

LEGISLATIVE COUNCIL

Wednesday 2 June 2004

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

LEGISLATIVE REVIEW COMMITTEE

The **Hon. J. GAZZOLA**: I bring up the 22nd report of the committee.

Report received.

The **Hon. J. GAZZOLA**: I bring up the 23rd report of the committee.

Report received and read.

SELECT COMMITTEE ON PITJANTJATJARA LAND RIGHTS

The **Hon. T.G. ROBERTS**: I bring up the report of the Select Committee on Pitjantjatjara Land Rights, together with the minutes of proceedings and the minutes of evidence.

Report received and ordered to be published.

NATIONAL COMPETITION PENALTIES

The **Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development)**: I lay on the table a copy of a ministerial statement relating to national competition penalties made today in another place by the Premier.

CHILD PROTECTION

The **Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development)**: I lay on the table a copy of a ministerial statement relating to child protection made today in another place by the Deputy Premier.

POLICE BUDGET

The **Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development)**: I lay on the table a copy of a ministerial statement relating to the police budget made today in another place by the Deputy Premier.

QUESTION TIME

TRADE AND ECONOMIC DEVELOPMENT DEPARTMENT

The **Hon. R.I. LUCAS (Leader of the Opposition)**: I seek leave to make an explanation before asking the Leader of the Government a question about the Department of Trade and Economic Development.

Leave granted.

The **Hon. R.I. LUCAS**: The latest report of the Office of the Small Business Advocate says:

The South Australian government established OSBA in June 1997 as an independent body to provide a free and confidential service to small businesses within the state.

In its role the report notes that it investigates complaints about government from small business and negotiates with the relevant state agency on behalf of the complainant. It also goes on to outline as follows:

The policies and programs of government agencies often affect individual small businesses as much as, if not more than, the legislative requirements. For many small business owners the prospect of dealing with large bureaucratic departments can be quite daunting, particularly if they don't know the right department or person to contact about a problem. OSBA was established to ease the burden of small business owners by investigating their complaints against state government agencies. The office is the first and only such body established in Australia and the services provided by the office to individual small businesses are unique.

Finally, it states:

To ensure independence and confidentiality when dealing with government departments on behalf of small business, the Small Business Advocate reports directly to the Minister for Small Business.

In the last 24 hours, the opposition has been contacted by a very senior person within the minister's Department of Trade and Economic Development, who, first, expressed horror to the opposition at the minister's and the government's lack of interest and concern with respect to small business issues. In addition to that, this senior person within the minister's department has advised the opposition that the minister has decided to abolish the current position of the Small Business Advocate and that the current Small Business Advocate has been, or will be, told (we are not sure) that he will be moved into the transit lounge some time next month.

The opposition has also been advised that, if this position is to be replaced in any way, a relatively junior administrative position within the department may well be the government's response to the movement of the current Small Business Advocate into the transit lounge. My questions to the minister are:

1. Will he confirm that the decision has been made to move the current Small Business Advocate into the transit lounge next month; and, if so, what are the reasons for that decision?

2. If that decision is correct, how will existing services that have been provided to small businesses in South Australia in terms of managing conflicts with government departments and agencies be continued by this government and this minister?

The **Hon. P. HOLLOWAY (Minister for Small Business)**: Obviously, the opposition does not pay much attention to the answers I give in this council. I have indicated in the past that this government is establishing an Office of Small Business. The Director of the Office of Small Business will assume the functions of the role of the Small Business Advocate. So, rather than downgrading the position, actually, it will be upgraded.

The **Hon. R.I. LUCAS**: As a supplementary question, what will happen to the existing four staff within the Office of the Small Business Advocate, and will those four staff be retained within the new Department of Trade and Economic Development or will they all be moved into the transit lounge?

The **Hon. P. HOLLOWAY**: There will be a new Office of Small Business, which will have, I think, five staff, including the director. Obviously, who those staff will be is up to the public service officials to determine. If officers from the previous unit apply for positions within the new Office of Small Business—and one would expect that they might have some experience in that area and therefore have some advantage—and win those positions, they will be in there. The decision that was taken, as the Leader of the Opposition would be well aware, was that, with the new restructure of the

Department of Trade and Economic Development, all the positions within that department would be re-assessed and given new job descriptions, and that all of those jobs in the new department would be advertised. In fact, I can advise the leader that, at last count, something like 60 or 70 of the 120 positions have been filled. Regarding the people in the Office of Small Business, I will get that specific detail for the Leader of the Opposition.

The Hon. R.I. LUCAS: As a supplementary question, is the minister maintaining that all existing services currently provided by the Small Business Advocate will now be provided by the head of the Office of Small Business?

The Hon. P. HOLLOWAY: Given that, as I have said, there is a new Office of Small Business and there is the new Small Business Development Committee, which, I would think, will be serviced by that office, as one would expect—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: Well, the whole point of a restructure of a department is to improve services. It is to—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: And change.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: The whole purpose of having a restructure is change. From time to time, you do need to change services as demand increases. No-one would be saying—

The Hon. G.E. Gago interjecting:

The Hon. P. HOLLOWAY: That's right. No-one would be saying that the same services in the past will apply into the future.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: Well, the services that will apply will be more appropriate for the needs of small business, and that is why the restructure was undertaken. I am sure the Leader of the Opposition is well aware of the restructure: it was announced some six or seven months ago, and a report is on the public record in relation to that. However, these things have changed: there is a restructure of the department and, as far as small business services are concerned, there will be this new office. As I said, the decision was taken that the Office of the Small Business Advocate would best lie with the director of that particular office because that would upgrade the status of those functions.

The Hon. R.I. LUCAS: I have a supplementary question. If there is a complaint by a small business about its relations with the Department of Trade and Economic Development, does the minister believe that the Office of Small Business would be the independent negotiator and adjudicator of such a dispute?

The Hon. P. HOLLOWAY: I believe that, essentially, the position would be no different from what it is at present, where that officer—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: Well, he is still an employee of the particular department. As a senior officer—

The Hon. R.I. Lucas: You have no idea.

The Hon. P. HOLLOWAY: I have every idea!

The Hon. J.F. STEFANI: I have a supplementary question. Will the minister advise the council whether the people concerned were permanent public servants and, if so, whether the PSA has been consulted about the changes to the structure?

The Hon. P. HOLLOWAY: Remember: I was not the minister at the time, but my understanding is that this matter was fully negotiated and that there was an agreement between the PSA and the government in relation to the process that was undertaken in the restructure of the new department.

SMALL BUSINESS ADVOCATE

The Hon. CAROLINE SCHAEFER: I seek leave to make an explanation before asking the Minister for Industry, Trade and Regional Development a question about the Small Business Advocate.

Leave granted.

The Hon. CAROLINE SCHAEFER: I refer to Labor's Plan for Small Business published on 2 June 2002 (prior to the last election). It is important that I read most of it. It states:

A Rann Labor government will support the role of the Small Business Advocate to help small businesses, which may be having problems or facing excessive delays in their dealings with the state government.

Labor will continue to provide triennial funding to the Office of the Small Business Advocate.

The Office of the Small Business Advocate (OSBA) deals with inquiries from small businesses and investigates complaints about the treatment of small business by the state government:

- The impact of government taxes and charges
- Customer relations with the state government, such as failure to respond to phone calls or provision of incorrect information
- Legislative or policy changes that small businesses feel may hurt them
- Licensing and registration of business names
- Late payment of accounts by government agencies
- Issues of government procedure that small businesses feel may hurt them
- Slow response times to queries and processing of documentation
- Access to government contracts through the conduct of open competitive tendering
- The need for a level playing field between government and business in the provision of certain goods and services.

And I find this paragraph very interesting:

The independent role of the Small Business Advocate needs to be strengthened. The Advocate has a vital role to play in supporting regional small business, and more needs to be done to allow OSBA to develop a high profile amongst small businesses.

The Small Business Advocate will provide small business people with a process for prompt resolution of disputes with various arms of government.

My questions are:

1. Does the minister concede that this is a broken promise?

2. Does the minister concede that this is in direct contravention of their own policy?

3. Who took the decision to get rid of the Office of Small Business Advocate and the Small Business Advocate—was it this minister's decision or a decision in train when he took over?

4. Does the minister concede that under the restructure the independent and at arm's length role of the Small Business Advocate will cease?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I will spell out again that the new director of the Office of Small Business will be the Small Business Advocate.

The Hon. Caroline Schaefer interjecting:

The Hon. P. HOLLOWAY: Under the old system, the previous person was an employee under the executive director. Would that have been better, because that is what would have happened?

Members interjecting:

The Hon. P. HOLLOWAY: The opposition does not seem to understand that the director of the Office of Small Business will be the Small Business Advocate. The shadow minister's question talked about some ALP policy before the election on 2 June 2002. I am not sure whether that is the date—

The Hon. Caroline Schaefer interjecting:

The Hon. P. HOLLOWAY: So it is 2 June 2002. The election was on 9 February 2002, so if one is talking of election policy that would have been before the public before 9 February 2002, when the election occurred. The shadow minister was a bit confused: she got the platform mixed up with policy, so that answers that question.

The Hon. D.W. RIDGWAY: By way of supplementary question, when was the decision made to scrap the Office of the Small Business Advocate?

The Hon. P. HOLLOWAY: Obviously the Hon. David Ridgway did not listen. The new director of the office will be the Small Business Advocate.

PUKATJA COMMUNITY

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

Leave granted.

The Hon. R.D. LAWSON: A letter from the Municipal Services Officer of the Pukatja community, Makinti Minutjukur, was recently read in the chamber. I remind members of some of the contents of that letter addressed to the Premier, as follows:

When you visited the lands at the end of April we were looking forward to meeting you after we received a fax at the Pukatja community office telling us to expect you. I got council members ready for a meeting with you and we had a kettle boiling for a cup of tea. When you did not arrive I drove across the creek to see where you were and found you outside the TAFE building in front of the newspaper cameras. Unfortunately, I did not see you again.

Makinti goes on to say that Bob Collins came to the community on 14 May and she says:

Less than two minutes after he had arrived at the community centre he suddenly walked away and went over for an unscheduled visit to the art centre. I was surprised; I felt it was rude. He came back half an hour later wearing one of Ernabella Arts' new bird beanies. This one looks like a galah.

The PRESIDENT: Is this not the same explanation you gave to a previous question?

The Hon. R.D. LAWSON: No, sir; it is a communication on which other questions have been asked of the minister. The letter also says that the author felt 'hurt, ashamed, scared and worried'. My questions to the minister are:

1. Has the minister taken any steps to verify the accuracy of the assertions relating to the Hon. Bob Collins?
2. Given the contents of the letter, does the minister still have confidence in Bob Collins as coordinator of state government services on the lands?
3. Is the government's policy in relation to Mr Collins still encapsulated in the Premier's announcement, 'What Bob wants, Bob gets'?
4. What response has the Premier provided to Ms Minutjukur about this matter?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I thank the honourable member for his questions even though, as some of my colleagues said,

they are recycled. The questions arise out of correspondence by Makinti to the Premier, but I understand they were widely circulated to individual members of parliament. I have seen a copy of the correspondence. I have not taken up the issues with the Department of the Premier and Cabinet.

The Hon. A.J. Redford interjecting:

The Hon. T.G. ROBERTS: I understand how difficult it is to synchronise meetings, visits, sites and people in relation to the lands and the remoteness, and sometimes communications do get crossed. I will be in the lands next week. I will be talking to Makinti face to face about the issues she raised in the correspondence. I will pass on the questions in relation to the organisation of the visit. Bob Collins has wide experience in the Northern Territory, Queensland and other parts of Australia in relation to the geography and the organisational structures of particular communities, but he is relatively inexperienced in relation to the lands. I am sure he benefited from his first visit. Bearing in mind that he does not have a large support staff—he has done all his own paperwork, report writing and printing—I will pass on those questions to the Premier and bring back a reply.

The Hon. R.D. LAWSON: I have a supplementary question. Given the minister's statement a moment ago that Mr Collins is relatively inexperienced on the lands, will he indicate why the government selected Mr Collins to undertake the coordinator's role?

The Hon. T.G. ROBERTS: Bob Collins has had wide experience nationally. There are many communities in Australia. He is a Northern Territorian. He was a state member of parliament in the Northern Territory and he is familiar with the areas on the Northern Territory side of the border. In terms of the geography and the people, each community has a very complicated leadership structure. Some communities are more easily accessible than others in relation to transport and communications and you find out by degree. I know that in relation to many communities that are part of the COAG trial in other parts of Australia, for instance, I certainly would be relying on—and I have relied on—personal contacts, departmental support and arrangements made by other state ministers to find my way around those communities; and to get the introductions via those local communities. There are protocols within the communities. The communities like to have respect paid. Issues around local protocols within each community take a while to pick up.

During his next visit, I am sure that Bob Collins will approach the protocols differently, having learnt lessons from his first visit. Certainly, his first visit was important to this government in his role as service coordinator in order to understand exactly what the problems were in relation to the state government's ability to deliver services into those communities. He would have built a wealth of knowledge which he will apply from time to time in dealing with the issues associated with cross-agency delivery.

HEALTH SECTOR

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Minister for Industry, Trade and Regional Development a question about the health sector.

Leave granted.

The Hon. CARMEL ZOLLO: The state can be proud that its long involvement in health care and medical tech-

nology has seen it build a significant skills and knowledge base. South Australia has more than 100 export-oriented health companies that market products and services to over 100 countries around the world. Can the minister advise the council how the government has assisted small to medium enterprises in the health sector to expand into export markets?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I am delighted to thank the honourable member for her question and provide an answer, because health services is one of the sectors in which I think this state has significant potential to boost its exports, and I would like to give the council some information in relation to that.

The Department of Trade and Economic Development, and its predecessor, supported nine South Australian companies in exhibiting at the Australia stand at the Medica Trade Show in Dusseldorf, Germany in November 2003. Medica, of course, is the world's largest health and medical exhibition, with 3 900 exhibitors representing 65 countries. Each company was able to acquire knowledge of competitors, greater understanding of the market and leads on potential trading partners, distributors and agents. The department has also assisted Adelaide-based Soniclean Pty Ltd, manufacturer of ultrasonic cleaning equipment, to fast-track export market development in key overseas markets as the company finalises its negotiations with distributors in the United Arab Emirates, China, Israel, Germany and England. Finalising these negotiations will lead to export sales for this company in these new markets.

The department has also supported Best Friend Magnetic Products in mentoring and export market development strategies, resulting in that company's setting up an office in Dubai and its turnover growing from \$540 000 to \$7 million in three years. With assistance from the department, Adelaide Hills company BRS Enterprises, run by Mr Barrie Stratton, succeeded in developing and commercialising non-intrusive nasal dilator plastic side-strips. BRS Enterprises signed a licence agreement with the US pharmaceutical company CNS Inc.

The Department of Trade and Economic Development, in conjunction with Austrade, is providing the opportunity for local health companies to present their products and services to qualified distributors from China. DTED and its China offices most recently assisted Dr Sui Yu, of the Women's and Children's Hospital, in a visit to China, which coincided with my recent visit with the federal Minister for Trade, Mark Vaile. The Shanghai and Hong Kong office introduced Dr Yu to two hospitals in Guangzhou, four hospitals in Beijing, four hospitals in Shanghai, and the Shanghai Health Authority, among which three hospitals expressed keen interest in the range of neo-natal screening services and training that the Women's and Children's Hospital can provide. DTED will assist Dr Yu to follow up on these opportunities in the near future.

DTED also supported the visit to South Australia by a health delegation from China's Henan Province led by the Director General of the Henan Health Department last year. The delegation signed an MOU with the Flinders University during its visit for the provision of nurse training programs. So I envisage that the health sector, given that it is an area in which this country is a world leader in terms of technology, has great potential for the development of export industries in this state, and the Department of Trade and Economic Development and I are very keen to see that come about.

The Hon. R.I. LUCAS: I have a supplementary question. What specific financial assistance was provided to the companies for the November 2003 trip?

The Hon. P. HOLLOWAY: I will have to get that information.

Members interjecting:

The Hon. P. HOLLOWAY: I was not the minister at the time, but I do not think we should let this go without saying something about the Leader of the Opposition and his tactics in this place. Of course, no doubt one can understand the great shame that he must feel for plunging this state into the sort of problems he has in regard to electricity. The Lucas legacy, of course, is that this state has the highest electricity rates in the country. We have problems in industry development in this state in terms of getting three-phase power to some of the many industries around South Australia. He dismantled that—all that went with his privatisation of electricity. So, one can well understand the shame he might feel in relation to that and, of course, it is inevitable when we get into question time that he should get into pathetic little diversions as he has done just now.

I can say that the electors of South Australia will never forget the enormous damage that he has done. They will not forget the fact that this man and his predecessor sold \$8 billion of state assets, but they reduced debt by \$6 billion. They ran up \$2 billion worth of debt. No wonder it must grate with him when he sees that this government is not only having to fix up the mess that he left but also that it has been able to return accrual surpluses, something that Redneck Rob could never do, and something on which when he was in government he challenged us. So, one might well understand his frustration, but he is just going to have to learn to live with it.

VISITORS TO PARLIAMENT

The PRESIDENT: Order! I draw honourable members' attention to the presence today in our gallery of some very important young South Australians from the Sacred Heart College. They are year 12 students with their teacher Mr Alan Shilbeck and they are the guests today of Mr Duncan McFetridge from another place. We hope that you find your visit to our parliament both interesting and educational.

CHILD ABUSE

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking a question concerning allegations of child sex abuse of the Minister for Industry and Regional Development, representing the Attorney-General.

Leave granted.

The Hon. SANDRA KANCK: My office has been in contact with the mother of a young child who is facing a terrible dilemma. This woman has recently spent seven days in the Northfield Women's Prison for contempt of court, as a consequence of denying her ex-partner visiting rights to their child. She took this extraordinary step because she believes the girl's father is sexually abusing the child. The couple had a volatile relationship prior to the birth of the child. Restraining orders were taken out by the mother to protect herself from domestic violence during the relationship. Further, a report of rape was made in 1999, although the allegation was later withdrawn. The couple have been estranged from the time of the child's birth in 1998.

After the birth, the mother initially encouraged contact between the daughter and her father. Her attitude changed when her daughter made allegations of sexual abuse against her father as a 3½-year-old in 2001. As a consequence of the daughter's allegation, the mother reported the abuse allegations to FAYS and refused to grant the father access. The mother believes FAYS' investigation of the allegations was entirely unsatisfactory. The father applied to the Family Court for access to the child and was successful. Initially, the mother complied with the court order, but, following further indications of sexual abuse and highly volatile behaviour from her daughter following access visits, the mother refused to grant the father further access. As a consequence, she was taken back to the Family Court and eventually imprisoned for 30 days during May of this year. She was released after seven days as a consequence of agreeing to allow her ex-partner unsupervised visitation rights to her daughter.

It has been suggested on an email network, which I occasionally read, that the fact that this woman is so convinced of these allegations that she is willing to go to prison demands a review of the case to verify whether or not the child is at risk. My questions to the minister are:

1. Upon provision of the mother's name to his office, will the Attorney-General initiate an immediate review of the case by a retired magistrate or a child abuse expert? If not, why not?
2. Will the minister recommend suspension of the father's unsupervised access to the child until a review has been conducted?
3. How much legal aid has each party received in respect of this matter?
4. How many parents have been gaoled in South Australia during the past five years for refusing to abide by a Family Court order?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I suggest that the honourable member provide the information to the Attorney-General so that he can undertake an investigation. I will refer the question to him. Obviously, if he is to provide the honourable member with an answer, he will need that information.

The Hon. KATE REYNOLDS: I have a supplementary question. What action is the Attorney-General taking to deal with this issue of children falling in between the child protection system in South Australia and the Family Court?

The Hon. P. HOLLOWAY: I will refer that question to the Attorney and bring back a reply.

NATIONAL LITERACY

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Education and Children's Services, a question about reading lessons.

Leave granted.

The Hon. A.L. EVANS: The federal government recently announced a scheme to provide to parents \$700 to be spent on reading lessons for their child if the child has been identified as requiring extra assistance against the standards of national literacy benchmarks. The minister has now agreed to release the raw data for 2003, ensuring that South Australia receives \$700 million from the federal government for tuition credits. My questions are:

1. What assistance or guidance will be given to parents to assist them to make good use of their vouchers in terms of targeting professional services appropriate to the needs of the child?
2. Would the minister advise how the system of identification of tutors or trainers will be undertaken to ensure that there will be sufficient personnel in place to commence private lessons for the anticipated 2 235 children in terms 3 and 4 this year?
3. How will the minister ensure that a parent is meeting their obligations to provide private lessons if not unreasonably burdened financially?

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.

ANANGU PITJANTJATJARA LANDS, REPORTS

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I lay on the table three reports that I indicated I would table in the council. There is the University SA report; the government's response to it; and the Litster report.

OFFICE OF THE UPPER SPENCER GULF, FLINDERS RANGES AND OUTBACK

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Premier, a question about the Office of the Upper Spencer Gulf, Flinders Ranges and the Outback.

Leave granted.

The Hon. D.W. RIDGWAY: In September last year I asked a question of the Premier and the Minister for Regional Affairs regarding details of the aforementioned office. I was recently in Port Augusta and went past the Office of the Upper Spencer Gulf, Flinders Ranges and the Outback. The office appeared to be closed, there were no cars parked in front of the office or at the rear, although I did not try to force the lock to get in. Later in the day I did see a couple of travellers using the front verandah to take refreshments in the heat of the day. The answer I was provided with states:

There are currently two employees, apart from the Manager, who work within the structure of the Office of the Upper Spencer Gulf, Flinders Ranges and Outback.

It goes on to detail positions, classifications and salary levels, and with reference to the ministerial officer it mentions the ministerial officer's role and responsibilities, one of which is to assist in the development and implementation of policy. It then mentions the salary.

It then goes on to talk about an administrative officer and their classification of ASO202, and a range of roles and activities that that person might undertake. Some of them were of particular note, as follows:

- undertaking relevant purchasing activities
- arranging venues, accommodation and associated resources for office staff attending meetings and/or conferences, including travel arrangements.

However, on the next page is one that is of particular interest to me. This person would be:

- arranging intrastate, interstate and overseas travel itineraries and associated hospitality services for office staff.

My questions are:

1. Which person or persons from the office staff—given that in the detailed answer I was given there were only two office staff, and the other person is the Manager of the Office of the Upper Spencer Gulf, Flinders Ranges and the Outback—is travelling interstate or overseas?

2. What is the purpose of this travel?

3. Is this travel funded by the government; if so, by which department or agency; and will the minister please define ‘a hospitality service’?

4. What are the opening hours of this office?

5. Who is the Manager of the Office of the Upper Spencer Gulf, Flinders Ranges and the Outback; and what is this person’s role?

6. What is the salary of the manager of this office, and does this person have a government-plated vehicle for use at his or her discretion?

An honourable member interjecting:

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

The Hon. J.F. STEFANI: As a supplementary question, how many trips has the administrative officer arranged for the manager?

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

HINDMARSH SOCCER STADIUM

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Recreation, Sport and Racing, a question about the Hindmarsh Stadium.

Leave granted.

The Hon. J.F. STEFANI: I refer to two questions I asked the minister on 25 March 2004 and 1 April 2004 in relation to the government’s obligations and arrangements under a deed of agreement dated 29 March 2001 and signed by the Treasurer, the Minister for Recreation, Sport and Racing, the Minister for Government Enterprises and the South Australian Soccer Federation Incorporated. As yet I have not received any response to these questions. Under item K of the recitals, the federation was required to transfer the management of the stadium to the government for two years with certain rights of renewal.

Under item L the government’s management of the stadium was automatically renewed at the end of two years subject to the federation’s rights to resume management of the stadium upon paying the government the management losses incurred over the period of the government’s management of the stadium. As the renewal date of the agreement expired on 29 March 2003, my questions are:

1. Will the minister confirm that the Labor government has renewed its management arrangements of the Hindmarsh Stadium until 29 March 2005?

2. Will the minister table the financial statements, business plan and annual reports for the stadium, which were to be prepared by the government’s appointed manager to fulfil his or her functions?

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.

PRISONS, MOBILE PHONES

The Hon. G.E. GAGO: I seek leave to make a brief statement before asking the Minister for Correctional Services a question about mobile phones in prisons.

Leave granted.

The Hon. G.E. GAGO: I was interested to hear discussion in this chamber earlier this week about the dangers posed by mobile phones in prisons. Will the minister elaborate on the dangers posed by mobile phones and inform the chamber what role South Australia is playing in finding solutions to this problem?

The Hon. T.G. ROBERTS (Minister for Correctional Services): The importance of the question overrides the whole issue. The honourable member has taken an ongoing interest in this whole issue. The issue was first raised by the opposition spokesperson for correctional services on 27 May and, although I responded to him, I do have some more information about it that is live and more current. As all members will now be aware, the unauthorised possession and use of mobile phones by prisoners in Australia is becoming a major problem for all correctional services administrations.

If members observed the front page of *The Australian* recently, they would have seen the transfer of a picture from a mobile phone, which was embarrassing to one particular prisoner. New technology has meant that these phones are becoming smaller, easier to smuggle into prison and, as a result, much harder to detect. They can be and are used by prisoners to organise illegal activities, and can cause significant unrest amongst prisoners. There is also the emerging issue of terrorists being accommodated in our prison system. As well, all members will be aware that these mobile phones can be used as a transmission device for detonating bombs.

The problem is not considered to be as great in South Australia (as I outlined in my reply to the honourable member earlier) as it is in other states and other parts of the globe. I am advised that less than 10 mobile phones have been found and removed from the prison system in the past five years, most from lower security institutions. I am informed that it is a bigger problem in other states. I am also informed that in New South Wales in the past 24 months corrections staff have located over 100 mobile phones being used by prisoners illegally in the prison system. At this stage, the principal means of detecting this equipment in Australian prisons is by manual searching or as a result of intelligence gathered from other prisoners.

The commonwealth government has expressed its concern and reluctance about the use of any equipment that might interfere with other communications equipment in the vicinity of a prison, especially that which is being used for emergency services and essential services. This matter is very complex and was one of the main topics of discussion at last year’s correctional ministers’ forum. It is also on the agenda for the next meeting of ministers. The answer for correctional administrators lies in the identification of technology that can be used to locate all unauthorised mobile phones in prison or to block transmission signals.

Chief executives from every correctional jurisdiction in Australia and New Zealand met last month to discuss the mobile phone problem, among other issues. At that meeting, a South Australian proposal to establish a national technology group to research emerging technology and its application to the corrections industry was agreed, subject to the endorsement of correctional ministers. Chief executives also agreed that, if ministers endorsed the establishment of this group at

their forum, the first priority for this group would be to identify available or emerging technology either in Australia or overseas to address the mobile phone issue.

I can assure members of the council that I will be urging all states and territories to adopt South Australia's initiatives as a means by which to address the serious issue of mobile phones in prisons. In the mean time, prison authorities remain on alert for those who would smuggle this equipment into prisons.

BICYCLES

The Hon. IAN GILFILLAN: I seek leave to make an explanation before asking the Minister for Industry, Trade and Regional Development, representing the Minister for Transport, a question about the provision of bicycle education programs in South Australian schools.

Leave granted.

