

LEGISLATIVE COUNCIL

Tuesday 29 July 2008

The PRESIDENT (Hon. R.K. Sneath) took the chair at 14:17 and read prayers.

BLOWES, MR T.R., DEATH

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:18): I seek leave to enable the Clerk of the Legislative Council to make a statement.

Leave granted.

The CLERK: I have known Trevor since his first days in the parliament when he commenced employment in the Parliamentary Library as a library assistant in 1975. He came to work for us in the Legislative Council in November 1982 as a parliamentary officer. In 1988, he was promoted to Clerk Assistant, and in this role he was secretary to several select committees, one of which was the committee on the Aboriginal Health Organisation.

It was whilst visiting Ernabella that a fight broke out between local dogs and those of us visiting from another community. Two women Hansard reporters, Annemarie and Maureen, ended up climbing on top of a table in a somewhat terrified state as pandemonium broke out. Trevor, in his usual calm and collected style, restored order and ensured the safety of all concerned. Maybe that is why Trevor had a love/hate relationship with dogs.

For some years after the select committee had reported, Trevor was constantly being contacted by a persistent witness, who continued to peruse evidence in search of answers to assist him in a prolonged legal battle. Again, Trevor was always accommodating. At this stage, Clive Mertin was the Clerk and I was the Deputy Clerk. On Clive's retirement—in 1993—Trevor assumed the position of Deputy Clerk and Usher of the Black Rod.

Trevor was a consummate professional. He was our resident real estate adviser, travel expert and fashion guru. My husband always used to refer to Trevor and Chris as the 'Einstein factor' as many a time I would come home talking about real estate, etc., and saying, 'Trevor said this or Chris said that.' In fact, it has been said that Adelaide's real estate market will never be the same without Trevor.

We often called Trevor Mr Country Road. In later years he preferred Hugo Boss. He was always immaculately dressed. On the other hand, he had the audacity to refer to one of my outfits as looking like something worn by the cruise director on the *Love Boat*. I could never wear that outfit after that.

I recall an occasion when Trevor was driving me to work one morning, before an early deadlock conference. We had just pulled up in front of *The Advertiser* building in King William Street when there was an almighty crash as another vehicle slammed into the rear of our car. In fact, it was the only time I ever heard Trevor swear. The next minute we could hear the sound of an ambulance and I think both of us hoped it was not meant for us. Unfortunately, it was. There we were, in the middle of King William Street, in our finest chamber attire with the ambulance officers examining us and wanting to take us to hospital. We declined but, instead, to pacify them, we had to find a doctor close to Parliament House. Trevor gave up sitting in the waiting room and returned to work where, I understand, he bumped into the Hon. Rob Lucas who remarked on Trevor's dishevelled appearance, unaccustomed as he was to seeing Trevor in such a state and quite flustered.

Trevor began travelling at an early age. He never took photographs but rather came in one day with a simply massive collection of picture postcards that he had become very adept at sampling from the rotating stands on kerbsides in Europe. However, there was one place which Trevor would never revisit, and that was the Isle of Capri where he had hired a scooter and, somehow, ran it off the road and down an embankment. He left the bike, left the island, never to return—a hunted man.

Speaking of Capri, Trevor had another such experience when test driving his new red convertible Ford Capri down the Coorong. A gust of wind took him off the road into the Coorong, taking with him a barbed wire fence. The car was never the same after that. In later times, Trevor

was always very envious when Peter would ring from the Qantas lounge during overseas trips. Indeed, the highlight of Trevor's many trips were the Qantas lounges.

Trevor's foray into the real estate world had an interesting start. He had a problem with a leaking roof on his townhouse at Glenelg, which he had placed on the market. Trevor was at work when the real estate salesperson took some interested buyers into his townhouse. They opened the front door to be greeted by a bucket of rainwater coming through the ceiling. I think that was one sale which did not eventuate.

