

LEGISLATIVE COUNCIL

Monday 8 May 2006

The PRESIDENT (Hon. R.K. Sneath) took the chair at 2.16 p.m. and read prayers.

QUESTION TIME

HINDLEY STREET

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

Leave granted.

The Hon. R.I. LUCAS: On 12 April a representative of 12 or 14 Hindley Street traders wrote to the Premier expressing concerns about public safety issues in the Hindley Street precinct—particularly in relation to Friday and Saturday evenings. Concerns were raised about vandalism, graffiti, harassment and intimidation, youth nuisance, property damage, assaults, robberies, muggings and child prostitution. In that letter the traders' representative sought an urgent appointment with the Premier. I now have a copy of another letter to the Premier, dated 3 May, from the same representative of those 14 Hindley Street traders which indicates that no response at all has been received from the office of the Premier and again highlighting the traders' concerns about safety issues relating to Friday and Saturday evenings, in particular. Without going through all the detail of the letter, it concludes with another request for an urgent appointment with the Premier so that the traders can put their concerns directly to him.

On Friday I met with the representative of the traders and with a representative group of those traders, at which time they outlined their concerns to me. I ask the minister: why will the Premier not respond to the pleas for urgent meetings with the representative of the Hindley Street traders and with the traders themselves to listen directly to their concerns about public safety issues on Friday and Saturday evenings in Hindley Street?

The Hon. P. HOLLOWAY (Minister for Police): The Leader of the Opposition raised this issue last week. He knows full well that the Police Commissioner has responded very promptly in relation to the issues raised by the Hindley Street traders. Let me say that they wrote not only to the Premier but also sent copies of their letter to the media, the Leader of the Opposition, and a number of other people, as indeed they have done with their most recent letter. The Premier referred the letter (because it was sent to him) to me as the appropriate minister, as Minister for Police. My priority was to raise the issue with police.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: No. We had the major police exercise; we have Hindley Safe 3. We had a series of arrests made last week.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Answer the question.

The Hon. P. HOLLOWAY: On 28 to 30 April, there were 20 arrests and 10 reports, and nine people were detained for public intoxication. Five cannabis expiation notices were issued, and 28 general expiation notices were issued. Sixty-three traffic infringement notices were issued in the vicinity of Hindley Street. Twenty-four defect notices were issued, 31

mobile random breath tests conducted, and 92 ancillary reports were collated. If one looks at last weekend, the most recent weekend, I have just spoken to police officers in relation to the two nights of Friday and Saturday. There were 17 arrests and 29 reports. While there is some concern that serious assaults near licensed premises remain, police also issued 46 motor vehicle expiation notices and conducted over 120 random breath tests. So, the police presence in relation to Hindley Street has been significant. My priority was to get police action, and that has happened.

In relation to Mr Tropeano's letter, I have today signed a letter to Mr Tropeano outlining the action the government has taken. I have also pointed out to him that it is my understanding that he meets regularly with senior SAPOL management, that is, senior officers from the Adelaide local service area. They have had regular meetings with the police. I have stated to Mr Tropeano, 'However, should you wish to raise any other matters that you believe are not being addressed by SAPOL' I am pleased to meet with him. As I said, I signed that letter earlier today. Given that this matter was raised less than a month ago, I believe that the government has acted very promptly, and the police even more so, in terms of the action it has taken through Operation Hindley Safe 3, which has delivered the results I have stated. As I indicated last week, the police will continue their action until these matters in Hindley Street are addressed.

Another comment I should make is that I think that one of the factors that is probably related to some of the activity we see in Hindley Street is the closure of a nightclub on West Terrace. I am sure members are aware of this and of the situation in which that nightclub was closed. I think that it has been well publicised that police closed it down because of the criminal connections in relation to certain people associated with the venue and some of the illicit activity undertaken in the establishment. Clearly, as you get on top of one problem, if you close those places down, the problem will tend to shift.

As a result of that activity, there is no doubt that the problem has moved from the West Terrace end, where it is perhaps a little more out of sight, down to the more visible end of Hindley Street. Wherever that problem is going, the police will respond. Last week we had the Leader of the Opposition trying to tell us that I should instruct the Police Commissioner about where he should put his resources. It is very interesting, if you look back at some of the comments made by his predecessors, such as the Hon. Robert Brokenshire and others, who when they were ministers made it quite clear that it is not the role of police ministers to direct the Police Commissioner where to put resources.

To come back to this particular case, it shows quite clearly that these problems tend to shift, whereby as certain establishments that are frequented for their illicit activities, whether it involves drug dealing or other behaviour, are closed down the problem moves on, and it is important that we get in touch with that. The important thing that needs to be borne in mind is that it will not be I who solves the problem in Hindley Street; it will be the police. But, if there is any action that I can take, I will. As I said in my letter to Mr Tropeano today, I am very happy to meet with him, but my priority to date has been to ensure that the appropriate police action was taken in Hindley Street, and I believe it has been.

The Hon. R.I. LUCAS: I have a supplementary question. As police minister, is the minister prepared to express a point of view to the Police Commissioner, in his regular meetings,

that some of the additional 400 police officers that the government is going to provide (not the existing police officers) ought to be used to increase foot patrols on Friday and Saturday evenings in Hindley Street?

The Hon. P. HOLLOWAY: The Leader of the Opposition just does not seem to get it. The Police Commissioner is in the best position to know where to allocate resources. If the nightclub that I was referring to—we all know the name of it—down on West Terrace—were to open up and become a problem there again, would you not want your police to be there? Would you not want them to move where the problem is? These problems do tend to shift and it is up to the Police Commissioner to act accordingly. But, in relation to the 400 police that this government has promised, there have, of course, been discussions with the Police Commissioner in relation to that matter, and he has made it clear that any extra resources he gets in those areas will go to a number of areas, including the Adelaide local service area, which is clearly one of the key policing precincts in this state. Obviously, more resources will go into that area, but how those particular resources are deployed—

The Hon. R.I. Lucas: Arrogant and out of touch.

The Hon. P. HOLLOWAY: Well, arrogant and out of touch, no. What is arrogant is this arrogant opposition. Here is the Leader of the Opposition—he wants to go and tell the Police Commissioner how he should do his job. Where would we be if we had this sort of system where the Liberal Party goes and tells the Police Commissioner where he should employ his staff?

SOUTH-EAST DRYLAND SALINITY

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question about the Upper South-East dryland salinity drainage scheme.

Leave granted.

The Hon. D.W. RIDGWAY: At the end of the Environment, Resources and Development Committee meeting on Monday 7 November 2005, the agenda item 3.5 stated that the Minister for Environment and Conservation was unwise to make a decision on the proposed Didicoolum drain. At that meeting, the committee resolved on the motion of Mr Tom Koutsantonis (member for West Torrens) that the minister be advised that, based on the evidence received, the committee is of the opinion that the Didicoolum drain be diverted through the range to the Wongawilli drain. A letter to the previous environment minister from the presiding member of the ERD committee states:

On the evidence received, the committee is of the opinion that the Didicoolum drain should be diverted through the ranges into the Wongawilli drain. The committee is aware that this will entail extra cost but feels the benefits warrant such action. Such action can accommodate [all of landowners' needs in that particular area and address all of their concerns and particularly allow the Prosser family] to continue their preferred, non-drain, farming practice.

In the light of that, my questions to the minister are:

1. As a member of that Environment, Resources and Development Committee, do you still stand by the recommendation to the minister for the alternative route?
2. Have you met with the landowners in the affected area since becoming the minister, given that you were not present when ERD committee visited that area?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the honourable member for his questions. I am no longer a member of that committee; I am

now Minister for Environment and Conservation. The former minister for environment and conservation announced the approval of construction of this drain on 11 January 2006. The Environment, Resources and Development Committee had clearly recommended, as the honourable member outlined, a different drainage alignment. Two options for realignment were estimated to cost around \$2.5 million to \$3 million, I am advised, over the cost of the original drain. The costs and issues were assessed and minister Hill (the minister at the time) decided to proceed with the original alignment, with a minor variation to address concerns raised by some of the upstream land-holders. The alignment change, together with the proposed weir in the drain on Minnamurra, will address these concerns without incurring additional costs.

The total state and Australian government funding under the current phase of the program is \$38.3 million, which is a significant amount of funding, through the National Action Plan for Salinity and Water Quality. This is supplemented by \$11 million raised from land-holders through a levy under the Upper South-East Dryland Salinity and Flood Management Act 2002. An increase to the total occurred in response to significant and well recognised problems throughout the area.

An increase to the total project to accommodate the alternative alignment would require an additional impost on state and commonwealth budgets, or an increase in landholder contributions of almost 25 per cent. As Minister for Environment and Conservation, I must consider the implications of such increases to the total cost for the community and, of course, weigh those up with other government priorities. I no longer have the luxury of being on a committee and not having to weigh up those budgetary implications with other priorities.

The Upper South-East Dryland Salinity and Flood Management Program was first developed under the former Liberal government in the early 1990s to address community concerns about dryland salinity, waterlogging and ecosystem fragmentation and degradation. Measures adopted to address these concerns included drainage, saltland work, revegetation and wetland management. The Rann government reinstated the program with a new management structure aiming to balance the need for improved productivity while also providing for environmental benefit. Each drain alignment is developed through a process of technical advice, consultation and negotiation to achieve the best outcomes within a budget program. So, I ask whether the honourable member is suggesting that he, in fact, endorses an increase in landholder levies so that it might, in fact, pay for the costs of the alignment that he is proposing.

The Hon. D.W. RIDGWAY: I have a supplementary question, Mr President. When did the minister visit the area and meet with the land-owners?

The Hon. G.E. GAGO: I have not done so personally. There has been longstanding, ongoing consultation with the former minister who made this decision. There has been considerable consultation over many years, including consultation through the ERD committee as well. I do not believe that there is one land-owner who can say they have not had the opportunity to have their concerns listened to by the department.

The Hon. D.W. RIDGWAY: I have a further supplementary question. Can the minister now give us a commitment that she will meet with the land-owners?

The PRESIDENT: I do not see how that derives from the answer.

The Hon. G.E. GAGO: Mr President, I am always happy to meet with constituents.

The Hon. SANDRA KANCK: I have a further supplementary question. Acknowledging what the minister has said about the costs of this program, would she consider placing the whole program in a holding pattern so that a proper investigation of the claims being made for the effectiveness of this program can be made and analysed?

The Hon. G.E. GAGO: At this point I have not received adequate evidence to indicate that this whole program should be put on hold, especially considering how long it has been running and the public involvement and government commitment to this project.

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 funding.

Leave granted.

The Hon. J.M.A. LENSINK: At the COAG meeting, which was held on 10 February (some 1½ weeks before the election was formally called), it was much anticipated that high priority would be given to mental health. Indeed, at the time the Prime Minister said that extra commonwealth funding would be available for mental health services but must be matched by the states. Indeed, the communique which was signed by all jurisdictions, including Premier Rann, under the heading 'Mental Health' states:

COAG acknowledged that governments have made significant recent investments in the area but also noted that additional resources will be required from all governments to address the issues.

Then on 5 April we had an announcement from the Prime Minister and the parliamentary secretary for health Christopher Pyne of \$1.8 billion for mental health funding. I note that at the press conference the Prime Minister said:

Well these things can happen without the States but you won't fix the problem without the States. You need both. I'm not saying it's their responsibility alone, I'm demonstrating that today, any more than it's ours, but this is an area where the Commonwealth and the States share the responsibility and these are areas where the public is sick and tired of any buck-passing. And what I'm saying today is we will do these things whether or not the States respond. But I believe they will respond and the area where they should direct their response in my respectful submission is in the area of supported accommodation.

The following morning, the minister was interviewed by Pilkington and Conlon on Radio 5AA. Conlon said:

Can we just get off the political platform for a minute here? This has all been part of the campaign and it is good news from the State. Can we talk about what you would like to find out more about from the Federal package because this is a massive package. Can we just get to that?

