can give a distorted picture. It is best to look at the overall program, which is the point I am trying to make—perhaps labouring it—in this debate. Within a significant budget we are trying to address this problem as we need to respond to it.

I am advised that the class size will not be compromised because a variety of schooling arrangements will be provided, and many of them off-site. We are talking about a range of programs and things here, which is why I have been trying to get away from just looking specifically at former teachers doing particular things. We need to look at this in terms of the overall program. The point the Hon. Mike Elliott was trying to make is that we will need some flexibility and some

innovative programs to deal with this problem rather than looking at it in a traditional context.

The Hon. R.I. LUCAS: I am not here to assist the minister in his response, but one of the issues that would apply to the issue raised by the Hon. Mr Elliott is that, if you are talking of 500 to 800 students and you have, from memory, 100 to 150 area and secondary schools throughout the state with secondary aged students, and if you divide it up, you will have relatively small numbers in most of those schools actually staying on. However, in the bigger secondary high schools and regional centres perhaps you will not have big clumps of 15, 20 or 30: you are likely to have two, three or four extra at the local school.

In the case of most schools, particularly area schools and smaller secondary schools, that will be the challenge because it will be the existing teachers with existing groups of students, whatever the number happens to be, who will have one or two extra students. In terms of our contemplation of the difficulty teachers will face, it will not necessarily be convenient lumps of students. I understand the points the Hon. Mr Elliott was raising of the newer teachers getting these classes, but in reality you will see existing teachers with existing groups of students, for those who stay on in the schools, having to cope with maybe one or two additional students in their class.

That may sound easy, but you need only one or two difficult students added to an existing one or two who may already be there. The Hon. Mr Elliott, and Mr Holloway's wife, who teaches in primary school, would know that for those few students and for the other 15, 20 or 25—whatever the number happens to be—it would make learning very difficult. That is the issue and the challenge when one talks about methodology. The other issues the Hon. Mr Elliott raised in practice are the sorts of challenges we will probably be facing.

However, I refer to the issue raised by the Hon. Mr Elliott when he was doing his rough calculation in terms of possible class sizes; and I think he then went on to say that two thirds of those might still be in school rather than being off site. I do not know what that division is but, whatever it might be, that is the issue in relation to this bill. If there are 500 or 800 estimated, and we find that 500 exemptions have been given, then the point that I made earlier is that this bill will be largely exposed for what some sceptics see it as; that is, largely window-dressing. Formally it goes up from 15 to 16, but, in essence, everyone who wants or needs an exemption is given an exemption and they are off the books, albeit that they have been enrolled at the secondary school.

In terms of one of the issues raised by the Hon. Mr Redford earlier as to how we measure its success, I refer to the point I made in my second reading contribution; that is, the Premier has laid down a very clear guideline as to what he sees in relation to this over the next four years. The student retention rate, which is now just over 60 per cent, will be heading back to 90 per cent and the halcyon days of 1992 or 1993. That is the objective the Premier has outlined. He indicated that in a number of radio interviews for whatever the social justice unit is or the social inclusion unit is. I indicated that in my second reading contribution, and that is on the record; and many of us who are sceptics in relation to the educational worth of this proposal will be able to measure its success or otherwise. One of the other measures will—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: There may well be. To answer the Hon. Mr Redford's question, one of the other measures

will be to see how many exemptions are given to this particular new arrangement, and we will explore that and that particular process during the latter stages of the committee. One of the issues that I raised in my second reading contribution, again, was in relation to the exemptions. Does the minister have a reply as to what level the decision for exemptions will be delegated to within the department?

The Hon. P. HOLLOWAY: I am advised that the following exemptions exist and existed under the previous government for exemptions under the current legislative arrangements. Our principals have delegated authority from the minister to approve applications for temporary exemption from attendance for periods up to one calendar month. Temporary exemptions exceeding one month are approved by the Executive Director, Schools on the recommendation of the district superintendent; and the Executive Director, Schools, has delegated authority from the minister to approve applications for exemption from schools. It is this government's intention to review these delegations to ensure that they are appropriate and, in so doing, consider the most appropriate level of delegations for approval of exemptions for students affected by the change in legislation.

The proposed amendment would provide the minister with the power to grant conditional exemptions to students who are under 16 and who would otherwise be required to stay at school. Members can rest assured that, should at some point the minister decide to delegate her power to grant exemptions, such delegations will be at very senior levels within DECS.

The Hon. R.I. LUCAS: Will the minister clarify that? As I understood it, the minister was saying that the current arrangements are that it is delegated to advice from the district superintendent. This is for—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: Yes, in essence, the 12 month exemption about which we are talking is currently delegated to the Executive Director, Schools, whose position is being abolished and amalgamated at the moment. The minister might indicate whether or not that is correct.

The Hon. P. HOLLOWAY: No, I am advised it is not.

The Hon. R.I. LUCAS: On the advice of the district superintendent. I think the minister then said that that will be reviewed to see whether or not that was appropriate. Is the minister saying that, in the absence of any change, that will be the practice as from the start of next year? It will be a decision taken by the Executive Director, Schools, based on the advice of the district superintendent.

The Hon. P. HOLLOWAY: I was seeking some clarification as to how long the review would take and whether it would be completed by the end of the year. That is correct: the review will be completed by the time it starts.

The Hon. R.I. LUCAS: Perhaps I am not being clear at this hour of the night. I understand a review is to be done but, in the absence of any change as a result of the review, when the process starts in 2003 it will be a decision for the Executive Director, Schools, based on the advice of the district superintendent. If as a result of the review no changes are made, will that be the process that will operate as from the start of the next school year?

The Hon. P. HOLLOWAY: Yes. If the review is completed and it finds something that is more appropriate, then the changes will be made.

The Hon. M.J. ELLIOTT: The Hon. Rob Lucas made the correct observation that, if a school gets only one, two, three or four kids who are required to stay on and who were

not there before, it is most likely that they will be absorbed into current classes; and the consequence of that is that you have a few more kids who do not want to be in these classes and there can be consequences from that. If, on the other hand, you start getting eight, nine or 10 staying on, in many cases that is clearly too many to be absorbed into many of the current subjects—and they will need delivery of some different curricula. The real danger—and we are trying to get some social justice for these kids—is that another set of kids at the same school will miss out.

What you will find is that country schools and schools in the less affluent areas, for one reason or another, will struggle to have large classes in subjects such as maths I, maths II, physics and chemistry, for instance. The classes are often quite small and every year in many schools there is a debate about whether or not they can continue to justify the small classes. Every year here and there a couple of those subjects fall out of what is being offered by those schools, and therefore the choice for students at those schools is limited.

A danger that we have is that as we bring these other kids back into the school—and we want to see them there—if we do not resource them properly, the school will have to go through the exercise of juggling which classes they can keep. They have to offer classes to these kids because they are there, and they will have to be classes of a particular type. Can they still justify their chemistry class of four or five kids, which some schools are doing now? Can they justify the maths II class, their language class, or their music class? The answer will probably be no. As we seek to accommodate the reasonable aspirations of the non-academic students, if we do not provide sufficient resources, then members will find that the academic students will miss out.

I do not think that this will be a problem in the big eastern suburbs high schools, but it will be a significant problem in the less affluent northern and southern suburbs schools and in the smaller country schools. I am not posing that by way of a question at this stage; I am just noting that it will be a challenge when we go into the staffing of classes next year if we do not get sufficient staff resources to look after these extra kids who are being required to remain at school.