Trevor was not known for his culinary skills. He gave a dinner party at his new home but was not used to the state-of-the-art oven. The chicken never did cook and his dinner guests were not too impressed with the long wait and what was eventually served up to them—chicken tartare. Consequently, all Trevor's houses usually had virtually new ovens as he decided that eating out was the way to go.

Trevor was also a master of the disappearing act: now you see him, now you don't. I was always amazed at how he would go to functions at Parliament House, put in an appearance and, somehow, just disappear; it was just incredible. Trevor was never one for a party. He was a very private person. He would always hope that we would forget his birthday. However, he promised us a big event for his 40th when he was going to organise a veritable feast. We kept on saying that were going to invite the whole building. The day arrived and, suddenly, we became aware that he had taken us seriously, and we scrambled to invite as many staff as we could find.

As the Usher of the Black Rod, Trevor always looked the part. On opening day you would see Trevor with young cadets, ordering them around as to their duties, just like the Pied Piper. He looked truly grand. I recall one opening when the then governor had been told by Trevor to await his return to Centre Hall, after he had announced Her Excellency. However, Dame Roma followed him immediately and, as I watched Trevor about to enter the chamber to make the announcement, he suddenly reversed, and took control of the situation by indicating, with hand raised to Her Excellency, to go back. Indeed, it was quite a theatrical moment.

One bit of philosophy that Trevor imparted to me in dealing with difficult people was: 'It's like training a pet—pain and reward, pain and reward!', he would say. Quite often I would use the expression 'Every Joe Blow'. He would retort, 'Don't take my name in vain.' Trevor was always calm, and I can say that it was only once that I heard of Trevor displaying anger: when a member's staffer ignored a safety direction. In fact, I used to get cross because Trevor would never get cross.

On Sunday night, I spoke to Trevor for the last time. He was in considerable pain but he managed to tell me how we were a great team. As I left, I could not help but notice how Trevor opened his eyes so wide, as they had almost been shut, and he transfixed his gaze on me, as if he was capturing my face to memory, and he gave me a wave, forever the gentleman. As a friend said, he was even thanking all the medical staff, even when they gave him only bad news. Trevor had always held onto the hope that he would be returning to the Legislative Council. That is why he never wanted us to say otherwise. Incredibly, he was still thinking that way almost to the end.

Trevor, we had so many interesting times. You were a very private person. You were always the perfect gentleman and you were always there—a wonderful deputy on whom I could always rely. As you said to me, we were a team.

Honourable members: Hear, hear!

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:27): I move:

That the Legislative Council expresses its deep regret at the untimely passing of Trevor Blowes, the Deputy Clerk and Usher of the Black Rod of the Legislative Council, and places on record its appreciation of his meritorious public service and, as a mark of respect to his memory, the sitting of the council be suspended until the ringing of the bells.

It was with great shock and sadness that we learnt that Trevor Blowes passed away at the weekend after a long battle with illness at the much too young age of just 56. It was a shock because Trevor, as the intensely private and modest person that he was, did not wish any fuss to be made and, as the Clerk has just pointed out to us, most of us were not aware of how ill Trevor really was until just recently.

He began his long association with this parliament almost 33 years ago as an assistant in the Parliamentary Library. In November 1982, he transferred from the Parliamentary Library to take up a career in the Legislative Council as a Parliamentary Officer. Six years later, Trevor became

Clerk Assistant of the Legislative Council and then, 15 years ago, in January 1993, Trevor capped his parliamentary career by assuming the important role of Deputy Clerk and Usher of the Black Rod, taking up that position from Jan Davis on her promotion to Clerk of the Legislative Council.

Trevor has served this place with distinction and contributed to the smooth functioning of the Legislative Council through his work as secretary to a number of select committees and, indeed, the list of those committees brings back memories, with the committees he contributed to including subjects such as Marineland and Ash Wednesday. Trevor was also Secretary of the Statutory Officers Committee from its inception.