The minister replied:

I'd be glad to talk about the details of the Federal package except at present there aren't any.

Conlon said:

Do you want me to tell you about it?

In other words, providing advice to the minister. In a later interview that same day Dr Jonathon Phillips, the former head of mental health in this state, said:

... if people don't have proper accommodation in the community and proper respite accommodation if they become ill... you add

millions of dollars to your mental health costs because people recycle through the hospitals.

Further on he said:

The money on one side's not going to do it—

in other words, from one level of government—

This will help and it will certainly improve care at the GP end... but down on its own is not enough, you have to have that other side which includes really good community and mental health services, crisis services and as I've been pushing, accommodation.

As we know, he resigned due to his frustration with the system.

The PRESIDENT: That is very opinionated.

The Hon. J.M.A. LENSINK: I think he said that on the public record, Mr President.

The PRESIDENT: And it is a very long explanation, as well.

The Hon. J.M.A. LENSINK: I will try to keep it shorter in future. With your indulgence, Mr President, my questions are:

1. Has the minister been indicating through her refusal to reply on the issue of supported accommodation that it is not a responsibility or a priority for the South Australian government?

2. When will the government provide a formal announcement in response to the commonwealth offer?

The Hon. G.E. GAGO (Minister for Mental Health and Substance Abuse): On 5 April 2006, the Prime Minister announced that the commonwealth would provide \$1.8 billion in funding over five years nationally for the mental health initiative. The announcement included additional funding to Lifeline for telephone services, funding for NGOs to improve personal helpers, skill development for drug and alcohol treatment workers, money to help young people with mental illness transition from education to employment, day and night respite places, additional university places for mental health nurses and psychologists, community awareness raising programs, mental health nurses and psychologists to work alongside GPs, and a number of other initiatives.

I have written to the federal Minister for Health requesting details, but no details whatsoever have been provided by the commonwealth except for this list of services. We do not know how much of the \$1.8 billion is to be spent on South Australian services or what types of services will be placed where, or even here, in South Australia. We do not even know how much money we are supposed to be matching. None of that information is available.

Obviously, I welcome the additional commonwealth support for mental health. I would think that, if Christopher Pyne has time to get on radio and spruik, he should be getting on radio and trying to make sure that South Australia gets its fair share of that \$1.8 billion—because there is no guarantee we will. He might do something helpful for a change. The commonwealth decision to fund psychologists and mental health nurses to work alongside GPs—and this is quite an important point—is similar to the Rann government's election commitment that was announced at election time to fund 30 psychologists, mental health nurses, social workers and occupational therapists to work with its GP-shared program or with GPs in local communities.

One of the obvious problems that already springs to mind is that, clearly, there could be duplication, given that, suddenly, the federal government without consultation has announced a similar sort of program. Those sorts of things needed to be sorted out. I have written to the commonwealth

asking for specific details about how these programs will be allocated in South Australia and exactly how much funding will be coming to our state. I am very keen to ensure that South Australia gets its fair share of funding. We also need to be careful that the services are integrated and that when the commonwealth funds psychologists through Medicare, as it announced, it does not lead to a situation where professionals actually leave our public system where they are often serving clients who have no choice but to receive public care. They do not have the finances or the options to choose other privately-funded services. We need to ensure that that situation does not result in a group of professionals moving out of our public health system into the private system, or that these psychologists end up providing private services to those in wealthier areas. That is also a very important consideration for South Australia.

The South Australian government has made it clear that it has an agenda to improve mental health services in our state. Clearly, I will work with the commonwealth to do this. Considerable work is already under way in terms of supported accommodation. The Minister for Families and Communities recently announced a series of programs that will be implemented in the foreseeable future. Minister Weatherill has responsibility for that, and I will be working closely with him to ensure that we deliver the best services possible to people with mental health needs. This government has already shown its bona fides in its commitment to mental health.

I have mentioned before in this chamber, but I mention again, that it has increased spending over the past four years by \$35 million. This does not include increases that have occurred in housing and social inclusion programs. It does not include, for instance, moneys committed through the Social Inclusion Unit to the issue of homelessness. During the election, we committed to a further \$20.5 million in spending over the next four years. Members opposite know that any funding announcements that have budgetary implications go through a budgetary process. That process has to occur, it has always occurred, and the Treasurer will let us know the outcome.

The Hon. J.M.A. LENSINK: I ask a supplementary question. The minister used the word 'duplication'. Will she indicate whether the mental health funds which have been allocated (both during the election and in the last budget) will be quarantined and continue to be provided for mental health services rather than be subject to budget cuts?

The Hon. G.E. GAGO: We will uphold our election commitments.

POLICE STATIONS, ALDINGA AND GOLDEN GROVE

The Hon. J. GAZZOLA: Will the Minister for Police please advise—

Members interjecting:

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

The Hon. J. GAZZOLA: —the council of the current status of new police stations in Aldinga and Golden Grove?

The Hon. P. HOLLOWAY (Minister for Police): The Aldinga and Golden Grove police stations are part of the Rann government's continuing commitment to deliver a comprehensive strategy for policing in this state, to give the police more resources than ever before, and to continue the

long battle to reduce crime in South Australia. I am pleased to advise the council that construction of both the Aldinga and Golden Grove police stations began last March and that both are on schedule for completion in October. The Rann government is spending more than \$4.7 million to construct these two new stations, continuing the government's commitment to have an even more effective police force.

The Aldinga police station, which will cost just over \$1.6 million, will provide police with a purpose-built structure of approximately 300 square metres. The present shopfront facility is insufficient to support the expansion of police services in Aldinga. The Aldinga police station has already moved to a 24-hour, seven-day a week patrol response service and late last year it received an increase of five sworn officers. There are now a total of 17 officers based at the Aldinga police station. This shows that the government will respond to the needs of the growing communities in the southern suburbs.

The people of the north-east have also long been asking for a new police station and patrol base. Construction of the Golden Grove police station began in March and is due to be completed by October this year costing just over \$3 million.

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

The Hon. P. HOLLOWAY: Well, we will do a little bit of a history lesson in a moment; I am quite happy to do that. The \$3 million that will be spent on the Golden Grove police station (with construction due to be completed by October) is in addition to our building program for new or upgraded stations at Berri, Gawler, Victor Harbor, Mount Barker, Para Hills, Port Lincoln and Christies Beach. In contrast, the last Liberal government closed down the St Agnes patrol base in 1997 and allowed police numbers to drop to a low 3 410. To put that in—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: That was the low point in about 1997.

The Hon. R.I. Lucas: What was it at the end?

The Hon. P. HOLLOWAY: Well, it was 250 less than it is at the moment. We are now about to cross the 4 000 threshold for the number of police in this state, which is 250 more than it was at the end of the year. Police numbers dropped right down to the lowest in recent times back in the mid-1990s under the then Liberal government. This government increased the number by 250 over the number under the previous government, and of course we have plans to increase that number even further. We are committed to providing more police and giving them better resources and greater powers.

The people of the north-eastern and southern suburbs have received great support in their quest from their local hard-working Labor members such as Jennifer Rankine, Frances Bedford, Gay Thompson and John Hill, who have rarely let slip an opportunity to lobby for these stations since they were first elected in 1997—or 1993, I think, in the case of John Hill.

During the last election campaign we also announced that we would fund three additional police shopfronts in the areas of Hallett Cove, Campbelltown and Munno Para, and the feedback we have received so far has shown that the public is very supportive of these police shopfronts. These stations are usually located in highly visible areas and provide a deterrent to crime as well as providing for better response times, as details of crimes can be quickly obtained for broadcast by officers on duty, allowing a rapid response from other police in the area. The Rann government is also

committed to recruiting an extra 400 police over the next four years to further strengthen our crackdown on crime, and I repeat that those 400 officers are additional to the 246 officers we recruited during our last term.

This government continues to work hard to overcome the legacy it was left with in relation to police numbers and to rebuild a force that now boasts record numbers. More police with greater powers and better resources will play an instrumental role in further reducing crime.

CAPE RADSTOCK

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Environment and Conservation a question about white-bellied sea eagles and ospreys at Cape Radstock.

Leave granted.

The Hon. SANDRA KANCK: An article about coastal raptor species appearing in the winter 2004 edition of the *West Coast Babbler* (the newsletter of Ark on Eyre) states the following in respect of the presence of these rare and threatened birds along the West Coast:

highlights the need for careful planning for any proposed coastal development, including the provision of scenic tourist drives and coastal management practices generally.

Cape Radstock is the highest point in the Chain of Bays on the West Coast of South Australia. A group associated with the Streaky Bay Council, the Streaky Bay Tourist Promotions Incorporated Committee, has proposed the construction of a road to the top of Cape Radstock as a tourist attraction, apparently so that tourists can view the ospreys and sea eagles from that point.

Based on experience at Point Labatt it is likely that up to 55 000 people per annum would visit the area once a road was put in, but these very large birds nest where they are not disturbed and will abandon their nests if disturbances occur either during the nesting or nest-repairing period. On the West Coast the nests are only 7 kilometres apart, which is extremely close in terms of territory for these birds. In fact, there are nine occupied white-bellied sea eagle territories and 12 occupied osprey territories, and this makes the area very special. However, in the Searcy Bay area there are already a number of abandoned nests and this has most likely occurred as a consequence of increasing numbers of people in the area.

A 2004 survey by ornithologist Terry Dennis revealed the importance of care of this coastal habitat to preserve these species in South Australia. As one of the Friends of Sceale Bay said to me, the issue of the construction of a road to Cape Radstock should not be left in the hands of local government. In the interests of preserving these species, will the minister intervene to ensure that this planned road at Cape Radstock is not built?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the honourable member for her important question and for bringing this issue to my attention. I do not have the details of this problem but am happy to take the question on notice and bring back a response.

POLICE, HAND GUNS

The Hon. T.J. STEPHENS: I seek leave to make a brief explanation before asking the Minister for Police questions regarding handguns used by South Australia Police patrol officers.

Leave granted.

The Hon. T.J. STEPHENS: It has been reported that faulty ammunition used in Smith & Wesson .357-calibre hand guns has been identified as a major factor contributing to injuries suffered by police officers. An article yesterday stated:

Police armourers have discovered that the continual reloading of spent casings from .357-calibre ammunition used in training is distorting them.

The article went on to explain that the distortion of some of these reloaded bullets has altered their specifications, resulting in small shards of metal shearing off when the revolver is fired. The article details that more than two dozen police officers have suffered hand or face injuries over the past three years. SAPOL has purchased around 1 450 more Smith & Wesson hand guns since June 2004, and another 200 are currently on order. I can only imagine the uncertainty and fear that officers have to undergo after learning of one of these injuries and having to go on with firearms training in the knowledge that it could be them next.

In 2003, a SAPOL review of the use of firearms recommended that the Smith & Wesson hand gun be replaced by a self-loading pistol, yet nothing has been done to date. The Police Association of South Australia report in January 2004 states:

The Smith & Wesson hand gun is no longer regarded as a reliable front-line weapon.

My questions are:

1. Why has this problem not been given more priority, given that a substantial number of officers have been injured?
2. Instead of the replacement of worn Smith & Wesson hand guns and the use of new ammunition, why have not Glock hand guns, like those issued to Star Force officers, been purchased?
3. Given that Star Force officers use Glock hand guns, is this an admission that, in a crisis, this is the preferred weapon of choice—a Glock rather than a Smith & Wesson?
4. Does the government have any regard for the occupational health and safety of our highly valued police officers?

The Hon. P. HOLLOWAY (Minister for Police): In answer to the latter question, of course the government puts the safety of our police as a top priority. In relation to the issue of police hand guns, I think that the article in the weekend paper answers the issues raised by the honourable member. The article indicates that the police have discovered, after some investigation, that the injuries were minor injuries but that any injuries had come about as a result of the distortion of the shell casings which, until recently, were being reused. As a consequence of what police have learned, they have now switched to using new ammunition, and this should resolve the problem.