The Hon. IAN GILFILLAN: For nine years, bicycle education services have been provided by Bicycle South Australia (commonly known as Bicycle SA), a not for profit organisation that promotes cycling and organises events for cyclists of all levels in South Australia. The bicycle education program is just one of the services that this organisation has provided to cyclists in South Australia. The service has been highly praised and considered very effective, as delivered to the schools by Bicycle SA. I was concerned to see a piece in Monday's *Advertiser* announcing that the minister had awarded the new tender for bicycle education to an interstate company. The tender has been won by a firm in the ACT, Freebott Pty Ltd, a small firm and, as far as I can ascertain, a new entrant into the industry of bicycle education.

In the tender documents that the minister put out there are three requisites: first, the tenderer shall provide an organisation structure; secondly, details to demonstrate the tenderer's capacity/resources to deliver the services; and, thirdly, details of the experience and qualifications of nominated personnel, plus other selection criteria. The tenders that have satisfied all the mandatory requirements will be evaluated in accordance with the following criteria: capability, experience, methodology and management systems—and that makes up 100 per cent. It is interesting that the price value ratio will be assessed, but it is not allowed for in those percentages, so it is hard to determine just how significant it is. Obviously Bicycle SA is very concerned about losing this tender and many cyclists in South Australia are bewildered about the government's choice. My questions are:

1. In so far as what the tenderer was required to provide, will the minister reveal to parliament what is the organisational structure of the firm Freebott Pty Ltd; and what are the key resources that it will use to provide the services to schools in South Australia?

2. What capacity/resources to deliver the services, including the capacity to store and maintain equipment (as detailed) do they bring to this state?

3. What experience and qualifications do the nominated personnel have?

4. What deficiencies have been identified in Bike Education Services (previously provided for nine years by Bicycle SA) which led to the minister denying it the contract?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I will forward those questions to the Minister for Transport and bring back a reply.

The Hon. J.F. STEFANI: By way of a supplementary question, will the minister advise the parliament whether any pre-payments were made to the company in relation to its performance of the contract; and, if so, what was the amount?

The Hon. P. HOLLOWAY: I will also pass on that question to the minister and bring back a reply.

LAND TAX

The Hon. NICK XENOPHON: I seek leave to make a brief explanation before asking the Leader of the Government, representing the Treasurer, a question about land tax relief for small businesses.

Leave granted.

The Hon. NICK XENOPHON: I note that the budget did not provide any relief for land tax for the many thousands of small business property owners in the state, despite the budget having a number of other measures put forward as being pro-business and pro-jobs growth. Over the past few months Mrs Beverley Pfeiffer has contacted me. Upon the death of her husband about a decade ago she turned the family home into a bed and breakfast small business. I will read briefly Mrs Pfeiffer's letter to me, as follows:

This is my principal place of residence and my only source of income. It does not meet the criteria of home activity as more than 28 square metres is used by guests.

She goes on to say:

Since 2000 my site value has increased 42 per cent: from 2002-03 an increase of 11 per cent; and, from 2003-04 a 20 per cent increase, the last land tax assessment [several months ago] being \$5 660, many bed nights being required to pay this tax.

Mrs Pfeiffer contacted my office and told me that, because of further valuation increases and because of the bracket creep with land tax, her land tax bill for the coming year will be \$7 000 and she will now be closing down the business. Her bed and breakfast operation, Myora, won the Australian 2000 tourism award for hosted accommodation. It is an award winning business. I can safely say that Mrs Pfeiffer is quite heartbroken that she will have to close her business because of the increases in land tax. My questions are:

1. Will the Treasurer urgently look at the impact of land tax on small businesses in this state, particularly with respect to bed and breakfast operations?

2. Does he concede that bed and breakfast premises are an important and integral part of the tourism industry in this state, and what advice can he give Mrs Pfeiffer, who has no choice but to close down her business?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I will refer those questions to the Treasurer and bring back a reply.

MEDIA STATEMENTS

The Hon. A.J. REDFORD: I seek leave to make an explanation before asking the Minister for Industry, Trade and Regional Development, representing the Premier, a question about media statements.

Leave granted.

The Hon. A.J. REDFORD: I am sure that everyone here would agree that the Premier could not be described as reticent when it comes to promoting government achievements. Yesterday, however, I nearly fell out of my chair when I heard the Premier's dulcet tones say on 5AA:

I have changed the law in this state and, until recently, it was impossible for police to prosecute sex offences that occurred prior to 1982. I could never understand the reason for that law.

To refresh the memory of members, it was the Hon. Andrew Evans who introduced a bill on 10 July 2002 regarding this issue. The bill sat on the *Notice Paper* and was withdrawn and a joint select committee was established in August 2002 with the support of every member in this chamber and the other place.

The committee reported in 2003 and it was a unanimous report. The report itself disclosed that an attempt to remove limitation periods by this parliament (unanimously supported in 1985) inadvertently did not remove limitation periods for offences prior to 1982. Indeed, the evil of this law passed in 1985 resulted from a Bannon piece of legislation. Nothing tangible was done, despite intensive lobbying for 18 years, for 10 of which Labor was in power. Until the Hon. Andrew Evans rose to his feet on 10 July 2002 and introduced his bill, nothing specific in the legislative sense happened. Ultimately, his initiative was supported by every member in this parliament. The Premier claims sole credit for this initiative, as he was a senior adviser at the time the legislation causing the problem went through and a member for a further 17 years before this change was made. My questions are:

1. Why does the Premier claim sole responsibility for the change in the law?
2. Why will the Premier not acknowledge the important role that the Hon. Andrew Evans played in this change of law?
3. Is the Premier aware that last year the Attorney-General gave the Hon. Andrew Evans credit; yet last week he claimed that it was a government initiative? Does the Attorney-General have Alzheimer's disease; does he believe the electorate has Alzheimer's disease; or is he hoping that the Hon. Andrew Evans contracts Alzheimer's disease?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): To the extent that the question warrants a reply, I will refer it to the Premier.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: Well, since it has been raised, Mr President, I seek your guidance. Is the second part of that question, asking whether members have Alzheimer's disease, in order? If it is not, I think we can deal with it here and now.

The Hon. CAROLINE SCHAEFER: I rise on a point of order, sir. Standing order 111 provides that a minister of the crown may, on the ground of public interest, decline to answer a question. Why does the minister believe that this is not a matter of public interest?

The PRESIDENT: There is no ruling to be made here. The standing order is quite clear. The minister can decline to answer a question for that reason, or he can decline to answer the question in any way he sees fit, without debating another issue. I think we should be careful here because there is a heck of a lot of debate in that explanation. For one moment I thought we were doing matters of public interest. Minister, did you want to add further to the answer?

The Hon. P. HOLLOWAY: I was seeking your guidance as to whether the second part of the question was in order.

The PRESIDENT: I think it was in order, but it was just flippant and probably tongue in cheek. I leave it to your own judgment about whether or not you believe it needs to be answered.

The Hon. P. HOLLOWAY: I am sure that members of the government are highly appreciative of the role the Hon. Andrew Evans played in relation to this matter and the select committee.

SCHOOLS, BUSES

The Hon. KATE REYNOLDS: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Education and Children's Services, a question about school buses.

Leave granted.

The Hon. KATE REYNOLDS: On 19 February I asked a question about school buses. I mentioned that issues about funding for the coordination of school buses had been raised on many occasions by school principals, but the department refused to address the issue. On 25 May (just last week) I received a reply. I should mention that I specifically asked: will the minister agree that the cost is a departmental responsibility, not a site responsibility; and will the minister immediately allocate sufficient funds to cover those costs of coordination? The reply is as follows:

School bus transport is an integral part of this government's commitment to providing accessible education for our state's young people. Each year the state government commits in excess of \$21 million to provide transport assistance across the state.

The reply also indicates that the government first provided bus transport to country schools in the 1950s and, afterwards, it established local committees to gather information. These committees remain in place today as part of a successful consultative process between the department and families in country South Australia. These country school bus committees are a consultative process to act on family feedback relating to the coordination. Metropolitan schools undertake tasks aimed similarly at improving access for students, such as the issuing of identification cards and metropolitan bus passes.

I note that country schools do that as well. The answer states that other metropolitan schools have taken on the selling of Passenger Transport Board bus tickets; and, Mr President, I am sure that you would acknowledge that if country schools had access to buses, trains or trams they willingly would take on that role as well. The answer concludes by saying that the country school bus committee system across the state is a well-proven, responsive local strategy which operates flexibly, efficiently and effectively. Clearly, I have not received an answer to my question. Again, my questions are:

1. Does the minister agree that the cost of coordinating school bus services is a departmental responsibility, not a local site responsibility? If not, why not?
2. Will the minister immediately allocate sufficient funds to country schools operating school buses to cover the cost of coordinating their bus programs? If not, why not?

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I will refer that question to the Minister for Transport in another place and bring back a reply.

The Hon. J.F. STEFANI: I have a supplementary question. In view of the question recently raised by the Hon. Andrew Evans and following a complaint received from school bus operators in the country, can the minister ensure that the increased cost of school buses is covered by the government?

The Hon. P. HOLLOWAY: I will refer that question to the minister and bring back a reply.

EDUCATION ADELAIDE

The Hon. J.M.A. LENSINK: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Education and Children's Services, a question about Education Adelaide.

Leave granted.

The Hon. J.M.A. LENSINK: Last week in this place I asked a series of questions based on the 2002-03 annual report of Education Adelaide. Because the 2001-02 report provided to Bills and Papers was missing several financial pages, I had additional questions that I was unable to ask. Education Adelaide's auditors have since been kind enough to provide those to my office. From the financials for the three years 2001, 2002 and 2003, the report states that the total operating expenses for Education Adelaide have come to \$6.9 million over three years; the cost of overseas office expenditure to over \$3 million; total expenses on marketing, promotion and advertising to over \$1.6 million; and total travelling expenses to \$900 000. My questions are:

1. Did the minister sign off on either the 2001-02 or the 2002-03 reports which were tabled on 4 May 2004 and 4 December 2002 respectively?

2. Was the minister aware that the 2001-02 report was missing several pages from the financial reports?

3. Does the minister consider that Education Adelaide provides a good return for investment and, if so, how is this determined?

4. Given the significant expenditure on marketing and travel, what measures does Education Adelaide have in place to ensure that these funds are expended in an appropriate manner?

5. As an organisation that exists for the purpose of trade and education, does Education Adelaide have protocols with DTED's remaining overseas offices?

6. Why are the statistics referred to as item nine in the 2002-03 report at least 18 months out of date?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will take all those important questions that the honourable member has asked and refer them to my colleague in another place and bring back a reply.

MATTERS OF INTEREST

CHINA, TRADE

The Hon. CARMEL ZOLLO: Last month I was pleased to represent minister Holloway at two important functions—namely, the Australia-China Free Trade Agreement Feasibility Study—Consultation Forum; and a dinner (which I hosted) for the Executive Vice Governor of the Shandong Provincial Government, Mr Lin Tingsheng, and his delegation of senior government officials and business leaders from Shandong Province in China. Both events serve to highlight the important role that our relations with China will play in our bid to see more exports in this state. Export growth is, arguably, the single most important driver of future economic prosperity for South Australia. It is of course the view expressed by the Economic Development Board in its report

on South Australia's economy and, as members would be aware, the newly established South Australian Export Council is currently in the process of developing a state export strategy.

The forum was a cooperative effort between the China cluster, Business South Australia, the South Australian government and the commonwealth Department of Foreign Affairs and Trade. The hosts on the evening were Mr Ted Byrt, Mr Andrew Martin and Mr David Holly. Although South Australia has been performing impressively in recent years with exports, it is clear that we cannot ever be complacent. South Australia's small population and limited economic base does mean that our access to international markets is critical to wealth generation, long-term sustainable community capital and social cohesion.

To continue to expand our economy, we must focus beyond our local markets to increasingly move our products both interstate and overseas. As a small state, our very future relies upon increased export capability. We have set a target to see our exports treble to \$25 billion by 2013. China will increasingly be an important economic trading partner of Australia and South Australia.

In 2002-03, China was South Australia's sixth top export destination and fourth top import source. Merchandise trade between South Australia and China during this period totalled more than \$785 million. It is anticipated that South Australia will be preparing a formal submission to the commonwealth to be considered in the feasibility study on a possible free trade agreement with China.

The forum was designed to help the South Australian government gain a clear understanding of the issues facing South Australian exporters to China, thereby providing useful background material to any South Australian government submission to the study. It was an opportunity for interested parties to openly voice their concerns, issues and questions. The high importance placed on China was shown by the visit that minister Holloway made to China in a joint trade ministers mission to China, led by federal trade minister, the Hon. Mark Vaile MP, in late April this year.

I know that both the Premier and Mr Holloway have visited Shandong Province recently, so I was pleased to be able to host the dinner during the visit of Vice Governor Lin. South Australia and the province of Shandong have had a sister state relationship for nearly 20 years and we have seen high level two way visits occurring for some time. This ongoing cooperation and exchanges between our two states will see the development of mutual long-term beneficial commercial initiatives.

I took the opportunity when hosting the evening to talk briefly about those areas where I assist in food and wine, and the likelihood of seeing increased exports in those areas. I know members would have heard many times that we hope to see our food industry in this state worth some \$15 billion by 2010. Food, of course, will play an important role in that increased export target.

Apart from strengthening our sister state relationship, business leaders looked at our trading programs, and negotiations are currently occurring with educational institutions for a series of training programs which hopefully will be put in place by the second half of this year. Also during the delegation's visit, an MOU was signed by the chairman of the China Council for Promotion of International Trade (Shandong Branch) and the President of Business SA, Dr Patricia Crook, establishing a sister chamber relationship for future cooperation between the two sides. I hope our

continued relations between the province of Shandong and South Australia, both cultural and economic, will grow from strength to strength.

ROTARY DISTRICT 9500 CONFERENCE

The Hon. J.S.L. DAWKINS: I rise today to speak about the Rotary District 9500 Conference held in Gawler from 15 to 18 April this year. The conference was held at STARplex, which is part of the Trinity College community at Evanston Park, and conducted by the Rotary clubs of Gawler and Gawler Light. It was attended by around 400 Rotarians and their partners from the 51 clubs in District 9500 which includes Kangaroo Island, the northern half of Adelaide, the north and west regions of the state (including Port Pirie), as well as Alice Springs.

It was a privilege for me to be asked to be conference chairman by the district governor David Moore. This was particularly so because he made the decision to hold the conference in his (and my) home town. Delegates were welcomed to the town of Gawler by Mayor Tony Piccolo. The conference was opened by Sir Eric Neal, former governor of South Australia, who attended the first meeting of the Rotary club of Gawler in 1954. The conference theme of 'Food for Thought' was well addressed by many of the speakers. These included the United States Ambassador, Tom Scheiffer, and the Speaker of the House of Representatives and member for Wakefield, the Hon. Neil Andrew. Others who contributed to the conference program included international pie-maker, Vili Milisits, Peter White from Diabetes Australia, and Leon Broster from the Murray-Darling Association Environment Foundation.

Another highlight of the conference was a presentation by Lee Brown of Kangaroo Island. Lee is a former participant in an Operation Flinders exercise and he spent 2003 overseas on a Rotary youth exchange. Currently a peer group mentor with the foundation, Lee told delegates how Operation Flinders had changed the direction of his life. Rotarians spoke about organisations including Inner Wheel, Potential Park, the Peer Support Foundation, Hope for the Children, and Group Study Exchange. Delegates also heard of the current situation in countries such as Timor-Leste and Botswana.

The conference also featured a forum on communities and leadership for members of other local service clubs and volunteer organisations, as well as Rotarians. The forum included a panel discussion on young leadership development as well as presentations on service clubs working together, community support organisations, the Rotary Quality of Life Foundation and building communities. Another feature of the conference program was an ecumenical church service that was held on the Sunday morning in the Trinity College Chapel.

The success of the conference resulted from the efforts of many individuals and organisations. The members of the conference organising committee, many other members of the Rotary clubs of Gawler Light and Gawler, and their partners, family members and friends all played a vital role in ensuring that the conference was an event of which the Gawler community could be proud. Significant acknowledgment must be given to the 18 businesses and organisations (local and statewide) that provided sponsorship of the conference. The committee was also very grateful to the town of Gawler for its financial donation, as well as for hosting a bus tour of Gawler and a civic reception.

In addition, the manner in which a number of other local individuals, businesses and organisations contributed to the conference and its associated programs and activities was greatly appreciated. The conference organising committee also greatly appreciated the cooperation of the management of STARplex as well as the Trinity College community in general.

ANNA STEWART MEMORIAL PROJECT

The Hon. G.E. GAGO: Today, I would like to talk about the Anna Stewart Memorial Project. This project holds personal importance for me as I was a participant in the 1980s, an experience which I enjoyed immensely and which had a significant impact on me and my career development. Anna Stewart was a former journalist and union activist who was a long-time campaigner for women's rights at a time when women made up one-third of the paid work force but were poorly paid, lacked job security and had minimal access to promotion opportunities. Anna Stewart worked tirelessly to involve women in deciding on the principles and priorities to put before unions and governments that would result in equity and provide real opportunity for women. She was motivated to develop strategies to address issues that confronted women and to highlight the woman's role in the trade union movement.

Anna Stewart worked for a decade in the union movement and developed a radical re-evaluation of the rights of female labour that can still be felt today. In 1974, with the Federated Furnishing Trades Society (I think it was called a society then rather than a union) of Australia, Anna spearheaded the first blue-collar union campaign for maternity leave award provisions. At the time Anna was in the latter stages of pregnancy with her third child. She moved to the Victorian Vehicle Builders Federation in 1975 after visiting a United States car plant, and she became increasingly resolved to achieve dramatic change for women in Australia.

Anna fought tirelessly for childcare facilities in car plants and initiated campaigns against sexual harassment that finally caused employers to recognise sexual harassment as an industrial issue, and she assisted with the ACTU maternity leave case. In 1977 she was involved in writing the ACTU Working Women's Charter. As Senior Federal Industrial Officer with the Municipal Officers Association, Anna established women's committees in all branches of the MOA and introduced sexual harassment and AA policy which were adopted federally.

Anna Stewart tragically died in 1983 aged 35. After her death, Anna's trade union friends and colleagues felt that a project based on the Working Women's Charter's demand for increased involvement in trade unions was immediately relevant to her memory and the women's work force as a whole. This was particularly appropriate considering that statistics showed that, despite the large number of women joining trade unions, women were consistently under-represented in decision-making structures. Thus, the Anna Stewart Memorial project was devised.

It was conceived as an annual two week 'on the job' training program for women designed to give participants unique levels of access to union organisations and, more importantly, develop awareness of the ways in which unions can work to redress the discrimination and exploitation of women workers throughout Australia. The United Trades and Labour Council of South Australia held its first program in 1985, with the emphasis on democratising the participation

of all members. Participants have the opportunity to meet union members, work with union officials in their day-to-day activities and attend a wide range of union forums.

They can also choose to work in other unions. The continued emphasis on practical experience rather than reading or hearing about unions in theory is intrinsic to the program. Previous programs in South Australia have been a resounding success, with women participants feeling that the opportunity to see the practical operation of a union deepened their understanding of the movement and strengthened their commitment to union involvement. Anna Stewart's influence has been widespread. She gave many women strength and confidence from her example of combining motherhood and a career.

In addition, she secured many conditions for the workers whom she represented—and, indirectly, all working women—by setting these precedents. It must not be forgotten that women are still under-represented in union membership as well as paid union posts, and that work must continue down this path to rectify this imbalance. I have enjoyed the privilege of conducting parliamentary tours for the Anna Stewart participants each year since I have been a member of parliament, and I enjoyed it again last week when this year's group came through the parliament.

WATER CONSERVATION

The Hon. CAROLINE SCHAEFER: I draw the attention of the council to a letter that has been widely circulated throughout South Australia from the Department of Water, Land and Biodiversity Conservation. In part, the letter states:

It is apparent that water conservation measures are being ignored by some sectors of the community because their water is not supplied from the South Australian water reticulation system. As a consequence, the government has decided to widen the long term water conservation measures to apply to all the state's water resources, inclusive of water courses, lakes, surface water, underground water and effluent. This includes domestic and industrial waste water, rainwater tanks, bores, reclaimed water and direct extraction from rivers.

Some 12 months ago, the government put in place, first, water restrictions and, then, permanent water conservation measures to those who purchased reticulated water from SA Water—in other words, people who are using the resource of the River Murray. At that time, the government introduced restrictions such as being able to water gardens only at night, having to wash cars with buckets, etc. This letter is informing us that, regardless of personal expenditure, someone who has taken the expense and the care to purchase their own rainwater tanks, to harvest their own water and to provide for themselves will now be placed under exactly the same restrictions as anyone else.

It means that every rainwater tank on every property throughout the state will now be subject to the same scrutiny and restrictions as those who pay SA Water rates. I think it stands out as one of the silliest things that this government has tried to do. I have this magnificent mental picture of water inspectors driving around the countryside in four-wheel drives to see whether someone has their sprinkler on during the day. However, given the amount of money that they have taken out of road maintenance, it is probably going to be cheaper if they bring in surveillance planes and do low level flights during the middle of the day to see whether anyone is watering their lawn. To me, it smacks of a diminution of people's personal privileges—

The Hon. J.F. Stefani: Rights.

The Hon. CAROLINE SCHAEFER: And rights—rights for which they pay and pay heavily. I was given an example yesterday of a family who has taken the time and trouble to put in 17 separate rainwater tanks so that they are not beholden on the government for their water supply. Now this government says that they can water only when and if it pleases the government of the day. Under the regulation that will be brought in to enforce this, it extends that regulation to bring in restrictions whenever the government chooses. What that means is that someone who has a rainwater tank on a farm will be told how much of it they can use. The next step will be to licence rainwater tanks and dams in paddocks, and I am just wondering whether, soon after that, sheep will be able to drink only at night because of greater evaporation risks. In an interview on ABC Radio, the minister said:

... when we check it out we find the neighbour has a bore or some other source of water.

We are getting calls from people saying, 'Hang on, my neighbour is continuing to use water.' What it is really about is the fact that this government will now be able to intrude on anyone's garden or anyone's water use, send an inspector and fine you whether it is your water or water from SA Water—

The Hon. J.F. Stefani: Or God's water!

The Hon. CAROLINE SCHAEFER: Rather than having to prove whether it is SA Water, or, as the honourable member interjects, whether it is God's water. I am just wondering what next? This government is meant to be encouraging saving water and now it is penalising those who have spent the money to provide for themselves.

MOVING ON PROGRAM

The Hon. KATE REYNOLDS: In recent weeks, I have been contacted by parents concerned about their adult children being turned away from a post-school day program because of a lack of state government funding. The Moving On program assists young people with severe intellectual disabilities to make the transition from school to the next phase of their lives. Funding for the Moving On program has remained static for several years. This amount is finite, no matter how many students are forced to leave school and regardless of the level of support needed. As I mentioned in a question last week, at the moment we believe that 74 young people are currently receiving less than the required service and 90 new young people are coming in next year.

The Minister for Families and Communities announced an additional \$1.2 million in last week's state budget for this program, which he claimed was an 18 per cent increase on last year, and that is welcome, but, given as the program was, as he said, \$3.2 million under funded, clearly it will not go anywhere near far enough. Most people would find it difficult to imagine how stressful daily life is for the parents of children who require around the clock care—and often these are not small children but grown adults—and how this level of stress and strain is magnified by the fact that this supervision is needed seven days a week for anything up to 30 or 40 years. One of the key campaigners for realistic funding for the Moving On program is Mr David Holst, who has been speaking out for parents from St Ann's Special School at Marion.

Members will remember from my question last week that Mr Holst has a severely disabled daughter who is 20 years old and about to leave that school and who has no capacity now or in the future for any type of paid work or self-sufficiency.

Mr Holst has written to all members of parliament attempting to highlight the issue. I refer to his latest letter received on 28 May in which he writes:

The Hon. Mr Jay Weatherill, Minister of Disability, advised of a small increase in funding to the Moving On Program for young adults who are too old to attend school but unable to work in sheltered workshops. It is an insult to the 600 adults involved and their families and carers in the state government's budget.

He talks about the recent acknowledgment that there is a considerable amount of additional need because the program was under-funded by 50 per cent without allowing for the 20 per cent increase in school leavers, and says:

This shows that minister Weatherill, Premier Rann and the state government is a government without the social conscience or the character to meet their moral obligation to some of SA's most disadvantaged citizens.

He also refers to an article in last week's *Advertiser* about a woman whose son died, and I will briefly refer to *The Sydney Morning Herald* of this morning rather than the information in his letter, as follows:

This morning this woman who suffocated her autistic son has been given a five-year good behaviour bond for the manslaughter of her 10-year old son Jason at their home in Sydney West last year. Judge Ellis said that Mrs Daniella Dawes had already suffered enough and the circumstances of the case were so exceptional to warrant a non-custodial sentence. He said, 'It is little wonder this offender was unable to cope on the morning of the 4th August.'

Mr Holst believes that this should serve as a stark warning to minister Weatherill and his colleagues to start looking seriously at this area, where he says that this state government has an appalling record. He says:

Perhaps minister Weatherill should consider changing the name of the Moving On Program to 'Going Backwards' as this lack of vision and understanding of the acute stress related to the lifetime support of disabled citizens reflects a government that, whilst speaking proudly of supporting families and young people for the future, has singled out and ignored the real needs of a small minority of South Australians who are in a position where they simply cannot help themselves. The parents of St Ann's Special School at Marion suggest that Premier Rann, Treasurer Foley and minister Weatherill quickly readdress their inappropriate strategy and move some of the AAA credit rating and \$160 million surplus into an area of the community that requires immediate and substantial help before South Australia has its own example of the tragic occurrence in New South Wales.

I put on the record that the Democrats agree. A AAA credit rating will not assist these families on a daily basis; they need serious help—and they need it soon. We do not want a similar situation here; we want serious action to protect not only young people and children but also those with severe disabilities.

CHILD ABUSE

The Hon. R.D. LAWSON: I will speak today about two aspects of the hypocrisy of this government on child protection and issues of child sexual abuse. The first arises from the ministerial statement made today by the Deputy Premier who said:

This morning I met with the Police Commissioner, who has recommended the existing reporting requirements under the Children's Protection Act be extended. Mr Speaker, the government agrees with this position. I can inform the house that the government will urgently introduce legislation extending mandatory reporting requirements to staff and volunteers of church and other religious organisations.

This recommendation is not something that came from the Police Commissioner this morning; this was recommended by the Layton report in March 2003. There is not a mention

of Layton in this statement. Here we have the Deputy Premier out there suggesting this government is acting decisively in response to something the Police Commissioner said. In fact, it is something they have been sitting on and have done nothing about and now they are trying to turn it to their advantage.

The second aspect of this hypocrisy is the claim that this government (the Rann government) removed the immunity from prosecution for sexual offences occurring three years before 1982. There is no acknowledgment in the government's statements of the critical role played by the Hon. Andrew Evans in this connection. The law that created the immunity was introduced by Dr Cornwall of the Labor Party in this chamber in 1985.