When thinking of Trevor, a number of words come to mind—decency, efficiency, unflappability, calm and collected. He was also a private, reserved and modest person for whom everyone in this chamber had the greatest respect. As Jan has just mentioned, Trevor moved up into the Deputy Clerk's position when Clive Mertin retired, and it is interesting to note a real contrast of personalities involved there. For those of us who have been around long enough to know Clive Mertin and how he could get quite caught up in debate in this chamber, one could never imagine that happening with Trevor Blowes.

All I can say is that it was a great pleasure to have worked in this place with Trevor Blowes for nearly 13 years, in my case, and I am sure that it has been longer for other members. It was a great pleasure to have worked with him and, on behalf of all members on this side of the Legislative Council, I extend my condolences to Trevor's family and friends.

The Hon. J.M.A. LENSINK (14:30): I rise to add my comments to those previously made and to express my appreciation for the Clerk's contribution, in particular, which gave us a different insight into Trevor Blowes, whom we knew as a professional and as someone who adorned himself impeccably sartorially. Many of us would never have known that he was the tender age of 56; in fact, yesterday I commented that I did not think he had even reached 50, so one would never say that he had let himself go in any way. He commenced service in the parliament 33 years ago, and one would not have thought that, having worked with him in the corridors. He had some form of essence of youth. Unfortunately, he was cut down in his prime.

I note that 15 years ago, on 14 January 1993, he rose to the position of Deputy Clerk and Usher of the Black Rod and served on a number of select committees. He was indeed a very valuable part of this chamber and assisted many of us, particularly when we were new to this place, in understanding our roles and duties, when we should be on our feet and what we should say at particular points. He was the consummate professional, and our condolences go to his family and friends.

The Hon. SANDRA KANCK (14:32): It was a shock to learn of Trevor's death. We were told at the beginning of the year that he had pneumonia and that there had been some complications, but we were constantly told that he was getting better, and we anticipated that he would be back when parliament resumed in September. I think that most of us were very much caught off guard when the news came yesterday.

I contacted some other people who had known him in the past. My former colleague Ian Gilfillan asked that I put on record his tribute to him. He described him as 'a person beloved by all who knew him. His gentleness, humility and yet firm efficiency were hallmarks stamped in my memory of a very dear man. It was a privilege to know him.'

I also spoke to Pat Macaskill, who was on the Democrat staff for many years. The words she used to describe Trevor were that he was a good man, and she underlined that word 'good'. You could hear it in her voice that she was underlining that word—and, yes, he was a good man. The other thing Pat reminded me of was that this man had a sense of adventure. We did not know much about Trevor personally, but Jan reminded us about his trip to the Isle of Capri, and Pat reminded me of a trip he had taken down the Amazon, which is something most of us would never consider.

He was a man who was passionate about the Parklands. He very rarely revealed his own political view on anything but, being a member of the Parklands Preservation Association, that was one thing I was aware of: he was passionate about protecting the Parklands from development.

He had only good things to say about other people. From time to time, on the various select committees I have been a member of, he might make an observation about something that was being done inside the committee he did not particularly like, but he never made comments that disapproved of the person: he only ever disapproved of the action.

He was one of those very rare people who did not gossip about other people. As I say, he had only good things to say: if there was something bad to be said, that was for other people to say, but it was not for Trevor. He was highly moral. He did not gossip, and that is such a rare thing in a human being.

There are 22 of us in this chamber, and we have condolence motions from time to time. Many of them I do not speak on but, in the case of someone like Trevor, I really want to speak and there are a whole lot of people who cannot speak. I look around the chamber at the people in the galleries today, and we have representatives from all around this parliament, not just the 22 MPs here, and that says an enormous amount about the regard in which Trevor was held. The one word that I have to describe Trevor is 'beautiful'. He was a beautiful person to look at and he was beautiful in his nature, and I express, on behalf of my party, condolences to all whom he loved and all who loved him.

The Hon. M. PARNELL (14:35): I had not realised, until the Clerk spoke, that Trevor was working here in Parliament House while I was still at school. He has certainly been an important part of this place for a very long time. It actually took me some little while to work out (even though I was introduced to him as Trevor) that he was not Rod because that is what it said on his door. I think, more than once in the first couple of weeks, I accidentally referred to him as Rod. He did not take it the wrong way.