The Hon. P. HOLLOWAY: Yes, I do not know that that is in dispute. Certainly these kids will need resources. The Hon. Mike Elliott did talk about social justice for these kids and I appreciate that, but again I make the point: how much social justice will there be if they drop out of society? What will happen to them then? In my view, we have a social responsibility to these students and I do not think anyone is saying that, in some cases, it will not be difficult for schools, but we as a society have obligations and we have to deal with that. I have tried to point out tonight that the budget allocation that we have for the number of students we expect is reasonably significant.

I think the other point that needs to be made is that those one or two difficult students that the Hon. Mike Elliott was talking about will be well known to the teachers. The teachers will know their needs probably better than anyone and, therefore, can support them in staying at school or finding a relevant alternative. I think I also need to make the point that it is unlikely that there will be the sort of numbers that Mike Elliott is talking about—I think he said eight or nine—in one school.

I think the other point that I should make is that I am also advised that some schools might cluster together for specific programs for students returning to school using a district cluster model. So I think we need to be innovative and, again,

I come back to the point that there are a lot of kids sitting on the margin now who might be on the verge of dropping out and, clearly, we have to cater for their needs as well.

The Hon. R.I. LUCAS: I think the last general issue I raised in the second reading debate that has not been clarified yet is that a secondary school will not be staffed for a student who has enrolled but who then has an exemption. I will give the example of a big secondary metropolitan school which might have, let us say, 10 students who have enrolled but who have been given exemption from the school, so there is no additional resource going to that school for those 10 students. Can I clarify that it is not the responsibility of that school and its staff to monitor those 10 students in its off-campus placements—whether it be at the local TAFE training institute, private training provider, employment or just ensuring that they continue in one of the exempt programs?

The minister can give a conditional exemption, as I understand it—or an unconditional exemption—such as, ‘You are exempt as long as you continue at such-and-such a training institution for the 12 months’ or ‘as long as you continue to be employed by Baker’s Delight’ at Salisbury or at Hackham. Certainly, on my reading, the House of Assembly debate seems to indicate that the responsibility would rest with the school at which the student is enrolled, yet we have just clarified that that school will get no additional resource because the students are enrolled at that particular school.

The Hon. P. HOLLOWAY: I will address the question the honourable member raised previously, that is, how will each individual’s progress be monitored when enrolled in a school and attending elsewhere? Students who seek an exemption must demonstrate a commitment by the employer or the approved training authority along with the parents and the school to support the students’ employment and/or learning program. The exemption will be granted only if this criteria is met. Schools have a duty of care to all students, including those who are enrolled and who are granted an exemption from attendance. Overall responsibility for students who receive an exemption from school will rest with schools under the management of the district superintendents who will consult closely with schools and coordinate necessary resources to support schools.

The school monitors each exempted student’s regular attendance and overall progress. If attendance is unsatisfactory and early intervention strategies by the school have been unsuccessful, the student is referred to the school district attendance counsellor and an inter-agency process may ensue. Under current arrangements students participating in work education and training off the school site are still monitored closely by school personnel. The provider of the training also has responsibility in terms of occupational, health and safety issues, and training sites are approved by DECS.

Secondary schools have systems for tracking students who are at risk and who require specific support. The school counsellor, year level coordinator or assistant principal often undertakes this. There is also an inter-agency process involving other departments such as FAYS (Family and Youth Services) and the Department of Human Services which assist schools in providing specialist intervention programs for students at risk. These arrangements will continue to operate to track and support those students enrolled at a school full-time or those who are attending another course of instruction or employment.

Schools have developed good practices in relation to monitoring students’ attendances at TAFE courses and work placements, often through clustered VET programs in

collaboration with neighbouring schools. Schools will be provided with improved software packages to track and monitor students’ progress and analyse and address retention issues relevant to their particular school community. This software will reduce and streamline the current work of teachers and support staff rather than add to it. It will monitor and track students through and beyond school to provide destination and date feedback to schools about the effectiveness of their transition processes.

Rather than increase the workload for schools, it is anticipated that the new system will support schools and streamline monitoring procedures. Further work to refine systems for supporting and monitoring student progress will be undertaken as a matter of priority. I am also advised that funding will be allocated in two ways: via increased staffing based on enrolment increases, and through a range of support initiatives, counsellors and other support programs.

The Hon. R.I. LUCAS: I noted the lofty goals for the software that is being introduced. If I can speak from experience, it will be one of the rare examples, if it works that way, where teachers’ and schools’ workloads are reduced rather than adding to the angst that inevitably seems to accompany any new software development in schools designed to assist them. The intentions have always been good but the practice does not always eventuate.

As I understand the response the minister has just delivered in answer to the question, he is confirming that the school in the example that I have given that might have 10 enrolled students with no additional staffing in accordance with the staffing entitlement will continue to have a duty of care to the outsourced or out-placed student. So, if a student from Fremont High School has been given an exemption because they have a job at Prospect at Baker’s Delight, or whatever it is, it is the responsibility of the teachers and the staff at Fremont High School to ensure that the terms of the conditional exemption given by the minister—that is, as long as that student continues in employment, in that particular case, or training in any other case—will be the responsibility of that particular school.

I note that the minister says that other agencies can assist—FAYS and others—but I again highlight to the minister that those agencies do not just materialise. Someone needs to take responsibility coordinating them—that is, inevitably, the teacher or the school or someone within the school—who will then say, ‘FAYS is involved, or needs to be involved, or some other agency will need to be involved, in trying to assist this particular young person.’

So, the point is that, even though there is no staffing assistance, the minister holds out the hope that maybe additional counselling assistance might be given to schools in those circumstances. Again, in practice, the example I have given where you might have 10 students may well be possible: I don’t know. I would like to have confirmed that that is what the minister was holding out as being possible assistance that would go to the school. If we again return to the examples which we talked of earlier where a school might have only two or three of these students, I cannot imagine that they would get additional counselling support. It would appear that those schools, and their teachers and staff, whilst they will not get additional staffing resources, nevertheless will have the duty of care and will need to monitor and to ensure that the terms of the minister’s conditional exemption have been followed through.

The Hon. P. HOLLOWAY: When we were talking about the budget figures earlier I indicated that it was not just a

matter of teacher numbers. It was obvious from the raw figures that there are a number of other aspects to this problem. I am advised that some whole-of-department programs will be put in place to look at this. A range of those will be put in place and they will be tracked at department level. Obviously, there will also be the need for some interagency coordination in relation to this, as of course there is now. These problems do exist at present because, if we are increasing the age, I guess that we are, effectively, just changing the numbers.

The Hon. R.I. LUCAS: So, a scenario might be that a teacher at a school is responsible for three students who are placed in employment—or whatever it is. How does that in practice help him or her monitor whether or not those young people stay in employment or whether or not they need further assistance? If they have no additional resources, how do they actually do that?

The Hon. P. HOLLOWAY: What I am saying is that there are resources through the whole-of-government programs. Obviously, the level of resources required will depend on the individual cases. I guess the answer, in the sort of case you are talking about, is that if you find that you need a fairly specific amount of coordination then obviously that is where the resources will go. The assessment will have to be made on that case by case basis. Additional resources will be put in place which will involve various levels of counselling to engage young people in the relevant curriculum.

Clause passed.

Clause 2 passed.

Clause 3.