The Supreme Court decided in that very same year that it had the effect of providing an immunity, but no government (Labor or Liberal) sought to remove that immunity. The Attorney-General—who has been highly critical of us—and the Premier never introduced a bill, never asked a question and never lifted a finger in 20 years to do anything about it. They did not go to the 2002 election with any policy in relation to that; neither—I admit—did my party. The Hon. Andrew Evans, when elected in February 2002, said that he would do something about it. In July that year, he introduced a bill. What did the government do? Did it say, 'Andrew, we support you; we will vote for you?' No: they said that they would take it off to a committee. They did not say they would support it.

We agreed to the establishment of a committee, and the Hon. Gail Gago spoke in this chamber on behalf of the Australian Labor Party. When the committee was being set up, she said:

These are significant and important issues which need to be examined from an informed and unemotional perspective. If changes are going to be made, they should be done with a comprehensive understanding of all the consequences.

We agreed, but the Hon. Gail Gago (speaking on behalf of the Australian Labor Party) was not saying, 'We are committed to supporting this bill.' It was not until after the select committee was appointed (which included the Hon. Andrew Evans, other Labor and Liberal members and me) that we came to the conclusion unanimously that the immunity should be removed. When the Hon. Andrew Evans introduced the bill, it was passed unanimously.

Today, we hear the government claiming that it is their bill; that they are the ones who introduced it. They did nothing! For years, the Director of Public Prosecutions recommended against removing the immunity. In fact, he told the select committee this. He believed that it would create in victims an unrealistic expectation that prosecutions would succeed. In his view it was highly unlikely that any prosecution could succeed because of the effluxion of time.

Members interjecting:

The PRESIDENT: Order! I draw members' attention to the standing orders as far as interjections are concerned. These times are generally a little free-for-all, but I point out that the Hon. Mr Lawson is one of the most serious debaters in the council. He seldom interjects. I cannot hear him. Other members who are interested in his contribution cannot hear him. Members should understand their responsibility.

The Hon. R.D. LAWSON: The Director of Public Prosecutions thought that the removal of immunity would be a cruel hoax on victims. The committee did not agree with that in the end, but that was a view he presented to the committee and to successive Attorneys-General. When I was

in the attorney-general's chair for three months before the 2002 election, that view was put to me, and I agreed that there should be no alteration in the lead-up to the election. I did not have an irrevocable view at that stage that it should never be removed. I did not have the benefit then of receiving all the information that the Hon. Andrew Evans and others had collected and were able to present to the select committee. I am glad to say that I changed my mind about this, but I am not seeking to take any credit at all for it. The credit belongs to the Hon. Andrew Evans who made the introduction. We were open-minded about it; we embraced it. In this regard, there is no difference between Labor and Liberal on this important issue.

Time expired.

The PRESIDENT: I think the whole parliament can take some credit for passing the bill.

APEX CLUBS

The Hon. A.L. EVANS: The Association of Apex Clubs was formed in Geelong, Victoria, in 1931 by three young architects who decided to form a club for fellowship in order to assist young men affected by the Depression. The badge consists of a triangle enclosing five rays of the rising sun, symbolising the rising generation of youth, with the name 'Apex' superimposed across the triangle. The base signifies citizenship, and the sides signify fellowship and service.

Clubs quickly formed in Australia in the 1930s, with Apex forming its first club in South Australia—the Adelaide Club—in 1936. Soon after clubs were established at Glenelg, Port Adelaide, Gawler, Unley, Whyalla and Port Pirie. Today Apex boasts 44 clubs throughout the state. In 1990, women joined Apex and the retirement age was lifted from 40 to 45 years. Apex clubs are involved in many activities throughout their local community: many have adopted a station from TransAdelaide and many a playground bears the name Apex Park in many rural South Australian towns. Over the years, considerable work has been devoted to repairing and repainting buildings at Minda Home and Townsend House; and countless backyards have been cleaned up for those less fortunate.

Over and above what an Apexian does at club level, members are also involved in activities at both state and national level. Currently, at a state level, Apex is actively involved in Camp Quality, a non-profit organisation that provides high quality recreational activities and memorable moments for children living with cancer. Also, all clubs are asked to participate in a car rally over the Labour Day weekend in October each year. A few clubs get together and organise the three day event, and money raised from sponsorship or donations is used to send a group of Camp Quality children to the Apex Ski Chalet in the Australian Capital Territory. The event has been held for the past three years, and each year Apex is very proud to boast that it raises \$30 000 for a camp.

Also, Apex South Australia presently is preparing to send a working party consisting of two optometrists and six volunteers to Timor to prescribe and distribute some of the 18 000 old spectacles it has collected over the past 18 months. The spectacles, once collected, are sent to Yatala Labour Prison for the inmates to classify their prescription and tag them. They are then packed and transported to Timor. To help make this an even bigger project, the Adelaide Women's and Children's Hospital has donated surplus medical and surgical equipment for use at the local hospital. International relations

is the fourth ideal of Apex, and this project will truly fulfil that ideal.

The current state service scheme is the Twin Loss Awareness program, which is the distribution of counselling material for medical staff to use as a resource in the event of a baby's dying in a multiple birth situation. All maternity hospitals in South Australia have been given a Twin Loss Kit by their local Apex club. This scheme was the winner of the 2003 Premier's Community Service Encouragement Award, and it is the intent of this state to take it to a national level.

Apex is not only about helping the community: it is also about self-development. It has been described as a very economical way of gaining management training and self-confidence. I am sure many members in the house today can lay testament to that.

VICTIMS OF CRIME ACT REGULATIONS

The Hon. A.J. REDFORD: I move:

That the regulations under the Victims of Crime Act 2001, concerning victims' compensation, made on 20 May 2004 and laid on the table of this council on 25 May 2004, be disallowed.

I do not propose to go into much detail because this has been canvassed on many other occasions in many other forums. These are exactly the same regulations that the Legislative Review Committee recommended be struck down earlier this year. Indeed, on a motion moved by the Hon. John Gazzola on behalf of the Legislative Review Committee, these regulations were disallowed earlier this year. They make significant changes in relation to the obtaining of medical reports by claimants under the victims of crime legislation.

Mr President, no doubt you would be aware that on our *Notice Paper* at the moment is a bill described as Victims of Crimes (Criminal Injuries Compensation Regulations) Amendment Bill. The bill was introduced in the House of Assembly, came to the Legislative Council, was amended by the Legislative Council and is now at the stage, and has been for some considerable period, where a deadlock conference could be set up. The government has not availed itself of the opportunity to progress the legislation through the process of a deadlock conference.

What it has sought to do is reinstate the regulations in precisely the same terms as those regulations which have now been disallowed on two previous occasions. Mr President, in one of your finest hours, I well remember you making a speech about the disgraceful performance of governments which seek to continually reinstate regulations on a regular basis which have been earlier disallowed by the Legislative Council. In that respect, I can only adopt the scathing criticism that you yourself made of that particular practice. So, with those few words, and without going through what I have said on previous occasions, and drawing members attention to the report that has been tabled in this place by the Legislative Review Committee, I would urge all members to support this motion.

The Hon. R.D. LAWSON: I did not intend to speak, but I will very briefly, because there are two matters that the honourable member in his very clear exposition did not mention, which I think I should mention by way of addition. First, these regulations are an attack upon the rights of

victims. They seek to deprive victims of the right to obtain their own legal advice in a way that any other litigant in any court is entitled to do. The Victims of Crime Support Service has been most condemnatory of the government's actions here, and we certainly support it. We wish to support victims in this important measure.

The government is being pig-headed about this. Not only is it ignoring the wishes of victims and the interests of victims but it is conducting a vendetta against a particular group of legal practitioners and acting in a way that is inimical to the conduct of litigation in our courts: the right of litigants to obtain such expert reports as they need to properly prosecute their case. This is a deliberate attack upon the rights of citizens and it ought to be condemned, and I urge members again to disallow these highly offensive regulations.

The Hon. CARMEL ZOLLO: The government opposes the motion. The Victims of Crime Act requires regulations fixing the scale of fees that lawyers can charge victims of crime. If the victim wins the case, the fees are met by the Victims of Crime Fund. The regulations therefore seek to set a scale of fees that will fairly remunerate lawyers for their work in this field, but at the same time to set reasonable limits to both legal fees and out of pocket expenses that can be claimed from the fund. After all, the fund exists primarily for the benefit of victims of crime and not for the legal and medico/legal industries. These regulations provide for a lawyer's fee of \$1 000 plus GST. I believe this fee to be satisfactory to the legal profession. The bone of contention in the regulations is not the lawyer's fee. Everyone seems to think the increase is deserved. It is a rule about certain medico/legal disbursements. The rule is that the fund will not pay for the report of an allied health practitioner unless either the crown solicitor agrees or the court is satisfied that the report of a medical practitioner or dentist would not provide the evidence necessary to determine the matter.

The reason behind the rule is that these claims are claims for injury. In general, it is medical practitioners who are best qualified to diagnose and prognosticate about injuries. They are usually better placed to do so than those who have no medical qualifications. Thus the regulations make the rule that the fund will not normally pay for reports from allied health practitioners, that is, people who do not have medical or dental qualifications. There is, however, an exception for the case where a medical or dental practitioner could not provide the court with the evidence necessary for the determination of a matter. A good example is the case where there is an alleged brain injury producing cognitive impairment. In that case, a neuro-psychologist may be the best or indeed only person qualified to administer the tests and draw the conclusions necessary to assess the extent of the brain injury. I would expect the fund to pay in that case.

If there were a dispute, the victim could seek a court order. There is also a power for the crown solicitor to waive the general rule. This gives flexibility for the crown and the victim to agree in the individual case that a report other than a medical or dental report should be paid for from the fund. These rules are sensible. They are designed on the one hand to ensure that the deserving victim can obtain at fund expense the evidence required to prove the case, and on the other to ensure that the fund will generally pay only for reports from persons qualified to express a medical opinion.

The rule that the crown and the offender are confined to reliance on medical reports has never been controversial. It is surprising that a lesser and more flexible rule applying to

victims should be. I understand that this rule has the support of the Law Society. I am sure that it would not have this support if it were adverse to the interests of victims. The present regulations are the same as the earlier regulations. They were disallowed by a motion in another place. The government, having noted the concerns expressed in the other place, has written to the Law Society proposing a variation to these regulations that might address that concern.

That letter was sent only recently and the Law Society will not have had an opportunity to reply as yet. If the proposed variation is acceptable to the Law Society, the government would intend to vary the regulations accordingly. The purpose of remarking them in the meantime is to enable the act to function. Without regulations, the act cannot work in practice and victims are unable to make their claims on the fund. The government opposes the motion.

The Hon. IAN GILFILLAN: I indicate Democrat support for the motion. I do not intend to speak in detail about it. This issue has been before the Legislative Review Committee, of which I am a member, and before this place previously. I think it reflects one of the what I would regard as misdemeanours of a government of whatever political persuasion and the arrogance of a minister who ignores the determination of a house of parliament and just reintroduces the same material. I hope that at some stage, before too long, we will get a legislative amendment so that the procedure is stopped. I indicate support for the motion.

The Hon. A.J. REDFORD: I thank all members for their contributions. In response to the Hon. Carmel Zollo, she may well be of the view that this is a sensible reform, but there is a parliamentary committee that says it is not a sensible reform, and it came to that position unanimously. She said also that there are cost issues associated with this. There has not been one shred of evidence presented to anyone on any occasion that there is any cost pressure in relation to this fund. Indeed, the only cost pressure in relation to this fund is some bureaucrats who seem to want to get their hands on it and run pet projects of their own. The victims of crime compensation fund ought to be left alone, and that is the message that I would deliver to the Attorney and his officers.

The Hon. Ms Zollo also said that the Law Society supports this. I accept that it does support it. Obviously, there is some financial benefit to some of its members, but the lawyers who do about 85 per cent of this work are not in support of this. They are lawyers who have said they will put the interests of their clients ahead of their own personal interests in terms of the increase in funds. Many things are said about lawyers, but that is an admirable position to take. The final point I make is: well may the Attorney-General refer the matter to the Law Society with an alternative suggestion. He has not done us the courtesy—and I mean the members of the Legislative Council—of including us in his discussions or his suggested changes. He is seeking to go to the Law Society.

All I can say is that the position that the opposition has taken—and indeed I suspect the position that the Australian Democrats have taken—has been taken irrespective of the position that the Law Society has taken up until now, because of the respect we have for those practitioners who go out there for little money and look after victims of crime. What I suggest the Attorney General ought to do is go to those practitioners, apologise for some of the things that are being said about them, and seek to work with them. Perhaps then

we might come up with a reasonable solution. I commend the motion.

Motion carried.

SELECT COMMITTEE ON PITJANTJATJARA LAND RIGHTS

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I move:

That the report of the committee be noted.

It is a big day for the committee in relation to the tabling of this report into Pitjantjatjara land rights. It comes at a time when the policies developed by the government during its two years in office have come under scrutiny from not only the parliamentary select committee but also the re-established parliamentary lands committee which has taken this matter on as a brief and will be visiting the communities next week.

The committee was set up by this council after it was moved by the Hon. Robert Lawson (supported by this chamber) that the circumstances under which Anangu found their lives being administered under an act moved in March 1981 be investigated. After coming into government, and after looking at changing the way services were to be provided and the way in which governance was moving in Aboriginal affairs generally across Australia, it appeared that a select committee was the best vehicle that the government could use to look at those changes. A report has been tabled today that was commissioned by DAARE to look at much the same issues through the eyes of an independent organisation: the University of South Australia. The summary, findings and investigative notes have been tabled in the government's response to that report. After I complete my contribution today—which I will seek to adjourn to another day—I will table a copy of the evidence that was collected by the select committee and transfer that to the standing committee so that it can investigate and follow-up the recommendations put together by the select committee.

The area that we are talking about is quite a large area of the state: an inalienable freehold of 102 630 square kilometres. It is a significant piece of the state, and the recommendations that we will be transferring will certainly take up a lot of the standing committee's time. It would not be the committee's intention to look solely at the AP lands as its only brief—we will be dealing with other briefs as we go—but we do not want to waste the work that has been done by the previous committee by just tabling the report and the evidence where it will collect dust. We want that evidence to be live, and we do not want to go through the problems of retaking evidence. The process of collecting evidence in the lands is difficult, as is delivering services. We are dealing with a culture that is different from our own: the way in which information and power are distributed within the community is different, and the remoteness makes it that much more difficult.

Many of the recommendations that have been handed down are live. Some of the recommendations are currently working, and the changes that have been implemented to some of the other recommendations are works in progress. There needs to be an examination of the work in progress in relation to human services and the way that they are delivered, and the committee should take snapshots from time to time to report progress to the government of the day. Hopefully, the standing committee will play that role for some considerable time and, as I said, not just take a snapshot

out of the lives of the APY people in the Pitjantjatjara lands but also look at areas like the West Coast, the communities around Yalata, Oak Valley, the Nullabor, Ceduna, Koonibba, Penong, Port Lincoln, and other places on the West Coast. I would also like to see the committee take on briefs around Oodnadatta, Coober Pedy, the Riverland, and other places where there are aggregated numbers of Aboriginal people in this state.

At this stage, the standing committee has, by consensus, indicated its willingness to pursue those activities. We have already started taking briefs, interviewing witnesses and investigating circumstances around the lives of Aboriginal people in other parts of the state who are affected by varying forms of land tenure. The common factor in land tenure is that most of the land that is accessible and used by Aboriginal people in this state is not making a return on the investment that you would expect in terms of the lifestyle, standards of living, or any economic growth for those communities that one would expect with the level of activities that could take place. So, there is a lot of potential in terms of the recommendations we may be able to make in building the lives of Aboriginal people in regional and remote areas of the state by focusing on land use issues that can raise the living standards of people in those regions.

I think that all members of the committee would agree that education and training are the key factors that hold back many of this state's communities, and that drug and alcohol abuse and boredom are the key factors that state governments need to focus on to turn some of the communities around and bring about some positive results.

Not all communities have serious problems in relation to lifestyle, loss of confidence and lack of opportunity within the state. There are some communities where leadership has been provided, where governments have been able to provide human services and where partnerships have been built up with government and the private sector using the opportunities that present themselves. As I said, the key is leadership, connection and an understanding of how governments work. The cultural divide has been overcome by the bridges that have been built over many years, mainly by individuals rather than policies developed by government.

Bridges have been built by outstanding individuals showing leadership from both the non-government and government sectors, and within Aboriginal communities themselves. Certainly, one area around Port Lincoln has thrived. The connection between Aboriginal leadership and non-Aboriginal leadership has probably been a standard to which other communities could aspire. That has been done under quite difficult circumstances; there has not been a lot of help from government agencies.

It is more the connectivity between the energy within the Aboriginal communities themselves and linking to a sympathetic community structure which has allowed them to do a lot better than many other sections of the state. The executive summary contains a lot of information to which, I hope, other members of parliament would avail themselves. I—and, I am sure, other members of the committee—have found that there is a general interest in the issues surrounding the circumstance of the AP. It has been highlighted in both houses by a number of members of parliament making speeches and asking questions.

There have been a lot of visits to the lands by members of parliament who have electorates in the metropolitan area. They have taken an interest in the issues, and I am thankful for that. A visit is one way in which one can familiarise

oneself with some of the issues with which parliament will be dealing, as well as some of the recommendations from current reports and the role and function of the APY Executive, the elections and the form of the elections that are being discussed at the moment.

Those are some of the issues that individuals who have visited the lands would understand much better, as well as some of the legislative changes that may be coming through the house when the review process looks at the legislation with which the APY Anangu has been struggling since 1981. After 1981 the issue of land rights was settled with an unalienable freehold title to 102 630 square kilometres. However, as stated in the report, the issue then was that the act was landmark legislation, but, unfortunately, after two decades the situation with which the Aboriginal people were faced was no better and no worse than any other group within Australia and South Australia in terms of struggling for native title or negotiating ILUAs.

The struggle for the land took place during the 1970s and 1980s. The struggle and challenge now is for the partnerships between government and the communities to get right the human services, infrastructure, administrative services and governance questions. To get right those issues involves our working together in partnership. If we can get the governance questions and the service delivery right at both ends within the state/commonwealth sector and within the lands it will make it much easier for human services, infrastructure and administrative services to deliver within a time frame that is continuous.

As I have explained to Aboriginal communities and their leaders, it is a very exciting time for both non-Aboriginal and Aboriginal leadership. If we can form joint partnerships with the community then the leaderships within the Aboriginal community can be a part of changes that will bring about a whole range of benefits that will be lasting. They will be permanent benefits to the community. If we can raise the standards of living for communities (both regional and remote and in the metropolitan area) by using templates for engagement and partnerships, we can change the lives of not only the existing leadership but also the lives of the future leadership in terms of maintaining the benefits of change.

I recommend to all members the executive summary, including those members of parliament who have shown an interest by visiting the lands. I think the committee's recommendations cover all areas of the reference. Information was gleaned by the investigatory processes—taking evidence from witnesses in situ, that is, visiting the lands and hearing the evidence of witnesses in Alice Springs, on the lands and in Adelaide. I think the committee was able to look at not just the terms of reference but also a wide range of other issues associated with the terms of reference, which were set in this parliament.

The understanding that many Anangu had was that, once the terms of reference were set, once the information was made available to them, once the committee had made its report from its findings and once the recommendations were made to government, the benefits would start to flow, changes would start to come, and their lives would start to improve. Unfortunately, things do not move as fast as that in government. There has been a slowing down in terms of the understanding that Anangu have in relation to the benefits that would come from a report such as this; and what would pass as a government's understanding of implementation of the budget processes, across agency discussions, engagement

at a commonwealth, state or local government level, or, in this case, the Outback Areas Management Committee.

Even large regional towns such as Port Augusta, Ceduna and Port Lincoln have played a part in trying to get levels of understanding around some of the issues we face as a result of the deterioration of those communities in the Far North West of the state. The committee's deliberations have been a slow and frustrating process in terms of looking at the areas of petrol sniffing, family violence, poor health, poverty, substandard outcomes in education and training, unemployment, language barriers, the health service, policing, housing, infrastructure, maintenance requirements, issues related to the homelands, community stores, nutrition and training for non-Anangu and Anangu staff to make sure that the policy settings that have been recommended are put in place.

What I have mentioned basically is almost the reinvention of the wheel as far as the starting point before change can occur. If members study the problems facing Anangu in section 7; section 8 with the human services infrastructure; section 9, the government agencies funding coordination; and section 10, the governance questions, they will see that to achieve any measurable change that makes a difference will take some considerable time. In fact, the commitment I made when I became minister was to draw a line in the sand and say that I will ensure that nothing gets worse for these people in this area, not only in the AP lands but in other areas of the state where the deteriorating lifestyle through alcohol, drug abuse and petrol sniffing was making people's lives far shorter than they should have been. I think the difference nationally between Aboriginal and non-Aboriginal life is approximately 20 years, and that is deplorable.

Unfortunately, the line in the sand has been pushed back in some areas, but many good stories can be told in relation to some of the changes that have occurred in the past two to three years. The position in which people find themselves now is making the next steps for improvement without any further deterioration. In some cases, that will prove to be an impossibility because of some of the abuses that have occurred, particularly with medium-term and long-term petrol sniffers and those who have embarked on lives of alcohol abuse and family violence. Unfortunately, the health impacts on those people's lives through poverty, boredom and lack of opportunity mean that many of them are doomed and condemned to be shortened, unable to be changed or altered because of the insidious nature of alcohol abuse and petrol sniffing.

Governments will now have to expend large amounts of money to provide for some of the long-term health effects, particularly as a result of petrol sniffing, which causes long-term brain damage, and alcohol abuse, which shortens lives through deterioration of the liver, kidneys and internal organs, as well as brain damage. The health authorities will also have to deal with these issues for a considerable period. It is not only a waste of human resources in terms of lives but also a waste of financial resources. Governments are generally reasonably quick to react by finding funds for issues where they have the benefit of hindsight or 20-20 vision, but governments tend to be very slow to react and to expend funds to prevent problems from occurring—and, in this case, their isolation has added to that. In view of the other legislation we have before the chamber for today's business, I seek leave to continue my remarks at another time.

Leave granted; debate adjourned.

**ABORIGINAL LANDS PARLIAMENTARY
STANDING COMMITTEE**

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I move:

That a copy of the tabled evidence of the Select Committee on Pitjantjatjara Land Rights be provided to the Aboriginal Lands Parliamentary Standing Committee.

The motion seeks to transfer the evidence collected by the select committee to the standing committee. As I explained previously, the issue of transferring the information that has been collected through talking to witnesses from other governments, non-government and community organisations and the recommendations will give the new standing committee a flying start, so that, when we do travel to the lands, hopefully in the near future (if the weather permits and not too much more rain falls in the lands over the next few days), any recommendations that the standing committee makes can be supported by the evidence that has been collected.

As I said, if the motion is carried, the evidence will not be wasted and we will be able to add to that weight of evidence and make further recommendations in an ongoing way. That evidence is a snapshot of the existing circumstances on the lands. Hopefully, we will be able to make some recommendations to head off some of the worst aspects of the possible deterioration of the lives of people living in those communities and also make recommendations to bring about some positive changes.

The Hon. R.D. LAWSON: In speaking in support of the motion that the evidence of the Select Committee on the Pitjantjatjara Land Rights Act be provided to the newly established parliamentary standing committee, I think it is important that I outline to the chamber some of the important work that the new committee is examining and also put into some context the report which is to be given to the new committee. The new committee is the Aboriginal Lands Parliamentary Standing Committee which is looking at not only the Pitjantjatjara lands but also the Maralinga lands, for example, and other lands occupied by the Aboriginal Lands Trust in South Australia. There are extensive indigenous land holdings in this state, and it is important that the standing committee gains a good understanding of the operations of those lands, how they fit together and how those lands contribute to the welfare and wellbeing of the Aboriginal community in this state.

The evidence and the report from the select committee, which is sought to be handed over to the parliamentary lands standing committee is really only a limited snapshot. The committee was appointed quite some time ago. It has worked diligently to collect evidence. The committee had the benefit of hearing quite a number of witnesses and also (and most importantly) had an opportunity to visit the lands and to speak with many people on the lands, not only service providers but also members of the AP executive and residents of the lands, mainly community leaders, because communication with most of the approximately 3 000 people who live on the lands was the same as with most people in our community; that is, they are not as interested in what happens to parliamentary committees as perhaps we would like to think they should be. One of the infirmities of the select committee's report is that it is not fully up to date. A number of significant developments and developments in the past couple of months have

had quite a cataclysmic effect on the land. These are dramatic and sudden developments.

On 15 March this year the state government, through the Deputy Premier, issued a statement that said, in part:

A high level task force headed by former SA Assistant Police Commissioner Jim Litster will be sent to the Anangu Pitjantjatjara Yankunytjatjara community in South Australia's north to sort out an escalating crisis that has resulted in tragedy and death. Deputy Premier. . . Kevin Foley says he is deeply concerned about developments on the APY lands in the past fortnight, the vast majority of which appears to be related to petrol sniffing. . . Since 2 March there have been four deaths among young people and another eight have committed suicide. . . It is the opinion of cabinet that this crisis has simply gone beyond the capacity and control of the APY Council. Crown Law has advised us that the APY Council may not be valid since last December, and that it has now questionable authority to spend state government money on services and in areas where it is clearly needed.

That statement was made after a page 1 headline in *The Advertiser* that very day which said 'Disgrace' in letters larger than would be printed for the invasion of Iraq. The following day, after the Deputy Premier's statement, there appeared on page 1 of *The Advertiser* again a large headline 'Self rule is finished'. In the extensive coverage that followed, the Deputy Premier was quoted as saying—and I will take a couple of extracts not out of context but out of a far longer article:

This government has lost confidence in the ability of the executive of AP lands to appropriately govern their lands. . . Self-governance. . . has failed. This government. . . will not tolerate an executive that cannot deliver civil order, community services, social justice and quality of life in their community.

While the situation on the lands was and still is very serious in terms of health outcomes, substance abuse, delivery of services and law and order, I believe the grandstanding actions of the state government in seeking to lay the blame on the executive and others working on the lands was deplorable.

In my view the government's announcements were a shameful device to deflect blame for its failure to implement the recommendations of the Coroner's inquest into petrol sniffing and other matters—a suspicion which is confirmed by the tabling today in this place by the minister of a report prepared by the social policy research group of the University of South Australia, a group comprising in this case Ms Deidre Tedmanson and Ms Christine Marr. That report, for which I had been calling, is a comprehensive analysis of the failure to meet the recommendations of the Coroner. I suspect that I would not agree with all of the political perspectives that Ms Tedmanson brings to this question, especially some of the rhetoric in relation to self determination, but I believe that that report is a useful contribution but stands as a condemnation of the government's failure to implement recommendations.

The haste with which the government cobbled together a response to the situation on the lands was reflected in the fact that Mr Litster, who the Deputy Premier described in his press statements as an administrator for the lands (and that description was highly provocative and greatly resented by people on the lands), resigned shortly after his appointment, and the ministerial statement of 22 March should be referred to in that connection. The government and the Deputy Premier made quite some point about the fact that Mr Litster would remain in office for about a month, would visit the lands and would provide a report to the government.

The Hon. T.G. ROBERTS: On a point of order, sir, the honourable member should be making this contribution in

respect of the previous motion. The contribution he should be making now is about the transfer of the select committee's information in relation to the standing committee's acceptance of that information. It is a motion in respect of the transference of that information.