It has been said before that Trevor is a great support to members when they are new. Being the first person from my party here, I did not have other colleagues who could explain to me how things worked, so that load fell very much on Trevor and on Jan. In those early days, there was a path worn through the carpet from my little office up to Trevor to ask him how things worked and the right procedures to follow in different circumstances.

Trevor was enthusiastic about sharing his knowledge and experience of this place with a new member, and it seemed that he almost went out of his way to help find little things to make life better, whether it was a bit of furniture that we needed or a loose bit of equipment that was floating around the parliament somewhere that a new member might be able to use.

I even remember after having made a first speech in this place—and I think I spent a little bit of time talking about public transport—that he appeared in my office one day with a print which he had scavenged from the archives somewhere of a steam train at Port Pirie, and he thought I was so interested in trains and public transport that I must want to have this in my office. It has had pride of place for two years, and I am a little bit ashamed, I guess, that I asked the staff the other day whether maybe I could have a swap for a different painting, but I have asked the staff if they can rehang that painting outside my office in the corridor. That will forever be Trevor's painting of the old steam train at Port Pirie.

I found, in my dealings with Trevor, that he was always incredibly polite, always patient and—a word that the minister used before—unflappable. It seemed that there was nothing that you could put to him that had him in a tizz. He was the consummate professional. I was interested to hear from the Clerk that he never took photos on his trips. I had the good fortune to go to Westminster not long ago, and I took a photo just for Trevor, and I thought sometime I would get round to giving it to him. It was a photo taken at Westminster of Black Rod's Garden and a little sign pointing to it.

Trevor, as I say, was a huge support for us and we will miss him greatly. I speak for myself but also on behalf of Cate and Craig in my office who wanted their views known. We will certainly miss Trevor.

The Hon. A. BRESSINGTON (14:38): I also rise to speak about Mr Trevor Blowes. In my short time in this place, Trevor was easily identified as a genuine and caring person who would always go above and beyond the call of duty to be of assistance. He was never too busy and he was always available to have a chat.

Trevor was a man who had a presence, and he was noticed in a crowded room. He once commented to me that it was because he was so tall and lanky, but it was much more than that, as we all know. Trevor had an air about him. He was a man who literally oozed warmth, calm and dignity. He had a smile that reassured and his crystal blue eyes were truly the window to his soul. Like the Hon. Mark Parnell, Trevor was the first person that I had contact with in this place. He saw that I was overwhelmed and in shock. He spent at least an hour with me and then took me on a personal tour of Parliament House and filled me in on the history of the Legislative Council. To

some that may seem a small thing, but to me it was an act of random kindness, and I see it as a genuine attempt to put me at ease and to help me assimilate to what was a very different world.

Trevor reassured me that I had an opportunity to carry out an important job. He told me that there would be times when I would doubt myself, and that self-doubt would be my biggest enemy in this place. He advised me to stay focused and committed and he told me his door would always be open, and it always was.

Trevor took his responsibilities in this place very seriously. He conducted himself professionally, and his commitment, efficiency and pride in his position was obvious to all. I was pleased when I learnt that Trevor was to be the secretary for the Families SA inquiry. I felt confident that he would handle inquiries from distressed and traumatised members of the public with kindness, compassion and empathy, and with the gentleness that was Trevor Blowes.

Trevor also had a way with children. I remember bringing my 3½ year old son in here when I first came to this place. It was an attempt to try to explain that our lives were about to change significantly, but at 3½ he really was not getting it. Trevor took Tyrone under his wing and explained that mummy had a big job to do now and that I would be able to help many people, and he added that he should be very proud of his mum.

Trevor then dressed in his robe and wig and showed Tyrone the black rod. He told him a story about 'that shiny stick'. On the day of proroguing my son insisted on wearing a black suit and tie and had to have his hair cut just like the Black Rod. Also, when we sit now, Tyrone's first question to me on a Monday night is, 'Did the Black Rod knock on the door with the stick?'