The Hon. M.J. ELLIOTT: I intend to vote against clause 3 at this stage—this is the part of bill which increases the age of compulsion from 15 to 16—and it is not because I do not want students to stay at school longer. What I want to be convinced of first is that, having required kids to stay at school, there is something there for them. It needs to be something that works not just for them but also for the students who are already staying within the school.

The government has not made its case at this stage and, other than the fact that it is desperate to hurry through some of the legislation that it promised at the election, there is no justification for having to do this just now, rather than later in the year, when the government can say ‘These are the things that we have in place, and here—more precisely—are the other things that we are going to deliver’. Clearly, the government at this stage does not even have back-of-envelope calculations to show to this place as to how the money that has been set aside in the budget will be used to deliver real and workable programs in schools and other places of education.

The Hon. P. HOLLOWAY: It seems that what the Hon. Mike Elliott is suggesting is that the government should make this commitment, spend the money and get the programs in place even though there might not be any change that actually requires students to stay in school longer. Surely, one has to bring the two together. If these additional resources are to be committed then it has to be part of a process that will require students to stay at school until they are 16. It does not seem to make much sense to spend all the money and get the programs in place if you are not going ahead with it anyway. Surely, that is putting the cart before the horse.

The committee divided on the clause:

AYES (17)

Cameron, T. G.	Dawkins, J. S. L.
Evans, A. L.	Gago, G. E.

AYES (cont.)

Gazzola, J.	Holloway, P. (teller)
Laidlaw, D. V.	Lawson, R. D.
Lucas, R. I.	Redford, A. J.
Ridgway, D. W.	Roberts, T. G.
Schaefer, C. V.	Sneath, R. K.
Stefani, J. F.	Stevens, T. J.
Zollo, C.	

NOES (3)

Elliott, M. J. (teller)	Gilfillan, I.
Kanck, S. M.	

Majority of 14 for the ayes.

Clause thus passed.

Clause 4 passed.

Clause 5.

The Hon. R.I. LUCAS: Members will be pleased to know that clause 5 is the second to last clause. It seeks to strike out subsection 78(2).

The CHAIRMAN: Order! There is too much audible conversation; Mr Lucas has the floor.

The Hon. R.I. LUCAS: Clause 5 seeks to strike out section 78(2) of the principal act. Section 78(1) provides that no person (whether or not he is a parent of the child) shall employ a child of compulsory school age or cause or permit such a child to be employed (a) during the hours at which he is required to attend school; or (b) during any part of a day or night, in any labour or occupation that is such as to render the child unfit to attend school as required by this part or to obtain the proper benefit from the instruction provided for him, with a penalty of \$500.

The CHAIRMAN: Order! There is too much audible conversation in the chamber; the Hon. Mr Lucas is endeavouring to make a contribution.

The Hon. R.I. LUCAS: In the debate in the House of Assembly, paragraphs (a) and (b) seemed to be read as both being required to incur this penalty. Certainly on my reading that does not need to be the case. That is, if anybody employs a child of compulsory school age during the hours at which he is required to attend school, that person is liable for a penalty of \$500. Given that we are now raising the compulsory school age to 16, and given that this was probably drafted decades ago when it probably made more sense than it seems to make now, how does the department on its legal advice get itself around the issue of the thousands of students under the age of 16 who are employed during the hours of school attendance? In particular, does each of those students undertaking SACE over more than one year get an individual exemption from this, or are they given something which provides that their requirement to attend school is different from the requirement to attend school for all full-time students?

The Hon. P. HOLLOWAY: I know the honourable member raised an issue during his second reading speech, and hopefully this will contain his answers; otherwise, we will follow it further. I am advised that the Education Act 1972 currently contains provisions relating to those who employ children of compulsory school age. These provisions contained in paragraph 78(1)(b) are not being changed. This section makes it an offence for an employer to employ a child of compulsory school age in such a manner that the employment would render the child unfit to attend school or obtain the proper benefit from the instruction provided to that child. Such measures are in place to ensure that children who work

part time during their schooling are not disadvantaged by their employment.

This system has been in operation for a considerable period of time and has not created any problem for genuine employers. As can be seen from the bill, it is not our intention to create a situation whereby an employer who employs a child who is subject to an exemption precluding them from attending school either on a full-time or part-time basis is to be subject to any form of fine if the employer through some unknown misadventure brings about an unintentional breach of the child's exemption conditions.

Clearly as part of the proposed arrangements it would be necessary for employers to be made aware of the conditions of any exemption and the child's obligation under the exemption. Our approach is one of information and support rather than fining persons who may inadvertently breach the exemption conditions. The current act has had a provision aimed at protecting children from being educationally disadvantaged through part-time employment. This provision has not created a problem for employers and we feel quite confident in stating that the proposed amendments will also not create any adverse issues for employers. That was the note I had, based on the Leader of the Opposition's comments during the second reading debate, but I am not sure whether he is referring to a different aspect of section 78(1)(b).

The Hon. R.I. LUCAS: I thank the minister for that response, and that again raises a problem in terms of the interpretation of section 78. One of the sections in the report, 'Listen to me, I'm leaving', highlighted the issues of young people completing SACE who were working late hours, whether it be nightfall at supermarkets or at fast food outlets—the Hon. Terry Roberts will know that experience, as I do—where secondary students work through until 11 or 11.30 on week nights.

As to the issue addressed by the minister of someone who is employing a student inadvertently and does not realise that they might be technically in breach of this provision, I do not think that this government or any previous government would be seeking to visit upon McDonald's the provisions of section 78(1)(b), which provides that, if an employer employs someone in any part of the day or night such as to render the child unfit to attend school, that is, if they fall asleep the next day, they might have committed an offence. The minister's advice is more specifically directed to that.

My question is that the debate in the assembly, which touched on this, seemed always to hinge on the fact, as did the minister's reply, that this provision relates only where section 78(1)(b) applies, that is, such as to render the child unfit, and that is the issue that the minister has read into the *Hansard* record. As to the issue about rendering the child unfit, my reading of section 78(1)(a) is that no person shall employ a child of compulsory school age, which will now be up to 16, during the hours at which he is required to attend school. The penalty is \$500. The bit about rendering unfit for attending school is linked by 'or', so that is another option for this penalty, that both provisions (a) and (b) separately can see the imposition of this penalty, not (a) and (b) together.

If the minister has different advice to that, I would be pleased to hear it, but certainly the way that the minister has responded again seems to presuppose that both (a) and (b) apply. My question is that, in relation to paragraph (a), particularly now that we are introducing a whole new cohort of students, up to 800 or 900 students who are aged 15 to 16, many of whom may well be in part-time employment, what is the minister's legal advice on this section 78(1)(a)?

The Hon. P. HOLLOWAY: I am advised that paragraph (a) stands alone.

The Hon. R.I. LUCAS: The minister is therefore agreeing with what I said, that is, the first part of the answer is that his advice is that it stands alone. If a person employs a child of compulsory school age during the hours at which he is required to attend school, there is a penalty of \$500. How in practice is the government and the minister intending to see that provision operate? On the surface of it, anyone who is employed during the hours at which they are required to attend school would be liable to a penalty of \$500.

The Hon. P. HOLLOWAY: Obviously nothing has changed in relation to that provision, which has been in the legislation for a long time. What we are talking about here is that, if the curriculum of the child is such that he is required to attend at school, a person should not employ such a child during those hours, but if the curriculum is such that it does not require the person to be at school, that there is some other arrangement, I guess that person can employ them.