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): I ask the Hon. Mr Lawson to refer largely to the motion. I understand that the issues are broad.

The Hon. R.D. LAWSON: I am indebted to you, sir, for that ruling and I assure you that what I am saying is highly relevant to the motion. It is important for the council to understand that this report to the parliamentary lands committee is not the complete picture, and it should be seen in precisely that context. I will certainly obey your ruling, sir.

Mr Litster's report, which was tabled earlier today, is not referred to in the report of the select committee, although I believe it should have been. It is a startling report because it shows that Mr Litster paid a very fleeting visit to the lands, and I commend to members an examination of that report. He arrived at 6 p.m. on Thursday and left by 12.30 p.m. the following Saturday. He saw very few people and did not move around the lands. Regrettably, this government has not appropriately addressed the issues to which the select committee referred.

I remind the council of the fact that the select committee's report to be submitted to the standing committee does not refer at all to the most important appointment of the Hon. Bob Collins, a distinguished former federal minister who has been appointed to coordinate the provision of state government services. In the initial report of Mr Collins, which is dated 23 April, he says:

I am dismayed at what appears to be a profoundly dysfunctional situation in the AP executive board.

Mr Collins made certain recommendations that were debated in the parliament this week, but I commend to the council several other recommendations. Regrettably, the report, which will be forwarded to the parliamentary lands standing committee, is deficient in a number of respects. My colleague the Hon. Caroline Schaefer and I agree with the recommendations in their generality, although those recommendations are very general and speak of what the government should be doing as a matter of urgency. It is a matter of regret that those recommendations have not been taken up with sufficient urgency. I look forward to the continued deliberations of the parliamentary lands standing committee.

The Hon. J. GAZZOLA secured the adjournment of the debate.

STATUTORY AUTHORITIES REVIEW COMMITTEE: ANNUAL REPORTING BY STATUTORY AUTHORITIES

Adjourned debate on motion of Hon. R.K. Sneath:

That the report of the committee, on the fifth inquiry into timeliness of annual reporting by statutory authorities 2001-02, be noted.

(Continued from 26 May. Page 1614.)

The Hon. T.J. STEPHENS: I rise to speak today about the committee's inquiry into annual reporting by statutory authorities. There has been a long-running problem with identifying statutory authorities which are required to report to the parliament through the mechanism of the committee. It is a responsibility that we as parliamentarians and the

authorities must take very seriously. This is the fifth time that the committee has had to have an inquiry into timely reporting by statutory authorities. In each of the reports, the recommendations have included having government (both previous and current) assign money for the compilation and maintenance of a list of which authorities are required to report to the committee.

As the Hon. Bob Sneath has indicated, it is the belief of the committee that this information should be publicly and widely available, and that all statutory authorities be listed on the South Australia Central web site, or indeed the ministerial web site. There is some ambiguity regarding the reporting guidelines as they are contained in both the enabling legislation and also the Public Sector Management Act. In some cases the standards are set differently and, subsequently, confusion can arise. The Public Sector Management Act was determined by the third inquiry as the standard by which statutory authorities should report in the belief that a consistent approach would lead to a better reporting performance. The committee's previous report noted a decline in performance in the 1999-2000 financial year and in the 2000 calendar year.

I believe that those statutory authorities that continue to neglect their obligation to report to the committee in a timely manner will continue to attract the attention of the committee; and that scrutiny will only intensify. The committee system is an integral part of our parliamentary system, and it will be protected with great vigour on my part.

The Hon. R.K. SNEATH: I thank members for their contributions and commend the motion to the council.

Motion carried.

RADIATION PROTECTION AND CONTROL ACT

Order of the Day, Private business, No. 2: Hon. J. Gazzola to move:

That the regulations under the Radiation Protection and Control Act 1982 concerning transport, made on 18 December 2003 and laid on the table of this council on 17 February 2004, be disallowed.

The Hon. J. GAZZOLA: I move:

That this order of the day be discharged.

Motion carried.

DIRECTOR OF PUBLIC PROSECUTIONS

Adjourned debate on motion of Hon. Ian Gilfillan:

1. That a select committee be appointed to inquire into and report on the offices of the Director of Public Prosecutions and the Coroner, with particular reference to—

- (a) the implementation of the enabling legislation of these offices to identify any improvements that could be made to the enabling legislation by amendment;
- (b) the resources needed to effectively fulfil the roles and functions as required by the enabling legislation;
- (c) the relationships between the Director of Public Prosecutions, the Coroner, the Attorney-General, the government and the parliament; and
- (d) other relevant matters.

(2) That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberate vote only.

(3) That the council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.

(4) That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless

the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 26 May. Page 1615.)

The Hon. CARMEL ZOLLO: The government opposes the honourable member's motion. I will deal first with the office of the Director of Public Prosecution. The shadow attorney-general in his unctuous contribution to this debate justified his support for the motion by claiming that there was a need to establish the appropriate level of funding for the office. Well, yes, that is a very sensible suggestion. That was done by the government in which he served as a minister. In 1997, when the Liberal Party was in power, it commissioned a report in order to establish the appropriate level of resourcing for the office of the Director of Public Prosecutions. Members will note that it did not set up a parliamentary committee but, rather, commissioned an organisational review of the operations of the ODPP.

That report by Costello Consulting concluded that there was a need for an immediate \$1.5 million recurrent funding increase. The previous Liberal administration never allocated that money to the ODPP. It increased the budget of the office by \$400 000 in 1998-99 and \$350 000 in 1999-00—half the money and two years late. None of that money was given in response to the significant increase in workload that resulted from the introduction of aggravated serious criminal trespass in December 1999 and the other legislative changes.

For five years after the Costello report, the Liberal Party occupied the Treasury benches, ignored that report and neglected the office of the DPP. The shadow attorney-general's unctuousness knows no limits. The record is starkly different once the Liberal Party was dragged—kicking and screaming—from the Treasury benches. As early as July 2002, only months after coming to office, the Rann Labor government announced an extra \$1.168 million for ODPP over four years—a \$275 000 recurrent increase in the ODPP budget.

In May 2003, the Rann Labor government announced an additional \$1.142 million for the DPP over four years—a further \$275 000 recurrent increase in the ODPP budget. In addition to this, the Attorney-General announced in June 2003 that he had approved an annual grant of around one quarter of a million dollars from the Victims of Crime Fund to meet the costs of dedicated witness assistance for young victims. This more than doubled the support for South Australian children who are victims of, or who have witnessed, crime, allowing for the appointment of another 2.5 full-time equivalent social workers, as well as funding to secure the future of the 1.5 existing workers who had been employed temporarily.

In January 2004, the government allocated \$500 000 to the office to address the immediate impact of an increase of \$20 million to SAPOL. The \$4 million in extra funding over four years for the ODPP, which was announced in last week's budget, makes up for years of financial neglect by the previous Liberal government administration and the institutions that deliver civil society to the public. This extra funding will ensure that South Australians continue to be served by an effective criminal prosecution service that is timely, efficient and just.

There is one point that both the mover of this motion and the Hon. Robert Lawson ignored in their contributions, and that is the perversity of wishing to give more resources to an organisation that clearly does not need to be engaged in a

process which will drain those precious resources. Responding sensibly to an inquiry is a resource-intensive process.

The Hon. Ian Gilfillan: Is that your logic, Carmel?

The Hon. CARMEL ZOLLO: It is everybody's logic, I would have to say.

The Hon. Ian Gilfillan: It is not mine.

The Hon. CARMEL ZOLLO: Obviously, it is not your logic or you would not be doing this. I have to assume that. A great deal of work was required within the ODPP to respond to the Solicitor-General's two inquiries and, similarly, a great deal of work would be required to respond to any parliamentary review or inquiry. Right now, the Legislative Review Committee has two inquiries that will engage the precious resources of the ODPP. Indeed, it is additional perversity that this motion is being debated by the council today, because I understand that, today, three or four of the most senior staff of the Office of the DPP appeared before that committee to assist it with its inquiry into sexual assault conviction rates. So, surely, now is the time to let that office go about its work.

In relation to the State Coroner, the legislation governing the office of the State Coroner and the Coroner's Court was the subject of a comprehensive review by the former government in 2000 and 2001. This review, which was conducted by officers of the Attorney-General's Department and which involved detailed consultation with the State Coroner and his office, resulted in the Coroner's Bill 2001. This bill was introduced by the former government in 2001 and, after passing this place with amendments, lapsed upon the calling of the last state election. The government, upon taking office in 2002, reviewed the former government's bill and reintroduced it into parliament with amendments in 2003. Again, the State Coroner was consulted over the bill before its reintroduction. The bill was assented to on 10 July last year. It has not yet been brought into operation.

As honourable members will recall from the debates on the bill in this place, the new legislation makes a number of important reforms to the coronial jurisdiction in South Australia—relevantly, the categories of deaths that must be reported to the State Coroner have been refined to cover the deaths of persons in circumstances where the cause of death is unexpected, unnatural, unusual, violent or unknown; or is or could be related to medical treatment received by the person; or where the person is in custody, or under the care of the state by reason of their mental or intellectual capacity.

The Coroner's Court is formally recognised as an independent court of record. The State Coroner is given statutory protection in terms of his appointment. The powers given to the State Coroner and the Coroner's Court to gather and take evidence have been improved and updated. Government agencies and ministers will be subject to statutory requirements to respond to recommendations made by the Coroner's Court.

So, the record shows that this parliament and two different governments have exhaustively canvassed the issues that are proposed for the select committee in so far as the legislation governing the State Coroner is concerned. Conclusions have been reached and legislation has been passed; and, today, before the legislation even comes into force, we are being asked to consider and examine it. Surely, this is more than a little premature. On the funding issue, it is estimated that under the new requirements of the act an additional 1 000 deaths may be reported to the Coroner—30 per cent above current workloads. It is assumed that the proclamation of the

new act will occur in November 2004, and these costs have been provided for in last week's budget.

Good sense, if not good politics, suggest that the ODPP and the Coroner have had their fair share of rigorous examination in the recent past and they should be left to go about their work—in the case of the ODPP, with a new leader; and, in the case of the Coroner, with a new act. There could not be a more foolish time to instigate this inquiry, and it is only the politics of the headline grab that commends it to some in this place.

The Hon. IAN GILFILLAN: In concluding the debate, I thank honourable members for their contributions, brief though that debate may have been. I am sorry that the Hon. Carmel Zollo has seen fit to speak against the establishment of this select committee. It does reflect that the government does not recognise that it is appropriate for this parliament to establish select committees to look at issues of concern to the community. The mentioned issue of headline grabbing for political purposes is a little rich coming from a team which has made it an art form, and I only wish that in fact the establishment of a select committee did gather as much publicity as do the more sensational remarks that are thrown around like confetti by government ministers.

However, I think the logic for the establishment of a select committee does not need to be justified at any great length: I think it stands quite clearly. In fact, I think it is interesting that the Coroner, conducting a hearing in Port Augusta, in a submission put to him by one of the advocates, heard that the delay was unacceptable and quite clearly evidence of the need for extra resources for the Coroner. The Coroner replied, 'You are speaking to the converted.' So, if in fact this government believes that it has a Coroner and an Office of the Director of Public Prosecutions which are happily content with their resources, it is sadly misguided.

But it is not just a question of resources, and that I think unfortunately misses one of the major points. The first term of reference for the select committee is:

- (a) the implementation of the enabling legislation of these offices to identify any improvements that could be made to the enabling legislation by amendment.

Surely, that is a reasonable and not particularly sensational requisite for a committee to look at. The third select committee term of reference is:

- (c) the relationships between the Director of Public Prosecutions, the Coroner, the Attorney-General, the government and the parliament.

Mr President, you and other members will recognise that, in fact, it has been an issue of quite extraordinary extensive public and academic debate as to what the original legislation intended and what is the appropriate relationship, particularly between the DPP and the Attorney-General and the government of the day. These issues need to be looked at and analysed in an emotionally neutral climate, which can only be offered in the workings of a select committee of this house. I have been on enough committees to know that, apart from occasional rushes of blood to the head, select committee members do not look for sensational headlines and they avoid making public any party-politically controversial statements, and I see no reason why we should not expect the same calm, balanced and measured approach by this select committee to these issues before us.

I am sorry that the government has seen fit to oppose it. It has a track record: it opposed my earlier motion to set up a select committee to look at resources and other matters

regarding the police. That committee has evolved into one of the most valuable avenues for both the Commissioner of SAPOL and the Police Association to give evidence and to have matters looked at and analysed by the committee.

Other organisations, such as Victims Support Service, have identified the police committee as being a very valuable select committee. The government has got a track record of opposing the forming of select committees which the public at large and other institutions highly value. It does them no good to feel that the rigours of a select committee are going to embarrass them in some way, rather than in fact enable them to have an extra valuable input into looking at these two particular instruments in the public sector.

They are not the private property of the government of the day. The government of the day does not own the DPP, nor does it own the Coroner's office. In fact, that very specifically is what the government of the day does not own. I think it is a dog in the manger attitude to say that we are the only ones who are going to discuss this, we are the only ones who are going to make the initiatives supposedly to enhance the effectiveness of these two institutions.

So, I will certainly not let any form of bitterness interfere with my contribution to the select committee and I believe other honourable members who will serve on that committee will feel the same. We will just put down the contribution by the Hon. Carmel Zollo as the mouthpiece of, perhaps, the Attorney-General, who is venting his spleen in a forum where he feels that it is going to lose face if this select committee gets up without him shafting it. I recommend the motion to the house and look forward to the benefits both for the office of DPP and the Coroner from the deliberations of the select committee.

Motion carried.

The council appointed a select committee consisting of the Hons I. Gilfillan, R.D. Lawson, A.J. Redford, R.K. Sneath and C. Zollo; the committee to have power to send for persons, papers and records, and to adjourn from place to place, the committee to report on 21 July 2004.

CRIMINAL CASES REVIEW COMMISSION

Adjourned debate on motion of Hon. R.D. Lawson:

1. That the Legislative Council requests the Legislative Review Committee to examine and report upon the establishment in South Australia of a Criminal Cases Review Commission to examine suspected wrongful convictions, miscarriages of justice and other issues in the criminal justice system.
2. That the report of the committee include recommendations on—
 - (a) Terms of reference of the commission;
 - (b) The relationship of the commission to the Supreme Court, the Parliament and Executive Government;
 - (c) The powers of the commission and its membership;
 - (d) The criteria for cases to be examined by the commission;
 - (e) Whether the commission should be empowered to examine and make recommendations in relation to crimes in respect of which there was no prosecution or conviction;
 - (f) Resourcing issues; and
 - (g) Any other relevant matter.

(Continued from 5 May. Page 1480.)

The Hon. IAN GILFILLAN: I indicate Democrat support for this motion. I do not intend to go into the detail of why we believe that this is a sensible measure. I have spoken in other fora indicating support for it. I commend the motion of the Hon. R.D. Lawson and look forward to the work which will be done in the Legislative Review Commit-

tee, which I can say with some first-hand experience will be thorough and efficient and in the fullness of time will provide a very valuable report to this chamber.

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

DRY ZONE

Adjourned debate on motion of Hon. K.J. Reynolds:

That the regulations under the Liquor Licensing Act 1997 concerning long-term dry areas—Adelaide and North Adelaide—made on 30 October 2003 and laid on the table of this council on 12 November 2003 be disallowed.

(Continued from 31 March. Page 1346.)

The Hon. T.J. STEPHENS: I rise to speak against the motion moved by the Hon. Kate Reynolds. For members' information, section 131 of the Liquor Licensing Act 1997 makes it an offence for a person to consume or have the possession of liquor in a public place in contravention of a regulation. Regulations creating 'dry zones', as they are called, are frequently passed to prohibit the possession or consumption of alcohol in particular places and times. Frequently, these relate to particular celebrations such as New Year's Eve or to beaches and parks, etc. Others are long-term and include many regional centres in Adelaide suburbs.

In October 2001 the Olsen government added the City of Adelaide and North Adelaide to the permanent dry areas. The Labor Party, and certain sections of the community, opposed this as they claimed that it would discriminate against Aboriginal people. The Olsen government overcame the view that dry zones pushed the problem out of Victoria Square and the city streets by allocating \$500 000 for a stabilisation centre with a commitment for \$850 000 annually to operate the centre. Since coming to power, the Labor Party has changed its position and has allowed for the continuation of the dry zone regulations.

The Hon. Kate Reynolds raises several points that I would like to address. In her contribution she remarks that in the evaluation report there is 'no mention of physical violence to members of the public or the reduction of anti-social behaviour'. Yet, in the same speech she notes that the report states that there has been a reduction in 'the incidence of offences such as hindering or resisting police, indecent language, loitering and urinating in public'.

I put to you, Mr President, that offences such as resisting police and urinating in public are fairly anti-social and that the reduction is proof that the dry zones are having a positive effect. The simple fact is that there are many young men and women who choose to socialise in the city on weekends, and they should not have to be verbally abused—often with comments that are very personal—and feel intimidated simply because they wish to cross from one side of the square to the other.

The Hon. Kate Reynolds states that she does not see the connection between preconceptions of public safety and the recorded reduction in loitering, indecent language, public urination and resisting police. It is perfectly clear to me that, when acts such as I have just described are no longer tolerated on the city streets, the message may get around that Adelaide actually takes pride in the fact that this sort of thing does not happen, and that acts as a deterrent to other forms of street crime. You need only look at the zero tolerance policies in New York and see the stunning success they have

had to recognise that there is definite merit in not allowing public drunkenness, particularly where there are large concentrations of people mixing with each other. You are simply inviting trouble should this regulation be disallowed, as the Democrats have long promoted.

The Hon. Kate Reynolds also intimates that others in the community are allowed to be totally inebriated and still stay in the city, in hotels and clubs. The fact is that the regulations state that they should not. People who exhibit signs of excess drinking in pubs and clubs are asked to leave and are not tolerated, and they are also subject to the provisions of this regulation. I believe it is an offence to serve someone in a pub or club who is intoxicated. Also, the Hon. Kate Reynolds' assertion that the situation before the dry zone was simply socialising and the sharing of drinks in a public space—something akin to a barbecue in the local park—is absurd.

The Hon. Kate Reynolds suggests that Victoria Square is a culturally significant place for Aboriginal people. However, there is nothing stopping the congregating of people in the square. I do not believe that the consumption of large amounts of alcohol in public and drunkenness are required in order to celebrate your beliefs. The imposition of the dry zone has widespread public support with the people of Adelaide, and even with the Lord Mayor who has expressed support for the zone. Several news articles and stories have been written showing the success and popularity of dry zones. One particular article written during the trial period of the zone stated that children were now playing soccer in the square and were no longer being pestered for money by drunks.

It also cites businesses who say that it has helped them in their business and that they have noticed people actually walking through the square rather than around it because there was no longer the problem of public drunkenness. As for the proposition that this regulation is racist and discriminatory against Aboriginal people, the regulation makes no mention of ethnicity, race or creed. It stops unruly and socially unacceptable behaviour from occurring in one of Adelaide's central locations for night life. I have shown that the benefits of the dry zone are quite substantial; that the public believes it is in their best interests—which is our interests—that the dry zone should continue, and I urge members to vote against the motion.

In closing, I would just like to mention a couple of things. I note that Salisbury mayor, Tony Zappia, has gone to great lengths to state that he does not believe that a dry zone will work in his particular area. I believe that if he actually went to the people in his area who are being affected he would find that, in fact, they are very much in favour of a dry zone. I speak with some conviction on this particular subject: in my previous life as a small business person I had a number of interstate and overseas business associates who constantly commented on the fact that they felt that the Hilton Hotel was an undesirable location for them to stay in because they felt that moving about the city—especially through Victoria Square—was hazardous. In fact, it was a point of which I was quite ashamed. I can also cite an instance of a female family member who was accosted by some drunken people in Victoria Square, something which made me quite angry. I am very pleased to speak against this disallowance motion.

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

DIGNITY IN DYING BILL

In committee.

(Continued from 5 May. Page 1485.)

Remaining clauses (15 to 24) passed.

Schedules 1 and 2 passed.

Schedule 3.

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

Page 17, after line 11—Insert:

4A. I have no reason to believe—

- that the patient's request for voluntary euthanasia has been revoked; or
- that the patient has expressed a desire to postpone the administration of voluntary euthanasia.

I have moved these changes to the schedule because, I suppose, as I have said in previous debates, I want to make this bill as tight as possible, and to ensure that it is not open to any abuse at all. This amendment relates to the situation where someone has given an advance directive that they wish to be euthanased and we want to be 100 per cent sure that that is still the case. The reason for moving this amendment is that, in my view, if the person, the family and the medical staff are not 100 per cent certain, then voluntary euthanasia, or any euthanasia, should not take place.

The Hon. SANDRA KANCK: I will be accepting this amendment in the light that I know that detractors of voluntary euthanasia argue that there are not enough safeguards, and, for some people, this amendment may make voluntary euthanasia more acceptable.

The Hon. A.L. EVANS: I do not agree with the amendment and, therefore, I will be opposing it.

Amendment carried; schedule as amended passed.

Schedule 4.

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

Page 18, after line 10—Insert:

3A. I have no reason to believe—

- that the patient's request for voluntary euthanasia had been revoked; or
- that the patient had expressed a desire to postpone the administration of voluntary euthanasia.

I move this amendment for the same reasons that I moved my previous amendment.

The Hon. SANDRA KANCK: Similarly, I will be accepting this amendment on the same basis, that is, that it may alleviate some concerns of people who oppose voluntary euthanasia.

The CHAIRMAN: I assume that the Hon. Mr Evans is opposing it for the same reasons.

The Hon. A.L. EVANS: Yes.

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendments; committee's report adopted.

The Hon. SANDRA KANCK: I move:

That this bill be now read a third time.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise to speak briefly to the third reading. As I think I indicated at the outset of the committee stage (albeit it was some weeks ago now, so I cannot remember exactly what I said), a number of members and I indicated that we would not prolong unduly the committee stage of the debate because we felt so strongly about the legislation that we would be voting against the third reading. That was my position. I want to

place on the *Hansard* record, again, that the fact that there was little debate about the clauses during this last brief session, that is, clauses 15 to 24 and the schedules, does not imply that all members were happy with the individual clauses of the legislation. It was part of a strategy, I suppose, that a number of members have adopted of not unduly prolonging the committee stage of the debate because we were going to vote against the third reading of the legislation. With that, I indicate again my longstanding opposition to the legislation.

The Hon. A.L. EVANS: I have shortened my speech. When I was in the Netherlands, the government provided me with its records stating that, in 1995, 23 per cent of doctors admitted to ending a life without specific request and that only 32 per cent of doctors said that they had never ended a life without specific request. They are very startling figures—23 per cent of doctors admitted to ending a life without specific request and only 32 per cent of the doctors said that they had never ended a life without specific request. All members in this place have received a question and answer booklet distributed by the voluntary euthanasia group. Under the heading 'Mortality in the Netherlands' it states that the total number of deaths in 1995 was 135 675. Of these, 2.4 per cent received euthanasia on request and 0.07 per cent were without request. In other words, 3 256 people died after giving their consent and 949 died without giving their consent.

Mary Gallnor has confirmed these figures of 900 cases of termination of life without request as accurate for both 1991 and 1995. She stated that there are 3 500 cases of euthanasia on request. The most recent figures for 2001 indicate a stabilisation of that rate, so that we can still say that 23 per cent of euthanased cases are taking place without the patient's consent. In 1995, 15 per cent of cases of euthanasia without request involved competent patients. In those cases the doctors involved indicated that they did not discuss the decision with the patient because they had decided that termination was in the patient's best interests.

We also know that, in another third of those 900 cases, discussion without possible termination was undertaken with the patient but no explicit request for termination was made prior to the euthanasia. Of that group, 50 per cent were considered competent. The intentional hastening of death by withholding of treatment cases have tended to be roughly stable: 18 000 to 20 000 deaths over the time covered by the three Rummelink reports. The lethal admission was usually made without the request of the patient. In 1995, 140 competent patients had their deaths deliberately hastened in this way without their consent. In the Netherlands, I saw first hand a weakening of the original euthanasia laws. Babies are being killed because they are born with deformities and illnesses. Studies estimate that around 90 babies were intentionally and directly euthanased in 1995, and, in a fifth of these cases, there was no discussion with the parents.

There has been a flagrant disregard of the reporting requirements under of the Dutch system. In 2001, doctors failed to provide reports in at least 46 per cent of euthanasia cases. The Dutch experiment has failed to deliver a safe, regulated system and this bill will certainly do no better. This bill, as amended, fails completely to address the risk of abuse and non-compliance, which I have outlined. It will greatly add to the problem of duress and pressure being exerted on patients to end their lives hastily. It provides no safeguards to prevent those who have not consented to being killed. The

bill comprises the most dangerous measure that I believe could possibly be introduced into our parliament, and I encourage members to oppose the third reading.

The Hon. IAN GILFILLAN: I rise to indicate opposition to the third reading of this bill. I have contributed to earlier debates and I have avoided putting my argument in detail, but I do believe it is a dangerous measure. I have felt for some time—and I have certainly had an opportunity to hear both sides and think about it at some length—that, as far as benefiting the community at large, voluntary euthanasia is undesirable as an opportunity for the community to embrace a culture which allows for the deliberate taking of life in a legal and official sense. I believe that that not only in itself is dangerous but it sets a mindset which, as I have indicated previously, I believe is an unnecessary area of anxiety and concern in respect of the peace of mind for particularly older people or terminally ill people in our society. I believe that our society is better without voluntary euthanasia, and I intend to vote against it.

The Hon. R.K. SNEATH: I rise to support the bill, in memory of my good friend Janet Mills and, in doing so, I heard what the Hon. Andrew Evans had to say, and I believe that this bill will stop people having their life terminated without their permission. I think that the bill gives that protection. I believe that it has been hypocritical of the churches to lobby so hard against the rights of people to have a say in their own life, when they have closed their eyes to the problems that they have had as far as child abuse goes. I am happy to support the bill.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I rise to indicate my support for the bill as well. I believe that the safeguards which have been inserted by the Hon. David Ridgway tighten up some of those issues with which people in the community have concerns. When polls are taken, there is a general acceptance in the community that we as legislators should test the parliament's will from time to time. I have been critical of two main issues coming through parliament on a regular basis; that is, the legalisation of prostitution and the euthanasia bills taking up time but, in this case, I think our time has not been wasted. The bill has been debated and the parliament is being tested, which I think it should be, to see whether legislators have caught up with public opinion. The result of the vote will not be very much different from the last vote, but I support it for two reasons.

First, to take the hypocrisy out of what is happening already. Doctors already make decisions based on their own personal judgments in relation to a patient's ability to withstand pain and discomfort, and sometimes it is discussed with relatives. More often than not, people who do not have friends or relatives are put in a position where their suffering continues unnecessarily. Secondly, if we were to bring in some form of control for legalising voluntary euthanasia—and that is what it is: I think the word 'voluntary' often gets left out of the debate—under which people could make plans, talk to their relatives and their doctors and the procedure is conducted in a way which we would all hope is humane and painless, then I think that society would be much better for it. We do it to animals without any argument, but somehow or other we draw the line at putting together a package that would be humane in our society.