I have a very brief poem that I would like to read. It was sent to me when my daughter died and I found it quite consoling. It reads as follows:

Don't grieve for me, for now I'm free,
I'm following the path God laid for me.
I took His hand when I heard His call,
I turned my back and left it all.
I could not stay another day,
to laugh, to love, to work or play.
Tasks left undone must stay that way.
I found such peace at the close of day.
If my parting has left a void,
then fill it with remembered joy.
Perhaps my time has seemed all too brief.
Don't lengthen it now with undue grief.
Lift up your hearts and share with me.
God wanted me now; He set me free.

I join with all members of this place in passing on my sincere condolences to Trevor's partner and family and hope that they are able to find some comfort in the words that have been spoken here today.

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (14:43): I was very saddened to learn of Trevor's illness and pain and was shocked yesterday, like everybody else, to learn that he had died, because earlier, as was mentioned, we understood that he had some complications arising from pneumonia. Trevor was a man of class and style; I think we would describe him that way. He had an imposing presence and he was truly a gentleman. He was always helpful and obliging to everybody when asked for advice.

Trevor was secretary of several select committees that I served on. He was always professional and accommodating and was always very considered and very calm in his manner. He was somebody who I think will be very sorely missed in this place. He was very much a well respected member of the staff of parliament. I also acknowledge his public service to the people of South Australia and this parliament. My condolences to his family and his very many friends.

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (14:44): I rise to offer my sincere condolences following the passing of Trevor Blowes, Deputy Clerk and Usher of the Black Rod. I will always remember Trevor as a man who did not take a single second of life for granted. He was, indeed, a passionate traveller and adventurer, and he truly understood the meaning of 'global village'. Listening to the stories of his travels I have to say that I was always a bit jealous and envious. In fact I wondered whether there was some place he had not visited, and was surprised and pleased to hear that there was at least one, such was the extent of his passion for experiencing different parts of the world and his great sense of adventure.

Trevor was so much more than just a member of staff here at Parliament House. He was a man who actually personified its traditions; he held them dear and discharged his duties with the utmost professionalism and a great deal of personal dignity. The sight of Trevor in his white gloves and regal robes will always remain in my mind; it may have impressed a three-year-old, and it still impresses me. It was indeed a truly regal and imposing sight.

Just as imposing was his wicked sense of humour, which I and many others enjoyed on numerous occasions. It provided that very human side of a person who held such a regal position, and I know that many times we had to stifle laughter in the recess behind the President's chair after Trevor had shared one of his brilliant and humorous insights or remarks.

Just as impressive was the passion he showed for his work. It did not matter whether you were a minister, a backbencher, a member of the government, an opposition member or an Independent; his door was always open, and it was open to everyone. He treated everyone with the same degree of respect and professionalism, another reason all of us enjoyed working with him so much.

I would also like to pass on to Trevor's friends and family my sincere condolences, and hope that future generations of parliamentarians and staff can learn from the passion of his work and life. He has left a lasting legacy in terms of the dignity of the South Australian parliament and the contribution he made to that but, in particular, to the dignity of the Legislative Council.

The Hon. D.G.E. HOOD (14:48): On behalf of Family First, I, too, rise to support the motion and express sincere condolences to Trevor's family and friends. It is very sad indeed.

When I think of Trevor I think of someone who was a consummate professional and an absolute gentleman, and I concur with all the comments that have been made in that I never heard Trevor express even frustration, let alone anger. Indeed, he was always at an even keel and was incredibly approachable. He was someone who simply inspired a great deal of confidence and trust; if Trevor said something to me I certainly never had any reason to doubt it.

I must say that I was only able to work alongside Trevor for a very short time, having only been elected in 2006 and with his getting sick 12 to 18 months after that. I did not personally have a lot of experience with him. I never worked on a committee with him, for example, as many others here had the privilege of doing. However, one occasion that will always stand out to me was along the lines spoken about by the Hon. Mark Parnell. That is, when I was very new in this place (in fact, it was a matter of only days) I was sitting in my office, which was previously occupied by the Hon. Julian Stefani, when Trevor came in. He said that Julian had been in the office for about 100 years and it needed a change, and said, 'These paintings all have to go!' I had not even noticed the paintings on the walls, to be honest, so he really took the lead in that role and said he would get me some good ones. And he got me some very good ones, I must say, and I will be forever grateful.

