LEGISLATIVE COUNCIL

Tuesday 2 May 2006

The PRESIDENT (Hon. R.K. Sneath) took the chair at 2.17 p.m. and read prayers.

MEMBERS, SWEARING IN

The President produced a commission from Her Excellency the Governor authorising him to administer the oath of allegiance to members of the Legislative Council.

The President produced a letter from the Clerk of the assembly of members informing that the assembly of members of both houses of parliament had elected Mr Stephen Graham Wade to fill the vacancy in the Legislative Council caused by the resignation of the Hon. A.J. Redford.

The Hon. Stephen Graham Wade, who made an affirmation of allegiance, took his seat in the Legislative Council.

The President produced a letter from the Clerk of the assembly of members informing that the assembly of members of both houses of parliament had elected Mr Bernard Vincent Finnigan to fill the vacancy in the Legislative Council caused by the death of the Hon. Terry Roberts.

The Hon. Bernard Vincent Finnigan, to whom the oath of allegiance was administered by the President, took his seat in the Legislative Council.

LEGISLATIVE COUNCIL VACANCIES

The PRESIDENT: I lay on the table the minutes of the assembly of members of both houses held this day to fill a vacancy in the Legislative Council caused by the resignation of the Hon. A.J. Redford.

Ordered to be published.

The PRESIDENT: I lay upon the table the minutes of the assembly of members of both houses held this day to fill a vacancy in the Legislative Council caused by the death of the Hon. T.G. Roberts.

Ordered to be published.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Police (Hon. P. Holloway)—

- Reports, 2004-05
  - Electricity Industry Superannuation Scheme
  - Office of the Public Advocate
- Reports—
  - Award of Route Service licence on Adelaide-Port Augusta Scheduled Airline Route
  - Determination No. 4 of 2005—Remuneration Tribunal—Salary Sacrifice Arrangements
  - Determination No. 5 of 2005—Remuneration Tribunal—Conveyance Allowances
  - Determination No. 1 of 2006—Remuneration Tribunal—Auditor General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman, Ombudsman and Health and Community Services Complaints Commissioner
  - Determination No. 3 of 2006—Remuneration Tribunal—Members of the Judiciary, Members of the Industrial Relations Commission, the State Coroner, Commissioners of the Environment, Resources and Development Court
  - Determination No. 4 of 2006—Remuneration Tribunal—Conveyance Allowances
  - Determination No. 5 of 2006—Remuneration Tribunal—Ministers of the Crown and Officers and Members of Parliament
  - Determination No. 6 of 2006—Remuneration Tribunal—Ministers of the Crown and Officers and Members of Parliament
  - Economic and Finance Committee—National Competition Policy
  - Review of the Essential Services Commission Act 2002—Final Report, December 2005
  - Water and Wastewater Prices in Metropolitan and Regional South Australia—Transparency Statement, 2006-07
- Regulations under the following Acts—
  - Construction Industry Long Service Leave Act 1987—Corresponding Law
  - Co-operatives Act 1997—Applied Provisions
  - Coroners Act 2003—Fees for Appointed Coroners
  - Criminal Assets Confiscation Act 2005—Forms and Declarations
  - Dangerous Substances Act 1979—Security Sensitive Substances
  - Electoral Act 1985—Forms
  - Electricity Act 1996—Small Customer Accounts
  - Expiation of Offences Act 1996—
    - Expiation Enforcement Warning Notices
    - Prescribed Forms
  - Explosives Act 1936—Security Sensitive Substances
  - Gas Act 1997—Small Customer Accounts
  - Guardianship and Administration Act 1993—Constitution of Board
  - Harbors and Navigation Act 1993—
    - Application for Licence
    - Port Adelaide
    - Whyalla Swimming Enclosure
  - Motor Vehicles Act 1959—
    - Demerit Points
    - Qualified Supervising Drivers
  - Partnership Act 1891—General
  - Public Corporations Act 1993—Port Adelaide Maritime Corporation
  - Public Finance and Audit Act 1987—South Australian Centre for Trauma and Injury Recovery Incorporated
  - Road Traffic Act 1961—
    - Approved Photographic Detection Device
    - Declaration of Hospitals
    - Emergency Workers
    - Expiation Fees
    - Vehicle Standards
  - Security and Investigation Agents Act 1995—Security Agents
  - State Procurement Act 2004—Community Welfare Funding Arrangements
  - Summary Offences Act 1953—
    - Dangerous Articles
    - Prescribed Serious Criminal Offence
  - Superannuation Act 1988—Overtime Allowance
  - Workers Rehabilitation and Compensation Act 1986—
    - Scales of Charges
    - Scales of Charges for Chiropractors
- Rules of Court—
  - Magistrates Court—Magistrates Court Act 1991—Arrest Warrants
  - Supreme Court—Supreme Court Act 1935—Listening and Surveillance Devices
  - Dangerous Area Declarations—Statistical Returns for the period 1 July 2005 to 30 September 2005
  - Dangerous Area Declarations—Statistical Returns for the period 1 October 2005 to 31 December 2005
  - Road Block Establishment Authorisations—Statistical Returns for the period 1 July 2005 to 30 September 2005
  - Road Block Establishment Authorisations—Statistical Returns for the period 1 October 2005 to 31 December 2005

Variation of Port Operating Agreement (Port Adelaide)—Agreement between the Minister for Transport and Flinders Ports Pty. Ltd

By the Minister for Mineral Resources Development (Hon. P. Holloway)—

Regulation under the following Act—
Mining Act 1971—Royalty
Environmental Authorisation Variation—Schedule 3 of the Whyalla Steelworks Act 1958

By the Minister for Urban Development and Planning (Hon. P. Holloway)—

Architects Board of South Australia—Report, 2005
Reports—
City of Burnside—Historic (Conversation) Zone No. 2 Plan Amendment Report
City of Charles Sturt—District Centre (West Lakes) Zone Building Height and Design Plan Amendment Report
City of Onkaparinga—Local Heritage (Quidhampton House) Plan Amendment Report
City of Playford—Munno Para District Centre Plan Amendment Report
Corporation of the Town of Walkerville—Walkerville Development Plan—Heritage Places and Areas Plan Amendment Report
Holdfast Bay (City) Development Plan—North Brighton Coastal Plan Amendment Report
Removal of a Significant Tree at Julia Farr Services, Marlborough Street, Fullarton—Report to Parliament pursuant to Section 49(15) of the Development Act 1993
Regulations under the following Acts—
Development Act 1993—
Clarification of Public Notice Categories
Land Management Agreements
Miscellaneous
Public Notice Categories
River Murray
System Indicators
Adelaide Cemeteries Authority—Charter

By the Minister for Emergency Services (Hon. C. Zollo)—

Reports, 2004-05—
Advisory Board of Agriculture
Citrus Board of South Australia for the year ended 30 April 2005
Dairy Authority of South Australia
Phylloxera and Grape Industry Board of South Australia
Veterinary Surgeons Board of South Australia
Regulations under the following Acts—
Aquaculture Act 2001—Division of Leases and Licences
Children's Protection Act 1993—Definition of Department
Fisheries Act 1982—Protected Fish
Housing and Urban Development (Administrative Arrangements) Act 1955—Aboriginal Housing Authority Board
Primary Produce (Food Safety Schemes) Act 2004—
Meat Food Safety Advisory Committee
Participation in Citrus Industry
Senior Secondary Assessment Board of South Australia Act 1983—
Hospitality Subjects
Subjects
Rules—
Bookmakers Licensing (Prescribed Minimum Risks) Rules 2005—No. 1 of 2005

By the Minister for Environment and Conservation (Hon. G.E. Gago)—

Reports, 2004-05—
Bio Innovation SA
Department of Health
National Environment Protection Council
Southern Adelaide Health Service
Animal and Plant Control Commission—January-June 2005
Upper South East Dryland Salinity and Flood Management Act 2002—1 October 2005-31 December 2005
Regulations under the following Acts—
Ambulance Services Act 1992—
Elections
SA Ambulance Service Rules
Building Work Contractors Act 1995—Fees
City of Adelaide Act 1998—Elections and Polls
Consumer Transactions Act 1972—Consumer Contracts
Liquor Licensing Act 1997—
Dry Areas—
Brighton
Clare
Kensington Road Lookout
Maitland
Naracoorte
New Year's Eve
Normanville
Peterborough
Port Adelaide and Semaphore
Port Augusta
Victor Harbor
Removal of Persons from licensed Premises
Local Government Act 1999—Long Service Leave
Local Government (Elections) Act 1999—Ballots and Returns
Local Government Finance Authority Act 1983—Prescribed Local Government Body
National Parks and Wildlife Act 1972—Vulkathunha Gammon Ranges
Native Vegetation Act 1991—Exemptions
Natural Resources Managements Act 2004—Regional NRM Levies
Physiotherapists Act 1991—Qualifications
Physiotherapy Practice Act 2005—Elections
Podiatry Practice Act 2005—Elections
Public and Environmental Health Act 1987—Notifiable Diseases
River Murray Act 2003—Referrals to Minister
South Australian Health Commission Act 1976—Compensable Fees
Direction to South Australian Water Corporation—Pursuant to Section 6 of the Public Corporations Act 1993

By the Minister for Mental Health and Substance Abuse (Hon. G.E. Gago)—

Regulation under the following Act—
Controlled Substances Act 1984—Identification of Authorised Officers.

ABORIGINAL DEATH IN CUSTODY

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I seek leave to make a ministerial statement in relation to an Aboriginal death in custody.

Leave granted.

The Hon. CARMEL ZOLLO: Last week, the Coroner handed down her findings into the death of an Aboriginal prisoner at Port Lincoln Prison in 2003. Any death in custody is tragic and unacceptable. The government and the community expect the department to be vigilant and to take all reasonable steps to prevent deaths in custody. Like all correctional jurisdictions world wide, the Department for Correctional Services in South Australia faces a major challenge in preventing prisoners from taking their own life when often they give no sign of their intent. The department, like other correctional jurisdictions throughout the world, seeks to identify prisoners at risk of self-harm. Once identi-

fied, the department has a number of strategies in place to prevent their being successful.

During the initial admission process and throughout a prisoner's sentence, prisoners are constantly assessed to determine their level of risk. These assessments are often carried out in conjunction with trained medical professionals. Prisoners who are deemed to be at risk are provided with sentence plans which address their medical problems and which also provide a level of supervision far greater than would normally apply to most other prisoners. There are a number of instances where these processes have prevented deaths in custody or serious injury. When a death does occur, in addition to inquiries the police may make, the Department for Correctional Services intensively investigates every incident and makes recommendations it hopes will prevent further deaths occurring. The department's report is subsequently provided to the Coroner for information and consideration.

The department also has an investigation review committee, which is chaired by the Chief Executive and which reviews every incident and ensures that all relevant internal and external recommendations are adopted and strategies developed to minimise risk. The committee identifies systemic issues that will require extensive changes and recommends to government courses of action that should be taken. In the case of the death of this prisoner, the department has already implemented all actions resulting from the internal investigation.

I can assure all honourable members that the Department for Correctional Services takes very seriously its duty of care for prisoners and offenders and will continue to be vigilant to reduce the instances of those in the correctional system who seek to take their own life. At a later date, I will table in parliament, as required by legislation, a report on actions following the coronial inquiry into the death of the prisoner.

JOINT PARLIAMENTARY SERVICE COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That, pursuant to section 5 of the Parliamentary (Joint Services) Act 1985, the Hon. J.S.L. Dawkins and the Hon. J.M. Gazzola be appointed to act with the honourable President as members of the Joint Parliamentary Service Committee and that the Hon. R.P. Wortley be appointed the alternate member of the committee to the honourable President, the Hon. T.J. Stephens the alternate member to the Hon. J.S.L. Dawkins, and the Hon. I.K. Hunter the alternate member to the Hon. J.M. Gazzola.

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the committee: the Hons M.C. Parnell, D.W. Ridgway and R.P. Wortley.

Motion carried.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the committee: the Hons D.G.E. Hood, I.K. Hunter and S.G. Wade.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the Legislative Review Committee: the Hons A.M. Bressington, J.M. Gazzola and R.D. Lawson.

Motion carried.

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the committee: the Hons B.V. Finnigan, I.K. Hunter, J.M.A. Lensink, T.J. Stephens and N. Xenophon.

Motion carried.

OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the committee: the Hons B.V. Finnigan, S.G. Wade and N. Xenophon.

Motion carried.

STATUTORY OFFICERS COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the committee: the Hons P. Holloway, R.D. Lawson and N. Xenophon.

Motion carried.

NATURAL RESOURCES COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 20(2) of the Parliamentary Committees Act 1991 the following members be appointed to the committee: the Hons Sandra Kanck, Caroline Schaefer and R.P. Wortley.

Motion carried.

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

The Hon. P. HOLLOWAY (Minister for Police): I move:

That pursuant to section 5 of the Aboriginal Lands Parliamentary Standing Committee Act 2003 the following members be appointed to the standing committee: the Hons A.L. Evans, J.M. Gazzola and J.M.A Lensink.

Motion carried.

QUESTION TIME

POLICE BUDGET

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make a brief explanation before asking the Minister for Police a question on the subject of the police budget.

Leave granted.

The Hon. R.I. LUCAS: During the election campaign the Labor Party released its costings document, where it outlined how it would pay for the promises it made during the election campaign. One aspect of that costings document, under the heading of 'Explanation of savings strategies', refers to a 2 per cent efficiency target across the government. I quote from the Labor Party's costings document, which states that core agencies which in the past have been excluded include health, education, families and communities, police and correctional services, and that a further 2 per cent will be required across non-core agencies should the government be elected. Mr President, you would be aware that subsequently the Premier and the Treasurer gave assurances that the police budget would be quarantined from any 2 per cent savings target or efficiency dividend that would be required by a re-elected government.

Members will also be aware that, within days of re-election, the government publicly indicated an intention to break that particular promise. Does the minister support the proposal of the Rann government to break its election promise that its efficiency dividend would not be applied to the police department? If he does support that proposal to break its election promise, why has the Rann government decided to break the promise to quarantine the police budget from efficiency dividends?

The Hon. P. HOLLOWAY (Minister for Police): The next state budget will be delivered on 21 September this year and, when that budget is brought down, I am sure that the Leader of the Opposition will see that the government has not broken its election promises in relation to the police. However, the Treasurer has made it quite clear that—and I fully support the Treasurer's actions, as does the entire cabinet—following the re-election of this government after four years, it is appropriate that we should have a thorough review of expenditure across all government departments. All agencies have been asked to review their program expenditure and list savings that could be reinvested into health, education and law and order. No agency is immune from that exercise. The final outcome—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: It is very appropriate that such an exercise should be undertaken. When the budget is brought down on 21 September this year, everyone will be able to see the outcome. If the Leader of the Opposition is suggesting—

The Hon. R.I. Lucas interjecting:

The PRESIDENT: The Hon. Mr Lucas will come to order!