The Hon. R.I. LUCAS: There may well be a relatively simple legal answer to this and, given that an amendment by the government may be successfully moved tonight, the bill may have to be addressed again in the House of Assembly. Perhaps the minister can give an undertaking that, before the bill is considered in the other house, he will provide the government's legal advice on section 78(1)(a). Given that paragraph (a) stands alone, as the minister has conceded, it may be that the requirement to attend school is the important issue, as the minister has indicated.

Let us take the example of a year 12 student who is doing SACE over three years and whose requirement to attend school is flexible, so they are doing only one or two subjects in the year. Perhaps they should be given a bit of paper or something which states that the student's requirement to attend school as per section 78(1)(a) will be for only two hours on Tuesday, three hours on Wednesday and two hours on Friday, so for all the other school hours when most other students would be required to attend, this provision would not apply. If that is the legal advice, I understand that there is no issue and there would not be an issue with the extension to 15 to 16 year olds.

The Hon. P. HOLLOWAY: My advice is that what the member is suggesting is correct.

Clause passed.

Clause 6.

The Hon. R.I. LUCAS: In relation to the exemptions, we have touched on and clarified some of the issues that I raised in the second reading debate, that is, the level of delegation of this issue and my scepticism as to the potential for the number of exemptions that might ensue as a result of this clause, and only time will tell on that. The issue was pursued in the House of Assembly but I wonder whether, having considered it between the assembly and the council, the government is in any better position or in any more definitive position to be able to indicate whether the conditions upon which an exemption might be granted will be publicly available in any way. Will they be issued publicly to parents and to schools or is this intended to be left with no further explanation other than subject to whether or not the minister considers it appropriate to do so?

The Hon. P. HOLLOWAY: A set of general guidelines will be available in relation to this, but, of course, the minister will retain the power for exceptional circumstances that, in these sorts of issues, will always crop up.

The Hon. R.I. LUCAS: Can the minister indicate what legal force, if any, the guidelines will have? Will they be regulations under the Education Act? I forget the next step down in relation to the Director-General's instructions to schools—or something; the name escapes me—as to the particular status of those instructions or guidelines to schools. What will be the legal status of the guidelines?

The Hon. P. HOLLOWAY: I believe the Leader of the Opposition is referring to administrative instructions and guidelines issued by the minister, if that rings a bell. I am advised that an exit map will be prepared for each student which will look at the issues involving the student employed at school, and so on.

Clause passed.

New Clause 7.

The Hon. P. HOLLOWAY: I move:

After clause 6 insert:
Transitional provision

7. (1) The amendments affected by this act do not apply to a child who has, before the commencement of this act, attained the age of 15 years if—

- (a) the child has ceased to attend or be enrolled at a school; and
- (b) the child is—
 - (i) in full-time employment; or
 - (ii) enrolled as a full-time student in an approved course of instruction or training; or
 - (iii) engaged in part-time employment and enrolled in an approved course of instruction or training.

(2) In this section—

‘approved course of instruction or training’ means a course of instruction or training—

- (a) provided by a college of technical and further education pursuant to the Technical and Further Education Act 1975; or
- (b) accredited under Part 3 of the Vocational Education, Employment and Training Act 1994;
- (c) of a kind prescribed by regulation.

I note from the debate in another place that this issue was raised there, and my colleague there the Minister for Education gave an undertaking that she would address this issue between the houses. This amendment is the result. As it is proposed that the amendments to the act commence from 1 January 2003, it is necessary to deal with those students who will reach the age of 15 prior to the commencement of the act and who may have made provision to leave school at the completion of this year or prior to completion of this year; in other words, prior to turning 15.

New clause 7 is proposed to be inserted to deal with this issue. This transitional provision provides that the amendment to the act does not apply to persons if they, prior to the commencement of the act, take up full-time employment, enrol as a full-time student in an approved course of instruction or training or are in part-time employment along with part-time instruction or training. They will then need to continue in employment or training and instruction until they turn 16. If their status changes before turning 16, they will need to enrol back in a school or seek a specific exemption under the new exemption provisions contained in section 81.

The type of training that they can undertake to qualify is that provided by a college of technical and further education as per the Technical and Further Education Act 1975 or a course of instruction accredited under the Vocational Education, Employment and Training Act 1994. Such training includes new apprenticeships. I commend the amendment to the committee.

The Hon. R.I. LUCAS: To refresh my memory and that of members, under the definition of ‘approved course of instruction or training’, do those accredited under the Vocational Education, Employment and Training Act include courses provided by private training providers?

The Hon. P. HOLLOWAY: Yes, they do.

The Hon. R.I. LUCAS: Finally, given that subclause (a) of the definition covers the TAFE courses; subclause (b) obviously covers a number of options for private training providers. Is anything currently envisaged under subclause (c) of a kind prescribed by regulation or is that just parliamentary counsel's save-all subclause?

The Hon. P. HOLLOWAY: The earlier amendment that I have does not have (c), so I think one can safely assume that it has been added as a catch-all. I will make sure. I must say that it seems to me to be probably a fairly reasonable sort of contingency device. Yes, it is there, so I assume it has been added on reflection by Parliamentary Counsel to allow for some other contingency. I will check whether there is any particular contingency envisaged. I am advised there is nothing planned, that it is purely a contingency.

New clause inserted.

Title passed.

Bill reported with an amendment; committee's report adopted.

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

That this bill now be read a third time.

The Hon. M.J. ELLIOTT: I will make two observations, the first of which I made earlier in the committee stage. The responses that this council was given at the end of the second reading stage were inadequate, and the committee stage would not have lasted as long had issues that were raised by members in this place during the second reading stage been answered then. I ask the minister to take that on board. It was a four-paragraph response, when a number of members contributed and raised a number of questions and issues, and the matter deserves to be treated more seriously. This process has been a very tedious one—in this case the government has brought it upon itself—and I hope it is not repeated.

Members interjecting:

The PRESIDENT: Order!

The Hon. A.J. Redford interjecting:

The Hon. M.J. ELLIOTT: That is right. This is a debate that is—

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order! We do not need a running commentary from the Hon. Mr Redford.

The Hon. M.J. ELLIOTT: That is the first observation. The second observation is in relation to the bill itself. Probably by March-April next year, we will know whether or not this bill is largely politically motivated and a need to score a point early after the election to say that the government has kept an election promise, or we may find, indeed, that there is genuine commitment, that real programs will be delivered in schools and that the kids who have been asked to stay will receive genuine educational value. We will know this by next April and, if it is the latter, I will be happy to congratulate the government.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): In relation to the provision of answers at the end of the second reading debate, I do apologise. It was my intention to try to speed up debate because, of course,

there were a number of members absent yesterday for circumstances of which we are aware. I was attempting to get the bill into committee and, as there were a number of issues, it was my intention to do so under clause 1. Perhaps with hindsight that was not the wisest course of action, but I think there were special circumstances. I apologise to the council for that. However, I thank the council for its support for this bill, because I think it will be an important measure. When we do come to look at it in 12 months I think the community will see that it has been a very worthwhile change and one that, of course, has been adopted through most of the advanced world. I thank the council for its support.

Bill read a third time and passed.

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 15 July. Page 496.)