It occurred to me when Jan was speaking that Trevor started in this place when I was five years old. I think that goes back to the comments I made a moment ago about his absolute professionalism and commitment to this place, and highlights to all the members here how much we rely on the staff and how integral they are to its operation. It simply does not work without them, and Trevor embodied that spirit of support and professionalism as well as anyone I have worked with in my short time here. Again, I offer my sincere condolences to his family and friends.

The Hon. J.M. GAZZOLA (14:50): As has been noted by other members in the council, Trevor Blowes was a professional, competent and loyal servant of the council; indeed, he was more than this, and he could always be relied upon for friendly and generous advice. When I was navigating my way around procedure and protocol some six years ago, Trevor was always available to steer me in the right direction. His assistance was always offered with graciousness

and friendliness, and no problem was ever too big or too small for his attention. Trevor was, indeed, a friendly and welcome port.

His genuine attention and help was not restricted just to members, as Trevor extended to my staff (Brenton and Kara) the same degree of care and concern. Trevor's personal qualities also characterised him in his contact with us: he was a charming, thoughtful, witty and amiable person. I extend to Trevor's family and friends my sincere condolences on his passing.

The Hon. R.I. LUCAS (14:51): I support the motion and, at the outset, join with the Hon. Sandra Kanck in indicating that a number of members of the broad parliamentary family have spoken to me today—from Hansard, the catering staff and I am sure there are many others as well—who would have appreciated the opportunity to speak, as we have the privilege of speaking, in support of this motion. Together with the Hon. Sandra Kanck—as well as other members who I am sure will also speak on this motion—we speak not just for ourselves but also for all others in Parliament House, and we share their thoughts.

Jan, congratulations on a difficult task in speaking at the outset of the motion. As other members have already acknowledged, you gave us an insight that only you were in a position to give in terms of Trevor the person. We have all experienced, in a parliamentary and more formal sense, our relationship with Trevor over the years, but you were able to give us the benefit of your insight. I must admit that I was never fully convinced by the gust of wind story and the Ford Capri convertible. As I said to Trevor on occasion, I suspect there might have been a touch of speed and testing out of the machine, together with the odd gust of wind and ending in the Coorong.

Jan, as you were recounting earlier today when we were speaking, you did in a very nice way—as we would have expected from the clerk—indicate that your experience of the accident outside *The Advertiser* building was the only time that you heard Trevor use a profanity, although I am told that it was nothing more severe than, 'Bugger, bugger, bugger!' Again, I think that probably says it all in relation to Trevor as the individual.

A number of members have said that he was an intensely private person. We knew of his love for travel, we knew of his love for good wine and good food, and we knew some of his regular eating haunts around the place, such as the Astor. Those who know the Adelaide CBD will know that Trevor had a number of more regular eating haunts, but we did not know too much about his private life. We knew a little bit; that he was not too much interested in sport, for example. I could not engage Trevor too much in any discussions about football and other sports, and I do not think that he was ever convinced by Chris to join the parliamentary footy tipping competition over the years. I honestly could not tell you whether he was a Crows supporter or a Port supporter. I suspect it might have been Crows, but I do not really know much about his sporting preferences.

I must have met Trevor through his period in the Parliamentary Library during the '70s because, as I have recounted previously, I worked briefly during that time for David Tonkin, the former leader of the opposition. Trevor joined the Legislative Council on 18 November and I was elected to the Legislative Council on 6 November of the same year, in 1982, so as relatively young men we grew within our experience of the Legislative Council together over the past 25 years or so.