I know that it is the view of the Police Commissioner that the current hand guns (Smith & Wesson) used by police are the appropriate weapons to use, taking all factors into consideration. As the honourable member says, Star Force members are issued with a different form of hand gun, that is, the Glock. I do not claim to be an expert in hand guns, and I do not know the difference but, clearly, the Star Force is in a different line of operation. Front-line police essentially carry the weapons in question for their own protection as well as that of the public, whereas, of course, the Star Force is specifically engaged when dangerous situations arise requiring the use of hand guns.

Again, I think that one has to trust the judgment of the Police Commissioner on these matters. I am happy to take his

advice in relation to the use of hand guns, and his advice to me is that, certainly for the present, Smith & Wesson is the appropriate weapon for general police duties.

ANZAC EVE YOUTH VIGIL

The Hon. R.P. WORTLEY: I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about the ANZAC Eve Youth Vigil.

Leave granted.

The Hon. R.P. WORTLEY: Increasing numbers of young people are taking part in services on ANZAC Day to honour the sacrifice of Australians who served in wars. Will the minister provide the council with details of the participation by young members of emergency service organisations in recent commemoration services?

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I thank the honourable member for his important question. It was very heartening to see the growing support and participation of young people in ANZAC Day commemorations; it was evident again this year, particularly at the annual ANZAC Eve Youth Vigil.

The ANZAC Youth Vigil has been an integral part of ANZAC Day commemorations for many decades, and it is a way of enhancing the association between young people and Australia's war veterans. More than 300 young people from different community service organisations, including the South Australian Country Fire Service and the SA State Emergency Service, participated in this year's event.

The vigil started at 6 p.m. on Monday 24 April; it continued uninterrupted throughout the night; and it concluded at the Dawn Service at 6 a.m. on ANZAC Day. Over the 12 hours, the guard of honour changed every 30 minutes through to the conclusion of the vigil at 6 o'clock in the morning. This year, 14 Emergency Service cadets had the opportunity to take part in the vigil and to march in the Guard of Honour at the War Memorial site on North Terrace. This is an increase on last year's participation by Emergency Service cadets.

Six cadets from CFS brigades and eight cadets from SES units, all from regional areas, travelled to Adelaide to be part of the vigil. In total, 10 boys and 4 girls, ranging in age from 11 to 18, took part in the vigil. The CFS cadets from the Tilley Swamp Brigade in the South-East (as honourable member's opposite would know) were Sam Drummond and Matthew Drummond; from the Mount Gambier group they were Kerry McCombe and Emma Fremantle; and from the Naracoorte Brigade they were Alex VanRijn and Braden Fisher. The SES cadets from the Andamooka unit were Kelvin D'Amore, Nathan Granger, Tim West, and Corey Buran; and from the Mintabie unit they were Tili Krebs, David Underwood, Louise Whitehead and Dana Marelic. It is worth noting that some cadets undertook a 1 200 kilometre round trip to take part in the vigil.

The ANZAC Eve Youth Vigil is an important part of the ANZAC Day tradition, and it gives young people an opportunity to take part in an act of symbolic remembrance that honours the sacrifice that the ANZACS and other war veterans made for us all. I urge members to encourage young people to join our 'Emergency Services family' through the cadet programs, and to promote cadets as a community service option. These programs provide training and the opportunity to build on valuable skills, such as team leadership skills, as well as opportunities to take part in cadet camps and other activities such as the vigil. On behalf of all

members, I thank the cadets, their leaders and all those who assisted in making this year's ANZAC Eve Youth Vigil a success.

This year (as last year) I was pleased to be invited by the Adelaide Catholic Archdiocese to take part in the Youth Vigil Mass at the Cathedral and then join the parishioners, particularly the young parishioners, in the walk from the Cathedral to the War Memorial on North Terrace, and lay some flowers in an urn in a designated area. I understand that two young parishioners also took part in the vigil. Again, I thank in particular all the leaders who supported and assisted our young people in the 2006 ANZAC Eve Vigil.

CASINO

The Hon. D.G.E. HOOD: I seek leave to make a brief explanation before asking the Minister for Emergency Services, representing the Minister for Gambling, questions about minors in the casino.

Leave granted.

The Hon. D.G.E. HOOD: According to a media report in *The Advertiser* today, SkyCity Adelaide security has turned away an average of 1 800 under-age people a month since the start of the year. This is compared with 3,500 for all of the 2003-04 financial year. SkyCity Adelaide Casino can be fined up to \$10 000 if a minor is found to be on the premises. My questions to the minister are:

1. How many fines have been issued to the casino for allowing minors into the venue over the past 12 months?

2. How often has the maximum fine of \$10 000 been imposed?

3. Does the minister feel that the maximum \$10 000 fine is sufficient in deterring SkyCity Adelaide Casino from allowing minors into its venue?

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

CROWN LEASES

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question about freeholding.

Leave granted.

The Hon. CAROLINE SCHAEFER: On last Wednesday 3 May I asked a series of questions with regard to land being freeholded from perpetual lease, including whether the 50 metre strip that is named, which is part of the requirements for freeholding, was dynamic. The minister's reply, in part, stated:

No dynamic proposals are considered at this point. The current mark is 50 metres.

Is the minister aware that in many cases 100 metres, 150 metres and, in some cases, even one kilometre is being required as part of the conditions for freeholding in this land-grab by the government? If she is not aware, why is she not aware and, if she is aware, why did she mislead the council?

The Hon. G.E. GAGO (Minister for Environment and Conservation): I thank the honourable member for her question. When asked about the dynamic nature of the 50 metre limit, I was answering in the context of a decision having been made in respect of what the limit should be. I understood the member to be asking whether the department

would consider changing that limit as a designated point and, in respect of that, we certainly are not.

However, in relation to the way the department is applying those limits in terms of assisting property owners and assessing where these lines should be drawn, it is trying to do so in a sensible, fair and reasonable way. Prior to the boundaries being set, an assessment is made with the landowner and, in some cases, that means that the landowner's boundary might be set at less than 50 metres—for instance, if their homestead is built and has been there for some time on that parcel of land or between the 30 metre and 50 metre mark. Clearly, the department is seeking to introduce these things in a sensible, fair and reasonable way by working with property owners. So, in some cases, the boundaries will be put around the family home and it might mean less than that; in other cases, it could mean more than that, such as where land has been determined to be a conservation priority.

A report was done by Thompson, I think back in the 1980s, and in that report a number of high priority conservation areas were determined, particularly along our coastlines and riverlands—for instance, wetland areas that are currently under perpetual lease and areas of coastal sand dunes that have become unstable and are shifting. Those areas that are clearly determined to be conservation priorities are also excluded from the lease arrangements. So, there is a wide range of considerations to be put in place that involve fairness and being reasonable to the landowner to assist us to better manage our coastlines and river banks.

TOBACCO CONTROL STRATEGY

The Hon. B.V. FINNIGAN: I seek leave to make a brief explanation before asking the Minister for Mental Health and Substance Abuse a question about the South Australian Tobacco Control Strategy.

Leave granted.

The Hon. B.V. FINNIGAN: In 2005 the former minister for mental health and substance abuse (Hon. Carmel Zollo MLC) launched the second five-year South Australian Tobacco Control Strategy. The aim of this strategy is to improve the health of South Australians by reducing the harm caused by tobacco smoking, especially among those groups who continue to have a high incidence of smoking, that is, Aboriginal people, young people and those living with a mental illness. Will the minister advise the council how people are being encouraged to give up smoking?

The Hon. G.E. GAGO (Minister for Mental Health and Substance Abuse): I thank the honourable member for his question and interest in this important policy area. Today I was pleased to launch a new graphic national television commercial which aims to illustrate the harm which can be caused by smoking. The very confronting and quite gruesome new advertisement called 'Amputation' shows the damage smoking can cause, and particularly the relationship between smoking and peripheral vascular disease which can lead to gangrene. The colourful and graphic format is deliberately confronting as it acts as a prompt to encourage smokers to think about the harmful effects of their addiction.

The media campaign, which will begin across the country tonight, will complement the new pictorial health warnings which smokers have been seeing on all tobacco products produced after 1 March. These health warnings now occupy 30 per cent of the front of the cigarette packet and carton and 90 per cent of the back of the cigarette packet and cartons.

Tobacco smoking remains the single biggest cause of premature death throughout Australia, including in this state: 1 500 South Australians die every year prematurely because of the harmful effects of smoking. This is 10 times the number of people who die from motor vehicle accidents and 12 times the number of people who die from illicit drug use. Every year, around 600 amputations are performed on people suffering with peripheral vascular disease as a result of smoking. I have been advised that about 70 per cent of amputations are as a result of smoking.

This frightening statistic was reinforced this morning by the head of the vascular unit of the Royal Adelaide Hospital, who last year reported 160 patients (or 3 per week) with gangrene, 70 per cent of cases being smoking related. In response to the massive impact that smoking has shown to have on our society, the state government funds a number of different strategies, including this current provision of \$200 000 to Quit SA to assist with this media campaign. The Rann government is committed to further reducing the number of people who smoke and is particularly concentrating on reducing the number of young people who smoke. The former minister also announced her desire to introduce legislation to ban the use of fruit-flavoured cigarettes which are particularly popular amongst young people.

I understand that at the moment one of the brands glows in the dark and it is particularly popular at dances, clubs and such like. I will follow that through. I will introduce legislation to the council to look at banning those types of products. Our efforts are clearly paying off. We are well on the way to achieving South Australia's Strategic Plan target of reducing cigarette smoking. Our target is to reduce it in youth by 10 per cent. A recent survey has shown that smoking among young people decreased from 27.9 per cent in 2004 to 21.7 per cent in 2005. I am very pleased to say that this is more than a 6 per cent drop in one of our most vulnerable groups and it is very encouraging.

This drop coincides with the introduction of new smoke-free public places and workplaces, laws that came into effect in 2004, new laws that further tackle cigarette sales to children and the running of major Quit smoking media campaigns. I take this opportunity to issue a challenge to smokers to think about the impact smoking is having on their life and the lives of their family, particularly as we approach World No Tobacco Day on 31 May. It is perhaps a good opportunity to give up smoking.

The Hon. J.M.A. LENSINK: I have a supplementary question. Has the government considered banning cigarette packet holders which cover up the rather gory pictures on the packets?

The Hon. G.E. GAGO: They are called packet jackets, and some people have put out stickers. It never ceases to amaze me how ingenious people can be in trying to avoid the truth. I am aware that these products exist. The state and federal government agencies are looking into possible approaches to take in relation to restricting or banning these products. I think the best approach is a nationally consistent approach, if we are able to do that.

CRIME AND JUSTICE

The Hon. P. HOLLOWAY (Minister for Police): I lay on the table a copy of a ministerial statement relating to crime and justice made earlier today in another place by my colleague the Premier.

HYDROPONICS

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

Leave granted.

The Hon. R.D. LAWSON: This government has been vociferous in jumping on the anti-hydroponics campaign, which was initiated by the last effective police minister this state had (Mr Robert Brokenshire).

The PRESIDENT: That is very much opinion.

The Hon. R.D. LAWSON: Widely supported opinion by you, I am sure, Mr President. The government supported Mr Brokenshire's bill to withdraw hydroponically produced cannabis from the expiation scheme. During the last election campaign the government adopted the Liberals' policy of greater control over the hydroponics industry. The rhetoric of the Premier and the Attorney-General on this subject oozed with condemnation of hydroponics operators on the grounds of their criminal associations. During the campaign the Liberal shadow minister for correctional services (Hon. Angus Redford) attacked the government for its failure to insist upon prisoners engaging in meaningful training or educational work programs. On 27 February this year, on the Leon Byner show on 5AA, the Attorney-General (a former acting minister for police) in response to Mr Redford said:

I can assure you the vast majority of our prisoners are working. They are running a dairy farm at Cadell. They are running a nursery grafting young trees, citrus trees. They are operating garages. They are doing assembly work at Mobilong. They are working in the prison kitchen. They are learning skills. They do hydroponics at Port Lincoln growing lettuces and vegetables for the Port Lincoln market.