The Hon. A.J. REDFORD: The opposition supports the bill. I thank the government and in particular the Attorney-General (Hon. Michael Atkinson) for expediting the outcome and the recommendations made by the live music advisory group in the latter half of last year and in endeavouring to get it through this parliament as a matter of some urgency. This process was commenced by the former minister for the arts (Hon. Di Laidlaw) and I acknowledge on the record, as I have on a previous occasion, her commitment and assistance in this matter. Her record in the area of contemporary music has been second to none, and I look forward to seeing the government's performance in this area.

If I have one offer of praise for the former government over the budget handed down last Thursday, it is that I am pleased that it retained Music Business Adelaide, at least for this year. I look forward to a successful program in that regard, and along with the Hon. Diana Laidlaw we would be happy to offer any advice or assistance that they may require in that respect. It is something the former government started, and it has been widely applauded not only in this state but also nationally and internationally.

The bill is the same as that agreed by all parties prior to the election. The bill came to this place and some suggested amendments were made, which the then government moved in another place. They were accepted by the then opposition in another place and, unfortunately, for a range of reasons, which I will not go into now, the bill did not get through. I made a lengthy contribution on this matter on 25 October last year, and I do not propose to go back over the six or seven pages of comment I made in relation to live music on that occasion, except to draw members' attention to the fact that it was a fairly lengthy contribution.

This whole issue arose as a consequence of issues confronted by the Governor Hindmarsh Hotel, the Austral Hotel and the Grace Emily Hotel, where people were building developments near those hotels and, as a consequence of the legal regime that currently exists and existed at that time, ran the risk of being unable to provide live music as they had in the past. It is important that we all acknowledge that live music in our culture and in the arts in this state is absolutely vital to the perception, fabric and nature of our society. As I said in my contribution last year, in 100 years we will not be judged by the political events of the day, the result of elections, inflation, budget or employment figures, or all the things that are importantly occupying our minds at the

moment. We will be judged by the artistic contribution made by this community as facilitated by us, our laws and places like the Governor Hindmarsh.

The Hon. T.G. Roberts: It depends on who is doing the judging.

The Hon. A.J. REDFORD: We will not be here to do it, and today's paper makes me more cautious about replying to your interjections, but I am confident about that one. We judged the late 19th century and the early 20th century by the likes of C.J. Dennis, Banjo Patterson and Henry Lawson. In 100 years our community will be judged by our musicians, their words and music and their activities and success, whether on the international, national or, just as importantly, local stage. That is how our children, grandchildren and great grandchildren will see how we lived and what our values were in these days. That is why it is so vitally important that we create a culture that enables musicians to thrive and perform.

I single out for comment Joyce Woody, the Executive Officer of the Real Estate Institute, who was quite strong in her suggestions during the course of the committee that without a culture of this type it is extremely hard to retain young people in a city such as Adelaide. If they think there is no night life, if they think Adelaide is a boring place and not a great place to live in their terms and that it is a retirement village, they will move and we will continue to see an exodus of some of our best and brightest to other parts of this country and overseas.

I will not go through in detail or at all the 10 recommendations made by the committee, except to say—and this was acknowledged by all previous contributors—that it is vital for South Australia to promote and enhance the live music industry because it plays a key role in maintaining a vibrant entertainment and cultural environment and generates employment of a significant number of people such as musicians, promoters, sound engineers, security firms, recording studios and booking agents.

There are a range of other matters I could raise. However, I will make three very brief comments. There are three outstanding issues in relation to the recommendations made by the group. First, there was the establishment of a music fund to enable young artists and young people to get some degree of financial support for the activities in which they are involved. I hope the Premier reads this, although I suspect that he probably does not read upper house contributions. A grant or donation to a young band of \$1 000 or \$1 500 makes a huge difference to them, their lives and their ability and capacity to continue producing art that reflects contemporary society. I am sure the Premier will find, if he supports the contemporary music industry, that he will get more letters and acknowledgments of thanks from them than from perhaps some other institutions and organisations that he might see fit to support.

The Hon. Diana Laidlaw: Letters of thanks seem to be important to him.

The Hon. A.J. REDFORD: The honourable member interjects. As he has not decimated this area of the budget, over the next 12 months he should give very serious consideration to framing the next budget. The second issue and recommendation was to ensure that people who buy houses or units in the metropolitan area are made aware of the fact that there is a risk or possibility of a live music venue nearby, and the committee made recommendations in that respect. The third issue was to ensure that the criminal law was framed so that the police had the capacity to deal with

misbehaviour and noise that emanated from outside the venues, because the committee was of the view that most of the complaints that came from neighbours were not about the music or noise from the venue but about the patrons or friends of patrons out in the car park. There were a couple of examples of 16 and 17 year olds hanging around in car parks making a lot of noise because their friends were in the hotel. They were the cause of the problem and not the band or crowd inside the venue itself.

Of course, the other issue that I think this bill helps to deal with is the enormous imposition that the Licensing Court has from time to time under the current law imposed on licensees at great cost in terms of security guards, causing them to make economic decisions not to continue with the provision of live music.

I thank the Attorney-General in this respect. I know that he is treating the issue of notice to purchasers and a review of criminal offences regarding people's behaviour in car parks seriously. I am grateful to the Attorney-General that, on my recollection, we have had at least four meetings as he works through these issues, and I look forward to his response. I raise one issue before closing; that is, I have been advised by the licensee of the Governor Hindmarsh that he has been informed—

An honourable member interjecting:

The Hon. A.J. REDFORD: On a couple of occasions. I am sure members will be aware of the fact that a set of units is being built immediately to the back of the Governor Hindmarsh—and I would invite members to have a look. It is a rather bizarre position and one would question the planning processes in the Charles Sturt council, but that is their issue. The agents representing the property owners are incorporating into their sales pitch that live music at the Gov is not a concern as this will not be a factor within six months.

I would hope that the agents in saying this are alluding to the fact that it will be so much fun living near the Gov that people would want to live there and would want to stay there. However, if the proprietor is indicating through the agents that he has some means, method or process by which he will close the Gov or cut down the music at the Gov, I feel confident in speaking on behalf of the opposition that we will cooperate in any way with the government to ensure that any scheme—legal or otherwise—will be stopped and, if that involves some small element of retrospectivity, I will look back to what I have just said and we will say that he was duly and properly warned.

The fact is that the Gov was there first and the Gov's activities were there first and I think that, on a number of occasions, all of us have protected their right to continue to do what they do—

The Hon. G.E. Gago interjecting:

The Hon. A.J. REDFORD: That is another issue. In closing, I thank the former minister, the Hon. Michael Atkinson and particularly the people who were on the advisory committee and all those who made contributions. I also thank all members for their support for this measure in this place and their agreement earlier tonight to expedite the passage of this bill so that we can have a new law, say, by tomorrow or Thursday.

The Hon. SANDRA KANCK: It is fitting that we are debating this bill during a week in which hotels are celebrating Pubfest and which has an emphasis on live music. I am told that 189 hotels are involved in this around the state with all sorts of activities occurring, but also with a great variety

of live music being performed. This bill picks up one half of the bill which we passed in this chamber late last year but which failed to pass in the House of Assembly on the last day of sitting last year, and consequently when parliament was prorogued, the whole thing disappeared entirely. There has been a very unfortunate delay in dealing with all this.

