

## LEGISLATIVE COUNCIL

Monday 19 July 2004

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

## QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: Nos 107, 253 and 270.

## WATER SUPPLY

## 107. The Hon. T.G. CAMERON:

1. Since the outsourcing of the operations to United Water in 1996—

- How much money has the Government collected from water and wastewater charges;
- How much has been paid to Treasury as dividend;
- How much of this money is the so called “Community Service Obligations”; and
- How are they calculated?

2. How much money has United Water spent in improving the water and wastewater system through the construction of major new works that would improve the water supply to South Australia?

3. What are the methods used by other Australian State owned water companies in depreciating their assets when comparing operational and maintenance costs to Asset Value as used by SA Water?

4. How much has SA Water spent, and on what, on improving the water supply through the construction of major works, excluding investment for the environment and safety upgrades?

5 During 2001-2002—

- Did SA Water commission any engineering or technical related consultancies; and
- If so, why were they not listed in its 2001-2002 Annual Report?

6. (a) How does the average water and wastewater tariffs charged to the people of South Australia compare with other States; and

- With such a large profit being made by the South Australian Water Corporation, can these tariffs be reduced if the money is not being used to improve the water and wastewater services for the people of South Australia?

7. Considering the current perilous state of our water supplies, which members of the Board of SA Water and the Executive of SA Water have engineering or scientific qualifications relevant to the running and development of water and wastewater systems?

- (a) What programs exist to improve the technical skills of the Senior Executive and Board of SA Water in order to have the ability to meet the challenges for ensuring the future reliability of supply of water to South Australia; and
- If none exist, will they be introduced?

9. (a) What plans exist to coordinate activities of the different South Australian Government Departments and SA Water charged with the management of water and wastewater services; and

- If none exist, will they be introduced?

10. Of the major capital works program being managed by SA Water Corporation—

- How much is being spent on the so-called Environment Improvement Program (EIP) for improving the wastewater services for South Australia;
- When will this Program be completed; and
- What delays have been experienced so far since its inception and the “Bolivar pong incident”?

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

1. Question has been answered previously. Response tabled on 24 November 2003, page 597.

2. Question has been answered previously. Response tabled on 24 November 2003, page 597.

3. Question has been answered previously. Response tabled on 24 November 2003, page 597.

4. Question has been answered previously. Response tabled on 24 November 2003, page 597.

5. Question has been answered previously. Response tabled on 24 November 2003, page 597.

6. Question has been answered previously. Response tabled on 24 November 2003, page 597.

7. Dr Graham Allison, appointed as a non-executive director of the Board in 2001, has qualifications that include a Bachelor of Science and a PhD in Chemistry. He has had many years of involvement with water and environment related organisations including the Cooperative Research Centres for waste management and pollution control, catchment hydrology and freshwater ecology. Dr Allison was also head of the CSIRO Division of Water Resources, a national research body. Two senior executives of SA Water have science and engineering degrees, both gaining honours in civil engineering. The head of water services has 31 years of water industry experience.

8. SA Water’s senior staff are well qualified to meet the challenges faced in ensuring the future reliability of supply of water, and have an extensive background in water and wastewater management. This is supplemented by ongoing professional development and close collaboration with other agencies of government concerned with water and natural resource management.

9. In July 2003 Cabinet approved the creation of a Water Policy Coordination Group to represent the views of those Government organisations that have specific water interests. These include SA Water and the Department of Water, Land and Biodiversity Conservation, the Department of Primary Industries and Resources of SA, the Department of Environment and Heritage, the Department of Treasury and Finance, and the Department of Business, Manufacturing and Trade.

The Group was formed to consider a range of high level water related issues and water-related initiatives such as the Water Proofing Adelaide study which is examining the long-term water supply options.

In addition, a high level task force on the River Murray has been established comprising representatives from the Department of Water, Land and Biodiversity, the Department of Environment and Heritage, Environmental Protection Authority, the Department of Premier and Cabinet, the Department of Primary Industries of SA, the Department of Transport and Urban Planning, the Department of Treasury and Finance and SA Water to advise the Government how to maximise the value of the resources of the River Murray for the people of South Australia.

10. The SA Water capital works budget for the Water Services Group for the financial year 2003-04 is \$150 million of which \$66 million is allocated to the environment improvement program (EIP). The total EIP contains over \$300 million of capital works in metropolitan and country wastewater treatment plants to reduce nutrient discharge, reduce odours and maximise reuse where possible.

Projects currently in progress:

- \$98 million Bolivar high salinity project – Relocation of Port Adelaide wastewater treatment plant (WWTP), scheduled for handover end June 2005.
- Victor Harbor WWTP – the letting of a build, own, operate and transfer contract has been approved by Cabinet. The project will include a reuse scheme.
- \$14.3 million Whyalla WWTP and reuse scheme is expected to be completed by June 2005.

Plants completed include:

- \$38 million Bolivar WWTP dissolved air flotation and filtration plant completed in 2002, providing reuse treated effluent to the Virginia Pipeline Scheme for irrigation.
- \$72 million Bolivar WWTP completed in 2002, involving the upgrade to the treatment process to reduce odour emissions from the Bolivar plant. This was completed on schedule.
- \$31 million Glenelg WWTP completed in October 2002.
- \$11 million Christies Beach WWTP completed in July 2002.
- \$7.75 million Port Pirie WWTP completed in December 2003.
- \$10.4 million Heathfield WWTP completed in early 2004.

## FISHERIES, INSPECTORS

253. **The Hon. CAROLINE SCHAEFER:**

1. Is there any impediment to the holding of an interest in a fisheries business by a fisheries inspector?

2. Have any inspectorial appointments been revoked in respect of this?

**The Hon. T.G. ROBERTS:** "The Minister for Agriculture, Food and Fisheries has provided the following information:

The Fisheries Act 1982, s27 states:

Restriction on interests of fisheries officers

27.(1) A fisheries officer must not, without the consent of the Minister—

(a) have any proprietary or pecuniary interest in a business, or a company or trust that has an interest in a business, involving the taking of fish or dealing in or with fish; or

(b) act as agent for a person who has any such proprietary or pecuniary interest in any matter connected with such a business.

(2) Where a fisheries officer appointed under section 25(1) is convicted of an offence against subsection (1), the officer ceases, on that conviction to hold office as a fisheries officer under this Act.

(3) A person (other than a fisheries officer) engaged in the administration of this Act must, if he or she has an interest of a kind referred to in subsection (1)(a), declare the interest to the Minister.

Penalty: Division 7 fine.

Therefore in response to the first question, I can advise that Fisheries Officers cannot have a pecuniary interest in a fisheries related business. In relation to your second question, I am advised that no Fisheries Officer has been dismissed or had their appointment terminated, due to being found to have held a pecuniary interest in a fisheries related business.

## COMMUNITY SERVICE COMMITTEES

270. **The Hon. A.J. REDFORD:** With regard to Department of Correctional Services community service centres, can the Minister for Correctional Services list:

1. Each community service committee for each correctional services community service centre; and

2. Each member of those committees?

**The Hon. T.G. ROBERTS:** I advise:

As requested, I now provide the name and membership of each Community Service Committee:

Community Service Advisory Committee

Lindsay Murray Thompson Chairperson (Minister's representative)

Raymond Kidney Member (Minister's representative)

David Trenouth Member (Union Representative)

Jeff Andrews Member (Chief Executive's Representative)

Adelaide Community Service Committee

Helen Gooley Chairperson (Chief Executive's Representative)

Richard Brown Member (Magistrate)

Christine Butler Member (Chief Executive's Representative)

Carol Jurd Member (Chief Executive's Representative)

David Trenouth Member (Union Representative)

Berri Community Service Committee (also services Mount Gambier and Murray Bridge)

Margaret Crossfield Chairperson (Union Representative)

Aubrey Mattner Member (Chief Executive's Representative)

Stefan Peter Metanomski Member (Magistrate)

Peter May Member (Chief Executive's Representative)

Ceduna Community Service Committee

Brett Graham Dalzell Member (Union Representative)

Anthony Dew Chairperson (Chief Executive's Representative)

Anthony John Irvine Member (Chief Executive's Representative)

Susan Spriggs Member (Justice of the Peace)

Elizabeth Community Service Committee

Elizabeth Bolton Member (Magistrate)

Carmen Bryan Chairperson (Chief Executive's Representative)

Gail Cannon Member (Chief Executive's Representative)

Lindsay Spackman Member (Union Representative)

Noarlunga Community Service Committee

Doris Crain Member (Chief Executive's Representative)

Gordon Curtis Member (Justice of the Peace)

David Nankivell Chairperson (Chief Executive's Representative)

Dot Stagg Member (Chief Executive's Representative)

David Trenouth Member (Union Representative)

North East Community Service Committee

Carmen Bryan Chairperson (Chief Executive's Representative)

Gail Cannon Member (Chief Executive's Representative)

Tom Clarkson Member (Magistrate)

Lindsay Spackman Member (Union Representative)

Elizabeth Ann Bachmann (Recommendation has been submitted to appoint as Chief Executive's Representative)

Port Adelaide Community Service Committee

Ian Buckley Member (Chief Executive's Representative)

Malcolm Herrman Chairperson (Chief Executive's Representative)

Shane Richardson Member (Justice of the Peace)

David Trenouth Member (Union Representative)

Rudi Brunner Member (Chief Executive's Representative)—Currently vacant as occupant has been temporarily re-assigned within the Department

Port Augusta Community Service Committee

Robert Havelberg Chairperson (Chief Executive's Representative)

Graham Hunt Member (Chief Executive's Representative)

Peter Manuel Member (Justice of the Peace)

Peter Newman Member (Chief Executive's Representative)

Vacant Member (Union Representative)

Port Lincoln Community Service Committee

Warren Dickie Member (Chief Executive's Representative)

Jennifer Milic Member (Justice of the Peace)

Geoff Steer Chairperson (Chief Executive's Representative)

Margaret Tilsner Member (Chief Executive's Representative)

Vacant Member (Union Representative)

Port Pirie Community Service Committee

Christopher Clarke Member (Chief Executive's Representative)

Brian Condon Chairperson (Chief Executive's Representative)

Sam Laforgia Member (Chief Executive's Representative)

Rod Skuse Member (Union Representative)

Beverley Stains Member (Justice of the Peace)

South West Community Service Committee

Deirdre Butler Member (Chief Executive's Representative)

George Haig Member (Justice of the Peace)

Mark Hynes Chairperson (Chief Executive's Representative)

Audrey Nicholson Member (Chief Executive's Representative)

Noel Paul Member (Union Representative)

Whyalla Community Service Committee

Margaret Butson Member (Chief Executive's Representative)

Elizabeth Henderson Chairperson (Chief Executive's Representative)

Pablo Rosa Member (Justice of the Peace)

Jean Oates Member (Chief Executive's Representative)

John Watson Member (Union Representative)

Marla

Community Service projects for the Anangu Pitjantjatjara Lands (APY Lands) are carried out in the APY Lands by a two person Community Service work team who visit the APY Lands and Yalata communities for 17 day periods at a time to work with community service clients. Projects undertaken by the team are approved by senior community members.

Coober Pedy

Projects for this area are considered and approved by the Port Augusta Community Service Committee.

### LOCAL GOVERNMENT, ANNUAL REPORTS

**The PRESIDENT:** I lay on the table annual reports 2002-03 of the City of Tea Tree Gully, the District Council of Franklin Harbor and the District Council of Yankalilla, pursuant to section 131(6) of the Local Government Act 1999.

### PORT AUGUSTA PRISON

**The Hon. T.G. ROBERTS (Minister for Correctional Services):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. T.G. ROBERTS:** I wish to advise this chamber that on Tuesday 6 July I was informed of an incident that occurred at the Port Augusta Prison. I was informed that a prisoner was unlawfully absent from a low security section of the Port Augusta Prison on 9 June 2004. Investigations have commenced, and will continue, as to whether there were any other possible unlawful absences. This type of incident should have been reported immediately to the Chief Executive of the department, and then to me, but, unfortunately, in this case, the reporting did not occur as it should have. The Chief Executive has issued an instruction to all senior managers in the department reminding them of their obligations in relation to incident reporting.

This prisoner was accommodated in a low security area of the prison at the time. This area is surrounded by a fence and is subject to regular perimeter inspections by prison officers. Initial reports indicate that this prisoner was absent for only a short amount of time.

Although it is a low security area and many of these prisoners are involved in mobile work camps outside the prison, I have ordered increased security arrangements for this area of Port Augusta Prison. I have ordered that the existing security arrangements be augmented by the installation of an alternative electronic security system at the low security section of Port Augusta Prison and an investigation into the best technical solution be undertaken as a matter of urgency, and that a review of prisoners accommodated in the low security area be carried out to establish their continued suitability for accommodation in that environment.

Although any escape is unacceptable, it must be remembered that Port Augusta has a very good security record. Before this incident, the last escape from Port Augusta was in October 1999. It is also worth noting that this escape was only the second escape in South Australia during the past financial year. This is the lowest in the past decade and is much lower than the 34 escapes in 1994-95.

*The Hon. A.J. Redford interjecting:*

**The PRESIDENT:** Order! This is not questions and answers: it is a ministerial statement.

### WATTLE POINT WIND FARM

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. T.G. ROBERTS:** On 25 May this year, following an application from Wattle Point Wind Farm Pty Ltd, I determined the existence of three sites within the area of land of the proposed Wattle Point wind farm as Aboriginal sites, as defined under the act. Wattle Point Wind Farm Pty Ltd then made an application for me to authorise the wind farm to proceed. On 6 July I made an authorisation pursuant to section 23 of the Aboriginal Heritage Act 1988 in relation to an area proposed for a wind farm development at Wattle Point on Yorke Peninsula. Following the application, an extensive consultation process occurred. This included:

- written invitations to comment sent to relevant Aboriginal organisations, as well as more than 240 individuals;
- discussions with five small groups and individuals to canvass a range of Aboriginal community views about the proposed wind farm development;
- an Aboriginal community meeting at Port Victoria on 11 June 2004;
- receipt of two written submissions from Aboriginal groups concerned about the proposed development;
- I, as minister, walking the land with Aboriginal heritage groups; and
- a meeting of the South Australian Aboriginal Heritage Committee on 22 June 2004, which proposed a number of conditions for the minister to consider in relation to any authorisation to disturb the site.

As a result of this consultation and the recommendations of the South Australian Aboriginal Heritage Committee, I authorised the project to go ahead, with very strict conditions. Those conditions include a requirement for the developer to:

- protect two identified archaeological sites and to obtain archaeological advice to assist the protection and management of any other sites or objects that may be located on the land during the construction of the wind farm;
- provide cultural awareness training for contractors working on the wind farm, and appropriate signage to inform visitors about Narungga culture and heritage; and
- engage Aboriginal cultural monitors during the initial ground disturbance works associated with the wind farm.

The authorisation also allows the continuation of all existing residential and primary production uses on the subject land and all existing and future uses ancillary to those uses.

There has been some speculation that this authorisation disturbs burial grounds or other registered archaeological sites. This is not the case. From all the research that has been undertaken and all the consultations that have occurred, there is no evidence of burial sites or further archaeological sites in this area. The two known archaeological sites are protected by the authorisation, and if further such sites are discovered during work on the wind farm they will be protected under the Aboriginal Heritage Act.

I also commended the approach taken by Wattle Point Wind Farm Pty Ltd and Meridian Energy Ltd in recognising the advantages of working within the Aboriginal Heritage Act. I wish to express my appreciation to all the parties that took part in the determination and authorisation processes, particularly the Aboriginal groups and individuals who provided advice, comment and assistance throughout those

processes. I know that these groups will continue to work to protect Aboriginal heritage in the Yorke Peninsula area.

## QUESTION TIME

### GREEN CITY DEVELOPMENT

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

Leave granted.

**The Hon. R.I. LUCAS:** On Tuesday 13 July, the Premier and the Minister for Infrastructure put out a joint statement under the heading 'Government backs \$600 million green city development' which states:

The Rann government will help kick-start a \$600 million city development by agreeing to lease up to 10 000 square metres of office space in a proposed 5-star green and energy rated office tower.

Later in the press statement the Premier indicated the following:

No doubt some will criticise this as a direct negotiation with Caversham instead of going into a tender process. But a tender simply couldn't achieve what this deal does.

Subsequently, in further radio interviews on that particular day 5DN reported the following:

The state government has gone outside the tender process to lease seven floors of Adelaide's first green office tower. It's taken out a 10 year lease on the building at a cost of \$33 million.

Further, on ABC Radio, in seeking to defend the critical question obviously put to him, Mr Conlon stated the following:

We'll leave it to the public to judge. I think that securing a development of this size and keeping building activity in the CBD for five years is well worthwhile, and I'm prepared to accept the criticism for it.

On that day, members of the media told the opposition that the government had advised the media that the additional cost, over what would be expected to be paid for office space under this proposed lease, was up to \$700 000 per annum for the 10-year lease arrangement. I hasten to add that the opposition is not in a position to know whether or not that claim is accurate—hence my questions:

1. Is the government paying an extra cost of up to \$700 000 per annum over 10 years, and is the total additional cost to taxpayers of lease payments adding up to \$7 million over the 10-year lease deal?

2. When the Premier and the Minister for Infrastructure refer to a \$33 million lease deal, are the Premier and the minister referring to \$3.3 million in lease payments for each of the 10 years between 2006 and 2016? Are the calculations made on the basis of using 2004 dollars?

3. Did the Premier, the minister and the government comply with all the Treasurer's instructions in undertaking this process? Did the government fulfil all the requirements of the cabinet endorsed policy outlined in the document, 'Evaluation of public-sector initiatives'?

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

### DEATH BY DANGEROUS DRIVING

**The Hon. R.D. LAWSON:** I seek leave to make a brief explanation before asking the Minister for Industry and Trade, representing the Attorney-General, a question about the decision of the Court of Criminal Appeal.

Leave granted.

**The Hon. R.D. LAWSON:** On 7 July the Court of Criminal Appeal in South Australia, comprising a special sitting of five judges in the case of *R. v Payne*, rejected the government's application for the publication of guideline sentencing for the offence of causing death by dangerous driving. In the course of the decision, the court recorded the government's submission as follows, namely, that the government contended:

... the Court should depart from the usual practice of treating youth or immaturity as a mitigating factor, and should treat it as not a matter of mitigation at all. . .

The government submitted a draft guideline which proposed:

... a young offender of substantially good character who pleaded guilty to causing death by dangerous driving of one person, and who was genuinely remorseful, would ordinarily be sentenced to imprisonment unless there was good reason to do otherwise.

Further on in the judgment it is recorded that the Victim Support Service did not oppose the publication of a guideline and proposed a guideline in which a particular mitigating factor would be conduct by the offender of:

... demonstrating 'genuine remorse and acceptance of guilt' by the preparedness of the offender to meet with the victim and family of the victim if they so wished, to offer an apology; by the preparedness to engage in community service by way of reparation, and by the preparedness to undergo treatment for aggressive tendencies, and for drug and alcohol abuse.

In relation to this issue, the court concluded that it agreed:

... the offences in question were particularly appropriate for the use of sentencing options based on the principles of restorative justice.

The court said that a greater emphasis on restorative justice principles will require:

... executive government to provide programs and procedures with appropriately qualified staff who have the necessary resources.

My questions are:

1. Has the Attorney-General received any advice in relation to this particular decision?

2. Is it proposed to apply to the High Court of Australia for leave to appeal against the decision of the court?

3. Was it the contention of the government that youth and remorse should not be regarded as a mitigating factor in order to provide a deterrent to young people driving dangerously? If so, what evidence or statistical information is it based upon?

4. Does the Attorney agree with the court and the Victim Support Service that the offence of causing death by dangerous driving is particularly appropriate for the use of sentencing options based on the principles of restorative justice?

5. Does the Attorney agree that additional resources would be required to enable those options to be employed?

6. What additional resources does the government propose to provide to facilitate greater use of the principles of restorative justice?

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I will refer those questions to the Attorney-General and bring back a response.

### CROWN LEASES

**The Hon. CAROLINE SCHAEFER:** My questions about leaseholders are directed to the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Environment and Conservation, and they are as follows:

1. Why is the Minister for Environment and Conservation and/or his department no longer responding to letters from Crown lease perpetual holders?
2. How many perpetual leases have been converted to freehold since the cut-off date for application at a rate of \$2 000?
3. Why has the cost of lease fees increased, and in some cases doubled, even though leaseholders have applied to freehold?
4. Why has the minister made no attempt to consult with marginal leaseholders who wish to convert to freehold even though he has promised to do so on a case by case basis?

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

### MARKET ACCESS PROGRAM

**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 exports. Leave granted.

**The Hon. CARMEL ZOLLO:** I understand that recently the government launched a new \$700 000 grant scheme to help South Australian companies improve their export performance and assist in achieving the State Strategic Plan target of tripling the value of South Australian exports by 2013. Can the minister provide further details of this important program?

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I thank the honourable member for her question and for her interest in this important subject. The Market Access Program, known as MAP, will provide financial assistance to encourage small and medium enterprises (SMEs) to develop export markets. Under the guidance of the Export Council, MAP will focus on supporting export-related incoming and outgoing missions and developing the export knowledge of South Australian businesses. Key objectives of the MAP program are to help develop the export capability of SMEs, increase their export activity and to help develop an export culture in South Australia. The program will also assist South Australian enterprises to develop sustainable export markets and to adopt a collective or industry approach in developing exports.

MAP meets a significant gap for smaller companies that want to export but are unable to get assistance. It is designed to assist enterprises that may be too small to qualify for the Austrade Export Market Development Grants—commonly known as the EMDG scheme. In general terms, grants will be considered on a dollar for dollar basis until a capped threshold is reached. The Department of Trade and Economic Development, through its Office of Trade, will invite applications from business on a quarterly basis, which will be a competitive process for a limited pool of funds. MAP is designed to complement the Austrade Export Market Development Grant scheme by assisting companies which may be too small to qualify for the EMDG. This is a pilot

program, and it will be evaluated continuously with formal evaluation in three years.

### GREEN CITY DEVELOPMENT

**The Hon. SANDRA KANCK:** I seek leave to make an explanation before asking the Minister for Industry, Trade and Regional Development, representing the Minister for Infrastructure, a question about the recently announced \$600 million Green City development.

Leave granted.

**The Hon. SANDRA KANCK:** As has already been referred to in question time, the Minister for Infrastructure recently announced that the state government has agreed to lease up to 10 000 square metres of office in a proposed five-star green energy-rated 17-storey office tower. The minister's media release states that the commitment in lease payments is \$33 million over 10 years from June 2006 and is a slightly higher cost for office accommodation than the government would otherwise have paid. This deal has similarities to an earlier lease deal entered into by the Brown Liberal government—the 11-storey EDS building on North Terrace. The EDS lease also resulted in the government paying above market rates for the leased office space. At the time Kevin Foley, the then opposition Treasury spokesperson, said of the lease, 'I was equally stunned with precedents: that governments would yet again stumble into buildings paid for by the taxpayer.' After discovering that the EDS lease had not been put out to tender, the Treasurer described the lease as a 'financial scandal'.

The Minister for Infrastructure's recent media release indicates that the green office tower lease deal has also been directly negotiated rather than put out for tender. This morning the now Treasurer was on radio claiming that corporate welfare was a thing of the past. In addition to higher cost for office space in the green office tower, the Minister for Infrastructure has acknowledged that the government will spend \$4 million in fit-out costs for the seven floors it will occupy. My questions to the minister are:

1. What will the state government be paying per square metre for office space in the green office tower?
2. Which sections of which departments will be moving into the building, and what is the current per square metre cost of the office space they occupy?
3. Will any leases be broken in relocating to the green office tower; if so, what penalties will be incurred for doing so?
4. What has been the total cost and the cost above market rates of the EDS lease to taxpayers?

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

### ENERGY COOPERATIVE

**The Hon. A.L. EVANS:** I seek leave to make a brief explanation before asking the Minister for Industry, Trade and Regional Development a question about the energy cooperative.

Leave granted.

**The Hon. A.L. EVANS:** In a recent article in *The Advertiser* of 14 July there were details of a recently formed energy cooperative. On 14 July they had 700 members. The report states that the cooperative had contacted the govern-

ment to discuss assistance in areas such as administrative support but had not yet received a response. My questions are:

1. Is a response being prepared by the government and when will that response be provided?
2. Does the government have any policy on giving financial or other assistance to such cooperatives?

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I will refer that question to the Minister for Energy and bring back a response.

### PAROLE BOARD

**The Hon. A.J. REDFORD:** I seek leave to make an explanation before asking the Minister for Correctional Services a question on the topic of parole.

Leave granted.

**The Hon. A.J. REDFORD:** On 2 July this year the deputy chair of the Parole Board, Mr Philip Scales, wrote to the Minister for Correctional Services indicating that when his current term expires he does not wish to be reappointed. In a scathing letter he pointed out the following:

- a. that there is enormous pressure on the staff of the Parole Board;
- b. that prisoners' accommodation is in disarray;
- c. without rehabilitation and treatment prisoners will come out worse than they went in;
- d. that psychologists were moved from community corrections to the new, long-awaited sex offender program and are therefore no longer available to parolees;
- e. that the board sets conditions of parole knowing that many of them will not be observed because of a lack of resources and supervision;
- f. that there are insufficient numbers of parole officers;
- g. that Victoria and Western Australia have expanded community corrections by \$114 million and 56 officers respectively;
- h. that government public comments have, without any basis, sought to undermine public confidence in the board. These comments were made by a person who has diligently served this state for nearly a decade in this position, earning an Order of Australia for his work.

In response, the minister sought to cover this appalling indictment of his administration by issuing a press release stating that the Parole Board will get \$360 000 per annum, of which \$100 000 was for capital works. It announced improved secretarial support, improved member payments and extra board members. It also said that the government would provide comprehensive rehabilitation programs. It did not say anything about increasing the number of parole officers to supervise parolees. So far the minister has made no public comment other than that press release on Mr Scales' letter, although some of the background briefing of journalists by his officers has been very interesting. My questions are:

1. Has the minister read Mr Scales' letter?
2. Does he agree with Mr Scales' criticisms about the lack of parole officers?
3. Does the minister agree that psychologists were moved from community corrections, making them no longer available to parolees?
4. Is the minister aware of the fact that the Parole Board is imposing conditions of parole that knows it will not be adequately supervised?

5. What is the government doing about this appalling state of affairs?

**The Hon. T.G. ROBERTS (Minister for Correctional Services):** I thank the honourable member for his question and his interest in this matter. He is very well connected in this area as far as his information goes. It is true that the letter from Mr Scales indicates that he is not prepared to stand again for the position after his time runs out, but that does not constitute a resignation. It constitutes the fact that he does not seek to run any longer.

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** I understand that. The Parole Board does a lot of very important work, and it is vital for the government's rehabilitation program. To have an orderly process is far more important to the government than perhaps some commentators around town are indicating. This year's budget provides a significant increase for Parole Board funding and, as a part of the recognition of the honourable member's position in relation to the increased workload that the Parole Board has, we recognised prior to the last budget that there would have to be an increase in the number of Parole Board members and an increased payment made to the people sitting on the Parole Board.

As part of the \$15 million funding boost for correctional services, the Parole Board will be provided with more than \$1 million extra over the next four years. This includes \$360 000 to be allocated to the Parole Board in this year's budget, of which \$100 000 is for capital works to house the board, which was a request made by the board itself. Funds will go towards increased secretariat support, increasing members' payments and providing for extra board members proposed by legislation currently before parliament.

It is interesting to note that the letter from Mr Scales and other criticisms that are coming from the Parole Board have coincided with our first day back here in parliament, but that is the way pressure groups operate and that is the way democracies work, and as a government we accept that.

**The Hon. A.J. Redford:** Should they have done it at another time?

**The Hon. T.G. ROBERTS:** There are other time frames during which negotiations and discussions can take place for changes to be made away from the glare of publicity. But, if that is the way the Parole Board sees the best effect—

*The Hon. A.J. Redford interjecting:*

**The PRESIDENT:** Order!

**The Hon. T.G. ROBERTS:** I am not being critical: I am just pointing it out. It is a tactic that is being used.

*The Hon. A.J. Redford interjecting:*

**The PRESIDENT:** Order!

**The Hon. T.G. ROBERTS:** Having a trade union background, I recognise the legitimacy of organisations and individuals to run their campaigns as they see fit. This government has provided full funding of approximately \$6 million over four years—

*The Hon. A.J. Redford interjecting:*

**The PRESIDENT:** The Hon. Mr Redford has asked his question.

**The Hon. T.G. ROBERTS:** —for the introduction of specialist programs, so it is not true that we are not concentrating on rehabilitation as a key aspect of our programming. I have reported to this council before in relation to the increased funding for sex offenders, violent offenders and culturally appropriate programs that we are putting in place at the moment in relation to rehabilitation. I have met with the new staff of the program. I am deeply impressed by their

determination to make a difference and, in particular, to implement programs in order to make the community a safer place. Certainly, the enthusiasm shown at the first meeting which I attended was pleasing. The state government has got the formation of a good team of people who will concentrate on rehabilitation as a cornerstone for making our recidivism figures improve.

It should be remembered that until recently South Australia was the only mainland state that did not have a prison-based sex offender rehabilitation program; and it is a bit rich for people to complain about some of the other programs we are now starting to put in place, because we are starting again, as I have said in this council on a number of occasions, from a very low base. There are now 22.4 psychologists' positions across corrections, working in a range of programs for prisoners and offenders. There are no fewer psychologists' positions in community corrections as a result of the new rehabilitation programs—which is one of the criticisms that was made.

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** Well, one position was taken out of community corrections, but that position is being advertised and, hopefully, will be filled in time. One community corrections psychologist applied and was selected on merit for the position on the sex offender team.

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** The honourable member makes a very good point. It is very difficult to get people trained in those particular areas to fill the positions. It is a bit like nursing. The program for nursing positions was changed and altered, and there was a lack of encouragement for filling those positions, and suddenly there is a crisis. In relation to child protection and prisoner rehabilitation programs that is the case in Australia at the moment. It is very difficult to get good psychologists who want to make a career out of serving in correctional services. We are in the process of filling those positions. The situation is correct, as far as is stated; that is, there is one position short. That is being advertised and we hope to fill it as soon as possible. The department will continue its aggressive campaign to attract psychologists.

With respect to the offender programs, it should be noted that during 2003-04 approximately 3 050 prisoners and offenders were enrolled in offence-focus programs and over 1 300 were enrolled in education vocational programs. I think what we need to do is advertise more widely what we are doing in order to try to educate those people within the system, as well as the public, that activities are taking place that will concentrate on a lot of the programs for rehabilitation. I hope that, with the setting up of the team within government services and the support they should provide, hopefully we will be able to come to terms with some of the problems that have been raised in this council by members opposite and by my making declarations that we have a shortage of trained skilled people within the system. But we are working on the Canadian model (of which Mr Scales is quite supportive) and, over a number of budgets, we will try to fill the gaps using—

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** He may have been a part of the team that made suggestions—

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** It is quite possible. A number of people have been working their views and ideas through the system, and they have finally come to fruition. If the author of the letter was a part of the formation of the

skills development team that we now have, I would certainly like to pay tribute to him for being a part of that team. I encourage him to follow the team's progress and to provide progress reports of how the team is working and some of the projects which have commenced and which it will be working on through a number of budgets.

**The Hon. A.J. REDFORD:** Sir, I have a supplementary question. What has the minister done to educate people within the system—particularly given that I am getting an avalanche of leaks at the moment?

**The Hon. T.G. ROBERTS:** I take the honourable member's suggestion on board, that perhaps we should put down a number of initiatives that are taking place within correctional services and perhaps highlight those issues where work is in progress and where we would hope those programs to be perhaps in the next 12 months. I have explained to the council that I think the Canadian exchange of information and intellectual property is a good story that should be carried through those people who are interested in correctional services and that perhaps we should have regular progress reports through a newsletter or another method of circulating that data.

**The Hon. NICK XENOPHON:** Sir, I also have a supplementary question. What specific recommendations have been made in relation to the Canadian programs referred to by Professor Bill Marshall, in particular, and will the government commit to implement and provide the funding for such recommendations?