The Hon. P. HOLLOWAY: The Leader of the Opposition appears to be suggesting that this government should not be going through an exercise of reviewing its expenditure across government to see whether there are areas where efficiencies and savings can be made. No agency is or should be immune from that exercise. It is one thing to say that an agency will undergo an exercise of reviewing its expenditure: it is another thing to say what the final outcome will be come the budget. If efficiencies can be made within any agency of government, those resources can be reinvested into government to meet its objectives—and we know that the government has promised to reinvest in health, education and law and order. We have promised that we will deliver an additional 400 police—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: With an additional 400 police entering the police force over the next four years, what will happen to the police budget? How will you achieve an additional 400 police if you do not increase the budget? I am sure that the police budget will increase on 21 September when the budget is brought down, because we will deliver on those promises. We will go through the exercise in every single department of government to see whether we can spend the taxpayers' money more wisely. We would be a very foolish government if we did not do that. Sadly, it was something that did not happen during the eight years of the previous government when the Leader of the Opposition was treasurer. Perhaps if he had undertaken that exercise in 1997 instead of selling the Electricity Trust, this state might be a lot better off.

MENTAL HEALTH

The Hon. J.M.A. LENSINK: I seek leave to make an explanation before asking the Minister for Mental Health and Substance Abuse a question about mental health escapees.

Leave granted.

The Hon. J.M.A. LENSINK: The opposition has been informed that Mr Ben Harvey (who would be no stranger to question time) was readmitted to Glenside in April. He is a person who has a history of paranoid schizophrenia and violence, who does not have a permanent living arrangement and who has come into contact with the mental health and corrections systems on a regular basis, including being detained at the Adelaide Remand Centre, the City Watch-House and Yatala. He has also been detained at Glenside in the past, from where he absconded several times and where, indeed, on one occasion he managed to become intoxicated while in the secure ward. The opposition has received information that, following his admittance to Glenside, he has been transferred to Woodleigh House at Modbury Hospital from where he escaped on the weekend, which makes it his fourth escape in three years. My questions are:

1. Will the minister confirm that Mr Ben Harvey has absconded? If so, has the public been alerted by the government?

2. Does Mr Harvey present a danger to the public?

3. Are police resources being deployed to apprehend Mr Harvey?

4. Has the government investigated finding a stable supported accommodation arrangement for Mr Harvey and, if not, why not?

The Hon. G.E. GAGO (Minister for Mental Health and Substance Abuse): I thank the honourable member for her important question. I do not have the specific details of this case. It is always a challenge to balance individual needs with community needs. Our mental health system needs to get people well through appropriate treatment and rehabilitation. When clinicians assess that a person is stable enough they are generally placed in open wards and most of these patients comply with their detention orders. I am advised that the number of clients absconding from Glenside has decreased

over the past number of years, so the strategies we have put in place to assist with that are working, although unfortunately there are always exceptions.

I am further advised that the clinical assessments about whether a person could become a danger to themselves or the community are made by those people caring for the person at the time. If the person is considered to be a danger, the police are notified and appropriate action is taken. I am quite happy to receive any of the detail the honourable member has about this specific case and to look into those matters.

The Hon. J.M.A. LENSINK: By way of supplementary question, will the minister confirm whether Mr Ben Harvey is at large and whether he is presenting any threat to the public that the public should be warned about?

The Hon. G.E. GAGO: As I have stated, I have no specific details in relation to this client.

POLICE RESOURCES

The Hon. T.J. STEPHENS: I seek leave to make a brief explanation before asking the Minister for Police a question about police incident responses.

Leave granted.

The Hon. T.J. STEPHENS: On Friday 21 April an elderly gentleman contacted local media to relate his story about a rock throwing incident that occurred at the intersection of Ridley Grove and Days Road, Mansfield Park, on Adelaide Cup day in March. This elderly gentleman and his wife were walking along Ridley Grove, and when they reached Days Road they came upon two teenage boys hurling rocks at passing vehicles. The gentleman asked them to desist and at that point the boys crossed the road to approach the man and his wife and began to hurl rocks at them, with one of the boys picking up a large rock and threatening to kill the man's wife. This was a particularly disturbing threat for anyone to receive, let alone a defenceless couple aged in their seventies.

The man managed to flag down a passing car and asked the driver to call 000, which they did, and police informed them that they would send a car. At this point the boys left the immediate area. The elderly couple waited in the general area, but unfortunately the car never arrived and calls to The Parks and Port Adelaide police stations two days later revealed that police in the area at the time were asked only to keep an eye out for the boys and not to make their way to the scene immediately. It would seem that the two police stations mentioned are not adequately resourced as two elderly citizens being assaulted in this way should have been offered immediate assistance. My questions are as follows:

1. Will the minister confirm that this government is satisfied that these two police stations are being given the necessary staff and resources to cope with incidents such as these?

2. If the minister is not certain that adequate resources are being given to these stations, what will the minister do to rectify the situation?

The Hon. P. HOLLOWAY (Minister for Police): I am pleased that the honourable member has asked a question about police resources because no government has done more to increase the resources of the police force over a term than has the Rann government. Police numbers have increased from the lowest level that they reached in the middle of the period of the former Liberal government. In the course of the current government a net increase of 246 sworn police officers have been added to police services. The government committed during the election campaign to further increase police numbers by 100 a year over the next four years.

The honourable member asked whether there were sufficient police in a particular area; he should well know that the allocation of police officers is the responsibility of the Commissioner for Police, and I have every confidence that the Commissioner allocates his resources wisely and according to need. He is very responsive to calls from members of the public and members of parliament in relation to addressing particular needs.

With regard to the elderly couple referred to, if the honourable member would provide me with that information I will refer it to the police and bring back a response. We do not know exactly what information was given to the police station in relation to this incident but, normally, if it were a high category call (that is, if people's lives were in danger and the offenders were in the vicinity) the police would give that top priority and would attend. I will endeavour to find out the specifics of this case but, certainly, one could always do with more police. The reality is that there will never be so many police that we can have one on every corner; however, this government has increased the number of police stations and the number of police by 246 over the course of its term and will further increase police numbers to ensure that issues of law and order are adequately addressed.

ADELAIDE ZOO

The Hon. I.K. HUNTER: Will the Minister for Environment and Conservation advise the council about improvements to animal exhibits in the Adelaide Zoo?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the honourable member for his important question and for his ongoing interest in these matters. On 7 April I was extremely pleased to officially open the South-East Asian rainforest exhibit 'Immersion: The Rain Forest Experience', and I was pleased to see that the opposition spokesperson for environment was also there.

This $4 million exhibit is the largest capital works project in the 126-year history of the Adelaide Zoo, and the state government is proud to have supported this development with an additional $750 000 in funding to the Royal Zoological Society of South Australia. The zoo provides the general public with an insight into animals in their natural habitat and it can play a vital role in preserving biodiversity where it may be under threat. 'Immersion' is a fantastic example of this and one that I urge members to visit. The exhibit features a variety of tropical plants and climbers and such like, as well as water features, and it will be home to orang-utans, otters and the Sumatran tiger. I am advised that the project will help position the Adelaide Zoo as a leader in exhibit design, and it will provide visitors with an educational experience unsurpassed by many.

Since the opening of stage 1 in 1995, and now this later stage 2, the zoo has been able to give greater access to the public while at the same time improving conditions for the animals with its policy of removing the bars and allowing animals to live in more open and natural enclosures which are much closer to their natural habitat. This is particularly important for the two orang-utans that have moved into the rainforest exhibit and are now taking great delight in their new, large space and its range of features such as ropes and ladders, which are there to provide them with stimulation. It is also enjoyable for us as observers.

This rainforest provides an important habitat for the orang-utans and the Sumatran tigers, which are both genetically quite crucial to our world-wide breeding programs. I commend the board and staff of the Royal Zoological Society of South Australia on this excellent exhibit, which enhances the zoo's reputation and which is providing the people of South Australia, overseas visitors and interstate guests with an experience of visiting one of the finest zoos of this type in the world. On behalf of the government, I look forward to continuing to support the Royal Zoological Society of South Australia in projects such as this.

POINT PEARCE PROSPECTIVE AQUACULTURE ZONE

The Hon. CAROLINE SCHAEFER: I seek leave to make an explanation before asking the Minister for Environment and Conservation a question about the Point Pearce Prospective Aquaculture Zone.

Leave granted.

The Hon. CAROLINE SCHAEFER: The Point Pearce Prospective Aquaculture Zone was declared in the *Government Gazette* on 15 December last year. This prospective zone covers a huge area of some 26 000 hectares. My understanding is that, at the same time, the zone was changed from a category 3 to a category 1 development, thus removing the right of appeal to the Environment, Resources and Development Court.

It has been claimed that the policy was developed over two years and after extensive consultation. However, I have been informed that only one public meeting was held in Port Broughton on 27 April last year at a time and place inconvenient to people from as far away as Kangaroo Island, all of whom will be affected by this policy. I have been further informed that there has been no recent consultation with the appropriate local government bodies, and there appears to be little, if any, information to the general public. My questions are:

1. Will the minister inform me what environment impact statements were prepared prior to gazettal?

2. Will the minister inform me as to what information was given to her department on this matter?

3. Will the minister ascertain for us whether there are possible effects of pollutants from this proposed zone?

4. Given that this is a huge area, far greater than any other proposed aquaculture zone, and that it is adjacent to Point Pearce, what overlaps are there between the gazetted aquacultural zone and the indigenous land use agreement that is currently being negotiated?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the member for her important question. I do not have the details of this specific case, but I am happy to get that information and bring back a reply for the member.

MARINE PROTECTED AREAS

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Environment and Conservation a very timely question, following the previous question, about comments made to the Environment, Resources and Development Committee by Mr Ian Nightingale in regard to aquaculture plans.

Leave granted.

The Hon. SANDRA KANCK: Until recently, both the minister and I were members of the Environment, Resources and Development Committee. Appearing before the committee on 7 November last year, Mr Ian Nightingale, the head of PIRSA Aquaculture, told us of a group within DEH that is handling the creation of marine protected areas and the cooperative relationship that exists between PIRSA Aquaculture and that group. On further questioning about the status of the communication between the two groups, he advised that the two departments would probably develop a memorandum of administrative understanding.

On 12 December, appearing again before the committee, Mr Nightingale spoke of the Spencer Gulf aquaculture policy, which he said was 'the first of the policies that we have developed which fully integrate the marine planning and MPA process which DEH is currently working with and the objectives of those marine plans. We developed this policy in conjunction with DEH.'

The information that I have is that DEH did not see this policy until it was released for public consultation. An environmental activist has asked me whether there is any formal course of action that can be taken if a public servant misleads a committee. My questions are:

1. What consultation occurred between PIRSA Aquaculture and DEH over the development of the Spencer Gulf aquaculture policy? Who are those officers in DEH, and when did they meet with PIRSA Aquaculture representatives? What is the view of the relevant officers in DEH of that policy?

2. Is the minister aware of any working relationship between DEH and PIRSA Aquaculture in regard to the appropriate location of aquaculture developments and the development of marine protected areas?

3. Is the minister aware of any proposals to develop a memorandum of administrative understanding between the two departments? If so, what stage has this reached?

4. If Mr Nightingale has incorrectly advised the ERD Committee, will she undertake to provide the committee with the correct information?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the honourable member for her important questions. I am pleased to take them on notice and bring back a response.

GAMBLERS REHABILITATION FUND

The Hon. NICK XENOPHON: I seek leave to make a brief explanation before asking the Minister for Emergency Services, representing the Minister for Families and Communities, questions in relation to the Gamblers Rehabilitation Fund.

Leave granted.

The Hon. NICK XENOPHON: In the last session of parliament, on 17 February, 25 February, 2 March and 25 May, I asked a number of questions regarding the allocation of funds and the structure of the Gamblers Rehabilitation Fund. By way of background, in late 2004, as a direct consequence of support from the opposition and my fellow crossbenchers during the committee stage of the Gaming Machines (Miscellaneous) Amendment Bill 2004, the Gamblers Rehabilitation Fund received a virtual doubling of taxpayer funding of an additional $2 million a year. This increased funding reflected the urgent need to improve woefully funded gamblers rehabilitation services in this state. The commitment of the government was restated in a media release by the Premier on 1 February 2005, when the Premier

said, amongst other things, 'From today, the state government's extra $2 million payment to the Gamblers Rehabilitation Fund kicks in.' Further, the government undertook that the additional funding would be pro rata for the 2004-05 financial year—as I understand it, an additional $833 000.

However, since that time there have been a number of inconsistent statements in relation to the allocation of such funding. Responses given in this place in September 2005 on behalf of the Minister for Families and Communities indicated that the BreakEven services were notified that their service agreements would be extended for a further year, that is, until February 2006. It also indicated that additional funding of $380 500—a far cry from the promised pro rata amount of $833 000 allocated for the 2004-05 financial year—would be allocated following submissions from BreakEven service providers for special project grants and that these grants were in addition to an additional 10 per cent to alleviate cost pressures. The minister indicated that additional funds were being allocated to the needs of financial counsellors without outlining exactly how this would occur.

My understanding is that the funding sought and ultimately received by service providers, who are already stretched to the limit, will not come anywhere near the funding promised, with the grant capped at $35 000 per agency. I note also that, in his media release of 2 August 2005, the minister stated that the extra funding will also fund a range of measures, including a problem gambling awareness resources package, administration of the problem gambling protection order scheme through the Independent Gambling Authority and the 'Think of what you're really gambling with' advertising campaign. My questions are:

1. Will the minister provide a breakdown of how much funding has been allocated directly to the BreakEven service providers—those at the front line of assisting problem gamblers—and to whom the remainder of the additional funding, the pro rata funding of $833 000, has been allocated and for what purpose, including details of funding provided to the department for the administration of the fund and how much has been allocated for the administration of the fund via the department?

2. How will the government undertake to liaise with gambling service providers to assess their ongoing need for funding and resources from this grant and also from the $3.8 million already allocated in the budget to the fund?

3. Will the minister provide some ongoing certainty for service providers in terms of funding and the provision of services so that problem gamblers and their families can receive the ongoing and much needed assistance they require?

4. Will the minister provide details of how much from the $3.8 million allocated is for advertising and how this advertising campaign is to be implemented?

5. Will the minister advise whether any unspent moneys in the 2004-05 financial year consistent with the government's pro rata funding increase promised in the order of $833 000 will be carried forward and spent in this financial year; if not, why not?

The PRESIDENT: Before the minister answers, I hope that our new members learn from the long-winded explanation given by the Hon. Mr Xenophon and the number of questions he asked when he sought permission to ask only one.

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I thank the honourable member for his question in relation to the Gamblers Rehabilitation Fund. I will refer his many questions to the Minister for Families and Communities in the other place and bring back a response.

HOUSING, ENERGY RATING

The Hon. R.P. WORTLEY: I seek leave to make a brief explanation before asking the Minister for Urban Development and Planning a question about five-star energy ratings for new homes.

Leave granted.

The Hon. R.P. WORTLEY: I understand that, as of yesterday, increased energy efficiency requirements for all new homes in South Australia came into force. Can the minister explain these new requirements?

The Hon. P. HOLLOWAY (Minister for Urban Development and Planning): I thank the honourable member for his question. As the honourable member has just stated, new five-star energy efficiency requirements for all new homes built in South Australia came into effect yesterday. The new requirements will also apply to alterations or additions to existing homes and will replace the existing four-star energy efficiency requirement which has been in place since 2003. The major changes include an increased level of insulation required in walls, roofs and suspended floors and more comprehensive requirements placed on glazing.