The Democrats have been campaigning for 2½ years or so on this issue; that is, the need for legislative reform to protect live music in this state. It has been a very vexed issue with a number of casualties along the way. For instance, the proprietor of the Bridgewater Inn stopped using his premises for live music and the Seven Stars Hotel in Angas Street, which, for many years, was a mecca for live music, has also stopped. I think that first occupancy rights may have solved the problem in these two cases, but this bill is not dealing with that, it is dealing basically with complaints.

I think it could be improved—and my amendments last year were defeated—for instance, by having the bill retrospective to 15 July, the time of the big public rally on the steps of Parliament House, which I think served adequate notice on any developers about what the future held for them. However, I know that my amendments were defeated in November last year with both Labor and Liberal voting against them, so I know there is not much chance of their being taken up this time. So I will simply observe—

The Hon. T.G. Cameron: It has never stopped you in the past.

The Hon. SANDRA KANCK: I am quite keen to get this legislation passed quickly because, as I say, there has been an unnecessary delay and people who are interested in this issue—young people, people in the live music industry—know that I made that attempt unsuccessfully last year. Despite the fact that those amendments failed last year, this bill is certainly a very positive step. It is interesting to observe that the problem of live music is one that seems to be occurring in capital cities all around Australia. In Victoria, the *Age* reports that the Chief Executive of the Australian Hotels Association, Alan Giles, explained that, for many years, the centre of Melbourne essentially has been non-residential, but people's moving back into the city to live has created this conflict between the residents who want a quiet night in their units and young people wanting to go out and have a good time.

Brisbane's *Courier Mail* reported on 18 May on some of the problems that city is having, including the fact that a total of only four complaints had thrown the live music industry into turmoil. That, again, is very similar to what has happened in South Australia. I think in the Bridgewater Inn case only one person lodged a complaint. Brisbane's Liquor Licensing Division has been having meetings with Brisbane City Council to discuss possible solutions, including the possibility of creating an entertainment precinct.

In Sydney, it has been reported that the licensee of a venue called the Monkey Bar in Balmain has spent hundreds of thousands of dollars on soundproofing and still the complaints come in. Sydney's Leichhardt council (in which the Monkey Bar is located) says that 70 per cent of the complaints they receive are related to the behaviour of the patrons outside the venue. I think that is very relevant in light of the discussion I have had with Adelaide City councillors, and the Hon. Angus Redford made mention of the same information. At my most recent meeting with Adelaide City councillors on this subject, it became very clear as we discussed the issue that they see much of the problem in the Adelaide City

Council area as being associated with the rowdiness of the patrons as they leave the venues.

Adelaide City Council has recently adopted a slogan containing three words—and I am not sure of the order of them—‘capacity’, ‘audacity’ and ‘vivacity’. Clearly the word ‘capacity’ refers to Adelaide City Council’s stated intention to increase the number of people living in the city proper by not just hundreds but ultimately thousands of extra people. Clearly that will impact on the live music industry in the city and on the vivacity that Adelaide City Council says it wants. We have to find a solution in the longer term to balancing the interests of residents and being able to keep our live music industry operating.

These problems do not just exist in the city, the Gov, as the Hon. Angus Redford has mentioned, is in the Charles Sturt council area and it is continuing to confront the problem of units being built behind it; and, as I mentioned earlier, some 12 months ago the Bridgewater Inn gave up having live music played at that venue. When urban renewal, urban infill, urban consolidation are the flavour of the month and certainly seem to be the way of the future, we have to find solutions for this coexistence. I indicate that the Democrats are very pleased to be supporting this bill, even though I do not think it goes far enough, and also indicate that we are very happy to cooperate in expediting the bill through all its stages this evening.

The Hon. DIANA LAIDLAW: I, too, support the second reading of this bill. The measure specifically provides for reference to the live music industry to be inserted in the objects of the Liquor Licensing Act, and it also contains various provisions for dealing with complaints relating to noise, as lodged by neighbours. These are important provisions. They were recommended, as earlier speakers have identified, as part of a group of recommendations by a working party that I established. That working party was chaired by the Hon. Angus Redford and incorporated a wide variety of people with interests in this area from the live music industry to the property council, the real estate association, various public servants and the Local Government Association. It was excellent that there was a unanimous set of recommendations.

In advancing those recommendations as minister for the arts at the time, I took all the matters to cabinet and, in various forms, they were supported. The one relating to the establishment of a live music fund was deferred for further consideration with the Australian Hotels Association to determine what contribution the Hotels Association or individual members could make to the noise attenuation measures. The then government also made a contribution of \$200 000 for this financial year and for each of the next four financial years to support the live music industry through various initiatives. I understand that in the current budget all that funding has been lost. That issue will be explored through the estimates committees. However, all the other recommendations were endorsed immediately and time frames were set.

I have to admit some responsibility in having this bill before us at the present time and not having seen it passed last year. It was my judgment at the time that the important measures recommended by the working party as amendments to the Liquor Licensing Act could be expedited by adding amendments to the bill that was already before this place and as introduced by the then attorney-general, the Hon. Trevor Griffin. In hindsight, that proved to be a mistake and I should

have insisted that these amendments be introduced as a separate bill.

I say that because the then attorney-general’s bill was hijacked by the Australian Hotels Association, and these important amendments were lost last year because it was impossible to advance the bill as a whole, including this important matter, before parliament was prorogued. So it is now eight months later that we address these matters. Nevertheless, I am pleased that, with the support of all members of both houses of parliament, this measure will advance tonight.

I remain concerned, however, about the very slow progress on the whole package of measures. I respect the fact that the establishment of the live music fund and the noise attenuation measures are a budget matter—and they were not easy for me to address with my cabinet colleagues but we found, as I indicated, an additional \$200 000 for live music initiatives over each of the next four years. All the other provisions are administrative matters, and I refer to them tonight because it concerns me that so little progress has been made on this package.

This measure alone, in terms of the amendments to the Liquor Licensing Act, will not deal with the problems that we have in the wider community in terms of stemming the problem before it arises. The amendments before us deal with complaints when lodged and not with the problem before it arises. This was addressed by the package of amendments recommended by the working party.

I issued a media statement on 20 October last year indicating that, in reference to the recommendations on noise guidelines, the government would undertake, through the Environment Protection Authority, to produce by the end of January 2002 guidelines in a technical bulletin on noise levels associated with licensed entertainment venues to assist planning authorities and enforcement agencies in establishing reasonable and practical noise reduction measures. It is my recollection that when we left government in late February those measures were almost complete, if not complete, and just needed to be advanced through the new minister, the Hon. John Hill. So, I will be pressing him for these new guidelines and technical bulletins on noise levels.

In terms of the buyer beware campaign, I indicated last October that the government will, through the Department of Environment and Heritage, prepare information on the location of licensed venues that will be made available to purchasers of land and future tenants of land, possibly through the internet and, in the meantime, assess whether the Land and Business (Sales and Conveyancing) Regulations 1994 and the Residential Tenancies Act regulations 1995 need to be amended as part of a buyer beware concept as recommended by the working party. Again, it is my understanding that that work was well advanced by the time frames that I earlier indicated. However, we have heard no more from this government.

In terms of the recommendation on planning considerations, I indicated last October that the government would, through Planning SA, update the planning strategy to guide development plan amendments dealing with mixed use zones and live music issues and that by the end of February 2002 we would produce a planning bulletin to aid local councils in assessing development applications for both new licensed entertainment venues and all other proposals adjacent to an existing licensed entertainment venue. Again, it is my understanding that all that work was undertaken when I left office. However, we have heard no more.