**The Hon. T.G. ROBERTS:** The honourable member, I think, refers to the gambling—

**The Hon. Nick Xenophon:** No.

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** No. I thought he may have been making some recommendations in relation to the sex offender program. We have begun the recruitment of psychologists—that team is being set up now—and, after considerable research, officers of the department have determined that the program operating nationally in Canada is the most suitable offender program for this state. Under this program, suitable prisoners are required to attend intensive intervention sessions over a minimum six-month period with group work, supported by individual sessions, for each participant. So, those programs are on the way.

#### CADELL TRAINING CENTRE

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about the Cadell Training Centre.

Leave granted.

**The Hon. J.S.L. DAWKINS:** Members of this chamber would be aware that, for some years, inmates of the Cadell Training Centre have been involved in the development of community projects. I am aware that inmates play a particularly valuable role in projects in the neighbouring communities of Waikerie, Morgan and Blanchetown. In the past, accompanying staff from the training centre have been paid to work during their lunch break while on site, as they remain on duty throughout the time the inmates are away from the training centre. However, I understand that it is now departmental policy not to pay staff for their duties during lunch breaks.

While some officers apparently initially agreed to continue supervision of the inmates over lunch without extra remuneration—

neration, this practice has now ceased. As a result, the inmates are transported to and from Cadell for the lunch period so that officers can have their lunch break in an off duty capacity. My questions are:

1. Will the minister indicate what extra costs are associated with transporting inmates to and from Cadell from on-site locations during lunch breaks?
2. Will the minister indicate the comparison between these costs and the previous system of payment of allowances to officers for supervising inmates during lunch breaks?
3. What level of delays have been caused to the development of community projects with which Cadell inmates have been involved?

**The Hon. T.G. ROBERTS (Minister for Correctional Services):** I thank the honourable member for his questions. We have just settled and industrial relations program problem associated with—

**The Hon. A.J. Redford:** You lost it.

**The Hon. T.G. ROBERTS:** Well, an out-of-court settlement was reached that went back into the previous government's regime. It was a formalised informal program that ran without everyone's knowledge, I suspect, in relation to what would come later after an agreement had been reached about forgoing lunch breaks. There have been instructions given for all programs, industrial relations changes and individual bargaining programs or regimes within each individual prison to be referred back to central command, if you like, for consideration. I have spoken to the office at Cadell, and it is inconvenient for them to return the prisoners to the prison for the period of the lunch break.

There was a program where the prisoners took their lunch if they were working away from the prison, and there were some industrial relations issues associated with that regime. My information is that the choice was to return the prisoners. It is inconvenient, and it is more costly, but it is an operational decision that was made with full knowledge of the central office of the CEO and the staff at Cadell. I will bring back the extra costs of transporting prisoners and the comparison.

**The Hon. A.J. REDFORD:** I have a supplementary question. Notwithstanding the fact that the PSA is not talking to the Minister for Industrial Relations, will the minister refer this issue to the Minister for Industrial Relations to see whether it can be incorporated in what appears to be the broken down negotiations for the new enterprise agreement?

**The Hon. T.G. ROBERTS:** I will refer that question to the CEO in relation to the referral to the industrial relations minister and bring back a reply.

#### NAIDOC WEEK

**The Hon. J. GAZZOLA:** I seek leave to make a brief statement before asking the Minister for Aboriginal Affairs and Reconciliation a question about the recent NAIDOC Week celebrations.

Leave granted.

**The Hon. J. GAZZOLA:** Sunday 4 July marked the beginning of NAIDOC Week, which has been celebrated since the seventies following a long struggle by Aboriginal and Torres Strait Islander people to bring their issues of concern before governments and the public. The aim of the week is to increase the public's awareness of indigenous culture and the contribution Aboriginal and Torres Strait Islander people have made and continue to make to society. Can the minister give details of the importance of NAIDOC

Week, outline some of the events held and give details of this government's commitment to reconciliation?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I thank the honourable member for his question and his interest in Aboriginal affairs. NAIDOC Week was successful and highlights issues that are important to Aboriginal people to the broader community, and it is an important part of the reconciliation process. As pointed out during NAIDOC Week held earlier this month, it was a very successful week with many events held and celebrated throughout South Australia. I attended a number of events during the week, commencing with the opening of an art exhibition in Mount Gambier, and a number of other functions and various ceremonies with local government bodies.

I congratulate the many members of parliament who attended many of the NAIDOC events, and I noted that, certainly, the Hon. Robert Lawson, the shadow minister, was a regular attendee at these functions, and I thank him for that. It is important to show Aboriginal communities within this state that we try to work as much as possible in a bipartisan approach with the opposition. I also thank those Democrat members who were in attendance and, I think, the Hon. Andrew Evans attended some as well. I pay particular tribute to my colleagues Frances Bedford and Lyn Breuer, who attended many of these functions. I also thank the member for Florey for all the functions she attended and the support she shows to Aboriginal people, not just in her electorate but throughout the metropolitan area and the state.

**The Hon. Sandra Kanck:** Hear, hear!

**The Hon. T.G. ROBERTS:** So, the member for Florey demonstrates her commitment not only in NAIDOC week. The Hon. Sandra Kanck, who seconded my remarks, also attends many functions, as does the Hon. Kate Reynolds. I know the member for Florey may be embarrassed if I single her out, but some of the works in which she has participated include: hosting events in Parliament House for Aboriginal communities, particularly on Sorry Day; organising reconciliation celebrations; presenting plaques at schools; distributing flags and badges to schools at community events during Reconciliation Week; and organising sponsorship for prizes at some of these functions.

I also thank Lyn Breuer for her work in the Port Augusta and Whyalla region in relation to the Croc Fest, which is a very important festival organised in Port Augusta. It has become very successful and has now built up a reputation for participation not only in South Australia but Australia wide. I thank all those members, and the staff who support those individuals, who are able to find time to attend these functions because, without those staff, they would not be able to do so.

#### EMERGENCY TELEPHONE SERVICE

**The Hon. IAN GILFILLAN:** I seek leave to make a brief explanation before asking the Minister for Industry, Trade and Regional Development, representing the Minister for Emergency Services, a question about the triple zero call centre in Sydney.

Leave granted.

**The Hon. IAN GILFILLAN:** Some weeks ago, I focused some attention on, and had some media interest in, the fact that there has been confusion in the identification of localities in triple zero calls in an emergency because the operator receiving the call is unfamiliar with the geographical territory

of, in this instance, South Australia. As a result, a constituent sent me an email relating an incident that highlights the risk accompanying the fact that the triple zero call centre is not within South Australia. It states:

My wife had a post-partum haemorrhage and was literally bleeding to death next to me (she lost approximately a litre of blood in 5-10 minutes—which is nearly 30% of her entire blood volume). I called 000 and the phone rang a couple of times before it was answered. I then listened to a recorded message telling me that, if it wasn't an emergency I shouldn't have called this number. Then I was asked which state and emergency service I was after. I told them I was in Adelaide and I needed an ambulance and then the phone rang a couple more times and I got through to the South Australian Ambulance Service. In light of the amount of blood and the fact that we live within a few minutes drive of the RAH I had hedged my bets and we were in the car as I was calling the ambulance. At the time I was speaking to an operator we were half way to the hospital and so I kept driving and hung up on the dispatcher!

There were a few things that I felt were not particularly good about this experience. Firstly, in a real emergency 10 seconds might make a difference and so having to listen to the original recorded message is a bit of an insult—I would expect that this doesn't do a very good job of screening calls and even if it does I still don't feel it is justified. . . Secondly, when you are in a serious emergency, you expect to call 000 and be talking to someone who can help you. I was quite taken aback to have to answer the question about which state I was in and what service I needed. In the state my mind was in this actually took some real thought. Also, in a state like South Australia which has really small suburbs which are probably too numerous to expect anyone to remember them all, if you are talking to a South Australian then you can at least give them some landmarks to get the ambulance heading in the correct direction while the paramedics look up a street directory.

In my case, if I had said, 'Head up Greenhill Road towards the hills from Fullarton Road', then the ambulance would have been most of the way to my house before needing any further directions from a street directory. Once again, this might only have saved 30 seconds, but in my wife's case that might be the 100ml of blood that was the difference between life and death.

My questions are:

1. Does the minister agree that Telstra owes the public of South Australia a state-based call centre as part of its community service obligations?
2. Would the minister make every effort to have emergency service call centres based in each state and territory to take 000 calls emanating from that state and territory? Quite clearly, that would be specifically pleading on behalf of South Australia.
3. Does the minister agree that a recorded message prior to direct contact with an operator could cost lives and should be removed? If so, would he make moves to have it removed?

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I will refer that question to the Minister for Emergency Services and bring back a reply.

#### BREAK EVEN SERVICES

**The Hon. NICK XENOPHON:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Families and Communities, questions about Break Even gambling rehabilitation services.

Leave granted.

**The Hon. NICK XENOPHON:** A constituent has contacted me complaining about the lack of after hours services for face-to-face Break Even gambling counselling services in the southern suburbs. The constituent wrote to me stating that, if you are employed and work normal office hours, you can forget about any counselling service in the southern area. The constituent also claimed that people had

to leave a message on the 1800 060 757 gambling helpline number as all the lines were busy. This is despite the fact that the government is collecting some \$405 million in gambling taxes for this financial year. My questions to the minister are:

1. What is the level of current after hours face-to-face gambling rehabilitation services provided by the Break Even services? Which of those services provides such a service? Will the minister provide the funds to widely publicise any such services?
2. Does the minister agree that those living in the southern suburbs have little or no after hours face-to-face gambling rehabilitation services through the Break Even network? Will the minister provide the funding to rectify this?
3. Is the minister concerned about the claim that those ringing the gambling helpline number cannot get through on occasions? Can the minister advise of any records kept to determine how often this has occurred in the past 12 months? Further, what systems are in place to determine whether there are adequate resources and staffing for the helpline?
4. What are the protocols for the helpline to follow up those ringing for assistance so that they actually get assistance with face-to-face counselling and, generally, to monitor the short and long-term effectiveness of such assistance?
5. What monitoring does the minister or his department undertake on waiting times for face-to-face counselling?
6. What was the impact on a month-by-month basis on calls to the helpline since the inception of the government's advertising campaign based on the 'Think of What You Are Really Gambling With' theme? Will the government provide a breakdown of the amount spent monthly on such a campaign since its inception?

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

#### CHILDREN IN CARE

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I table a ministerial statement made by the Hon. Jay Weatherill in another place on a commission of inquiry regarding children in state care.

#### TRANSPORT PLAN

**The Hon. D.W. RIDGWAY:** I seek leave to make a brief explanation before asking the minister representing the Minister for Transport questions about transport.

Leave granted.

**The Hon. D.W. RIDGWAY:** This morning on Adelaide radio station Fresh FM the Premier, when asked about the government's plan for a north-south freeway, stated that the Britannia roundabout is his government's highest priority at the moment. The Premier then said that, in order to build a freeway, the government would have to bulldoze entire suburbs and it does not want to do that. The Premier then completely dismissed any mention of a north-south freeway saying that he preferred to concentrate on fixing other roads. Whilst no-one in this chamber would disagree that the Britannia roundabout is an important project, more South Australians need to know what plans this government has for our future transport needs. My questions are:

1. Will the minister table the plans or the proposed plans that the Premier was referring to this morning when he stated that the government would need to bulldoze entire suburbs?

2. Will the Minister provide a list of the government's transport priorities and the order of those priorities?

3. Given that the government has stated that one of its key objectives is to treble the state's economic output, will it identify and release the state transport plan (which, incidentally, has been languishing on the shelf for nearly the entire life of this government)?

4. Is the government ruling out a north-south freeway or road corridor?

5. When the Premier said that he would fix other roads, does this include the neglected country roads that have not been a priority for this government?

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I think it is a bit cheeky of the Hon. Mr Ridgway, as a member of the Liberal Party, to be talking about funding for roads, given the appalling treatment that this state has received for many years in relation to road funding. The level of funds that this state receives from the federal government for road funding is absolutely appalling, and I hope that it does become a significant issue in the forthcoming federal election because it certainly deserves to be. I compliment the RAA and other groups that are drawing the South Australian public's attention to the appallingly inadequate deal that we get under the funding from the commonwealth government. However, I will refer the other details of the question to my colleague in another place and bring back a reply.

#### PLACEMENT PREVENTION SERVICES

**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 Families and Communities, a question regarding Placement Prevention Services.

Leave granted.

**The Hon. KATE REYNOLDS:** Placement Prevention Services is a program that works with the department that was FAYS and that is now Children, Youth and Family Services—for those of you who do not know, this is now to be known as CYFS. It works with children who had been referred to a program where there had been, in those children's lives, either confirmed abuse and/or neglect and there was a risk that the child may require foster placement. So, the intent is to try to keep these children out of the foster care system.

Generally, these families are what are called tier 1 and tier 2 families, which means that they usually have an extensive or serious history of child protection concerns. Family Preservation Services, as the name suggests, aimed to preserve the child in the family home wherever possible. The work was usually done by qualified social workers in the home; it was intensive, requiring up to three visits a week; it was focused on the parents addressing the safety issues for the children; it was time limited, usually up to three months; it only applied to referrals from the department; and it required skilled workers who had specialist expertise in family therapy.

However, I believe that we now have only the Aboriginal Family Preservation Service remaining because Anglicare's existing Family Connections program ceased on 30 June, and it ceased because the recently awarded alternative care tender did not include placement prevention programs. So, as of 1 July there are no intensive services for placement prevention. What this means for CYFS workers, in not having a

service to refer families to, is that either they will be forced to place children in out-of-home care—and, as we know, that system is already stretched to the limit—or they will need to try to do the work themselves. Given the current workloads of CYFS caseworkers, that seems to me to be unlikely.

I understand from previous experience that families often have a hostile relationship with workers within the department and so frequently prefer to work with a non-government service. Another issue for the CYFS staff is the fact that they require an independent service to complete assessments and give recommendations so that they are not seen as being biased. Often, care and protection orders are sought for these families and CYFS workers are criticised in court if they have not been seen to offer the family some kind of preservation service. Lastly, it has been suggested to me that a number of infant deaths reported in the media in recent months highlights the need for intensive services for these high risk families. My questions to the minister are:

1. What was the justification for not including a family preservation program in the most recent alternative care tender?

2. What are the government's intentions in relation to providing intensive family services to high risk families, given that the existing legislation has a strong focus on family preservation principles?

3. If the government intends to provide these services itself, how will they be funded, when will they be provided and by whom?

**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.

#### FARM WASTE DISPOSAL

**The Hon. J.M.A. LENSINK:** I seek leave to make a brief explanation before asking the Minister Assisting the Minister for Environment and Conservation a question regarding farm waste disposal.

Leave granted.

**The Hon. J.M.A. LENSINK:** A constituent has raised with me concerns that the government intends to change the regulation of farm waste disposal or farm dumps. Following inquiries with the EPA, I received a written response on 1 July this year which contains a draft of a document entitled 'Solid waste disposal on farms' which is dated as issued July 2004. The accompanying letter from the CE, Dr Paul Vogel, which is dated 27 June 2004, states that the recently drafted guideline 'reflects the standards that this agency has been applying in South Australia over the last few years'. The letter also states:

Although the [EPA] act was proclaimed in 1995, the EPA [Environment Protection Authority] has become aware that many landowners within South Australia may not be aware of the implications of these provisions.

My questions are:

1. Will the minister guarantee to the farming community that there will be no changes to the interpretation of the act as stated in the CE's letter?

2. Which stakeholder groups have been consulted and what has been their response?

3. Why has it taken so long for guidelines to be developed?

4. How many licensed dumps are there and how many of these are private versus community dumps?

5. Will the minister guarantee that enforcement will not be retrospective and that the EPA will adopt an educative role in the first instance?

6. Will the government exempt fencing wire and iron from being required to be disposed of in a licensed dump?

**The Hon. T.G. ROBERTS (Minister Assisting the Minister for Environment and Conservation):** I will refer those very important questions to the minister in another place and bring back a reply.

### GOVERNMENT ADVERTISING

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister for Industry, Trade and Regional Development, representing the Deputy Premier, a question about the billboard campaign by the state government.

Leave granted.

**The Hon. J.F. STEFANI:** I refer to an article which appeared in *The Advertiser* dated 19 July 2004 regarding the Labor government's campaign using billboards at Melbourne Airport. In the article, the Deputy Premier (Hon. Kevin Foley) was quoted as saying:

We had no idea Victorians viewed South Australia's attractive business environment as such a major threat that it should tear down a couple of billboards.

From the published article it appears that the billboards attracted a great deal of criticism from both the Victorian and New South Wales Labor governments. The article also indicated that CODY, the Melbourne company that was responsible for the billboards, extended the booking without consulting management at the airport. From the published details, it is evident that the airport management did not wish to renew the booking because another billboard was due to be installed. My questions are:

1. Does the Deputy Premier stand by his comments that a couple of billboards were torn down because the Melbourne Airport managers had buckled to pressure from local businesses and politicians, causing the removal of the billboards?

2. Will the Deputy Premier provide full details of the commencement date and the expiry date of the advertising contract signed with CODY by the state Labor government?

3. Will the Deputy Premier provide parliament with the full costs associated with the billboard campaign?

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I can provide some information in relation to this matter. We all know that this campaign arose from the report of KPMG International in February this year that the 2004 competitive alternatives report found Adelaide to be the most competitive city in the Asia-Pacific region from the cities surveyed. Quite properly, the government has sought to use that result for the benefit of this state. The Department of Trade and Economic Development arranged for billboards to be installed at Melbourne and Sydney airports from March to June 2004. Also, the Premier wrote to 5 000 chief executive officers of companies worldwide in relation to the program.

The two Melbourne billboards with their 'If you're here to do business, think again' message created considerable controversy in Melbourne, which has given added publicity to the benefits of South Australia—so we are not unhappy about that controversy being caused. As a result of that, DTED decided to rebook the larger billboard, which is known as the walk bridge billboard, for a further three months from

July to September 2004. Last Friday, the Department of Trade and Economic Development received a telephone call from the Chief Executive of the billboard company to advise that, as the Melbourne Airport Authority had not approved the extension of the original three-month booking, APN Outdoor would remove the walk bridge billboard that weekend. DTED was advised that the department would be reimbursed an amount of \$75 000 for the full three-month booking and that the extra two weeks of exposure in July could be regarded as a bonus for the South Australian government. APN Outdoor is the parent company of Cody outdoor advertising. The booking for the Melbourne billboard was made via the Adelaide office of Cody. I think that answers the questions of the honourable member.

I am pleased to say that as a result of the actions that have been taken the state government has been able to get the additional bonus in relation to exposure of the billboards, and the publicity has been invaluable for the campaign that the state government is running. In addition to the billboards at Melbourne Airport, two additional billboards were installed at Adelaide Airport in May. Also, two additional billboard sites have been secured at Auckland Airport for July and August and a billboard at Canberra Airport has been booked.

*Members interjecting:*

**The PRESIDENT:** Order! The minister is trying to give an answer to the Hon. Mr Stefani and he cannot hear.

**The Hon. P. HOLLOWAY:** We are pleased that the campaign that has been run by the state government has had such success that it has angered people interstate. The Treasurer, quite rightly, has taken the opportunity to draw attention to that fact to further illustrate that this state is a very competitive place in which to do business.

### NUCLEAR WASTE STORAGE FACILITY

**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 win on the radioactive waste dump made earlier today in another place by my colleague the Premier.

### REPLIES TO QUESTIONS

#### GREY WATER

In reply to **Hon. SANDRA KANCK** (31 May).

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

1. Householders constitutionally use grey water in their gardens providing appropriate approval is obtained. The Sewerage Act 1929 requires that grey water be discharged to sewer unless otherwise authorised by the South Australian Water Corporation. The penalty for not complying with this requirement is \$500. However, SA Water will authorise diversion of grey water if it is discharged into an irrigation system approved by the Department of Human Services or a local council, in accordance with the Public and Environmental Health (Waste Control) Regulations.

Testing of grey water has shown that it can contain high numbers of faecal organisms. The existing regulations are designed to enable use of grey water in a manner that is protective of public health.

2. Current legislation does not prevent the use of grey water. It can be used for irrigation providing an approval is obtained from the Department of Human Services or a local council.

#### PARLIAMENT HOUSE, IT SERVICES

In reply to **Hon. NICK XENOPHON** (5 May).

**The Hon. T.G. ROBERTS:** The Minister for Administrative Services has provided the following information:

1. *Can the Minister advise the nature and extent of the problem?*

The problems experienced within the Parliamentary network from Wednesday 28 April 2004 with regard to sending and receiving email consisted of two issues:

- (a) The latest update of anti-virus software caused a conflict on the Parliamentary network infrastructure resulting in the messaging environment delaying some email. This problem was resolved by the Parliamentary Network Support Group (PNSG) by close of business Friday 30 April 2004.
- (b) The PNSG was notified regarding emerging threats with respect to the 'NetSky.AB' virus and 'Sasser' worm on Friday 30 April and Saturday 1 May respectively. To ensure the integrity and security of the Parliamentary network all incoming email was suspended. This decision was made by the PNSG due to the potential seriousness of the threats in the lead-up to a Parliamentary sitting week as the necessary anti-virus software updates were not available at that time.

Incoming e-mail was resumed on Monday 3 May once anti-virus software updates had been provided and installed.

2. *Can we be assured that this problem will be rectified so that it is not an ongoing problem?*

The email delays experienced during this time were temporary and there is no indication of ongoing issues. However, the ongoing threat of virus and security activity requires constant management to ensure the integrity and security of the Parliamentary network is maintained with minimal disruption.

3. *Can the Minister advise whether there is a need to provide further infrastructure of other technical service work so that this problem does not occur in the future?*

The PNSG will continue to review and update the infrastructure, software and security elements within the Parliamentary environment as part of the normal technical refresh cycle.

### SCHOOLS, RANDOM DRUG TESTING

In reply to **Hon. J.M.A. LENSINK** (5 May).

**The Hon. T.G. ROBERTS:** The Minister for Education and Children's Services has provided the following information:

In 2004 the Department of Education and Children's Services distributed a document to all government schools called Intervention matters: a policy statement and procedural framework for the management of suspected drug-related incidents in schools. The document outlines a rigorous and fair process for responding to suspected drug-related incidents. The process is designed as a proactive and preventive measure to deter student drug use.

Intervention matters makes clear that no school has the authority to insist on drug testing of students. It is not proposed to introduce random drug testing.

### GENETICALLY MODIFIED FOOD

In reply to **Hon. IAN GILFILLAN** (4 May).

**The Hon. T.G. ROBERTS:** The Minister for Food Agriculture and Fisheries has provided the following information:

In his statement preceding his questions the Hon Member refers to a statement made by the Minister that he had granted Bayer CropScience an exemption under the Genetically Modified Crops Management Act 2004 to grow genetically modified (GM) canola in the state for the purpose of crop trials. Mr Gilfillan said that the exemption notice gazetted on 29 April 2004 stated that 'the Minister for Agriculture, Food and Fisheries issued the following exemption notice to BayerCrop Science Pty Ltd under section 6 (2) (a) (ii) for the purposes of breeding and seed multiplication.'

The Hon. Member then goes on to say that in terms of the harvest of GMO crops (Clause 8) Sections 8.1, 8.2 and 8.3 are all subject to Condition 8.5 and points out that there is no Condition 8.5.

The Hon. Member is correct and the oversight has been corrected by the Minister by varying the exemption under the Act Clause 6 (5) (a) to read Sections 8.1, 8.2 and 8.3 are subject to Condition 8.4.

In relation to the question 'Does the Minister agree that when he spoke on radio about the exemption notice he misled the public by referring to the plantings as being for crop trials whereas in fact they are limited plantings as described under the Act?'

Section 6 (2) (a) (ii) says the purpose of the exemption is to allow a specified person to cultivate a genetically modified food crop on a limited and contained basis at a specified place or places. Part 3 Division 1 defines cultivation, in relation to a genetically modified food crop, as including many things including to breed and to harvest seed. The maximum area of any single site must not exceed 10 ha.

Subject to a range of specified conditions Bayer CropScience is trialing plots for the purposes of breeding and seed multiplication of genetically modified oilseed Brassica cultivars. The harvested clean seed remaining after post-harvest testing can be exported, provided a number of transport protocols are met, including:

- (i) that the seed must not be transported unless it is contained within a sealed durable container, and
- (ii) that the container is labelled to indicate that it contains genetically modified plant material and has telephone contact numbers for the Company and instructions to contact the Company in the event that the container is broken or misdirected.

In addition the Company must have in place accounting procedures to verify whether the same quantity of GM material sent is delivered and must document methods and procedures used for transportation of GM material.

On this basis and in answer to questions 2, 3 and 4, the amended exemption notice will not put South Australia's agricultural exports at risk and will provide the appropriate regulations to ensure that trial plantings of GM canola in South Australia meet all the necessary community safeguards for safe research.

### UNEMPLOYMENT

In reply to **Hon. R.I. LUCAS** (26 February).

**The Hon. T.G. ROBERTS:** The Minister for Employment, Training and Further Education has advised:

1. When the Acting Minister for Employment, Training and Further Education made the comments regarding the accuracy of the job vacancy figures, he was in fact referring to the Labour Force figures released that day. This misunderstanding was clarified with the radio station off air and a statement clarifying the Minister's comments was made at the end of the program.

According to the Australian Bureau of Statistics (ABS) Job Vacancies Series, over the year (November quarter 2003 compared with the November quarter 2002) job vacancies fell by 22.6 per cent in South Australia, rather than 22.8 per cent.

2. The largest fall in the job vacancy rate was recorded in the Northern Territory where there was a fall of 28.6 percent over the year to the November quarter 2003.

3. According to DEWR, skilled vacancies fell in South Australia in trend terms during February, whilst nationally vacancies rose over the month by 0.2 per cent.

Despite falling over the month of February, South Australia's level of skilled vacancies remains at relatively high levels, suggesting that the labour market should remain relatively strong in the first half of 2004.

The Minister for Industry, Trade and Regional Development has provided the following information:

4. The Government's proposed new economic development agency, the Department of Trade and Economic Development, will be a much leaner and more focused organisation than the existing Department for Business, Manufacturing and Trade. It will support the change in direction of economic development policy started under this Government, towards building on our skills and infrastructure, developing partnerships between business, the community and government, and a focus on creating the environment for innovation and growth, rather than the ineffective business welfare and handout approach of the past.

While the changes are well advanced they cannot be expected to have an immediate impact on the economic performance of the State, as there is always a time lag between implementing new economic policies and the achievement of outcomes.

In reply to **Hon. J.F. STEFANI**.

5. The Economic Development Board originally recommended the review of the Department for Business, Manufacturing and Trade, with the intention of achieving a leaner and more focused organisation. The Review Team, which was appointed by the former Minister for Industry, Trade and Regional Development, the Hon Rory McEwen, comprised two Economic Development Board members, Mr John Bastian, who was the Review Chair, and Mr Grant Belchamber, together with an independent expert, Mr Michael Dwyer, a partner of KPMG Adelaide.

The Economic Development Board was consulted during the Review process, along with a large number of other key stakeholders, and supported the central recommendation that a new agency be created to focus on economic development policy.

**FOX BAITING**

In reply to **Hon. IAN GILFILLAN** (3 May).

**The Hon. T.G. ROBERTS:** The Minister for Agriculture, Food and Fisheries has provided the following information:

The primary responsibility for fox control rests with the Minister for Environment and Conservation via the Animal and Plant Control Commission and its Boards.

The Minister for Health is responsible for the controls on the supply of 1080 baits because of their poisonous nature.

PIRSA undertakes and co-ordinates investigations of chemical misuse and trespass incidents on behalf of State Government agencies. The matter of fox baiting in Mount Crawford Forest is being treated as such and investigated accordingly. The proclamation of the Agricultural and Veterinary Products (Control of Use) Act 2002 later this year will provide legislative backing for this activity that currently relies on voluntary co-operation of those involved.

I understand that the Williamstown community is very aware of this issue and Officers of Forestry SA have a daily presence in the forests as part of their normal operations.

**HENLEY HIGH SCHOOL**

In reply to **Hon. D.W. RIDGWAY** (31 March).

**The Hon. T.G. ROBERTS:** The Minister for Education and Children's Services has provided the following information:

*'Has the Minister visited, ... or is she planning to visit Henley High School?'*

*'When will the Minister give a public commitment to the funding of building works at Henley High School?'*

An announcement regarding the redevelopment of Henley High School was made during the Minister's visit to the school on Thursday 10 June 2004.

*'Will the Minister define with a time frame what the words 'high priority' mean?'*

High priority in this context means that the building needs of the school have been discussed and priorities agreed with the school. Building work is expected to begin in 2004-05

**CAPE JAFFA LIGHTHOUSE**

In reply to **Hon. D.W. RIDGWAY** (26 February).

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

1. Australian Maritime Safety Authority (AMSA) advised that if the recommendation to demolish the structure is carried out, there will be no risk to the State. AMSA has deferred the demolition of the structure until late September 2004 at the request of the Kingston District Council.

2. The State Government will not reconsider taking ownership of the lighthouse platform.

**SELF-FUNDED RETIREES**

In reply to **Hon. J.M.A. LENSINK** (31 March).

**The Hon. T.G. ROBERTS:** The Minister for Families and Communities has advised:

1. *Will the government accept the commonwealth's offer to extend concessions to self-funded retirees?*

The Government is considering the new Commonwealth offer and is intending to enter into negotiations with the Commonwealth. The Government will make a final decision following detailed negotiations with the Commonwealth.

2. *Has the commonwealth raised concerns with the state government regarding its administration of the scheme?*

No. The State Government is responsible for the administration of State Government concessions and is not accountable to the Commonwealth for the way in which it runs its own programs.

3. *Has the government fully addressed the Auditor-General's concerns with the administration of the existing scheme?*

A contract has been signed between Centrelink and Family and Youth Services (FAYS) for electronic confirmation of eligibility for concessions. When fully operational, proof of eligibility will be able to be satisfied at FAYS district centres without individual clients having to go back and forth between FAYS and Centrelink.

Staff training on the administration of the existing scheme has also commenced.

**RETIREMENT VILLAGES**

In reply to **Hon. J.M.A. LENSINK** (24 September 2003).

**The Hon. T.G. ROBERTS:** The Minister for Ageing has advised:

1. *Is the foundation document the paper referred to in the June 2003 document entitled "Progress report on review of the Retirement Villages Act 1987"?*

The Foundation Document is the paper referred to in the Progress Report.

2. *If the Minister has not received that document, when does she expect to do so and when will it be released for public comment?*

The Foundation Document was released for public comment on 23 September 2003 and has been widely circulated. It was also accessible on the Department of Human Services website.

3. *Has a bill to amend the Retirement Villages Act 1987 already been drafted and given limited circulation?*

No.

4. *Did the Minister give approval to approach Parliamentary Counsel for the drafting of amendments to the Act? If not, will she be taking steps to pull anybody into line?*

No.

5. *If a bill has been drafted, what is the purpose of the foundation document?*

No bill has been drafted.

6. *How much of the subsequent feedback to the government in response to its circulation will be taken into consideration?*

All feedback received through the public consultations has been taken into consideration and is reflected in the revised version of the Foundation Document.

DHS received over 200 responses to the original Foundation Document. These were catalogued, analysed and discussed with the Retirement Villages Review Reference Group.

7. *Furthermore, why has a full and proper process of consultation not been adhered to prior to its drafting and in accordance with the processes outlined in the government's June document 'Progress Report'?*

Consideration of potential amendments to the Act has been the subject of a very extensive review process. During this process a large amount of time has been devoted to consulting with interested parties, residents and industry. This process has proceeded in an open and public manner. When a draft Bill is eventually prepared, there will be a further opportunity for scrutiny and comment through the parliamentary process.

In reply to **Hon. J.M.A. LENSINK** (15 September 2003).

**The Hon. T.G. ROBERTS:** The Minister for Ageing has advised:

Please see the response to questions asked by the honourable member on 24 September 2003.