There are two ways of achieving compliance with the new five-star requirements: first, designing and constructing in accordance with new provisions contained in either the Building Code of Australia or the South Australian Housing Code; and, secondly, having an assessment done by an approved computer-based energy efficiency rating program, such as FirstRate or NatHERS, with the result of a five-star rating or better.

House energy rating assessments can be conducted by registered house energy rating assessors. A register of house energy assessors is available on the Planning SA website, which is www.planning.sa.gov.au. The prescriptive measures contained in the building code include different levels of insulation for various building elements such as walls, floors and roofs for different climate zones, and restrictions on the amount and type of glazing in an external wall. A house with no eaves and no additional shading to the windows is required to have less glazed area than a house with eaves. Good shading of windows, such as eaves overhang and good orientation of the house, will enable the new requirements to be met for minimal cost.

The Rann government is committed to improving the energy efficiency of homes in order to reduce greenhouse gas emissions and minimise energy consumption. Good design, including thoughtful consideration of the orientation of the home, will help meet the five-star efficiency requirements and save long-term energy use costs.

Homes that incorporate sound environmental design principles, like wall and ceiling insulation, northerly orientation and the appropriate shading of windows and walls in summer, have the potential for significant heating and cooling cost savings. Homes with these features also produce fewer greenhouse gas emissions than poorly designed homes and provide comfortable conditions throughout the year with less supplementary heating and cooling. Energy efficient options cost very little to implement at the design and construction stage, yet they offer huge long-term benefits both to the home-owner and the environment.

The increased energy efficiency requirements for housing, along with new energy efficiency requirements for commer-

cial buildings set to come into effect in August, will help to meet a key target of South Australia's strategic plan to increase energy efficiency in dwellings by 10 per cent within 10 years. I am very pleased that these new requirements are now in place and I look forward to them having a beneficial impact on both energy costs for consumers as well as the environment more generally over coming years.

COAST PROTECTION

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question concerning coastal protection.

Leave granted.

The Hon. A.L. EVANS: I have been contacted by a constituent who has approximately 20 kilometres of coastline on his property, with much of the land consisting of sand dunes, tidal swamps and samphire plains. He estimates that the Adelaide Coastal Protection Branch will acquire between 2 000 and 3 000 hectares of land and leave him with a large survey bill. He also advises that local councils may now be responsible for the management and maintenance of the newly acquired coastal zone, and this will presumably result in an increase in council rates. My questions are:

1. Will the minister advise whether the Adelaide Coastal Protection Branch is permitted to acquire more than 50 metres from high tide mark without compensation?

2. Will the minister advise its policy regarding the fencing of coastal reserves?

3. Will the minister explain the power of the Adelaide Coastal Protection Branch in rejecting heritage agreement applications?

The Hon. G.E. GAGO (Minister for Environment and Conservation): The new regional NRM levy that is about to be established can be used only for the purposes set out in the NRM plan and will not be used for state revenue, as some might suggest. I will give a little background. This new arrangement is actually not a new levy but a name for contributions from South Australian ratepayers, who have been making those contributions for many years through their catchment levies and/or their animal and plant control revenue from local government. The model that was used to introduce this natural resource reform was the former Liberal government's Water Resources Act, which introduced a water catchment levy for most South Australians. Taking care of our natural resources is something we all need to be involved in, and our original NRM levy helps us to play a part in protecting that for all South Australians over future generations. The NRM boards have prepared their initial plans, and these are currently being assessed by my department. Once I have adopted these plans, including levy proposals, they will be forwarded to the Natural Resources Committee of the parliament for its consideration.

In relation to the government's aim to increase the protection and potential management of our coast, including the identification fairly recently of priority conservation areas, the boundary has been shifted from 30 metres from either the coastline or waterfront to 50 metres, to protect our properties. The properties I understand the honourable member is talking about are those on perpetual leases—that is, on crown land—and obviously there is a strategy to convert those perpetual leases into freehold leases.

Members interjecting:

The Hon. G.E. GAGO: I ask the honourable member whether that is what he is referring to. If that is what he is talking about—a perpetual lease that is being converted to freehold—there are requirements to have those boundaries surveyed. Our Surveyor-General has proposed a system to help accommodate and reduce the costs of that impost by increasing the number of survey points that need to be taken. If I understand the information the honourable member has given me, these people are on perpetual leases that are being converted into freehold. If it is something other than that, I am happy to receive further information from the honourable member.

The Hon. CAROLINE SCHAEFER: As a supplementary question arising from the answer: will the minister tell us just where the crown lease perpetual land she is referring to is that is under the jurisdiction of the Adelaide Coastal Protection Branch?

The PRESIDENT: I do not know whether that arises out of the answer the minister gave, so the minister does not have to answer that. It was not derived from the answer the minister gave; I was listening to the answer.

ROAD SAFETY

The Hon. B.V. FINNIGAN: I seek leave to make a brief explanation before asking the Minister for Road Safety a question regarding serious injuries as a result of road crashes in South Australia.

Leave granted.

The Hon. B.V. FINNIGAN: We are always focusing on road fatalities, but serious injuries are also a great financial and emotional cost to the community. What is happening to the trend of serious injuries caused by road crashes in South Australia?

The Hon. CARMEL ZOLLO (Minister for Road Safety): Through you, Mr President, I take the opportunity to congratulate the honourable member on his appointment to this chamber, and I am pleased that the honourable member has asked me his first question. While preventing road fatalities is a major part of the South Australian road safety strategy, it is also important to recognise that a large number of injuries result from vehicle crashes. It is concerning that many of these injuries will be extremely serious, long term or even permanent, such as spinal or brain injuries. Hospital data shows that one-third of serious injuries are head, spine or neck; and compulsory third party statistics show that over 40 per cent of serious injury claims are in these categories.

In the past two years in South Australia, we have recorded the two lowest annual fatality totals in the past 50 years. Although fatalities receive greater public attention, serious injuries constitute the largest proportion of overall crash costs. Overall crash costs, apart from the emotional cost, have an enormous impact on the community, the health system and those families who are affected. Serious casualty crashes cost each South Australian nearly $500 per year, and the cost to the community is over $2 million every day. In South Australia, for every death, nearly 10 people are seriously injured. It is important that we continue to raise awareness of road injuries within the South Australian community. I have to say that the number of serious injuries has been on the decline in recent years.

During the 1990s, serious injuries remained static—between 1 500 and 1 600 serious injuries per year. Since 2000, the number has decreased each year, which is good news. Also in 2005, the total was 1 294 serious injuries. I am

pleased to say that this was the first time the figure was below 1 300 in a calendar year. The South Australian road safety strategy has set a target of reducing the number of serious injuries to fewer than 1 000 by 2010. Currently, on average, there are around 25 injuries each and every week. While this is a marked improvement on the figure of 80 per week that we had in the 1970s, we need to strive to reduce it to fewer than 20 per week by 2010. This will require an effort by every road user. Death and injuries on our roads are avoidable, and achieving that is up to each and every one of us.

ABORIGINAL DEATH IN CUSTODY

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about an Aboriginal death in custody.

Leave granted.

The Hon. R.D. LAWSON: Last week, Coroner Elizabeth Sheppard handed down her findings on an inquest held earlier this year into the death of Darryl Kym Walker. Mr Walker, an Aboriginal man aged 31, hanged himself in Port Lincoln prison on 2 June 2003. Mr Walker suffered from chronic schizophrenia and was a diabetic. On the day before his death, he was moved to a so-called management unit within the prison where he was housed alone. Some staff had serious concerns about his safety and spoke to management about that fact. Dr Ken O'Brien, the Clinical Director of the Forensic Mental Health Service in South Australia and a government employee, gave evidence at the inquest. Dr O'Brien's evidence included the following statements. He said that the mental health presence in Port Lincoln prison was 'extremely meagre'. The Coroner said:

> Dr O'Brien was critical of the fact that to his knowledge there is not one dedicated mental health nursing position in any prison in South Australia.

The report continues:

> Dr O'Brien went on to give a vivid description of the mental health presence in country prisons in South Australia. According to Dr O'Brien, in non-metropolitan prisons there are no psychologists, social workers who have mental health experience or dedicated mental health nurses available to handle mentally ill prisoners.

It continues:

> Dr O'Brien emphasised that the present situation, whereby mentally ill prisoners are seen once a month, is completely inadequate. He said, 'The situation in Port Lincoln and Port Augusta prisons has deteriorated and they have fewer resources now than in previous years'.

The Coroner dealt with the fact that there were hanging points in this prison, from which Mr Walker was able to hang himself. In February 2004 another coroner, Coroner Chivell, criticised the government for failing to take action to remove known hanging points in state prison cells. He said that it was then a matter of serious concern. He said the failure to implement a recommendation to modify cells was approved in 2000, but it had not been done. Mr Chivell in 2004 recommended that safe cell principles should be implemented urgently in South Australian prisons and the then minister, the Hon. Terry Roberts, said the department was attending to it.

On this question of hanging points in Port Lincoln, the Coroner pointed out that the department had said, in a report to her, that the hanging points in this unit had been removed by the department and that the chief executive officer had written to the Coroner saying that the work had been completed 14 months ago. The Coroner continues:

> On the second day of the inquest the court visited Port Lincoln prison and inspected changes made to facilities in the unit since Mr Walker's death. Whilst inspecting the improvements it was alarming to discover recently installed large black rubber door stops protruding at head height adjacent to each door in this particular area. These door stops were obvious potential hanging points and should never have been installed in that manner. After the problem was brought to the attention of the prison authorities action was taken to remove them then.

My questions to the minister are:

1. Is Dr O'Brien telling the truth when he says the situation at the Port Augusta and Port Lincoln prisons has seriously deteriorated in recent years?

2. What action is this government taking to either address the issue or to discipline Dr O'Brien for not telling the truth about what is not happening in these prisons?

3. Given the fact that new hanging points were actually installed by the Department for Correctional Services in the very unit where Mr Walker hanged himself, does this minister have full confidence in this department's capacity to address these serious issues?

The Hon. CARMEL ZOLLO (Minister for Correctional Services): I thank the honourable member for his question. I have taken the view that we will respect Aboriginal custom and not mention people's names, but I understand that we are talking about the same person the honourable member mentioned. I thought it appropriate today to make the ministerial statement, to make some comments and recognise that the Coroner had handed down a report. As he would know, as required by legislation I will be tabling a full report at that time and I guess we can have a further debate when that report is tabled before the chamber.

The honourable member made some comment about disciplining Dr Ken O'Brien. I have met Dr Ken O'Brien and he is very committed to assisting our prisoners in South Australia, so I would have no criticism of him. Whilst no statistic is a good one, in the 2005-06 financial year to date there have been two deaths in custody, which is a marked improvement on recent years. Both were male Caucasian remand prisoners who committed suicide, unfortunately. Any unnatural death in custody, whether Aboriginal or non-Aboriginal, is unacceptable. I think we would all agree with that. This government will continue to ensure that every reasonable measure is taken to identify offenders most at risk or at risk of self-harm and, by this action, restrict the number of deaths in custody that occur.

The honourable member talked about the elimination of hanging points. The department is continuing to make progress towards reducing deaths in custody, and this includes moving towards upgrading all existing prisons to safe cell standards as funds become available. Some areas within existing prisons have already been partially upgraded with the aim of reducing potential hanging points. The department has allocated $560 000 over the 2004-06 financial years to continue this work and, of course, any new infrastructure will meet safe cell standards. In addition, as I mentioned in the ministerial statement, the department has established an investigation review committee that monitors the actioning of recommendations made by the department's investigation team and the Coroner whenever there is a death in custody.

The honourable member talked about psychological services in our regional prisons. I have had the opportunity to visit only two regional prisons thus far—one at Port Augusta last Friday and the other at Mobilong (although being at Murray Bridge, not that far from Adelaide, it is

nevertheless a regional prison) and it is very difficult to get people such as psychologists and psychiatrists to actually go to live in these regions. I think all of us in this place would agree that we represent the whole state, and whilst I am based in Adelaide I always enjoy travelling throughout country South Australia. The people I meet in those regions are always very committed and pleased to be part of those communities; however, I know that we have had trouble getting a psychologist to reside in Port Augusta permanently. My understanding is that he flies to Port Augusta and spends three weeks there and then another week in Port Lincoln.

The provision of psychological services to prisoners and offenders really is a major challenge for the Department for Correctional Services, as I think it is for all other human service agencies in government. As I said, it is extremely difficult to attract trained professionals with a desire to work with prisoners and offenders when opportunities offered in the private sector or in private practice may be more lucrative. Nonetheless, the chief executive of corrections and I have discussed some other incentives, and one of the things we are looking at is perhaps working in both corrections and the substance abuse area. Obviously it is sometimes challenging and focused work to operate only in one sector, and we all appreciate that it is not that easy.

As I said, we will continue to utilise any psychologists we have to work with prisoners and offenders, a high proportion of whom do have psychiatric illnesses, as we know. We are talking about mental health illness at so many levels; by its very nature, being in prison is an unnatural state of affairs and there can be a lot of different levels of mental illness occurring. However, I thank the honourable member for his question and I look forward to further debate when I table that report.

The Hon. J.M.A. LENSINK: I have a supplementary question. In relation to the report to be tabled at a future date, can the minister guarantee that it will have a broad-ranging term of reference? By that I mean not just to examine departmental processes—

The PRESIDENT: Order! There are no explanations in supplementary questions.

The Hon. J.M.A. LENSINK: I need to explain what I am asking.

The PRESIDENT: You are making an explanation.

The Hon. J.M.A. LENSINK: I will bring it to a head. Will the minister guarantee that the report will be broad-ranging and will include contributing factors such as the shortage of beds at James Nash House, the lack of mental health nurses, other shortages in staff, and issues in relation to the correctional services staff being under pressure due to lack of resources?

The PRESIDENT: You expressed a number of opinions as well as explanations in that. The minister can answer if she wishes.

The Hon. CARMEL ZOLLO: I will be tabling a report as per, I think, subsection (25) of the Coroners Act. Although I have yet to table a report, I think the normal procedure is that the recommendations that are made by the Coroner will be responded to by the departments.

MARION SHOPPING CENTRE

The Hon. D.G.E. HOOD: I seek leave to make a brief explanation before asking the Minister for Police, representing the Minister for Energy, a question about compensation for retailers affected by the blackout which occurred early last month at the Marion Shopping Centre.

Leave granted.

The Hon. D.G.E. HOOD: *The Advertiser* reported on 10 April this year that, for 18 hours over the preceding weekend of 8 and 9 April, power 'went out at the Westfield complex at about 10 p.m. Saturday, with the problem also affecting about 200 homes in the area. ETSA fixed the residential power supply within an hour.' One business owner interviewed, a Mr Agostino, said that trade in his shop was down 'at least 60 per cent on normal Sunday trading' and, to use his words, he had 'lost a lot of money.' My questions are:

1. Which electricity provider has the minister identified as being responsible for the problem?

2. Why was the response for the residential supply problem able to be dealt with far quicker than the business supply?

3. Is the government going to offer compensation to the businesses affected? If so, how will the government assess the appropriate figure for compensation?