Trevor, or Blowers, as I affectionately called him (I am not sure he ever approved of that nickname and, again, he never said whether or not he did), was on my first parliamentary select committee in the Legislative Council. In those days we were responsible for the amalgamation of councils, and the Kadina Wallaroo Moonta amalgamation of councils select committee was conducted in the period around about 1983 or 1984.

Soon after that, we moved into much more controversial areas such as the Marineland select committee and the South Australian Timber Corporation select committee. Perhaps only the older members of the gallery and parliament will remember the South Australian Timber Corporation. It got itself involved in a number of doubtful investments which lost a fair bit of money, one of which was called scrimber. Out of this wonderful new timber-related material they were going to build a new timber car, and a variety of things were going to take over the world, all basically financed out of the state government timber corporation.

One of the bright ideas was to float logs from the southern island of New Zealand across to the South-East of South Australia to increase the log supply. So, of course, the select committee had to travel overseas—and I think it is still the only select committee to have travelled overseas. We went to the South Island of New Zealand to take evidence, because it was a key part of the inquiry. I suspect Trevor was horrified, because going overseas at taxpayers' expense had never

been done before. It turned into a three-day rushed trip, and he was worried, I am sure, about *Advertiser* or *News*-related stories about extravagance and overseas slush funds.

As soon as we arrived—I cannot remember the name of the town but I think it was Greymouth—at our lodgings, it was clear he need not have worried, because a flood had just gone through Greymouth, if that was the name of the town. The hotel we were staying at had just been flooded. As we arrived at our very expensive accommodation, all the carpets were being hung outside. Anyone who has been in flooded premises and knows the smell of flooded carpet will know what the accommodation was like for the two nights we were there.

Chris reminded me of a story when, on one other select committee, Trevor had the dubious pleasure of having to share lodgings with the Hon. Trevor Crothers because of a shortage of accommodation. Those on the Labor side of the council will have heard, perhaps, that he was a very good snorer, and poor Trevor had to put up with not only all the members on the select committee and the Hon. Trevor Crothers but also his snoring in that cramped accommodation. It was all part of his service to the parliament and the people of South Australia.

There are many other stories about Trevor in terms of his service with many of those select committees all through the years, as I think the Hon. Sandra Kanck indicated. When I indicated earlier I am not sure which particular footy club he supported, I also have no idea how he voted. Yes; I knew about the Parklands and one or two issues such as that, but the only thing you would notice on occasions when one or a number of us misbehaved, either in this chamber or in the parliament, was that he may just raise an eyebrow as he looked disapprovingly in the direction of whoever was misbehaving at the time. But, as all other members have indicated, he was always the consummate professional in providing professional advice to all members on the select committees and, as I said, some of them were very controversial at the time. Of course, his subsequent work as the Black Rod involved providing advice on controversial issues as well.

He was a bit of a nomad. From my discussions with him, it appeared he never seemed to stay too long in any particular lodgings—whether it was at Glenelg, Henley, in the city, or eventually at Norwood. There was a range of places. I am not sure whether he was doing them up and selling them and making money on the real estate market, as was alluded to earlier by Jan and others. Certainly, he was a bit of a nomad in terms of moving on and experiencing a number of places.

Chris was reminding us of something that would not have impressed Trevor but would have impressed sports lovers. He always seemed to land next door to a prominent sportsperson: at Henley he was living next door to Mark Davis, the former famous Adelaide 36er; and when he moved into the city he was living next door to Alicia Molik, a famous tennis player who for some time has represented herself and Australia on the international stage.

In conclusion, Trevor loved the parliament but loved the Legislative Council even more intensely. We know that he did not have a big immediate family of his own but I believe that, in particular, Jan, Chris and Margaret were almost his family—the Legislative Council family—together with the other staff who came and went over the years. Trevor loved his Legislative Council family but also loved this council and institution and would defend it to the end. I again pay tribute to Jan for her contribution earlier but also for her great support for Trevor over the past seven months and the difficult task she has had in respecting Trevor's wishes for privacy in relation to his serious illness. Trevor was a wonderful servant of this parliament and a wonderful human being, and my condolences go to his friends and family. I support the motion.