**SA WATER**

In reply to **Hon. T.G. CAMERON** (10 July 2003).

**The Hon. T.G. ROBERTS:** The Minister for Administrative Services has provided the following information:

1. *Considering the current perilous state of our water supplies, which members of the board of SA Water and the executive of SA Water have engineering or scientific qualifications relevant to the running and development of water and waste water systems?*

Dr Graham Allison, appointed as a non-executive director of the Board in 2001, has qualifications that include a Bachelor of Science and a PhD in Chemistry. He has had many years of involvement with water and environment related organisations including the Cooperative Centres for waste management and pollution control, catchment hydrology and freshwater ecology. Dr Allison was also head of the CSIRO Division of Water Resources, a national research body.

Two senior executives of SA Water have science and engineering degrees, both gaining honours in civil engineering. The head of water services has 31 years of water industry experience.

2. *In order to have the ability to meet the challenges for ensuring the future reliability of supply of water to South Australia, what programs exist to improve the technical skills of the senior executive and board of SA Water; and, if there are none, will they be introduced?*

SA Water's senior staff are well qualified to meet the challenges faced in ensuring the future reliability of supply of water, and have an extensive background in water and wastewater management. This

is supplemented by ongoing professional development and close collaboration with other agencies of government concerned with water and natural resource management.

3. *What plans exist to coordinate the activities of the different South Australian government departments and SA Water charged with the management of water and waste water services; if none, will they be introduced?*

In July 2003 Cabinet approved the creation of a Water Policy Coordination Group to represent the views of those Government organisations that have specific water interests. These include SA Water and the Department of Water, Land and Biodiversity Conservation, the Department of Primary Industries and Resources of SA, the Department of Environment and Heritage, the Department of Treasury and Finance, and the Department of Business, Manufacturing and Trade.

The Group was formed to consider a range of high level water related issues and water-related initiatives such as the Water Proofing Adelaide study which is examining the long-term water supply options.

In addition, a high level task force on the River Murray has been established comprising representatives from the Department of Water, Land and Biodiversity, the Department of Environment and Heritage, Environmental Protection Authority, the Department of Premier and Cabinet, the Department of Primary Industries of SA, the Department of Transport and Urban Planning, the Department of Treasury and Finance and SA Water to advise the Government how to maximise the value of the resources of the River Murray for the people of South Australia.

4. *Of the major capital works program being managed by SA Water Corporation, how much is being spent on the so-called environment improvement program for improving the waste water services for South Australia; when will this program be completed; and what delays have been experienced so far since its inception and the Bolivar pong incident?*

The SA Water capital works budget for the Water Services Group for the financial year 2003-04 is \$150 million of which \$66 million is allocated to the environment improvement program (EIP). The total EIP contains over \$300 million of capital works in metropolitan and country wastewater treatment plants to reduce nutrient discharge, reduce odours and maximise reuse where possible.

Projects currently in progress:

- \$98 million Bolivar high salinity project—Relocation of Port Adelaide wastewater treatment plant (WWTP), scheduled for handover end June 2005.
  - Victor Harbor WWTP – the letting of a build, own, operate and transfer contract has been approved by Cabinet. The project will include a reuse scheme.
  - \$14.3 million Whyalla WWTP and reuse scheme is expected to be completed by June 2005.
- Plants completed include:
- \$38 million Bolivar WWTP dissolved air flotation and filtration plant completed in 2002, providing reuse treated effluent to the Virginia Pipeline Scheme for irrigation.
  - \$72 million Bolivar WWTP completed in 2002, involving the upgrade to the treatment process to reduce odour emissions from the Bolivar plant. This was completed on schedule.
  - \$31 million Glenelg WWTP completed in October 2002.
  - \$11 million Christies Beach WWTP completed in July 2002.
  - \$7.75 million Port Pirie WWTP completed in December 2003.
  - \$10.4 million Heathfield WWTP completed in early 2004.

5. *What agreement exists between SA Water Corporation and United Water to pay for the design, project and construction management fees for the so-called engineering, procurement and construction management programs or other similar engineering project management programs; what fees have been and will be paid to United Water under these agreements; and how do these fees compare to what is commercially available to the marketplace with consulting engineering practices and local contractors?*

The head agreement for the contract with United Water was for the provision of operations and maintenance services and project management services excluding the design component. In September 1997, a variation agreement added design services to the project management services already provided under the head agreement.

The fees paid to United Water for project management services for 2002-03 totalled \$11.1 million. The amounts to be paid in future years will depend on the number and size of the projects undertaken by United Water.

The ACEA 2002 publication "Guideline Fee Scales for Consulting Engineering Services" indicated that fees on projects of less

than \$200 000 would average in the range of 10.0% to 15.0%, depending on the complexity of the work performed. The clear majority of SA Water's minor capital works projects are less than \$200 000, and the forecast average fees fit comfortably within that range.

6. *How much did United Water make from new works production funded by the South Australian Water Corporation last year, and how much does this amount of money compare to that paid to United Water for the operation and maintenance of the Adelaide water system?*

The amount paid to United Water for project management services related to construction of new works during 2002-03 was \$11.1 million. The amount paid to United Water for the operations and maintenance services associated with the Adelaide water and wastewater systems for 2002-03 was \$51.8 million.

7. *The 2002 SA Water annual report mentions the introduction of triple bottom line reporting. When will this be introduced?*

SA Water's first sustainability report (triple bottom line reporting) covering the financial year 2002-03 was available in late February 2004.

## OFFICE OF REGIONAL AFFAIRS

In reply to **Hon. D.W. RIDGWAY** (26 May).

**The Hon. P. HOLLOWAY:** The review of the Department of Business, Manufacturing and Trade (DBMT) recommended that the Office of Regional Affairs (ORA) have a staffing complement of 6 or 7 employees, however Cabinet on the recommendation of Minister McEwen agreed that the staffing levels of ORA would be 10 full time equivalents (FTEs).

ORA, like all divisions in the new Department of Trade and Economic Development, has been creating new job and person descriptions, establishing classifications and filling positions in accordance with public sector guidelines.

Since being allocated the Industry, Trade and Regional Development portfolio I have had an opportunity of assessing the resourcing levels in ORA, and I am pleased to report that Cabinet has supported my recommendation that ORA staffing levels be increased to at least 12 FTEs.

As is the appropriate practice under the Public Sector Management Act, the responsibility of designing positions and filling them is held by the Chief Executive of the Department.

## POLICE RECORDS

In reply to **Hon A.J. REDFORD** (14 October 2003).

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

The Commissioner of Police has advised that the release of information held by South Australia Police (SAPOL) is governed by the Freedom of Information Act 1991, the Police Act 1991, the Public Sector Management Act 1995, the Police (Complaints and Disciplinary Proceedings) Act 1985, and complementary Regulations.

Specifically, SAPOL employees are permitted, and authorised, access to police records only if they have a legitimate reason to do so and that access relates to their responsibilities. Regulation 20 of the Police Regulations requires sworn members of SAPOL and police cadets to treat information obtained by SAPOL as confidential and to only obtain access in the proper execution of their policing duties. For Public Sector Management Act employees, Section 57(g) of the Act prohibits disclosure except as authorised in a number of specific circumstances.

In respect to information released by SAPOL relating to Ministerial inquiries, the release of such information is conducted with due regard to SAPOL's lawful responsibilities. Such information is only released by SAPOL following consideration of the subject matter with respect to operational contingencies, privacy concerns, Freedom of Information considerations, factuality, Legislative constraints, requirements of the Police (Complaints and Disciplinary Proceedings) Act, and the nature or background of the request (i.e. constituent inquiry, briefing paper, media inquiry, Parliamentary question).

No information will be released without a lawful and appropriate justification for such being presented.

**HEALTH SECTOR**

In reply to **Hon. R.I. LUCAS** (2 June).

**The Hon. P. HOLLOWAY:** The following companies received a 50% subsidy up to a maximum of \$4 000 for Export Market Development by exhibiting at the Medica Trade Show 2003 in Dusseldorf Germany as part of the Australian stand.

True Life Anatomy Pty Ltd	\$4 000
Soniclean Pty Ltd	\$4 000
Patient Safety International Pty Ltd	\$3 677
Austofix	\$4 000
Jackson Care Technologies Pty Ltd	\$3 976
Norseld Pty Ltd	\$4 000
Best Friend Magnetic Products Pty Ltd	\$4 000
Micronix Pty Ltd	\$1 365
Derma Pharmaceuticals Pty Ltd	\$4 000.

**SNOWTOWN NEWSAGENCY**

In reply to **Hon. J.S.L. DAWKINS** (27 May).

In reply to **Hon. NICK XENOPHON** (27 May).

In reply to **Hon. J.F. STEFANI** (27 May).

**The Hon. P. HOLLOWAY:** The Treasurer has provided the following information:

The Snowtown Newsagency has been a member of the SA Lotteries agency network since 1990.

SA Lotteries does not transfer agencies. Therefore in late 2003 when the Snowtown Newsagency was sold, the new owners applied for, and were subsequently granted, an SA Lotteries agency. All new agents entering into an agreement with SA Lotteries are required to install a standard SA Lotteries shop fit-out (ie SA Lotteries Corporate fit-out) and the Snowtown Newsagency is no exception.

Indicative costings relating to agency establishment fees and the corporate fit-out requirements were advised to the proprietors of the Snowtown Newsagency prior to application, as they are to all parties interested in obtaining an SA Lotteries' agency. These costings and requirements were then fully detailed throughout the application and agreement process.

Any new agency, that is one that has not previously been a member of the SA Lotteries network, is required to install the corporate fit-out prior to start up of their agency. So that SA Lotteries' customers are not inconvenienced, those agents that have taken on an agency that has previously been part of the network, such as the Snowtown Newsagency, have three months post establishment, in which to complete the installation of the SA Lotteries standard corporate fit-out.

The Agent Agreement, which details all SA Lotteries' business requirements, including the installation of the corporate fit-out, is provided to all approved applicants. In accordance with the Franchising Code of Conduct all applicants are required to take 14 days to review the documentation and seek legal advice before entering into any Agent Agreement with SA Lotteries.

The proprietors of the Snowtown Newsagency sought legal advice in relation to the SA Lotteries' Agent Agreement prior to its execution.

I have been advised that SA Lotteries has no plans to terminate the Snowtown Newsagency at this time despite them having not yet installed an agreed corporate fit-out, and therefore, there is no need for me to seek the intervention of the Treasurer in this matter. Nevertheless, for consistency across the network of 527 outlets, the majority of which are small businesses, it is important that the owners of the business abide by the Agent Agreement into which they willingly entered.

For this reason, SA Lotteries has worked closely with the Snowtown Newsagency to install a corporate fit-out that meets SA Lotteries standard requirements but is affordable to the owners. I understand that a more accurate quote sourced by the proprietors of the Snowtown Newsagency for the installation of a corporate fit-out is approximately \$10 725 GST inclusive, not the \$19 000 as quoted by the honourable member.

In response to the supplementary questions, I advise that there is a simple answer to the question raised in this house on 27 May 2004. No, there has been no change in policy by SA Lotteries so that it is part of a more aggressive advertising or marketing campaign that would, in turn, impact on small business in regional communities.

I advise the honourable member that SA Lotteries' network has remained consistent for a number of years. By way of example, as at 30 June 2002, there were 525 businesses comprising the SA Lotteries agency network across South Australia, and as at 30 June 2003, there were 522. There are currently 527 SA Lotteries' agents

with a year to date average for 2003-04 of 525. I can assure the Honourable member that SA Lotteries has no plans in place to either reduce, or expand, its network to any significant extent in the foreseeable future.

**REGIONAL FACILITATION GROUPS**

In reply to **Hon. J.S.L. DAWKINS** (29 March).

**The Hon. P. HOLLOWAY:** The Minister for Administrative Services has provided the following information:

1. The role of Regional Facilitation Groups is to facilitate public sector interagency communication, coordination and cooperation. The coordination of the Regional Facilitation Groups on behalf of the Senior Management Council is appropriately being undertaken by the Department for Administrative and Information Services.

2. Regional Facilitation Groups have made a practice of inviting bodies such as local government and regional development boards to contribute to their deliberations on issues, and will continue to do so. In addition, linkages have been established between the Regional Facilitation Groups and the Regional Communities' Consultative Council.

**STATUTES AMENDMENT (CO-MANAGED PARKS) BILL**

Adjourned debate on second reading.

(Continued from 3 June. Page 1798.)

**The Hon. CAROLINE SCHAEFER:** The Liberal Party will be supporting this bill without amendment. The bill seeks to do two things. It primarily seeks to hand over in fee simple the title to what is commonly known as 'the unnamed park' to the management of the Maralinga Tjarutja people. The Unnamed Conservation Park is on the Western Australian-South Australian border and occupies some 20 000 square kilometres of land, including the Serpentine Lakes—which, as anyone who has knowledge of that area would know, are very much dry lakes. It is probably one of the least inhabited and habitable areas in Australia—certainly, in South Australia. However, the Serpentine Lakes have considerable traditional value to the Maralinga Tjarutja people, and there are many who believe that much of the unnamed park should have been included in the Maralinga Lands Act when it was originally proclaimed. As I understand it, discussions have been taking place since as far back as 1984 for the unnamed park to be managed by the Aboriginal people of that region.

The bill seeks for co-management by a government authority and the traditional landowners. However, my understanding is that the Maralinga Tjarutja people will have the majority of people on the board that is formed for the management of the park and that the chair of that board will be a member of that Aboriginal community. A park management plan will have to be prepared and, as I said, that will be managed by a majority of Maralinga Tjarutja people. The board will be able to be dissolved by the Governor, but only if the Unnamed Conservation Park is abolished and the minister is satisfied that action is required due to continued failure by the board to discharge its duties.

Staffing levels for the board will be determined by the minister, but the government has promised to employ two rangers and allocate \$200 000 per year for five years towards the management of the park. I would be interested in obtaining some additional detail from the minister as to what, in fact, that \$1 million dollars will be spent on. I asked whether it would be used, for instance, to improve access

roads for those few people who either visit or travel through that country, and I was assured that it would not. I know that that country is unwatered and, therefore, it is very much uninhabitable at this stage. I would be interested to know just what that \$200 000 per year for five years will be used for. I hope that it will be used for co-management of the park in the park, not in an office in Adelaide.

The Auditor-General will annually audit the accounts of the board, and an annual report will be tabled in the parliament. However, the appointment process of national parks wardens will change under this act. They will have limited powers, which may vary from park to park. I do not personally know Mr Archie Barton, but I think one could say that he has been the leader of the Maralinga Tjarutja people for many years. I know this is something that has been very close to his heart and I am pleased to see that this park will be managed by the Maralinga Tjarutja people. I wish them well in the future because of it.

However, the other side to this bill is that it is generic legislation which provides a framework for future hand-overs of any park throughout South Australia under a co-managed agreement. My understanding is that previously such an agreement would necessarily have come back to the parliament. This will now change. I think that this is the part of the bill which is less understood. This is a template which will be used from now on for any such co-managed park agreement. Because this was a hybrid bill, a select committee was set up in the House of Assembly in October 2003. Sadly, the majority of the committee decided not to call any witnesses, and so it had a very rapid passage, and its report is equally brief. I say sadly—

*The Hon. A.J. Redford interjecting:*

**The Hon. CAROLINE SCHAEFER:** That is right. I say sadly, because there is not a great deal of knowledge among the general public or even within the parliament of the huge, vast area that the unnamed park occupies—let alone the unnamed park combined with the Maralinga lands. Nor do I think the possibilities of such a generic piece of legislation have been fully explored. So, I was disappointed that the select committee in another place chose to have no witnesses and one or two meetings and to table a report that perhaps reflects that amount of inquiry.

The minister's department again afforded me a briefing, so I asked a number of questions which I need to put on the record about how this legislation will operate with regard to future co-management agreements. My understanding is that there are three types of park within the state which could be affected by this legislation: one is a Crown owned park which would remain cooperatively managed with or without a board. My understanding is that in each of these cases the co-management agreement would be triggered by a request by the Aboriginal community in the area. The second, I understand, would be where existing freehold already belongs to Aborigines who want to declare a park to be co-managed within that freehold area. That would obviously be managed by majority of the Aborigines who own freehold title in that region and would be board managed.

In the case of the unnamed park, it consists of a hand-back of the existing Crown owned park, and that is why it had to come before the parliament and why the board structure had to be implemented. My understanding is that this legislation does not cover regional reserves and that traditional hunting and gathering in co-managed parks will be controlled by the board, but that any other actions must conform with the management plan which has been presented to the govern-

ment of the day. Public access to the unnamed park will remain the same as it is. My understanding is that mining access will be subject, under any of these three different types of park, to the permission of the owners. In this case, that will be the traditional owners.

Currently, no mining is allowed in the Unnamed Conservation Park, so what applies now will continue. However, I think these are some of the issues of which people should be aware when we agree to pass this legislation. Although most of us welcome handing over the title of the Unnamed Conservation Park to the Maralinga Tjarutja people, it will be interesting to see the long-term effects of this template legislation. I support the second reading.

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I thank members for their contribution. The Hon. Sandra Kanck raised the issue of why the Unnamed Conservation Park is to be retained under the National Parks and Wildlife Act, rather than under the Wilderness Protection Act, as recommended by the Wilderness Advisory Committee's 1996 report. The government's commitment to hand back the Unnamed Conservation Park has been on the basis that the park will retain its current status under the National Parks and Wildlife Act. This designation provides the appropriate framework for the traditional owners to manage the park. The Wilderness Advisory Committee prepared a report in 1996 on the Unnamed Conservation Park, which was released for public consultation in 2001. Given the subsequent commitment to hand back the Unnamed Conservation Park to the Aboriginal traditional owners, the committee agreed not to submit its final recommendations to the minister on whether to proceed with the wilderness proposal until after the hand-back of the park.

With regard to the management plan, since the bill was passed in the other place there have been some discussions in relation to clause 25(1) between state officials and representatives of the Aboriginal Legal Rights Movement. This clause of the bill amends section 38 of the act to provide for a plan of management to be prepared for a co-managed park as soon as practicable and after making the co-management agreement for that park with the traditional owners. However, proposed subsection (1a) provides that the Minister for Environment and Conservation need not prepare a new plan where one is already in existence for the park. I now wish to clarify the government's approach in those circumstances.

Where a co-management agreement points to deficiencies in the way in which the existing plan of management provides, or fails to provide, for the protection of Aboriginal interests, it is intended that management plans will be amended to address these deficiencies as soon as practicable. Any revision would pay particular attention to those interests identified in proposed new co-managed parks division 6A. I am also pleased to confirm the government's interest in negotiating indigenous land use agreements to deal with native title issues in relation to national parks. In appropriate circumstances, it is hoped that these initiatives may be able to work together to provide for recognition of indigenous interests in national parks and conservation parks.

In regard to the government's amendment to permits, I also foreshadow I will move an amendment regarding section 69 permits under the National Parks and Wildlife Act 1972. This matter was considered in another place but was withdrawn pending clarification of the member for Davenport's queries regarding the nature of the permits. The

member also queried what activities the board could prevent in the Unnamed Conservation Park by not issuing a permit. The proposed amendment to section 69 is necessary because, as it currently stands, the act does not contemplate permits being granted by a co-management board. The bill contemplates certain permits being issued by a co-management board for a park, and the amendment reflects this.

Section 69 provides the framework for granting permits. The permit which may be granted by the board will be established by regulation. It is intended that a board for a co-managed park would have similar powers to those granted to the director by the current regulations. For example, they will provide for the grant of permission for activities such as the use of chainsaws in the park, camping in areas other than those set aside for camping and the use of certain vehicles in the park. The power to grant other permits remains with the minister and is not affected by the bill, for example, harvesting of animals or plants, 'take from the wild' permits and scientific permits.

With respect to mining, the bill does not affect mining access to the Unnamed Conservation Park. No mining is currently permitted within the park and, as agreed between the government and the future Aboriginal owners, these arrangements will not change. For parks that remain Crown-owned land, managed through a co-management board, the existing provisions under the National Parks and Wildlife Act for mining access will continue to apply. For parks constituted of Aboriginal-owned land, existing provisions apply and, in addition, section 43 of the National Parks and Wildlife Act will be amended so that a proclamation to allow for mining must not be made except with the agreement of the registered proprietor of the land. This process would also take into account existing legislative regimes which may apply to the land and, if necessary, involve the parliament in enabling amendments to those applicable acts.

As to third party interests, in regard to the Unnamed Conservation Park, the only third party rights that currently exist relate to commercial tourism. These rights have been preserved. The intention of the scheme outlined in this legislation for future co-managed parks is to involve indigenous interests in all aspects of land and cultural management. There is no intention to restrict any existing third party rights over any park considered for co-management. The government is aware of the concerns indicated by the South Australian Chamber of Mines and Energy (SACOME) in relation to mining and has held discussions with it on these concerns. The government is prepared to enter into a memorandum of understanding with SACOME to ensure that adequate consultation is undertaken on mining access and the preparation of park management plans.

I will reply to the honourable member's questions in relation to the funding allocated when we deal with clause 1. However, my understanding is that it is for staff and other management regimes in an ongoing way. I will get a more detailed—

*The Hon. Caroline Schaefer interjecting:*

**The Hon. T.G. ROBERTS:** Vehicles, and there are other ongoing on-road costs on top of that; but I will get those details—

**The Hon. Caroline Schaefer:** On road what, though?

**The Hon. T.G. ROBERTS:** I will provide a more detailed reply when we deal with clause 1.

Bill read a second time.

In committee.

Clause 1.

**The Hon. T.G. ROBERTS:** The \$200 000 will be ongoing. It is to be used to employ rangers and other staff. It is also to assist in the removal of weeds and feral animals, costs for the board and administration by the board, facilities for access, and some roads in the park that would be required for visitor facilitation. My understanding is that there would be no major roads encouraging broad access of the fairly modest roads for four-wheelers, and for the traditional owners to facilitate their access and entry. It is also for equipment, vehicles, radio, etc.

**The Hon. CAROLINE SCHAEFER:** The minister has outlined what that money will be spent on: how does the government perceive that that will change after five years? Is this going to be ongoing funding or is there—as I interpreted at the briefing—to be some effort to access, perhaps, some form of tourism or something that would generate some income so that after the five year period there would be an element of self-funding of the co-managed park? I fail to see what will happen at the end of the five years.

**The Hon. T.G. ROBERTS:** There is concern, and there has been concern over a period of time, about the ability of the lands to generate income. That will be worked out with the board as to what activities would be acceptable to them to generate income. Tourism may be one avenue, and I know that in other parts of the AP lands agistment is considered from time to time. I am not saying that that—

*The Hon. Caroline Schaefer interjecting:*

**The Hon. T.G. ROBERTS:** They will just get used to eating sand and then they will die! It will be one of those issues that will be worked out by the traditional owners in conjunction with board members to try to encourage forms of activities that do generate income. As the honourable member indicates through her replies and interjections, those opportunities may be very limited, so the ongoing commitment will possibly have to be of commonwealth and state activities like weed removal programs and the removal of feral animals that do attract commonwealth and sometimes state grants. Sometimes local Aboriginal communities are able to attract grant funding for the protection of native animals through CDEP and other activities. The management of the park may in itself bring about applications for funding regimes that are not able to be attracted as yet. We can only hope that when the board is set up those applications will lead to funding support to properly manage the parks.

**The Hon. CAROLINE SCHAEFER:** Just so that I have this clear and that it is on the record, is the \$200 000 per year for five years that is referred to solely state government funding? And is there, in fact, an anticipation that that will need to be ongoing funding ad infinitum, or certainly for as long as is needed, given that it is unlikely that that particular park will become self-funded?

**The Hon. T.G. ROBERTS:** The commitment is for the \$200 000 to be committed in an ongoing way as needed. That would be reviewed from time to time.

Clause passed.

Clauses 2 to 34 passed.

New clauses 34A, 34B and 34C.

**The Hon. T.G. ROBERTS:** I move:

Page 21, after line 23—Insert:

34A—Amendment of section 69—Permits

(1) Section 69—delete 'Minister' wherever occurring and substitute 'relevant authority'

(2) Section 69(2a)—delete 'Minister's' and substitute 'relevant authority's'

Section 69—after subsection (7) insert:

(8) In this section—

relevant authority means—

(a) in relation to a permit issued by, or to be issued by, a co-management board for a co-managed park constituted of Aboriginal-owned land—the co-management board for the park; or

(b) in any other case—the Minister.

34B—Amendment of section 70A—Failure to comply with authority  
Section 70A(2)—delete ‘or the Minister under this act’ and substitute:

, the Minister or a co-management board under this Act or other law

34C—Amendment of section 71—Duplicate

(1) Section 71(1)—delete ‘Minister’ wherever occurring and substitute ‘relevant authority’

(2) Section 71—after subsection (2) insert:

(3) In this section—

relevant authority means—

(a) in relation to a co-managed park constituted of Aboriginal-owned land—the co-management board for the park; or

(b) in any other case—the Minister.

The government’s proposed amendment regarding section 69 permits under the National Parks and Wildlife Act 1972 was withdrawn in the House of Assembly pending clarification of the member for Davenport’s queries regarding the nature of permits. He also queried what activities the board could prevent in the Unnamed Conservation Park for not using a permit. The proposed amendment to section 69 is necessary because, as it currently stands, the act does not contemplate permits being granted by a co-management board. The bill, however, contemplates certain permits being issued by a co-management board for a park. The amendment reflects this.

Section 69 provides a framework for granting permits. A permit which may be granted by the board will be established by regulation. It is intended that a board for a co-managed park would have similar powers to those granted to the director by the current regulations. For example, they will provide for the grant of permission for activities such as the use of chainsaws in the park, camping in areas other than those set aside for camping, and the use of certain vehicles in the park. The power to grant other permits remains with the minister and is not affected by the bill, for example, harvesting of animals plants, take from the wild permits and scientific permits.

New clauses inserted.

Clause 35 passed.

Title passed.

Bill reported with amendments; committee’s report adopted.

Bill read a third time and passed.

#### **PASTORAL LAND MANAGEMENT AND CONSERVATION (MISCELLANEOUS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 24 June. Page 1811.)

**The Hon. CAROLINE SCHAEFER:** This is one of those measures where the duties of the shadow ministers overlap. Although this is an amendment to the Pastoral Land Management and Conservation Act, it largely amends the purposes of indigenous land use agreements, and therefore the bulk of this bill has been managed by the Hon. Robert Lawson, who I am sure will be here soon.

I will speak briefly about the ILUAs. The ILUAs were first introduced into this place by the Hon. Trevor Griffin, who was an enthusiastic proponent of indigenous land use agreements. While they have progressed extraordinarily

slowly (as my colleague the Hon. Robert Lawson has said), they have been considerably more successful than the court cases which have surrounded native title claims. They are agreements reached between the holder of the land title (in this case the pastoralists) and the Aboriginal people who have a traditional native claim for traditional activities on that land; and they have been voluntarily entered into. So far there have been two mining ILUAs, one local government ILUA, and this year one pastoral ILUA in relation to Todmorden Station. They have been supported by the Chamber of Mines, the Farmers Federation, local government, the fishing industry and the Aboriginal Legal Rights Movement. However, this amendment seeks to give access to a particular group of Aboriginal people.

I think everyone knows that our state Constitution allows Aboriginal people onto any land to conduct traditional activities—and has done so possibly since the writing of the Constitution, but certainly soon after that. I understand that right is exclusive to South Australia. This particular amendment is more prescriptive. In the case of Todmorden Station it is a voluntary agreement between the pastoralists, who have been there for many generations, and an Aboriginal group which has traditional ties there and which has been there for many generations. I understand that it has been reached as a result of a great deal of cooperation between both groups.

My part in this bill is to move some amendments as a result of this Pastoral Land Management and Conservation Act being opened. A series of amendments were moved by the Hon. Graham Gunn in another place with regard to stock assessments and management assessments on pastoral country. Since that time discussions have taken place between the department, Mr Gunn and me. The amendments that I will be moving have been reached by way of consensus and cooperation. While they certainly do not move as far as Mr Gunn and I would like, inch by inch they creep towards a more commonsense system of pastoral land management.

The amendments allow for a pool of persons—up to six—to be appointed by the minister. Their role will be virtually that of mediators for pastoralists who request assistance in the case of their being at odds with an assessment made on their property. They will need to request that assistance in writing within 60 days. The minister must, unless he considers their application to be frivolous, appoint one member of the pool to provide assistance to that lessee. The lessee may request one of the pool of six to assist them, unless there is an obvious conflict of interest between the person requested out of the pool and the person who has requested their assistance. The member of the pool must inform the minister in writing if there is any such conflict and must report to the minister for variations that are requested within the assessment of the pastoral act.

Certainly, I have been involved in discussions for a long time between pastoralists and pastoral assessors whose job it is to assess the state of that particular lease, the stocking rates that are applicable at any given time, areas that have to be set aside for regeneration, and so on. It has been a point of conflict between pastoralists and departmental officers for a long time, and the long-held criticism has been that many of the suggestions made do not take into account local knowledge. For a long time there has been a move to have peer group assessment. By far, the majority of pastoralists are very careful about their management and quite possessive of the management of that country, and they understand very well how fragile it is. Perhaps no-one is a harsher critic of someone who overstocks than a neighbouring pastoralist.

This is a move part-way. The pool of up to six people to be appointed after consultation with the Farmers Federation and the Conservation Council are to be people who have a practical understanding and interest in pastoral matters. They may not be public servants. However, a number of members of the Pastoral Board—some pastoralists and other public servants—are ready to retire and would make eminently suitable members of this panel.

They would be the sort of people whom I would hope the minister would take into account as being suitable to go on to this panel to assist pastoralists who find the mire of paperwork difficult and who sometimes simply want a sympathetic ear between them and the department so they can argue their case. I remember one instance of a pastoralist coming to me because he had been told that he was overstocking, but what had happened was that the particular area that had been singled out had been flooded. So, what looked like a very badly overstocked area was in fact creek sand wash, and what was needed there was a realignment of some fencing without necessarily altering the stocking rate. That is an example of the sort of thing that members of this panel will be able to argue, with their local and practical knowledge, to the minister. My understanding is that they will have a reasonably direct track to the minister. My second reading speech has, in fact, been my explanation of the amendments that I will be moving, but the rest of the bill is in the far more capable hands of the shadow attorney-general.

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

### MEDICAL PRACTICE BILL

Adjourned debate on second reading.  
(Continued from 27 May. Page 1634.)

**The Hon. A.J. REDFORD:** On behalf of the opposition, I rise to support this bill. A similar bill was introduced by the former government in 2001 and this bill, with some few exceptions, reflects the substance of that bill. Indeed, it is a bill that has been sought for some considerable time by a range of stakeholders, including the Medical Board and the Australian Medical Association (or the AMA, as it is more commonly known). The bill regulates a very important profession, the medical profession in this state and, on behalf of the opposition, I acknowledge the work that the medical profession does on behalf of the community and the high professional standards under which its members carry out their work in terms of both the quality and the amount of work they do. I would also like to thank the minister's staff for the briefing that they gave me. It was an open, frank and constructive meeting. I thank Lee Wightman, in particular, for her patience with respect to some of the sillier questions that I might have put to her.

The bill has a number of substantial changes, including the composition of the Medical Board and the tribunal, different requirements for determining fitness to practise and the exclusion of public institutions under the definition of medical service providers. There has been consultation with the AMA, the Medical Board of South Australia and other community groups. Both bodies have raised concerns about the bill. The AMA concerns include the removal of any representation from the AMA on the Medical Board or on the Medical Professional Conduct Tribunal. Under the bill, two

of the seven doctors on the board are elected at large and the remainder are appointed by the minister to represent the public health system, Adelaide and Flinders universities (two positions) and other ministerial appointments. The AMA still wants at least one representative on the board.

The AMA is concerned that private hospitals, rural GPs and practising doctors, as opposed to academics or administrators, may not be represented at all. In that respect, the opposition shares the concerns expressed by the AMA, and we have filed some amendments in relation to that issue. Our proposal is to have one representing the AMA, four elected by doctors, one representing the universities and one appointed by the minister. We would also seek to have a requirement that at least one must be a GP and that there be at least one from each of the public and private hospital sectors, and at least four of the doctors must be practising doctors.