4. If not, what action will the government be taking to make the electricity provider pay compensation?

The Hon. P. HOLLOWAY (Minister for Police): I will refer the honourable member's question to the Minister for Energy in another place for a response. However, I make the comment that it is my understanding that the way in which the new—although it is not so new now—privatised energy system works is that those electricity providers have an obligation to meet certain standards. Obviously, if they fail to do so, they can be required to provide compensation. However, it is a fairly complex matter, and I think ESCOSA, the commission that covers these matters, has a role to play. I will get that information for the honourable member and bring back a reply.

MENTAL HEALTH

The Hon. G.E. GAGO (Minister for Mental Health and Substance Abuse): I seek leave to make a ministerial statement.

Leave granted.

The Hon. G.E. GAGO: Earlier today, I was asked a question by the Hon. Michelle Lensink pertaining to a particular mental health patient. I will not name that individual in this place, and I ask others to desist from doing so because it breaches privacy and also adds to the stigmatisation of mental health consumers. Suffice to say, I am advised that the clinical assessment is that this person poses no risk to himself or to others. He was detained under the Mental Health Act in an open ward, which is not unusual. I emphasise that this person has absconded from an open ward; he has not, in fact, escaped. As is the standard practice, Modbury Hospital did notify Holden Hill police on Sunday night that this person was missing. I am advised that steps are currently being taken to return this person to a mental health ward and that the police have been advised of his location.

In future, if the honourable member or any other member has any concerns that the public may be at risk in any way, I ask that they contact me or the Director of the Mental Health Unit without delay, rather than turn vulnerable individuals into a political football. Protocols are in place to ensure that the department notifies my office if the department becomes aware that the public is at risk if a person detained under the Mental Health Act absconds.

POLICE HOUSING

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Police a question about police housing.

Leave granted.

The Hon. J.S.L. DAWKINS: In recent months, I have become increasingly aware of significant problems in the standard of housing made available to police officers serving in regional and remote areas of this state. The concerns raised include the lack of adequate or any air-conditioning, the lack of garage space, insufficient bedrooms for families, and inadequate study space and privacy for teenagers. In addition, there has been no option to allow police to pay the difference in rent for a more suitable home.

Given that it is vital that rural and remote areas are served by the best available police officers, who can enjoy the utmost quality of life in their communities, what will the new minister do to improve the standard of housing for country police and their families?

The Hon. P. HOLLOWAY (Minister for Police): Certainly, it is true that housing is very important for all public servants who work in remote and country areas of the state. Indeed, housing is often very difficult to obtain not only in remote parts of the state but also in country areas, such as Naracoorte and the South-East, where there are very low levels of unemployment and significant demand for housing. Housing has been an issue for some time, and government housing is provided through other agencies of government. The core business of the police is not to provide housing but, in saying that, I do not detract from the point the honourable member makes, namely, that it is important that we have housing in remote and regional areas. Certainly, we do what we can, but it is not the core business of the police department.

Obviously, the matter has to be addressed on the basis of the needs in particular areas. For example, I know that, because of the shortage of housing within the Anangu Pitjantjatjara Yankunytjatjara lands, housing has been provided to ensure that the number of police officers on the lands can reach the number appropriate for that area. Of course, housing for police has had to be provided in those areas at some significant expense. In larger centres and other areas, housing may be available commercially. However, it is a problem not just for police but also for public servants, such as teachers, working in other areas.

Part of the reason for the problem is the significant economic activity in regional South Australia in recent years, and one of the contributors to that is the mining boom we are going through and the fact that, generally, other areas of the rural economy have also been strong, and I expect that they would be even stronger this year with the promising break to the season. Housing is important, and I have certainly spoken to my colleagues the Minister for Administrative Services and the Minister for Housing in relation to their contribution to these issues. We will certainly do what we can to ensure that our police and other senior public servants are adequately housed.

SITTINGS AND BUSINESS

The Hon. P. HOLLOWAY (Minister for Police): I move:

That unless otherwise ordered, for the duration of this session—

1. The council meets for the dispatch of business on Monday at 2.15 p.m.; and
2. Government business shall on Mondays be entitled to take precedence on the *Notice Paper* of all other business.

Members have the sitting program for the parliament and, as they know, we propose what I might describe as seven-day fortnights, when the parliament will sit on Tuesday, Wednesday and Thursday and the following Monday, Tuesday, Wednesday and Thursday, with the Monday being an optional sitting day. That is the view the Leader of the Government in another place has put to the opposition. The motion allows simply for the fact that, for those Mondays of the second week, that will be the alternate date unless otherwise determined by this chamber.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise briefly to support the motion. The minister referred to Mondays being optional days, and I want to clarify what he meant by that. He explained that there would be a seven-day parliamentary fortnight—that is, in one week it will be a Tuesday, Wednesday, Thursday sitting, and the second week it will be a Monday, Tuesday, Wednesday, Thursday sitting. Does he mean that the non-sitting Monday is the optional day—that is, there might be an additional sitting day—or is he saying that the Monday we are sitting is optional and we might not sit on that day? I just want to clarify what he means when he says 'optional'.

The Hon. P. HOLLOWAY: The latter is the case on my understanding. I understand that the leader of government business in another place has spoken to the opposition about that. Clearly, if the business of the house requires it, it will sit on the Monday. This council will have different business demands, I understand, than the other place. The de facto position—if I can call it that—is that the house will meet each second Monday.

Motion carried.

CITIZEN'S RIGHT OF REPLY

The Hon. P. HOLLOWAY (Minister for Police): I move:

That, during the present session, the council make available to any person who believes that he or she has been adversely referred to during proceedings of the Legislative Council the following procedure for seeking to have a response incorporated in to *Hansard*—

1. Any person who has been referred to in the Legislative Council by name, or in another way so as to be readily identified, may make a submission in writing to the President—
   (a) claiming that he or she has been adversely affected in reputation or in respect of dealings or associations with others, or injured in profession, occupation or trade or in the holding of an office, or in respect of any financial credit or other status or that his or her privacy has been unreasonably invaded; and
   (b) requesting that his or her response be incorporated in to *Hansard.*
2. The President shall consider the submission as soon as practicable.
3. The President shall reject any submission that is not made within a reasonable time.
4. If the President has not rejected the submission under clause 3, the President shall give notice of the submission to the Member who referred in the council to the person who has made the

submission.

5. In considering the submission, the President—
(a) may confer with the person who made the submission;
(b) may confer with any member;
(c) must confer with the member who referred in the council to the person who has made the submission at least one clear sitting day prior to the publication of the response;
but
(d) may not take any evidence;
(e) may not judge the truth of any statement made in the council or the submission.

6. If the President is of the opinion that—
(a) the submission is trivial, frivolous, vexatious or offensive in character; or
(b) the submission is not made in good faith; or
(c) the submission has not been made within a reasonable time; or
(d) the submission misrepresents the statements made by the member; or
(e) there is some other good reason not to grant the request to incorporate a response in to *Hansard*,
the President shall refuse the request and inform the person who made it of the President's decision.

7. The President shall not be obliged to inform the council or any person of the reasons for any decision made pursuant to this resolution. The President's decision shall be final and no debate, reflection or vote shall be permitted in relation to the President's decision.

8. Unless the President refuses the request on one or more of the grounds set out in paragraph 5 of this resolution, the President shall report to the council that in the President's opinion the response in terms agreed between him and the person making the request should be incorporated in to *Hansard* and the response shall thereupon be incorporated in to *Hansard*.

9. A response—
(a) must be succinct and strictly relevant to the question in issue;
(b) must not contain anything offensive in character;
(c) must not contain any matter the publication of which would have the effect of—
(i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy in the manner referred to in paragraph 1 of this resolution, or
(ii) unreasonably aggravating any adverse effect, injury or invasion of privacy suffered by any person, or
(iii) unreasonably aggravating any situation or circumstance,
and
(d) must not contain any matter the publication of which might prejudice—
(i) the investigation of any alleged criminal offence,
(ii) the fair trial of any current or pending criminal proceedings, or
(iii) any civil proceedings in any court or tribunal.

10. In this resolution—
(a) "person" includes a corporation of any type and an unincorporated association;
(b) "Member" includes a former member of the Legislative Council.

This motion is identical to that moved at the beginning of the previous parliament and, indeed, I think it has been around since the Hon. Trevor Griffin drafted the first version of it. It has been slightly modified, but it has been around since some time in the late 1990s. Essentially, the motion provides a right of reply to persons who feel they have been in some way maligned during debate in this council. They can apply to you, Mr President, to make a response and, providing that response is appropriate, to have that response incorporated into *Hansard*.

The House of Assembly does not have this measure yet. My personal view is that it is about time that it did. This very sensible measure is provided in a number of parliaments. It has not been used a great number of times, but it is important that when members of parliament have the privilege of being able to say anything they like within this chamber, and have it recorded, I believe it is appropriate that if members of the public are injured, or believe they are injured in some way as a result of what is said in here, they should have the capacity to at least have their side of the story put on the record.

Of course, necessary protections are incorporated in this resolution, and I believe it has stood the test of time on the fortunately relatively rare number of occasions it has been used. I believe that in a democracy such as ours it is a very important measure, and that is why I am moving that, for the remainder of the 51st parliament, we have this right of reply capacity built into our standing orders.

The Hon. R.D. LAWSON secured the adjournment of the debate.

DEVELOPMENT (PANELS) AMENDMENT BILL

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development) obtained leave and introduced a bill for an act to amend the Development Act 1993 and to make related amendments to the Criminal Law Consolidation Act 1935 and Ombudsman Act 1972. Read a first time.

The Hon. P. HOLLOWAY: I move:

That this bill be now read a second time.

The Development Act 1993 together with the Environment, Resources and Development Court Act 1993 and associated regulations came into operation on 15 January 1994. These acts and regulations set the statutory processes and procedures for the South Australian planning and development system. Substantial amendments to the Development Act of 1993 were made in 1997, 2001 and 2005. This government is progressing with a wide range of initiatives to improve the state's planning and development system in order to provide greater policy, procedural and timeliness certainty for the community and applicants. As part of this program, the Development (Panels) Amendment Bill of 2006 is one of a series of bills that the government proposes to introduce. The introduction of the suite of bills highlights the breadth of the amendments proposed by the government. It also provides parliament with an opportunity to consider each bill in manageable parcels rather than the all-encompassing Sustainable Development Bill introduced into parliament in 2005.

The government has clearly stated on numerous occasions throughout its previous term, during the 2006 election campaign and post the election that it is vital for the community and applicants to have confidence in the impartiality of development assessment decisions based on clearly stated policies outlined via council development plans, as always intended by the Development Act 1993 and, of course, the timeliness of such decisions. As a consequence, this bill amends the current provisions related to development assessment by requiring that council development assessment panels have a mixture of elected members or council officers and specialist members. Since July 2001, after a series of amendments to the act by the then Liberal government, councils have been required to establish council development assessment panels in order to increase the impartiality and certainty of development assessment decisions. The important part that was not addressed by the 2001 amendments was the composition of development assessment panels. As a consequence, some councils have established panels with a small number of elected members. Others have established panels with a small number of elected and specialist mem-

bers. Others have appointed specialist presiding members. I commend those councils that have led the way. However, other councils have just included all their elected members on the panel and continued on as if nothing had changed. Thus, panel membership across the state has ranged from five to 16 people.

Given the extreme variation in approaches and in many cases resistance to the 2001 amendments, it is considered necessary to promote consistency and increase the impartiality of panels in the minds of the community and applicants. These requirements do not diminish the role of elected members. The suite of proposed bills increases the role of elected members in strategic planning, policy review and representing their constituents in their elected member capacity without a conflict of interest. It is important that members of the Legislative Council note that the government does not sit in judgment of every application lodged with the Development Assessment Commission. No; the Governor appoints the Development Assessment Commission in Executive Council as a panel of experts.

That panel makes decisions based on the criteria set out in the relevant development plan for whichever part of the state the particular development falls within. It does not require 47 members of the House of Assembly to sit in judgment of 1 000 or so applications per year that are processed by the Development Assessment Commission. Indeed, I also remind members that section 11 of the Development Act of 1993 precludes the minister from directing the commission in relation to the assessment of any development for which the commission is the relevant authority.

The government simply wants council development assessment panels to become more impartial in their approach to the assessment of development applications before them, but unlike the Development Assessment Commission structure where all members are experts, the government is providing councils with a hybrid approach. It is saying to councils that half of the membership of a panel can comprise elected members or staff; the other half should be made up of specialists appointed by the council. It is vitally important that the presiding member of the panel is truly independent and that the minister ensure such independence.

In fact, as a case in point, a recent judgment handed down by the Environment, Resources and Development Court expressed concern that a witness who was also the acting presiding member of the council development assessment panel did not have proper regard to all the relevant policies in the Development Plan. In fact, this person had a 'tendency to be representing and advocating the views and arguments of representors (contrary to the court's practice direction No. 6, clause 5) and acknowledged that his initial opinion was significantly affected by the number and emotion of representors and their verbal submission to the DAP, and that this was a significant factor in his opinion put to the court and further acknowledged failure to have proper regard to all the relevant Development Plan guidelines'.

Put simply, these situations of a potential conflict of interest should be avoided. The court has made adverse findings in relation to the said council decision and, as such, this provision in the bill aims to ensure that such situations are avoided. The Adelaide Hills Council has also forwarded to me legal advice to the council confirming that elected members on the council development assessment panel could not speak at a public meeting held on a proposed development. The legal advice correctly indicated that the panel members not only must be impartial but they must be seen to be impartial at all times when undertaking the statutory development assessment decision process. Just like the judiciary, they should not knowingly compromise their impartiality or even be perceived to be doing so.

Incidentally, in relation to the Adelaide Hills Council, I do commend that council for introducing a number of specialist members, including the presiding member, to its development assessment panel. This bill enables some elected members to be on the council development assessment panel and others to continue as advocates for their constituents as elected members. This bill requires each council development assessment panel to consist of seven members, with a specialist presiding member, up to three elected members or council staff and at least three other specialist members. The bill does not specify the precise skills or experience required by these specialist members on council development assessment panels, as the experience required will vary from area to area.

Such specialist members need to have a reasonable knowledge of the operations and requirements of the act and appropriate qualifications in a field relevant to the activities of the panel. This should provide the flexibility sought by councils in rural areas when seeking to fill these important roles with specialist members and hence they should be able to fill these positions by drawing from the local community. The bill enables the minister to agree to a variation of the number of members comprising a panel from seven to nine, or five members in certain cases, particularly as previous submissions from rural councils indicated that a five-person panel would be more appropriate in some cases.

This bill does not change the provisions in the current act relating to the membership of regional development assessment panels which came into operation in July 2001. The bill makes all panel members subject to the same financial register and disclosure of confidential information provisions. These are based on the provisions in the Local Government Act 1999. I certainly welcome comments in relation to the bill, which I believe to be an important step forward. I commend the bill to the council. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The measure will be brought into operation by proclamation.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Development Act 1993*

4—Amendment of section 10—Development Assessment Commission

An additional member is to be appointed to the Development Assessment Commission. An additional ground for removing a person from membership of the Development Assessment Commission is that he or she has failed to declare a relevant financial interest, or has acted in contravention of a relevant code of conduct.

5—Insertion of section 11A

A member of the Development Assessment Commission (including a member of any panel relevant to the constitution of the Development Assessment Commission) will be required to declare his or her financial interests under a scheme to be established under proposed new Schedule 2.