My questions are:

1. Will the minister confirm that Port Lincoln prisoners are trained in the use of hydroponics?

2. Is it the aim of the Department for Correctional Services to improve the capacity for prisoners to engage in illicit primary production after their release; and, if not, will the minister direct the department to desist from hydroponics programs in prisons?

The Hon. CARMEL ZOLLO (Minister for Correctional Services): I thank the honourable member for his question; I was going to say 'silly though it is' but it is probably not a very parliamentary term.

The Hon. P. Holloway: Accurate.

The Hon. CARMEL ZOLLO: Accurate, perhaps, yes. The Department for Correctional Services is a registered training organisation and trades as the Vocational Training Education Centre of South Australia. It is registered to provide nationally registered training products for staff and offenders in the area of horticulture—perhaps that is where the hydroponics comes in. I suggest to the honourable member that 'hydroponics' often means the growing of lettuce and other vegetables.

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

The Hon. CARMEL ZOLLO: I am pleased that the Hon. John Dawkins is nodding his head: he probably does know about hydroponics because the Northern Adelaide Plains is the salad bowl of South Australia. I assume, perhaps, that is what the member on radio was referring to. We also have dairy, hospitality, baking, metals, wood, computing, construction, literacy, clothing, employment skills, and public sector and correctional services training. VTEC-SA ensures a quality product for the delivery and assessment of training to both offenders and staff. Offenders who successfully

complete training provided through VTEC-SA receive nationally recognised qualifications endorsed by the commonwealth government.

I have had the opportunity to visit possibly all but three of our prisons, and I am very impressed with the quality of work that is undertaken by prisoners. I am sure members opposite would know that PRIME is the company that trades within our prison system. It is highly controlled. They have to be viable, but obviously they cannot be competitive with private industries in the workplace. The department has a budget of in excess of \$1 million to provide education and training for offenders, and it employs professional teaching staff from organisations including: DFEEST, TAFE and universities.

We need to apply our own principles and values to rehabilitation and education because we are returning offenders back to society where those principles and values will be shared. As I said, the department is a registered training organisation, and it is important that we return as many of these offenders to society as we possibly can and equip them with the skills they will need to re-enter the community and, hopefully, not re-offend.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 4 May. Page 100.)

The PRESIDENT: Order! This will be the honourable member's first speech to the parliament, so I ask all members to show him some courtesy. I call the Hon. Mr Finnigan.

The Hon. B.V. FINNIGAN: I support the motion for the adoption of the Address in Reply and I thank Her Excellency for her speech. Congratulations to you, Mr President, on your re-election and your election to the office of President. As someone who also has his origins in the South-East, I look forward not only to your guidance as President but also to working with you to represent country South Australia.

It is a great honour to represent the Labor Party and the people of our state in the Legislative Council—a privilege afforded to very few—and I am mindful that I follow on from someone who made a great contribution to the parliament and the state, the late the Hon. Terence Roberts. On the occasions I had the opportunity to speak with Terry I was always struck by his evident commitment to decency and justice, especially for Aboriginal people. He was truly devoted to the enduring values we consider important, and I will endeavour to remember those values in my own deliberations. I join in the sentiments expressed by this council in remembering the Hon. Terry Roberts. Terry will be sadly missed, and I extend my own condolences to his family.

I congratulate the Premier and the members of the government on their emphatic election victory. The people of South Australia have clearly expressed their confidence in the Rann Labor government and its administration. I look forward to working with all members of parliament in delivering on the government's commitments as outlined in Her Excellency's address. I congratulate all the recently elected members of the Legislative Council, especially my colleagues the Hon. Carmel Zollo, the Hon. Russell Wortley and the Hon. Ian Hunter. I extend my congratulations also to

the newly elected members: the Hon. Dennis Hood, the Hon. Ann Bressington, the Hon. Mark Parnell, and the Hon. Stephen Wade.

I thank the Hon. Paul Holloway for his support and for his excellent work over many years. I do not know whether the minister recalls, but he signed my passport application many years ago when we used to have a certain list of people who could do so. I am sure neither of us thought then that we would one day be colleagues together in here. I extend my congratulations to the newly elected members in the other place, particularly, the members for Newland, Bright and Morialta. I congratulate warmly my colleagues in the other place, the members for Playford and West Torrens, on their re-election and their election to their respective offices. I thank them for their friendship and support over many years, and give them special thanks for their kind words in support of my election to this place. I thank the Attorney-General whom I have known and respected since I joined the party 13 years ago. I thank people to whom I owe so much, my family.

My parents, Francis and Kathleen Hazel Finnigan, have gone to their rest and my only regret today is that they are not here to share my joy at this privilege. My parents were always a great model to me of love for each other and for their children, of love and service of God, and dedication to living a life of virtue. I will always remember the unfailing and unconditional love they bore for me and my 11 siblings.

I am very grateful to my family for the upbringing I had. I was born in Mount Gambier and grew up on a dairy farm on the coast, right next to Eight Mile Creek. I remember those days fondly: going to the beach in summer; long games of cricket in the big front paddock; and running every morning, usually late, to catch the school bus. I even remember with fondness carting buckets of warm milk around after school to feed the calves, although I am not certain that I was so enthusiastic about it at the time. Growing up in the South-East was a great joy and I particularly look forward to representing the people of that area in this parliament. Mount Gambier and the other large towns—Millicent, Penola and Naracoorte—are all beautiful places with their own special charms. I have always loved the beautiful, lush greenery of the South-East and, in particular, its cold weather.

I thank all the members of my family for their love and support, in particular my brothers and sisters—Leonie, Frances, Marcia, Julie, Anthony, Patrick (may he rest in peace), Daniel, Carolyn, Theresa and the twins Damien and Raymond. For brevity's sake I will not name the in-laws and all 31 nieces and nephews, but I thank them all the same. Our family is spread out over the miles but whenever any of us find ourselves facing joy or sorrow we rally around, and it is a great comfort to know that that support is always there. A central part of my parents' lives was their Catholic faith and I thank them for passing that light of faith to me. I would like to acknowledge that, despite my stumbles along the way and however imperfect my efforts, I am a servant of Christ and subject of His reign in history.

Prior to my appointment I was a union official for 10½ years with the Shop, Distributive and Allied Employees' Association, the SDA. I know that there are some conservative MPs who like to trawl through maiden speeches to find out a Labor member's affiliations; well, Mr President, let them waste no time in doing so with me—I am an SDA man through and through. For more than five years I had the honour to be Assistant Secretary of the South Australian branch and I am proud to be the first former officer of the

SDA in the state to be elected to any parliament. The SDA is made up of shop assistants, clerical assistants, warehouse workers and fast-food employees—over 21 000 of them in the South Australian branch.

There are few in our society who would get through a single week without talking to a member of the SDA. Every time you go to a supermarket, a department or discount store, or a fast-food drive-through the chances are that you are meeting a member of the SDA. Working in the retail industry can be tough but the members of the SDA work hard and with diligence, and with a commitment to providing good service. I extend my sincerest thanks to the SDA and its members, whom I had the great honour of serving.

I do not apologise for having been a union official; what officials do every day is one of the best preparations one could have for serving in parliament—working for workers, negotiating directly with employers as to wages and conditions under which members work and how much they have to take home to pay their mortgage and their grocery bills, helping people who have lost their jobs or suffered work injuries, or protecting a person who has a conflict with their boss or who is being harassed. To do that is to be part of a great struggle for justice and fairness. Serving as a Labor representative in parliament is one and the same struggle, one and the same commitment to a fair go which I have worked for over a decade.

I extend my thanks to all those people I have worked with at the SDA and, in particular, the Secretary of the South Australian branch and National President Mr Don Farrell. Don and his wife, Mrs Nimfa Farrell, have been great friends to me and I am tremendously grateful for their support. Don Farrell is a person with a constant and enduring commitment to the SDA and its members, and I am certainly pleased that I had the opportunity to serve with him and be part of an administration that serves the members of the SDA so faithfully. I also offer my thanks to Mrs Judy Crisanti, who was president of the SDA during my years as an officer, and all the other committee members with whom I have served and whose support has meant a great deal to me.

I thank Mr Peter Malinauskas, my successor as Assistant Secretary, for his friendship and support. Peter brings his great energy and abilities to the role, and I wish him every success in the future. I thank Miss Sonia Menechella for her unfailing friendship and loyalty over so many years. I have been able to turn to Sonia in any and every circumstance, and I will not forget her steadfastness. I sincerely thank all the officials and delegates I have worked with over the years, past and present. I will always remember their loyalty and support.

In turn, I thank other unions and their officials for their support and best wishes in this endeavour. In particular, I thank Mr Alex Gallagher of the TWU; Mr Stephen Brennan of the TCF; and Mr John Camillo of the AMWU. I certainly hope to be mindful of the members of those unions and their interests in my representation in this place. I thank all the electorate officers and advisers, state and federal, who do so much behind the scenes on behalf of our constituents and the Labor Party. Finally, I thank my good friends Mr Nick Champion, President of the ALP in South Australia, and Mr Michael Brown, the party state secretary. Both have been loyal friends and supporters for many years. I look forward to working with them to ensure that the Labor Party prospers and that its representation grows.

Address in Reply speeches are an opportunity to reflect on what we consider important and to take stock of where we are

going. We live in an age of increasing American cultural hegemony, when millions of people around the world hunger for the chance to eat a Big Mac and watch *Desperate Housewives*. We who live in this supposed promised land must ask ourselves what kind of nation we seek to be. I disagree with Mrs Thatcher, because I believe there is such a thing as society, and we who are fortunate to enjoy a society of such peace, prosperity and affluence must ask: what values do we seek to foster and protect, and what tasks do we see for our parliaments? For me, three areas stand out: the role of the state, the importance of the family, and the need to grow our social capital.

Turning first to the role of the state, I am a defender of government and its work in providing services and governing our economy and, when necessary, our liberty. Experience has shown that there are some things that only the state does fairly and efficiently. We must remain vigilant to ensure that we do not fall into the trap of constant privatisation and contracting out, which is so often code for cutting labour costs. I am not opposed to private health care and private education; indeed, I think it is vital that these options be available and encouraged in some ways by government. However, we must not allow parents and families to be left with no choice because the government provision of such necessities is inadequate.

I believe in the natural law and the implications that holds for the law of the state, especially in the protection of every human life. To my mind, legal positivism has yet to provide an adequate answer for how manifestly unjust laws can be valid. Without reference to any objective and unchanging truth, there can be no effective limits to what can be made lawful. We have seen the terrible consequences that can result in the 20th century.

I will never shy away from defending the role of government in regulating the economy. We live in a capitalist system, and there is little likelihood of that changing, but it is my firm view that the state plays a fundamental role in governing the conditions under which capital operates. Without such regulation, the law of the corporate jungle prevails, and I have little doubt that *laissez-faire* is unfair. Capitalism, of its nature, has no tendency to benevolence. I want businesses to succeed, make profits and provide jobs, but that must be in the context of fair and just protections for citizens, and that only the state can provide.

One vital area of state regulation in which our nation has led the way is in relations between capital and labour. A unique industrial relations system that has served our country so well now faces its greatest threat, and with it a grave threat to the livelihood of families. With its new industrial laws, the Howard Liberal government has perpetrated an incalculable fraud on the Australian people—a fraud that shakes the foundations of our prosperity and shatters wage justice for our citizens. It is not reform of the system; it is a dismantling of its foundations. As the American Republican statesman Roscoe Conkling said in the 19th century:

When Dr Johnson defined patriotism as the last refuge of a scoundrel, he was unconscious of the then undeveloped possibilities of the word 'reform'.

The federal government's law is the first and decisive step on the road to a Dickensian model of industrial relations—a system of common law contracts, where workers turn up each morning to find out whether they have a job. It is an appalling betrayal of the Australian people and one which will not be supported by them. Across the country, workers and their families will have one clear message for the federal govern-

ment at the next election: 'Mr Howard, what have we ever done to have you treat us with such disrespect?'