The composition of the Medical Professional Conduct Tribunal would be amended to include two of the eight doctors appointed by the AMA, whereas the current bill has the minister selecting all eight doctors. Both the 2001 and 2004 bills require medical students to be registered without fee. The AMA argues for no student registration, but the Medical Board supports that proposition and, indeed, the opposition has come to the conclusion that it will support the bill in that respect. The AMA has asked for a number of other minor amendments for the purpose of clarification, and these are generally supported.

There were three main issues of concern for the Medical Board. First, under this new legislation, private and public hospitals are excluded from the definition of a medical service provider and, therefore, are outside the jurisdiction of the Medical Board. The opposition proposes to amend this by deleting the exemption for these hospitals in the bill. The Medical Board has been told that they cannot charge a registration fee for medical service providers. Both the AMA and the Medical Board agree that the registration fee would have to be charged to the medical service providers to cover the cost of registering and disciplining these providers. I understand that that issue was clarified in another place.

The third issue relates to provisions for communicable disease testing in the 2001 bill. There was a mandatory requirement for blood tests annually upon registration. The current bill does not give the board any power, on one reading of the clause (and I think that there is an issue of interpretation in relation to this), to test for communicable diseases. The board would like the power to demand the testing of doctors where there is suspicion of a blood-borne disease. The current provision requiring a statutory declaration of medical fitness to practise is, in the opposition's view, not strong enough and the opposition proposes an amendment to give the Medical Board the power to demand testing of medical practitioners. There are also some issues regarding the insurance of doctors and the requirements in that respect, answers to questions and the concept of self-incrimination in relation to investigations and the duty to supply a blood test, which I touched on briefly.

In my briefing with officers from the minister's department four issues were identified. First, there was the definition of medical service. A suggestion was made that some providers such as Anglicare and the like might be caught by our amendments. They indicated to me that they are working on an alternative solution, and I look forward to being in a position to consider the government's response to that in due course.

Secondly, there are issues of insurance. I understand that the government is again seeking advice, and I am not sure whether or not it is proposing amendments. Thirdly, in relation to infection control and the requirement to provide blood tests, I understand the government is also seeking further advice on that. Again, I look forward to its response in relation to that. Finally, I understand that the government is looking at the issue of legal professional privilege and self-incrimination in clause 85. The government is currently seeking crown law advice about that and, again, I look forward to the advice on that.

I support the bill. I think that we should be able to process this bill in a relatively straightforward way when we get to the committee stage, notwithstanding certain differences in views about some issues in relation to the bill.

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

### STATE PROCUREMENT BILL

Adjourned debate on second reading.  
(Continued from 24 June. Page 1832.)

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I thank all members for their contributions. I acknowledge contributions by the opposition and the Democrats in the second reading of the bill and thank them for their support. I have noted the comments made about the conduct of the public sector procurement and, whilst the government does not necessarily agree with all the views expressed, I am pleased there is broad agreement on the principles underlying this legislation. The Hon. Robert Lawson stated that the bill does not make any substantial alterations to the existing procurement regime. In fact, there are several aspects where the bill will contribute to significant change, and I will give some examples.

The bill clearly states the underlying principles of procurement being value for money, ethical fair treatment of participants, probity, accountability and transparency in procurement. The bill clearly places the accountability for efficient and cost-effective management of procurement on principal officers such as chief executives. The bill places a specific requirement on the State Procurement Board to facilitate strategic procurement rather than merely agreeing to have regard for government policy. These provisions go beyond rhetoric and have a fundamental impact upon the culture of procurement.

The Hon. Robert Lawson asked for an estimate of the current total the state government spends on procurement and a breakdown of that spending into services, goods and consultancy services. I am advised that the State Supply Board reported on these matters in its 2002-03 annual report. The board advised that agencies reported total spending of \$1.878 billion on goods and services in 2002-03. Of that, approximately 23 per cent was for goods; 1 per cent was for consultancy services; and 76 per cent was for other services.

The Hon. Ian Gilfillan made references to public sector information technology managers always specifying Intel central processors and computer equipment. I am advised that, while there was a time when Intel was specified, this has changed. Suppliers are now able to offer AMD central processor options, and IT managers are free to purchase AMD manufactured central processors.

As the opposition spokesperson noted, the government will move amendments to accommodate some matters discussed in the debate on the bill in another place. I will move those amendments shortly. The government appreciates the support for this bill and thanks members for that support. In relation to the first amendment, the opposition questioned the fact that the bill would allow the board to establish a committee without a member of the board on the committee. The opposition's concerns relate to accountability. While the government does not believe accountability would be compromised, it also has no objection to amending the bill to put the matter beyond doubt by requiring any committee to include a board member.

In relation to the second amendment, the opposition was concerned that a board committee could establish its own procedures in the absence of any such procedures set by the board. Again, the government has no objection to addressing the opposition's concern by amending the bill to require committees to follow procedures determined by the board. Consequently, those two amendments will be included in the amendments that I will move.

Bill read a second time.

In committee.

Clause 1.

**The Hon. NICK XENOPHON:** I have a question for the minister, but I do not expect that it will necessarily be answered at this stage. It is relevant to how this bill will operate in one aspect of procurement of government services. I indicate that I support the bill and its principles as enunciated by the minister. I have one particular question that I would like answered. I understand if it cannot be answered now, and I do not wish to hold up the passage of this bill. It is something that was alluded to by the Hon. Mr Lawson in terms of the travel expenses of public servants. That is a very significant expense.

I note that in recent media reports a senior executive complained that Virgin Blue was not getting a fair share of the pie of government travel, and he was not referring to South Australia but to other states. Will the minister advise how this bill will make a difference in ensuring that we get the best possible deal for taxpayers in terms of the most economic fares and the best value for money for air travel for public servants and members of parliament? How will this bill affect that requirement for government with respect to the provision of airline services for public servants and members of parliament? If the minister is not able to answer those questions now, will he give an undertaking that they will be answered promptly? Further, is the minister aware of the criticism of the senior Virgin Blue executive? If not, will he respond in due course to the concerns raised by Virgin Blue that it is not getting a fair deal in the provision of such services in respect of its competition with Qantas in delivering the best value for money for taxpayers in this state?

**The Hon. T.G. ROBERTS:** The principle involved is that we have a whole of government contract, about which I can bring back more details for the honourable member. We have a contract with a travel agent who shoots for the lowest fares of the day and is not restricted to a particular airline. However, I will obtain more details, and I would be interested in those, too.

**The Hon. R.D. LAWSON:** Will the minister indicate whether the government has undertaken any cost benefit analysis of this measure and, in particular, whether it is envisaged that, as a result of the passage of this bill and the improvements envisaged to flow from it, there will be savings

to the South Australian taxpayer? If so, what is the likely order of those savings? If the benefits are not purely financial, what benefits does the government see for this measure?

**The Hon. T.G. ROBERTS:** The process should provide confidence in dealing with the supply market, and that should lead to improved processes that allow for savings and the ability to produce savings from the certainty in those negotiations. The second reading reply states that the underlying principles of procurement are value for money, ethical and fair treatment of participants, probity, accountability and transparency, and you can measure those principles on the way through. It is very difficult to predict what sort of savings you would make in those areas. Certainly, having a structure that supplies those sorts of certainties should give you a guarantee of savings on the way through.

**The Hon. R.D. LAWSON:** Will the minister indicate whether this bill will have any effect on the current process to select an alternative supplier to EDS for computer and IT services to the South Australian government?

**The Hon. T.G. ROBERTS:** The bill does not change the process. The negotiations currently under way will have no impact on giving EDS any advantage or disadvantage.

**The Hon. R.D. LAWSON:** Can the minister indicate whether the Supply Board has any role in relation to the current EDS contract replacement?

**The Hon. T.G. ROBERTS:** The information supplied to me is that the EDS contract process is being conducted under the State Supply Board policy and framework, and the final selection will be approved by the board.

Clause passed.

Clauses 2 to 12 passed.

Clause 13.

**The Hon. T.G. ROBERTS:** I move:

Page 7, lines 9 and 10—

Subclause (2)—delete subclause (2) and substitute:

(2) A committee will consist of—

(a) at least one member of the Board; and

(b) such other persons as the Board thinks fit to appoint.

Amendment carried.

**The Hon. T.G. ROBERTS:** I move:

Page 7, lines 15 and 16—

Subclause (4)(b)—delete paragraph (b).

**The Hon. R.D. LAWSON:** I indicate opposition support for this and the previous amendment. I thank the government for introducing these amendments which were consistent with the approach adopted by opposition members in another place.

**The Hon. IAN GILFILLAN:** I make the observation on the record that the cooperation identified and the inspiration of improving the legislation has been achieved in the upper house, therefore highlighting yet again the usefulness of the bicameral system in South Australia. If it were to be lost the state would be much the poorer in legislation.

**Honourable members:** Hear, hear!

Amendment carried; clause as amended passed.

Remaining clauses (14 to 25), schedule and title passed.

Bill reported with amendments; committee's report adopted.

Bill read a third time and passed.

## BEECHWOOD GARDEN

Adjourned debate on motion of Hon. T.G. Roberts:

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).

(Continued from 2 June. Page 1758.)

**The Hon. A.L. EVANS:** I rise to speak to this motion that this council resolve that the board of the Botanic Gardens may dispose of the land known as Beechwood Heritage Gardens at Stirling. The sale of the 10-acre garden has been the subject of a number of letters and other correspondence over the last week. In particular, the Friends of Beechwood Gardens have raised a number of concerns which, I believe, need to be addressed before this council should proceed to vote on the motion. The garden has been a heritage asset to the state since 1981 and has apparently attracted many visitors over the last 25 years. I have been worried to discover that there has been an apparent lack of public consultation. The garden has been established for over 100 years and contains many valuable heritage plantings brought from around the world.

Heritage gardens like this one are an important source of older plant varieties and genetic diversity, not to mention an important record of our own botanical and social history. An iron-framed conservatory adds immeasurably to the heritage value of the garden and may well be of some architectural significance in its own right. One constituent has informed me that the garden has featured in a number of publications by virtue of its botanical value and design. Ms Elizabeth Harris, a grand-daughter of the late Francis Hugh and Flora Snow, the garden's founders, has pointed to some very unique features that were innovative for their time. Ms Harris states that, 'the rockery is a special feature. . . created using a special technique. . . rarely seen in older gardens.'

There appears to be some discrepancies in the estimates of the costs of maintenance, with the Hon. Ms Redmond reporting a cost of \$54 000 per year whilst the minister has quoted the figure of \$70 000 per year. Other figures have also been mentioned. There also appears to be some controversy concerning the state of repair of the gardens. Constituents have stated that they regard the gardens to be in very good condition and have also noted that it has been a popular venue for weddings. They have concerns that the conservatory and potting sheds are in need of restoration and that some tree surgery is necessary. Constituents also believe that the gardens have been visited by thousands of South Australians and that the government may have significantly underestimated annual visitor numbers. Constituents have said that they believe the gardens have probably been visited by around 2 000 people a year. The gardens have been opened for 11 to 12 weeks of the year, and the Friends of the Garden believe that these times should be further extended. If the sale goes ahead this public access may well be reduced to about four days a year.

It is proposed that the garden be sold to the owner of Beechwood Homes, a prominent developer who had made an offer to purchase last year. Constituents are asking for public consultation and also for an opportunity to assess the feasibility of transferring the garden to the National Trust or the local council. They have informed me that at a meeting of the Adelaide Hills Council on 6 July 2004 a resolution was unanimously passed to support keeping Beechwood Gardens in public hands. I understand that the gardens were offered

to the former Stirling Council for purchase about 10 years ago. The council was at that time unable to purchase the land. I would be interested to know the terms of that offer and whether any new offer, in similar terms to the present proposal, has been made to the Adelaide Hills Council. The management and preservation of the garden would certainly be core business for the National Trust, and I would like to know whether any offer has been made or negotiations undertaken with the trust in the last 12 months or so with a view to handing the gardens over to the trust.

The sale, if approved by parliament, will then be conditional upon the execution of the heritage agreement between the Minister for Environment and Conservation and the new owner under the Heritage Act 1993. The Minister Assisting the Minister for Environment and Conservation has stated in this place:

That 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.

The Friends of the Garden have raised a number of concerns about the level of certainty provided by this arrangement. I quote from a letter sent by Ms Carina Angelo on behalf of the Friends of Beechwood Heritage Gardens:

No matter how detailed and stringent its provisions, the heritage agreement offers no guarantee or anything close to it, for protection of the heritage value of Beechwood Garden for future generations. Under section 32 subsection (3), The Minister may, after seeking and considering the advice of the Authority, by agreement with the owner of the land to which a heritage agreement applies, vary or terminate the agreement.

Clearly the heritage agreement offers no lasting guarantee of what it purports to offer. It is therefore a risky agreement and casts doubt on the future historical, heritage and botanical value of Beechwood Gardens.

I would like to have greater assurances concerning the specific content of the heritage agreement proposal for the garden and assurances that this agreement would, in fact, provide a high degree of certainty that this valuable garden is preserved as a heritage asset for the state for future generations. The government has talked a lot about honesty, accountability and transparency in the last couple of years—I would like to see some more transparency, openness and accountability in regard to the sale of Beechwood Heritage Gardens.

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

### APPROPRIATION BILL

Adjourned debate on second reading.  
(Continued from 1 July. Page 1987.)

**The Hon. R.I. LUCAS (Leader of the Opposition):** When we last met I had the early morning shift, and I agreed to place on record quickly most of the questions that I wanted to ask in the Appropriation Bill debate, without addressing the macro or global issues as they relate to the Appropriation Bill debate and our state's economy and performance.

I do have some further questions which, at the end of my comments, I will put on the record. I indicate to the Leader of the Government that there are some questions that could potentially be answered in the next two to three days but I acknowledge that some of the questions will take longer than

time permits, and I am happy for an undertaking from the leader on behalf of the government that they will be taken on notice and treated seriously, and that the government will correspond with me during the coming seven week non-parliamentary sitting period.

When I was addressing budget matters during the Supply Bill debate, I briefly made the point that, if ever you wanted to be a treasurer, now was the time because the state of South Australia in particular was awash with money. The point I made was that the decisions that have to be made at this time are significantly different from the decisions that needed to be made during the 1990s. I do not move away from the fact that they are still difficult decisions but in the scheme of things they are much less difficult than the decisions that were required in the 1990s when significant cuts had to be instituted right across the public sector, together with widespread action to try to generate additional state-based revenue and income to help balance the state budget.

I seek leave to incorporate in *Hansard* two tables which are purely statistical in nature. Table 1 shows actual revenue growth since the forward estimates included in the 2001-02 budget paper, and table 2 shows general government sector total revenue, and I will address some comments to each of those tables.

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 \$	
01-02	8141m	8538m
02-03	8194m	9346m
03-04	8319m	9793m
04-05	8470m	9997m
	33 124m	37 674m
Total Revenue Growth = \$4550m		
General Government Sector—Total Revenue - difference between Budget and Actual		
98-99	+ \$218m	01-02 + \$397m
99-00	+ \$84m	02-03 + \$528m
00-01	+ \$256m	03-04 + \$632m
	+ \$558m	+ \$1 557m

**The Hon. R.I. LUCAS:** I referred to these two tables in the Supply Bill debate but it is important to put those points on the record again in the Appropriation Bill debate. The first table goes back to the 2001-02 budget, which was the last budget that the former government brought down in the middle of 2001 for the 2001-02 financial year. As members will know, in each budget Treasury estimates the potential revenue for that financial year and for the next three financial years in terms of the forward estimates. In 2001-02, the forward estimates from Treasury totalled some \$33.1 billion in terms of estimates over the four years for revenue coming into the state budget.

Table 1 compares that estimate done in the middle of 2001 for the financial year 2001-02 with what actually occurred in 2001-02 and 2002-03 and the estimated result for 2003-04 and 2004-05. We have two actual figures for the first two financial years and we have a pretty good estimate for 2003-04 because, when this budget was brought down, the 2003-04 financial year was almost concluded, and we have an estimate for the 2004-05 period. When one adds up those four yearly figures, one comes to a number of \$37.7 billion, and the difference is almost \$4.6 billion. That is, in the middle of 2001, Treasury predicted how much revenue the state would have to play with for a four-year period. If we compare what Treasury said, the difference is \$4.5 billion.

That is, the Treasurer and the Treasury are enjoying an additional \$4.5 billion over and above what was being estimated just two to three years ago. That is a very stark vindication of my claim that this state is awash with money at the moment.

The second table indicates in more graphic detail the same point. Table 2, which relates to general government sector total revenue, shows the difference between the budget and actual. This table shows for the last three budgets, the 2001-02, 2002-03 and 2003-04 budgets, singly and independently, what Treasury predicted for the start of the year and what ended up being collected at the end of the year. It shows the error or the underestimate in terms of revenue growth for those last three financial years. For that period, Treasury underestimated the state revenues by \$1.5 billion. Going back to the three previous years, just to do a comparison, in 1998-99, 1999-2000 and 2000-01 the underestimate was half a billion dollars—about \$550 million.

If we look at this last three-year period, we see that there was additional revenue or a surplus, money to spend that you did not expect to have, of \$1.5 billion. For the previous three years it was half a billion dollars. Just looking at the three-year rolling average, there is an extra billion dollars for each financial year comparing the budget estimate of that year and the actual collections. In the last three years, the underestimate for 2003-04 was \$632 million; the underestimate for 2002-03 was \$528 million; and the underestimate for 2001-02 was \$397 million. They are very significant sums of money. Here we are at the start of 2004-05 and we are being told that total revenue for this financial year is estimated to be \$9 997 000 000. Going on the last three years' rolling averages, that could be out by the order of 200, 300, 400 or \$500 million, and the best year, if you are treasurer, was \$632 million in 2003-04. It is probably not going to be as high as that. The last three years have been very significant—\$400-plus million in each of the years in terms of an underestimate.

That is why I have indicated in debate on both the Supply Bill and the Appropriation Bill that this state is awash with money. It is awash with money because we have the highest taxing Premier and Treasurer in South Australia's history. As the Treasurer said, his guiding principle on these sorts of issues is that he has the moral fibre to break his promises in relation to no new taxes, no new charges, no increases in taxes and no increases in government charges. His philosophy is clear—he put it on the record in the *Hansard* and he has not resiled from it—that he and his government have the moral fibre to break their promises; and he had the effrontery to criticise the Leader of the Opposition for not having the moral fibre (as the Deputy Premier would put it) to break promises.

This surplus of money in our state budget at present is due principally to two factors. One is the GST, which I will not address in any detail tonight, but, in summary, it is some \$750 million over and above what we would have expected under the old federal financing arrangements flowing through

to the state budget from last year and over the next three years. This is money that we did not expect to get at this stage and it is surplus to the budget, contrary to what I know the Treasurer has sought to indicate to his ministers and some members on his backbench that in some way it is not as big as the opposition is claiming; or, indeed, the Treasury did expect a significant amount of this coming through and, therefore, it is not unexpected surpluses flowing through to the budget which could be spent by the government in a particular way.

The second principal reason has been property taxes and property growth as a result of the very strong economic growth that we have seen in South Australia during that period of 2000, 2001 and 2002 and flowing through to the early part of 2003. I want to put on the public record, because it has been very easy to be critical of the former government—former premier Olsen, in particular, and the former Liberal government, in general—in relation to what was a sustained period of reconstructing the state's finances and reconstructing, together with business and industry in South Australia, the state's economic performance.

Certainly, some fellow travellers of the Labor government have sought to reinvent or reconstruct history in recent times, as the new government, particularly through 2002 and the early part of the 2003, enjoyed some of the benefits of the continued economic growth in South Australia to indicate or imply in some way that this was the product of decisions that had been taken by the new government. I think those criticisms—and I will have more time on another occasion to speak to this—can be fairly directed at people such as Dick Blandy and John Spoehr who have sought in a number of ways to imply that a lot of that impressive economic performance in 2002 and early 2003 was in some way due to decisions taken by the new government.

I want to clarify the historical record and put on the record some figures which demonstrate the state of the economy when the government changed in March 2002 in order to put together, in part anyway, a clear picture of the state of the economy at the changeover of government. I put on the record some quotes from Access Economics over a period of some 12 months during that period leading up to early 2002. Access Economics in December 2000 said:

South Australia has some claim to being Australia's untold success story of the past few years.

In March 2001 Access Economics said:

South Australia is now moving out of the list of high debt states. South Australia's growth of 3.3 per cent per annum over the past five years is second only to Victoria.

Again, in June 2001 Access Economics said:

Latest estimates place South Australia as the fastest growing state in the nation in the past 12 months.

I seek leave to have inserted in *Hansard* a table on GSP.

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** Is it purely statistical?

**The Hon. R.I. LUCAS:** It is purely statistical.

Leave granted.

#### Gross State Product

	Chain volume percentage changes from previous year			Chain volume percentage changes from previous year (per capita basis)		
	2000-01	2001-02	2002-03	2000-01	2001-02	2002-03
SA	3.5	3.4	0.1	3.2	3.0	-0.4
AUST	2.0	3.9	2.8	0.8	2.6	1.5

**The Hon. R.I. LUCAS:** The table shows that the gross state product, which is a measure of the economic growth of the states compared with the national figures, demonstrates that in 2000-01 South Australia's economy grew by 3.5 per cent and Australia's economy grew by just 2 per cent. In 2001-02 South Australia's economy grew by 3.4 per cent and the Australian economy grew by 3.9 per cent, so at around the national average or just under the national average. In 2002-03 there was a very significant drop. It would be interesting to see the 2003-04 figures. Certainly, I think it may be that there is some reconstruction by the Bureau of Statistics of the 2002-03 figure, but the table shows, nevertheless, in South Australia the economy actually stopped. I would be the first to say that I cannot blame all that on the new state government, but the figures show 0.1 per cent growth while Australia grew at 2.8 per cent. As I said, it will be interesting to see the 2003-04 figures in order to get some indication of how our state has been growing compared with the national figures. I also refer to the job growth figures at the time, and I seek leave to have incorporated in *Hansard* table No. 4 which is purely statistical.

Leave granted.

	6 monthly average of difference in Trend Unemployment Rate between South Australian and Australian Unemployment Rate	6 monthly average of difference in Seasonally Adjusted Unemployment Rate between South Australian and Australian Unemployment Rate
Dec 1998	1.9	1.9
Jun 1999	1.4	1.4
Dec 1999	1.2	1.2
Jun 2000	1.5	1.5
Dec 2000	1.1	1.1
Jun 2001	0.6	0.6
Dec 2001	0.4	0.4
Jun 2002	0.4	0.3
Dec 2002	0.1	0.1
Jun 2003	0.0	0.1
Dec 2003	0.5	0.4
Jun 2004	0.7	0.7

I also seek leave to have incorporated in *Hansard* Table 5, which is also purely statistical, on employment growth.

Leave granted.

	SA	Aust	NSW	Vic	QLD	WA	Tas	NT	ACT
Change 2003-04 financial year									
Trend Full Time Employment Growth									
'000	-9.1	199.1	40.1	68.5	69.9	21.3	5.4	0.5	2.4
%	-1.8%	3.0%	1.8%	4.1%	5.5%	3.1%	3.8%	0.7%	1.9%
Trend Total Employment Growth									
'000	-0.1	230.4	61.0	55.7	73.8	28.3	7.1	0.7	3.6
%	0.0%	2.4%	1.9%	2.4%	4.1%	2.9%	3.4%	0.8%	2.0%

**The Hon. R.I. LUCAS:** Table 4 is an interesting analysis of South Australia's trend unemployment rate compared to the national unemployment rate (and the seasonally adjusted figures are also included). It is done on a six-month average basis going back to December 1998. The trend figures look at the average unemployment rate for the first six-month period of the year, then the second six months, right through to the first six months of 2004. It looks at the difference in the average trend unemployment rate—the unemployment figure that comes out every month through the ABS. As I said, it does an average over six months then compares it to the national figure. In the six months leading up to December 1998, South Australia's unemployment rate, on average, was 1.9 per cent higher than the national unemployment rate.

It was at about that time that former premier John Olsen made what some would say was a courageous target; that South Australia's unemployment rate should match the national unemployment rate. That is why I indicated before that this notion from the Economic Development Board and the new government that the new government is the first government ever to set specific targets against which performance would be measured is a nonsense, particularly when one looks at the fact that some of the targets that the new government is setting are 10, 15 and 20-year targets, and it does not want its first report until after the next election, in July 2006. As I said, this was a specific target from former premier Olsen, who said that we ought to be targeting a state unemployment rate that is no higher, on average, than the national unemployment rate.

As I said, at that six-month period at the end of 1998 our average was 1.9 per cent higher than the Australian unemployment rate. Through 1999 we were 1.4 and 1.2 per cent

higher than the national rate. In 2000 we were still 1.5 and 1.1 per cent higher than the national rate. But then, as each six-month period went by, it came down from 1.5 to 1.1 and then 0.6 and 0.4. In the first part of 2002 it was 0.4, and in the last part of 2002 and the early part of 2003 it was 0.1 and zero. Certainly, it has been—and will still be—my contention that the performance of the state's economy, by and large, on these sorts of macro figures in the 2002 and early 2003 period was an overhang from the decisions of the former government; from the momentum that had been built up by the former government. I do not think that, even in its crazier moments, the new government would indicate that it did anything in the first six or nine months in relation to economic development or employment generation that would have brought about any change in these sorts of macro figures.

However, what we have seen in the past 12 months is cause for concern. Having brought our differences from a 1.9 per cent—nearly 2 per cent—higher unemployment rate down to zero in the 12 months after the last election, all of a sudden we are starting to go back the other way again. In the last six months of last year, it was 0.5 per cent higher than the national figure. In the first six months of this year it was 0.7 per cent. So, we have gone from 2 per cent above the national average, over a period of hard work over four years or so, down to zero and, in this first 12 months, when we are starting to see the impact of the new government's policies (or lack of them), we are now seeing this matching of the national unemployment rate reversing. We have seen it go to, first, a half a per cent higher and now we are almost three-quarters of a per cent higher than the national unemployment rate when one looks at the trend figures. Table 4 also outlines the seasonally adjusted figures and, again, that shows (with

some minor variations) a very similar trend. That has to be, if one is interested in and concerned about the performance of our state's economy compared to all the other states and the national performance, a major cause of concern.

Table 5 looks at just the past 12 months (the 2003-2004 financial year). The June figures were released only recently—the second week of July—so we have been able to do the most recent 12-monthly figures. Worryingly, what it shows is that, in the past 12 months, when one looks at total employment generation in Australia, one will see that South Australia was the only state that lost jobs. Some 230 000 full-time and part-time jobs were generated in Australia in the past 12 months. Every other state generated some jobs, with the exception of South Australia. We lost 100—which is, admittedly, only a small number but, as I said, every other state saw significant growth.

Queensland had growth of 73 000 new jobs, New South Wales had 61 000, Victoria had 55 000, Tasmania had 7 000 and Western Australia had 28 000. We lost jobs in the last 12-month period. If one looks at the full-time figures (and I will not go through them all), one will see that the figure is even worse and more stark. When one looks at the full-time jobs in the past 12 months, one will see that we lost 9 000 jobs. At a time when 199 000 full-time jobs were generated in Australia in the past 12 months, South Australia was the only state to lose full-time jobs, and we lost 9 000 full-time jobs in the last 12-month period.

The sad thing is that the new government (and I guess, to be fair, all governments seek to gloss over concerns or problems that may be making themselves apparent in terms of the independent figures that have been produced) is seeking to look at the number of jobs that have grown since March 2002 to say that 25 000 jobs have been created since then. The problem with that is that all that growth occurred as a result of the momentum built up in the economy leading up to the election period. So, in the first 12 months we did see significant job growth. But whereas in all the other states job growth has continued at a great pace, or at a solid pace, in the past 12 months we have been going backwards here in South Australia.

Anyone who is concerned about young people and the difficulty they have in terms of trying to find full-time or part-time jobs needs to pull their head out of the sand and have a look at what those figures are demonstrating to us. Perhaps oppositions are there to highlight these issues but, hopefully, there is someone awake within the government who is prepared to take up privately some of these issues within the party forums available to government members. Whether it be the Caucus, the policy committees or, indeed, the cabinet, they need to start asking the hard questions about why, in the last 12 months, when one compares South Australia's performance with the national performance, we are performing so badly. You can look at the export figures, the retail trade figures and others which I will not put on the record and which all demonstrate some concern in the past 12 months. Ministers are delusional if they solely rely on what has occurred in the past two years, and try to live off the fat or the excesses of the growth that occurred in our economy in that first six to 12 months, as a result of the momentum that had been built up in the economy during the latter part of the last parliamentary term.

In the discussions that I have with industry and business leaders, one of the questions that I challenge members to put to their friends and colleagues or even union leaders is: if one has a look at the past two years, can anyone nominate what

new business or what new industry has actually been attracted to, or established in, South Australia or has significantly expanded and developed in the 2¼ to 2½ years of the new government? It was and still is very easy—I hear it on talkback radio, the ABC and various other places—to criticise former premier Olsen and the former government in relation to industrial development. But, it is pretty easy to recall the establishment and expansion of companies and entities such as EDS, Motorola, Westpac, BT, Optus, BHP Billiton Shared Services Centre, Tenex, General Dynamics, Saab, BAE Systems, Amcor and JP Morgan during that period of eight years. A number of those were significant new employers in South Australia. They were a small number of existing employers that rationalised in a number of locations and expanded their South Australian operation vis-a-vis their eastern states operation.

One good example which comes into that category is BAE Systems. It existed in South Australia, and it had a choice of rationalising in other parts of the world or Australia but ended up rationalising and expanding in South Australia. Electrolux is another example of where plants were closed down in other states, and they were encouraged to retain and slightly expand operations in South Australia. So, it is very easy to criticise former premier Olsen and the former government about the significant economic development which they worked hand-in-hand with business and industry to try to develop in South Australia.

Certainly, my view is that in the period of the early to mid-1990s when we as a state were reeling with problems of the State Bank losses, SGIC and other financial scandals at the time, there was a requirement for significant impetus to be given—a duck shove or a push—working with business and industry to try to get this state lifted up from its bootstraps. Certainly, my position as the former treasurer and shadow treasurer would be that the extent and the range of the packages that we used during that part of the middle 1990s would not be the sort of thing that you would sustain into the future. But this state needed something in the middle and late 1990s to get us over that hump of the State Bank and the SGIC financial scandals. It is not something you would have to do for ever and a day. My position is that targeted financial assistance packages through the new Department of Trade and Economic Development can certainly be sustained if you have a government that is prepared to consider moving down the path.

Whilst it is easy to look at those companies that I have listed in terms of being attracted to or expanding in South Australia in 1990s and up to 2002, the challenge I put to you to put to your friends is: can anyone name any new significant business or employer attracted to South Australia in the past two and a bit years? We can remember that we lost the SAMAG development which was worth \$600 to \$700 million; we can remember that we lost the Jet Star development to Victoria; and we can remember the Vestas Wind Turbine blade plant which the former government had been negotiating to establish in South Australia. The new government decided not to proceed in trying to attract that to South Australia, and it is now being established in Portland Victoria, with 50 jobs evidently provided.

It is certainly my view that it is inevitable that in any economic cycle there will be companies that close and reduce staff numbers. It is essential that a state's economic development policies ensure that there is a climate which will mean that new companies are establishing and that existing companies are expanding. I will read out a list of significant

employers which, in the past 12 months or so, have either closed or announced significant job reductions in South Australia, to indicate the extent of the budgetary and financial problem that confronts this government in South Australia. We are all aware of Mitsubishi with more than 1 000 direct jobs and who knows how many indirect and flow-on jobs in component industries. These include Mobil, with 400 jobs; Pilkington, 100; Electrolux, 100; Kangara Foods and Angus Park Fruit Company Pty Ltd, 100; Sheridan, 150; Santos, 60; Solar Optical, 60; SABCO, more than 100; Berri, 25; Hensley Industries, 100; Aunde Trim, 80; Sellicks of Unley, up to 10; EDS Australia, we do not know, but there is speculation of up to 100 or 200, but that is being denied by a company spokesperson, so we will not put a figure on it.