6—Amendment of section 13—Procedures

This amendment will revise the provision of the Act relating to any conflict (or potential conflict) of interest on the part of

a member of a statutory body so that the member will be expressly required to declare the interest, and will be expressly required not to take part in any relevant hearings conducted by the statutory body and to be absent from any meeting when any deliberations are taking place or decision is being made. A member of a statutory body will be taken to have an interest in a matter if an associate of the member has an interest in the matter.

7—Amendment of section 20—Delegations

This is a consequential amendment.

8—Amendment of section 21A—Codes of conduct

This is a consequential amendment.

9—Amendment of section 34—Determination of relevant authority

This clause makes a number of amendments in relation to regional development assessment panels (associated with the changes to be made to section 56A of the Act), and with respect to council development assessment. For regional development assessment panels, members will be required to declare financial interests under a scheme established under proposed new Schedule 2, the conflict of interest provisions are to be revised, amendments will be made to provide greater consistency between the provisions under the Act relating to the closing of any meeting and comparable provisions under the *Local Government Act 1999*, and panels will be required to have a public officer. For council development assessment, new subsection (23) will require a council to delegate its powers and functions with respect to determining whether or not to grant development plan consent under the Act to its council development assessment panel or to a person for the time being holding a particular office or position (other than a person who is a member of the council) or, in an appropriate case, to a regional development assessment panel.

10—Amendment of section 56A—Councils to establish council development assessment panels

These amendments revise the section relating to the constitution of development assessment panels by councils.

11—Amendment of section 108—Regulations

12—Amendment of Schedule 1

The regulations will be able to prescribe the qualifications or experience that must be held by a person as a member of a panel or other body under the Act. A regulation will not be made under this provision unless the Minister has given the LGA notice of the proposal to make a regulation and given consideration to any submission made by the LGA within a specified period.

13—Insertion of new Schedule

New Schedule 2 will establish a scheme for the disclosure of financial interests of members of the Development Assessment Commission, a regional development assessment panel or a council development assessment panel (although, for regional or council panels, any member who is a member of a council will disclose his or her financial interests under the *Local Government Act 1999*). A register will be established (and this register will incorporate information that has been disclosed under the *Local Government Act 1999*).

Schedule 1—Related amendments and transitional provisions

The Schedule makes relevant consequential amendments and will enable saving or transitional regulations to be made.

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

RIVER TORRENS LINEAR PARK BILL

The Hon. P. HOLLOWAY (Minister for Police) obtained leave and introduced a bill for an act to provide for the protection of the River Torrens Linear Park as a world-class asset to be preserved as an urban park for the benefit of present and future generations; to repeal the River Torrens Acquisition Act 1970; and for other purposes. Read a first time.

The Hon. P. HOLLOWAY: I move:

That this bill be now read a second time.

We need to use all means possible to protect and enhance valuable public open space for the use and enjoyment of future generations. The sale of the former University of South Australia campus at Underdale has highlighted inadequacies in the current legislation in terms of the ability to dispose of land in public ownership that forms part, or has the potential to form part, of the River Torrens Linear Park. When the former Liberal government approved the unconditional sale of the land by the University of South Australia in June 2001, and the Governor assented to that sale on 1 October 2001, there were no exclusions to retain any portion of the land along the river in public ownership. A significant section of the former campus site is located across the River Torrens at Underdale, so that access along the linear park relies on retention of this land.

While the full enjoyment of the linear park could easily have been lost to future generations, and access along the linear park between the upper sections of the river and the lower permanently severed, this has been avoided through extensive negotiations with the new owners and future developers of the land. Reactive protection should be avoided; appropriate long-term measures for preservation of the park are required. The government is committed to giving the River Torrens Linear Park greater protection. The park is a key feature of metropolitan Adelaide that provides pleasure to many in the community and is a major environmental, cultural, social and recreational asset.

The sale of the former Underdale campus illustrates the need for 'watertight' protection. It is the government's intention with the River Torrens Linear Park Bill to provide such protection. The bill seeks to reflect that:

- the linear park is of national significance; and
- the park is for the public benefit and should generally be available for the use and enjoyment of the public; and
- land within the linear park should be retained and government should not sell land within the park out of government ownership without the approval of both houses of parliament.

The most important of these principles relates to the sale of land. The legislation requires that the state government, state agencies and authorities and local councils should not sell land within the linear park out of government ownership without the approval of both houses of parliament. The boundary of the linear park is defined by a General Registry Office plan (called a GRO plan), a copy of which will be available for inspection with local councils and the responsible government department. The land within the GRO plan will be defined as the River Torrens Linear Park and subject to the provisions of the legislation.

While it will be necessary for parliament to agree to the sale of land within the GRO plan (except for an intragovernment sale), agreement will not be required to amend the boundary for the purpose of adding land to the linear park. The minister will be able to amend the GRO plan to include additional land. In strictly limited circumstances the minister will be able to reduce the area of the GRO plan. This can only occur where a variation to the GRO plan is necessary to ensure consistency with a road process under the Roads (Opening and Closing) Act 1991, or another act of parliament.

Nearly all land located along the River Torrens is now in the ownership of either state or local government. It is not the intention of the legislation to define areas for future acquisi-

tion as linear park. This is the role of zoning, which is undertaken through development plans under the Development Act 1993. The Development Act provides for public consultation in the event that it is necessary or appropriate to consider an extension of the areas set aside for the linear park. The boundary will include what is known as the 'aqueduct land' currently in the ownership of SA Water. This land is to be included in the boundary because, as a consequence of its water related infrastructure significance and its topography, it is not suitable for residential development. The land can be described as a tract of land that runs parallel to the north side of the River Torrens and is a water catchment area that collects water that runs into the Hope Valley reservoir.

The bill enables the acquisition of land subject to and in accordance with the Land Acquisition Act 1969 for the purpose of increasing the area of land within the linear park, while at the same time repealing the River Torrens Acquisition Act 1970 that includes very similar powers. It is not envisaged that there will be the need for significant acquisition of land.

The River Torrens Linear Park Act 2006 will help to enhance and preserve the River Torrens linear park for future generations. I commend the bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

1—Short title

This clause is formal.

2—Commencement

This clause provides that the measure will come into operation on a day to be fixed by proclamation.

3—Interpretation

This clause provides definitions for a number of terms used in the measure. The ***River Torrens Linear Park*** is the Linear Park as defined from time to time by the Plan. The ***Plan*** is the River Torrens Linear Park Public Lands Plan deposited in the General Registry Office by the Minister for the purposes of the definition. The Minister must identify the Plan by notice in the Gazette. ***Council*** and ***public road*** both have the same meaning as in the *Local Government Act 1999*.

4—Variation of the Plan

The Minister may vary the Plan by depositing an instrument in the GRO. However, a variation may not be made unless the Minister has given written notice of the proposed variation to any council that would be affected by the variation. The notice must specify a period (of between 3 and 6 weeks) within which such a council may make a submission, and the Minister must give consideration to any submission made by a council within that period. A variation having the effect of reducing the area of the Linear Park can only be made if it is in accordance with a resolution passed by both Houses of Parliament.

5—Sale of land

Land within the Linear Park may be sold only if the sale is in accordance with a resolution passed by both Houses of Parliament. However, the section does not apply to the sale of land to a State agency.

6—Special provisions relating to roads

An area identified as a *road area* in the Plan on the commencement of clause 6 will be taken to be a public road established in accordance with the *Roads (Opening and Closing) Act 1991*. The Plan may be varied, by instrument deposited by the Minister in the GRO, to ensure consistency with a road process under the *Roads (Opening and Closing) Act 1991*. The instrument deposited by the Minister will have effect despite any other section of the Act.

7—Effect of other Acts

The Minister may, by instrument deposited in the GRO, vary the Plan to ensure consistency with the operation or effect of another Act enacted after the commencement of this section. An instrument deposited by the Minister will have effect despite any other section.

8—Related matters

For the purposes of the provisions of this Act, the Plan may be varied by the substitution of a new plan. Public notice of an instrument deposited by the Minister in the GRO under this Act must given within a reasonable time after the instrument is deposited.

The Minister must ensure that copies of the Plan are kept available for public inspection at the principal office of the Minister's department. Each council within whose area the River Torrens Linear Park is situated must keep copies of the Plan available for public inspection at the council's principal office. Copies of the Plan may be kept at such other locations as the Minister and councils think fit.

9—Acquisition of land

The Minister may acquire land for the purpose of increasing the area of the River Torrens Linear Park. An acquisition of land for this purpose is subject to, and must be in accordance with, the *Land Acquisition Act 1969*.

A person who wilfully damages land following service of a notice of intention to acquire the land is guilty of an offence. The maximum penalty for the offence is a fine of $100 000 or imprisonment for 12 months. If the Minister has reasonable cause to suspect that a person may commit that offence, a police officer may enter on the land and exercise such force as may be necessary or expedient to prevent the commission of the offence.

10—Regulations

The Governor may make such regulations as are contemplated by the Act or as are necessary or expedient for the purposes of the Act.

Regulations may make different provision according to the matters or circumstances to which they are expressed to apply and may provide that a matter or thing in respect of which regulations may be made is to be determined according to the discretion of the Minister or a prescribed person or body.

Schedule 1—Repeal

1—Repeal of *River Torrens Acquisition Act 1970*

This clause repeals the *River Torrens Acquisition Act 1970*.

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

CRIMINAL LAW CONSOLIDATION (DANGEROUS DRIVING) AMENDMENT BILL

The Hon. P. HOLLOWAY (Minister for Police) obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935. Read a first time.

The Hon. P. HOLLOWAY: I move:

That this bill be now read a second time.

Before the last election the Labor Party gave an election promise in these terms:

> The Rann government. . . will make it a criminal offence for people to engage in high speed or dangerous police chases. Those convicted will face a mandatory loss of licence for two years and maximum imprisonment of five years. Offenders will be liable for prosecution for more serious offences if death or serious injury is caused by the pursuit, or if the lives of members of the public or police are deliberately or recklessly endangered.

The criminalisation of acts of endangerment is not new. The general and most serious offences of acts recklessly endangering life, serious harm and mere harm are to be found in section 29 of the Criminal Law Consolidation Act. The applicable maximum penalties for this sequence of general endangerment offences (graded according to the harm endangered) are, respectively, 15 years imprisonment, 10 years imprisonment and five years imprisonment. As I will explain, there is a gap in coverage in endangerment behaviour. This bill is designed to fulfil Labor's election policy.

At the other extreme of offences, a person engaging in a dangerous vehicle chase with police would necessarily

commit more minor offences under the Road Traffic Act. The most obvious are: section 42 (failure to stop) and section 46 (reckless and dangerous driving). They say:

Power to stop vehicle and ask questions

42(1) A member of the police force or an inspector may—

(a) request the driver of a vehicle on a road to stop that vehicle;

(b) ask the driver or the person apparently in charge of a vehicle (whether on a road or elsewhere) questions for the purpose of ascertaining the name and place of residence or place of business of that driver, or person or of the owner or the operator of the vehicle, or the nature or constituents of the load on the vehicle, or for the purpose of estimating the mass of the vehicle.

(2) A person must forthwith—

(a) comply with a request made under subsection (1) to stop a vehicle;

(b) truthfully answer any questions put under subsection (1).

The applicable penalty is the general penalty under the act (section 164A). The maximum is a fine of $1 250.

Reckless and dangerous driving

46(1) A person must not drive a vehicle recklessly or at a speed or in a manner which is dangerous to the public.

Penalty:

For a first offence—a fine of not less than $300 and not more than $600.

For a subsequent offence—

(a) a fine of not less than $300 and not more than $600; or

(b) imprisonment for not more than three months.

(2) In considering whether an offence has been committed under this section, the court must have regard to—

(a) the nature, condition and use of the road on which the offence is alleged to have been committed; and

(b) the amount of traffic on the road at the time of the offence; and

(c) the amount of traffic which might reasonably be expected to enter the road from other roads and places; and

(d) all other relevant circumstances, whether of the same nature as those mentioned or not.

The maximum penalty for this offence will become two years imprisonment when the Statutes Amendment (Vehicle and Vessel Offences) Act 2005 comes into operation later this year.

If the police chase led to damage to person or property, a vast range of possible offences may have been committed, including manslaughter, dangerous driving causing death or harm, one or more of the harm offences that will come into effect when the Statutes Amendment and Repeal (Aggravated Offences) Act 2005 is proclaimed and, if appropriate, obvious property damage offences.

There is no shortage of criminal law coverage here but there is a gap. If we set aside the cases in which damage of one kind or another is caused (and there is therefore a range of appropriate offences) and concentrate on cases in which no damage is caused, and the aim of the criminal law is on the fact of the chase itself, it can be seen that there are serious offences of general endangerment and very minor traffic offences of failure to stop and reckless driving. Therefore, we need an intermediate offence of dangerous driving with the intention of avoiding or preventing apprehension by the police. If the penalties are viewed as a hierarchy it would send the right message—if mere dangerous driving is two years, the basic offence of dangerous driving with intent to avoid apprehension is set at three years, rising to five years if there are aggravating factors. In any event, a mandatory two-year licence disqualification seems appropriate.

The proposed aggravating factors have been selected with the aggravating provisions in the Statutes Amendment (Vehicle and Vessel Offences) Act 2005 (to be proclaimed shortly) in mind. They are:

- that the vehicle was stolen or being illegally used and the defendant knew that to be so; or
- that the defendant was driving the motor vehicle while disqualified or while suspended under the Road Traffic Act and the defendant knew that to be so; or
- that the defendant was driving with a blood alcohol concentration over 0.15; or
- the defendant was simultaneously committing the offence of driving while so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle.

However, the creation of this new targeted offence should not be allowed to simply load up the charge sheet with one more offence. It should be aimed directly at those who cannot be brought to book by other more serious offences. It is there to fill a gap of seriousness; therefore, a person should not be able to be convicted of both this offence and the general reckless endangerment offences, although it should be possible for the prosecution to charge the new offence as an alternative if it so wants. In that way it will fill the unintended gap while minimising the load on the courts and the charging system. However, to avoid complicating every prosecution in which the alternative is possible on the facts, it should only be put to the jury if the prosecution charges it in the instrument of charge as an alternative. This minimises the complication of directing a jury in these kinds of cases.

It is also necessary to amend the existing provisions about alternative verdicts that apply to the charges of causing death, serious harm and harm by dangerous driving to take the new offence into account. Therefore, it is proposed to amend section 19B the Criminal Law Consolidation Act to make the proposed offence an alternative to these charges. It is necessary to cater for the case in which the causing offence is charged but the jury is not satisfied that the relevant death or harm is caused by the pursuit in question. In addition, it is proposed that the offence of reckless and dangerous driving and the offence of careless driving be alternatives to the proposed pursuit offence. The rationale is the same. This offence is intended to fill a gap in the hierarchy of serious offences and not just add another offence to the existing pile of charges that may result from a single incident. I commend the bill to members and seek leave to have the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Criminal Law Consolidation Act 1935*

4—Amendment of section 5AA—Aggravated offences

This clause makes a consequential amendment to section 5AA of the *Criminal Law Consolidation Act 1935* to specify the circumstances that will constitute an aggravated offence for the purposes of proposed new section 19AC. The circumstances prescribed are that—

- the offender was driving or using a motor vehicle that was stolen or was being driven or used without consent; or
- the offender was driving a motor vehicle knowing that he or she was disqualified from holding or obtaining a driver's licence or that his or her licence was suspended by notice under the *Road Traffic Act 1961*; or
- the offender had a blood alcohol concentration of .15 grams or more of alcohol in 100 millilitres of blood; or
- the offender was driving a motor vehicle in contravention of section 47 of the *Road Traffic Act 1961* (driving under the influence).