The industrial relations legislation demonstrates yet again that the current federal government is one that believes in high taxation and centralised big government. The system is not only bad for workers and their families but is not consistent with any liberal economic philosophy. The new act gives unprecedented powers to the minister to intervene in relations between companies and workers. It was sometimes said that Mark Latham suffered from being considered too close to Gough Whitlam. With his Canberra-centric, big government agenda, the true heir to Gough Whitlam in Australian politics is John Howard, leading a government of unreconstructed Whitlamites for whom no problem cannot be solved with the commonwealth chequebook in one hand and the corporations power in the other.

If the new industrial legislation prevails, South Australia will have no choice but to lead a campaign, along with the other states, to bring about a constitutional change. It is never easy to pass referenda; however, the very future of our federal system is at stake. If the corporations head of power can be used to govern the labour relations of all companies, what will remain beyond the scope of Canberra? We will need to work together to protect our state and this parliament's sovereignty—a campaign that I believe would have the support of a majority of the Australian people.

The second area that I wish to address is in relation to families. I am strongly committed to families and their protection by the state. It is now, I believe, widely accepted that we need to do more for foster families and, in particular, to lift our birth rate. It is essential that people like myself, who do not have children, accept their role in subsidising the welfare of families and the provision of services. As the number of people staying single grows, we must be careful as a society not to develop a user-pays attitude to raising children. One idea that I consider commendable is that of giving couples planning to marry the option of a state recognised form of marriage that better reflects their own understanding of its sanctity and indissolubility. Whilst such a notion needs careful study before I could declare support, I think it is worth investigating.

The final area that I wish to touch on is what I term 'building social capital'. As a parliament we must do what we can to foster the institutions and organisations that make up our social fabric. Anyone involved in local sporting clubs—parents and friends, churches or service organisations—knows how much harder it is becoming to get people involved. The American writer Robert Putnam's work *Bowling Alone* highlighted this trend. The title is a reference to the decline of community bowling clubs, which had once been an integral part of American suburbia. The author quoted the head of the Veterans of Foreign Wars Organisation, who explained its faltering membership by saying, 'Young people are just not joiners'.

We must work together to make people joiners again. There are dozens of organisations and institutions in our community that we must help to continue their work, otherwise we run the risk of retreating into an 'e-cocoon' with our broadband connection, a big screen television and our mobile phone. We must not let our ever more advanced means of communicating with each other lead us to actually cut ourselves off from other people.

One organisation especially dear to my own heart is, of course, the Australian Labor Party. As a party member and now a parliamentarian, I have a special obligation to do what

I can to build the party's support and organisation. It is important to ask ourselves what we can do to attract more of the hundreds of thousands Labor voters to become active members of the party. One aspect is our branch structure. Our rules tend to reflect a time when people were happy to spend a couple of hours on a weeknight in a draughty hall quibbling over the standing orders. There may be new ways to reach more people without such formal meetings.

Another important issue is the binding of all party members to the platform. It is time to think about this carefully within the party and ask whether we might be better served with a looser structure that does not bind individual rank and file members. This would encourage potential members who may have reservations about pledging to a platform that they know little about.

Even in the parliamentary party it may be opportune to consider a less formal binding of members to every proposition. One federal Labor MP has suggested we look at the British system of classifying votes into different categories known as 3, 2 and 1 line whips. In South Australia, we have been fortunate to have a broadly exercised conscience vote in the past, but within the party it is worth debating whether there are more occasions in the future when it might be appropriate. In the recent conscience vote in federal parliament, many members spoke about the careful, thoughtful deliberation that had preceded members' contributions. As Laurie Oakes pointed out in the *Bulletin*, he was not sure why this should be a matter for congratulation when, ideally, every bill before parliament would enjoy the same careful scrutiny. Let me make it clear that I am a member of the ALP and I will abide by its rules as they stand, but I do believe a less formal binding of members would lead to more open debate within the party and enhance the attractiveness of party membership.

In closing, I state again what an extraordinary honour it is to stand in this place as a member of the Legislative Council. I look forward to working with all honourable members in our deliberations to advance the welfare and protect the interests of the people of this state. When I was in secondary school, I took part in a Jaycees public speaking competition and ended my speech with the words of George Bernard Shaw popularised by Robert Kennedy:

Some men see things as they are and ask, 'Why?' I dream of things that never were and ask, 'Why not?'

I was an idealist then and I am an idealist now, for without ideals we have nothing to strive for. In speaking recently at my farewell from the SDA, I likened working in the Labor movement to working on a building site. We might not see the entire structure we are building, yet with each stone, plank, nail or tile we add another piece to the whole. In the Labor movement, with each representation we make, with each issue we press, with each person whose cause we take up, we engage in a great and noble work, not one of bricks and mortar, but the building of a just society, a fairer community, and a better world for working people and their families. Our school motto at Allendale East Area School where I was educated for the first nine years was *semper contende* (always striving). In my deliberations in this council and in my representation of the people of South Australia, I hope to be always striving—striving for that just society and building its pillars of fairness, justice, equality and opportunity.

Honourable Members: Hear, hear!

The Hon. R.D. LAWSON: I begin by expressing gratitude to Her Excellency the Governor for opening the 51st Parliament, and also my appreciation for the way in which Her Excellency has fulfilled her vice-regal functions during her term; and I am delighted to see that she has agreed to stay longer. The Hon. Bernard Finnigan a moment ago invoked the words of Robert Kennedy and I think it was entirely appropriate for him to do so but, in the context of this present parliament and government, he perhaps could have looked at another of Robert Kennedy's aphorisms. It was Robert Kennedy who said that, in politics, wherever there is smoke there is usually a man around the back with a smoke machine. I think that is entirely what we see in the South Australian Rann Labor government—a smoke machine creating an impression, creating an altogether misleading impression of what is happening in this state—and I intend to use this opportunity to highlight some of those matters.

I was bemused by *The Advertiser* headline recently, 'Governor debate. Make Marj the last'. This item was a report of a gripe by the member for Napier, a Labor backbencher in another place. Any reader of what the member actually said would be amused by the prominence which *The Advertiser* gave to this particular issue. Clearly, *The Advertiser* wishes to reinvigorate the campaign for an Australian republic.

Anyone would have been amused to see the revived republican sentiment of *The Advertiser* coming only within a few days of its having devoted inordinate space, coverage and enthusiasm to the Queen's 80th birthday. I would be the last to quibble with the media's right to engender controversy or to engage in campaigns—that is an important and fundamental right of the media. In my view, the so-called third estate is one of the cornerstones of our democracy, and I look forward to always having a vibrant media, and I certainly do not quibble with its right to campaign for the abolition of the Legislative Council.

However, if a newspaper editor, a member of parliament or a citizen wishes to take part in a sensible, rational debate, it should have some regard to the facts and the background. I will return to that theme in a moment, but I want to digress to reflect upon comments made by the member for Napier on the subject of the Address in Reply. The member's attitude to this debate is that it is irrelevant and a waste of valuable time. In calling for the abolition of the Address in Reply, that particular member said that, if it was abolished, 'it would free up a great many of us from near compulsion of having to engage' in this debate. Those comments reflect only on the arrogance of this government.

Sure, Premier Rann had a great result at the election earlier this year and he is entitled to congratulations, and I am certainly prepared to congratulate him, but whether the Labor Party is as popular as the Premier is quite problematic. The Australian Labor Party received 36.59 per cent of the statewide vote in the Legislative Council. It clearly indicates that a substantial majority of South Australian citizens did not support the Australian Labor Party in this chamber. Incidentally, the member for Napier bases his claim that the Address in Reply is anachronistic on the fact that it has its origins in the days of George III, when the monarch still exercised some executive power. However, parliamentary democracy is an evolving process. The role of the monarch and her representative in South Australia became largely ceremonial—and that is perfectly acceptable to most Australians.

One need hardly remind the member for Napier or *The Advertiser* that it is the opinion of the Australian people that

the current constitutional system should continue. They have endorsed it. Whilst I did favour an Australian head of state and I was proud to have voted for it, on that score, I, like a number of other members of this parliament, was in the minority. What the member for Napier and others of like view are complaining about is the fact that, as an MP, he had to participate in a debate which he described as 'a ridiculous subterfuge' because 'all the issues had been thoroughly canvassed and voted upon by the wider electorate in the preceding election'. I repeat: 'all the issues had been thoroughly canvassed and voted upon by the wider electorate in the preceding election.' If that is the position, why have any debate at all?

The Hon. R.I. Lucas: Why have parliament?

The Hon. R.D. LAWSON: Yes. The attitude seems to be: we won the election; everything was thoroughly canvassed; and what is there to talk about?

The Hon. R.I. Lucas: Arrogance.

The Hon. R.D. LAWSON: It does display, as the Leader of the Opposition said, the arrogance of this government. It is not only the arrogance so clearly shown by the Premier, the Deputy Premier and some ministers but it has now infected those backbench and relatively new Labor members of parliament. The fact is the Governor's speech sets out the government's legislative program. That is the program which this parliament should be debating, and members of parliament should be honoured to participate in that debate. I know that there might be some government members who are handed a press release by the Premier's office and told to read it into *Hansard*. I understand why that is not a palatable experience for them, but they must realise that it is the job of government backbenchers, and all members of parliament, to be prepared to debate, justify and engage on the issues that this government proposes.

This government is arrogant. I remind the council of the fact that in the last parliament, in order to secure a majority and the support, in particular, of the member for Hammond, the Premier agreed to establish a Constitutional Convention. The best part of \$1 million of South Australia's hard-earned taxpayers' money was spent engaging in that Constitutional Convention. The delegates to the Constitutional Convention reached certain conclusions and produced certain reports. I did not agree with the methodology that was adopted—and neither did my party—but this government was prepared to spend \$1 million of taxpayers' money on the exercise.

One of the results, very clearly, was that the continuance of the Legislative Council was very widely supported, not only in the Constitutional Convention but also in the wider community. The Premier, who was happy to pay \$1 million to secure the support of the member for Hammond, was disinclined to take any notice of the result, because it was simply an exercise to secure support. He took no notice of it at all and bills were introduced and, contrary to assurances given by the government, never debated. The fact is that the whole exercise was a transparent subterfuge to ensure that the support for the government could be shored up until other support was secured by offering ministries to a couple of members who were happy to participate.

Of course, many will say—and I think, probably, correctly—that the Premier is merely sabre rattling on this issue. His threat to abolish the Legislative Council is designed to ensure that new members of this chamber—the Hons Dennis Hood, Mark Parnell and Nick Xenophon (re-elected to the chamber)—will be compliant in the way in which they view government legislation. They will be keen to support it rather

than oppose it, because they might fear that their future in this house of parliament is insecure if they go against the government.

The Hon. D.G.E. Hood: Not in my case.

The Hon. R.D. LAWSON: I am glad to hear the Hon. Dennis Hood say that; and I know that as a result of speaking with him. I believe that all the new Liberal members, as well as the new minor party members—and I do not use the expression 'minor party' in a disparaging sense—will not be intimidated by the sabre rattling of the Premier. He knows he will not secure the abolition of the Legislative Council, but he hopes that by raising a debate in the community he can undermine public confidence in this particular chamber, which is elected by proportional representation and which better represents the whole South Australian electorate than does the House of Assembly. One hears frequently in the debate on this topic about the necessity for a Legislative Council that Queensland does not have a Legislative Council; 'That is good enough for us, the fact that they seem to get on quite well. They got rid of the Legislative Council in 1922. Why do we need one?' That is a superficial and silly argument. The reason we have bicameral parliaments goes back to the formation of democratic principles in ancient Rome and Greece.

The United States was the first in the modern era to adopt an elected bicameral Congress. Of course, our origins lie in the parliament of Westminster which has had two houses for its entire history, but the House of Lords is not and never has been a democratically elected chamber. Our Legislative Council—elected, as I said, on proportionate representation—is a highly democratic chamber, so to draw any comparison between the House of Lords and our Legislative Council is entirely misconceived.