In terms of local government development plans, I indicated last October that, as recommended, councils would be encouraged to amend their development plans based on the forthcoming planning bulletin and, in doing so, be advised of the wisdom of consulting with operators of licensed venues, the live music industry and the Australian Hotels Association during the statutory consultation process required as part of the preparation of the plan amendment reports.

In terms of the Building Code recommendation, I indicated that, as recommended, a minister's specification would be initiated to incorporate noise attenuation measures in certain circumstances and would be prepared as an interim measure prior to seeking amendment of the Building Code of Australia. It is my understanding that Planning SA had advanced that recommendation, but we have heard no more since the change of government.

In terms of patron behaviour, I indicated last October that the government would prepare for public consultation an amendment to the Summary Offences Act 1953 to address the working group's recommendation that a new offence be created in circumstances where any person who, without reasonable cause, disturbs another in or adjacent to any licensed premises where entertainment is held by wilfully creating an undue noise. Again, nothing has been heard about this matter since the change of government.

I indicate my full support for this measure, but I indicate also that this measure alone will not address the issues that face the industry. It is an important measure but it is certainly not comprehensive and it does not deal with issues before they arise. It is very important that we do that. The recommendations of the working party chaired by the Hon. Angus Redford were heralded by the live music industry Australia-wide as being a blueprint for addressing conflicts between residents and the live music industry or hotels within the precinct. The Hon. Sandra Kanck mentioned that this is currently an issue around Australia. There is no doubt that there is an issue not only with live music but with any noise.

I have often highlighted the case of peri-urban areas in the Adelaide Hills where there is an influx of new residents and they do not happen to like the fact that there is horticulture and agriculture carried on; and they do not like practices that may involve the movement of vehicles at night, gas-guns, the harvesting of grapes in the evening—a whole range of practices that have been long established. The new residents do not like them.

It is important that there be a 'buyer beware' initiative, not one which holds liability to the government or the real estate agency but one which puts the onus on the purchasing residents to take responsibility not only for the love of the site that they want to invest in but also for the nature of the area that they are investing in. It is not good enough to purchase and then to complain later. We have seen this with the Adelaide Airport in the past; we have seen it along railway lines; we see it in the Adelaide Hills; and now we find it in relation to live music not only in the city but in the suburbs.

Honourable members have mentioned the issue of the hotel at Bridgewater as well as the Governor Hindmarsh and the fantastic campaign by patrons—and live music lovers generally—to save the Gov from a property developer who wanted—inappropriately I believe—to build three townhouses nearby. The application was approved by the Charles Sturt council and we saw rallies and a whole range of other initiatives, including the establishment of the working party, as a result.

At that rally I highlighted my sentiment—and it is my sentiment today—that the interests of live music should predominate. I say that having lived near the Lion Hotel in its heyday, when it was a great venue for discotheques and live bands. When one moves into a mixed-use area, when one moves closer to the city, one cannot expect the silence after 5 p.m. or 6 p.m. that one could expect in the outer suburbs or in the Hills. We come to the city and closer suburban areas for many advantages—to be close to a city and all its amenities. That does come at some cost, because those amenities will generate activity and noise.

With the present influx of people to the Adelaide City Council area, this is certainly an issue. It would be devastating, and we must never allow it to happen, that live music interests and the interests of young people, and the young at heart who frequent these venues, were lost.

I highlight that the issue is further than just the licensed venues. I have been concerned over time about the inconsistency in the debate in our community about prevention of crime and the activities of young people. This has generally come as complaints from older people, yet they are not prepared to see even Blue Light discos at Glenelg or Holdfast Shores or surf clubs, because they do not like the noise. Somewhere there has to be some more rational understanding in our community that young people—and we were all young at one time—may be a bit wild at times, like to be out longer than older people do and need less sleep at night—although I know from experience that it is hard to get my nieces and nephews up during morning hours. There is a different lifestyle and there has to be tolerance. People in our community cannot consistently argue that they want to be tougher on crime and tougher on younger people and then not allow venues and activities that will interest younger people so that they lose interest in Adelaide as a place to live and work in the longer term. We cannot become, and yet we are in danger of becoming, a retirement state.

We have a huge opportunity to become a centre for live music in South Australia. This has been undertaken in the past by our sister city, Austin, Texas, in the United States. I highlight this issue, because I see that the government is taking on an initiative started by the former Liberal government in educating Adelaide and taking it further, seeing that we are an intelligent, educated centre, and that necessarily means bringing young people here and bringing them to the city. If that is the case, then we have to understand that young people will want a variety of activities after hours to amuse, entertain and stimulate them. It is not possible to have one without the other. If we are at the same time bringing in older people (and I see from the real estate statistics that most of the people buying accommodation in the city are over 50) we have to work hard to reach understanding and tolerance between what are potentially conflicting goals in presenting Adelaide to our population and to the wider world.

Finally, with respect to live music and Adelaide's potential to be the live music capital of Australia I highlight that in Austin they have worked exceedingly hard and take great pride in the fact that their licensing laws do not allow 24 hour trading as increasingly is applied through the Liquor Licensing Act for licensed venues in South Australia. I put on the record today that it is an issue that I intend to pursue. With 24 hour trading, what we have seen in South Australia in more recent times is that the principal live music act is put on at 11 o'clock and 12 o'clock at night—much later than has been the practice in the past. I assume that this is a great commercial practice for the hoteliers, because many people

will be buying drinks up to that time and beyond. I know from parents telling me, however, that they are increasingly concerned to see that their children are going out for the first time on Thursday, Friday and Saturday nights at 10 o'clock and later. These are certainly hours that we would not have entertained in the past.

An honourable member interjecting:

The Hon. DIANA LAIDLAW: If they get home in daylight, it is probably encouraging that they are home. I do know that in Austin, Texas, in the United States, that there is this extraordinary hub of activity for not only live music but for local music. That is another issue that should be explored by this place as to how do we promote local music, our own music, not just live music, let alone disco and cover music.

I think it is particularly important if we are to see live music thrive—and it may be one of the issues that we need to address in terms of reaching this accommodation between residents' interests, the live music industry as a whole and the well-being of viability of hoteliers—that we look at this 24-hour licensing issue and see whether it is in the interests of anyone, not only those wishing to promote drinking. From what I have heard from Austin, I certainly believe that there is a great advantage in terms of our youth culture in this state and live music as a whole. That ridding ourselves of 24-hour licences would be a distinct advantage.

Having made those general remarks, I am pleased to see that this bill is being advanced here tonight. I am equally keen to see that the government advances the package of measures recommended by the live music industry. This measure alone should not satisfy the government that it has addressed the issues that confront the live music industry, or addressed the issues that confront our communities in terms of the conflicts, and, in particular, to avoid the conflicts before they arise.

The Hon. T.G. CAMERON: I rise to support the Liquor Licensing (Miscellaneous) Amendment Bill. My contribution will be reasonably brief. This bill has been dubbed the 'save live music bill' by the Attorney-General. A working committee chaired by the Hon. Angus Redford was formed last year to investigate ways of saving live music as a viable industry in South Australia. I would just place on the record my observations that the honourable member did a good job of chairing the committee and was instrumental in getting the parties together to form what has turned out to be a reasonable solution. According to the Attorney-General, many of the recommendations of the working group not in this bill will be implemented by the minister as they do not fall under his portfolio.