5—Insertion of section 19AC

This clause inserts a new provision in Part 3 Division 6 as follows:

19AC—Dangerous driving to escape police pursuit etc

This clause makes it an offence to drive a motor vehicle in a culpably negligent manner, recklessly, or at a speed or in a manner dangerous to the public intending to escape pursuit by a police officer or to entice a police officer to engage in a pursuit. The penalty for a basic offence is 3 years imprisonment and for an aggravated offence is 5 years imprisonment. In addition, the offender must be disqualified from holding or obtaining a driver's licence for a period of not less than 2 years.

Subclause (3) makes the relationship between this new offence and an offence under section 29 (commonly referred to as the offence of "reckless endangerment") clear. A person cannot be guilty of both the section 19AC offence and reckless endangerment in respect of the same conduct and the section 19AC offence is not available as an alternative verdict in a trial of an offence of reckless endangerment unless the offence against section 19AC was specified in the instrument of charge as an alternative offence.

6—Amendment of section 19B—Alternative verdicts

This clause makes a consequential amendment to the alternative verdicts provision in Part 3 Division 6 to provide that the new section 19AC offence can be put as an alternative verdict where a person is charged with an offence against section 19A that is alleged to be an aggravated offence because it was committed in the course of attempting to escape pursuit by a police officer. In addition the *Road Traffic Act 1961* offences of dangerous driving (section 46) and careless driving (section 45) are specified as alternative verdicts that are available in a trial of an offence against new section 19AC.

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

ADDRESS IN REPLY

The Hon. P. HOLLOWAY (Minister for Police): I bring up the following report of the committee appointed to prepare the draft Address in Reply to Her Excellency the Governor's speech:

1. We, the members of the Legislative Council, thank Your Excellency for the speech with which you have been pleased to open parliament.

2. We assure Your Excellency that we will give our best attention to all matters placed before us.

3. We earnestly join in Your Excellency's prayer for the Divine blessing on the proceedings of the session.

The PRESIDENT: Before I call on the Hon. Mr. Wortley I remind members that the next three speakers are making their maiden speeches in parliament. I ask members to show them the courtesy that first speeches deserve.

The Hon. R.P. WORTLEY: I move:

That the Address in Reply as read be adopted.

I wish to recognise the traditional owners of the land on which this house is built, the Kaurna people, and to acknowledge that we meet here today on their lands. Mr President, I congratulate you on your election as President and I am sure that under your leadership we will enjoy strong and fair decision-making in this council. I also congratulate the Premier and the government on their re-election, as well as the new members elected to this chamber—in particular, my colleague the Hon. Ian Hunter. Congratulations also to my colleague the Hon. Gail Gago on her elevation to the front bench and to my colleague the Hon. Bernie Finnigan on his appointment to fill the position made vacant with the passing away of the late Hon. Terry Roberts. My congratulations also to the Leader and Deputy Leader of the Opposition in the Legislative Council on their election to these very important positions. For South Australia to enjoy a good, vibrant democracy we need a strong opposition.

I pay tribute to the Hon. Ron Roberts, who was President between 2002 and 2006, and to the Hon. Kate Reynolds, who was held in very high regard by the members in this chamber, and to all the other members who either retired, resigned or were unsuccessful in their election. Never before have South Australians elected so many Independents to the Legislative Council. This is a reflection of the current mood of the electorate, and the diversity of candidates will ensure that over the next four years there will be a need for very open and transparent dialogue between the government, the Independents and the opposition to ensure that the government's legislative agenda passes through this council. I thank Her Excellency the Governor of South Australia for her speech at the opening of parliament which set out very clearly the agenda of this government over the next four years.

Mr President, it truly is a great honour to be standing here today as a member of the Legislative Council. As a child growing up in the northern suburbs of Adelaide and attending the local primary and secondary schools, I would not have thought that one day I would be privileged enough to be voted into our state parliament by the people of South Australia. However, I am not going to reflect too long on my good fortune.

Although all states in Australia have the good fortune of being governed by Labor governments, we have a federal coalition government waging an ideological war on the Australian people, the likes of which we have never seen in the history of our great country. Under the Howard federal government, we have become a less caring society and a more individualistic society. The 'I'm all right, Jack' attitude is more prevalent now than at any time in our history. The attack on working people and their families through the new Industrial Relations Act is not about creating a fairer, equitable and flexible workplace. It is about creating fear in the workplace; it is about taking away legitimate conditions and wages, which working people and their families rely upon for a decent life. It is also about taking away security of the job, where an employer, for any reason, can take away a person's livelihood.

This new Industrial Relations Act has taken away legitimate rights and conditions fought for and negotiated over generations by our forefathers and mothers, which gave working people some control over their working life and which provided protection from exploitation through enforceable legislation. This state ALP government's opposition to this draconian legislation, and its challenge to it in the High Court, has been welcomed by hundreds of thousands of vulnerable employees in South Australia.

Before being elected to parliament, I spent 22 years as an elected union official. My area of responsibility was looking after the industrial and political interests of employees working in the gas industry, initially with the Federated Gas Employees Industrial Union and, over the past nine years, as an official of the Transport Workers Union. Over the years, I negotiated with and on behalf of my members numerous enterprise agreements, improving wages and conditions and providing the flexibility required to make our industry competitive. I represented members who suffered workplace injuries and illnesses and members who were unfairly dismissed.

I worked under various industrial relations acts through the 1980s, 1990s and the early 2000s. But, despite the constant difficulties that are inherent in working day to day under the various systems, there was always some justice for the low paid and some protection for the vulnerable. These have now been taken away with the stroke of a minister's pen. There are some on the conservative side of politics and in the media who refer to union officials entering parliament as union hacks. Either this view is based on ignorance or it serves their political purpose. When I got home at night, I knew that I had a real and important job and that I had done a full day's work. Very often I would stay awake at night, worrying about the outcome of disputes or the security of members. I experienced triumphs, and I experienced defeats. It was these experiences which give me a good insight and an appreciation of the aspirations of South Australians and their families.

To be a union official in today's industrial climate and to be successful in recruiting and organising in the workplace to be able to deliver decent wages and conditions to working people against the backdrop of an anti-union federal government equipped with draconian legislation and unlimited public resources to enforce it is the hardest job of all. But the union movement will survive these attacks. It has survived through many struggles and will continue to survive through this period of ideological onslaught.

In addition to industrial relations, I have a keen interest in a number of other areas. Education is the key to prosperity, and we have an obligation to provide (and South Australians would expect) a world-class education system. Only through education can our citizens fulfil their aspirations. The majority of South Australians are educated in our public schools. Our teachers are committed and dedicated people, who spend their working life educating and guiding our children from a very young age through to early adulthood. They care for the people we love and cherish the most, but they need more resources. This government has a number of initiatives to support the education of our children, including the recruitment of an extra 100 teachers to help reduce the class size across year 3 classes in public schools. For our very young, the government will establish 10 new children's centres across the state. These will provide child care, preschool, school and health services all at the one site, providing continuity for our children in the important early years of their life.

Once our children leave school, it is imperative that those who choose to do so have the opportunity to continue their education through university, college or the TAFE system. The Whitlam Labor government's abolition of university tuition fees and the introduction of a means tested education scheme (TEAS) enabled many in our community to access higher education. The removal of the disincentives that had existed recognised the importance of education for all for the future growth of Australia as an economy and as a society, and it is a system from which some in this chamber would have benefited. It is a long way from today's full-fee costs of up to $65 000 for an education degree, $114 000 for a law degree, and $208 000 for a degree in medicine.

Access to education should be for all, not just the wealthy. Education really is a window to the world. Through education comes knowledge and opportunity, and all people should have the opportunity to access good quality education at all levels—as children, as youths and as adults—to enable them to develop and to fully realise their potential throughout their lifetime. It is one of the greatest gifts that we as a state can give to our people.

For those who decide to pursue a career that requires technical skills, this government is establishing 10 new trade schools, and another 2 000 apprenticeships and traineeships will be created. Not since the 1970s will our children have so many opportunities as those that will arise out of this government's initiatives.

Our continent is all important to us, and as a state we have a responsibility to future generations to look after our environment. In 1986, for the first time in history, the mouth of the mighty Murray River closed up and now requires extensive dredging to keep it open. We have since recognised the significance of the Murray, both environmentally and economically. We are now counting the cost that salinity has on our infrastructure, our agriculture and our environment. Unless drastic action is taken soon, the problems caused by salinity will have serious consequences for our state. Over the next four years, this government will continue to work with other state governments and the federal government to return 500 gigalitres of water to our river. This will give the much needed flow that will return some of the life and vitality to this once mighty river.

There is increasing pressure on Australia to play a more significant role in the nuclear industry. The world's insatiable appetite for energy will only grow. Eighty-five per cent of the world's energy is supplied by burning fossil fuels, and this is having a devastating impact on our ozone layer. A recent government report on climate change, risk and vulnerability estimates that Australia could be two degrees Celsius warmer by 2030 and six degrees Celsius warmer by 2070. According to the report, a further two degrees Celsius increase would be devastating for the state, with more heatwaves and bushfires, extended droughts and reduced rainfall in southern Australia. The world has far too great a reliance on oil from the Middle East, which is now more politically unstable and volatile than at any time in our history. More needs to be done to develop renewable energy, and more funding and research needs to be done to reduce our dependence on fossil fuels. Unfortunately, even if we saw the massive injection of capital needed to fund these industries, they would be unlikely to generate enough energy to satisfy the world's demands.

I have always been an opponent of the nuclear industry because of the safety issues surrounding its mining, processing and storage and because of its ability to be used to produce weapons of mass destruction. The devastation of Hiroshima, Nagasaki and Chernobyl are atrocities we must never forget. I was one of only three South Australian delegates to oppose the three mines policy at the ALP national conference in the mid-eighties. I voted for no uranium mining. I also travelled from Adelaide to attend the first national protest at the Honeymoon mine near Broken Hill.

It remains my view that, in a perfect world, the best place for uranium is in the ground but, unfortunately, we do not live in a perfect world. There are signs that our polar caps are melting, and the impact that this will have on our planet is devastating. Unless we take the necessary steps to stop the gradual warming of our earth's atmosphere, the catastrophic effects of global warming will only get worse, and we will be responsible for leaving a terrible environmental legacy for future generations. South Australia has one of the largest known deposits of uranium in the world. There needs to be a debate on the role we will play in the future of the nuclear industry. It is not good enough just to oppose the mining and

sale of uranium without having sustainable strategies for supplying the world's future energy needs.

The federal government recently signed an agreement to supply China with uranium. There will be pressure to supply countries such as India which are not signatories to the non-proliferation treaty. We cannot put our heads in the sand and be left out of this most important debate. We need to develop policies in relation to these matters and, in particular, we need to confront the issue of the storage and disposal of nuclear waste. These are among the greatest challenges we face in regard to the environment, and we have a responsibility to future South Australians to get it right.

By world standards, we have one of the best and most accessible health systems. South Australians have a right to expect world-class health care, but much more needs to be done to reduce hospital waiting lists and ensure that our regional and rural areas have access to quality health services. It is a pleasure to be a member of the government that took to the people of South Australia at the recent election a strategic plan that is committed to solving the problems facing our health system. As a first step to showing South Australians our commitment to our health system, the Rann Labor government will take back Modbury Hospital and put it where it belongs—in public hands.

More needs to be done in the areas of mental health and aged care and for people with disabilities. This government will hire 56 new mental health workers, and Glenside Hospital will be made the hub of mental and related health services in South Australia. For people with disabilities, extra places and assistance will be provided in supported accommodation, and there will be additional funding for transport and support for children with autism. Our senior citizens will have access to improved dental services, and more will be eligible for electricity concessions.

Not since the time of the dinosaurs have humans felt so insecure in their home environment. Many elderly citizens feel like prisoners in their own homes. This is a situation we can no longer tolerate. Legislation will be introduced into this council which, when passed, will give South Australians much more protection in their daily lives. South Australia is currently going through a prolonged period of prosperity. It is only by delivering on the initiatives I have mentioned in my speech, plus others outlined in the government's legislative agenda, that all South Australians, and not just a privileged few, can be assured of benefiting from the wealth generated in this state.

One does not enter this council without the support of many, and today I thank the people of South Australia and the South Australian branch of the Australian Labor Party. My special thanks go to Alex Gallagher, Secretary of the Transport Workers Union, SA/NT branch, with whom I have worked since our amalgamation nine years ago. Alex's support for the gas industry sub-branch ensured that our amalgamation was a success and, to this day, the gas industry branch is a thriving and productive part of the TWU in South Australia. I also acknowledge the support they gave me in entering this chamber today. I thank those unions who supported me through the preselection process—the Shop, Distributive and Allied Employees Association, the Textile Union, the various divisions of the Communications, Plumbing and Electrical Union, and the Australian Manufacturing Workers Union.

My thanks also go to my parents Pam and Kevin for their past and future support, and Dana's parents Janice and Johnny. I also thank my colleagues, union members and friends for all their support and advice. To Dana, my partner from high school days and my lifelong partner and friend, I thank you for your good advice, support, love and encouragement over many years. I also thank our son Che' who, since his birth, has travelled with me along my political journey. Families make huge sacrifices for our fulfilling our responsibilities as members of parliament, usually without recognition or appreciation. We are subject to intense scrutiny and often unwarranted criticism. It is only the strong support from families that enables us to endure these negative aspects of parliamentary life.

I cannot finish my inaugural speech without making reference to my dear friend and colleague the Hon. Terry Roberts. He served in this chamber for over 20 years from 1985 to 2006 with great conviction and was held in high regard by not only those in this chamber but also by staff in the parliament who knew and worked with Terry for many years. The staff would like to have recorded their sincere condolences to Terry's family for a man for whom they had great respect.

In conclusion, it is not difficult to stand up in this chamber outlining what I want to achieve during my term of office; however, I trust that I will not be judged on what I say today in my first speech, or what I am able to say about my political achievements in my valedictory address.

The Hon. I.K. HUNTER: I second the motion. I begin by acknowledging the fact that we are on Kaurna land and that this place was built on the traditional land of the Kaurna people. I would like to congratulate all new members on their election to this place, particularly my colleagues Russell Wortley and Bernard Finnigan, with whom I hope to work closely over the next eight years. I should also congratulate Nick Xenophon and Ann Bressington on the strength of their vote at the recent election, and Mark Parnell of the Greens for finally managing to break into this place. I look forward to working with them and with new and existing members of the Liberal Party, the Australian Democrats and the Family First party.

I would like to offer warm congratulations to my friend, the Hon. Bob Sneath, on his election to the presidency of this place. You, sir, will bring a warmth and humanity to the chair and will, I am sure, in your usual calm way, maintain the decorum that we have come to expect from members of the Legislative Council.