Of course, today in the press we read the speculation that some 300 jobs may go from Griffin Press. It is easy to list the companies that are closing and those that are reducing jobs, and it is easy to see opportunities we have missed out on, such as Jetstar, SAMAG and Vestas, but the challenge for this government is: where are the new companies that are developing and expanding? When the minister was challenged last week, he refused to provide the name of any company, and I put that challenge to him in the Appropriation Bill debate. I can understand the sensitivity of the 21 companies with which the minister says the government is negotiating, but I think he indicated that some seven new companies (automotive and plastics) had established here in South Australia in the past two years. Obviously, we welcome that, but I challenge him to put them on the record, because there is nothing secret about that.

If a company is established, and it is here and operating, the minister should name it, so that, when we are challenged by our friends and colleagues on what this new government has achieved, we can seek to defend it by saying, 'Here are these seven magnificent employers, with significant numbers of additional jobs, established in South Australia under the new regime, and you can compare those to EDS, Motorola and the others with which the former government worked to have established in South Australia.' That is the first question I put to the Leader of the Government, because it is within his area of responsibility. He has been given the names of the seven companies and, as I said, once they are established, there is nothing secret about them, because there are no longer any negotiations. We assume they are here, operating and employing people. We would like to know their names so that we can see how many people they employ. As I said, when the government is criticised—as we hear often—we can do our small part to try to defend it and the performance of the state.

This is a critical issue in terms of the Appropriation Bill debate because, when one looks at the growth figures in the budget papers (and I will do so in a moment) and at the key economic development agency in the state (the Department of Trade and Economic Development), we see a minister and a government which are gutting that department as fast as they can. We see a minister and a government clearly indicating no interest at all in having a key economic development agency working in partnership with business and industry to try to grow jobs in South Australia. The minister knows that I believe that some of his appointments (including that of his CEO) have not been appropriate, but I will criticise those on another occasion. In relation to the—

*The Hon. P. Holloway interjecting:*

**The Hon. R.I. LUCAS:** I am very happy to. I am not backing away from my views in relation to Mr Garrand. Only

two weeks ago the national papers still contained advertisements for key policy positions within the department—another six or seven positions at executive and management level. There are still people in the department who do not know their role, who do not know whether or not they have a job and who are awaiting guidance and direction from people further up the corporate food chain who have still not been appointed. We have a gutted and demoralised department which lacks appropriate leadership both at departmental and ministerial level.

Certainly, it is not the Liberal Party's view that governments and departments can grow economies by themselves, but key departments, such as the Department of Trade and Economic Development, can and should work hand in hand with business and industry to try to meet the economic growth targets of the state. I am not sure whether I have the numbers here, but, certainly when one looks at the job growth numbers included in this year's budget papers and compares them with those in the budget papers in each of the other states, South Australia's Treasury and the Treasurer predict the lowest jobs growth of all the states and territories in Australia. Before I finish speaking, I may be able to find that table and, if so, I will incorporate it into *Hansard*. As I said, if you look at the state budget of other states, each Treasury predicts their jobs growth for the next 12-month period, and you will see from those national figures that South Australia's employment figures are the lowest of all the states and territories.

*The Hon. Ian Gilfillan interjecting:*

**The Hon. R.I. LUCAS:** You might, but others might not. If I can find the figures, I will incorporate them into *Hansard*. That, in summary, is the opposition's overview of the state's economic performance in the period leading up to 2002, in the early part of 2003, and of our concerns on the public record in relation to the past 12 months and also our concerns about policy being directed through the Department of Trade and Economic Development.

I will now place on the record some further questions. As I indicated at the outset, some of the answers will not be able to be provided within the next two to three days—I accept that—but I would be happy for the Leader of the Government to take them on notice and provide answers during the coming seven-week non-sitting period. The issue of consultancy has caused a great deal of debate in the past two to three years. In the 2002-03 budget speech, the government promised that government departments would cut \$10.6 million in consultancy expenditure in 2002-03, and it also promised that the government's commercial businesses would deliver on a similar saving in that period as well.

The Treasurer answered part of that question, which was asked by the member for Kavel during estimates, but did not answer the questions in relation to the government's commercial businesses. So, I seek from the government whether it will provide the savings, if any, that have been made by the commercial businesses in the financial year 2002-03 and, similarly, the figures for 2003-04 for both government commercial businesses and the general government sector. The Treasurer indicated that the actual level of consultancy expenditure in 2003-04 will be available as part of the end of year budget outcome reporting. I indicate to the Treasurer that the outcome results do not produce the consultancy expenditure figures that have been requested. Certainly, they have not, unless the Treasurer is now indicating that there will be a new section in the outcome or actual results for 2003-04. We seek the detailed information in relation to 2002-03 on

the commercial businesses to see a comparison of the 2002-03 expenditure on consultancies with the 2001-02 expenditure, along with the latest estimates for 2003-04, for both the general government sector and the commercial businesses.

The Treasurer was asked questions in the estimates committee in relation to the end of year statement in the budget papers. In late 2003 Treasury and Finance conducted the year-end review process which involved ministers and chief executives meeting with the Treasurer and Under Treasurer to discuss each portfolio's actual performance in 2002-03. In the answer the Treasurer stated:

It made some significant improvements in how we prepare the budget. We do a lot more work prior to Christmas than we had done in our first two budgets, from memory, and it gave us less pressure at the sharp end of the budget period when we were running out of time.

I seek clarification from the Treasurer because, under the former government, a process had been instituted where, pre-Christmas, the Treasurer and Under Treasurer met with ministers, their senior executives and others in the first round of budget bilaterals. A budget bilateral was held in the period of the end of November and the start of December; a second round of bilaterals were conducted in the period of February-March. My recollection was that the Treasurer removed the first-round bilaterals, indicating that they were not required in his first two budgets. I am taking from this that, on the basis of advice from Dr Grimes, the government has now reintroduced a version of the pre-Christmas budget bilaterals. Does the Treasurer now concede that the removal of the pre-Christmas budget bilaterals by him in the first two budget periods was not a sensible reform and that it does make sense to start the budget process much earlier to undertake a lot of this work prior to Christmas in terms of sensible budget planning?

Some questions were asked of the Treasurer in relation to the amalgamation of SAFA and SAICORP. In his answer, the Deputy Under Treasurer, Mr Rowse, stated:

The board of SAICORP is preparing a paper outlining some of the issues that it thinks need to be addressed, if the merger is to occur.

Whereas, when one looks at the Treasurer's statements, they seem to indicate that the decision has already been taken. In fact, if you look at the budget papers under Targets for Treasury it includes the completion of the amalgamation of SAFA and SAICORP. In one case, you have the Treasurer and Treasury saying they will complete the amalgamation of SAFA and SAICORP; in another, we have had the Deputy Under Treasurer indicating that the merger has not occurred and that it was still up in the air as to whether or not the merger of SAFA and SAICORP would eventuate.

The Treasurer ought to be aware that some concerns are being expressed to the opposition and others about some aspects of the merger. The opposition has an open mind in relation to this. It is seeking information from the Treasurer in terms of whether or not some of these concerns are justified. Therefore, I put on the record some questions to which I hope the Treasurer will provide some answers so that members of the Legislative Council can be informed as to whether or not SAFA and SAICORP ought to be amalgamated.

The first question is: has the amalgamation taken place or not and, if so, what process was used? Was any external advice received—legal or otherwise—or advice of the boards received prior to making the decision to proceed with the

amalgamation? If the intention is as outlined in the targets—that is, complete the amalgamation—what is to be the composition of the new board, and what are the terms of appointment and remuneration of the new board members? Can the Treasurer also list who the new board members will be, and can he also indicate what the proposed roles will be for Mr Cantley, who is the General Manager of SAFA, and Mr Daniels, who is the General Manager of SAICORP? Are both those gentlemen—who, I put on the public record, are good officers of the Department of Treasury and Finance—to continue in the amalgamated entity or is one of those officers to be transferred elsewhere or, indeed, is one of those officers to be declared redundant?

Will the corporate entities SAFA and SAICORP continue to exist by name or will they be amalgamated? Has any decision been made on the name of the new amalgamated entity, and the role and functions of the board? Also, is one of the models being looked at that there be one board and two corporate entities (although it is hard to conceive how that might be made to work in practice)?

The estimates committee also raised the issue of—and the Treasurer referred to this—a consultant, Towers Perrin, providing some review of the funds management process: the subject is the 'SAFA Review of Funds Management Model operating within the South Australian government.' Will the Treasurer provide the terms of reference for that review and the terms of reference for the consultant, and will the Treasurer commit to releasing in parliament the results of the review and the consultant's report?

In relation to contingency funding, will the government undertake to indicate the level of contingency funding in each of the Treasurer's administered item lines for each of 2005-06, 2006-07 and 2007-08? The Treasurer will, of course, be aware that there are contingency lines under his administered items listed under Employee Entitlements, Supplies and Services, Other Payments and the Purchase of Property, Plant and Equipment.

In relation to PPPs, can I again clarify with the Treasurer what advice the Auditor-General has provided about the budget treatment of the two PPPs the government is currently proceeding with; that is, the regional police stations and the aquatic centre? Whilst I understand that the government's position might be that there has been no overall up-front sign off by the Auditor-General consistent with his view of what his role ought to be, we have been advised that there have been discussions between Treasury, the government and Auditor-General staff about the appropriate budget treatment. Before we go the long route of FOIs, is the government prepared to indicate what the nature of the advice to Treasury officers and others has been in relation to the budget treatment of the two PPPs? In addition to that, what decisions has the government taken about the budget treatment of these two PPPs, and PPPs in general? Finally, did the government consider designating the Glenelg tram project as a PPP, and why did the government decide not to proceed with it as a public private partnership?

Another question in relation to SAICORP: since March 2002, what agencies have been exempted from the insurance and risk management arrangements and what were the reasons for any exemptions? Also in relation to SAICORP, the 30 June 2003 annual report shows that SAICORP had \$138.2 million of investments comprising cash, fixed interest deposits and Australian and overseas equities. The annual report also states that a new investment strategy was implemented for the first time in 1999-2000. The 2002-03 annual

report provides little or no information on: the investment strategy adopted by the board and presumably approved by the Treasurer; how the investment strategy is implemented, that is, the level of in-house and external management; the role and function of the SAICORP board in managing the investments; the performance of the investment assets as against industry benchmarks; and the level of hedging of the overseas assets.

We do note that the annual report does refer to the SAICORP board initiating a review of the investment strategy. Can the Treasurer provide any advice in relation to these particular issues as they relate to SAICORP and its performance—in particular, in the financial years 2002-03 and 2003-04? Also in relation to SAICORP, can the government provide information on the level of reported medical malpractice claims against the government; that is, the number and types of claims, the estimated liability to the state, and the duration of the claim?

Finally, in relation to SAFA, on page 5.9 of Budget Paper 3, the last paragraph under 'Debt Management' states:

As the general government sector moves to a net financial asset position, the liability management framework of SAFA will need to be reviewed.

The question is: has any work been undertaken on this issue so far and, if so, what are some of the options that might be considered by the state government in relation to this developing issue?

With those questions, I indicate opposition support for the second reading of the Appropriation Bill. I acknowledge that some of those questions will not be able to be answered in the next two to three days. We will accept an undertaking from the Leader of the Government in relation to providing answers at another stage to those questions.

**The Hon. SANDRA KANCK:** It is with a sense of *deja vu* that I rise to address the council on the Rann government's third budget. This time last year I spoke of a budget that was so suffocated by the mantra of debt reduction that it paid little heed to the needs of the future. A year later, the Treasurer has again spurned the need for substantial reinvestment in the physical and social infrastructure of South Australia in favour of pursuing a AAA credit rating. That is despite the fact that South Australia is in desperate need of substantial infrastructure modernisation. Our future prosperity depends on it. As economist John Spoehr says in the July edition of *The Adelaide Review*, good infrastructure helps attract and retain investment and people, create jobs and boost productivity, improve health and wellbeing.

For the last decade, South Australia's infrastructure needs have been severely neglected. The state government's own South Australian Strategic Plan makes the point powerfully. Volume 1 of the Strategic Plan says that South Australia's infrastructure is ageing, has been developed on an ad hoc basis and is not focused on the strategic benefit of the state. A graph in volume 2 shows South Australia's capital expenditure on new infrastructure assets since 1995. It details that, as a percentage of gross state product, we have been consistently below the national average for infrastructure investment, in some years alarmingly so. The evidence is there but consider that in this year's budget the Rann government has allocated just \$1 billion to its capital works program, whilst the Beattie government in Queensland budgeted for \$6 billion of capital works.

Having identified the problem, the Strategic Plan then lists as a priority action the development of a strategic infrastruc-

ture plan with five to 10-year time frames. Hence the infrastructure plan is to develop a plan. In short, the state government has no plan. It is therefore not surprising that the Strategic Plan does not set itself a quantifiable target regarding infrastructure investment, either. It merely states that the target is to increase investment in strategic areas to help achieve other targets in the Strategic Plan.

Having discovered that in eight years South Australia has not once achieved the national average for new infrastructure development as a percentage of GSP, the Rann government does not even set itself the modest aim of reaching the national average as a benchmark. That is despite the appointment of a Minister for Infrastructure and the creation of a new Office of Infrastructure 12 months ago. It also begs the question as to how the Rann government expects to reach many of its other targets. The government has set itself the task of exceeding the national economic growth rate within 10 years, bettering the average employment growth rate within 10 years and trebling the value of the South Australia's export income to \$25 billion by the year 2013. How? None of these targets will be reached if South Australia's infrastructure investment continues to lag behind the national average. What is going on?

The fact is that, for this government, the need for infrastructure investment is considered secondary to the principal target of this government—a AAA credit rating. This objective has become an unhealthy obsession of the Rann government. I heard the Treasurer only last week proudly boasting about this tag, which shows just how unhealthy that obsession has become. The desire for a AAA credit rating is just another incarnation of the ghost of the State Bank. Whilst the trauma of the State Bank is now a distant memory for most South Australians, its effect upon members of this Labor administration remains profound. As does its long-term effect on the state's economy.

The \$3 billion or so of taxpayers' money that poured into the financial abyss created by the collapse of the bank was money not spent on the social and physical infrastructure of this state. The fiscal belt was pulled very tight in the aftermath of that disaster, with acute pain experienced as a result. Tens of thousands of public sector jobs were lost, our public transport system shrank, our public hospitals have grown shabby and overcrowded, public schools now struggle to provide a first-class education, acquisition funds for our cultural institutions have been frozen, ETSA was privatised, many regional roads have fallen into disrepair—the list goes on and on. There is a great deal to be done in the sustained growth in revenue of the past years, regardless of the fact that this was in part due to the sell-off of assets, and it has placed the government in a position to tackle the backlog.

If we are to continue to enjoy economic growth in the future, we must have much higher levels of public spending on capital works than is currently the case. The revival of South Australia's infrastructure base should essentially be funded from current surpluses and prudent borrowing. The benefits that infrastructure development carries are inter-generational and hence should be funded by present and future South Australians. What should the state government be doing with infrastructure priorities? The Democrats would like to take this opportunity to give the government a few good ideas.

Reviving Adelaide's ailing rail network is a very good place to direct infrastructure development in this state. Public transport is good for social equity, good for the environment and good for the economy. Australians spend a very high

percentage of national income on transport. Drive that cost down and everyone benefits. Countries with good public transport systems spend much less time and money on getting from A to B. The government's draft transport plan released last year floated the idea of ripping up the Outer Harbor line and converting it to a dedicated corridor for heavy vehicles because it is under-utilised. What astonishing nonsense!

The Outer Harbor line is under-utilised because the stations are kilometres apart and have inadequate parking facilities. If we converted that line to light rail, put a station every kilometre and increased the frequency of the service, people would flock to it. That, in turn, would relieve the pressure on Port Road, obviating the need for a dedicated transport corridor for heavy vehicles travelling to and from Port Adelaide. Then, rather than people who live near the line having a truck superhighway running alongside their backyard, they would have an excellent public transport asset and the trucks would continue to run down Port Road where they belong.

While we are talking about public transport, the Glenelg tram should be extended from Victoria Square to the Adelaide Railway Station to allow it to link in with the rest of the rail system. From there, the possibility of extending a light rail network to the northern and eastern suburbs should be planned. For those who doubt the value of this approach, I invite them to look at the continuing light rail investment in Portland, Oregon. The more miles of track they build, the more people are flocking to use that system. In the publication of its strategic plan, the South Australian government is attempting to emulate Oregon. It needs to go the next step if it wants to be compared in the same breath.

Many other areas of investment are easily identified. What about extending the rail line from Noarlunga (where it currently terminates) to Seaford? The land is there and still in public ownership. Unless and until we do so the pressures that already exist on roads coming from the southern suburbs will only increase. We are seeing developments similar to Seaford occurring in other areas, such as Roseworthy, with no appropriate public transport plans. When will the Treasurer free up some funds so that some forward thinking can happen? Improving the state's regional road network should also be a priority. In order to reduce the road toll we need a dual carriage road on the Adelaide to Victor Harbor Road, more passing lanes on other roads and a considerable increase in shoulder sealing throughout regional South Australia. Without doing that, this government will be watching over a road toll for which they are partly to blame.

A government owned electricity generator also ought to be under serious consideration. With prices at the current level, a government owned generator could sell cheaper power which, in turn, would drag down the overall pool price and still service both the interest and capital of the loan. What a government owned generator would not need to do is make a profit—unlike its private sector competitors. Improving Adelaide's ageing sewerage and water infrastructure will reduce seepage and return an environmental dividend by lowering our dependence on the River Murray. This list merely scratches the surface of the possible options available.

In the 1990s South Australians were forced to tighten their belts. It was surely not an unreasonable expectation that there would be gain following the pain; that there would be some payback for the belt tightening and the sacrifices. Investment in infrastructure creates jobs for the present and assets for the future. It is the job of the Minister for Infrastructure to prioritise the investment in the future of this state. His task

is hardly assisted by a Treasurer who will not allow spending—aided and abetted by the Premier, who clearly agrees with this approach.

'Uninspired' is probably the best word to describe this budget. With stamp duty windfalls, unexpectedly high returns from the GST and a low interest rate regime at the present time, this budget was an opportunity for investing in the future. The Rann government for the third year in a row has missed the boat—or perhaps it is the train or the tram.

**The Hon. D.W. RIDGWAY:** I rise to speak on the bill. I will highlight some of the background issues in relation to this bill, as well as some very key omissions from the budget. The Rann government appears to be learning from its fiscal disaster that the Bannon government left the people of South Australia; hence, its fixation with maintaining budget surpluses and, therefore, obtaining its AAA credit rating. A AAA credit rating is an honourable goal, but is it worth sacrificing key infrastructure investment that the state desperately needs? Certainly, this government has a massive amount to spend due to the GST deal, which results in fewer taxes being taken from the state and which, incidentally, the Rann government opposed when in opposition. The government has had a windfall of over \$750 million over the forward estimates in the next year. As a result of the property boom that has swept South Australia over the last three to four years, the Rann government is the beneficiary of huge windfalls. In 2004-05 the government will generate almost \$1 billion in property taxes, which equates to approximately one-tenth of the state's revenue.

The much touted stamp duty relief promised this year when the budget was released was not in line with the initiatives in the eastern states. The average price for a home in Adelaide is nearing \$250 000. If a first home buyer borrows \$225 000 to purchase a home at the median value, they will pay \$8 940 in stamp duty—\$8 940 more than a first home buyer in New South Wales. The relief on a \$225 000 mortgage is less than \$800—which is of little comfort to first home buyers. This government is also filling its coffers by increasing government fees and charges. Public transport is up by 3 per cent, while motor vehicle registration is up by 3.7 per cent, water charges by 4.4 per cent and water rates by 4.8 per cent. These increases are not in line with the predicted inflation rate of 2 per cent. The increases that appear small to the Treasurer have a big impact on average South Australian families.

With all the money that the Rann government has to spend as the highest taxing government in this state's history, it is interesting to note where the money is not being directed. Key needs for the state such as hospitals, pensioners, rural South Australians and infrastructure are being routinely ignored. This is an anti-jobs, anti-investment and anti-growth budget. In the last election the member for Ramsay (now the Premier) made a pledge to South Australian voters that his government 'would cut government waste and redirect millions now spent on consultants to hospitals'. This is a crystal clear example of Rann rhetoric illustrated in this budget. In the 2002-03 budget the government underspent the allocation for new hospitals by 27 per cent—some \$35.6 million. Aged care facilities have fared badly, with underspending forcing patients to be moved from their home town facilities to Adelaide. This policy has also resulted in elderly couples being split up. Such is the callous attitude of this cash hungry government.

This government has promised seven new mental health projects in the time it has been in office. According to the 2004-2005 budget, not one of these projects will be started for two years. As a result of only \$3 million of the \$11 million being spent on the Margaret Tobin mental health facility at the Flinders Medical Centre, it has been delayed by 15 months. This budget shows that rural health in all areas is being routinely ignored by this government. Funding to metropolitan hospitals has increased by 2 per cent, while funding to country hospitals has been slashed by 3 per cent. While health promotion has been cut, the government's biggest increase in this budget within the health portfolio is to its consultants.

Another area that particularly concerns me regarding the budget is the condition of rural health care services in South Australia, and a glaring example of this is the Mount Gambier District Health Service. The member for Mount Gambier (who, incidentally, is now a member of cabinet) promised to secure funding for the Mount Gambier District Health Service and the people of the South-East. He is on record as saying that he would quit the Rann cabinet if he could not do so. A senior lecturer at the Flinders University's School of Politics, Dr Hayden Manning, was quoted on ABC Radio as saying:

If I was living in rural South Australia I reckon Rory McEwen deserves a letter or a ring because, after all, Mr McEwen's an Independent elected down there at Mount Gambier who sits in the Rann government cabinet room, he's a minister and rural health, from reading the budget and all accounts. . . has been cut back or at least. . . in real terms not improved. So South Australians living in rural areas have a voice in cabinet, in a Labor cabinet and it's Mr McEwen. So if you're unhappy about that I reckon it's worth writing and asking him can he do something to change the budget.

I wonder, given the results of the recent budget, whether the people of Mount Gambier will force Mr McEwen to quit.

Another of the glaring inadequacies of the 2004-2005 budget is the lack of provision for infrastructure spending. South Australia is a state of ingenuity and productivity, but we must have the mechanisms to turn ideas into capital and to ensure the livelihoods of South Australians for years to come.

Since the demise of the appalling former transport minister, the Rann spin machine has been sent into overdrive to compensate. The transport minister's random announcements need to be unified by the transport plan. Despite announcing that it would be released in mid 2003, we still do not have a transport plan—and, in fact, it is still only in its draft stage. A classic example of the aforementioned 'random announcements' is the Bakewell Bridge. There is no allocation for this project in 2004-2005, but it is in the forward estimates until 2008. When can we expect the government to finally announce its completion? If we take into account the government's past record on capital works, it will probably be completed well into the next decade.

The transport portfolio has been plagued by cost blow-outs. There has been a \$14 million blow-out in the Glenelg trams project and at least \$30 million in the Port River crossing project. Calculated, well budgeted infrastructure investment is vital to ensure South Australia's economic competitiveness into the future. This budget has ignored the needs of the future to bankroll the Labor Party's election war chest. The opportunity to attract business to South Australia with measures such as deepening Outer Harbor and creating inter-modal freight systems will exist for only a short time before industry passes South Australia by.

As the debate rages within the community as to whether or not we should have opening or closed bridges over the Port

River, I am reminded of the Labor Party's systemic lack of vision going back some 30 years. At the time, the commissioner of the South Australian Harbors Board, Mr H.C. Meyer, had travelled extensively overseas, especially in the United States, and had witnessed the new phenomenon that was the birth of containerisation (in those days it was called unitisation). In his report to the government, Mr Meyer recommended the development, building and construction of a container terminal at Outer Harbor. As was its practice then (and it still is now), the Labor Party chose not to listen to this sound advice but, instead, built a passenger terminal. Within seven years of the passenger terminal's construction virtually all passenger ships stopped calling into South Australia, and we all know of the huge growth in containerisation and international shipping freight that has occurred over the past 30 years. The government at that time failed to recognise the container revolution that happened on a worldwide scale. All other ports had container terminals by the late 1960s, but the government did not complete South Australia's terminal until 1977, by which time it had lost every one of its liner services to the port of Melbourne. Again, it is another glaring example of a party that simply does not have a track record of ever getting it right.

In more modern times, the government has projected an overly blasé attitude to the lack of new investment in South Australia. The recent decision not to base the \$680 million magnesium smelter in South Australia was dismissed by the Treasurer when he told the ABC, 'It does not even rate or register on the radar screen.'

The issue of country roads should be of great importance to this government. Instead, it disregards the transport needs of rural constituents and freight operators. In the 2004-05 budget, unsealed rural arterial roads received a funding cut from \$2.798 million to \$1 million. This is shameful and reflects the true priorities of this government.

In attempting to establish the list of qualifications that this government seems to lack, I refer to *Hansard* of 31 May this year, when the Leader of the Government in this place (Hon. Paul Holloway) referred to the Liberal opposition leader as 'red ink Rob'. He said:

He should be embarrassed as one of the failed treasurers of South Australia that he had been in this place for 22 years and that was 22 years of failure.

The leader himself should be ashamed of saying such things. I hardly think that reducing the state debt by \$7 billion and overseeing a tripling of South Australia's economic output from \$3 billion to almost \$10 billion is a failure. It is just another attempt by the Labor Party to divert attention from the embarrassment that its party caused South Australia the last time it was in power; the last time it held the seats around the boardroom table of South Australia. We are constantly being reminded by the Treasurer in another place and his colleagues in this chamber of their lean, mean, frugal approach to the state's finances and how they believe that this is the only way forward.

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

**The Hon. D.W. RIDGWAY:** I would like to quote from an opinion piece from *The Advertiser* in 1990 on the budget stress report. The headline reads 'Stinginess starting to pay off for Bannon'. The article states:

John Bannon's chickens are coming home to roost. Seven years of stinginess are starting to pay off. The rest of Australia should take

note the crow-eaters are biting the bullet and becoming lean, efficient and competitive. The 1990s are going to be theirs.

It goes on to say that South Australians have good reason to rejoice at the persistence of our state governments being boring during the eighties, rather than pursuing a trendy profligacy that makes good media copy not only going up but coming down as well. The article concludes that South Australia has a bright economic future and the 1990s are going to show a handsome dividend for this frugal state.

The final paragraph of the article is a response to the premier and then opposition leader John Olsen. It states:

It is very disappointing that faced with all the evidence Mr Olsen continues to knock and undermine the efforts of all South Australians to get the economy going. South Australia is on the brink of one of its most exciting eras and it is time that Mr Olsen got behind the state instead of continually undermining it.

Interestingly, that article was written by Randall Ashbourne. The author of the article was, until he was stood down, a senior adviser to the Premier, and the Premier himself worked for premier Bannon during the time of the State Bank debacle. What happened to the South Australia that Mr Ashbourne spoke of in 1990? Its economy, its State Bank and the impact these had on the future of South Australian's lives are history.

I seek leave to have a table inserted in *Hansard*. It is a statistical table showing the state debt from 1950 to the predicted outcome in 2008.

Leave granted.

As at June	Non-financial public sector net debt time series		
	Nominal <sup>(a)</sup> (\$m)	Real <sup>(b)</sup> (\$m)	Real per capita <sup>(c)</sup> (\$)
1950	284	5 626	7 931
1960	752	8 356	8 840
1970	1 473	11 898	10 274
1980	2 242	6 404	4 895
1981	2 414	6 270	4 754
1982	2 633	6 075	4 565
1983	2 977	6 339	4 710
1984	3 317	6 588	4 844
1985	3 459	6 551	4 779
1986	3 734	6 580	4 760
1987	4 077	6 678	4 795
1988	4 207	6 435	4 580
1989	4 437	6 261	4 413
1990	4 682	6 365	4 445
1991	7 155	9 290	6 423
1992	8 055	10 266	7 048
1993	8 249	10 386	7 110
1994	8 440	10 550	7 196
1995	8 468	10 497	7 143
1996	7 752	9 364	6 351
1997	7 499	8 883	5 996
1998	7 237	8 438	5 665
1999	7 720	8 941	5 969
2000	4 355	4 955	3 293
2001	3 223	3 503	2 317
2002	3 317	3 538	2 330
2003	2 696	2 804	1 836
2004	2 522	2 522	1 643
2005	2 418	2 359	1 530
2006	2 227	2 131	1 376
2007	1 990	1 866	1 201
2008	1 613	1 484	952

(a) Until June 1998, the Australian Bureau of Statistics (ABS) classified SAFA and universities as belonging to the general government sector. Since that time, SAFA has been classified to the public financial institutions sector, and universities have been removed from the individual state finance statistics and are treated as belonging to a 'multijurisdictional category'.

(b) Non-farm product implicit price deflator (base year June 2004 = 100)

(c) Population as at 30 June, 1950 to 1989 population numbers derived from 1994-95 Budget Statement, Table 7.4. 1990 to 2003

population numbers as published by the ABS Cat. No. 3101.1. 2004 onwards based on Department of Treasury and Finance Forecasts.

Source: 1950 to 1989—South Australia's 1994-95 Budget Statement Table 5.1 (excludes the Australian Barley Board and SAGASCO Holdings). 1990 onwards South Australia's 2004-05 Budget Statement, Figure 5.3.

South Australian public sector net indebtedness 1949-50 to 2002-03		
As at end of:	Government	Money terms \$m
1949-50	Liberal	284
1959-60	Liberal	752
1969-70	ALP	1,473
1979-80	Liberal	2,242
1980-81	Liberal	2,397
1981-82	Liberal	2,600
1982-83	ALP	2,943
1983-84	ALP	3,283
1984-85	ALP	3,427
1985-86	ALP	3,700
1986-87	ALP	4,038
1987-88	ALP	4,002
1988-89	ALP	4,165
1989-90	ALP	4,303
1990-91	ALP	6,732
1991-92	ALP	7,268
1992-93	ALP	8,249
1993-94	Liberal	8,440
1994-95	Liberal	8,468
1999-96	Liberal	7,752
1996-97	Liberal	7,499
1997-98	Liberal	7,237
1998-99	Liberal	7,720
1999-2000	Liberal	4,355
2000-01	Liberal	3,223
2001-02	ALP	3,317
2002-03	ALP	2,696

**The Hon. D.W. RIDGWAY:** When the members see this table they will not be surprised to see at the end of every Labor government cycle the terrible mess the economy has been left in. We can only hope that history does not repeat itself. There are some frightening similarities between the rhetoric of Bannon's era and the rhetoric of the government today. In his budget speech the Treasurer states:

South Australia's Gross State Product is forecast to grow by 2.5 per cent in 2004-2005 while employment growth is expected to ease to 0.75 per cent. Mr Speaker, these forecasts underline the need to remain prudent. Our fiscal policies reflect that need. . . This is good economic management. The 2004-2005 Budget will deliver a surplus of \$52 million, rising to \$126 million in 2005-2006, then \$137 million in 2006-2007 and \$165 million in 2007-2008. When we first came to office, general government net debt was \$1.3 billion. On current projections, general government net debt will be eliminated in 2006-2007. And that too, is good economic management.

The Treasurer, the Hon. Kevin Foley, was chief of staff to the premier of South Australia, the Hon. Lynn Arnold, and was a senior adviser on Mr Arnold's staff for some five years. It is interesting to look at the board of directors now that they find themselves back in office.

I am not sure that this government has the personnel or the expertise to be in charge of this state. It is interesting to look at the board of directors as it now find itself back in office. It comprises an interesting combination of four lawyers, six political staffers, seven union officials, three academics, two TAFE lecturers, a firefighter, a teacher, a taxi driver, a single businessman and one member with no employment history. Given the grief the Labor Party imposed on South Australia last time it had its hands on the chequebook, and looking at its current team, I am sure we are headed for another disaster.