I support this bill for those two reasons: first, for humane purposes; and, secondly, to legalise what is already happening in the community. Certainly I do not want to change the psyche of the community by adding a dimension that may be taken advantage of, and I do not think that that would happen. I think that people of principle would put together a package of methods that would be administered in line with what the general community's thinking would be.

The Hon. CARMEL ZOLLO: This matter requires a conscience vote in my party. I indicate, as I have in the past, that I will not support this legislation.

The Hon. J.M.A. LENSINK: I rise to indicate that, notwithstanding the efforts of the Hon. Mr Ridgway to tighten up the measures in the bill, I will not support the third reading. As I stated previously, I wish to reflect community standards in this measure and I believe our current laws reflect that. Having spoken to a number of people within the medical profession who are in favour of voluntary euthanasia, as am I for the people in the end stages of a terminal illness and I draw the line there, they still feel the weight of some sort of criminal penalty, if particular requirements of the Consent to Medical Treatment and Palliative Care Act are not met. They have expressed to me that they believe that it stands as some sort of deterrent to the misuse of this measure, and deterrents are very important in this case, particularly given the vulnerability of many elderly people in our community and the prevalence of abuse of our elders.

The Hon. J.S.L. DAWKINS: I indicate that I will support this bill, as it has been significantly strengthened by the amendments moved by the Hon. David Ridgway.

The Hon. D.W. RIDGWAY: I support the bill and I thank the council for supporting my amendments. This is the first time this bill has been before me in my parliamentary career. As I said to the Hon. Sandra Kanck and to some of the volunteer euthanasia advocates, whilst I have a personal view, I am not a passionate, marching in the street supporter of voluntary euthanasia and, if I had to choose the top 100 most important issues facing South Australia today, I doubt that voluntary euthanasia would make it onto my list. However, I intend to support the bill.

The Hon. T.J. STEPHENS: I will not repeat what I have said previously, but I will not support the bill.

The Hon. SANDRA KANCK: When I introduced this bill back in 2002 and it reached the committee stage, a majority of members of this place set about deconstructing it clause by clause, voting down each clause as it came up. The gutting of the bill would have left us with a bill with a title and nothing more, so at that point I decided not to progress the bill any further. When parliament resumed last year I restored the bill to the *Notice Paper*, which put us back to the beginning of the committee stage at clause 1. This time, rather than gutting the bill I was met with what I would describe as passive hostility to the bill. There has been no attempt by the opponents of voluntary euthanasia to constructively alter the bill to a form they think could be workable. It has been fairly obvious—and the *Hansard* records will show—that the only attempts that opponents made to deal with it was to vote either for or against the amendments put on file by the Hon. Mr Ridgway.

I know that the numbers are against me on this and I know that this bill is set to be defeated. I know also that, although the numbers are against me here in this chamber, out in the community they are substantially with me, with 80 per cent of South Australians wanting to have legal voluntary euthanasia as an option. Those 80 per cent will be disappointed, and some will be very angry. However, it took 10 years of bills and motions in the South Australian parliament for women to get the right to vote: I expect the same thing will have to happen with voluntary euthanasia. One day it will happen. I give an undertaking to that great majority of South Australians that I will not give up on this issue.

The council divided on the third reading:

AYES (8)

Dawkins, J. S. L.	Gago, G. E.
Gazzola, J.	Kanck, S. M. (teller)
Reynolds, K.	Ridgway, D. W.
Roberts, T. G.	Sneath, R. K.

NOES (13)

Cameron, T. G.	Evans, A. L. (teller)
Gilfillan, I.	Holloway, P.
Lawson, R. D.	Lensink, J. M. A.
Lucas, R. I.	Redford, A. J.
Schaefer, C. V.	Stefani, J. F.
Stephens, T. J.	Xenophon, N.
Zollo, C.	

Majority of 5 for the noes.

Third reading thus negatived.

[Sitting suspended from 6 to 7.45 p.m.]

SOUTH AUSTRALIAN COUNTRY WOMEN'S ASSOCIATION

Adjourned debate on motion of Hon. Carmel Zollo:

That this council notes and congratulates the South Australian Country Women's Association on its 75 years of service to our community.

(Continued from 5 May. Page 1482.)

The Hon. CAROLINE SCHAEFER: I take this opportunity to join the Hon. Carmel Zollo in congratulating the South Australian Country Women's Association on 75 years of wonderful service to the community. I have been a member of the CWA for a number of years, but even before that I was able to see first-hand the positive impact the association had on communities in South Australia. On Monday, along with minister Lomax-Smith, I had the pleasure of attending the South Australian CWA's state luncheon at the association's club at Kent Town. The luncheon was held to celebrate the end of May, which was the month for the promotion of the CWA and its multifaceted work throughout South Australia. While there I learned that, in its 75th year, it is extending its promotion to displays in major suburban shopping centres in an effort to bring some of the country to the city and to promote its organisation. Like the Hon. Mrs Zollo, I have consulted the CWA publication, *In their own words*, compiled by Victoria Zabukovec and published in the year 2000, which details the association's history and involvement with South Australian women and with our society as a whole.

It is fitting that the group started modestly through the concern of one woman, Mrs Mary Warnes, for the plight of her peers. It has blossomed into the important organisation that it is today. Because of its firm direction and the cooper-

ation and commitment of its many members, at a time when volunteerism and membership of many organisations is dwindling, the SACWA still has about 3 000 members. The story of the Country Women's Association essentially began after World War 1 when returned soldiers took up land along the Murray, in the Mallee, Eyre Peninsula and the south-eastern regions. Consequently, a network of country roads developed along transport routes to service the emerging farming communities. While this was vital for development and the economic viability of regional communities, it did not support the needs of one critical ingredient of rural living, namely, its women.

Times were tough and living on a property away from a town was far more demanding than it is today; there was no electricity and no telephone, there were inefficient communications and few luxury items and, most of all, the lingering ache of isolation and a constant fear of ill-health. Many women were almost completely isolated from their extended families with the weekly post their only connection to the advice of their parents and peers. Social interaction was virtually non-existent. The fact that farming families were able to establish themselves, despite receiving low prices for their farm produce, a string of dry seasons and the Great Depression, is testament to the resilience and strength shown by country women.

The South Australian Country Women's Association was formed in response to that lack of support for rural women. A 'cup of tea room' was established by Mary Warnes in Burra in 1926—a place for wives to relax and socialise while their husbands took care of business in the town; and I must say that I look at that today with some envy. Support for the concept grew steadily and by 1928 a vital link was made between country and city. Within three years, the association had spread and grown in its service and influence. Country women visiting the city were provided with guidance and accommodation—something which still happens to this day.

As the Hon. Mrs Zollo mentioned, the CWA has three-star apartments which are located at Kent Town and which are available at very reasonable rates. Holiday houses are also available for members and the broader community to rent in locations around the state, ranging from Tumby Bay to Port Elliot, Barmera and Beachport. Over the past 75 years, the South Australian Country Women's Association has developed considerably from its humble beginnings and continued in its important role with purpose and success. It has evolved into a diverse, structured and influential organisation which provides invaluable support for women of all ages in all localities.

Its members believe in the promotion of wellbeing for all women, whether they be from the city or country. They believe in the important values of caring, friendship, tolerance and understanding. They encourage opportunities for further learning and take part in creative activities. They provide the community and each other with support networks, training workshops, fundraising, voluntary work and community events. The significance of this association and its constant commitment should not be underestimated. When looking at the book *In their own words* it was interesting to read a precis of the state council's minutes from the years 1979 to 1999; and I guess in some ways the development of the state can be followed almost with just a brief precis of what these people did.

In 1979 they decided on diaries with white covers and red printing; the Orroroo branch transferred to the Goyder group; and service bars were introduced. By 1984 they were

supporting the establishment of a residential agricultural high school at Cleve in response to the bequeathing of the Sims farm. By 1986 they had decided that no action should be taken on poker machines. In August 1986 they were complaining about obstetrics and theatre services in country hospitals: all branches were to be encouraged to call a public meeting with a suitable speaker to increase the awareness of the general public of the proposed closure of obstetric services in country hospitals. I guess we could comment in response to that that everything old is new again. At the time, I think in 1986, Mrs Mavis Cooper from Crystal Brook organised that a hospital bed be manually pushed from Cummins to Adelaide by volunteers to demonstrate the plight of the closure of country hospitals and country beds. I believe that was also in the time of a Labor government.

The Hon. T.G. Roberts: It didn't happen under Liberal governments, did it?

The Hon. CAROLINE SCHAEFER: No, it did not, actually. Interestingly, in March 1988 it was decided that *The Advertiser* newspaper be approached to provide both country and city news in the one newspaper. I guess one could speculate as to whether they were successful in getting much news at all from time to time in *The Advertiser*. The association also strongly supported the master plan for the arid lands in the Botanic Gardens. By March 1989 they had a letter from the minister as a result of their lobbying for a Berri bridge: the answer was 'no action'. They also discussed the rural crisis; members attended a farmers' rally at Wudinna; and branch twinning was under way. By 1990 they were involved in the amalgamation of the Queen Victoria and Adelaide Children's hospitals.

I cite those instances as examples of the fact that it is very easy to think that the CWA is a group of women who meet for fellowship and handicrafts only. In fact, over the years, although they have been fairly quiet in their activities, they have been a very effective lobby group. They are far more to country South Australia than—

The Hon. T.G. Roberts: Underground radicals.

The Hon. CAROLINE SCHAEFER: Yes. The minister says they are underground radicals, and I note that with interest.

The PRESIDENT: And I'm sure they will, too.

The Hon. CAROLINE SCHAEFER: I am sure they will, too. While I would be loath to trivialise their activities, they have been a very powerful force throughout rural South Australia—and, indeed, rural Australia—over many years. However, it would be remiss of me if I did not mention the fact that certainly every woman of my age, when married, was presented with a full set of the CWA cookbooks, and many shearers are grateful for that because most of us learnt our cooking skills from those cookbooks. I only wish they were still being published.

The Country Women's Association is a great organisation and it still provides fellowship and an outlet for those who enjoy doing needlework, artwork and handicrafts; but it is also, as I say, a quiet but very powerful lobby group throughout rural Australia and, I believe, Australia. I therefore support the Hon. Carmel Zollo's motion and I wish the South Australian Country Women's Association well for its first 75 year anniversary and look forward to watching its progress into the future.

The Hon. R.K. SNEATH: I want to make a short contribution because I agree with a lot of what the Hon. Caroline Schaefer said and I want to take this opportunity to

congratulate the association on 75 years of service. Not too many organisations formed 75 years ago are still going, unfortunately: it is a credit to any organisation that it is still going after 75 years, and going as strongly as the Country Women's Association.

I attended a function at Kent Town which was catered for by the CWA, and I agree that they are magnificent cooks. I have been fortunate enough to attend a number of country functions where they have catered and, if anybody in Australia can make sponge cakes as well as the members of the Country Women's Association, I would certainly go 'he' for chaisey.

The Hon. Caroline Schaefer: There is a 'foolproof sponge' recipe in the cookbook.

The Hon. R.K. SNEATH: Yes, they're magnificent cooks. I have also had the honour of serving on the Rural Industry Training Council of South Australia with a representative of the Country Women's Association, and she made a fine contribution on all issues that were debated at that level as well. It was not a political contribution but it was a contribution that would benefit their areas and country people in general. I agree with the Hon. Caroline Schaefer that they do a lot more than crochet, knit and hold functions. Over 75 years they have participated in country issues and have done a wonderful job of it. The South Australian Country Women's Association, whilst it has a large number of farmers' wives as members, invites all country women to join, and it has played a role in having town women, country women and farming women mix and form relationships, and I congratulate them on that. I wish them the best for another successful 75 years.

The Hon. J. GAZZOLA: I have not experienced much of the work of the South Australian Country Women's Association, so I will certainly defer to the greater knowledge of my honourable colleagues, but I am sure these women play a positive role in the community and I wish them well for their next 75 years. Thank you for the opportunity, Mr President: I am sure you will make a contribution very shortly as well.

The PRESIDENT: Unfortunately, whilst it may well be my desire, it is not my right.

The Hon. J.M.A. LENSINK: I would like to make a brief contribution in favour of this motion. The Country Women's Association is well known throughout South Australia. I reside in the hills, and a number of halls are dotted around the place where a number of groups have met. Sadly, I think in more recent years, due to dwindling numbers, some of the groups have had to close—

The Hon. Caroline Schaefer interjecting:

The Hon. J.M.A. LENSINK: —and I think this is a tragedy for South Australia, particularly for country South Australia. As some of the committees have heard in evidence, particularly in relation to post-natal depression, the isolation of women in country regions, whether or not they have children, can be quite acute, and I think this organisation provides a great human service and a very important fellowship which probably cannot be measured in economic terms but which certainly has an impact on the lives of women in South Australia.

As the Hon. Caroline Schaefer just prompted me a moment ago, they have provided significant fundraising for a number of important projects in South Australia. It is one of the truly great service organisations in our community and

deserves to be commended for its longevity and for its service to the people and the country women, in particular, of South Australia.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I am grateful for the opportunity to say a few words on behalf of the residents of the South-East. I certainly saw the Country Womens' Association as more than a social organisation. It pre-dated social workers; it was an organisation that had within its brief a whole range of areas that social work covers now. It touched the lives of many people in country areas, not just with the stalls that they ran for fundraisers or the country shows that they ran, in a lot of cases, but also with the work that they did in community welfare.

As others have said, the fact that they have been around for 75 years is a tribute to the organisation's structure and the fact that they have still been able to fill that social welfare hole. The political role they have played probably in the last 15 or 20 years has superseded the social welfare role they started off playing in the South-East, where I am familiar with the organisation, anyway. The political role that they started to play was running parallel with some of the politics within the major conservative parties within the communities. They also had a mix of politics within the organisational structure, but they never let that show. There was no display of sectional politics; there was a display of bipartisanship within communities. They did their best to recruit right across the board, so I pay tribute to their organisational structure.

When I went to Sydney, I had just left an apprenticeship—as you would understand, Mr President—and I went to Sydney Tech. I was walking past what I thought was the CWA administrative centre in Sydney, and it had a whole list of places where you could get board and lodging. I went into the CWA national centre, I think it was at the time, in Sydney—

The Hon. R.K. Sneath: They threw you out.

The Hon. T.G. ROBERTS: No, I got board and lodgings when I went to Sydney Tech through the contact that the CWA had with another CWA, the Catholic Womens' Association. They pointed out to me a lovely old woman called Mrs Cummings, with whom I boarded for about six months in Sydney while I attended Sydney Tech doing marine engineering. So, I do have a connection at both a country and a city level in relation to the CWA. I hope they are around for another 75 years, and I would like to be around then to have another dedication for them.

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I would like to add my congratulations to the South Australian Country Womens' Association on 75 years of service and I trust that they will have another successful 75 years. The Hon. Terry Roberts just reminded me when he was talking about accommodation that my mother was actually a member of the CWA when we lived at Alice Springs many years ago. I recall that, when we came down here for one holiday, we stayed at CWA lodgings, which were available to their members. They had a wide range of services, but in more recent times, when I was a minister for agriculture, food and fisheries, I met with members of the CWA on several occasions in relation to some of the issues that were of concern to rural people generally, and rural women in particular. For example, there was the issue of GM foods and other very significant political issues of the day that are of concern to country people. The

CWA is a very effective voice on behalf of country women. In this brief contribution, I would like to add my congratulations to the CWA on their 75 years.

The Hon. R.I. LUCAS secured the adjournment of the debate.

ENVIRONMENT PROTECTION (PLASTIC SHOPPING BAGS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 November. Page 552.)

The Hon. J.M.A. LENSINK: I rise to speak to this bill which seeks to impose a mandatory fee of at least 15¢ on plastic shopping bags supplied to consumers by supermarkets, with the aim of reducing the number of single-use plastic bags. The need to reduce plastic bag use is not in dispute in Australia. Some six to seven billion bags are dispensed throughout supermarkets and other shops every year. This causes significant environmental damage to waterways and wildlife and makes an unnecessary contribution to landfill.

Research conducted by McGregor Tan on behalf of the EPA shows that the South Australian general public would actually support a ban on plastic carry bags—I will just quote these particular words as a caveat: 'assuming that environmentally friendly alternative bags were made available to the public'—over a charge or levy on plastic carry bags at the point of sale. Further results of this research are as follows:

- Calico, or woven cotton bags for multiple use—83 per cent of respondents were happy to use those—was the preferred alternative that respondents would be happy with in place of conventional plastic bags.
- Almost one-third of all survey respondents claimed that they now use fewer plastic carry bags than they did 12 months ago.
- Over the past year, the number of carry bags used per week has decreased by approximately 1.4 from an average of 9.3 to 7.9 bags a week.
- There was also a general desire to reduce the number of plastic bags being used, with the greatest proportion (some 64 per cent of respondents) stating that they feel they should be using fewer plastic bags.
- 89 per cent of respondents reuse their plastic bags: 75 per cent as general carry bags, 33 per cent as lunch bags.
- On average, respondents claim they would reuse 7.5 bags and recycle 1.5 bags out of 10.
- The ban was clearly the preferred option, with 73 per cent compared to 21 per cent who were in favour of a levy.

The national response to this has been a while in coming through the Australian Retailers Association Code of Practice. The aim is for a 25 per cent reduction in the number of plastic bags issued by the end of 2004, and a targeted reduction of 50 per cent in plastic bags issued by 2005. The Australian Retailers Association is targeting 90 per cent of its supermarket and chain members by 31 December 2003. These retailers account for about 50 per cent of what they call lightweight HDPE bags. Up to 80 per cent of dry groceries sold in Australia pass through the checkouts of their stores.

The response to this will be assessed at the end of 2005, if targets are not met to look at establishing some mandatory measures. In South Australia, some action has been taken, mostly, I would have to say, by retailers and some environmental organisations. According to retailers Coles Myer and

Bilo, the number of single-use plastic bags being handed out has fallen by up to 19 per cent, which I understand beats the national average. Particular councils also deserve to be commended for implementing a complete ban: those being Yankalilla and Kangaroo Island. Other organisations, including KESAB, Planet Ark, Ray White Real Estate, Clean Up Australia and Bunnings, also deserve commendation for taking action to reduce bag use.

The Liberal Party objects to the bill on the grounds that it imposes on every single supermarket a requirement to keep specific records of the number of bags supplied and issued. We think that this is an onerous measure to place on every supermarket. We are very supportive of reducing the number of plastic bags but think that that is just placing the burden once again on small business, particularly when there are other means available which are being effective. The bill also assumes that bags are free when, in fact, there is a hidden cost and, just as there is no such thing as a free lunch, there is also no such thing as free plastic shopping bags, as the costs are eventually factored into prices.

We also believe that this is an inflexible approach to the problem. For instance, in the definition of plastic shopping bag there is no accommodation made for the fact that people might use their bags for meat when you do not want to put that in with everything else, and meat might actually leak into a canvas bag and be rather revolting. It also penalises occasional users and ignores the fact that some people find plastic shopping bags quite useful for other purposes, as I have outlined.

The fines for supermarkets would be up to \$2 000 and for individuals \$200, and, in light of the fact that the public preference seems to be for bans and voluntary reductions, we will not be supporting this bill. Anecdotally, I note that, having been the sort of person who has carried canvas bags around for some years to take back to the supermarket and embarrass my housemates, I am no longer the freak who turns up at the supermarket with their own bags—it now seems that everyone else does as well. So, I think action is being taken on this front and, therefore, this bill might be just a bit unnecessary.

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

MOTOR VEHICLES (EMERGENCY CONTACT DETAILS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 24 September. Page 196.)

The Hon. SANDRA KANCK: This is a very sensible bill. It is so sensible that I do not understand why no-one has addressed it. It simply amends our transport laws so that driver's licences have emergency contact details on them. I am sure that so often when someone has been in an accident and has lost consciousness, and so on, to have that detail available would save a lot of time and worry for people. I think it is so sensible that we are going to support it, and we encourage everyone else to do the same.

The Hon. J. GAZZOLA secured the adjournment of the debate.

MARINE PROTECTED AREAS

Adjourned debate on motion of Hon. Sandra Kanck:

That the Legislative Council requests the Natural Resources Committee to inquire into and report on marine protected areas, with particular reference to—

1. identifying reasons for the Government's delays in introducing a system of marine protected areas, including no-take zones, around the State's coastline;
2. the current status of marine protected areas in South Australia with regard to mining and exploration activities and whether or not world's best practice is being observed;
3. the identification of areas within the South Australian Representative Marine Protected Area estate in which mining and exploration activities are occurring or in which there is a risk of such activities being permitted;
4. the identification and assessment of the options available to ensure a permanent ban on mining and exploration in the South Australian Representative Marine Protected Area estate;
5. assessing the level of assistance being provided by the State Government to regional groups in the preparation of National Resource Management plans for marine protected areas;
6. the degree to which ecosystem based management principles are being incorporated in any plans for marine protected areas in the State;
7. the need for new marine reserves legislation; and
8. any other related matter,

which the Hon. G. E. Gago had moved to amend by leaving out all words after 'That the Legislative Council requests' and inserting:

the Environment, Resources and Development Committee to inquire into and report on marine protected areas, with particular reference to—

1. identifying reasons for delays in introducing a system of marine protected areas, including no-take zones, around the State's coastline;
2. the current status of marine protected areas in South Australia with regard to mining and exploration activities and whether or not world's best practice is being observed;
3. the identification of areas within the South Australian Representative Marine Protected Area estate in which mining and exploration activities are occurring or in which such activities may be permitted;
4. the identification and assessment of the options available to appropriately regulate mining and exploration in the South Australian Representative Marine Protected Area estate;
5. assessing the level of assistance being provided by the State Government to regional groups in the preparation of National Resource Management plans for marine protected areas;
6. the degree to which ecosystem based management principles are being incorporated in any plans for marine protected areas in the State;
7. the need for new marine reserves legislation; and
8. any other related matter.

(Continued from 26 May. Page 1619.)

The Hon. CAROLINE SCHAEFER: I indicate that the opposition will be supporting the amendment moved by the Hon. Gail Gago which seeks to refer this matter to the Environment, Resources and Development Committee rather than the Natural Resources Management Committee, as was part of the Hon. Sandra Kanck's original motion. I understand that agreement has been reached between the two committees that it is more appropriate that it go to the Environment, Resources and Development Committee. Since the Hon. Sandra Kanck serves on both those committees, I understand that she has no objection to that.

I would like to speak briefly, though, on some changes to the wording. The government's—and I assume it is the government's, although it is a private member's matter moved by the Hon. Gail Gago—wording is as follows:

identifying reasons for delays in introducing a system of marine protected areas, including no-take zones, around the State's coastline.

I was pleased to see the Hon. Sandra Kanck raise this because I have been concerned about this matter for some time, as have a number of representatives of the fishing industry, in particular, with whom I have contact. Prior to losing government, our government was quite some long way down the path of public consultation and industry involvement in the development of a number of marine multi-use parks. For whatever reason, that development appears to have stalled, so I am pleased that there will be some, hopefully rapid, inquiry and that we will all be able to read the report to find out why that has stalled.

Equally, the Hon. Gail Gago's amendment seeks to identify areas where mining may take place and to inquire with regard to mining exploration activities and whether or not world's best practice is being observed. This contrasts somewhat with the Hon. Sandra Kanck's motion which, in my view, has a number of quite anti-mining phrases within it. I think that most of us recognise that if we are going to further the economy of this state we must do it in an environmentally sound and sustainable fashion. But, with cooperation, there is no reason why multi-use parks cannot work within this state and, in fact, be a standard for the rest of Australia.

I believe that the Hon. Gail Gago's words are more practical, but we will still achieve what the Hon. Sandra Kanck wishes, that is, an inquiry as to why this government has delayed the establishment of multi-use marine parks when we were so close to having achieved that some 2½ years ago. On behalf of the opposition, I indicate that we will support the amendment of the Hon. Gail Gago.

The Hon. SANDRA KANCK: I will accept the government's amendment to move the inquiry to the Environment, Resources and Development Committee rather than the Natural Resources Committee. The wording is somewhat softer than my original motion. For instance, my first item provides, 'identifying reasons for the government's delays', and the Hon. Gail Gago's amendment provides, 'identifying reasons for delays.' There are little subtleties such as that in the honourable member's amendment, and I understand the necessity to do that in a political world.

However, I am sure that, when the evidence is taken by the committee, it will become quite clear that the delays have occurred on the watch of this government. Those providing submissions and giving evidence, I am sure, will make that quite clear. Although the wording has been softened around the edges so that it is more politically acceptable to the government, the submissions and evidence may still reflect the original wording. However, as I indicate, I am happy to accept it. I am a member of both the Natural Resources Committee and the Environment, Resources and Development Committee, and I will get to be a part of whichever group investigates it.

The Hon. G.E. Gago's amendment carried; motion as amended carried.

GOVERNMENT APPOINTMENTS

The Hon. R.I. LUCAS (Leader of the Opposition): I move:

That this council notes with concern recent appointments made since the state government was installed in March 2002.

In addressing this motion, members will recall that I spoke on a similar issue sometime early last year at which time I expressed concern about a number of appointments that had

been made. On that particular occasion, members will recall that I expressed concern about some of the employment practices of what was formerly known as the Bolcus Left faction within the caucus but which is now known as the Conlon Left faction.

The Hon. R.K. Sneath interjecting:

The Hon. R.I. LUCAS: You get into trouble only if you do not speak the truth, the Hon. Mr Sneath.

The Hon. R.K. Sneath interjecting:

The Hon. R.I. LUCAS: I am happy to on another occasion. I note that, in the last 12 to 15 months, there has been no rebuttal of any of the claims that I made in that contribution. I do not intend to repeat the issues that I raised then, although I do want to refer to some other issues later in my contribution in relation to the employment practices of some ministers in particular. Today, I want to address some comments about a very significant issue, that is, some of the appointment practices for senior public service positions.

Let me say that I accept that, within the public sector, there will always be persons appointed to some positions who are supporters of either the Labor Party, the Liberal Party or, indeed, possibly even the Democrats. Inevitably, with a public sector as large as it is in South Australia—some 70 000 equivalent employees—that will occur. I think that, in my view, there are a small handful of positions within the public sector where any open and accountable government with integrity would seek to ensure that people who are appointed to those positions are not closely tied to a particular political party.

I mentioned previously, and I mention today, that I would nominate the three most senior positions within Treasury: the Under Treasurer and the two deputy under treasurers. I believe that there should not be the view from anyone that those people ought to have any connection with a political party, particularly in the light of the legislation still going through the parliament in relation to the charter of budget honesty and those sorts of things, where the Under Treasurer, in particular, advised by his two most senior officers, will have to make independent assessments in a politically-charged environment about budget finances.

I think that the issue of the three most senior positions in Treasury ought to be positions where no-one would even suggest that they have any connection to a political party. Similarly, I think that the same applies to the Commissioner of Police, the Solicitor-General and, I think, the most senior person driving the most critical economic development agency in the state. Of course, that has gone through some name changes since it was the Department for Industry and Trade. More latterly it was known as the Department of Business, Manufacturing and Trade and now it is the Department of Trade and Economic Development (DTED).

It goes by some less flattering acronyms from those who are familiar with its practices, but I will not put them on the public record. However, in my view, the chief executive of that department, as the most important agency in terms of working with business and industry and driving economic development, ought to be someone with no clear connection to any political party. As I have indicated by some interjections (I think, in the last two or three weeks), I am strongly opposed to this minister's and this government's recent announcement of the appointment of Mr Ray Garrard as the new head of the Department of Trade and Economic Development.