Mr President, it fills me with great pleasure to congratulate two very old friends who were elected to the other place on the day I was elected to this chamber: Grace Portolesi, the member for Hartley, and Tony Piccolo, the member for Light. They are two very promising members who I know will serve their electors well and will give long and distinguished service in the House of Assembly.

Her Excellency, the Governor, in her speech to this chamber last Thursday, paid tribute to the late Terry Roberts. We, in the Labor Party, were saddened by the passing of a great Labor man. He was a friend and a comrade. My sincere condolences go to his family—Julie, and his four sons.

In recent times I described Terry as a 'Labor intellectual' and that was true, but he was always more than that; he had a big heart and real concern for his fellow human beings. In these cynical times, he was a politician who could be trusted; a man who could be relied upon to do not only what he thought was fair but what he knew was right. He was a man who believed that people were essentially good—a belief which must have been sorely tested in recent times—and that

many of society's problems could be solved through collective solutions, through people working together towards common goals.

Lowitja O'Donohue told me, as we walked together to Terry's state funeral, that he was a man who truly cared. As a minister he cared deeply about the Aboriginal community he served, and he did not mind showing it, either. He was a fine minister whose contribution to the Aboriginal community of South Australia was tireless and selfless. One of his legacies will be the fact that more sacred sites were put on the Aboriginal heritage register under Terry's leadership than under any former minister. It is my hope that we, in this place and in the whole of government, can live up to his legacy.

I am honoured to be elected to the South Australian parliament. I follow some people I most admired and respected in politics, three people who have mentored and supported me throughout my political life: the Hon. Frank Blevins, the Hon. Anne Levy and the Hon. Carolyn Pickles. I am delighted to acknowledge Carolyn Pickles in the gallery today. Their contributions to this council were substantial—variously as leaders of the government and opposition, as ministers and as president of this council. I am truly indebted to them.

As a new member of the Legislative Council I would also like to thank all honourable members for their warm welcome to this place, in particular Bob Sneath, Gail Gago and John Gazzola, who have been endlessly patient and good-natured with all of my questions. I would also like to acknowledge the guidance I have received from the staff of Parliament House. I am indebted to Jan Davis and Trevor Blowes for the benefit of their wisdom, and I look forward to working with them during my term.

I would also like to mention the people who sometimes have the hardest job in Parliament, the staff of Hansard. I hope they have an easier time with my broad accent than they did with the Hon. Trevor Crothers. I will try to restrict my quotations from Ulysses to no more than one a year.

In outlining my ambitions for my term in office, I want to take the time to reflect on the influence my family has had on my personal philosophies and how they will shape my time in this place. From the age of nine I was raised by my grandparents, Marjorie and Keith Hunter. I learnt an important lifelong lesson from them at that very early age. At a time in their lives when they should have been thinking about their retirement, they took me in—as families do—and raised me.

My grandmother, Marjorie, fervently believed in education as a progressive force in our community. Education was a means to improve oneself and, in time, allowed educated people to improve their own communities. Working class children do not naturally think much about going to university but, when the subject of any future plans came up in my life, Marj always said, 'Stay at school as long as you can. Go as far as you can.' For her, education was a social good, something to be pursued for its own sake.

I was lucky enough to be graduating from high school at a time when Australians still enjoyed the benefits of enlightened and progressive higher education reforms—reforms which allowed me to attend university, being the first person in our family to do so. I owe Marj Hunter much. In fact, I owe Marj everything.

My grandfather worked as a security guard at *The Advertiser* on the day shift, and then he cleaned the Reserve Bank building at night. My grandparents knew what it was like to live in difficult times under conservative governments. They knew that working people who live from week to week on wages had two things they could rely on to make their lives better: their workmates, organised in their union, and a Labor government.

I remember spending time with my grandfather in his shed, where he was supposed to be making things on his weekends off. I did not see him making too many things down there. His flat carpenter's pencil saw more use marking off the races in his form guide than marking off cuts on his store of meranti and western red cedar. He had a fondness for collecting bits of wood. 'You never know when they might come in handy,' he used to say. I remember asking him once, 'What is the difference between Labor and Liberal?' I cannot recall why I asked the question; perhaps there had been an election advertisement on the radio in between race calls. He paused for a minute, his pencil hanging over the form guide while he marshalled his thoughts. He told me that Labor stood for the working people and that the Liberals stood for the rich, and that was all I needed to know—that Labor was for us and the Liberals most certainly would never be. Then the radio announcer started the next race at Cheltenham, and that was the end of that lesson in politics. It was a simple explanation and one that I could grasp at a very tender age. In all my years since then I have not seen anything to refute his approach to politics.

My family was not what we think of today as a traditional nuclear family. I actually question whether nuclear families were ever the norm outside of TV sit-coms and Hollywood. It certainly was not, in my street or in my class at school. In real life, real people have wonderfully diverse family relationships, and we need to value families in all their permutations. A family to me is a group of people who are important in our lives, who share the good things and the bad and who are there to love and support us in every stage of our lives.

In my life I consider myself to have benefited from a broad and loving family structure. I have my biological family: my grandparents, who raised me from a young age; my two aunts, Judy and Marilyn, who also did their bit in teaching me life's lessons; and all of their extended families. I have also had my chosen family: a group of dear friends who have been with me so long now that I cannot clearly remember my life when they were not there. They are Lucia Arman, Marina Gatto and MariaStella Pulvirenti, my very own 'la famiglia'. These are the people I would have chosen to be my siblings, were we able to make such choices. They share my values and have always been there for me when I needed them. They are a true family.

Of course, I have also had my adopted family, the one I inherited, the one that came with my partner of more than 15 years, my husband, Leith. Some people will be quick to remind me that the term 'husband' is not a legally accurate definition of our relationship to each other, but it is one which in every other respect and in reality is entirely accurate. Barb and Rod Semmens, who are of course not legally my parents in law, are the best parents in law one could possibly hope to have, and Matt and Connie are like siblings to me. To ignore them, to pretend they are merely friends, to not value their connection to me is to impoverish our lives. Members of my family and I know what we are to each other.

Her Excellency the Governor said in her speech at the opening of parliament that South Australia remains a richly diverse and fundamentally just society. I agree with her. South Australians are tolerant, progressive in their thinking on social justice issues and understanding of difference

precisely because they live in all kinds of different family relationships. It is time governments and the institutions that impact on family life recognise this diversity. Some in our community want to impose their ideas about family on others, but families should be allowed to decide this for themselves. We have seen attempts recently by the Howard government to trample the ACT government's Civil Unions Bill, a bill that is designed to recognise diverse relationships. In our own state, conservative forces have tried to stymie the Statutes Amendment (Relationships) Bill. Modest though it is, this bill represents a great step forward in legally recognising that people do in fact have relationships outside the narrow parameters that conservatives wish to impose on Australians.

South Australia has a proud history of social reform. This state led the way in giving women the right to the vote. The Dunstan government shaped a vibrant, modern South Australian society through courageous, progressive policies which included homosexual law reform, and the rest of Australia followed us. I am ashamed that we, the home of some of the most progressive social measures in the past 100 years, are the last state in Australia to pass legislation of this kind. We must work to pass this bill, not because it is politically correct or because it will please this group or that group, but because of what the Hon. Terry Roberts taught us: we should do it not just because it is fair, but because it is right.

That same philosophy of doing what is right, the lesson I learnt in my grandfather's shed, is that we must continue to fight for what is right for working South Australians. I will not shy away from my support for trade unions. This support is not born out of any blind ideology but out of a fundamental belief that workers can negotiate successfully only if they can negotiate collectively. That is why I support the Rann government's High Court challenge to John Howard's new anti-worker, anti-family laws.

The federal government has spent unprecedented amounts of taxpayers' money—$55 million to date—in an attempt to convince us that work choices legislation will save the country from certain destruction. I suspect that the very opposite might be the case. What is under threat is the right to a fair go; the right to feel secure in your job and plan for your family's future. How can these people who notionally espouse the values of families turn around and attack them through their assault on workplace relations? Stable, secure jobs are one of the building blocks of strong families. If you take away the job security of tens of thousands of South Australians, what will be the effect on these workers' families, on their children and on their future? I am proud of the union movement for so strongly taking up the fight on this issue, and I congratulate the Premier on promising to challenge that legislation in the High Court.

There is another issue I am passionate about and which I hope to pursue during my term. Longer ago than I care to remember I graduated from Flinders University with an honours degree in microbiology and genetics. I worked for a time down the hill at the Flinders Medical Centre in the Department of Clinical Immunology. Science and in particular medical research was and remains an interest of mine. The study of science in both its pure and applied forms is a progressive and liberating pursuit. Albert Einstein put it beautifully when he said:

> The important thing is not to stop questioning. Curiosity has its own reason for existing. One cannot help but be in awe when he contemplates the mysteries of eternity, of life, of the marvellous structure of reality. It is enough if one tries merely to comprehend a little of this mystery every day.

Not only is the pursuit of scientific truth a noble aim in its own right, it also has the potential to make all of our lives better in countless ways.

Governments at all levels need to work with schools, universities, businesses and health organisations to support research for the benefit of all South Australians. We must not turn our backs on progress and science but embrace it as a liberating force. We need to engage young South Australians in this noblest of pursuits, the pursuit of truth, the investigation of this marvellous structure of reality. We must always encourage our young people to be vigilant and recognise the difference between real science and the real pursuit of truth, and pseudo-science.

I am concerned about recent attempts to revive the creationism versus evolution debate in our science classrooms. Creationism, and its latest manifestation, so-called intelligent design, is not science. We must identify and label such nonsense as the impostor that it is and not allow it to go unchallenged. Leading scientists and educators are so concerned, they wrote to *The Australian* late last year, and I think it is worth taking the time to note what they said, as follows:

> As Australian scientists and science educators, we are gravely concerned that so-called 'intelligent design' might be taught in any school as a valid scientific alternative to evolution.
>
> While science is a work in progress, a vast and growing body of factual knowledge supports the hypothesis that biological perplexity is the result of natural processes of evolution. Proponents of ID assert that some living structures are so complex that they are explicable only by the agency of an imagined and unspecified 'intelligent designer'.
>
> They are free to believe and profess whatever they like. However, not being able to imagine or explain how something happened, other than by making a leap of faith to supernatural intervention, is no basis for any science: that is a theological or philosophical notion.

The letter's authors go on to say:

> We therefore urge all Australian governments and educators not to permit the teaching or promulgation of ID as a science. To do so would be to make a mockery of Australian science teaching and throw open the door of science classes to similarly unscientific world views—be they astrology, spoon-bending, flat-earth cosmology or alien abductions—and crowd out the teaching of real science.

We must keep fundamentalist dogma dressed up as science out of our classrooms. This unscientific doctrine of 'intelligent design' belongs in Sunday School, not in our public school system. We as legislators must always put rational thought and science ahead of superstition masquerading as a truth.

None of us get to stand in this place, as I do today, without the help and support of many people. I have so many people to thank for this honour that to name them all today might stretch the patience of fellow members. I would not wish to do that, so I limit my expressions of gratitude to some of those whom I have not already mentioned in my speech today. My thanks go to Mark Butler and everyone at the LHMU; everyone at the ASU (my union); Senators Penny Wong and Anne McEwen; MHR Steve Georganas and Wendy Georganas; former senator Nick Bolkus; and former MHR John Scott and Michiko Scott.

My thanks also go to my friends and colleagues: Jay Weatherill, Patrick Conlon and Gay Thompson; Lee Odenwalder, Victoria Purman (my creative muse), Judy Potter (perhaps the best boss in the world), Lois Boswell, Don Frater, Katrine Hildyard, Ian Steele, Ann Pengelly, Len Hatch, Michael Tumbers, John Lewin, Paul Acfield and John

Kingsmill. I also need to thank Sharon Holmes, Tony McHarper and Isaac Holmes for showing me what courage truly is; Das Bennett, Susan Close and Beth Wearing. A special thanks to Steve May, Nigel Minge and Manuel Chrissan for putting up with me for so many years, as they did.

I pay particular tribute to the rank and file members and supporters of the Labor Party who preselected me and who supported the campaign in countless ways. I hope that I can repay the faith shown in me and the government, and I hope I can reflect and promote the values and aspirations of those of us who hold progressive ideals. Finally, I sincerely thank the people of South Australia for their trust and belief in the Labor Party. At the 18 March election, the people of South Australia expressed in no uncertain terms that they had confidence in the Rann Labor government. I am proud and honoured to serve in this government. We in the government will pursue our agenda of progressive policy and fiscal responsibility with energy and compassion for all South Australians, no matter their colour, race, gender, sexuality or religion.

The Hon. A.M. BRESSINGTON: I support the motion for the adoption of the Address in Reply. Mr President, I wish to congratulate you on your elevation to the position of President of the Legislative Council. I have not been here for very long at all, but I have been struck by your assistance and your willingness to assist during my adjustment period. I have faith in your integrity and decency and your intention to uphold the standing orders in the position of President.

I thank Her Excellency the Governor of South Australia for her speech opening the 51st session of parliament and also congratulate the new members of the Legislative Council. I take this opportunity to thank the following people: first, the Hon. Nick Xenophon for trusting me to go on the 'No Pokies' ticket at the recent election. I worked in the hospitality industry for 10 years as a gaming manager and saw first-hand the damage that was done in a short period to the people in the community because of the increased availability and accessibility of poker machines. I also saw the function of the local hotel change dramatically in that time—into places which focus more on drawing people into gaming rooms and training staff on how to influence their customers to gamble almost in a subliminal manner. The Hon. Nick Xenophon and I are in total agreement on two major issues affecting South Australians: the plight of problematic gamblers and the plight of addicts and their families.

Next I thank the Hon. Dean Brown, the former Liberal minister for health who provided DrugBeat of SA with initial funding and the premises to deliver much needed services to the marginalised sector of the community. Without his trust and his good judgment, this program would never have been launched and hundreds of addicts and their families would still be caught in the cycle of addiction. I also thank my immediate family who have made many sacrifices to allow me to pursue the work I have done and am about to do. Without their selfless and ongoing support, I would not have had the determination to persist.

I thank the dedicated and committed staff who remain at Shay Louise House in Elizabeth Grove, with whom I have worked for many years and who have made the commitment to continue the valuable work undertaken there as a tribute to those who have lost their lives, sanity or freedom to addiction and to the families who suffer equally. I thank the staff at Parliament House: Ms Jan Davis, the Clerk of the Legislative Council, and Mr Trevor Blowes, the Black Rod, for their availability, patience and assistance; and all the supporting staff whom I have had the privilege of meeting over the past weeks. I thank members of both sides of the council for introducing themselves and offering their support; and the many people who have written, emailed and telephoned to congratulate me to wish me well.

My journey to this place began in 1994 when I discovered that my only daughter Shay Louise was a heroin addict. I remember the sense of foreboding when I heard the news and recall saying to my partner, 'I just know if I don't do something she is going to die'. I had not lived a sheltered life and I had seen many of my friends experiment with drugs and fall into the vortex of addiction, with few surviving. I honestly never expected that any of my children would even contemplate taking drugs. My daughter's steep decline ended on 27 August 1998 with her death. My family and I had spent four years researching and learning as much as we could, and Shay was only two days away from coming home to attempt to recover from her addiction when she died at the tender age of 22.