This government and this budget remind me of farmers who nearly went broke during the Depression but were able just to hang on. When the good times returned after the

Second World War, they paid off a few debts, bought a little equipment and stopped in case of another depression. Owing to the fact that they did not upgrade and keep pace with modern technology, the world eventually passed them by. It is often said that the stationary position is the beginning of going backwards. If this state is not careful, it will start heading backwards at an alarming rate.

The government's treatment of the estimates process was disgraceful. The Minister for Agriculture, Food and Fisheries said that, because the government would not ask any prepared questions of its own (known as dorothea dixers), the question time available to the opposition would be cut by half. This was just an attempt to hide its lack of action. What a joke, and what arrogance! Surely estimates should be time made fully available to the opposition and all parties to scrutinise departmental spending. This was just another example of the arrogance of this minister, when he or his department were too lethargic to prepare any dorothea dixers questions, and then they have the audacity to deny the opposition half the allowed time.

I was also interested to read an article in *The Advertiser* of 26 June about the restructuring of the Department of Trade and Economic Development. It is a ridiculous policy that a government department that played a major role in the recovery of the South Australian economy during the last Liberal government and, in fact, oversaw a threefold increase in state exports has been gutted and had its staff cut from 250 to 120. It is almost unbelievable that this government has decided that it does not need the department nor at least half its staff that delivered such a wonderful outcome for South Australia and the people of this state. What is even more unbelievable is the appointment of the department's new chief executive (who is, incidentally, the same person who was a senior economic adviser to the Bannon government and premier Lynn Arnold during the State Bank scandal. Quite amazingly, that department has worked extremely well in building South Australia's economy, but it has been cut by more than 50 per cent, and a chief executive was appointed who was in the engine room the last time the ship ran aground.

What this state needs is a comprehensive plan of action. It is all very well to publish a document, such as the State Strategic Plan, which is full of noble goals and motherhood statements but which lacks an across the board framework to achieve them. Even the Premier has expressed a lack of confidence in the State Strategic Plan and is on the record as saying that all goals within it may not be achieved. This is not the type of airy-fairy vision that South Australia needs.

In summary, I reiterate my feelings on this lacklustre budget which harks back to the Bannon era and, in the words of Randall Ashbourne, budgets that were 'boring' and 'frugal'. Instead, this government should be spending on infrastructure and building to ensure that South Australia becomes an exciting and dynamic state once again.

**The Hon. CARMEL ZOLLO:** Having had to listen to some very negative contributions from members opposite, I am sure that everyone will welcome my more balanced contribution. I join my colleagues in welcoming the 2004-05 budget. As the Treasurer said in the other place, this budget contains a comprehensive range of initiatives that will make our state a better place to live, to raise a family, to work and to do business. These are aspirations we all have in common. To help achieve this potential, the government has also

published a strategic plan for the state which sets out some ambitious economic targets for its future.

I was pleased to hear minister McEwen in the estimates committee process place on record the good economic performance of both our food and wine industries. I convene the Premier's Food Council, and I am a member of the South Australian Wine Industry Council, as well as chairing both the intergovernment agency groups that assist in delivering services to those sectors. These industries continue to play their part in meeting the targets of seeing our exports treble to \$25 billion by 2013. Wine is now South Australia's largest export earner, followed by manufactured vehicles and food products. So, food and wine together play a very significant part in the economic wellbeing of the state. These industries employ one in five people, many of whom, of course, live in regional South Australia. The support provided to both industries has always had bipartisan support, with the state food plan being an initiative of the previous government and continued by this government.

The total state government investment in programs overseen by the Premier's Food Council will be \$3.46 billion in 2004-05, with \$2 billion in new funds allocated to Food South Australia in this budget. These funds will leverage additional investment from industry and from commonwealth programs. The state food plan also commits to deliver \$7.5 billion in food exports by 2013 as the food industry's contribution to the State Strategic Plan of tripling the value of exports from South Australia. I think it is important to place on record the achievements of our state food program. As members would all know, the Premier's Food Council provides the government with advice on the development of an innovative and internationally competitive food industry in South Australia.

With 24 industry leaders, the council works through four committees: export systems, innovation systems, regional development and sector development. Each of these committees oversees progress in implementing the state food plan. In the past year, through working with the Premier's Food Council, the government has achieved some significant outcomes. It has consolidated government services to the food industry in one department (Primary Industries and Resources), removing duplication of services that the industry itself said was confusing, whilst at the same time delivering efficiency savings. It has the support of regional food groups throughout the state that will provide the grassroots base for sustainable growth into the future.

There are currently eight food groups in regions throughout the state with a combined membership of 314 businesses. When Food Adelaide and Flavour SA memberships are included, over 416 organisations actively work in partnership with government to grow the food industry. It has supported the extension of in-market retail and food service markets in Singapore and Dubai. South Australia is managing the National Food Industry Strategy Project taking the food industry into the competitive five-star hotel market in Dubai. Our relationship enabled us to attract the Dubai firm to open their Australian office in Adelaide. In partnership with Food Adelaide, Food South Australia has supported South Australian food companies' participation in international trade shows in Hong Kong, Tokyo, Shanghai, Singapore and Brussels, and in-market promotions in Hong Kong, Bangkok and Tokyo. It has completed an independent review of the effectiveness of the State Food Plan programs for 2001-2004, and it interviewed 72 industry leaders and program participants.

The conclusion was that the food industry's understanding, confidence and willingness to undertake major change has increased significantly. Examples include appreciation of value-adding, integrated demand chains, working in collaboration with other companies, development of branded differentiated and innovative products, and development of internationally competitive systems. Furthermore, respondents reported that the State Food Plan had influenced or assisted in industry change, collaboration, level of expertise and confidence, export capabilities, access to new markets interstate and overseas, and the development of new value-added products. The recommendations from the study are being incorporated into the new State Food Plan 2004-07.

Two of the most important initiatives overseen by the Premier's Food Council this past year have been to conduct the process for developing the next stage of the State Food Plan and the design of the SA Food Centre. I joined 74 industry leaders who participated in the State Food Plan Summit on 18-19 March. The Summary Outcomes Report of the summit has been the basis for drafting the new State Food Plan 2004-07. There are seven development objectives in the new plan ranging from increasing access to reliable, frequent and competitive freight services to reducing the administrative burden of meeting regulatory requirements. These objectives have been strongly supported in consultation with industry groups throughout the state.

There will be four delivery mechanisms to implement the State Food Plan 2004-07. They are the South Australian Food Centre—a three-way partnership with industry groups, state government and regional development boards—a new national cold chain centre, collaboration between R&D providers and food industry, and a joint industry-government task force to tackle the administrative burden of regulatory requirements. The Premier's Food Council will also be an important contributor to the work of the Export Council and link food companies to the services of the Venture Capital Board. As mentioned, the food industry is set to deliver \$7.5 billion in food exports to the \$25 billion target by 2013.

In summary, the Premier's Food Council, which began under the previous government, has matured into the most effective food industry-government partnership in Australia. The bipartisan commitment also extends to our wine industry. A working group comprising the wine industry and government representatives is being formed to develop a partnered approach in pursuing wine export market opportunities through trade missions. The partnership to promote wine and export markets will be most successful with a jointly developed strategy that will ensure the marriage of industry and government goals. We hope to see a \$3 billion national export wine industry by 2010. The Premier recently led a wine trade event to Germany, Weinwoche, which had the theme of 'A Shared Heritage' emphasising the links between the Barossa Valley and Germany.

A recent cooperative approach on the federal government's wine equalisation tax has shown the benefit of developing partnered approaches to issues impacting on the whole of South Australia. By working with industry, the government and opposition parties have been able to gain a rebate of \$290 000 to every wine producer from 1 October 2004 to offset the wine equalisation tax (WET) on up to \$1 million per annum of their domestic wholesale sales. The industry had campaigned for an exemption on the first 600 000 litres of wine produced. I have a private member's motion before the chamber supporting this position on which I have already spoken. While the result was somewhat

different to the outcome sought, the rebate has a major positive impact on the industry, especially small to medium producers. The federal Labor opposition pointed out that it would not come into effect until October but, nonetheless, the comments from the industry representatives have been realistic and, as such, positive.

With the introduction of the WET rebate scheme, the federal government will abolish the Australian government cellar door rebate. The Winemakers Federation of Australia contends that this will leave some medium-sized wineries worse off. I am aware that the WFA has been negotiating with the federal government to resolve this issue. Whilst it is difficult to compare the announced exemption with the WFA policy proposal that was sought, because they are calculated in different ways, with the federal budget delivering on the value of wine sales, the WFA proposal was on wine volume. Very roughly, the exemption is about half what the WFA was after. In South Australia it may well translate to about 130 extra jobs being created. They are most welcome and, hopefully, most of these jobs will be in regional South Australia.

I am sure that the Hon. David Ridgway will be happy to hear that the loss to Adelaide of the Pacific North West shipping service (the VSA consortium) is of significant concern to the industry and government; however, the recently announced infrastructure plan costing \$300 million is aimed at giving our exporters a competitive edge in the market. Part of the plan is a \$55 million proposal to deepen the Outer Harbor channel from 12 metres to 14.2 metres. The plan also includes the integration of road, rail and shipping infrastructure at the port of Adelaide to make it easier for our export industries to get their products to market.

*The Hon. Caroline Schaefer interjecting:*

**The Hon. CARMEL ZOLLO:** Well, there is always a beginning. There are also plans to upgrade key roads and to work with the commonwealth on a plan to build a 22 kilometre freeway between the Sturt Highway at Gawler and the Port River expressway.

The transfer of funding support of the South Australian Wine Industry Council to Primary Industries and Resources SA from the former Department for Business, Manufacturing and Trade consolidates agency service delivery to the wine industry within PIRSA and will result in significant efficiency savings across government. Funding provided to the South Australian Wine Industry Council supports its strategic role in addressing issues impacting on the entire South Australian wine industry sector. The 2004-05 budget allocated \$2 million over four years for operational funding for the council. As I said, funding will be focused on addressing strategic state-level needs, including issues such as access to water, vineyard salinity and the identification of longer term growth regions. We have had several meetings of the Wine Issues Group, which I chair, and all agencies are working well together in a positive manner.

The Way for Wine, originally released in 1998, was the state government's response to the wine industry's own strategic planning. With faster than expected growth of the wine industry, a total revision of this plan is necessary and is underway. The government and industry have been working together to identify the key issues that will assist the continued growth of the wine industry, which includes maintaining South Australia's pre-eminent position as leader in wine R&D and insuring that the skills of those working in the industry are second to none. The government will continue to work with the wine industry to ensure that its national sales

targets of \$5 billion by 2010—both domestic and export sales—are met and to ensure that South Australia retains its proportional share of the Australian wine industry.

Before concluding, I also want to raise the fundamental programs of this budget. I know it was particularly welcomed by the community for its commitment to education, health, policing and child protection. As well, of course, we saw some tax cuts and a surplus budget. Our commitment to education, health, policing and child protection are important Labor Party tenets. In health alone we see a major focus with the total budget of \$2.759 billion, including new spending measures of \$432 million over four years. I am certain that there would not be any disagreement about the spending on child protection. As part of the government's response to the Layton report—

**The Hon. Kate Reynolds:** What response would that be?

**The Hon. CARMEL ZOLLO:** —child protection has increased by \$148.1 million (that is not a bad response) over the next four years, in addition to the \$58.6 million allocated in last year's budget which, I can assure the honourable member, is more than was seen under the previous government. We have recently launched a massive recruitment program—and I understand it is the public sector's largest ever single recruitment campaign—to fill the 186 new child protection worker positions, and the government has been overwhelmed by the response. The positions are for social workers, clinical psychologists, child and youth care workers and other positions. This commitment is the third and most comprehensive response to the Layton review into child protection. We also see an education budget of \$1.728 billion, with a major initiative in this budget of \$35 million over the next four years to hire extra teachers to improve literacy in year 1. I am certain that all honourable members would be aware that last November extra police were announced, and this budget provides the funds to continue with this recruitment. We will see total police numbers rise to just under 4 000 in 2006.

Also particularly welcome is the fact that there are no new taxes or charges but tax cuts designed to reduce property taxes for first home buyers and to reduce business taxes. The Treasurer in another place described the manner of these cuts as targeted and affordable. Another welcome announcement from the budget is the abolition of bank debits tax from 2005.

*The Hon. Caroline Schaefer interjecting:*

**The Hon. CARMEL ZOLLO:** Well, we are delivering. So, we have a budget that focuses on the services that people want and need from government. Treasurer Foley in the other place described this budget very well when he said that it provides for the present and builds for the future, and I add my support to the 2004-05 budget.

The minister I assist has already placed on record, during estimates, an overview of his portfolios, but I should make particular mention of the Regional Statement 2004-05. I welcome the separate regional statement which provided information about new initiatives that have a specifically regional focus. As pointed out in the statement, the prosperity and well-being of people and communities in regional South Australia are critical to the sustainability of the entire state, and the budget commits more than \$178 million in new money over the next four years. For the areas of food and wine, in which I have particular responsibilities, our obvious economic drive is in the state—I think that we all agree on that—and the synergies between those industries and the regions are also obvious. This government has demonstrated a strong commitment and willingness to listen to all its

constituents and to ensure that the climate for new enterprises and expansion is set in place. I am pleased to add my strong support for the 2004-05 budget.

**The Hon. CAROLINE SCHAEFER:** Clearly, the Hon. Carmel Zollo and I have been reading a different set of budget papers. If I could offer a word of friendly advice: I, too, used to believe what the Treasurer said and simply read the glossy headlines that were given me. I am now in the position where I have to look at budget papers, and my advice to the Hon. Carmel Zollo is that when she is in opposition she also look at budget papers.

**The Hon. G.E. Gago:** She has been in opposition longer than you have. What a joke!

**The Hon. CAROLINE SCHAEFER:** It has just been pointed out to me, sir, that she has spent longer in opposition than I have. Clearly, even with that experience, she has not learned to read budget papers. This is the third time I have spoken in response to a Foley-Rann budget, and the title of the Xavier Herbert novel *Poor Fellow My Country* comes to mind. Over the last three years we have seen, first, a savage cut in the funding to the regions and, now, a cruel disregard for the people who live in rural and regional South Australia—the very people who, as the Hon. Carmel Zollo pointed out, generate the majority of this state's wealth. In the first two budgets we saw a cut of about \$22 million in real terms to the PIRSA budget. Now that this government is awash with unbudgeted money, as was so well pointed out by the Hon. Rob Lucas earlier today, how much of it do we see returned to the PIRSA budget? Answer: none. How much do we see returned to rural and regional road funding? None. And so it continues.

This budget lies to the people of rural South Australia. Perhaps the greatest example of this is minister McEwen's trumpeting of \$14 million of 'new money' for FarmBis 3. Let us have a look at that announcement in detail. In fact, this is a promise by the federal government of up to \$7 million over four years which must be met dollar for dollar by the state government for this state to get any. Over the last two years our government underspent its FarmBis entitlement, so who knows how much money will be spent on FarmBis over the next four years? What we do know is that, after announcing \$14 million, only \$800 000 will be spent on FarmBis this year. In fact, no extra funding will be provided per annum at all. The only real commitment is that the government will put some money into FarmBis 3 rather than miss out altogether on the federal government funds available.

Similarly, the government has made much of the 'new' marine innovation strategy, yet I attended a planning session for this collaboration between SARDI, the two universities, industry and the CSIRO back in about 2000 or 2001. Like every announcement of this government it is not a new initiative: simply and cynically it is nothing more than rebadging. How much of the \$12.9 million announced with much fanfare is the Rann government contributing? Well, for 2004-05, the princely sum of \$300 000—that's right: \$300 000 out of \$12.9 million. What about the next year? It gets better: for 2005-06 there is a budget of \$500 000. So, of the \$12.9 million announced as a headline initiative, the government's actual expenditure prior to the next election will be \$800 000 in total. If that is not smoke and mirrors, what is?

I have looked long and hard in the PIRSA budget for any sign of encouragement or any new initiative, but I cannot find any. There is funding for some new food officers out of

regional development, but the \$2.5 million described as additional funding is merely a rollover of some of the money and some of the staff from CIBM and the food sector for the Department of Trade and Economic Development. It is not new funding, and I suspect it is very much a cutback of staff and funding in real terms. I am still waiting for answers to the questions I had asked on these matters during estimates, and I expect that I will be waiting for some time. Who knows what I may find when the smoke clears?

Perhaps the most concerning aspect of the PIRSA budget was that, in spite of desperate need in areas such as drought funding and FarmBis, there was a huge underspend, of which \$9.3 million was handed back without a whimper to general revenue under the guise of new budgeting methods. Why? Is this department so demoralised and under-staffed that it cannot even complete budgeted projects? The amount of \$9.3 million can go back to Mr Foley, but only \$300 000 can be found for our ailing dairy industry. Meanwhile, fruit fly inspection, meat inspection, aquaculture and horticulture are being forced into full cost recovery.

There is a strategic plan, but no plan of how to get there, no initiative, no ideas and no hope. The announcement of \$6.8 million towards shoulder sealing on rural roads is probably the most offensive of all the smoke and mirror acts in this budget. Mr Foley actually said what most of us who drive on these roads already know. Sealing road shoulders is one of the most effective methods of preventing rollovers and single vehicle accidents on rural roads so, as part of the government's press release of 26 May titled 'Budget contains \$950 million in capital works this year'—and I repeat, 'this year'—there it was: \$6.8 million for extra shoulder sealing on rural roads. Great, except when one looks at the actual budget papers: how much of that is for 2004-05? Zip. I repeat: not one cent. What about for 2005-06? Well, at least the government is consistent. There is not one cent of extra shoulder sealing funding allocated until after the next election—not one cent.

While I am speaking about rural roads, let me also highlight some initiatives of this dishonest government. It has reduced state black spot funding by \$500 000; reduced the overtaking lanes program by \$1 million; and reduced funding for sealing of rural arterial roads by another \$1.8 million. There is no additional money for outback roads which are now in a quite dangerous condition; and there is no money set aside to address what is now a \$160 million backlog in road maintenance. Country people must be wondering where some of their road funds have gone. What has happened to that money? Well, \$79 million of it is earmarked for a flash new tram from the city to Glenelg—a project which the government has casually announced has already blown out by \$14 million.

I personally find it offensive that an extra \$14 million can be found for a city-centric project while nothing can be found to fix outback roads, where people have no other method of transport but to drive themselves. They have no public transport, let alone a choice. Just to put the icing on the cake as far as road funding is concerned, the government has also scrapped the Outback Tourism Infrastructure Fund. At the same time, they are promoting tourism from within Australia rather than from overseas. It is extremely difficult to access much of the state by anything other than road, but the government is letting our entire road infrastructure wind down to dangerous levels. Perhaps that is why they have agreed to again fund the cattle drive, because, by then, the only way to travel those roads will be by horseback.

However, this government has always said that its priorities are hospitals and schools, so perhaps I should have looked at those two budgets to see how the country people fared. Well, I did. The results are depressing to say the least. This government has cut \$5.6 million in state funds from country hospitals. For example, the proposed new hospital for the Barossa Valley has been axed and extensions to aged-care facilities in Millicent, Kapunda and Kangaroo Island have been shelved—again! Aboriginal health funding has also been cut. Today we were greeted with the news that two hospitals on Eyre Peninsula will have their acute care facilities scrapped, thereby reducing them to aged-care facilities only.

*The Hon. G.E. Gago interjecting:*

**The Hon. CAROLINE SCHAEFER:** No: we never scrapped any country hospitals; we never closed a country hospital.

*The Hon. G.E. Gago interjecting:*

**The Hon. CAROLINE SCHAEFER:** We never closed a country hospital. The effect of this will be to turn country hospitals into aged-care facilities—and nothing more. What happens? We know that one of those facilities will be Streaky Bay and the other is conjectured to be either Cummins, Cowell or Wudinna. What happens when there is an emergency on one of the main highways? Where do those people go? Do we have to see deaths as a result of no acute care? Sir, you would know—as I do—that if we scrap an acute care facility in a country hospital it means that the training, the expertise and the professionalism are no longer there to save people's lives.

*The Hon. G.E. Gago interjecting:*

**The Hon. CAROLINE SCHAEFER:** The Hon. Gail Gago suggests that we scrapped acute care facilities at Murray Bridge. Murray Bridge is one of our largest regional hospitals and, certainly, there are very good acute care facilities there. I might add that they are less than an hour from the city. What I am talking about is country hospitals.

There is no new funding for schools, and Ceduna school (which is practically in Third World conditions) still waits for the funding it was promised in 2001. The government has even let us down on its much trumpeted catchcry of law and order. Where is the new women's prison? Where are the new police? Like everything else, it is smoke and mirrors. Recruitment is barely keeping up with attrition, which brings me back to the capital works announcement. It stated:

The budget contains \$950 million in capital works this year.

First, some of the announcements, such as FarmBis, marine innovation and initiatives to increase population and wine promotion, were certainly not capital works in the first place, but, even more dishonestly, those that were are largely not to be funded at all before 2006-07—after the next election. For example, the Bakewell Bridge, the bioscience incubator, the Tourism Infrastructure Fund, shoulder sealing of roads and overtaking lanes are to be funded after 2006; and even then many are rebadging rather than new money.

Where is this miserly government spending its money from the windfalls in increased land tax and stamp duty and GST? Well, we can expect lots more inspectors. There is lots of budgeting for extra occupational health and safety inspectors, meat inspectors, health inspectors and people who can impose fines. There is a lot of extra funding for that, and a lot of extra funding for advice to the government. Let us hope that some of it is good and they take some of it. Largely, the government is not spending this money. It is stockpiling

it so it can brag about a AAA credit rating, so that it can spend huge amounts buying votes in late 2005. We should not forget that Access Economics has said that the credit rating will be reached only because the previous government sold ETSA to reduce the debt imposed on the people of South Australia by a previous spendthrift Labor government.

Their newfound wealth and the fiscal management that Mr Foley keeps telling us about is, in fact, not the initiative of this government but of the previous government, and the same can be said for every financial success that this government has. It has become a bit of a party game amongst people in South Australia to ask someone to name just one new initiative of the Rann government. A stunned silence always follows.

*Members interjecting:*

**The Hon. CAROLINE SCHAEFER:** No, actually, it was a Labor senator. This is a spin doctor's budget by a government of spin doctors. It gives me no pleasure to support the second reading.

**The Hon. NICK XENOPHON:** Honourable members, particularly on the other side, have given a critique and analysis of the budget, and I do not intend to cover areas that they have already covered. However, I would like to focus on two specific issues. The first issue, and my primary concern, relates to the government's gambling taxes. I have a few questions that I wish to put on notice to the government, and I hope that I will receive responses as soon as possible in relation to that matter. But I understand from my discussions with the government that, if those responses are not forthcoming before debate on this bill is concluded, they will be dealt with as soon as possible thereafter.

The budget estimates indicate that taxes on gambling will be some \$405 million this year, an increase of 7.4 per cent. In contrast, the Victorian government has reported a decline for the first time since the smoking ban was implemented in September 2002. Honourable members know my view on this issue and the negative impact that it has on the South Australian community. We know from the South Australian Centre for Economic Studies that some 23 000 South Australians have a gambling problem just because of poker machines. The Productivity Commission indicates that, for every problem gambler, seven others are affected by it. So, this is a major social issue: it is a significant cause of poverty. I commend the Premier for having initiatives to tackle poverty but, unless you tackle head-on the impact of gambling in the community, you will not address those particular issues.

I want to put some questions on notice relating to government gambling taxes. Much has been made of the government's agenda to tackle problem gambling, but the budget papers (at page 3.15) indicate that the forward estimates provide for a slowing in gaming machine NGR (net gaming revenue) growth, with a projected increase of 6 per cent in 2004-05 and 5 per cent in 2005-06 and 2006-07, followed by a fall of 3.75 per cent in 2007-08. The estimated long-term rate of growth in gaming machine expenditure has been revised down from 5.5 per cent to 5 per cent in recognition of recently introduced harm minimisation measures—for example, industry codes of practice. The introduction of smoking bans in gaming venues will have a small impact on casino table game revenue from 2004-05 but is not expected to impact on gaming machine activity in clubs, hotels and the casino until 2007-08. The budget papers go on to say that, consequently, the smoking ban will not impact on gaming

machine tax revenues until 2007-08, when there will be a part year revenue impact. In a full year, the smoking ban is expected to result in a \$70 million loss in gaming tax revenue from hotels, clubs and the casino.

We have heard this \$70 million figure previously. The only comparative jurisdiction to look at is Victoria. My understanding is that, in Victoria, the ban did not have an impact to that extent. It had an impact of about 10 per cent, not the 15 per cent, as I understand this figure factors in, in terms of 15 to 20 per cent in poker machine taxes. My questions to the government are as follows. On what basis does it estimate the \$70 million loss of revenue? What is the comparison? What is the analysis? What is the modelling? Is the government relying on its own independent analysis or is it, for instance, parroting a figure of someone in the Australian Hotels Association who has discussed this potential impact?

The government also talks about harm minimisation measures. What modelling has been carried out to determine the specific impact of these various measures, and what particular measures did the government consider in its estimates of a slowdown in the rate of growth? My response to a slowdown in the rate of growth from 5.5 per cent to 5 per cent is 'big deal'. It is a pretty poor effort when you consider the government's rhetoric in tackling gambling addiction and the impact of problem gambling on the community.

I commend the government for its family intervention orders legislation. It is now in force, although it has not been publicised to any great extent but, hopefully, it has been, or will be, through the Break Even service and more widely in the community. I subscribe to the philosophy that it is much better to have a fence at the top of the cliff rather than the best equipped ambulance at its base. That is why it is important to have measures in place that prevent people getting hooked in the first place. What does the government consider these various harm minimisation measures will be? Has the government in its modelling taken into account the proposed 20 per cent reduction in the number of poker machines in the state?

These are all important questions in the context of the government's modelling to deal with problem gambling and gambling addiction. I have some scepticism about the effectiveness of the government's current measures, given that the rate of growth is only predicted to go down from 5.5 per cent to 5 per cent in the long term.

The government's budget papers indicate that there will be a fall of 3.75 per cent in 2007-08. Does the Treasury analysis go beyond that in terms of a clawing back, and is that figure of 3.75 per cent in some way inconsistent with the \$70 million loss in gaming tax revenue from hotels, clubs and the casino referred to in the budget paper? I think these are all important issues to determine the extent to which the government's much touted measures will be effective in slowing down not so much the rate of poker machine taxes but in tackling head-on the impact of gambling addiction in the community.

That brings me to the ancillary point with respect to the money that is set aside for the Gamblers Rehabilitation Fund. It is still a paltry amount of \$1.85 million plus contributions from the gambling industry. It is under one-half of 1 per cent of the amount the government collects in gambling taxes. Earlier today I asked a question about the lack of face-to-face counselling services particularly after hours in the southern suburbs. I imagine that it could well be the same in the northern suburbs and other areas of need. That is a common

complaint. Another complaint is that people have to wait a number of weeks to get assistance. That seems to be quite unacceptable given that this is an addiction that has been largely brought on by the ease of access to poker machines and their proliferation. The government is gaining an enormous windfall revenue stream from that and these are all issues that need to be dealt with.

My questions to the government specifically in relation to the Gamblers Rehabilitation Fund are as follows. How much of that money is related to an ongoing advertising campaign? How much of it relates to administration from within the department? How much of it relates to specific face-to-face counselling services and phone counselling services? I have heard criticisms that you cannot always get through to the 24-hour phone counselling service. At the very least, anyone who suffers from an addiction to, in a sense, state-sponsored gambling should be able to get Rolls Royce treatment in terms of getting the assistance necessary, the intervention and help for themselves and their families to tackle that head-on.

They are issues that I think are important in terms of where the money is going. What measures are there for the effectiveness of such services to ensure that gambling addiction is adequately tackled, and that services are monitored and followed up to ensure that people are not only getting the assistance, but that that assistance is effective in the short, medium and long term? These are things that we need to know in terms of the amount of money spent, and also that it is spent as effectively as possible.

The other issue that I wish to touch on briefly relates to the issue of land tax. Earlier this year I chaired a meeting which was attended by the Leader of the Opposition, representing the opposition, and the then acting treasurer, the Hon. Mr Conlon, who was there to give the government's point of view with respect to the issue of land tax. We know that land tax has another windfall for the government, and it has been biting very hard on small property investors, on the mum and dad property investors who could hardly be described as the big end of town. The government is continuing to reap significant benefits from land tax.

We know that with respect to land tax rates, once you get over \$300 000 the marginal rate of tax jumps almost 500 per cent from 35 cents for each \$100 (or part \$100), to \$1.65 for each \$100 (or part \$100). That is a significant jump. We know from the property boom that many properties have been pushed into that bracket of \$300 000 plus, particularly investment properties. It is not so much 'bracket creep', it is 'bracket wallop' in terms of the impact it has on small investors.

I believe that, in ignoring the plight of the small investors in this year's budget, the government has really failed a lot of ordinary South Australians whose only nest egg is a small property investment apart from their family home. I believe this is something that will come back to haunt the government. If it decides to do a pre-election sweetener next year by tinkering with the rates, then I think it might be too late, because it is actually causing a lot of hardship. I am very disappointed that it has not been prepared to review that. When you hear about bed-and-breakfast operators such as Beverly Pfeiffer who is looking at selling her business because land tax is going up so significantly, you realise that this government is really not supporting small businesses in the state. I think that with some irony the big end of town is getting relief through payroll tax exceptions, but when it comes to the mum and dad property investors, they are

continuing to be punished very harshly by this government, and it causes me a great deal of concern.

Honourable members know my views in relation to the impact of gambling. I look forward to the government's speedy response to the specific questions I put with respect to the matters raised in the budget papers.

**The Hon. KATE REYNOLDS:** I will start my second reading speech on the Appropriation Bill in the same way I did last year, that is, by voicing the Australian Democrats' disappointment and frustration with Labor's 2004-05 financial year state budget. However, this year I extend that disappointment and frustration to the detail, or rather, lack of detail contained in the budget papers. Again this year we received voluminous, glossy-covered budget papers overflowing with figures. However, what we received was not easy to read. It was not easy to understand, and there was very little information about specific programs and projects and what action will be taken by government agencies.

I have heard many people around the corridors of parliament, and also in the streets of Adelaide and in country towns and kitchens around South Australia, asking what actually is contained in these budget papers. Like many other members of this place, I have received numerous telephone calls from constituents wanting to know whether their area of interest had been funded. Unfortunately, we were not able to answer most of those queries, because the information simply is not in the budget papers, so we referred people to the relevant departments. My understanding is that, sadly, they had little more success than we did.

Given the lack of information contained in the budget papers, we would have appreciated being able to question the ministers directly to determine what funding has been allocated and how, but, of course, standing orders prevent us from doing so. So, I would like to use this opportunity to outline what the Democrats believe are the shortcomings in the budget in relation to both funding and detailed information. The budget poses more questions than it answers and, again, we see alarming figures hidden in the detail, and I think the Hon. Caroline Schaefer referred to this as what was revealed when the smoke from the smoke and mirrors had dispersed. We find that the celebrated \$144 million over four years in child protection funding for South Australia is only \$80 million, given that \$60 million of that amount just meets the current funding shortfall in the department's operations.

The budget also fails to outline expenditure related to the government's appointment of Bob Collins as the coordinator of the APY lands, with very little announced at any point about the details of his contract. Like many other people, we would like to know how much Mr Collins is being paid and what the terms of his contract comprise. Of course, none of that information is available in the budget. In relation to indigenous issues, we would like to have asked the minister to confirm whether or not a range of items will be funded in the current financial year and, if so, to what amount. This includes programs such as the Aboriginal family care advisory forums, which have been mooted and were to be held in locations to reflect and respect the needs of Aboriginal communities.

We would like to have asked about the implementation of key recommendations and new initiatives as part of the South Australian Aboriginal justice strategic directions plan. We would like to have asked about the lifting of the Adelaide city dry zone and the completion of additional drug and alcohol services and whether or not the two indigenous specific

mental health workers will be placed in CAHMS and within the DHS. We would like to have asked about the development of the Aboriginal heritage risk management program. We would like to have asked the minister how many staff are currently employed in the Aboriginal heritage unit and what positions they hold. We would like to have asked whether any staff were moved out in the past financial year, whether any of those staff were indigenous people and whether there are any plans to move staff out in this financial year.