The provisions in the bill seek to change the Liquor Licensing Act for the benefit of licensees who have live music at their venue by amending the objects of the act that refer to live music as one of the vocations associated with the liquor trade, which is as it should be. The effect of this is to require the licensing authority, when it decides any matter, to take into account the interests of the live music industry. The bill also makes three other significant amendments. First, it requires 14 days between the serving of a notice of complaint and when the matter proceeds to conciliation or hearing to enable the parties to resolve the matter. Then, the issue can proceed to conciliation or, if the complainant requests, and with the approval of the commissioner, can go directly to a hearing; a very sensible innovation.

Secondly, it provides an alternative to a hearing. If the parties to a complaint agree to it, the commissioner may decide the matter. This is similar to what happens in a

contested application. The parties may decide whether the commissioner rather than the court hears the matter. Thirdly, it sets out a list of matters that the licensing authority should take into consideration when making a complaint. It includes, in addition to relevant considerations, the period of activity of the complaint; the reasonableness or unreasonableness of the activity; the trading hours and character of the business; the desired future character of the area; a stable development plan and relevant environmental policies and guidelines.

The matter of saving live music in South Australia is important. Live music in pubs has decreased with the emergence of poker machines, and now venues that still provide live music, such as the Governor Hindmarsh, are facing closure. Indeed, James England, a member of SA First, who was elected a youth leader of the Legislative Council for the 2001 youth parliament, raised these concerns by moving a motion calling on the parliament to give as much support as possible to live music venues. Not surprisingly, as there was a bunch of young people at the youth parliament, his motion was passed unanimously and generated significant media hits for the youth parliament, including several radio interviews and newspaper articles. It is good to see that parliament is listening to young people and responding to their concerns. I support the bill.

The Hon. A.L. EVANS: I support the bill and I think that some of the existing restrictions are unfair and will not help the development of the industry. However, I would like to share with the council that I feel there is also a need to widen the approach to live music because it is not only hotels in our society but also other forms of live music that have been closed down. For instance, 30 years ago I joined a group of young people and we went up to the Hills and built a youth camp. That youth camp helped many young people, many children, and later it became an adult camp. It also became a rehabilitation centre and dozens of young people went through it. Each Christmas and New Year's Eve we would gather by the thousands in that camp, we would be in the starlight and have our music out there and sing the hours away into the new year. About 10 years ago a property developer purchased the land, built a house nearby and shut the whole thing down.

The Hon. Diana Laidlaw: That was gospel music?

The Hon. A.L. EVANS: Yes.

The Hon. Diana Laidlaw: They didn't even like gospel music?

The Hon. A.L. EVANS: Too noisy. They shut us down, including our rehabilitation centre and the youth camp, and we eventually sold the camp site because of the restrictions of the law. Another area where we ran into this problem was when we were seriously considering building a retirement village next to our church. We realised that our church was a bit different from most churches, with a large congregation, electronic music, up tempo music, drums and guitars—all those kind of things—and the noise level was a bit higher than most. We spoke to the council about the retirement village and promised that we would have double-glazed windows, we would seek to make it soundproof, we would put a mound barrier in between, we would have tree barriers in between, but the council said to us, 'You can do all that, but if there are any complaints we can shut you down, even though you have been there 20 years and have been operating that way for 20 years.' I leave those thoughts with the council. Apart from the hotel industry there are other needs, as well, and maybe in time they can be looked at, too.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I thank members for their contributions and cooperation in passing this bill through all stages this evening. I thank the Hon. Mr Evans for his contribution in highlighting that it is not just live music venues and hotels but anywhere that people raise their voices to sing and enjoy themselves that others may see as a reason for complaint. I also pay tribute to the Hon. Angus Redford for the work that he has done to pull together the various groups to get the bill in place—

The Hon. T.G. Cameron interjecting:

The Hon. T.G. ROBERTS: Yes, and I would say that it is the first time that the honourable member has been congratulated so roundly by so many people on any contribution that he has made in this council. I also suspect that he enjoyed much of the work that he did in visiting a lot of venues to savour and test the quality and volume of music.

He probably socialised to get a feeling for the venues, and I commend him for that as well. I guess the best thing I can do in summing up is to read a press statement put out by the Attorney-General, who also did a lot of leg work and paid personal attention to the detail required in pulling this bill together. The press release was put out to indicate that the government was moving the bill to make some significant changes to the provisions of the act as it relates to complaints about noise and disturbance associated with licensed premises. He went on to say that the changes mean that the courts will no longer consider complaints against pubs and other licensed venues providing live music simply on the basis of noise.

He stated that the amendments mean that the courts will have to consider the interests of the live music industry when making decisions, and he went on to say that other factors to be considered by the licensing authority when determining a complaint include: the period of time over which the activity complained of has been occurring; the unreasonableness or otherwise of the activity; the trading hours and character of the business conducted at the licensed premises; and the desired future character of the area as provided in any relevant development plan and relevant environmental policies or guidelines. I think that sums up the Attorney-General's position.

It sums up the government's position in the Legislative Council and again I thank everyone for their contribution. We will move into committee and go through all stages of the bill with the cooperation of members opposite. Even though I do not have an adviser from the Attorney-General's office, I understand that members will not be asking too many difficult questions. Hopefully, we will get the bill through all stages this evening.

Bill read a second time.

In committee.

Clause 1 passed.

Clause 2.

The Hon. DIANA LAIDLAW: Clause 2 relates to the commencement, with the bill providing that this act will come into operation on a day to be fixed by proclamation. I note from the debate in the other place that the Attorney-General has indicated that the government intends to expedite the proclamation of this measure, and I simply wish to encourage him to do so. At the same time I wish him to be equally diligent with the other recommendations of the working party because, as I indicated in my second reading contribution, this measure alone will not deal with all the issues that face the live music industry.

They certainly will not deal with the broader issues that have been raised this evening by the Hon. Andrew Evans, and I alluded to the same issues in terms of surf lifesaving clubs and other venues for young people where there is no liquor served but neighbours do not like young people congregating for whatever reason, even if the purpose is for a Blue Light Disco. It is very important that this government is diligent in looking at the noise guidelines and the measures that must be taken into account by councils in their development plans and their plan amendment reports to make sure that mixed use zones are sensitive to the existing use of live music before approving other residential applications.

It is equally important that this government is diligent in the buyer beware initiatives and all the other measures proposed by the live music working party. So I take the Attorney-General at his word and thank him for giving an indication that this measure will be proclaimed expeditiously. But I again urge the government to be equally diligent with respect to the other recommendations of the working party report.

The Hon. T.G. ROBERTS: I take note of the comments made by the honourable member, who has a strong interest in the bill. I have noted but cannot find the comments made by the Attorney-General in another place.

The Hon. Diana Laidlaw: I did quote him correctly, though.

The Hon. T.G. ROBERTS: Yes, and I did read his comments. The Attorney-General has an interest to ensure that no complications are caused by any delays and by the way the Planning Act may be implemented in some places. I believe that he has a vested interest in making sure that the bill goes through all stages in both houses as soon as possible. In relation to looking after the young, a statement was made by, I think, Noel Coward—although someone will probably correct me—that youth is wasted on the young. That was because he was jealous and of an age similar to our own.

Clause passed.

Remaining clauses (3 to 7), schedule and title passed.

Bill taken through committee without amendment; committee's report adopted.

Bill read a third time and passed.

ADJOURNMENT

At 10.55 p.m. the council adjourned until Wednesday 17 July at 2.15 p.m.