I wish to devote some comment to that in my contribution this evening. In terms of the recent history of the Chief

Executive Officer's position, it is interesting to note that there was an Australia-wide search by management consultants and others throughout the majority of 2003. I have asked questions before in this chamber—I do not have the exact date with me tonight but I have put it on the record before—at some time around about the middle of last year. After about a six months or so national search by highly paid consultants, a recommendation was taken by the former minister for a particular person, a Mr Geoff Whitbread, to be the chief executive officer of what was then the department of business, manufacturing and trade. After being told that he was the recommended candidate by the panel and the minister, for some reason unbeknown or unexplained to him, or, indeed, to anyone, Mr Whitbread's appointment was knocked back.

We then went through this strange set of circumstances where the former minister—as I have said, I think the shortest serving Minister for Industry in South Australia (Hon. Rory McEwen)—appointed an interim chief executive, Mr Stephen Hains, for a period of some six months or so. It was hard to work out at the time what was going on. I must admit that I did have some suspicions because, in June last year, at about the time that Mr McEwen was recommending Mr Whitbread, the state government announced the appointment of Mr Ray Garrand as the then Deputy Chief Executive of the state's Office of Economic Development (OED).

The Hon. R.D. Lawson: Who was that? Ray who?

The Hon. R.I. LUCAS: Ray Garrand. As I said, some of us had suspicions at the time but our suspicions were confirmed when, I think in May of this year, Minister Holloway confirmed that Mr Ray Garrand was going to be made the Chief Executive of the Department of Trade and Economic Development.

The Hon. R.D. Lawson: Does he have any form?

The Hon. R.I. LUCAS: My colleague the Hon. Mr Lawson asks, 'Does he have any form?' and, indeed, that is what I want to address this evening. This appointment by this minister and the Rann government can simply be described as a job for a Labor mate. Mr Ray Garrand, in my very strong view, is a wholly owned subsidiary of the Australian Labor Party in South Australia and Queensland. I will put on the public record Mr Garrand's history in relation to working with the Australian Labor Party in South Australia and Queensland over a period.

The Hon. R.D. Lawson: Tell us his successes to start with.

The Hon. R.I. LUCAS: Let me trace his history first—my colleague is provoking me. In the period from 1978 to 1983, Mr Garrand was an assistant cost accountant with Horwood Bagshaw Pty Ltd. In his first position with the Labor Party he was appointed as an economist in the Department of Prime Minister and Cabinet in the period 1986 to 1988. That is, during the Hawke and Keating years (the Hawke years in particular but in the Keating years as Treasurer as well), Mr Garrand was the economist providing advice to the Hawke and Keating government. He then took a position as economic adviser to Senator Graham Maguire. The Hon. Terry Roberts will know Senator Graham Maguire, a South Australian based Labor Party senator. Mr Garrand started to cut his teeth in the South Australian Labor Party by working for Senator Graham Maguire (as he then was) from 1988 to 1990.

I will return to probably the highlight of his working life in some detail in a moment, but he then became the senior economic adviser to John Bannon and Lyn Arnold during the

period 1990 to 1993. He was the senior economic and financial adviser on issues in relation to the State Bank to John Bannon and Lyn Arnold and he worked, of course, with the current Treasurer (Hon. Kevin Foley), who was a senior adviser to the Bannon and Arnold administrations as well. Having progressed from the Hawke-Keating years to Graham Maguire and then to advising John Bannon and Lyn Arnold on the State Bank and other issues such as that, he then progressed to be the economic and business adviser to Wayne Goss, the Queensland Premier.

The Hon. R.D. Lawson: Which party was he with?

The Hon. R.I. LUCAS: The Australian Labor Party, the Hon. Mr Lawson, I think you know that. From 1994 to 1996, when disasters and calamities befell the Wayne Goss administration, one of the most senior advisers to that Labor administration was Mr Ray Garrand. Then Mr Garrand formed an economic and business consulting firm called Eco Managers from 1996 through to 2003. I will return to this period of his life again where, when the Labor administration returned, his firm was able to negotiate very generous consultancy arrangements with the current Labor administration. Those consultancy arrangements have been the subject of much political controversy in the Queensland parliament and media as well. I turn, as I said, to what I am sure Mr Garrand would see as the highlight of his career; that is, being the senior economic and financial adviser to John Bannon and Lyn Arnold at the time of the demise of the State Bank from 1990 to 1993.

I have a copy of a document labelled 'Confidential' which is the CV and career summary of Mr Raymond Anthony Garrand. In that particular document Mr Garrand's career as economic adviser to the Premier of South Australia is described as follows:

As an economic adviser to two South Australian premiers, Mr Garrand worked extensively on economic development issues, including stabilising the state's financial position and developing a debt reduction strategy for the state.

I interpose that that is the most amazing debt reduction strategy I have ever contemplated: a debt reduction strategy which, in today's dollars, sent South Australia's debt to \$10 billion, and Mr Garrand indicated he played a key role. He worked extensively on stabilising the state's financial position.

The Hon. R.D. Lawson: Was that \$10 million?

The Hon. R.I. LUCAS: No, \$10 billion in today's dollars was the debt reduction strategy. The document continues:

Mr Garrand had a key involvement in the preparation of state budgets—

I interpose again: in 1993-94, when the Commission of Audit was appointed by the Liberal administration, it found that the budget was overspending on an annual basis by \$300 million to \$350 million each and every year. The document goes on:

Commonwealth-state negotiations on financial and economic development issues, trade missions and extensive negotiations with the business community and the unions.

I turn to this issue of Mr Garrand's role as the key economic and financial adviser to John Bannon at the time of the State Bank collapse. In doing so, I place on the record evidence that was given by Mr Garrand and others to the State Bank Royal Commission.

There were many thousands of pages of evidence given by Mr Garrand and others to the State Bank Royal Commission, and I place on the record just a small selection of evidence provided by Mr Garrand and others so that we all might fairly judge the financial and economic competence of

Mr Ray Garrand. He is the most senior adviser to this government on economic development matters as head of the Department of Trade and Economic Development. Mr Garrand in his evidence indicated that he attended six weekly meetings involving the then premier, the chairman and the managing director of the bank and the under treasurer. He says:

I have attended all the regular State Bank meetings with the premier since May 1990.

At the first such meeting he attended on 9 May, premier Bannon approved the acquisition of the United Building Society, and Mr Garrand said in evidence:

It seemed like a good opportunity for the bank.

The royal commissioner refers to this meeting on page 328, as follows:

The formal meeting on the next day, 9 May 1990, conveyed to the treasurer much the same information, but with a significant new injection of data that non-accrual loans could reach \$1 billion. In the ether of bad news, and with the proposed acquisition of the United Building Society, Pring Dean and Lumley Life, that figure might have been expected to evoke horror on the part of the treasurer and Treasury. The significance of the figure does not seem to have been recognised.

Here we have a critical meeting on 9 May 1990 where Mr Garrand and Mr Bannon approved the acquisition of the United Building Society. Mr Garrand had the view that it seemed like a good opportunity for the bank, and the royal commissioner said that this meeting conveyed to the treasurer news that non-accrual loans could reach \$1 billion.

At the second meeting attended by Mr Garrand on 13 June 1990, Tim Marcus Clark gave an estimate of non-accrual loans of about \$600 million. Mr Bakewell had sought to draw a diaphanous veil over Mr Clark's lack of credibility in his estimates by suggesting privately to Mr Garrand, the treasurer's new economic adviser, that the non-accruals would be \$700 million (so said the royal commissioner on page 329). In his statement to the royal commission, Mr Garrand said that at the time he joined the premier's office there was a lower than expected profit forecast for the bank and, although the fact that it would not be contributing to the state budget was a concern, it was not seen as a major problem, especially in view of what was occurring in the banking industry at the time. Mr Garrand also said:

While I was concerned about the State Bank's poor result for 1989-90, the result was defensible in the light of what was happening in the banking industry as a whole and the good track record of the State Bank to date. I did not perceive a lower than expected profit result to be a major problem and, while the level of non-performing loans was a concern, it was by no means critical at that stage.

That was Mr Garrand's view of the situation with the State Bank, and I assume that was his advice to premier Bannon at that stage. Contrast that with the royal commissioner's view, who stated at page 339 that, at the end of the 1989-90 financial year, the bank 'was left by the treasurer and Treasury to flounder in its economic death throes'. The commissioner at that time was saying that at the end of the financial year the bank was left by the treasurer and Treasury to flounder in its economic death throes, and Mr Ray Garrand's view (and presumably his advice at the time) was that he did not perceive the lower than expected profit result to be a major problem.

The Hon. R.D. Lawson: It was a minor problem.

The Hon. R.I. LUCAS: It was a minor problem and, while the level of non-performing loans was a concern, it was by no means critical at that stage. At this time, from his

statement to the commission, Mr Ray Garrand also had the following view of the financial position of Beneficial Finance Corporation:

It did not appear that Beneficial's situation was any worse than that of the industry as a whole and in a number of areas was doing better than the industry average.

He also said:

I was not alarmed by Beneficial's performance, however, largely because I knew that Beneficial had recorded a strong performance in previous years, especially compared to that of other financial companies, and I was aware that steps were being taken by the management board to try to reduce Beneficial's exposure and control and monitor its performance.

The Hon. R.D. Lawson: So, he is not easily alarmed.

The Hon. R.I. LUCAS: He is not easily alarmed or fooled. He is the sort of person you would want providing key economic and financial advice if you were in government. That was Mr Garrand's view about Beneficial Finance Corporation. What did the royal commissioner find? He was very succinct as to what he found. He found that by this stage Beneficial Finance was 'a disaster' (page 356).

The Hon. R.D. Lawson: Why would you be alarmed?

The Hon. R.I. LUCAS: My colleague says, 'Why would you be alarmed?' The royal commissioner says that at that stage Beneficial Finance was a disaster, but Mr Ray Garrand was not alarmed. At the six weekly meeting on 31 July 1990 they were told that John Baker and Eric Riechardt would be leaving Beneficial Finance Corporation. In his statement to the royal commission, Mr Garrand said:

I recall being told by someone in the bank or Beneficial (I cannot recall who or when exactly in July/August) the central issue surrounding the departure of John Baker and Eric Riechardt related to a number of loans which they had received from the bank. It appears that the authorisation for these personal loans did not go through the correct channels and it was suggested that Mr Baker and Mr Riechardt had approved their own loans.

Mr Garrand also said:

While the premier was aware that there was a major disagreement between Mr Baker and Mr Riechardt and the board, I do not believe he was briefed on the exact details surrounding their departure, although there was a suggestion at the meeting of a disagreement related to personal loans.

The royal commissioner said of these events:

In the course of his evidence it was put to the treasurer that the board's publicly released statement did not accord with what the treasurer knew to have been the real reason for Mr Baker's departure as it had been conveyed to him by Mr Simmons on 30 and 31 July 1990. The treasurer's response was that it was not for him to question the form of words that the bank board had chosen for its public explanation for Mr Baker's departure. Nevertheless, he himself substantially adopted the bank's language in responding to questions about the event.

In early August, Ray Garrand was at a meeting with David Simmons and Bob Bakewell, the chair and deputy chair of the bank, at the invitation of Mr Simmons to discuss the end of year result and the best time to release the results. There was also discussion about whether Mr Simmons, as the chair of the bank, should brief the leader of the opposition to ensure that the opposition did not attack the bank when the results were released. The quote in the evidence is:

We agreed that would not be a good idea at that stage.

They agreed that it would not be a good idea at that stage for the opposition to be briefed about the impending problems of the State Bank.

The Hon. R.D. Lawson: Just in case they were easily alarmed.

The Hon. R.I. LUCAS: Yes. Mr Ray Garrand then attended the six weekly meeting of 5 September 1990 at which Treasury recommended an external inquiry into the bank—an important meeting. Premier Bannon rejected the advice and Ray Garrand said in his statement:

I recall discussing this issue with the premier and it was decided not to proceed with such a review. With the benefit of hindsight it is now easy to say that maybe such a review should have gone ahead, but it is important to remember the context in which the decision was made at the time.

At least Mr Garrand had the good grace to indicate that maybe the Treasury advice in September 1990 for an urgent external inquiry into the problems of the State Bank might have gone ahead, but clearly premier Bannon, being advised by people like Mr Garrand, rejected that advice. The quote continues:

Back in September 1990 the government was faced with a situation where the bank was still in a profit-making situation.

What did the royal commissioner say about this meeting? He states:

The failure on this occasion to accept Treasury advice serves only to confirm that the government in general and the treasurer in particular had from the outset been myopic in their vision of an appropriate relationship with the bank (page 367).

The royal commissioner at page 366 also stated:

By the time of the meeting of 5 September 1990, the treasurer must have had an appreciation of the seriousness of the problems facing the bank.

On 4 October 1990, Mr Ray Garrand had a meeting with the bank and Beneficial to be briefed on Kabani Pty Ltd. In his statement to the commission, he said:

I was categorically assured by those present at that meeting that off balance sheet companies were not being used to absorb the bank losses, as Mr Simmons had suggested. Following this assurance I did not pursue the matter further.

He is a very trusting soul, I might interpose

The Hon. R.D. Lawson: Not easily alarmed!

The Hon. R.I. LUCAS: Not easily alarmed, as the Hon. Mr Lawson said. The royal commissioner made comments about information provided to the government at this time about off balance sheet entities as follows:

On 21 August 1990 the Treasurer was asked in parliament about Kabani Pty Ltd's role in the bank affairs, its exposures and why it was not referred to in the annual report. The Treasurer responded on 10 October 1990 conveying information which had been provided to him by the bank that it was an off balance sheet entity financing joint ventures and property joint ventures in a way which avoided the financial restrictions of the BFC trust deed. The Treasurer was provided with a list of the Kabani assets (totalling \$124 million) and of its numerous subsidies and the rationale. It disclosed a wide-ranging and complex series of corporate and trust structures which itself might have produced concern that the bank group was not active in areas not reported to the government. . . it might well have prompted the question, especially in the light of BFC's annual results and the outcome of the Price Waterhouse report, why such activities were in the interests of the people of South Australia (pages 368 and 369).

Garrand's statement to the royal commission indicated that he had provided the premier with a written briefing in answer to the parliamentary question on 10 October. As one would expect, there are many other references in the evidence of Mr Ray Garrand. I have picked the eyes out of the highlights of the evidence of Mr Garrand to indicate that he must accept some significant responsibility in terms of the financial and economic advice that was being provided to people such as premier Bannon at that particular time in relation to the State Bank issue.

It is interesting to contrast the lack of action by Mr Garrand, which is demonstrated in the evidence about the bank's financial position during the time that he was the economic adviser, with the approach adopted by his predecessor Mr Paul Woodland, who was the economic adviser from October 1987 to April 1990; that is, the previous economic and financial adviser to John Bannon. Mr Woodland, who, I am told, had less information about the bank's actual financial position, recommended at different times the replacement of up to four members of the board to provide a more commercial board (that was early in 1989), and actually recommended, I am told, an independent analysis of the bank's financial position in February 1990.

I put that on the record to contrast the fact that one economic adviser to the premier was at least sounding some notes of caution in those early stages. Obviously, premier Bannon and others chose to ignore that, but he was recommending, in particular, an independent analysis of the bank's position, yet about seven or eight months later at the meeting of 5 September 1990 with Treasury, the most senior Public Service financial advisers were recommending an external inquiry into the problems in the State Bank. But the premier and Mr Garrand rejected the notion of an urgent external inquiry into the State Bank. I place that on the record to indicate two things; first, obviously, the very closeness of Ray Garrand right from the early days of the late 1980s and early 1990s with the Australian Labor Party and Labor governments—and that has continued right through until this day—and, secondly, a very frank view that the quality of the economic and financial advice that he was providing to the government of the day, in relation to the critical issue of the State Bank, is not the sort of information on a CV which would recommend one highly for what is now the most senior position in the economic development agency within the state.

One might be prepared to accept that at a lower level—he was originally appointed to a deputy chief executive officer's position for the Office of Economic Development—he is entitled to continue employment with the party and the government of his choice, if one wishes. But in my view it is an outrage that Premier Rann and minister Holloway have appointed a Labor mate to such a key position (in terms of the most senior and key economic development appointment), and it should not be supported. In the CV, which is marked confidential and of which I have a copy, two referees are provided for Mr Garrand. One is Mr Wayne Goss—and I guess that is not surprising; he did work for Mr Goss soon after the Bannon/Arnold governments were thrown out in South Australia as a result of the State Bank scandal—and the other is Mr Ross Rolf, Chief Executive Officer of Stanwell Corporation, which is a government-owned electricity corporation in Queensland. One of the things you do when you see a CV is look at the quality and background of the referees; and, I presume, the people who made the appointment spoke to the referees.

I have a copy of a *Courier Mail* article of 4 April 1996, which—believe it or not—goes under the heading 'Top public job goes to Goss mate'. The article by Peter Morley, the state political editor, states:

Former premier Wayne Goss had agreed to the appointment of a Labor mate two days before he had been recommended for a top job, state parliament was told yesterday. It was a curious appointment, according to premier Rob Borbidge, who said taxpayers might have to pay up to \$300 000 to pay out Mr Ross Rolf.

It seems extraordinary that today I am raising criticism about a job for a Labor mate, and one of the referees for the Labor mate is, indeed, himself the subject of much controversy in Queensland because he, too, has been accused of being a Labor mate appointment. Without going into all the detail, when one looks at the *Hansard* record of 1996, Mr Borbidge points out that, just one day before the Mundingburra by-election (which led to the change of government in 1996), Mr Ross Rolf was appointed to a five-year contract as head of one of the key departments in Queensland. He was someone who was closely associated with the Australian Labor Party. As soon as the government changed, he was one of the chief executives who was moved on and there was the potential for a very significant financial payout at the time, as he was moved out of his particular position by the incoming administration.

The curious aspect of the appointment was not only that it occurred one day before the Mundingburra by-election but also that the Labor administration claimed Mr Rolf had been appointed by an appropriate panel, and the recommendation of that panel was signed on 1 February. He allegedly went through a panel process and the panel recommendation that he get the job was signed on 1 February. What the new incoming government found was that Wayne Goss (as premier) had signed the Executive Council minute appointing Mr Rolf on 29 January—which was two days before the independent Public Service panel had recommended Mr Rolf be appointed to the position. As Mr Borbidge said, it was a most curious appointment process. There are a number of significant other issues and matters of much controversy raised by the opposition in Queensland about Mr Garrand's role in Queensland politics and his consultancies.

I have a copy of an estimates committee report (No. 2 of 2000) put out by Rob Borbidge, David Watson and Doug Slack MLA (the member for Burnett) which highlights that the minister failed to advance a persuasive argument. It says that the Queensland taxpayers are being well served by a lucrative consultancy awarded to Eco Managers and staffed by Mr Ray Garrand (Mr Garrand's consultancy). He is a recipient of payments running to CEO remuneration levels and works from offices on the ministerial floor, Department of State Development and Trade, Executive Building, 100 George Street. The report says that the minister asserted Mr Garrand's role was to work on a range of energy issues, and bringing forward the energy policy was part of his brief.

In just over a year (in 1999 and 2000), that consultancy cost Queensland taxpayers \$208 000 and was continuing after 2000 at the same rate. Its purpose was policy development. Mr Borbidge also asked the nature of the relationship between Chevron, the PNG Gas Pipeline project principals and Mr Garrand and/or the Director General of the Department of State Development and Trade, Mr Ross Rolf, both formerly remunerated by this company.

Again, without going into detail, members will be aware of the problems of the Australian Magnesium Corporation. Those of us interested in SAMAG will know that the Australian Magnesium Corporation proposal at Stanwell in Queensland got into significant problems. The commonwealth government and the Queensland government lost significant amounts of money—potentially up to \$300 million—on that development. The Stanwell Corporation (the company of which Mr Ross Rolf is CEO) is financially exposed to the losses in that deal. Obviously, tonight there is no point in going into that detail. Mr Garrand's association—and financial relationships (if any)—with the Stanwell

Corporation is not part of the public record, and at this stage I do not have all the detail.

Nevertheless, Mr Rolf is one of two referees for the position to which he has just been appointed by the Rann government and Mr Holloway, and therefore close scrutiny should be given to the financial and economic history of the companies that Mr Garrand may have been associated with when the government made its appointment. So, we move through that period when Mr Garrand obviously had a very close association with the Queensland Labor government. He obviously went through a dry spell with the Queensland National Government but had a more lucrative arrangement with the latter day Queensland Labor government and Premier Beattie.

The opposition in South Australia is also aware that, prior to the 2002 state election in South Australia, Mr Ray Garrand was providing advice to the then leader of the opposition, Mike Rann, and the then shadow treasurer, Kevin Foley. Sources within the Labor caucus (who were quite happy to talk about these sorts of issues at the time) made it clear that a number of people were advising the then opposition (the now government) on economic and financial issues, and Mr Ray Garrand was one of those people.

Also, soon after 5 March, when the new government came to power following the 6 February election, Mr Garrand was installed in the State Administration Centre for a significant period and was often seen wandering the corridors (in particular in the vicinity of the Treasurer's office) issuing instructions to people in relation to work that needed to be undertaken for the new Labor administration; and, as I said, he was also providing advice prior to the 6 February election as well.

So, the history of Ray Garrand, as I said—and this is obviously entirely his choice—is that he is a Labor mate. He was very closely associated with the Australian Labor Party from the late 1980s through the 1990s and into the 2000s. As I said, that is his choice but, ultimately, the point that we place on the public record is that we very strongly believe that someone with such close associations with the Australian Labor Party should not be appointed to the most senior economic development position in the state.

The Hon. T.J. Stephens interjecting:

The Hon. R.I. LUCAS: As one of my colleagues said, it might not be quite so bad if he actually had the credentials.

The Hon. T.J. Stephens: Or a reasonable track record.

The Hon. R.I. LUCAS: Or a reasonable track record. But I place on the record concerns about Mr Garrand's track record and, in particular, the advice he provided on the State Bank and issues that have followed since then.

We understand Mr Garrand has just been appointed with a five-year contract which, of course, will take him more than three years beyond the date of the next state election. Of course, that means that, should there be a change of government and should the incoming government take the view that it was inappropriate for him to continue, depending on the structure and the nature of that contract, he may be entitled to a significant payout. I hope that is not the case. Under freedom of information we have sought access to a copy of the five-year contract signed between Mr Garrand and, we assume, Premier Rann, and at this stage we are still awaiting advice as to when we will be able to access that contract to see, in particular, the payout provisions and remuneration package that have been negotiated.

The other senior appointments which I believe should not have any association with any particular political party are

placed on the record. My concerns date back to 26 March last year in relation to the appointments of Mr Paul Grimes and Mr Brett Rowse as the two deputy under treasurers. Those concerns are in the *Hansard* of 26 March 2003. In speaking briefly to those again, I want to indicate that there have been questions on the *Notice Paper* since last year in relation to the appointment of Mr Paul Grimes which remain unanswered, and I am not surprised that they are still unanswered.

The questions are as follows: when was the position first advertised and how; who were the members of the selection panel; how many people applied for the position; how many were interviewed by the selection panel; and did the Under Treasurer have any discussions with Mr Grimes about this position outside the selection panel process and before the selection panel met to interview applicants? That will be an interesting answer indeed should we get the truth of the situation. The next question was: if the Under Treasurer did have the discussions referred to in the earlier question, what was the nature of those discussions; and how many discussions were held, and where were they held?

The next question was: did the Under Treasurer meet with the Treasurer prior to the appointment of Mr Grimes and advise the Treasurer that Mr Grimes had a very close association with the Labor Party? The opposition knows that that meeting occurred. The Under Treasurer did meet with the Treasurer prior to the appointment of Mr Grimes and did advise the Treasurer that Mr Grimes had a very close association with the Labor Party.

There are a number of reasons why the opposition is aware of that. One is that the Under Treasurer was indiscreet enough to confide that to senior Treasury officers in a discussion in and around that particular time. The next question was: does the Treasurer deny having had a number of conversations with Labor colleagues and others that 'two Labor men had been appointed to the two deputy under treasurer positions?' I have had conversations with two people who have had discussions with the Treasurer, and it is the Treasurer who has described these people as two Labor men. I made the point in March or April of 2003 that this issue of the two deputy under treasurers is an issue of the Treasurer's making. That is, it is he who has described them as two Labor men.

Does the Treasurer deny having had a conversation with Mr Don Farrell, the State Secretary of the Shop Distributive and Allied Employees Association about Mr Grimes' application for the position prior to his appointment? Was the Treasurer advised that the Shop Distributive and Allied Employees Association had provided some financial assistance to Mr Grimes for university studies? Were all Commissioner for Public Employment guidelines followed in the appointment of Mr Grimes?

Those 10 questions have been on the *Notice Paper* since last year and remain unanswered. It is not surprising that those questions remain unanswered because, if the Treasurer in particular and also the Under Treasurer are to answer those questions truthfully, they would indeed find themselves in a very sticky political situation. Nevertheless, they are critical issues. As I said, the three most senior Treasury people are critical appointments for any administration and every government should have the confidence that the three most senior people within Treasury are people with no known or perceived connection or association with a major political party. If the Treasurer himself is telling people, Labor caucus members and others, that he has appointed two Labor men to the positions of deputy under treasurer, then, indeed, we have a potentially significant problem.

They are the key positions. As I said, there are a number of other Labor appointments. From my viewpoint, I accept that these things do occur. The new Arts SA chief, Mr Greg Mackie, was a fully paid up member of the Australian Labor Party, and he was rumoured to be supported as an Adelaide City Councillor by the Labor Party and a potential candidate for the seat of Norwood. I do not think Mr Mackie denies the fact that he was a member of the Australian Labor Party. I think that when he was appointed, or on the day after he was appointed, he resigned from his formal position as a member of the Australian Labor Party. I have raised issues about Professor Carol Gaston, the Deputy Chair of the Intergenerational Health Review, Ms Carol Gaston being listed as a significant donor to the Australian Labor Party prior to the election.

Questions have been raised about the appointments of two former ALP candidates for regional offices: Mr Justin Jarvis and Mr Jeremy Makin, and that has been the subject of our questioning. As I said, I place a lower priority on those sorts of issues. They are issues that will be raised by oppositions, but inevitably in a public sector some people who are appointed will have political party affiliations. The distinction, certainly in the view of the Liberal Party, is that there are these handful of positions, such as the Police Commissioner, the Solicitor-General, the three most senior Treasury positions, the head of the key economic development agency, should be beyond any suggestion by anybody that they have an affiliation or association with any particular political party. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

BEECHWOOD GARDEN

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I move:

That, for the purposes of section 14 of the Botanic Gardens and State Herbarium Act 1978, this council resolves that the board of the Botanic Gardens and State Herbarium may dispose of any interest in, and be divested of any control of, any of the following land: Certificate of Title Register Book Volume 5862, Folio 262 (formerly Volume 4175, Folio 187); Certificate of Title Register Book Volume 5133, Folio 747 (formerly Volume 4175, Folio 188).