In relation to the disability portfolio, plenty of programs are left wanting, and it is a sad blight on our state when we cannot fund even adequate services for those in our community who have a disability. It is particularly disappointing to see valued and much-needed programs, such as the Moving On program (about which I have spoken here on other occasions) being denied the funding it so desperately needs and deserves. This is a post-school day options program which assists young people with severe intellectual disabilities to make the transition from school to the next phase of their life. As part of the budget, the minister announced that the program would receive \$1.2 million in additional funding, which he claimed was an 18 per cent increase from last year. However, given that the program is underfunded by \$3.2 million, it is clear that this money will not go anywhere near far enough, nor does it take into account that there will be a 20 per cent increase in school leavers who will move into the program next year. As the parents of children or young people in this program have told us, the government is responsible for the worst funding support of any of the Australian states, which we think should force the minister, the Premier and the entire cabinet to hang their heads in shame.

The underfunding of disability services does not stop there. The budget also raises questions about whether funding has been allocated to provide additional respite services for carers, age appropriate vacation care for older children with physical disabilities, expansion of behavioural programs for adolescents and children with challenging behaviours, 10 additional allied health positions for community based rehabilitation for children with acquired brain injury and four additional positions for case management. These programs and services have been called for repeatedly, and we do not know whether or not they will be funded.

One program the budget papers did actually detail related to the transport subsidy scheme. The Democrats called for an extension of the South Australian transport subsidy scheme, from its single round trip per week to three trips, and access for people with visual impairment unable to travel safely on public transport, at a cost of \$15.5 million. However, the government saw fit to allocate only \$4.3 million, which is obviously a long way short of the funding needed to provide this service adequately.

We applaud the recent announcement that the state government has appointed Pam Simmons as the state's first children's and young person's guardian. We certainly commend that appointment, but what support staff she will have has not been made clear. Therefore, it is imperative that the minister outline what funding and resources have been allocated to this much-needed and welcomed position and what support staff will be available. Whilst this appointment was a key recommendation in the Layton report, some 15 months after the report was released we are yet to see a comprehensive strategic or formal whole of government response. So far, we have a mishmash of spending announcements, which is far from what was expected and required

from government in the way of a cohesive strategy built on policy and stated outcomes. It is essential that a whole of government response is formulated to ensure that each and every department that deals with the issue of child protection has a coordinated approach, adequate resources and appropriate policy, leading to a uniform response across the government.

This leads to the fact that the state government has committed to increasing the funding to the understaffed and exhausted Department of Family and Youth Services, now known as CYFS. That is welcome, but the important and unanswered question is: will it now boost its real recurrent expenditure on child protection above \$180 per child, which still leaves it well below other states? Also on the topic of families and communities, it would be interesting to know—and the budget papers certainly do not tell us this—whether statewide child protection training programs for education workers, foster care placement services, carer training and support services will be funded and, if so, to what amount?

On the housing front, first home buyers have welcomed the small contribution the government has made through stamp duty relief, which I understand will save first home buyers an average of \$2 500; however, there is plenty of other housing related information that is lacking in the budget. While the government has chosen to provide what some people have described as meagre assistance to first home buyers, there is precious little for others who are not anywhere near a position to buy their own home. For example, there is no funding for Homelessness SA, despite the state being in the midst of a homelessness crisis. Again, there was no reinstatement of the rent relief scheme to help those people who need assistance to ensure that they can rent a home or avoid losing their rental property.

There was no mention of a joint approach to remodel and increase the supply of boarding house accommodation nor a secretariat to provide policy advice on homelessness. Certainly, there were not any details about whether there was increased funding for capacity building for community housing organisations as has been called for repeatedly by the sector and, of course, that is a call that the Democrats have supported. There was no reference to the establishment of an independent tenancy advice service. Of course, we are still waiting for the State Housing Plan, which we hope will be more substantial than the Infrastructure Plan, which I have heard described as the plan you have when you are not having a plan.

While drawing attention to the needs of poor and vulnerable people in South Australia, we were disappointed, to say the least, that there is still no budget line to be found to indicate that the Rann government is intending to make a formal response to the Social Development Committee's poverty inquiry. Twelve months ago when I spoke in this place to the committee's report, I said that the Rann Labor government has now had more than a year and two budgets to show that it is willing to move beyond a narrow portfolio or silo approach to social development. A clear policy framework, strong links across departments and realistic resourcing are all essential if the social well-being of this state is truly valued as highly as its economic well-being. Two and a half years into its term of office and three budgets later, little has changed.

My colleague the Hon. Sandra Kanck referred earlier this evening to what she called the government's unhealthy obsession with a AAA credit rating. Any person living on a low or fixed income in South Australia will tell you that the

gap between the rich and the poor in this state continues to widen. They do not give a toss how pleased the Treasurer is with getting a good scorecard from some obscure economic rating agency: they want to know that the government is doing something about helping people who are struggling with keeping a roof over their heads and food on the table. I remind members—those on the government benches, in particular, whom I ask to draw this to the attention of the Treasurer who I suspect does not take a great deal of interest in the views of members of this place—that the very first recommendation of the Social Development Committee's poverty inquiry report was that the government develop and implement an anti-poverty strategy. It is the view of the Australian Democrats that this should have been a priority area of expenditure.

Last July I challenged the government to announce a date for the release of its response to the poverty inquiry so that we could scrutinise how the Rann Labor government sees its role in preventing and alleviating poverty and ensuring a decent life for all South Australians. It failed to meet that challenge, and the absence of any indication in this budget of any planned action does not bode well for the future of this state. We have found this year's budget to be not only short on funding for essential social action but very short on details, and yet long on headline opportunities and rhetoric.

There were many pre-budget leaks about big spending projects before the document was released, providing ministers with several opportunities to beat the government's chest about what it was doing in South Australia well before the budget lock-up. However, credit must go where credit is due, and it certainly seems that this government has perfected the art of a detail-free budget where readers are swamped with reams of pages of figures and minimal descriptions of just where the dollars will be spent. If, as the Hon. Carmel Zollo said, the Treasurer truly wants to provide for the present and build for the future, he and cabinet would do well to remember that low income earners and people requiring social services in metropolitan, rural and regional South Australia are as worthy of the government's attention as the big end of town.

**The Hon. A.J. REDFORD:** This bill seeks the approval of parliament by the executive to appropriate \$6.9 billion. For the purpose of this contribution I propose to direct my comments to the Justice portfolio, in particular the Department for Correctional Services and the \$125 million appropriated for that purpose. To get an idea where Corrections sits in this budget, it is interesting to note that we spend the following in other budget areas: Arts, \$92 million; Trade, \$94 million; Police, \$361 million; Courts, \$64 million; Environment, \$227 million; Transport, \$279 million; Parliament, \$17.6 million; Auditor-General, \$11 million; and the Department of Premier and Cabinet comes in at about 3½ times the cost of parliament at \$61 million.

The expenditure of \$125 million is a lot of money—money that I know could easily be spent elsewhere. However, in looking at the expenditure of \$125 million on corrections, we need to look at whether or not we get value for money or, as some might put it, to get a return on our investment. That is, in my view, the demand that the community makes. It might even be described as a community right. *The Advertiser* last Saturday in its editorial referred to this issue in the following terms:

Yet a community which denies basic rights to a minority group which has no public voice, is a community without compassion and without dignity.

I put it this way: the community has a right to expect that our community corrections system will deliver to the people of South Australia improved outcomes and a positive experience in order to improve general community safety and our general lifestyle.

The annual report of the Department for Correctional Services, tabled in November last year, reported the following: revenues (and that includes prisons, labour, salary, recoups, sales, etc.), \$11.4 million and total expenses, \$133 million. Of the \$133 million of expenses, \$98 million was spent on custodial services, \$14.6 million on community based services and \$20.4 million on rehabilitation and reparation. In the notes, the figures show some real problems, including a huge blow-out in workers compensation liabilities of \$10 million (a 500 per cent increase), and a 20 per cent increase in WorkCover levy payments—but that is another portfolio area that I do not intend to cover any further this evening.

It is also interesting to note that Mobilong is the most profitable in relation to prison labour. Early last financial year the minister appointed a new CEO, Mr Peter Severin, and he is faced with some enormous challenges; in that respect I wish him well. Having met him on two occasions I am impressed with his dedication; however, in my view his biggest liability is the government and, in particular, a penny-wise and pound-foolish leadership group. What budget was he given? At page 4.167 the budget papers show revenues at \$7.8 million and expenses of \$126 million. That seems to me to be a drop of \$3.5 million in net revenues—and I am not sure why that should be the case—and a drop of \$7 million in expenditure. Indeed, of the net expenses of \$118 million, \$86 million is to be spent on custodial services, \$14.7 million on community based services, and \$16.7 million on rehabilitation and reparation. I am not sure how these figures interrelate, because either there is a significant decrease in expenditure on corrections or one set of figures I have referred to is wrong.

I am cautious about these figures because of the government's rhetoric. The minister, either in this place or through his press releases, has said that there has been an increase in overall expenditure. Indeed, under a heading entitled '\$15 million extra for correctional services,' a press release issued by the Hon. Terry Roberts on 17 June this year stated:

The Rann government has significantly increased the budget for the Department for Correctional Services, allowing it to greatly boost its ability to tackle repeat offending and help reduce crime. Correctional Services Minister Terry Roberts has today revealed the major funding boost during Parliamentary Estimates Committee hearings. He says the increases in the department's budget total more than \$15 million over the next four years.

There we have it: according to the minister an increase in expenditure, but according to the budget figures a significant decrease. I am not sure how I can reconcile those figures, and I am fairly confident that a member of the public would have even greater difficulty than me. I suppose I could have got to the bottom of this if we had an estimates process that reflected the federal parliament's estimate process, but we do not. Indeed, I think some serious consideration ought to be given to some suggestions made by my leader in relation to the estimates process and how it is undertaken.

In any event, I would be grateful if the government could reconcile the figures in the annual report and the expenditure

for the 2001-02 financial year and the expenditure reported at pages 4.159 and 4.167 of this year's budget papers. For example, expenses for that year in the annual report are \$133 million, yet the budget papers show an expenditure of \$116 million at page 4.167 or \$106 million at page 4.159. However, it is interesting to note the following from the budget papers: rehabilitation for the 2001-02 financial year is at \$20.9 million, yet for the 2003-04 year it is at \$20.8 million. That is a comparison between the last budget of the Liberal government and the last budget of this government, and what we have is a reduction in expenditure on rehabilitation of some \$100 000. So, I am not sure where the minister gets his press release suggesting that he is spending \$15 million extra for correctional services to 'greatly boost its ability to tackle repeat offending and help reduce crime'.

In any event, we have an increase in custodial services. The 2003-04 budget for custodial services was \$90 million and for 2001-02 it was \$82 million. That is an increase of 10 per cent, or 5 per cent over the two years, which reflects slightly more than the inflation rate and no more, yet we have a government that is constantly on television and radio saying that it is tougher on law and order. If it is tougher on law and order one might have expected some increase in our prison population but, if one looks at the figures (and I will come to this in more detail), that does not appear to be the case, particularly in comparison with other states. Still, it is an expenditure increase of \$8 million if you take those figures. That, however, is an increase of 83 prisoners (and that is what they have in the budget papers in that period of time) or a cost of \$100 000 per prisoner—nice if you can get it. Obviously, that is a crude analysis; nevertheless, it is one that can be made.

In relation to community based services we see the following: for 2001-02, \$13.1 million; and for 2003-04, \$14.9 million. That is an increase of 14 per cent, or certainly more than inflation. The figures in this area show that only 40 per cent of cases, where there is a draft case management plan within eight weeks of entry into the community corrections system, are complied with. Also, the total budget for community corrections services is \$14.9 million, and I am not sure which part of this \$15 million announcement comes into that category.

In any event, I think the figures speak for themselves and do seem at odds with the minister's comments today that there has been a substantial increase in expenditure. Indeed, if there has been, one would hope that the minister could present it in a form signed off by his departmental officers which would show clearly that there has been an increase in expenditure. So, what is the current state of corrections in this state?

A good starting point is the Productivity Commission's report on government services, which was released early this year. In the preface, at page 7.3, the commission reports that expenditure on corrective services for 2002-03 in Australia was \$1.7 billion. If one takes last year's annual report, that is partly comprised of a \$125 million expenditure in South Australia. Coincidentally, that is 8.333 per cent of the national spend on corrections, which is entirely in accord with our spend based on population. If one takes those figures—that we are spending roughly the national average on corrections—one might then go to the Productivity Commission report and see how we are performing in corrections in regard to what this state is managing to deliver for this \$125 million expenditure.

The graph at page 7.3 shows that South Australia was fourth in expenditure behind Western Australia, New South Wales and Queensland on a per capita basis. The minister would have us believe that that is because we do not have the real serious criminal activity that we see in New South Wales, and I draw members' attention to an answer to a question that I put to him some weeks ago. However, at page 7.5 the report shows that we were fourth behind Western Australia, Queensland and New South Wales and, mysteriously, ahead of Victoria. In community corrections we had the highest rate of any of the states—and in that respect I would draw members' attention to page 7.14.

The prisoner escape rate is set out at page 7.19. It shows, despite what the minister says, that South Australia had the second highest abscond rate from open and secure perimeter gaols in Australia—more than double that of Tasmania, Victoria and New South Wales. When I am quoting these figures I am ignoring the Northern Territory and the ACT and I am only comparing the states. One might recall that the minister said to me in answer to a question that the reason why there are different statistics in New South Wales is that it has much more serious crime. They are interesting criminals because, despite the fact that they are much tougher criminals out of much more organised operations, they do not seem to want to escape or abscond to the same extent as they do in this state.

The figures shown in the Productivity Commission report on community corrections are also interesting. Page 7.17 indicates that South Australia has the second worst performance when it comes to the completion of community corrections orders. What I am referring to here is whether or not a prisoner complies with the requirements of an order made by a court or the requirements of an order made by the Parole Board. The report states:

A key effectiveness indicator for the management of offenders in the community is the successful completion of orders. Unsuccessful completion occurs when the offender breaches an order (failing to comply with the conditions of the order) or commits a further offence. Data needs to be interpreted with care because, for example, a 100 per cent order completion figure could mean either exceptionally high compliance or failure to detect or act on breaches of compliance.

I think that qualification ought to be acknowledged. Notwithstanding that, we are the second worst.

In relation to reparation, which is the technical term for prison employment, we are behind Western Australia, Victoria and New South Wales. Only about 70 per cent of eligible prisoners in South Australia are engaged in gainful employment, and that is something that this government should seek to address and seek to address with some priority.

We have heard the minister say over and over again that this government does lots and lots on education and training and that this government is working very hard in this area. In that respect I would draw the minister's attention to his \$15 million press release of 17 June. The Productivity Commission says something different. At page 7.20 it shows that, of the proportion of prisoners enrolled in education and training in this country, South Australia is the worst performing. We have the lowest participation rate and that is, to understate it, disappointing. If we look at page 7.21 and those pages following which outline the cost of prisoners, they show that we are not performing all that well. At page 7.21 it states:

Inputs per output unit—cost per prisoner

A measure of efficiency in resource management is the cost of prison services divided by the number of prisoner days. . . The total

cost (combined recurrent and capital costs) per prisoner per day . . . range from \$250 in the ACT to \$161 in the NT.

Of all the states of Australia, we have the second highest recurrent cost, according to the Productivity Commission. Whilst we might be funded on the basis of the national average, on just about every performance indicator we are in the bottom half. There is more, as they say in the advertisement. If we look at the real recurrent cost per prisoner per day, on the basis of that figure we also have the highest cost of the states.

One of the other concerning issues is in relation to community corrections. At page 7.25 the most damning figures I have seen in relation to corrections are outlined. Let me quote the paragraph, because this is a significant finding on the part of the Productivity Commission. It states:

Inputs per output unit—offender-to-staff ratio

This indicator compares the daily average number of offenders with staff numbers. Offender-to-staff ratios for community corrections range from 29.7 offenders per staff member in SA to 16.5 in WA in 2002-03. SA also reported the highest ratio of offenders to 'operational staff' (42.5) while Victoria reported the lowest (22.0).

What we have here is clear evidence that those people who are released on parole or released pursuant to an order of the court, subject to the supervision of a parole officer, are less likely to be supervised in South Australia than in any part of the commonwealth. That is the point that I have been trying to make consistently over the past few weeks in asking questions of this minister—not many of which have been answered, I might add—or when I have been talking to the media. There are two aspects to this issue. First, if we expect a reduced rate of recidivism and if we are to remove the revolving door concept of imprisonment in this state, then we have to ensure that prisoners are properly supported during the time when they are most in need of that support, that is, immediately following their release. But there is also a more important, significant aspect to this outrageous statistic. If there is better supervision by parole officers, it is more likely that less crime will be committed. The community is more likely to be safer with a greater supervisory function on the part of parole officers.

Let me put it in context. I know members opposite have proceeded to lecture me on these issues for a bit over a decade now, but we get very upset about the issue of class sizes. I know that the education union—supported in rhetoric but not by much else—and members opposite demand low class sizes and something in the order of 20 children. In terms of education we say that it is difficult for a school teacher to properly and adequately supervise 20 children for a period of, say, eight to nine hours a day. They are generally law abiding and unlikely to get up to too much mischief, provided there is reasonably adequate supervision. Yet, in relation to prisoners—people who have been released from gaol—who have committed serious crime, albeit crime that would attract prison terms of more than five years, and who are probably in gaol after committing a number of offences—because people do not often get sentenced to a period of imprisonment of greater than five years for a first offence—we have a supervision ratio of more than 42 people per parole officer. I suggest that there is not a parole officer in this world who should be expected to undertake a workload of that level. It is unfair on the parole officer, it is unfair on the system and, most importantly, it is unfair on the community and the people of South Australia.

The state government's response to the Productivity Commission is interesting, in the sense that it does not

respond at all. The statement is a series of excuses, and I have to say that it is indicative of its performance at this point. One paragraph from the state government's response, which appears at page 7.33, states:

The high prison utilisation capacity in SA is problematic. The Department for Correctional Services is currently in the process of developing a business case for the building of a new 120-bed women's prison. Consideration will shortly be given to the extension of prison facilities for men.

So, there we have it. We have the state saying, 'Don't worry about these figures. We know they're not too flash, but we're going to build a new women's prison.'

I was absolutely shocked when the Treasurer rose to his feet this year and said that the new women's prison had been put on hold, particularly when one looks at minutes of meetings reporting the Chief Executive Officer of the department saying that the announcement of the construction of a new women's prison was imminent. Then we get that lame excuse that this government cannot find, in the state of South Australia, one single place that might be suitable for a women's prison.

Mr President, just to give you an idea of the sorts of issues that we have here, let me quote from the Productivity Commission report on inputs per output unit, or prison utilisation. The report states:

A prison system's utilisation rate is considered to be an indicator of the efficiency with which private and publicly owned assets are employed. The optimum rate of prison utilisation lies in the range of 85 to 95 per cent because facilities need to provide accommodation for the transfer of prisoners, provide special purpose accommodation such as hospital and protection units, provide separate facilities for males and females, cater for different security levels, and deal with short-term fluctuations in prisoner numbers. Prison utilisation for all prisons (open plus secure) in 2002-2003 ranged from 108.2 per cent in South Australia to 76.4 per cent in the ACT.

Bear in mind that the ACT does not really have a prison, it has a remand facility, and that is that. It continues:

In New South Wales, Victoria and South Australia it exceeded 100 per cent of nominal design capacity.

In South Australia we also have the highest secured custody utilisation rate, which is at 110.8 per cent. I can fully accept that there might be short periods of time where a prison system might have to deal with a utilisation rate that is significantly higher than the optimum level. One of those periods of time might be when you are building a new gaol. But what we have here is overcrowding and no plan by this government—or certainly one that has not been released—about how it will deal with overcrowding.

What we can conclude from that is that this prison system, despite spending the national average, is under extraordinary pressure. We have a below average system for an average cost. That by itself does not tell the story, for a number of reasons. What it does not tell us is the potential for future trouble. The system is under pressure. All systems are put under pressure from time to time but, if that pressure continues to build or is sustained, history teaches us that there will be a cost inflicted upon the community of South Australia. This government had an opportunity to relieve that pressure and, because it does not see any short-term votes or a quick climb in the opinion polls, it has put the safety of prisoners, prison staff and, ultimately, the community and our families at risk by making these short-term decisions and that, if I can understate it, is disappointing.

Some might ask, 'What is the evidence that the prison system is in trouble?' What we are seeing is more headlines, more community disquiet and more problems coming out of

the prison system than we have seen since 1992. The prison system is now back on the front page. Let me give just a couple of examples. The recent gaol break in Port Augusta, where the prisoner was nicking out to go to the odd party and slip down to the pub, was described by *The Advertiser*, I think quite pertinently, as being the equivalent of *Hogan's Heroes*—prisoners who can leave and return to gaol at will. Exceedingly disturbingly, despite a regime of reporting directly to the minister should incidents such as this occur, no report was given to the minister for a period of up to a month—I think, probably more accurately, close to three weeks. *The Advertiser* editorial summed it up on 7 July when it said:

If Correctional Services cannot properly fund the security of its facilities—its core activity—then the State Government should write it a cheque.

It continued:

Like the situation at Port Augusta itself, this is also unacceptable. Surely a matter as serious—and as embarrassing for the Government—should have been brought to his attention the day it was discovered.

I just hope that those who were responsible for bringing this to the attention of the minister have been dealt with, because the next time there is an escape and the minister is not on top of it the opposition will be seeking the minister's head on a plate. It is entirely unacceptable for directives given to public servants to be ignored, particularly with respect to information that ought to have been given. Part of the editorial stated:

Heads would have rolled if the Opposition had fired a question at an unprepared Mr Roberts in State Parliament last week.

I read that with some wry bemusement because, obviously, the writer of the editorial is completely unaware that it does not matter what question you ask the Hon. Terry Roberts, he remains unflappable, and he does so using the technique of failing to direct any of his answers to the questions that might have been put to him at any stage. I hope that the writer of that editorial can perhaps come down here one day (he will probably need to bring some keep-awake pills and take a few) and listen to the Hon. Terry Roberts read his pre-prepared answers that bear absolutely no relationship to any questions that we on this side of the chamber might consider asking him.

I note that the minister has been quite candid about the fact that there has been a failure on the part of the system. When I read that article I thought, 'Should I feel sorry for the minister?' I must say that I did, because the minister's performance had all the episodes of *Hogan's Heroes* crashing into my mind, and I thought, 'Where would the Hon. Terry Roberts fit into this system of *Hogan's Heroes*?' He would not be Hogan because he has nothing to escape from except his white car.

*The Hon. R.K. Sneath interjecting:*

**The Hon. A.J. REDFORD:** The honourable member has got it in one. He came up with it just as I did; he is the Sergeant Shultz of the South Australian corrections system.

**The Hon. R.K. Sneath:** No, you're Schultz.

**The Hon. A.J. REDFORD:** No; I am not Schultz, because I am not the minister. I know that deep down you would like me to be the minister, but I am not the minister; I am in opposition. It is the Hon. Terry Roberts who is minister, and the Hon. Bob Sneath came up with exactly the same decision that I did—that the Hon. Terry Roberts is the Sergeant Shultz of the South Australian prison system. He knows nothing and he says nothing—

**The Hon. R.K. SNEATH:** I rise on a point of order, Mr Acting President. I have been misquoted by the Hon. Mr Redford. I suggested that the Hon. Mr Redford was Sergeant Shultz, not the minister.

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** There is no point of order.

**The Hon. A.J. REDFORD:** We have a minister who knows nothing, he sees nothing, and if something goes wrong he ducks around the corner. If he does not do that himself his government department says, 'We've got a beauty here comrades! He is the Sergeant Shultz. We won't tell him anything and everything will be all right'. Unfortunately, I have news for the minister: I do not think that will be a good and successful long-term strategy in dealing with some of the problems and difficult issues that he is confronting in corrections. I hope that his recent experiment with the Sergeant Shultz philosophy in running corrections in South Australia is something that he has put in the bin, and that he starts trying to run this department, because at the end of the day that is what the electorate expects him to do.

We then have another issue in relation to prisons. Despite the premier's rhetoric that it is all law and order—he was on telly again tonight saying, 'I'm tough on law and order'—those of us in the know start to giggle when he says that. We know that, when the Premier talks about being tough on law and order, we are looking at a big increase in prisoners next year; we are looking at a massive increase next year. The prison population is going to go up by seven or eight prisoners—an increase of 0.48 per cent. There is 'tough on law and order' for you. If you want to be tough on law and order, go and have a chat to Bob Carr or Bracks where they have increased prison populations in the order of 25 to 30 per cent.

I am not saying that that is the policy that ought to be adopted, but the Premier should not stand up there and act like a decoy in some Italian movie and keep saying the same thing over and over again, because after a while the only person who will believe it is the bloke saying it himself and, in this case, it is the Premier. If he is tough on law and order, our prisons would have more people; but he is not, and they do not have more people, and the figures bear that out.

When the Chair of the Parole Board (I will get on to the Deputy Chair in a minute) starts criticising the revolving door policy that this government has in relation to law and order, this is not an issue about being tough on law and order. I know this is a complex issue. The more the Premier opens his mouth on this, the more I wonder about his intellectual capacity. It is an issue of how you prevent crime in the state, how you ensure that those people released from prison do not reoffend and what you can do to support that. We also have another issue in relation to prisons. We have industrial disputation. I know that this is not the minister for correction's direct responsibility. I understand that they have that other failed minister looking after this—the Minister for Industrial Relations, the Hon. Michael Wright. He is the one who you might remember, Mr President, dropped a lazy half a billion dollars in relation to WorkCover.

I understand that all Jan McMahon, the General Secretary of the PSA, wants is to have a meeting with this minister. That is all she wants to do; she wants to discuss a few issues. But, what do we get in the paper over the past week or so? We get the government bleating that Jan McMahon and the PSA are pro Liberal. I will let the government in on a little secret: Jan McMahon and the PSA are not pro Liberal. We never thought they were, and I am happy to go through a few

things that would indicate that Jan McMahon and the PSA are not pro Liberal.

If in relation to this government anybody is game enough to poke their head out and say that the sky is blue or tell Mike Rann a straight fact, he goes straight for the jugular. He says to the PSA that it is pro Liberal. I am sure that is designed to undermine Jan McMahon's position. He said to the Deputy Chair of the Parole Board, a man who received an Order of Australia for his services to the Parole Board and corrections and various other areas in the state, that he is not tough enough. It has nothing to do with being tough. One way or the other it has something to do with how you manage problems that you might be suffering as a consequence of crime in the state. Simply standing up in front of a television set, stamping one's foot and saying 'I'm tough on law and order' might work for a week; it might work for a month; it might even work for a year. But, sooner or later, people are going to wake up to this Premier.

It may not show in the opinion polls at the moment, but, as I travel around talking to different people, I am amazed at the number of people who come up to me and say, 'This Premier just doesn't get it. He's really dumb, or he's all strings and sealing wax, and we've got to get rid of him'. More and more people are telling me that on a daily basis. The Hon. Paul Holloway may smile, but that is what is happening.

Let us look at what other people are saying. Leigh Garrett of the Offenders Aid and Rehabilitation Service says this about the Adelaide Women's Prison:

I think the Adelaide Women's Prison is shameful and ought to be replaced as quickly as possible.

Quite correctly, he points out:

... the vast majority of people who go into prisons come out and in fact if we don't treat them with some degree of respect and provide opportunities for them to fix up the deficits that they may have, or the problems that they have, then we are in fact wasting the money we're already spending in my opinion.

He also decries the lack of programs in the women's prison. I visited the women's prison last Monday, and it is indeed a disgrace. I will raise a couple of other issues, but I will not do so now. Perhaps some time later this week I will try to trip the minister up on one of his prepared speeches in what he euphemistically describes as an answer. As I walked around the women's prison, what struck me (apart from the fact that it is a pretty old building in sad need of replacement) is the sheer waste of human resources. I have to say that the guards to whom I spoke seemed to be quite diligent in their tasks and seemed to understand what was required of them. Certainly, their morale was better than I anticipated. However, to get from one point to another, just to move around the gaol for them to do their daily work, took them ages. That must take up an enormous amount of time and must be an enormous hindrance to their productivity.

If you build a new gaol with modern security, you will find that the staff will be able to get on and do more things and that there will be cost savings in all sorts of different ways. You might even find that some of the staff are able to assist the prisoners in a more tangible way, rather than their staring at locked gates waiting for some central security system to let them through. However, I give the minister some gratuitous advice on that issue, and I am sure that he will endeavour to take it on board.

Another issue that corrections faces was set out by Dr Chris Holmwood, Director of the South Australian Prison Health Service, in a rather extraordinary interview given last

Monday on the Nicole Haack show on 5AA. I will go through a couple of matters that were raised, because they really stunned me when I read them. Nicole Haack said:

We are joined now by Dr Chris Holmwood, who is the man who heads up the South Australian Prison Health Service. . . apparently, and I've got to say that I was quite astounded by the figures, some 30 000 pills have been handed out for mental health problems in the Adelaide Remand Centre alone. . . that's indicative of what I suggest is a widespread problem.

I have to say that this has to be the biggest chemist shop in the world handing out that many pills.

*An honourable member interjecting:*

**The Hon. A.J. REDFORD:** No; they could not do 30 000. There are not enough people there. Dr Chris Holmwood said:

I guess absolute numbers wise. . . we have a significant number of people within prisons who have got a psychotic condition and as well as that there are people with depression and with post-traumatic stress disorder and issues like that. . . some of those require medications for their management so there are a large number of prisoners who are taking either antipsychotic or antidepressant medication to assist them with this condition, yes.

Nicole Haack then asked him whether he had any concerns, and he said:

I think you've got to put it in context and the background frequency of these sorts of conditions in the community is reasonably high as well, particularly depression. . . people with psychotic problems are much, much more likely to come into prison.

So, that seems to explain why there seems to be a fairly high number of pills. He then says this (and I find this extraordinary) in answer to a question from Nicole Haack about the figures gradually escalating in regard to mental problems in the community:

It's hard to know, because longer general data hasn't really been collected. . . either in this jurisdiction or in any other jurisdiction in Australia. . . probably the tightest figures are from New South Wales as part of a 2001 inmate health survey. They came up with a prevalence of about 7 per cent but they did an inmate health survey five years previous to that, but they didn't specifically look at the instance of schizophrenia in that study so we haven't got longitudinal data to say whether there has been an increase. But if you talk with staff, either correctional officers or health staff who have had a long association with prisons, then the anecdotal evidence is that these are. . . certainly the incidence of them are increasing, yeah.

There is then a general discussion about how you deal with these mental health problems, and Dr Holmwood says this in relation to some of the problems he has faced:

I think in terms of skilled staff, James Nash House and the Forensic Mental Health Service have an in reach service, but really they're flat out, and the service is good in terms of the quality, but the quantity is probably a half or a third of what we need. . . So if I had a magic wand and I could wish for five years down the track, it would be that we'd have a larger and better resource in reach service from Forensic Mental Health Services, that would start to help us to manage these people appropriately and make sure that their discharges are planned when they're released so that you don't get this revolving door. . . that sometimes happens.

There we have it. We have another significant and serious challenge in this state facing our correctional system. He then addresses the issue of diversion services. Members might remember that diversion services for the Pit Lands were actually in a budget at one stage with this government, but it has mysteriously disappeared. In answer to a question the minister talked about some facility in the Northern Territory, which is terrific. We are going to send our prisoners to the Northern Territory! Maybe we could send our nuclear waste there, too.

*The Hon. T.G. Roberts interjecting:*

**The Hon. A.J. REDFORD:** Well, you have been there more often than me. It is a wonder that they let you back in. In answer to a question about having more diversion measures he stated:

I think we should. . . there is some diversion that occurs but it is really a diversion so that people can be assessed and then go back for trial and sentencing. . . and it is not a divert away from the court-type diversion. . . for non-violent offenders, minor property offenders and. . . those sorts of offences, probably ought to be out of our system I think because. . . as I said, it is not a therapeutic environment, that they are often vulnerable.