The death of a child is something that takes time to come to terms with, and for me the loss of my only daughter also meant the loss of that special connection that a mother has with a daughter and all things that go hand in hand with that relationship. Shay had the potential to go far in her life and, although her journey was not what I expected it to be, her experiences jolted me and woke me up, and I am forever grateful to her.

Many may believe that it is because of my daughter's death that I have moved away from the entrenched harm minimisation approach applied in the management of substance abuse. This in fact is very far from the truth. I have been told by some that this would be a long road for my daughter because heroin users like the drug and the lifestyle that goes with it. I decided that perhaps my daughter may be the exception to the rule, as most parents hope, so I began developing a survey to gather information for my own knowledge.

This survey contained 265 questions and, over a period of 18 months, we interviewed 1 120 active drug users in Queensland, New South Wales and South Australia. The results of this survey formed the basis of the DrugBeat of South Australia program. We found that 87 per cent of those interviewed were not in favour of heroin trials and shooting galleries; 82 per cent would have entered treatment if they could have; 37 per cent had tried the methadone program and found it wanting; 58 per cent had not even attempted treatment because of limited options and word on the street of the bad outcomes of others; only 19 per cent of those interviewed believed that they had their drug use under control; 40 per cent had tried counselling in one form or another; and 3 per cent were interested in programs that required any form of religious or Christian participation.

Professionals informed me that recovery was not difficult, that withdrawal was no worse than a bad dose of the flu. They were in fact not talking about recovery but about detoxification, and as time passed I came to realise the narrow and limited view that many professionals had on the process of recovery. I soon learnt that addiction cannot be treated with addiction. I also learnt that the drug cannot be the focus of recovery, that the adjustment of attitudes, behaviours and the reconciliation of negative emotions are the be-all and end-all of recovery and, of course, well trained competent therapists play an integral role.

At no time did any professional explain to me that the psychological and emotional symptoms experienced were so much harder to recover from than the physical, and that those psychological and emotional side effects are much longer lasting. In saying this, I would not minimise the physical withdrawal experience because I do believe that any person would not want to go through this. It is a trauma in itself and the medications given to assist in withdrawal were ineffective and left the person confused and anxious, which eventually led back to relapse.

I remember having a conversation with my daughter when I told her that I was actually lobbying for heroin trials and shooting galleries at the very beginning, when I was driven by fear and I needed to do something to assist my daughter, and the words she said to me were, 'How sad it is that you think that this is all I will be, that I want to be more than living for the feel of the steal. This is actually a degrading lifestyle. I want out. All the counselling revolves around whether I go on to the methadone program or not and I simply just want to stop.'

The statement made by my daughter that she wanted out came after eight months of abuse and after I had made a trip to Queensland because she rang me telling me that she was going to kill herself because it was all too hard. Eight months of addiction and the party was over! It took three years after that to be able to find any kind of treatment that could assist her, and in that time she had developed significant addictions to prescription medications as well. I was forced to treat my own daughter under medical supervision using naltrexone, because there simply was no other option offered.

The saddest part of all was that, when we tried to find a counsellor who could see her on a regular basis, the best that could be done was a monthly session, until they were informed that she was actually on naltrexone and then the response was, 'We don't really know anything about naltrexone, so we would be reluctant to take her on.' We needed a treatment program that focused on a drug rather than on the psychological and emotional recovery from addiction. It was difficult in those days because my only motivation was to become a well informed parent to assist my child, and because I had gone public on a number of occasions I was being approached by drug users and their families for assistance. They, like myself and my daughter, were looking for a solution to addiction.

As more and more people approached me, and as I learned more from the real teachers, the drug users, it was obvious that there were huge gaps in the system. It seemed that the drug treatment system was based on the wants of drug users who did not want to stop rather than on the needs of those who did want to stop and who wanted to be able to get their lives back and be free of their addiction. This was and still is a national problem.

Harm minimisation does not take into consideration that many drug users want to recover, and it seems that the value of recovery has been minimised to a point where treatment services that do not support safe use and recreational use of drugs are funded with the crumbs, the left-overs of government money. It also appears that we are in a state of denial that addiction actually even exists, and that will not change for a long time. The United Nations Narcotic Control Board Report for 1997 states:

> The abuse of drugs is becoming an increasingly difficult endeavour, at least partly because of the rapid and growing spread of messages in the environment that promote drug use. Many of them can be regarded as public incitement and inducement to use and abuse drugs.

The report goes on to say:

> To maintain balance in the public debate, policies that offer alternatives to drug legalisation and reliable information on the likely effects of such legalisation need to be presented.

How could anyone possibly oppose the three prongs of harm minimisation: to reduce harm, to reduce supply and to reduce demand? These appear to be worth while objectives when we hear them, and anyone who says they are opposed to harm minimisation is automatically labelled as uncaring and callous, someone who would rather see drug users treated like criminals. This is in fact not true. Few people fully understand how those objectives have been corrupted and have moved away from the original purpose and towards decriminalisation and legalisation. Justice Athol Moffitt, QC, was the Royal Commissioner examining the infiltration of organised crime into Australia. He sat as a Supreme Court judge for 24 years, 10 years of which he was President of the New South Wales Court of Appeal. He stated in the book *The Drug Precipice*, first published in 1998:

> The decriminalisation of use of one or more drugs, for example, cannabis and heroin, will lead to a large increase in use. The consequence will be to fuel the black market and greatly increase the wealth. . . power and corruption of organised crime . . . and. . . make the detection of its operations. . . and action against it more difficult and more costly. The enormous increase in the demand for drugs (especially new drugs) in recent times has coincided with the activities of well-organised, aggressive, pro legalisation advocates who minimise their dangers and call for more lenient policies. In consequence, the wealth and power of. . . drug traffickers have more than doubled over the past 20 years.

Mr President, I remind you that that statement was made in 1998. We have also seen the changing trends in drug use over the past six years where drugs like MDMA—or so-called Ecstasy and methamphetamine—are seriously impacting on the physical and mental health of our youth. We wasted so much time focusing on heroin trials and shooting galleries that the next wave of drugs swept over us and we had no plan or infrastructure in place within drug and alcohol or mental health services to cope with the onslaught—and, or course, it has been stated by politicians and police that the main distributors and manufacturers are, in fact, organised by gangs, just as predicted by Justice Athol Moffitt.

It must be acknowledged that recovery is not just a matter of stopping use, and drug users do require specialised support to recover well. It is also a fact that there are many drug users who want to move past their addiction but who are unable to access services that can assist them. For this group the harm cannot be minimised until they are able to receive a treatment rehabilitation program that can assist them to deal with the underlying issues of their drug abuse and to develop coping and living skills to replace the drugs that they have used to date. It is also a fact that drug users who do not aspire to abstinence find it far easier to access the services and supports that are in place to supposedly reduce the harm for them when, in fact, it keeps them trapped in the cycle of addiction.

The harm minimisation system is stacked against those who want to be drug-free—therein lies the imbalance. Health professionals and governments need to be aware that there are problematic users who are unable to self-regulate their behaviour—which is the basis of the theory of harm minimisation—and whose needs are not met with harm minimisation approaches. This group of users lives in a drug-hazed fog. They are stuck, confused and depressed, and they revert to

emotional blackmail, intimidation and often violence to get what they want—which is usually money from their families—or to robbing some poor sod who is in the wrong place at the wrong time. Others, of course, simply give up and suicide. Many would agree that the level of addiction is out of control and the community feels powerless to protect itself against the threat that the behaviours inherent with addiction pose.

We can look to Sweden for guidance. This is a country that has developed and implemented an approach that is balanced, humane, practical and effective. In that country the per capita rate of substance abuse is 1/40th that of Australia for amphetamines and 1/15th that of Australia for marijuana. Given those statistics—which relate to drugs that are affecting our community at present, cannabis and methamphetamine—we need to give serious consideration to how positive outcomes can actually be achieved in a country like Sweden, where the level of addiction had reached epidemic proportions during its implementation of harm minimisation policies. The National Institute for Public Health in Sweden released this statement in a report in 1993:

> Sweden's adoption of permissive drug policy led it to become one of the highest drug using nations in Europe. It then reversed these reforms and replaced them with a restrictive drug policy including health and education measures. Sweden now is the lowest drug using country in the western nations and school age drug use is less than one-fifth of that in Australia.
>
> We do not accept the integration of drugs in our society and our aim is a society in which drug abuse remains a socially unacceptable form of behaviour, a society in which drug abuse remains a marginal phenomenon. A drug-free society is a vision expressing optimism and a positive view of humanity: the onslaught of drugs can be restrained, and drug abusers can be rehabilitated.

We simply do not have enough effective treatment services that are funded to meet the demand, nor do we offer addicts who want recovery every opportunity to do so. Rather than funding programs appropriately to meet the demand and then logically reducing the demand and the harm, we continually try to plug holes in the bucket when perhaps all we need to do is invest in a new bucket.

In May 2001 I attended the World Conference on Substance Abuse in Sweden as a member of the Australian National Council on Drugs, the peak advisory body to the Prime Minister on drug policy. I had the opportunity to see what could be done if public opinion and political will moved in the same direction. In that country there was unified service delivery with total cooperation between health, welfare, police, the judiciary and the community. The infrastructure was in place, facilities were funded to assist people to recover, and the government recognised that to recover well individuals needed time and appropriate support.

The methadone program in Sweden had a beginning, a middle and an end. The most striking difference between Australia and Sweden was that the methadone program in Sweden was used as an intervention on the road to recovery rather than a long-term substitution program. Individuals on the program had expectations of them, that they would abide by some rules—very different to Australia. These were not difficult rules; they were in place to assist the addicts to restore a level of manageability and function to their lives and, importantly, to ensure that methadone was not used as a way of subsidising their addiction by receiving government-funded drug substitution therapies and then topping up with illicit street drugs.

Following the conference in Sweden I travelled to Amsterdam and stayed for one week. I spoke with senior police officials, who informed me that crime was at an all-time high, that the city of Amsterdam had become a haven, a honeypot for drug users and dealers, and that juvenile crime and mental illness had increased exponentially over the past eight years. However, we heard none of that in this country from the advocates of harm minimisation and legalisation.

The Bureau of European and Eurasian Affairs reported the following in May 2005:

> Despite intensified efforts by the Dutch government to combat production of and trafficking in narcotic drugs, the Netherlands continues to be a significant transit point for drugs entering Europe (especially cocaine), an important producer and exporter of synthetic drugs, notably MDMA (Ecstasy), and an important consumer of most illicit drugs.
>
> The Dutch prosecutor's office reported in 2004, however, that the number of Ecstasy tablets seized in the United States linked to the Netherlands dropped to 1 million in 2003 from 2.5 million in 2002. . . According to the interagency law enforcement Unit Synthetic Drugs (USD), 2003 synthetic drug seizures around the world related to the Netherlands involved almost 13 million MDMA tablets and more than 871 kilos of MDMA power and paste.

Although there are some who would advocate that permissive drug policies will reduce harm, supply and demand, this report shows that in the Netherlands where these policies apply the black market continues to thrive, that internationally this country's laws have had a negative impact on neighbouring countries, and that extensive funds are still spent on joint international law enforcement efforts for narcotic controls.

Harm minimisation is not a treatment approach. It is a policy developed to assist governments to manage social problems, and the implementation of such management programs must be based on the needs of addicts at all levels of drug use, even those experimental users who have had enough before their drug use has plummeted them into the deep, dark hole of despair. It is simple: if someone requests a recovery-based program, it should be available to them within 24 hours, not six weeks or more. Anyone involved in treatment and rehabilitation will know that there is a small window of opportunity when addicts decide that they want assistance, and with each failed effort to access effective treatment their behaviour and lifestyle deteriorates dramatically. What we are seeing now is an increase in the use of drugs and antisocial behaviour which is affecting the wider community, and addictive lifestyles which are being handed down from one generation to the next.

In an independent research project in 2005, the Department of Sociology and Anthropology at Simon Fraser University in Canada, states:

> Official harm reduction is characterised by dangerous acceptance of the present situation of drug users. Without a return to the socially and politically active analysis it began with, harm reduction offers little prospect for real long-term solutions to the increasing difficulty posed to society by drug use. Harm reduction has 'matured' into a conservative movement, an apology for the past. . . and. . . an effective means to carry that historic dysfunction into the future.

This statement is reinforced by the United Nations declaring Australia top of the charts for substance use in the Western developed world.

Although I have been dubbed an anti-drug campaigner, a prohibitionist and of late even a zealot, what I have fought for for many years is just the restoration of balance. It is not difficult to look around and see that we have a serious drug problem, and many in the community feel that the government has just simply given up. Police officers do not fully understand their role where problematic drug users are concerned, and they are confused regarding what are their

responsibilities. Welfare is unsure of what to do and is overwhelmed by the demands that addicts make on its services. The judiciary does not want to punish people for an illness. Treatment services are few and far between and are overloaded by demand. Schools are watching on, powerless to address the level of substance abuse among our youth.

Child protection services are also dealing with numerous calls relating to children at risk. Services do not link up, and there are philosophical differences, often based on personal opinion, rather than evidence, that argue the rights of individuals to use drugs versus the rights of the community to live in a safe and secure environment. In my experience, when a problem continues to persist, it is a clear indication that confusion, not sensible, effective policy, is leading the way. After working in the field for 11 years, I can certainly vouch for the high level of confusion that exists out there.

With every right must come responsibility and, when one person has a negative effect on others, responsibility must come into play. It matters little whether it is that the individual recognises the need for change or that the system applies external control to ensure that it happens. The needs of the many far outweigh the wants of the few. Advocates of harm minimisation have failed to recognise the difference between drug use and addiction in their push for decriminalisation and legalisation, and that failure has caused confusion and has jeopardised public safety. The failure has also caused the wider community to develop a serious lack of empathy for addicts, who are among the victims of this system.

The following are not my objectives as a member of the Legislative Council: to promote locking up drug users and throwing away the key; to make criminals of sick and marginalised people; and to force drug users into institutions, where they will be treated in a substandard manner. What is my agenda? It is to assist addicts to access effective treatment in a timely manner and to assist the community to deal with the social issues that are all too often underpinned by substance abuse, such as youth suicide; teenage pregnancy; abortion; unemployment; welfare dependency; poor school retention rates; family breakdown; child abuse, neglect and abandonment; domestic violence; prostitution; crime; road rage; road fatalities; and even graffiti, believe it or not.

In the coming years of my time in the Legislative Council, I am hopeful that I will be able to work with all my colleagues to bring our way of life back into balance and to secure a better future for our children and grandchildren.

An honourable member: Hear, hear!

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

INDUSTRIAL RELATIONS

The Hon. P. HOLLOWAY (Minister for Police): I table a ministerial statement regarding South Australia's industrial relations changes made today by the Premier.

EUROPEAN GREEN CRAB

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I table a ministerial statement regarding European green crab made by the Hon. Rory McEwen.

WELFARE SERVICES

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I table a ministerial statement in relation to the government's changes in housing and disability made by the Hon. Jay Weatherill MP.

SESSIONAL COMMITTEES

The House of Assembly notified its appointment of sessional committees.

STANDING COMMITTEES

The House of Assembly notified its appointment of standing committees.

ADJOURNMENT

At 5.26 p.m. the council adjourned until Wednesday 3 May at 2.15 p.m.