In 1981, the board assisted by the state government purchased the major part of Beechwood's grounds as a heritage garden. It was known as Beechwood Garden. Marbury School purchased Beechwood House on a separate title for use as a senior campus with mutual protection afforded to the garden by an indenture agreement. The indenture agreement outlines the rights and obligations of the garden owner and the house owner. The garden did not have any obligations at all.

Various persons and entities have owned the house allotment over the subsequent years. Beechwood Garden was listed on the National State Register on 21 October 1980, and on the Register of State Heritage items on 24 March 1983. A heritage glasshouse in the garden allotment was listed separately on the State Heritage Register on 24 March 1988.

The 1995 Glenn Review of the Botanic Gardens and State Herbarium identified Beechwood Garden as being outside the Botanic Gardens core business and recommended the sale of the property. The board has recently reaffirmed this position. In March this year, a motion was introduced into both houses of parliament to enable the board of the Botanic Gardens and the State Herbarium to divest and dispose of Beechwood Garden.

On 11 May 2003, the board received an offer from the Beechwood House owner to purchase the Beechwood

Garden. The board resolved to divest the Beechwood Garden at its meeting on 20 October 2003. The board and house owner entered into a conditional contract for the sale and purchase of the land (the sale contract), with the advice of the Crown Solicitor's Office, to divest Beechwood Garden subject to:

1. The approval of both houses of parliament for the board to divest Beechwood Garden.

2. The execution of a heritage agreement by the Minister for Environment and Conservation and the house owner.

The heritage agreement will ensure that the house owner protects the heritage environmental aspects of the garden to the satisfaction of the minister, manages the garden in accordance with the heritage agreement, opens the garden to the public, and fixes current assets in disrepair. Once both houses of parliament have approved the divestment, the heritage agreement will need to be executed and the sale contract will become unconditional.

The conditions of sale (the sale contract) details are as follows:

1. The purchase price will be reduced by \$200 000 against liabilities for undertaking immediate renovation of the conservatory and potting shed and the removal of mature and diseased pine trees.

2. The department will maintain Beechwood Garden for a period of six months after settlement of the sale contract.

3. The board will pay the required stamp duty for the transfer of the garden allotment, and

4. The sale proceeds to be retained by the board to recover costs associated with the sale to be reinvested in the priority infrastructure for the sesquicentenary of the Adelaide Botanic Gardens in 2005.

In respect of consultation, the Hon. Alexander Downer, federal member for Mayo; Isobel Redmond, member for Heysen; the Hon. Ian Evans, member for Davenport and shadow minister; and Bill Cooksley, Mayor of the Adelaide Hills Council, have been individually briefed. I would recommend to anyone to go up to Beechwood, particularly at this time of the year—it is very pleasant. There will be a thin veil of fog over the gardens at the moment in the mornings, and it is worth a drive. It is almost on the top of Mount Lofty—

An honourable member interjecting:

The Hon. T.G. ROBERTS: That is right; it is very close to Adelaide and if you have visitors it is a lovely spot to go to. So I would recommend that, after the parliamentary responsibilities are carried out and Beechwood is in the hands of the owner, you go up and visit it.

The Hon. R.I. LUCAS secured the adjournment of the debate.

SUPPLY BILL

Adjourned debate on second reading.
(Continued from 31 May. Page 1658.)

The Hon. J.M.A. LENSINK: I rise to speak on the Supply Bill which, I understand, is to ensure that some \$1.5 billion of funds are provided for Public Service purposes, and I would like to comment broadly on the actions of the government in the past 12 months in relation to a number of portfolio areas. While it is not always common that we agree with what the media says, I think that an article in *The Advertiser* of 14 February which was entitled 'The too hard

basket is filling up fast' highlighted the actions of this government. As members in this chamber and the other place have highlighted over the past two years, we have seen a large number of reviews and summits and not much action, except in areas where the media gets the attention of particular issues.

As we know, the Treasurer has a history of misrepresenting the budget position to suit his own needs. He talked about having a black hole which was later shown to be a surplus, and he manipulates figures. There was also the incident last year with the DHS where he tried to make statements about the mismanagement of funds under the previous government. Terry Plane, who is not known for his liberal leanings, regularly wrote a column in *The Messenger*, and I quote from his final column:

Generally, governments achieve more in the zeal of their first year in office than in subsequent years when they become more conservative. If that holds true, we've already seen the best of the Rann Government. That would worry quite a few people. Those people are the social conscience of the Labor Party and the silent mass of voters who support them. The Rann Government has been strong on law and order and economic management.

And on that point I would certainly disagree with him. He continues:

It has been less impressive on social justice. The Economic Development Board has commanded a lot more attention than the Social Inclusion Board—

comments which opposition members have heard—

the Family and Youth Services department is a disaster area; and the Layton Report on child protection has drawn a lot of lip service but little practical and financial commitment. Some commentators have made the point that this Government is run by Mike Rann, Kevin Foley and Patrick Conlon. That supposedly covers the Right (Foley), Left (Conlon) and the Independent middleground (Rann). But it's a simplistic reading. The real heavies in this Government are Rann, Foley and Attorney-General Michael Atkinson, all working under the patronage of the Right faction.

The Hon. A.J. Redford: There is trouble in the ranks.

The Hon. J.M.A. LENSINK: There is trouble in the ranks.

The Hon. A.J. Redford interjecting:

The Hon. J.M.A. LENSINK: Yes, those comments were in the paper. I would like to make a couple of comments regarding the Economic Development Board. It really does not address some of the serious issues. We have heard from this government that it wants exports tripled, yet there has been a distinctive shift away from government assistance in the export market and scant comments about industrial relations. A Fair Work Bill, which is to be put before the parliament, will turn the clock back and be a disaster for economic development and small business in this state. On top of this we have a budget situation that most governments would have been very pleased to inherit which has enabled this government to have a great deal of flexibility, but not because of its own efforts.

The Standard and Poor's booklet that the Treasurer took the liberty of circulating in October last year rated South Australia at AA+ with a positive outlook. This was based on 'an extremely strong balance sheet'. In order of importance the underlying factors were:

1. Privatisation of the State's electricity assets in 2000 and 2001, which reaped almost \$A5 billion, most of which was used to pay down debt, and was a key factor in the December 1999 rating upgrade to AA+ from AA; and
2. An effort since privatisation to address some structural imbalances in the state's ongoing performance through more sustainable government revenue and spending policies.

This has all led to improving finances and a growing economy, so really what we see is that the budgets of the not so new Labor government have been riding on the back of the hard work and tough decisions of the Liberals.

Unfortunately, there are some worrying economic signals emerging in gross state product predictions. South Australia had the lowest growth of any state in 2002-03 at 0.1 per cent compared with 2.8 per cent nationally. From the period 1994-95 to the period 2001-02, South Australia had actually kept pace with the rest of Australia's growth. The poor GSP growth figures can probably be explained by our trade figures, which this government has said it wants to triple. Under the Liberals, average export growth was 11.7 per cent per annum. Export figures for the calendar year 2001 grew by 29.4 per cent, which was almost three times higher than the Australian growth rate in that year of 11 per cent. Export figures for 2002 were \$9.2 billion; and export figures for 2003 were \$7.5 billion—a slump of 18 per cent, and almost double the drop of 9.7 per cent for Australia. SARS and the drought, etc., have often been blamed for all these things, yet the effect has been much more marked in South Australia than in the other states.

Employment is a very worrying area for this state. Under the Liberal government, the investment attraction program brought in some \$970 million in four years, for which we were castigated over a number of things such as EDS and Motorola. That investment directly generated some 17 500 jobs, and with multiplier effects this becomes 39 000. At July 2003, the unemployment rate in South Australia was 6 per cent—the same as the national level. The national figure is now 5.6 per cent and South Australia is 6.5 per cent, so nationally it has gone down but in South Australia it has gone up. The total number of jobs has fallen every month for some seven months since June 2003, despite government statements to the contrary.

In particular, as our leader highlighted a couple of months ago, women's employment is showing a particularly worrying trend having fallen from some 167 000 to 154 600. There has also been a slowing of capital programs in a number of areas such as transport and schools. As I mentioned, we also have the Fair Work Bill which is a potential disaster for this state, and that is not to exaggerate by any stretch.

The mid-year budget review was quite an interesting document in the sense that there was a long list of alterations from the original budget. That indicates to me that this government has a propensity not to plan for the future very well, and to be rather reactive to anything that comes along and raises its head. As I highlighted in my first contribution, the government had to do a backflip on the home and community care program, FAYS, police, supported residential facilities, electricity concessions, and I could go on.

We have also seen a weakness with some of the ministers in the key service delivery portfolios, which, I think, has contributed in the sense that they have not been strong enough to tell the Treasurer that certain areas need to be funded, such as home and community care. Those ministers really need to remember what they stand for rather than being bullied by the people who run this government. This is a very high taxing government. The total tax take has been some \$2.6 billion—

The Hon. P. Holloway interjecting:

The Hon. J.M.A. LENSINK: No, I think that you need to manage your funds better, that is the point I am trying to make if you can actually understand what I am saying. On average—and I am talking about the current financial year,

not the new budget year—that equates to \$1 800 for every man, woman and child. In the two years since the last Liberal budget, Rann and Foley have increased state taxes by \$450 million, or a massive 21 per cent. Again, I am referring to the current financial year, not the new one.

The real issue that sticks in the craw of a number of people is the increased tax take as a result of property value increases, and the fact that the government has steadfastly refused to adjust those thresholds, apart from a rather token stamp duty exemption for first home buyers. I am talking about stamp duty and land tax takes, and I think that this is where Labor shows that, when it suits it, it is very much in the old Labor mould. The mid-year review indicated that taxation revenue in 2003-04 had been underestimated by some \$191 million, \$159 million of which related to property.

Land tax scales have not been adjusted to take account of value increases; so, it is amounting to bracket creep. With respect to stamp duty and land tax, relatively modest properties are now being caught. According to the Real Estate Institute, the average house price in South Australia for the March quarter this year was \$226 000, and for Adelaide \$250 000. The average price for a house in Brompton is \$325 000, in Newton \$251 000, Munno Para West \$290 000 and Edwardstown \$272 000. Not the leafy, trendy suburbs that the Labor Party would like to throw rocks at, but people living in average suburbia who are trying to make a living to pay off their houses.

The PRESIDENT: Could I stop the honourable member's flow for one moment. I really do need to point out to the honourable member that this is the Supply Bill, not the Appropriation Bill. The Supply Bill consists of three clauses comprising the sum of money from the consolidated account to be issued and applied to the Public Service. The honourable member is ranging much farther and wider. I had to draw that matter to the attention of your colleague the Hon. Mr Stephens. It applies to all of us. We do allow some flexibility to the leader and to the main spokesperson for the government on economic matters. However, if I allow the honourable member to range far and wide I would have to do it for every other member. I ask the honourable member to confine her remarks to the bill. That will give her some flexibility. If the honourable member raises issues that relate to the supply of money to run the Public Service for the next three months, she would then comply with the requirements under the standing orders.

The Hon. J.M.A. LENSINK: Thank you for your ruling, Mr President. I had falsely made the assumption that the sources of the revenue—

The PRESIDENT: The honourable member will have the opportunity to do all of those things in the Appropriation Bill when the budget is being discussed.

The Hon. J.M.A. LENSINK: I will therefore conclude my remarks. This is an anti-investment government; it is an anti-self-funded retiree government; it is anti-family and it is anti-jobs. I conclude my remarks.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise on behalf of the opposition to support formally the second reading of the Supply Bill. As you, Mr President, have kindly pointed out to us all, the Supply Bill does provide \$1.5 billion to run the extent of public services in South Australia. The Supply Bill also must raise that \$1.5 billion in terms of raising revenue and, also, expending that revenue, depending on which section of the public sector one wants to talk about. If one wants to talk about the general government

sector, one is talking about almost \$10 billion. We are talking about running all of the services of the public sector for a period of some months with the \$1.5 billion that is being provided in the Supply Bill.

With that background and that context, I want to address some comments in relation to the current financial position that confronts the budget and South Australia. The point I would make is that, as we look at the latter part of 2003-04 as a financial year and, indeed, as we look forward, if one were to choose a particular time to be in government or to be Treasurer one would choose this time. One certainly would not have chosen the time that Stephen Baker had as state Treasurer in 1993 to 1997 or, I suggest, one would not choose the time that I was state Treasurer in 1997 through to the start of 2002.

In this Supply Bill, and even more so in the Appropriation Bill, in this financial year we are seeing the great benefits of a number of things coming together. Obviously, difficult decisions have been taken in the past in relation to the reduction of debt, and, as Standard and Poor's highlighted (and, I think, my colleague the Hon. Ms Lensink highlighted), the privatisation of the electricity assets was a key factor in the reduction of debt in South Australia, and one of the primary reasons why we are within cooe of a AAA credit rating, we would hope, in the next 12 months or so.

Secondly, the strength of the state economy has seen improved revenues flowing through to the state government, in particular in relation to property taxes and valuations. We are seeing that in this financial year, and, in part, we will see that continue with land taxes in the next financial year. The third thing we see is, of course, the benefits of the GST deal that was struck by the former government in 1999 with the legislation being passed in the year 2000. This year and in the next four years we will see \$750 million extra flowing into this state's budget when compared to what we would have got under the pre-GST funding deal.

When we do come to the Appropriation Bill debate, I will in some detail discuss the claims made publicly by the Treasurer (and also in the budget statements) seeking to dispute that \$750 million figure. However, I think that is more appropriately left until we debate the Appropriation Bill. We have seen this year more than \$250 million extra in property taxes, and that includes land taxes, stamp duty on property conveyances, the emergency services levy and some others where, for the first time, we have gone through the \$1 billion mark in property taxes.

We have this year and will have next year Premier Rann and Treasurer Foley being the highest taxing Premier and Treasurer in South Australia's history, as well as the highest property taxing Premier and Treasurer in South Australia. As I said, this year the estimate is that, of all this money in the Supply Bill that we will be able to spend and have already spent, over \$1 billion would have come off the back of property investors in South Australia. There has been significant opposition in particular from those who pay land tax and, if we have heard a scream from the land tax reform coalition already, when the new bills go out at the end of this year, with an average 30 per cent property valuation increase, the screams will be deafening. I seek leave to have incorporated in *Hansard* a table which is purely statistical in nature and which is headed 'Actual revenue growth since forward estimates included in 2001-02 budget papers'.

Leave granted.

Actual revenue growth since forward estimates included in 2001-02 budget paper

	2001-02 budget paper estimate	Actual (or est. result in each year
2001-02	\$8 141 million	\$8 538 million
2002-03	\$8 194 million	\$9 346 million
2003-04	\$8 319 million	\$9 793 million
2004-05	\$8 470 million	\$9 997 million
	\$33 124 million	\$37 674 million

Total revenue income = \$4 550 million.

The Hon. R.I. LUCAS: This table is a comparison, as I said, of actual revenue growth since the forward estimates included in the 2001-02 budget papers; that is, when one looks at the 2001-02 budget paper estimate (the last budget brought down by the former Liberal government), it estimated the total revenue coming into the budget for 2001-02 and the next three years (2002-03, 2003-04 and 2004-05). The table shows revenue of \$8.1 billion, \$8.2 billion, \$8.3 billion and \$8.5 billion approximately (\$8.47 billion), adding up to a total of \$33.1 billion at that stage estimated for those four financial years. The table compares that amount of \$33 billion with what is estimated to happen this year in particular.

In 2001-02, the actual result was \$8.538 billion; in 2002-03, it was \$9.3 billion; in 2003-04, \$9.793 billion is the estimated result; and for 2004-05, of course, the estimate is \$9.997 billion. The total is \$37.674 billion. What that shows is that the difference between those two numbers is some \$4.5 billion. What the table demonstrates is that, when one goes back to the last Liberal budget and estimates what the revenue is going to be for the government over the next four years, it was \$33 billion; and when we now look at what has actually happened because of the strength of the reduction in debt and the lower interest payments, the strength of the economy and therefore the increased taxes and also the GST growth, we see \$37.67 billion.

An extra \$4.5 billion in revenue has been available to this government over and above what was estimated. The point I was making is that, if you had to choose a time to be the Treasurer, now would be the time to be the Treasurer. To hammer that point home, I seek leave to have incorporated in *Hansard* another table entitled 'General government sector total revenue'.

Leave granted.

General government sector—total revenue			
Difference between budget and actual			
1998-99	+\$218 million	2001-02	+\$397 million
1999-2000	+\$84 million	2002-03	+\$528 million
2000-01	+\$256 million	2003-04	+\$632 million
	+\$558 million		+\$1 557 million

The Hon. R.I. LUCAS: General government sector total revenue is the difference between the budget and actual numbers. The table actually looks at the last six budgets and highlights the difference between what was budgeted in total revenue for the start of the year and what, in the end, was actually collected. For example, in 1998-99, it looks at the budget papers, which indicates how much we thought was going to be collected, and then compares it with the actual results, that is, what was collected. In that year there was an increase of \$218 million above the budget; the next year, there was an increase of \$84 million; and the next year an increase of \$256 million.

In those three years the windfall revenue accruing to the government was a total of \$558 million. I refer to the last three budgets. In the 2001-02 budget, the windfall was \$397 million; in the 2002-03 budget, it was \$528 million; and in the 2003-04 budget, it was \$632 million. The total windfall

was \$1 557 million. The point that the table highlights is that, in the last three budgets, the government has benefited from an unexpected windfall of what was actually collected in the budget of \$1.5 billion. In the previous three budgets, the windfall was \$1 billion lower: it was just \$558 million.

It was the perfect example: if you could choose your time to be the Treasurer in terms of running the state's budget and budget difficulties, would you choose a period when in three years you have an unexpected windfall of \$1.5 billion—and I am sure that will increase next year when we look at the numbers for 2004-05 and 2005-06—or would you choose a time in the late 1990s when, for a comparative period, the windfall was just \$558 million? The new government and ministers seek to make great play of this and take credit for managing the state's budget and being able to produce surplus budgets. I would suggest that, with that sort of unexpected and unanticipated windfall flying into budgets, if you do not or could not produce surplus budgets, you should not even be in the position of trying to be the Treasurer of this state.

The second issue I address is the critical issue of jobs and jobs development in the budget. Obviously, the Supply Bill supplies significant dollars towards jobs investment and jobs growth. I again refer to some figures in relation to what we are seeing in South Australia. Jobs growth for next year is estimated to be 0.75 per cent, the lowest of all the states. If members look at each of the state budget papers, the New South Wales Treasury estimates 1.25 per cent growth; Victoria, 1.5 per cent growth; Western Australia, 2.25 per cent growth; Tasmania, 2.4 per cent growth; the ACT, 1.5 per cent growth; and the Northern Territory, 2.9 per cent growth. The only state not represented is Queensland which has not brought down its budget yet, and the Access Economics forecast for Queensland is 2.5 per cent.

When one looks at the apples with apples comparison of all the states' treasuries in terms of what they forecast in terms of their job growth prospects for the next year, sadly, South Australia is the lowest of all. Obviously, I will not spend much time in relation to this particular budget addressing issues such as the problems of the Fair Work Bill. We can address that in the Fair Work Bill debate and also in the Appropriation Bill debate. However, I do want to highlight briefly the issues which are part of this Supply Bill debate, that is, what is occurring in the Department of Trade and Economic Development at the moment. We have seen a gutting of that particular department. We have seen a very significant winding back of the priority in relation to the importance of small business and assistance for small and medium-sized businesses in South Australia.

In this Supply Bill and also in this budget period we have seen significant reductions in resources going into working with small and medium-sized businesses. That has been highlighted by questions asked by me and other members over recent days about the closure of the small business services unit, the shafting of the Small Business Advocate and the move of the current person into the transit lounge some time in the next couple of months. In all those areas, we are seeing a significant wind back in terms of the priority for small business and assistance for small and medium-sized enterprises in South Australia.

I also highlight—and again I will not spend too much time on this in the Supply Bill debate—an issue that we will address again when the Appropriation Bill debate ensues. When dealing with the Appropriation Bill debate, I will list the new businesses and industries that were attracted to South

Australia over the eight years of the last Liberal government, and I invite other members to do so. They were industries like EDS, Motorola, Westpac, SAAB, British Aerospace and General Dynamic. In relation to British Aerospace, we saw the rationalisation and restructuring of its Australian operations in South Australia, along with the restructuring of the Electrolux organisation and a number of others like that. I will also challenge government members in the Appropriation Bill debate to identify what new business or company has been attracted to South Australia in the two and a bit years of this government. I will highlight its equivalent of EDS, Westpac, BT and a number of others.

The Hon. R.D. Lawson: I don't hear them yelling out names.

The Hon. R.I. LUCAS: No, and I am sure that in the Appropriation Bill debate they will not do so, either. When I speak to business groups, we sometimes hear criticisms of what went on in the eight years of the Liberal government, but what has this government done with the money provided to it? Where is the new investment and what are the new companies? In the first 18 months a number of new headquarters and operations were opened by the new government, such as British Aerospace, SAAB and so on, but they were all propositions put in place by the former administration prior to the change of government.

It is a challenge for this new government to indicate what new job prospects it has brought to this state because, inevitably, as we are seeing with Mitsubishi (which is being downplayed by the government, but with a thousand or so jobs disappearing from there, and jobs being lost in Santos, Electrolux, Solar and even the Abergeldie closure, with the loss of 70 jobs, and the Port Stanvac refinery with 300 jobs), it is easy to list a significant number of areas where jobs have been lost, but it is much harder to list the new companies and industries that have been established in South Australia.

In relation to the Supply Bill debate, a critical issue is often the challenge we have heard by way of interjection from the leader in respect of how the current moneys provided through the Appropriation Bill and the Supply Bill could be managed better. It is the opposition's contention that this government has taken its eye off the ball in relation to the management and control of public finances. It is the opposition's contention that, whilst we are not seeing much action, we are also seeing a government which, either through arrogance or negligence, has taken its eye off the ball in relation to the control of spending in key areas. I will list a handful, but that list can be extended many times. One has only to look at a simple project like the purchase of trams for the Glenelg tramway. In this budget we know that that project has blown out by \$14 million already and we have not started, so it is a blow out of some 25 per cent, given that the project was originally costed at around \$56 million.

We have seen a blow out of some 200 per cent in the management of the Sturt Street Primary School. That is a story in itself. The shadow minister has indicated that some 17 students were enrolled there for a budget cost of \$2 million, which has now blown out to \$6 million and rising. I am sure many members in this chamber and the other would know of many more deserving school redevelopment projects that would love to have \$6 million plus spent on them, and it would benefit many more than the 17 students at the Sturt Street Primary School.

We have seen in terms of the management of the *Ring Cycle* that my colleague the member for Waite has highlighted a \$4 million blow out in the total cost of the *Ring Cycle*,

although not all of that at this stage is extra cost to the state government.

We know that the cost of the Port River crossing has blown out by at least \$30 million. We are still trying to nail the total cost of the Port River crossing project, but there is a blow out of at least \$30 million there. We have also seen a blow out in the number of public servants the Premier has called fat cats—public servants who earn \$100 000 or more. It is a phrase not used by me but by the Premier to describe any public servant who earns more than \$100 000. As we highlighted before, the Premier promised to cut by 50 the number of fat cats. We have seen an explosion in the number of public servants earning more than \$100 000, contrary to specific promises made by the Premier.

That is just a handful of areas in which there is significant waste and mismanagement by this government and these ministers in terms of managing the money we provide for them through this Supply Bill and the Appropriation Bill already passed by this parliament last year. When we raise issues of the need and capacity to use the \$750 million extra from the GST, the extra \$250 million plus from property taxes and the extra \$50 million or \$60 million the government will get next year from land tax, we ask it to use those dollars wisely. We think one can still produce balanced budgets with modest surpluses and achieve the AAA credit rating as well as providing targeted relief to property tax owners in particular. How can we do that? We can do it by tighter public controls and administration of public spending in government departments and agencies and the sort of projects we have just highlighted.

We have also seen an explosion in the number of administrative public servants. The opposition supports additional service deliverers like police officers, nurses and teachers, but there has been a significant increase in additional administrative and executive public servants within the public sector. The opposition believes that that area needs much tighter control, as we demonstrated in the eight years of our administration, through the very difficult times, when we did not have the benefit of the \$1.5 billion windfall income of the past three years or the \$4.5 billion. If you want to compare what we have collected in the past four years with what was originally predicted back in 2001-02 for these four years, this Treasurer and government should be doing better in terms of managing our finances.

Certainly, whilst it is an easy task to produce modest surpluses with the sort of unanticipated windfall income that this government has enjoyed, there is nevertheless the responsibility for it to tighten up on its controls. We should not have a situation where this Treasurer rewards departments that overspend. Departments should be told that, if they have a budget, they need to manage within it. If the Treasurer was to be in control of the finances of a small or medium sized business in the real world, the notion of rewarding bursting the budget by writing off the debts is not a notion familiar to small and medium sized business managers. You may get away with it in the public sector as he has done, but it is not good financial management and is again an example of where the hard earned dollars we provide to this Treasurer and government, with last year's Appropriation Bill and this year's Supply Bill, are being wasted by this Treasurer and government in a way that is not sensible. With those words, I indicate that the Liberal Party supports the second reading of the Supply Bill and looks forward to the Appropriation Bill debate, when many of these issues will be explored in greater depth by both my colleagues and me.

The Hon. R.D. LAWSON: I, too, rise to indicate formal support for the passage of the Supply Bill, which will appropriate the sum of \$1.5 billion from the Consolidated Account for the Public Service of the state for the financial year ended 30 June 2005, such funds to be applied during the period until the Appropriation Bill is duly passed. Obviously, I will wait until the debate on the Appropriation Bill (which I look forward to with pleasure) to express some of the disappointments that many in the community feel about the deficiencies of the budget.

I think it is worth saying that this bill, which appropriates \$1.5 billion out of the total \$10 billion to be appropriated this year for the state's budget, does arise in circumstances where there is an abundance of funds in the South Australian Treasury; where there is an abundance of moneys; and rivers of gold are flowing into the Treasury of this state, largely, I might say, as a result of the good management of the Howard/Costello—

The Hon. R.K. Sneath interjecting:

The Hon. R.D. LAWSON: I am glad that the Hon. Bob Sneath agrees. The good management of the Australian federal government, the Howard/Costello government, has delivered to this nation low interest rates, low inflation, confidence, prosperity and the goods and services tax. The fact is that much of the abundance of funds has arisen by reason of the strong growth in property values in this state—which is something we commend. We particularly commend the federal government for the policies which have led to that. The enhancement of the values of people's assets in this community has also had the consequence of raising taxes, not only taxes on properties such as land tax but also transaction taxes such as stamp duty (which has been abundant). It is all very well for the Treasurer to be saying that we are cutting payroll tax in some minuscule way. There is no doubt that this year this government will be collecting at the end of the year more in payroll tax from South Australian businesses than it did last year.

The money is flowing, and the issue tonight is how the money will be spent. That is the point on which I focus. There are two sides to this ledger. On the one hand, there are the funds flowing in and, on the other, there is the way in which this government is spending the well-earned tax dollars of this community. Money that is flowing in is not much to do with good husbandry on the part of this government, and it is not much to do with good management on the part of the Treasurer: it is as a result of factors well beyond his control.