The Queensland parliament is not a good example for there being an advantage in not having an upper house. In fact, Queensland is a prime example of why one should have an upper house in the parliament. Some people tend to forget that the legislative council in Queensland in the 1920s bore absolutely no resemblance to our Legislative Council. All its members were nominated by the government of the day and they held office for life. When I say that they held office, it was actually an unremunerated appointment and there was no fixed number of members of the legislative council in Queensland: the government of the day could (and did) appoint as many members as necessary to ensure the passage of legislation. It was an entirely undemocratic house—one which served no legislative function—and it should have been reformed. The story of its abolition is extremely interesting politically, but I will not detain the council by relating it today.

Under the Queensland system as it developed after the Second World War there was a Labor government in power. It was notorious for being the most corrupt in this country's history. I regret to say that that was followed by a government of a more conservative persuasion which, after many years under Joh Bjelke-Petersen, itself became a reflection of its Labor predecessor. A number of ministers in Joh Bjelke-Petersen's government stood trial, and its activities led ultimately to the Fitzgerald royal commission which exposed government corruption on a wide scale. That such corruption and such activities were able to persist is merely a function of the fact that the executive was not accountable at all to parliament. The parliament of Queensland was simply a rubber stamp for the executive of the day.

I believe that Queensland is a very poor example, and the Fitzgerald royal commission provides ample evidence of the fact that it was a poor democratic institution. It was required to make some improvements, and it did so by introducing, for example, a parliamentary committee system, but we now see that the Beattie government, having been in power for some time, is becoming afflicted by some of the things that we have come to expect from Queensland governments over a long period of time.

In Western Australia, the activities of the Burke Labor government led ultimately to the establishment of a royal commission, a very well resourced royal commission, which met for quite some time and produced a series of lengthy reports. After examining the situation in not only Western Australia but elsewhere, it concluded that it would be appropriate to strengthen the Legislative Council in that state and to improve parliamentary scrutiny in order to improve the necessary checks and balances.

The most recent and most thorough examination of this question in Australia has led to the Western Australian commission on government producing extensive justification for an effective legislative council. In Queensland, one of the solutions to the non-accountability of the government—a solution that I think was unfortunate—was to establish a Crime and Misconduct Commission, originally the Criminal Justice Commission. It was an expensive body comprising investigators and lawyers looking over the shoulder of members of parliament, and local government as well, to oversee claims of corruption. That, I believe, is a very expensive and undemocratic form of check and balance. A far better system is that which prevails in most places—namely, the bicameral system with an effective legislative council and not one that is merely a rubber stamp for the government of the day, not one that will succumb to the pressures of executive government, and not one that will succumb to the arrogance of a government formed in another place.

I am by no means saying that the processes of both houses of this parliament cannot be improved—indeed, I believe that the accountability of governments can be enhanced by better parliamentary mechanisms. I think it is unfortunate, for example, that the Legislative Council in this parliament plays no part in the estimates committee debates. I believe that we ought play a greater role, and I think the Leader of the Opposition in this place, the Hon. Rob Lucas, has, in his Address in Reply, again broached the question of implementing reforms along those lines to make this a more effective chamber—and I am certainly looking forward to the debates about improving and enhancing the effectiveness of this council. However, I will defend the right of the South Australian people to have a democratic voice in the parliamentary process, and that voice is offered through the Legislative Council.

The suggestion that this council has, in the past, been obstructive or is threatening to be obstructive is a claim without foundation. To be required to justify our measures, to debate them and to demonstrate by evidence that legislative measures are as good as they claim to be is part of the democratic process. One frequently hears the sort of complaints that the Premier was airing—namely, that this council has been obstructive—and one often hears from business people and land developers, who can be frustrated by bureaucratic delays.

I am certainly not in favour of supporting bureaucratic delays or of supporting government departments that frustrate

economic activity and the like, but the fact is that you can override all the checks and balances. Dictatorships are always decisive and democracies inevitably have checks and balances, and if a bicameral parliament provides some of those checks and balances we have to make a decision about whether we want to have a democracy or whether we want to have a dictatorship. People might say that they would like a dictatorship for a while, but they would very soon find that they do not like a dictatorship because the more unbridled, unchecked power that any executive has the more that power will be abused.

It is also important to remember that much economic development and other programs can be delivered by effective administrative action requiring, in fact, no steps to be taken in parliament at all. Our executive has very wide powers to act in the administration of our state, and the health, education and police services, as well as many other services, can be, and are, improved without any reference to what goes on here. Of course, we have to scrutinise legislation when it does come, and of course parliament does have to hold the executive accountable through question time and other mechanisms, but the fact is that a good government can govern well notwithstanding the fact that it does not have the numbers in the upper house.

One can see that in what the Labor Party regards as the halcyon days of this state, namely the Dunstan era. Don Dunstan never had a majority in both houses of parliament, and neither did John Charles Bannon. He was able, without a majority, to wreak havoc upon the economy of this state. Federally, the Hawke, Keating and Whitlam governments never had control of both houses of parliament, and it is only just recently that the coalition government in Canberra achieved a very marginal—and what might be regarded as a technical—majority. The fact is that you can provide good government and good leadership, and adopt effective policies, without having control of both houses of parliament.

I said at the outset that there really is an obligation on the part of those who seek to change our constitution and parliamentary arrangements to debate fully and to ensure that the public understand what is being debated, because I do not believe at the moment that the public does understand. These are just mere catchcries that will be popular with the mob, but you can do immeasurable harm to the fabric of our constitution by simply adopting populist solutions and solutions from a community that is not appropriately educated in the processes we are dealing with.

As I say, the member for Napier was prepared to throw the baby out with the bathwater and to abandon the Address in Reply because it had its origins at the time of King George III. Beyond saying that it had its origins then, he was simply unable to articulate a real reason why this parliament at the beginning of the session, and after hearing the government lay down its program, should not provide all members of the parliament with an opportunity to debate the government's program.

We see in the Governor's speech once again this government intending to run what it terms a 'law and order agenda'. It is interesting that, since that time, we have had the Chief Justice making the perfectly sound and empirically justified proposition that simply increasing the amount of time spent in gaol for an offender will not stop crime. That has been established worldwide. Anybody who has undertaken any study of the criminal justice system knows that crime rates do not relate specifically to the length of time imposed for particular sentences. Crime rates depend upon a large number

of factors, one of the most important of which is whether criminals have actually been caught committing crimes—something in which, unfortunately, we have not been very successful. Crime rates go up and down with changing economic circumstances, with changing employment opportunities, with the state of war and peace in the world, and with a number of other social, religious and other factors. If you want to reduce the crime rate, you have to increase support for those families from whom, regrettably, most criminals come.

The Chief Justice, in an address to the Australian Association of Social Workers, said that longer gaol sentences are doing little to reduce crime. Today, the response of the Premier is an unctuous ministerial statement in which he says:

The Chief Justice is a person of integrity, with a gifted intellect. He is a person I admire and respect. His contribution to improving public understanding of the justice system is significant.

Here we have the oily Premier oozing charm upon the Chief Justice and then going on to say that he does not agree him, trash what the Chief Justice has said, and seek to use the fact that the Chief Justice has raised these issues as raising for debate some things that should be put to rest. Here we have the classic tactic of this government in the law and order debate: create a straw man, create an argument, whether it is with bikie gangs, whether it is with the chair of the Parole Board, whether it is with the Director of Public Prosecutions, or whether it is with some judge who has handed down a sentence said to be too lenient, and then attack the person because what they are saying happens to be unpopular in the wider electorate.

I certainly agree, and so does my party, that firm prison sentences, and increasing prison sentences, are appropriate to protect the community. We do not believe, and nobody ought say they believe if they are truthful, that simply increasing penalties will reduce the crime rate. What it will do, of course, is put some criminals behind bars and create greater community safety whilst they happen to be behind bars. That, in fact, is not a long-term solution. What you need to have for a long-term solution to the whole criminal justice debate is not only an effective police force (and this government has been very slow to recruit and create an effective police force) but also a correctional services system that is effective. This government has singularly failed in that direction.

In its first budget the government cut psychological services to prisons, it cut Operation Challenge, and it devoted most of its attention to solving problems with the unions in correctional services, rather than making the investment that is absolutely necessary. Anybody who has been to Yatala gaol (built in the 1860s) will know that, as a correctional facility into the future, cannot be sustained. People are coming out of that facility worse than when they went in, in terms of criminal disposition—a fact which is reinforced by the very high recidivism rates that we have.

The training and education facilities within our prisons are inadequate and inappropriate, but they can only be enhanced by greater investment. Clearly, this government is not prepared to make the investment because it actually costs money and it is not politically popular. It might be politically popular to say, 'We'll let them rot in hell in Yatala, built in 1861. We don't care about the occupational health and safety for people who are working there. We don't care about prisons and prisoners at all. They can rot in hell.' That might be the attitude of some rednecks in the community, it might

be popular on some radio shows, but it is not appropriate for a government that is serious about providing community safety and reducing crime and criminal behaviour.

One also needs to make significant investment into early intervention schemes. Most people who work in the criminal justice area, and also in the social welfare area, will say they can identify very early in life those who are headed for a life of crime, those who are going to cause harm to themselves, their families and others. They can be identified relatively early, and, once identified, if appropriate resources are put in place, some of those people can be diverted from a life of crime and put onto a path which would be far more productive for themselves and for the community. But, in order to do that, you do not need empty rhetoric and people seeking to derive political advantage from the law and order debate. You need a sensible debate. You need a community that understands and realises that that investment has to be made. This particular government is not interested in approaching the problems in that way. You get Deputy Premier Foley making the obvious political cry, 'Well, I'd rather spend money on schools and hospitals than prisons,' and I suppose everybody would agree with that. It might be quite a good political catchcry, but if you want a safer community you are going to have to spend some money on prisons. This government is not prepared to do so.

So often this government has been creating the impression, calling conferences, having a drugs summit and saying that it will adopt measures, getting people from all walks of life to go to the drugs summit, writing recommendations on butchers' paper and on whiteboards, and circulating and publishing reports, but actually doing nothing about the drug problem in our community. It draws strategic plans, has conferences, brings them into Parliament House, gives them cups of tea, and gets them to sign off on some highfalutin report. The idea is: don't worry too much about the follow-up, get some high-profile people with reputations from outside the political system, get them to sign off on it, and you will convince some people in the community that you have actually solved a problem.

All problems are not solved by making politically popular decisions. Actually, governments are elected to make correct decisions, to make decisions for the long term, to make decisions for the good of the community as a whole, not merely to make decisions which might be politically and electorally popular for the government of the day. We have, in this government, a government that is solely focused on making decisions that are electorally popular. You get empty promises made in the Governor's speech, such as, 'My government will do all it can to free up business by eliminating 25 per cent of red tape by July 2008.' Twenty five per cent of red tape by July 2008—

The Hon. R.I. Lucas: Every fourth word is going to be deleted.

The Hon. R.D. LAWSON: As the Leader of the Opposition says, every fourth word is going to be deleted. There is absolutely no plan for how this is to be achieved, and it is just empty nonsense. The justification for the abolition of the Legislative Council, as given by the government, is as follows:

Responding to complaints by business over many years that Australia is over governed, my government will confront the challenge of the biggest constitutional reform in our state since Federation and in Australia since 1922, when Queensland abolished its upper house.

In terms of the complaint that Australia is over governed, South Australia is certainly not over governed if you look at the number of members of parliament in this state compared with other states. The ratio of members of parliament in both houses to the population in this state is about the national average. When one compares it to Western Australia, for example, they have more members of parliament per thousand residents than we do. It is true that in the larger states of New South Wales and Victoria there are somewhat different ratios, but South Australia is a vast state with very wide-ranging differences. As I say, when you look at the Western Australian ratios, generally we are not over governed. When you look at the states of the United States and also the Canadian provinces, I think you will also find that we are not over. The suggestion that, in responding to complaints that we are over-governed, we will get rid of the 22 members of the Legislative Council is just preposterous non-sense.governed.