This is a sensible discussion. I am not sure that Dr Chris Holmwood read this contribution. In a statement led by Mr Mike 'Clint Eastwood' Rann, it is unlikely that we are going to get any sensible debate about whether diversion systems might assist in terms of how we deal with some offenders. You would imagine that they talk about a diversion system and there would be the Premier with his six gun in his holster saying, 'Make my day. I am tough on law and order.' He then goes on to talk about drugs. This was a very interesting interview. In response to a question about psychosis and mental health problems being as big a problem in the prison system as drug taking, he stated:

No. . . well, I mean it is hard. . . yes and no. . . about 80 per cent of people who come into prison certainly from New South Wales statistics anyway and ours would not be any different from theirs, about 80 per cent have got some sort of drug dependence disorder. . . so is it dependence or abuse. . . so that is 80 per cent alcohol or cannabis or opiates or amphetamines. . . the incidence of psychosis is only 7 per cent. . .

There we have it. I put a question to the minister about the New South Wales figures. They are alarming about drug use and continued drug use within our prison system. I am not sure, and I will raise this issue later this week, that we really are serious about trying to take some reasonable steps to ensure that, when prisoners are released, they are in better shape to manage their drug and other addictions. He also went on to raise a number of other issues which I will not go into now. There we have it. Dr Chris Holmwood, in a fairly candid interview, raises a number of serious problems within our correctional system.

Today, we had the Deputy Chair of the Parole Board and he, as I said in my question earlier on today, has identified some very serious problems within the system. Instead of addressing specifically some of the issues he has raised, all we have had on the television this evening is the Premier sitting there like Clint Eastwood saying, 'Make my day.' Well, whoop-de-do! I think that we deserve better from our Premier than some B-grade movie re-run of a 1960s 'make my day' Clint Eastwood performance.

I think the government needs to seriously address some of these issues. I know that the minister might be somewhat frustrated in relation to that. I will have some advice for him later in this contribution about what he might think of doing in terms of dealing with this 'make my day' Premier. If there is any essence of trying to achieve a public policy outcome, in all seriousness, this cannot continue to run public debate on these sorts of issues, yet the Premier seems to want to take that approach.

We then have another issue—bullying. I refer the minister to *The Advertiser* of last Saturday. His corrections department has been on the front page and in the paper a lot lately. It was not like that when we were in government.

**The Hon. R.K. Sneath:** You never corrected anything when you were in government.

**The Hon. A.J. REDFORD:** The Hon. Bob Sneath interjects again. I just wish he would not do it. He is starting to sound as dumb as the Premier.

**The ACTING PRESIDENT:** The Hon. Mr Sneath will have an opportunity to make a contribution if he wishes. He should cease interjecting.

**The Hon. A.J. REDFORD:** Thank you, Mr Acting President. Sometimes I enjoy his interjections. They make me feel good. The article refers to bullying. I have asked questions, and I know that others have too, about this matter, and we finally get some answers in this article. I have a couple of issues to raise, and I would also like to ask a few questions of the minister. I appreciate that he may not be able to get answers to them quickly; in fact, I know from experience that it is highly unlikely, because only today I got an answer to a question that I asked in September last year.

The article states that there were two rival groups and a prison officer or warder, who was probably doing the right thing by being a whistleblower and, for his good works, he got moved out. Who would be a whistleblower with this government? He says that he spoke to his manager about missing assets, missing fuel, discrepancies and a whole range of things that happened. I have to say that my experience is that, if things go missing and there is human intervention involved, generally that falls into the category of theft. Last time I looked that was criminal conduct.

While I know that we can have minor forms of theft, at the end of the day, if a 15 year-old girl goes into Coles or Woolies and walks out without paying for an ice-cream or a bottle of Coke, invariably she gets prosecuted for shoplifting or theft as it is called. But if a prison officer, who is entrusted with being in our prison system, walks off with a bit of petrol or some tools then we have a different approach. I am not sure why, and I would be interested to know from the minister why we have a different approach when it comes to prison officers. The article states:

Mr Weir said it was his understanding the allegations were not referred to police for investigation because 'given the lower level nature of the allegations, they were mainly administrative in nature.'

That begs the question: has it been reported to the minister that there has been theft within our correctional services system? If, in fact, it has been reported that there was theft within our correctional services system, why was it not reported to the police? Why is it a 15-year old shoplifter with a bottle of Coke can get reported for theft but a correctional services officer who might be stealing equipment or petrol—who is in a position of trust and responsibility and who should, frankly, be setting an example for prisoners—is not prosecuted? There may well be a simple explanation (and I do not want to put it any higher than that); it may well be that there was insufficient evidence or Mr Weir felt that there was not enough evidence to put to the police—and I know Mr Weir, and have regard for him. That might be the explanation but, certainly, the explanation given in the newspaper does not adequately outline some of the concerns.

During estimates I asked a series of questions and I am not sure, when I really analysed the statements made from the minister's prepared notes, that any of those questions were answered so I will quickly go through them again and, hopefully, I might get an answer some time before the end of this financial year (which gives him another 11 months).

1. In relation to rehabilitation programs, can the minister provide a list of programs delivered?

2. Can the minister inform the council what the objectives of such rehabilitation programs are, and of any evaluation as to the success of those programs?

3. On 5 May this year the minister announced that new programs to treat sexual offenders in the South Australian correctional system would soon be implemented. According to the notes of the Correctional Services Advisory Council, the submission for this program was with the minister in October 2002. Why did it take more than 16 months to announce and implement the program?

4. The Correctional Services Advisory Council has advised that in New South Wales 23 per cent of female inmates and 20.4 per cent of males reported heroin use while in prison. Ms Doreen Rae advised the council that a similar finding would be made in South Australian prison populations. Can the minister advise whether that is the case and, if so, what steps has he taken in relation to this high level of heroin use?

5. In relation to programs to assist in reducing re-offending, the performance commentary in the budget paper states:

The custodial division of the department undertakes programmed assessments as to what management regimes best suit each sentenced offender. Progressing an offender through such programs assists in reducing the likelihood of re-offence once released.

The minutes of the Correctional Services Advisory Council on 9 July 2002, at page 3, state, 'Mr Paget informed council on some of the challenges before the department with a shrinking budget and an arbitrary reduction in programs.' My questions are: first, what programs exist; secondly, what programs were cut; and can the minister identify which of those cuts were arbitrary?

6. On 14 January it was reported to the council that the department was faced with several sensitive issues that would likely involve disciplinary action against several staff. What were the issues, and what disciplinary action has been taken?

7. On 10 February 2004 the Chief Executive Officer, Peter Severin, reported to the Correctional Services Advisory Council that an investigations review committee had been established in relation to recent deaths in custody and, in particular, the Margaret Lindsay case. It was reported that the recommendations had budgetary implications. Can the minister inform the parliament what the recommendations were, have the recommendations been acted upon, and what has been allocated in this budget in relation to those recommendations?

8. At a meeting of the Correctional Services Advisory Council on 9 March 2004 Mr Peter Severin reported, '... consideration was being given to a suitable site for the prison, and that consideration is also being given to the development of a low security facility in the Aboriginal lands.' Could the minister update the parliament and, in particular, advise what consideration has been given to the development of a low security facility in the Aboriginal lands, and inform parliament why was there no provision in the budget for the construction of such a facility.

9. In the minutes of the Correctional Services Advisory Council of 13 August 2002 the minister is reported as saying, 'While budget cuts have been relatively small, they have had some unfortunate effects and, if possible, these will need to be corrected with cross-agency support and funding from other budgets.' I hope the Hon. Gail Gago is listening to this one. What were the unfortunate effects?

*The Hon. G.E. Gago interjecting:*

**The Hon. A.J. REDFORD:** You keep interjecting—and you have since I became shadow minister—that all the problems were cuts to budgets by the former government. Here we have the minister himself informing the council that there have been budget cuts made by his government and they have had unfortunate effects. I know the Hon. Gail Gago is a bit slow when it comes to getting adverse information but, basically, that is what it says. What were the unfortunate effects? Were the unfortunate effects corrected with cross-agency support? What other agencies provided support from other budgets, and what are the details, including the amounts spent?

10. In the minutes of the Correctional Services Advisory Council of 13 August 2002 the minister is reported as saying that improvements for women prisoners are a priority. What improvements have been made since 13 August 2002?

11. Can the minister update the parliament on the continuation and expansion of the methadone program?

12. It was reported to the Correctional Services Advisory Council on 13 May 2003 in relation to DNA testing:

There are some perceived risks involving prisoners who may wish to avoid testing and may be classified low security at present. There is a chance they may try to escape. Another issue is what does the Department do in a situation where the testing may provide that the person was not involved in the offence for which they have been imprisoned.

I understand from Mr Peter Severin—and I would be grateful if the minister would confirm this—that no security issues or incidents have arisen out of compulsory DNA testing. That has been an extraordinarily successful program, and the government deserves the credit for it. I wonder whether anything has been done in relation to checking whether or not DNA testing has exonerated anybody and, if there has been evidence to that effect, what the government has in mind.

There are some other significant challenges. One is the Parole Board, and we have gone through some of those issues both today in question time and on previous occasions. I understand that currently there is an inquest into a death in custody. Last Wednesday's *Border Watch* reported that an inquest was being undertaken in relation to an issue that arose in Mount Gambier. I must acknowledge that this predates the minister's appointment, but it indicates issues in relation to almost regular inquests into deaths in custody.

I also acknowledge that this is an exceedingly difficult issue. A person who is serious about taking their life can find all sorts of hanging points that people like me would not pick up. The other day I was grateful to Mr Severin for indicating the sorts of things that they have to look out for: it gave me a better understanding. I understand that the government will be faced with a report—I know that it has been a long time in coming—from the Ombudsman in relation to management of prisons and prisoners. These are all indications that there are enormous problems confronting the corrections system. I am not confident, particularly with Clint—some people know him as the Premier—out there yelling out, 'Make my day' and 'I'm tough on law and order.' I am not sure that the Clint Eastwood approach will work here. I am not sure that there are not more serious problems in the prison system, or that, particularly in view of the warnings that I have been giving the Premier through the minister, there will not be political ramifications if the Premier keeps hiding behind rhetoric and failing to address some of the issues in a dispassionate way.

There are two sorts of politicians in this world: those who seek power and see it as an end in its own right and those

who seek power for the purpose of improving our society, communities and, ultimately, the lives of our families and children. People like the Chifleys, Keatings, Howards and Olsens fall into the category of attempting to change life. One might not necessarily agree with what they attempted to do, but they were and are change makers, and they secured power for the purpose of advancing an agenda. Then there are others who fall into the other category: they aspire to power, chase it, pursue it and fight for it and, when they get there, the only thing left for them to do is to hang on to that power. They are people like the Malcolm Frasers and the John Bannons of this world and the masters of it, the Hon. Mike Ranns. They aspire to power, say they are going to be a Don Dunstan, run the most unenlightened government this state has seen for 50 years, are simply time servers and, ultimately, will be judged by the electorate as time wasters.

There will be no legacy from this Rann government. My challenge to those members of the left who say things about utilising power for the benefit of the people—members such as the Hon. Patrick Conlon, the minister himself the Hon. Terry Roberts, and Frances Bedford, the member for Florey—and who are passionate, or at least appear to be passionate, about their beliefs and views, is not to sit there in their white cars and travel along with this Premier, who will not be judged very unfavourably by history. I know that members opposite understand that. The Premier may be electorally successful—and we do not know that yet, as he has only won one election—but I have no doubt that the judgment of history on this Premier will be poor because of his complete lack of achievement.

The challenge for those members of the left is whether they will waste that gift of power and the opportunity they have been given to improve South Australia in exchange for a bit longer in a white car or a slightly higher pension, or whether they will seek to use that power for the benefit of this state. My challenge to the minister—and it is a gift to be Minister for Correctional Services—is whether he will leave corrections in better shape, particularly given the strong state of the economy and the budget, with some vision for the future, or whether he will simply be a lap dog for the Clint Eastwoods of this world, all for the sake of continuing to sit in a white car. In all genuineness, that is the challenge that confronts this minister and ultimately some of his colleagues.

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

**TRANS-TASMAN MUTUAL RECOGNITION  
(SOUTH AUSTRALIA) (REMOVAL OF SUNSET  
CLAUSE) AMENDMENT BILL**

Adjourned debate on second reading.  
(Continued from 1 July. Page 1970.)

**The Hon. R.D. LAWSON:** I indicate that the Liberal opposition will be supporting the passage of this bill. The Trans-Tasman Mutual Recognition (South Australia) Act came into operation in September 1999. The act had a five-year sunset clause and will expire on 29 September this year unless that sunset clause is removed. The act was part of a national scheme involving legislation in the commonwealth parliament and also all states. In fact, the state of Western Australia has not passed this legislation, as I understand it, notwithstanding the fact that a bill was introduced in 1999 by the Court Liberal government, and in November 2002 the

Labor government introduced a comparable bill. The matter was considered by parliamentary committees in Western Australia and has been recommended for passage, but it would appear that in that state this particular scheme has not been adopted. I say that by way of aside, but it certainly was adopted in this state with the support of all parties.

When this legislation was enacted it was known that the Productivity Commission would undertake an evaluation of the scheme (the Trans-Tasman Mutual Recognition Scheme) within five years, and it was envisaged that based on the report of the Productivity Commission the scheme would be either continued, amended or abandoned. South Australia of all the states included in its legislation a sunset clause. The Productivity Commission has now produced a report, entitled, 'The evaluation of mutual recognition schemes—a research report of 8 October 2003', and I will come back to that in a moment.

It is worth putting on the record some background history of mutual recognition in this country, because some members may not be familiar with it. In May 1992, a mutual recognition agreement was signed between commonwealth, state and territory leaders. Greatly simplified, the argument was that, just as each state recognises drivers' licences issued in every other state, and states do not require every interstate driver to undergo a test or obtain an extra driver's licence when they drive over the border, it was argued that similar rules should apply to other occupations and also for the sale of goods. This scheme was embodied in the Mutual Recognition (South Australia) Act which provided, first, that a person who was registered to practise an occupation in one state could pursue the equivalent occupation in another, upon giving notice that he or she intended to do so and providing evidence of home registration. A second part of the scheme was that goods could be legally sold in participating jurisdictions as long as they met the requirements in their place of manufacture.

The Arnold Labor government introduced the Mutual Recognition (South Australia) Act in this state in 1993. The bill was not supported initially by the then Liberal opposition. However, subsequently the Liberal Party was satisfied with a number of issues and agreed to support the Mutual Recognition (South Australia) Act which came into law. That was a mutual recognition scheme between the states and territories of Australia.

In June 1996 the Council of Australian Governments agreed to extend the concept of mutual recognition to New Zealand. The New Zealanders agreed and the Trans-Tasman Mutual Recognition (South Australia) Act was introduced in 1998 by the Olsen Liberal government in this state. The basis of the scheme with New Zealand is much the same as the Mutual Recognition (South Australia) Act. It is important, however, to note what the Trans-Tasman Mutual Recognition (South Australia) Act does not do: it does not affect the state's capacity to regulate trades and professions; it does not affect the right of the state to regulate the manner in which goods are sold, for example, liquor to minors; it does not affect the container deposit legislation in this state; it does not affect quarantine, firearms, chemicals, gaming machines and classified printed material; nor does it prevent the state's requiring entering tradesmen or professionals to notify of the fact that they are entering the state to ply their trade or to comply with the indemnity and insurance requirements that apply to comparable tradespersons and professionals in this state.

In October last year, the Productivity Commission undertook an evaluation of the mutual recognition schemes.

That report deals both with the Mutual Recognition (South Australia) Act and also the Trans-Tasman Mutual Recognition Act. It concludes that both schemes are working well and achieving their intended objectives. The quantitative evidence for this conclusion, on my reading of the report, is rather sparse, it must be said. But, certainly, South Australia does not appear to have suffered any negative effects in consequence of the trans-Tasman scheme.

The fears that were expressed in 1996, when the scheme was first introduced—namely, that New Zealand would be used as a soft, or easy, entry point for trades and professions from overseas—has not materialised. I should mention that the practising rights of medical doctors are not covered by the trans-Tasman scheme; in other words, that means that overseas registered medical practitioners are not able to gain access into Australia by reason of gaining initial recognition in New Zealand.

It is interesting to see, in looking at the report of the Productivity Commission, that there is not a large number of people seeking to gain entry into South Australia under the trans-Tasman scheme. Nurses, interestingly, are one group, I think the largest group in South Australia. For example, between 1998 and the time of the Productivity Commission report, there were only 115 TTMRA registrations in South Australia. Of those, the largest number was teachers—some 46—who gained registration in South Australia through their New Zealand registration, and 25 nurses. There were nine physiotherapists, six veterinary surgeons, six pharmacists, two optometrists, eight legal practitioners, four dentists, two chiropractors, one cadastral surveyor and one of each of a number of allied health professions. This indicates that by no means can it be said that these trans-Tasman arrangements have resulted in South Australia's being flooded with New Zealand registered practitioners.

There is a point of principle, however, notwithstanding the relatively low numbers. Schemes of this kind do involve this state in referring some part of its legislative power to the commonwealth parliament. However, this bill provides some protection to our state sovereignty by empowering the Governor to issue a proclamation that would have the effect of terminating the trans-Tasman arrangements in this state. Accordingly, we support this bill, the effect of which will be to remove the sunset clause and to ensure the continuance of the trans-Tasman mutual recognition arrangements, whilst at the same time enabling an escape clause to the government of this state which, through the Governor, can proclaim that the scheme is terminated in this state. Accordingly, the interests of South Australia are appropriately protected, whilst at the same time such benefits as are contained in the scheme will be continued.

We note that the South Australian government, in extensive submissions made to the Productivity Commission, supported the continued existence of the mutual recognition scheme. For any member who is interested, those submissions of the South Australian government were made on 6 June and 10 September 2003 respectively. There are cogent arrangements for the continuance of the scheme in so far as it affects this state. We support the second reading.

**The Hon. G.E. GAGO** secured the adjournment of the debate.

#### MEDICAL PRACTICE BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 2008.)

**The Hon. SANDRA KANCK:** This bill when it is enacted will replace the Medical Practitioners Act 1983 which, at 21 years of age, has outgrown its usefulness. It is appropriately retitled the Medical Practice Act, as it will cover not just medical practitioners but also medical students who practise as part of their training to become fully qualified medical practitioners. We last dealt with this issue some three years ago, when the previous government introduced an identically titled Medical Practice Bill. However, for some unknown reason, the then health minister introduced a bill with prohibitive and backward clauses regarding infection control without even referring the clauses to the South Australian Advisory Committee on HIV, HCV and Related Diseases, which was effectively his own expert committee. That bill passed the House of Assembly but it came to a screaming halt in this chamber following lobbying from the AIDS Council, the AMA, SASMOA, the Nurses Federation, the Adelaide University Care and Prevention Program, the Hepatitis C Council and numerous medical practitioners.

What was proposed would have increased public health risk by creating the probability of doctors refusing to be tested for HIV-AIDS so that they could not be required to reveal their HIV-AIDS status, or, if they did seek diagnosis or treatment, it would have been done covertly in another state. No-one could understand why the minister (then the Hon. Dean Brown) had these clauses included in the bill and, for reasons that one day he might reveal, he refused to budge on his drafting.

It really was a very stupid clause, because some doctors such as radiologists and psychiatrists will never be involved in invasive procedures. Carrying a blood-borne virus would have no relevance to their capacity to practice safely. Therefore, it was disappointing some weeks back to see the opposition in the House of Assembly move an amendment to the bill we have before us which would take us back down that path again. What has been inserted is not as draconian as what the Hon. Dean Brown proposed three years ago, but it is still counterproductive to public health. I understand that the government will amend the bill in its current form to remove the opposition's alteration, and I look forward to being able to support the government on this.

What I do like about this bill is the emphasis on the public interest. Clause 13.2 provides that the board must perform its functions under this act with the object of protecting the health and safety of the public by achieving and maintaining high professional standards, both of competence and conduct in the provision of medical treatment in the state. For me, this is really what must be central to this bill. I also welcome the clause in the bill which allows the complainant to be more than a bystander. Under the present legislative regime, I am aware of medical consumers who have lodged complaints and then found themselves cut off from information about what is happening. This is because the complaint becomes the property of Medical Board. This has caused an enormous amount of frustration for the complainants, as they have not been able to influence the process, and they often have no clue as to what is taking place with their complaint.

Also welcome is the election of members to the board, although the Democrats believe that more medical practitioners should be elected rather than appointed; I will speak about that shortly. The placing of a limit on the number of terms that can be held by a member of the Medical Board is a sensible move that will improve the current situation. The

limit will be three terms, which means that those medical practitioners and students who vote can elect members who will provide continuity and the wisdom of experience, and they can also choose members who can bring fresh approaches from time to time. That should ensure a balance. We have a similar provision in the Nurses Act and in my Midwives Bill, which is on the *Notice Paper* for private members business. I believe we should maintain this as a consistent approach.

The Australian Medical Association has lobbied me about the composition of the board, arguing that it should be entitled to representation in its own right. I pointed out that the structure of this bill is consistent with legislation dealing with other health professionals such as nurses and dentists and also the Podiatry Practice Bill, which is presently before the other house. I seek leave to have incorporated in *Hansard* a table that compares these two acts and bills. Leave granted.

	Nurses Act 1998	Dental Practice Act 2001	Podiatry Practice Bill 2004	Medical Practice Bill 2004
Board numbers	11	13	8	12
Numbers elected	5 currently registered RNs or ENs	2 currently registered dentists	3 podiatrists	2 medical practitioners
Professional body representation?	No	No	No	No
Training representation	No	1 Adelaide University	1 Uni SA	1 Adelaide Uni 1 Flinders Uni
Ministerial/Governor appointments	*1 presiding member (with nursing qualifications) *1 medical practitioner *1 legal practitioner *3 others	*3 currently registered dentists *1 dental prosthetists *1 dental hygienist *1 dental therapist *1 dental technician *1 legal practitioner *2 others	*1 legal practitioner *1 non-podiatry health professional *2 others	*3 medical practitioners (1 who has worked in the public health system, 1 nominated by the CE of the department, and 1 other) *1 legal practitioner *1 nurse *3 others
Professional representation	5/11 6/11 inc. (pres. member.)	9/13 10/13 (inc. uni. rep.)	3/8 4/8 (inc. uni. rep.)	5/12 7/12 (inc. uni. reps.)

**The Hon. SANDRA KANCK:** This makes quite clear how the Medical Practice Bill compares with the Nurses Act, the Dental Practice Act and the Podiatry Practice Bill. In the case of the Nurses Act, six of the 11 members of the board—and that includes the presiding member—are nurses or people with nursing training. I stress that the Nurses Act and the Dental Practice Act were passed under a Liberal government. The Dental Practice Act has 10 out of 13, including a representative from the university, who have training in that field; the Podiatry Practice Bill, which is still in the lower house, has four out of eight, which includes a representative from the university; and the Medical Practice Bill which we are looking at now has seven out of 12 who are medical practitioners, whether or not they are actually practising at the time. The Nurses Act provides that five of the 11 board members are elected, and the Dental Practice Act provides that two of the 13 are elected. It is proposed in the Podiatry Practice Bill that three of the eight will be elected, and in the Medical Practice Bill it is proposed that two of the 12 will be elected.

When I pointed out to the AMA the situation with the Nurses Act and the Dental Practice Act it argued that, rather than comparing medical practitioners to nurses and podiatrists, they should be compared to lawyers. The AMA argues, for example, that the Law Society is represented in the Legal Practitioners Act. I said I would undertake to look at its arguments to see whether I felt it was worthwhile to have the AMA separately represented on the Medical Board. I did that, and I have come to the conclusion that the structure as originally put in place with the Nurses Act is the model that should be used in future for amending board provisions for all other professional groups. That would apply, if I was dealing with it, to the Legal Practitioners Act, for example. It is a good structure, it encourages informed democratic

participation and it makes the board far more dynamic and current. I mentioned earlier that I thought the provision for just two out of the 12 to be elected was too few. Instead, I am proposing that the Medical Board should more closely replicate that the structure of the Nurses Board and that four of the positions should be elected.

I met with the ANF last week and it made the strong point that it expected consistency in treatment. In 1999 when we dealt with the Nurses Bill, it was argued that the ANF, midwives or mental health nurses could and should get themselves active. They should run a ticket, lobby and do whatever was needed in order to get people who represented their interests elected to the board; and they did that.

Similarly, if the AMA cannot get its act together to get at least one medical practitioner who has AMA affiliation (particularly with the model I propose, where four people would be elected), it would have abrogated any right to claim that it represents medical practitioners. I feel there is value in this approach. If a professional organisation has become moribund (and I am not suggesting in any way that the AMA has; in fact, to the contrary—it is extremely active), it will mean that parliament will not have to look at the legislation again and change the organisations represented in the bill. As organisations come and go, this method of electing people to the board would see members predominating from the most representative organisation. I indicate Democrat support for the second reading. In addition, I look forward to the passage of the bill, because it is long overdue.

**The Hon. CARMEL ZOLLO:** I rise in support of this bill. As has already been mentioned, the current Medical Practitioners Act has been in operation since 1983 and is well overdue for modernisation. I understand that for at least 20 years the Medical Board itself has been advocating changes to its legislation. The current act has been shown to be

difficult to administer in terms of the efficiencies of its investigative and hearing processes.

The health of all South Australians needs to be a key concern of this parliament. Every week, ordinary members of the community receive and expect to receive the highest level of care in our public health system. For example, I understand that every week over 9 000 people are treated in the emergency departments of public hospitals; that over 6 000 people are admitted to our hospitals; and that over 27 000 are seen as outpatients in public hospitals. These figures do not include the many thousands of services provided in community settings by organisations such as Domiciliary Care, child and youth health, or community health services, and nor does it include the valuable services provided in the private sector by private hospitals or private providers, such as general practitioners.

It is clear that South Australians need and use their health services. They rely on them for their care and treatment, and they must be assured that the quality of care they receive is of the highest order and, by and large, they receive this assurance. However, when things go wrong or, for whatever reason, a consumer loses confidence in their care provider, there must be easily accessible ways in which their problems can be addressed and redressed. The Medical Board is one of a number of bodies that stands for the interests of the public in ensuring high standards of professional care and for the monitoring and regulating of the practice of medicine. Of course, the board is not the sole public guardian, but it is a very significant one. Over 4 000 medical practitioners in South Australia work across the public and private health system. Their professional behaviour is the focus of scrutiny by the board, but it also has an educative role to strengthen the medical profession, its standards and its public accountability.

I wish to make just a few points which contrast this legislation with the current act. First, the bill makes it absolutely clear that the new act will have the protection of the health and safety of the public as its primary aim. All other purposes, such as the registration and regulation of medical practices, standard setting and so on, are subsidiary to this primary aim. In clause 13, it is also explicit for the first time that the board will regulate the practice of medicine in the public interest. This is a very important point. I repeat: the regulation of medicine will occur in the public interest. I am sure that members have had dealings with consumers who wish to make a complaint about a medical practitioner but, for some reason, have the perception that the Medical Board acts primarily in the interests of the medical profession and is not there for them. Whatever the accuracy of this perception, it is important that the parliament sends a very clear message about the public interest being primary. Making this principle explicit in the bill will be of great assistance to the board in changing that perception and will help it project an image of accountability to the public.

I also note that several clauses in the bill ensure transparency and fairness in the way the board conducts its processes. I draw members' attention to clause 13(4), which provides:

- (4) The administrative processes established by the Board for handling complaints received against registered persons, medical services providers or persons who occupy positions of authority or trustee medical services providers must be designed—
- (a) to be fair to both the aggrieved person and the respondent; and

- (b) to keep both the aggrieved person and the respondent properly informed about the steps taken by the Board in response to the complaint; and
- (c) to provide, where appropriate, opportunities for the clarification of any misapprehension or misunderstanding between the aggrieved person and the respondent; and
- (d) to keep both the aggrieved person and the respondent properly informed about the outcome of the processes; and
- (e) to take into account the needs of particular classes of persons who may otherwise suffer disadvantage in the conduct of those processes.

For the first time, we have clear directions to the board about the need for openness, transparency, fairness and inclusion. Persons making complaints to bodies such as the Medical Board can often feel shut out of the processes of the board. I understand that the state Ombudsmen receives several complaints a year about this very matter from concerned consumers who do not believe that they are being dealt with fairly. Again, I do not wish to discuss the merits or otherwise of this perception, but I know that it exists and that it is quite common.

This bill will make it clear that this is not the way the board will conduct its business. I believe that these provisions will help the board overcome that perception and give it the means of projecting a new image based on sound practices of fairness, good communication and openness in its dealings with all parties. Members will also note that this position is reinforced in several places in the bill. I draw the council's attention to clause 19(2) which provides that, in any proceedings before the board, under this act the board must keep the parties to the proceedings properly informed as to the progress and outcome of proceedings.

This is a particularly important clause, because it includes the need to keep parties informed about process and outcomes. I understand that the registrar or board may be dealing with several complaints by consumers—a matter that may take a great deal of time. This is not a criticism of the board, given that some medical matters will be of a highly complex nature, so it is to be expected that it will take some time to investigate and establish the facts. However, if consumers are not kept reasonably informed of progress, they can easily become alienated from that process, and this can add to their sense of unease and, in some instances, suspicion.

This clause makes it clear that the board needs to take reasonable steps to keep all parties informed, not only of the outcome to the proceedings but also to let people know of its progress. I believe that this will greatly assist in ensuring public confidence in the workings of the board. The government, by introducing this legislation, will bring the Medical Board and the regulation of medicine into the 21st century. The public have become far more informed and educated since the days of 'doctor knows best'. People are clearer about their rights and know what they are entitled to. I am sure that this clause has some problems for some medical practitioners, but I am equally sure that most doctors embrace the idea of a better informed consumer. Modern medical care relies on a partnership between doctor and patient. This partnership must be open, fair and, to the greatest extent, equal. This bill lays down the benchmark for the conduct of professional activities. It is only proper that, at its heart, it is quite clear and strong on the notions of public health and safety, public interest, openness and fairness.

**The Hon. G.E. GAGO** secured the adjournment of the debate.

**JOINT COMMITTEE ON A CODE OF CONDUCT  
FOR MEMBERS OF PARLIAMENT**

**The Hon. P. HOLLOWAY (Minister for Industry, Trade and Regional Development):** I seek leave to move a motion without notice concerning the Joint Committee on a Code of Conduct for Members of Parliament.

Leave granted.

**The Hon. P. HOLLOWAY:** I move:

That the members of this council appointed to the joint committee have power to act on the joint committee during the recess.

Motion carried.

**SELECT COMMITTEE ON INTERNET AND  
INTERACTIVE HOME GAMBLING AND  
GAMBLING BY OTHER MEANS OF  
TELECOMMUNICATION IN SOUTH AUSTRALIA**

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

That the time for bringing up the report of the select committee be extended until Thursday 22 July 2004.

Motion carried.

**SELECT COMMITTEE ON STAFFING,  
RESOURCING AND EFFICIENCY OF THE SOUTH  
AUSTRALIA POLICE**

**The Hon. R.K. SNEATH:** I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

**SELECT COMMITTEE ON MOUNT GAMBIER  
DISTRICT HEALTH SERVICE**

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

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

**SELECT COMMITTEE ON THE STATUS OF  
FATHERS IN SOUTH AUSTRALIA**

**The Hon. CARMEL ZOLLO:** I move:

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

**SELECT COMMITTEE ON ELECTRICITY  
INDUSTRY IN SOUTH AUSTRALIA**

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

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

**SELECT COMMITTEE ON THE ROLE AND  
ADEQUACY OF GOVERNMENT FUNDED  
NATIONAL BROADCASTING**

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

That the committee have leave to sit during the recess and to report on the first day of the next session.

Motion carried.

**ADJOURNMENT**

At 10.44 p.m. the council adjourned until Tuesday 20 July at 2.15 p.m.