The spending of those funds is something which is within the control of the government and which is the responsibility of the government, and in two of the portfolio areas for which I have responsibility on behalf of the opposition it is clear that the funds are not being wisely spent or applied. For example, in respect of Aboriginal affairs, in particular the Anangu Pitjantjatjara lands, this government over the past 18 months, including the latest budget, on the face of it made quite significant financial contributions to support the people on the lands. It is worth saying that before this year some \$60 million of commonwealth and state funds were applied each year to the 3 000 people who do reside on the lands. It is clear from the report of the Coroner and the reports of countless committees, inquiries, working parties, and so on, that the money that is being spent is either not enough or not being wisely spent.

This government has put in more money, but when we see the results of the investments it is making one would have to say that the money is not being wisely spent, is being

misapplied, or simply is not getting to the intended designation. Frankly, it is not surprising when we see, for example, this government seeking to blame those people on the lands and service deliverers for the failure of programs; when you see the Deputy Premier grandstanding; saying that he is appointing an administrator to the lands; and suggesting to the community in metropolitan Adelaide that rarely thinks about what happens on the lands that this government is being decisive and will do something about it. They appointed a respected police officer, Jim Litster, to go to the lands. He went there. His report was tabled by the Minister for Aboriginal Affairs and Reconciliation and it shows Mr Litster went to the lands in a flying visit. He arrived one evening and left a day and a half later with people complaining that they had not seen him.

The Hon. R.K. SNEATH: I rise on a point of order, sir. The honourable member is not speaking on the Supply Bill. He is debating the issue and taking up a personal attack on individuals.

The PRESIDENT: I remind the Hon. Mr Lawson—the same as I had to remind the Hon. Ms Lensink and others—that this is the Supply Bill. It consists of three clauses and provides for a sum of money out of the Consolidated Account to be issued and applied to the Public Service of the state for the financial year ending 30 June 2005.

Perhaps I should explain further. In the Legislative Council there is no committee of supply as such, as there is in another place which has a special procedure that allows for grievance debates. Based on historical precedence, the discussion of a grievance is not permitted in the upper house. Once we start moving away from the terms of this Supply Bill and start to debate or offer comment or condemnation, or even praise of other things the government is doing, we are in breach of the standing orders and the practice, procedures and protocols of the council. I ask the Hon. Mr Lawson to take that into consideration when he is making his contribution. I do not know that he has strayed as far as others have in the past, but now the point has been raised the obligation has to be met.

The Hon. R.D. LAWSON: I am indebted to you, Mr President, but I assure you that I am here speaking of the application of the \$1.5 billion that is being appropriated in clause 3.1 of this bill. In suggesting that the \$1.5 billion is not being appropriately applied at the moment, I believe that is well within the bounds of appropriate debate on the Supply Bill.

In relation to the expenditure of this government, including the expenditure of \$1.5 billion on Aboriginal affairs, people in the community have every reason to be disappointed with the way in which the government is applying the moneys thus appropriated. When one also realises that, notwithstanding the desperate need of people on the lands, the government and, regrettably, it would appear, the leader of that government, the Premier, is not paying sufficient attention to the real needs of the people on the lands.

I had occasion today to remind the council that the municipal services officer of the Pukatja community, Makinti, said that when the Premier recently went to the lands—for the purpose, ostensibly, of looking at how the money was being applied, what the needs were, having a discussion with the community about how these funds should be applied and what the government could do to assist the people on the lands—she was asked, ‘Where is the Premier?’ and she said, ‘Well, he didn’t actually speak to us. We made

a cup of tea for him. He was over in front of the cameras brought up by the media.’

The Hon. R.K. SNEATH: I rise on a point of order, Mr President. The honourable member is getting off the track again. He is discussing the Premier’s visit to the lands and having cups of tea, which is hardly relevant to the Supply Bill.

The PRESIDENT: I think I would uphold the point of order that the Hon. Mr Sneath makes, unless he was using money allocated to the Public Service to pay for those cups of tea. I remind the Hon. Mr Lawson of his obligations. He is an experienced debater and he knows the rules.

The Hon. R.D. LAWSON: Well, this is a very good example, in my submission, Mr President, of funds being squandered on a political exercise. If the government was seriously interested in husbanding the funds that are appropriated to the benefit of Aboriginal people, we would not have media circuses visiting the lands or officials appointed when people on the lands are expecting a serious meeting to discuss how the funds are to be supplied, and unscheduled visits to the arts centre for the purpose of buying a galah beanie.

The Hon. R.K. SNEATH: I rise on a point of order, Mr President. The honourable member is debating the issue and not talking on the Supply Bill.

The PRESIDENT: I think the Hon. Mr Sneath has made a very valid point. I have tried to be as lenient as possible in these matters. I have pointed out that we give latitude to the lead speaker and that, in my view, is the Leader of the Opposition. I think if the Hon. Rob Lawson continues not to talk about the Supply Bill and about how what he alleges is impinging on the Public Service I will uphold the point of order and, if he continues to resist, I will have to insist that he resumes his seat.

The Hon. R.D. LAWSON: Mr President, I am not surprised that members of the government are embarrassed about the way in which the funds being appropriated in the Supply Bill are being squandered, and I am not surprised that they would be seeking to silence the opposition when these important matters are raised.

I move now to another area of my responsibility, namely, the justice portfolio, which once again demonstrates the way in which this government has squandered the abundant funds that have been made available to it. Let us take, for example, the matter of the Adelaide Women’s Prison which, only 18 months ago, was declared by this government to be a major and urgent project because of its inadequate facilities. The situation was exacerbated by a fire which rendered some of the 50 beds in the facility unusable. However, what has the government done about it, notwithstanding the fact that funds were allocated last year in the expectation that this year there would be a feasibility study to identify precisely where the replacement facility was to be located? This government has completely wimped out on that project and put it over the horizon beyond the current forward estimates. The project has been deferred because of the lame excuse of this government that it was unable to identify a satisfactory site.

Exactly the same excuse was provided for the failure to establish a new youth training centre. The training centre is presently located in entirely inadequate facilities at Magill. For a number of years there has been discussion about replacement of that facility but, once again, this government this year, notwithstanding the abundance of funds available, has announced that the project has been deferred. If this government was serious about its rhetoric on law and order and the measures that have been put before the parliament to

increase the level of sentences, it would be increasing, not decreasing, the prison facilities and the beds available in our correctional institutions. The government simply does not believe its own rhetoric in relation to increasing penalties.

The Hon. R.K. SNEATH: I rise on a point of order, Mr President. The honourable member is debating and not talking on the Supply Bill.

The PRESIDENT: It is a Supply Bill debate. I think I get the drift of what the Hon. Mr Lawson is saying, and that is that they are publicly funded and he believes that they should be more efficient. I hope that is where his contribution is leading about the expending of public funds to run the prisons but, if it is not, he is drifting into the area that has been raised by the Hon. Mr Sneath.

The Hon. R.D. LAWSON: I am glad that my point is perfectly clear to you, Mr President, as I would expect it to be, even though the honourable member opposite is either unable or unwilling to appreciate what is being submitted in relation to these funds. Similarly, in the correctional services area we see that vast amounts of additional resources have been allocated to matters such as workers compensation claims and additional employee benefits with very little concentration on improvement in the efficiency of the services being provided.

We on this side of the house are all in favour of appropriate remuneration for members of the Public Service—we have been great supporters of appropriate remuneration. However, the provision of additional remuneration and additional benefits ought to be met with greater efficiencies, and the provision of greater efficiencies not only depends upon the individual efforts of officers (in the case of the Correctional Services Department), but also the responsibility lies with management and ministers to guarantee that appropriate management mechanisms are in place to ensure that the work force can work at maximum efficiency. In the correctional services area it is clear that that has not occurred.

I support the second reading of the Supply Bill and I look forward to the debate on the Appropriation Bill when a number of these matters can, once again, be agitated and, once again, cause irritation and embarrassment to those opposite.

The Hon. J.S.L. DAWKINS: I rise to support the second reading of this bill which will provide \$1.5 billion to ensure the payment of public servants and the continuation of state government services from 1 July until the Appropriation Bill for the 2004-05 year passes both houses. The Supply Bill gives parliamentary authority to the government of the day to continue delivering services via public expenditure. The government is entitled to continue delivering those services in accordance with generally approved priorities—that is, the priorities of the past 12 months—until the Appropriation Bill is passed.

Initially, it is my intention to highlight and summarise the manner in which small business and local economic development services are provided across the state. I will focus on the efforts of regional development boards and business enterprise centres which receive funding from the Department of Trade and Economic Development as well as local government bodies in the private sector.

The 13 regional development boards which cover all non-metropolitan areas of Australia have a range of backgrounds and impacts within their respective regions. The following organisations were established in the 1980s for specific local purposes: the Riverland Development Corporation; the Port

Pirie Development Board (as you, sir, would well know); the Northern Adelaide Development Board (which I was aware of); the Whyalla Industrial Development Executive; the Green Triangle Council for Regional Development (which, of course, included a number of local government areas both in the South-East of South Australia and the western districts of Victoria); and the Southern Development Board (Adelaide). By the early 1990s, under a modest regional development initiative, the following committees had also been established: the Lower Eyre Enterprise Committee, the Kangaroo Island Development Committee, the Port Augusta and Flinders Ranges Development Committee, and the Clare and Environs Regional Development Committee.

The current framework evolved in 1992 with the introduction of significantly higher levels of funding and the five-year resource agreements between the state government, local government and the individual regional development boards. The Office of Regional Affairs was established by the current government to bring together the Regional Business Services Unit within the former department of industry and trade and the Office of Regional Development. Part of the charter of the Office of Regional Affairs is to provide funding and support to the state's regional development boards to enable them to undertake local leadership and bring employment and wealth creation that leads to more resilient local communities.

All the RDBs within the framework are now in their third resource agreement. Annual funding levels from state government under the resource agreements are currently in this order: core funding is allocated in three categories—\$215 000 for the larger boards, \$185 000 for the other boards, with the exception of the Kangaroo Island board which gets \$165 000 for core funding; \$55 000 is allocated to a business adviser for each board; and the Northern and Eyre areas boards receive \$30 000 for a remote area officer. Other payments through the Office of Regional Affairs include: a discretionary payment of \$50 000 on an annual basis and also \$20 000 for TradeStart officers who are based within the Upper Spencer Gulf and with the Eyre, Riverland and Limestone Coast Regional Development boards.

This funding allows these officers to work as regionally based representatives of Austrade, which is funded by the commonwealth government. I have particular experience of the excellent work done by the TradeStart officers, particularly the one based with the Riverland Development Corporation at Berri. That gentleman, Mr Graham Gates, does an excellent job in the development of export businesses in the Riverland region.

In conjunction with state and local government funding partners and, in the case of the Northern and Eyre Regional Development boards, the Outback Areas Community Development Trust, the primary role of the regional development boards is to facilitate sustainable development, business investment and employment growth in regional areas. Secondary outcomes include: promotion of infrastructure development, including identification of gaps in the economic base of the region; developing and maintaining a comprehensive regional profile to support the attraction of new investment in the region; developing business capacity capability in the region; and encouraging product innovation and promoting exports.

A typical regional development board is an independent organisation incorporated under the Incorporated Associations Act, with between 9 and 15 voluntary members drawn from industry, local government and relevant community bodies. Ideally, members are recognised and respected local

leaders who have strong business acumen, a good appreciation of regional economic development issues, and wide ranging community and other experience.

The state government plays no role in appointing the chairs or board members to the regional development boards. It does, however, require a minister's representative, currently delegated to area managers within the Office of Regional Affairs, to have a participatory role at board level but with no voting entitlements. These ex-officio members contribute to the board's outcomes through providing relevant information, identifying potential funding sources, and providing linkages to other government agencies in advising on corporate governance matters. As well as working with a wide range of organisations in the individual regions, the RDBs are all members of the peak body, Regional Development SA, which plays an important role in lobbying for the regions of the state as a whole sector.

Since the first report of the Economic Development Board recommended a reduction in the number of RDBs to six, there has been a significant question about the future of the current structure. This has led to a high level of uncertainty amongst staff and the volunteer board members of many RDBs. This was exacerbated by the creation of only six regional facilitation groups. In the absence of a decision about the future of RDBs by the former minister, the Hon. Rory McEwen, RDSA commissioned its own report. Funding support has come from the South Australian Regional Organisation of Councils, while the current minister indicated that the government would also provide financial assistance for this review.

I will now turn to the role and capabilities of the Business Enterprise Centre Network. This network also includes the Salisbury Business Export Centre. The BEC network has been the outsource provider of small business support services on behalf of the Centre for Innovation, Business and Manufacturing (CIBM) for a number of years. It does this through seven BECs located across the metropolitan area, working under the auspices of the peak body, BECSA. The services currently provided by the BEC network are:

- Provision of free confidential partial front line business advice.
- Business referrals to specialist advisers, industry groups and government programs as necessary.
- Promotion of programs and initiatives provided by CIBM to foster business best practice.
- New business support and mentoring.
- Dissemination of key business information from a wide range of government and business support organisations.
- Provision of business support resources.
- Business performance analysis.
- Business skills development and training.
- Facilitation of business collaboration and networking.

The current partnership with the BEC network also offers significant additional benefits and advantages to the government and the small business sector, reinforcing its value as the preferred supplier of front line small business service delivery.

BECs are specialist providers of service to small business, in particular. They use limited state government funding to leverage significant local government funding. In 2002-03, the state government contributed \$593 600 to the BEC network. In the same year, local government contributed \$407 000 and private enterprise contributed \$300 000, while in kind support is conservatively estimated to be in excess of \$230 000.

BECs successfully sourced commonwealth and state government funding for complementary programs. They provide an impartial service across the board to all levels of small business. They encourage and facilitate the development of business plans and provide one-on-one business advisory services to over 5 000 small businesses each year, including 1 500 start-ups. They deliver services at the local level in a cost effective manner, identify and develop small businesses within import/export potential and, where appropriate, referrals to specialist advice, and demonstrate a high client service culture as verified by independent client satisfaction surveys.

They enjoy the support of the corporate sector in all levels of government, yet are regarded as independent and autonomous. They operate under independent boards, comprising representatives from local government and local business, are adaptable and have valuable knowledge of their local environment. They deliver practical and hands-on business advice with flexible operating hours to accommodate the needs of small business. They provide a strong metropolitan wide coverage reaching over 30 per cent of all businesses and 20 000 to 25 000 small businesses in metropolitan Adelaide. They are part of an Australia wide network of 140 BECs which have:

Demonstrated an ability to deliver small business training BECs in specific areas of need; they provide networking and synergy opportunities both with local businesses and across the BEC network; develop strong educational and training linkages with local schools, TAFE colleges, universities and regional training organisations; and they develop and maintain an extensive network of local third-party professional referral services, and are ideally placed to act as a conduit for their respective local government stakeholders and to contribute to their local government business development goals.

As evidence of the success of the SABECs, an audit of start-up businesses that have received assistance from a BEC indicated that at the end of 12 months 96 per cent were still in operation with an average turnover of \$167 000 and 2.2 full-time equivalent jobs created per business. At the end of 24 months of operation, 77 per cent were still in business with an average turnover of \$192 000 and 2.85 full-time equivalent jobs created. Other research indicates that the overall success rate of start-up businesses after 12 months of operation is 30 per cent to 40 per cent. In addition, independent surveys undertaken each year from 1998 to 2001 returned exceptional client satisfaction levels of between 80 per cent to 100 per cent for the entire SABEC network.

Like Regional Development Boards, the seven SABECs have a peak body, BECSA, as I previously mentioned, which provides a single point of contact for the BEC network and a forum for participants as well as vital leadership and advocacy for small business enterprises in the metropolitan area. BECSA believes that the BEC network has a proven track record of service delivery to the small business sector in metropolitan Adelaide. For them to sustain this level of service and to continue to improve, there are some requirements that will need to be met, and they are:

- a dedicated resource be provided by the Department of Trade and Economic Development; and
- the new Office of Small Business facilitate coordination of BEC activities and improve communication;
- longer term funding be provided of an adequate level;
- maintain a sustainable BEC business information and advisory service;

- that DTED continue to provide innovative business, information and support programs to the BEC network to assist them in the provision of free and impartial small business advice and support;
- a mutual agreement outlining defined outcomes and performance measures be established between the government and the BEC network.

The network of BECs has undergone a number of reviews within DTED in recent times. There has been considerable speculation about the reduction in the number of BECs from seven to five; indeed, a joint working group made up of DTED and metropolitan local government CEOs is continuing. The minister only last week, five weeks from the end of current funding arrangements, announced further funding for the existing network for a further 12 months. This was accompanied by a statement that a final determination of the future of BECs could be up to seven months away. As is the case with Regional Development Boards, this uncertainty does not provide a healthy environment for staff and the volunteers who put a significant effort into the work of the individual BECs. As the proven providers of important small business and the economic development services at the local level across South Australia on behalf of the state government and in association with local government and other organisations, RDBs and BECs are deserving of much greater certainty and vision for the future than is currently the case.

In debating the Supply Bill and its relevance to the continued work of public servants and state government agencies with community groups, I would like to refer to the Indigenous Medical Scholarships Project, which has been developed by the Australian Rotary Health Research Fund in cooperation with the state government. This project was a jointly funded initiative between Rotary and the previous state government through the Department of Human Services on a dollar for dollar basis. This initiative has continued with the current government. The purpose of the Indigenous Medical Scholarships Project is to increase the number of indigenous doctors and by so doing improve the health of Aboriginal people, particularly in remote areas of South Australia where access to basic preventive medical treatment is often difficult.

There is certainly a need for more doctors, indigenous and non-indigenous, who are prepared to work in Australia's rural and remote areas. Indigenous doctors can and do make a difference and help improve the health status of their people. For example, research carried out at the Inala Community Health Centre in Brisbane found that with an indigenous health team, including an indigenous doctor, more indigenous people attended for consultations. The patients found that the indigenous health team understood their needs better and overall health improved as a result. In New Zealand, an increased number of Maori and Pacific Islander medical graduates has led to an increase in access to health care by under-served Maori and Pacific Islander communities.

Indigenous doctors are important role models for other indigenous people considering career opportunities in health. They also provide community advocacy and leadership in other related areas such as housing, education and community services. It is also important to realise that the training of more indigenous doctors will assist in the process of indigenous people and communities taking more control of their health and the way that services are delivered.

Rotary offers scholarships to selected students in consultation with the Aboriginal Services Division, the Department of Human Services and the universities. The amount of the

scholarship is \$5 000 per year, with the actual cost to the sponsoring Rotary clubs being \$2 500 per year. Medicine is an expensive, lengthy and arduous course. The scholarship can make all the difference to a struggling student, especially since indigenous students are often of mature age and have a family to support. Rotary encourages sponsorship clubs to treat their students much like exchange students, with occasional invitations to meetings and the knowledge that members of the club are there as a source of encouragement and advice. This approach has been greatly appreciated by students and the Department of Human Services.

Aboriginal health statistics tell us that indigenous Australians have a life expectancy approximately 20 years less than non-indigenous Australians. Indigenous men are four times more likely to die before 50 than their non-indigenous counterparts, of whom only 13 per cent die before that age. The infant mortality rate in indigenous children is between two and four times that of non-indigenous Australians. One in four indigenous adults suffer from diabetes. Trachoma is a readily preventable eye disease which can cause blindness. It affects more indigenous children in remote communities. The incidence of circulatory and kidney disease and cancer is far in excess of that experienced by the rest of the population.

Although still in its infancy in South Australia, the Indigenous Medical Scholarships Project has already proven that it can make a difference. I understand that it has been taken up by the New South Wales government in recent times. That is an excellent tribute to the Rotary club of Mitcham, which was the club that originally suggested this project. I support the continued development of sponsorship for this project across South Australia through the three Rotary districts that encompass those areas of the state. In addition, I endorse the decision by the Labor government that the joint funding of the project should continue.

I again commend the passage of this bill through the Legislative Council so that it can provide \$1.5 billion for the provision of state government services to the community. In closing, I support this bill, as it will facilitate the continuing delivery of public services such as those which are exemplified in the Regional Development Boards, the Business Enterprise Centres and the Indigenous Medical Scholarships Project.

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

STATE PROCUREMENT BILL

Adjourned debate on second reading.
(Continued from 27 May. Page 1636.)

The Hon. R.D. LAWSON: I indicate opposition support for the passage of this bill. My colleagues in another place the Hon. Mrs Kotz and Liberal Party member for MacKillop, Mr Williams, have outlined the features of this bill in quite some detail and have commented extensively on it. I think it is fair to say, as they have, that this bill does not make many substantial alterations to the existing regime relating to procurement in this state. The insertion of a new objects clause, whilst trumpeted by the government, is not of great practical significance.

Statements in the objects of an act to say, for example, that procurement from public authorities should be directed towards obtaining value in the expenditure of public money

and providing for ethical and fair treatment of participants, etc., are really only motherhood statements and have been well accepted in the principles relating to government procurement for many years. That said, we do not object to the inclusion in this bill of a statement of that kind—not that we think it is going to make any difference to the way in which procurement operates in this state. It is a pity that the minister who introduced the bill, the Hon. Jay Weatherill, and the Hon. Michael Wright who has taken over portfolio responsibilities in this area, did not come clean and mention some of the procurement hiccups which this government has encountered.

For example, the ICT tendering, which was the subject of adverse comment by the Auditor-General, and the procurement in relation to the MRI scan machine for the Queen Elizabeth Hospital exposed a number of weaknesses in government procurement processes. These were matters that the government omitted to mention. It preferred to comment on what it perceived to be politically advantageous and snide remarks about Motorola and EDS—major contracts entered into by the previous government.

In the previous government I did have the honour of serving for some time as the minister for administrative services with responsibility for this area. I would like to take the liberty of referring to a plan adopted by the board in 1998 and 1999, entitled the South Australian Government Procurement Reform Program, which was issued by the then chair of the State Supply Board, Anne Howe. I believe that it is a very good report, a very good program, which, in this legislation, is finally reaching fruition, in a legislative sense, although many of the matters referred to in the program were implemented administratively over the intervening years.

One thing which that report noted and of which members ought be aware is the great change that has occurred over recent years in government procurement. For example, in 1998-99 the total government spend on goods and services was \$1.1 billion, and almost 70 per cent of that expenditure was for services; some 30 per cent for goods and only 2 per cent for consultancy services. If one had looked at the situation 20 years before that, one would have seen that the proportion of goods to services was largely reversed. In other words, traditionally, state supply boards and procurement offices were primarily responsible for the acquisition of goods.

In the 2001 amendments to the State Supply Act, we extended the role of the State Supply Board over services as well as goods to acknowledge that change. I would ask the minister to put on the record when he responds an estimate of the current total state government spend on procurement and also to provide the current breakdown of that spend into services, goods and consultancy services.

One other thing that I learnt in government—and, I think, many people might not be sufficiently familiar with this—was that the old system, whereby governments would go to the market with a publicly advertised tender and, by and large, accept the lowest tender, was not necessarily good procurement policy. Very often the cheapest goods are not the most appropriate for particular needs. Certainly, when one got into the area of acquiring services, the cheapest services were not always the best. Very rarely are cheapest services the best.

Take, for example, tendering for an architect to design a school. Would one necessarily accept the lowest tender in a case for a service of that kind? Why would the person who offers to do something for the least money provide the best

service in terms of skill, competence, experience and value for money? So, in order to assess what is the best value for money in the provision of services, one needs to have a great deal more expertise, skill and appropriate procedures to identify—and fairly identify—what is the best value for the taxpayers' dollar. It was for that reason that a great deal of the procurement reform program involved not only the devolution to agencies that are actually responsible for using services and goods but also an insistence upon what were termed accredited procurement units and made up of people with specialist expertise in modern procurement.

It is a highly skilled and professional area, and governments traditionally were slow to adopt the sort of skills, training, education and strategies which were adopted in major corporations, for example. It was also necessary, as part of the procurement reform process, to look at a number of whole of government contracts. I see, for example, in the 1998-99 report that there were a number of whole of government contracts. Take fuel and lubricants, for example. It is clearly to the advantage of the government to aggregate its buying power across the whole of government to ensure that we could procure from one or more suppliers fuel and lubricants at the lowest possible unit price.

At that time we were spending about \$40 million a year on fuel and lubricants. An appropriate whole of government contract was let through the State Supply Board and each government agency was entitled to make purchases off that contract but relying upon the price that had been centrally negotiated. Take also the case of personal computers, PCs, for which there is huge usage within government. The procurement strategy in that case was to select a number of suppliers who would agree to meet particular performance standards and who were prepared not only to meet those standards but also to commit to availability, service, delivery and price. Simply buying the cheapest was never going to be the best option on a contract of that kind.

Similarly, with clerical and administrative temporary staff services. Most agencies have occasion to use and very often frequent occasion to use temporary staff services to meet shortages, illnesses and leave—maternity or otherwise—and it was the practice of agencies to engage whomever they deemed appropriate, but there are many quite significant businesses providing these temporary staff services and, as a result of a competitive tender process, a panel of suppliers was established which provided benefits to government as a whole.

I mention only one other: travel services. The amount of travel that is undertaken by the 60 000 members of the South Australian Public Service is considerable. We receive a little criticism in the media about the travel expenses of members of parliament, but I can assure the chamber that the expenditure on that particular form of travel pales into insignificance behind the necessary travelling of government officers, and by procuring appropriate deals it was possible to effect significant government savings.

As I say, this new bill will continue the process of improving our procurement reforms. I commend the government for continuing the program, or at least I accept its assurance that it is continuing these programs. We look forward with interest to the reports of the Auditor-General to tell us whether or not the government is meeting its claimed high standards in relation to procurement. We do applaud the fact that the new bill will expand the membership of the board from six to nine and removes some of the nominated persons to the board, looking to ensure that what we have on

this board is not necessarily someone who has been nominated by the United Trades and Labor Council, or any other similar organisation, but looking to people who have knowledge and experience in relative fields.

I am glad to see that the government has foreshadowed that, during the committee stage, it will be moving an amendment to accommodate some of the concerns which were expressed in another place about the committee structure which is part of the new board. We do believe that committees ought to have a member of the main board on them to ensure not only knowledge but accountability. With those brief remarks, I indicate support for the passage of this bill.

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

**STATUTES AMENDMENT (INTERVENTION
PROGRAMS AND SENTENCING PROCEDURES)
BILL**

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I move:

That a message be sent to the House of Assembly granting a conference as requested by that house; that the time and place for holding the same be the Plaza Room on the first floor of the

Legislative Council at 4 p.m. on Thursday 3 June 2004; and that the Hon. A.L. Evans, the Hon. R.D. Lawson, the Hon. R.K. Sneath, the Hon. N. Xenophon and the Hon. C. Zollo be the managers on the part of this council.

Motion carried.

ESTIMATES COMMITTEES

The House of Assembly requested that the Legislative Council give permission to the Minister for Industry, Trade and Regional Development (Hon. Paul Holloway) and the Minister for Aboriginal Affairs and Reconciliation (Hon. Terry Roberts), members of the Legislative Council, to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill.

The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development): I move:

That the Minister for Industry, Trade and Regional Development and the Minister for Aboriginal Affairs and Reconciliation have leave to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

Motion carried.

ADJOURNMENT

At 11.03 p.m. the council adjourned until Thursday 3 June at 11 a.m.