I fear that in this current term of parliament we will see simply more of the same—more tough talk and more legislation to cover any particular circumstance that arises. There were perfect examples in the last parliament. There was some suggestion that some restaurants were serving dog, so, ahead of other things, we rushed legislation into parliament to ban the eating of dog meat. There was actually no evidence that that had been occurring but it was quite an issue on talkback radio for a day or so, so we had to rush in legislation. There were cases where some boys threw rocks at passing cars, a highly dangerous and already illegal practice and one which is worthy of condemnation, but we do not need new legislation to address the endangering of life. We already have legislation to that effect.

There is now some complaint about gate crashers. Just as there have been complaints about people throwing rocks at cars and trains for 100 years, there have been problems with people going to parties uninvited and making nuisances of themselves, so suddenly this is a new issue which will require legislative attention by this government. In the last parliament we had legislation abolishing the so-called drunk's defence. The legislation that this government introduced in the past was so narrow in its frame that it will make virtually no change to the law relating to criminal defences. The government sought to create the impression then that any drunk person was getting away with criminal behaviour, that a way of getting out of any criminal charge was to say you were drunk. Nothing could be further from the truth. It was an artificially created situation to appear to be doing something in relation to our criminal justice system.

Once again, we see that the government is going to make tougher legislation in relation to drug-dealing premises—the police will be able to enter them without a warrant. What nonsense! The police already have very wide powers under general search warrants to enter wherever they have reasonable grounds to suspect that evidence of criminal activity exists. But the government will pass another law which will make no change to practice, yet it will say that it is being tough on law and order.

The government is attempting, I see in the Governor's speech, to steal some thunder from the Hon. Nick Xenophon, who has been advocating the establishment of a commissioner for victims' rights. The government previously said that the existing mechanisms within the Attorney-General's office were adequate but, in order to cut the rug from under the Hon. Nick Xenophon's feet, it is introducing a special piece of legislation. I believe we will support that in principle.

The government is proposing to amend the Criminal Law (Sentencing) Act to require sentencing courts to give primary consideration to the need to protect the public from a defendant's criminal act. A measure of this kind, which will be billed as introducing for the first time an obligation on the court to have regard to public safety, is once again empty window-dressing, because the courts are of course already required to take into account those issues. It may not be in explicit terms, but it is implicit in the criteria which the parliament has already laid down.

I am glad to see that the government will be moving on suppression orders in the courts. I do believe this is an area where some minor reform is appropriate. However, only last year the Attorney-General was saying that there is absolutely no need to make any change. Of course, that was the Attorney-General's view, but the Premier decided, quite clearly, that it would be better and wiser from a political point of view to seek to assuage the anger of our daily newspaper which was campaigning heavily for an alteration to the suppression order regime, and that it would be better from the Labor Party's point of view to adopt some measures. So, now we see the government proposing to do so.

As I say, we will support sensible measures to not only improve the suppression order regime but the whole of the law and order and justice area—indeed, the whole area of public administration. We will support sensible measures which actually provide improvements. We will not be supporting—in fact, we will be opposing and will be seeking to amend—mere empty gestures, and we will seek to be an effective house of review and effective opposition in ensuring that the government actually delivers what it has suggested to the public it will deliver.

In conclusion, I congratulate the new members of this council and the other place. I think it is worth placing on record that a number of my very dear colleagues have left the parliament, either by retirement or defeat at the election. I note in particular the retirement of a former premier, the Hon. Dean Brown, for whom I have great respect. I have been a friend of his for many years. Indeed, he was a person who encouraged me to come into parliament. His dedication to the public interest and his service to the South Australian community was of very high order and he will be greatly missed not only by the Liberal Party but by the parliament as a whole. The government whip, John Meier, and the Hon. Dorothy Kotz, a former ministerial colleague, both made a great contribution. I am delighted to see the member for Stuart back in the parliament as the longest serving member in any Australian parliament. I greatly regret the defeat of Joe Scalzi in Hartley, Robert Brokenshire in Mawson, Malcolm Buckby in Light and Joan Hall in Morialta. They all made a significant contribution to the parliament.

I have already had occasion to acknowledge the work done by the Hon. Julian Stefani and the Hon. Angus Redford in this chamber, neither of whom will be back. I look forward to working with all members in the forthcoming parliament in a constructive and cooperative way.

The Hon. J.S.L. DAWKINS: I support the motion. First, I extend my formal congratulations to you, Mr President, on your election to high office. I look forward to working with you, as do all my colleagues, over the next four years. I extend my thanks to Her Excellency the Governor for her speech to open the 51st parliament of this state. I also wish to record my gratitude for the manner in which the Governor has carried out her important vice-regal role. Her Excellency

is extraordinarily well regarded around South Australia for the way in which she has involved herself in a range of communities and sectors, as well as the way in which she relates to individuals. I am delighted that Her Excellency has agreed to serve in this position for an additional nine months, which will mean she will remain as Governor until mid 2007.

I also take the opportunity to extend a sincere welcome to the seven new MLCs who have joined us in this chamber. As a colleague and particularly as opposition whip, I look forward to developing a good working relationship with each one of them. I echo the remarks of my leader (Hon. Rob Lucas) about the Liberal members who retired or who lost their seat in the House of Assembly at the 18 March election. I knew all of them before I entered the parliament, and I note the service that each of them gave to their electorate, their party and the state. I will particularly mention those members of the Legislative Council from the 50th parliament who are no longer with us in this chamber. First, the Hon. Angus Redford. I first met Angus when he was on the preselection circus canvassing votes for the Legislative Council in about 1992.

Angus had a tremendous capacity for hard work. It is a loss to the parliamentary system that he was not elected on 18 March because, as I said, he had an enormous capacity to work hard on a range of issues. One of the things I am not sure that I do miss is having Angus next to me and sometimes having to water him down as he wanted to continue to elongate a debate that most of us did not want elongated, whether it be speaking or interjecting. The Hon. Julian Stefani was a member of this place for many years, and I show my age I suppose because I knew Julian before he came to this chamber. Julian was passionate about many things. He worked very hard not only for a whole range of multicultural community groups and individuals but also across the community. I wish Julian a very good retirement.

The sad death of the Hon. Terry Roberts is something that we noted in this place with a condolence motion. I made my remarks on that occasion, but I am continually saddened by the fact that Terry died at a young age. He had much more to contribute to South Australia. I will always remember the friendship that we had, and his sincere efforts on behalf of South Australia and his party. The Hon. Ron Roberts was our president for the past four years. Ron was a great advocate for his home city of Port Pirie, and I suppose he will now spend more time in that city. In his last four years (occupying the chair in which you, Mr Acting President, are now sitting), Ron demonstrated a strong belief in this chamber and a strong understanding of the independence not only of the Legislative Council but of the president from executive government. I put on the record my appreciation of his efforts in that regard.

The Hon. Ian Gilfillan—or Iggy Pop, as a number of people in this place referred to him—was a member of this place in two bites. He was here from 1982 until 1993 and then returned in 1997—well into his 60s—for a further eight years. He is a remarkable man and his contribution to this place was always full of vigour. His experience was well appreciated by not only his own party but also many in the parliament.

The Hon. Kate Reynolds was here for only three years, having come in to fill the vacancy caused by the retirement of the Hon. Mike Elliott. Kate's energy and hard work was admired by most people who served with her. Members may not have agreed with many of the things in which Kate believed, but certainly they admired the passion with which

she pursued those issues. I certainly wish her well in her future pursuits.

Finally, I comment on the Hon. Terry Cameron. I put on record the courage that the Hon. Terry Cameron, along with his colleague and great friend the late Hon. Trevor Crothers, showed in crossing the floor and cutting off many years of membership of his party for a cause in which he believed. The Hon. Terry Cameron came under my umbrella somewhat in the past four years, when as opposition whip I was asked to liaise with him about his intentions to speak in this parliament and a number of other parliamentary matters. I put on the record my best wishes to the Hon. Terry Cameron.

I wish to make some remarks about aspects of the Governor's speech on 27 April. I should acknowledge at this point, of course, that the Governor's speech is prepared for her by the government of the day. First, I want to speak about the legislation for a referendum in 2010 regarding the abolition of the Legislative Council, or to reduce the number of members of this chamber and their terms from eight to four years. This aspect of the government's program has been covered comprehensively by the Hon. Rob Lucas and other members. However, I wish to take the opportunity to express my own perspective.

I have a great concern about unicameral parliaments. I think the experiences that we have seen in this country and nearby would strengthen that concern. In Queensland governments of both political flavours have ruled unchecked since 1922. I think we have seen more concern with process in government in that state than in any other part of this country, and certainly the unelected Criminal Justice and Misconduct Commission, which exists in that state, costs far more to run every year than an upper house would cost. I am also concerned about the parliament of New Zealand. I think we have seen several attempts in that country to address proportional representation and to bring in an alternative form of election without going to a second chamber. We have seen two or more forms of election in the one house. From my perspective, this has been cumbersome and has not served the electorate of New Zealand very well.

The current system of election for the Legislative Council came into effect in 1975. I believe that the system of proportional representation across the state is a good system. I think most members of this place work as widely as possible throughout the community. Obviously, the major parties ask members of this chamber to specialise in particular areas so that they are not bumping into each other in one place or there is a situation where no-one represents another area. I take particular responsibility for the northern and north-eastern suburbs and the Riverland, as well as taking an interest in as many other parts of the state as possible. I believe that in this chamber members can take a more global view across the whole state, rather than a perspective based on the views or nature of a particular electorate. Despite the views put around by the Premier, some sections of the media and Business SA, the Legislative Council has not been an obstructionist chamber. I emphasise that remark by quoting our Clerk (Mrs Jan Davis) in a paper entitled, 'The Upper House: a snapshot of the South Australian experience 1975 to 1998'. The paper was delivered at the 29th Conference of Presiding Officers and Clerks in Sydney in 1998. The paper states:

Throughout this period of some 23 years, only 1.8 per cent of government bills have been rejected outright and this was usually after going through the whole legislative process to a deadlocked conference between the houses. Excluding sessions which have been prorogued owing to the calling of an election and where the

government legislative program had not been completed, only 7.1 per cent of government bills had not passed the upper house. Bills which have been the subject of in-depth consideration have, on balance, benefited from this dual process of investigation and amendment and indeed, in certain circumstances, it has obviously been essential. In the last parliament, the Legislative Council made a total of 2 234 amendments to government legislation, whether introduced in the council or in the House of Assembly.

I note the many occasions since I have been here when ministers of various governments have indicated in the committee stage of a bill before the House of Assembly that a particular issue that has been highlighted could be fixed up between the houses. All upper house members, whether in this chamber or the Senate, have to suffer suggestions that we have no constituents and that we have nothing to do. This is far from the truth. Many of the constituents with whom I have dealt have previously had contact with a lower house member and, in some cases, the attention they have been given has been relatively shallow. In addition, many constituents are referred to me by federal MPs, local government and community organisations.

I strongly support the retention of the upper house. I strongly oppose any reduction in the number of MLCs: reducing the council to 16 members would severely restrict the ability of the chamber to effect its important committee work. I would now like to quote an extract from a paper delivered by the Hon. C.J. Sumner AM (a former Labor attorney-general and leader of the government in this chamber) to a conference on constitutional and parliamentary reform conducted by the University of Adelaide in 2002. He states:

A reduction in the number of Members will be the easiest proposal to sell to a disillusioned and cynical public. However, it must be acknowledged that a reduced number of MPs will lead to a reduction in representation. One of the features of Australia's democracy is the accessibility which citizens have to parliamentarians. In my personal experience immigrants in particular recognise this.

I also favour the retention of eight year terms for members. I am not in favour of an 'all in/all out' system. We have a situation now where one-third of the members of this council are new members. I think we will work successfully together, but imagine a situation where up to half of our members could be new members or, if we had an 'all in/all out' system, we could conceivably have a completely new chamber. Some might say that that is not likely, but it is possible. I am certainly not in favour of a system that can mirror the results in the House of Assembly. If people do not like us having an eight-year term, perhaps we could have six-year terms with rolling elections every two years for one-third of members, but I guess the electorate will not want to make additional trips to the polling booth.

I do not agree with the new Victorian upper house system of regions where the cities of Mildura, Wodonga and Bendigo, along with the outer northern suburbs of Melbourne, are included in one seat which will elect five MLCs. I think it is hard to prove community interest, and they would be much better served with a system such as ours.

There has been in the debate about the Legislative Council over a number of years a variety of arguments about whether this chamber is a house of review. I again quote from the Hon. C.J. Sumner's address to the University of Adelaide's constitutional conference, as follows:

It is also not true to say that the Legislative Council performs no review role in today's circumstances. While conceding that it does not measure up to some theoretical utopian view of what an upper house should do (which has never coincided with reality) the fact that

Governments under the current circumstances are unlikely to have a majority in both Houses means that a review function does take place. Governments complain that the review process is governed by political opportunism on the part of Oppositions. Undoubtedly there is an element of this but it is by no means the whole story. With minor parties holding the balance of power, there is need for Government itself to review what it is doing and compromise if necessary. The recent behaviour of the Council in relation to amendments described above by Davis suggests that the Council today plays a useful role in the overall checks and balances of the system generally.

The Governor's speech included several paragraphs relating to the environment in general and one regarding the River Murray. This indication of the government's program has only added to my frustration and that of my party in that it has not opposed the proposed toxic waste dump in Victoria to the extent that it could and should have. Over a considerable period of time the Liberal Party has indicated its strong opposition to the toxic waste dump proposed at Nowingi in north-western Victoria. Back in November 2004 the shadow cabinet met in Renmark and was briefed by the Mildura Rural City Council on its concerns about this proposal. The then Leader of the Opposition (Hon. Rob Kerin) wrote to the Victorian Premier early last year indicating the Liberal Party's strong opposition to the dump and requesting that the Victorian government not proceed with it.

At this stage I would like to commend the work of two members of the Riverland community: Anna Baric, who subsequently became the Liberal candidate for the seat of Chaffey; and also Kat Dolheguy, who established a community group called SA LAST in relation to their concern about this dump. They were very active in distributing a petition against the dump, and over 3 000 people have signed a petition against that dump. They were also very active in encouraging the community of the Riverland and beyond to put submissions to the Victorian panel hearings in relation to the Nowingi dump. They also led the calls, along with the Hon. Rob Kerin, for hearings of the Victorian planning panel to be held in South Australia.

Late last year this chamber passed a motion urging the government to do far more than it had done in relation to the Nowingi dump. Earlier this year I, along with Mrs Baric and Ms Dolheguy, attended the directions hearing of the planning panel in Mildura, and I will be giving evidence at the panel hearing on 9 June this year. I am disappointed about the lack of vigour in the supposed opposition to this dump by the government and by the Minister for the River Murray, in particular. The minister did not attend the postponed directions hearing after declaring, during the election campaign, that she would. She has subsequently managed to arrange an appearance at the panel hearing in its very early days on 26 April, despite the fact that all other members of parliament, including myself, who have indicated a wish to appear have been listed for 9 June.

Following her appearance at the panel hearing, the minister was quoted in the Riverland media as saying that South Australia was powerless to stop the toxic waste dump at Nowingi. She added that the South Australian government lacked the jurisdictional power to stop it. All I can say, Mr President, is that the government has lacked the political will to tell the Victorians to back off—or, as some of my friends might say, Bracks off—in the lead up to the Victorian state election.

The Governor's speech on behalf of the government made a very brief reference to transport and no reference to public transport. I was interested in the comments made by the

Hon. Mark Parnell in his maiden speech about public transport and his role with the organisation called People for Public Transport. I myself have had some connection with that group and am a strong advocate for public transport, regularly using the excellent train service from Gawler. I urge the government to continue to upgrade services, including the provision of car parks, and to make sure that trains run on time rather than committing the city and the state to an absurd tram extension in central Adelaide. Since the upgrade of security for after-hours services by the previous government, many more people use trains at night, and we need to continue to upgrade the lighting and security at stations to encourage more and more people to use public transport, particularly trains. I commend the ongoing attention to the adjustment and fine-tuning of timetables to suit demand. I think that has been relevant, and in many cases I think it has encouraged more people to use trains, particularly.

One of the things I have noted in recent years is the increasing number of people from the Barossa Valley and the Lower North who commute to Gawler stations to travel to Adelaide by train. Some members may not be aware, but in recent years there has been a call by the communities to the east and north of Gawler for increased access to public transport into Adelaide. Certainly, there are many who wish for a return to the days when there were commuter trains coming in from the Barossa Valley—indeed, I am old enough to remember when some of the express trains started at Robertstown.

Community activity in relation to seeking extension of suburban train services into the Barossa has been met by comments that this is not possible, that the train line is available only to the freight train that brings stone into Adelaide twice a day, that it is not suitable for public transport, and that the line has been sold off by the previous Liberal government to private enterprise. That is not true. We all know the history and the fact that in the mid-seventies the South Australian Railways were sold to the commonwealth government, and that subsequently the commonwealth government privatised a number of the freight services on many of those lines in South Australia. The actual rail line is owned by the Australian Rail Track Corporation, which is owned by the commonwealth government, and I believe that this government should actively pursue the possibility of extending commuter trains beyond the Gawler central station into the Barossa Valley.

I will also speak briefly about the TransAdelaide Adopt a Station scheme, and I will speak more about it later this week. It is a program I think has seen TransAdelaide work very closely with a number of community groups to restore and enhance a number of the old railway stations that exist in the metropolitan area; of course, the Gawler station is one I am very well aware of that has benefited from this program. The program started under the jurisdiction of the previous government, but I commend the current government for its continuation. I think that more resources should be put into the program to work with community groups that are prepared to take the time and effort to ensure that those stations are something the community can be proud of.

In conclusion, I once again thank the Governor for her speech to open the 51st parliament of this state. I must say, however, that I was disappointed that a parliamentary secretary of this government (the member for Napier) would criticise and downplay the importance and independence of the role of the Governor in this state. I commend the motion to the council.

The Hon. A.L. EVANS: I rise to support the motion to adopt the Address in Reply. I thank the Governor for her address in this chamber with which she opened parliament. Like other members of the council, I also thank her for her hard work and service to this state. I concur with the Hon. Mr Hood and reiterate that we are delighted to have our state represented by such an outstanding person in the role of Governor. I congratulate the new members of the chamber and encourage them to make a contribution to this parliament that will benefit South Australian families, for it is the people who truly constitute this state.

I wish to briefly acknowledge the work of retiring and defeated members of the Legislative Council. In particular, I acknowledge the contributions of Terry Cameron, Julian Stefani, Ian Gilfillan, Kate Reynolds and Angus Redford. I also extend my deepest sympathy to the wife and family of that fine gentleman, Terry Roberts, whose kindness and grace will be sadly missed. For the remainder of my contribution, I wish to speak about an important issue that will form a major part of the political debate during this parliamentary session, that is, the determination of whether the institution of the Legislative Council will continue.

The Hon. Mr Lucas pointed out that the Premier, the Leader of the Government and the President of this chamber are all committed to the abolition of the Legislative Council. Accordingly, as far as I am aware, it appears that, for the first time in South Australia, the existence of the Legislative Council is under serious threat. Support for the abolition of the Legislative Council is based on what I consider to be simplistic and imprudent arguments. The main justification put forward for abolishing this chamber is that, since the government is elected by the people of the state, it should enjoy the freedom to make decisions affecting the state without any impediment to that power. Clearly, the Legislative Council is perceived by the proponents of this view as an impediment to the government's power and, therefore, to progress and economic growth.

In a most competent fashion, the Hon. Mr Lucas illustrated that over the years a good South Australian government (and that includes the Labor government in the last session) has been able to achieve most of its policy goals. Accordingly, in my view the proponents for the abolition of the Legislative Council have no justification for their cause. There are significant benefits gained from having a separate group of elected members, who are elected on a proportional representation based system, reviewing, considering and debating bills. First, it provides necessary protection from bad laws and bad governments. Secondly, it provides the opportunity for further intellectual rigour, scrutiny and prudent review to be applied before laws are passed that affect South Australians.

The argument in favour of the abolition of the Legislative Council resounds with a very clear motivation, that is, to remove scrutiny and accountability and to allow the government to make swift decisions on matters that affect every individual in South Australia. Is this the most prudent political environment in which to make laws that affect the whole of South Australia? I do not believe so. Whenever a parliament deliberates, it should be in a well thought out, accountable and rigorous environment, with all arguments considered, so that the people over whom it governs are assured of the best possible result. Some would even argue that the Legislative Council better represents South Australia as a whole, given its system of election. I believe that having a house elected on each of the two electoral systems provides

great protection and benefit to South Australia. For the reasons I have stated, together with other justifications not mentioned today, I will strongly oppose the abolition of the Legislative Council. I wish to make a short contribution on potential reforms to the House of Assembly.

Honourable members: Hear, hear!

The Hon. A.L. EVANS: If the parliament is considering reforms to the upper house, it should also consider reforming the lower house. We must be open to examining the parliamentary system of other jurisdictions and adopt best practice in our state. In South Australia it is unfortunate that most elections leave many people unrepresented in respect of the House of Assembly. Only some votes help to elect candidates, and others have no effect and are, essentially, wasted. This result can mean that parties supported by only a minority of voters overall can win a majority of seats. As it stands, if an elector votes Liberal in an electorate where a Labor candidate wins, or alternatively, if an elector votes Labor and a Liberal candidate wins, their votes is, in essence, irrelevant. The House of Assembly should reflect the votes of each constituent, which at present is obviously not the case.

The introduction of proportional presentation is, in my opinion, the best way to maximise the effectiveness of all votes that are cast, resulting in the election of parliaments that most closely reflect the wishes of the electorate at large. The Hare-Clark system of voting has been used in Tasmania for more than a century. It is a single, transferable method of proportional voting, where a ballot paper moves between the candidates as determined by the elector's preferences. It was named after English lawyers Sir Thomas Hare, who developed a proportional representation system in 1859, and Andrew Inglis Clark, who was the attorney-general between 1887 and 1892, and again between 1894 and 1897. Clarke modified Hare's system and was responsible for its introduction in Tasmania.

Under the Hare-Clark system, parties, groups and independents are elected to the House of Assembly in proportion to their support in the electorate. The composition of the house closely reflects the proportion of primary votes

on a state-wide basis. There are many reasons to adopt the Hare-Clark voting system in our state parliament's lower house. For example, voting in the system is simple: you vote only for the number of seats that need to be filled. You are always given a choice of party candidates. It does not ensure safe seats for candidates. It always provides an opposition. In single member electorates, where one issue can dominate, most of, if not all, the seats can be won by one party. This is very unlikely to occur under Hare-Clark. Up to 95 per cent of votes are used to elect candidates. It allows voters to be represented by the party's candidate of their choice. It gives each party, or group, representation corresponding to its voting strength.

A party may lose sitting members, but they may be replaced by members of the same party chosen by the people, with party numbers remaining intact. With Hare-Clark, a party can advertise its policies, and then the voters exercise choice as to the best candidate within the electorate to carry out that policy. It is no wonder that it has been referred to as the most democratic system of voting used in the world today.

In conclusion, I congratulate the Labor government on its outstanding success in its election. May it govern with wisdom on behalf of all South Australians. Family First recognises the mandate given to the government by the people, and we will seek to work in cooperation with the government in areas where it has made promises to my party and to the people of South Australia. However, I put the Labor government on notice that, should it depart from commitments it has made, it will no longer be able to depend on cooperation from Family First. I trust that the Labor government will set a high standard of integrity so that faith can return to the function of government in our state.

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

ADJOURNMENT

At 5.11 p.m. the council adjourned until Tuesday 9 May at 2.15 p.m.