The Hon. C.V. SCHAEFER (15:02): I, too, wish to extend my condolences and support the motion expressing our deep regret at Trevor's early passing. Two great tributes have been paid to Trevor today: first, Jan telling us so much about the Trevor she knew, whom most of us did not know because he was indeed a very private man. The other great tribute has been the number of staff who have taken time off to be here today. They indeed were very much part of an exclusive club or part of Trevor's family. I have noticed today that there are staff from committees, the library, catering, administration and Hansard. In fact, I think everyone who has been able to be here is here, and that is testimony to the great respect with which Trevor was held.

Trevor was one of a very dwindling small group who had the fortune (or misfortune) to be here for two generations of the Whyte family—my father and myself—and he became Black Rod in the year I became a member of parliament. He was at all times polite, personable, pleasant and tactful, but he was also very strong. No-one pushed Trevor around, no-one told Trevor what was right or wrong or how things should be proceeded with. He was a stickler for that which was right and always lived by those principles.

As the Hon. Rob Lucas said, Trevor a great supporter of the Legislative Council. He had a great depth of knowledge of and respect for the institution of the parliament and parliamentary process, and hence was able to give good solid advice to all new members as they came in, as well as giving advice to many of us who were not such new members but who still needed to seek that advice, which was always given absolutely honestly and fearlessly. Trevor also had perhaps the great gift of knowing what should remain confidential and respecting that.

I had little to do with Trevor outside this place, other than seeking his advice from time to time on real estate or on doing something. When I was trying to renovate our house at Clare, Trevor had a great knowledge of every tiling place and every paint shop, and every interior decorator worth knowing in Adelaide Trevor knew, and he could always direct you to the right person to give you the advice that you needed. I would often say, 'You have sold such and such, Trevor, you must have made good money on that.'

Perhaps they were the only lies he ever told. He always claimed that he never made any money on any of his real estate investments, in spite of the fact that he continued to invest in real estate and, indeed, to do up his own homes to such an extent that I am sure he did make some money. I remember saying to him once, 'But you must enjoy doing it, Trevor.' He said, 'Who would enjoy stripping plaster off an old wall', but, as I say, he continued to do so, so he must have enjoyed it.

Again, I wish to join with the larger team which is the Legislative Council on all sides and the staff in extending my condolences to those who knew and loved Trevor.

The Hon. I.K. HUNTER (15:06): Trevor was ever a private, discrete and gentle man. Trevor and I have a long acquaintance going back to the 1980s when disco was not such a pejorative term as it is these days: it was still an exciting place to be on a Saturday night. The Clerk has told us a little about his adeptness at disappearing acts from official functions, never knowing where he was going. I can tell members where he went. I would see him bursting through the doors of the Mars Bar some evenings saying, 'God, I need a drink.' Even when I plied him with that drink, or several drinks, he was always too discrete to talk about where he had been or which MP had driven him to need that drink quite so badly. The Clerk also told us that he had a nickname, 'Mr Hugo Boss' or 'Mr Country Road'. We had a name for him as well: it was 'Mr Vogue Living'.

His passion for buying homes and doing them up was renowned. I am not sure whether he ever did make any money because he spent hugely on his products for the home. He bought the very best. He had immaculate taste. If he was referring you to a tile place or a place from where you could buy curtains, you could be sure that they were the most expensive places in town. So, I am not sure whether he ever did make a huge killing on doing up houses but he did enjoy it—he also enjoyed complaining about it.

I never did get to see Trevor dance but, with his style and grace, I am sure he would have been fantastic at it. Trevor was never one for making an exhibition of himself, as others of us are: it was not his way. I would like to offer my condolences to his loving partner and his family.

The Hon. B.V. FINNIGAN (15:08): I rise to support the motion and to express my sorrow at the untimely passing of the late Trevor Blowes. As other newer members have indicated, coming into parliament just a couple of years ago, Trevor was a great asset to us in helping us to set up and learning our way around the place, and certainly offering advice on how we should decorate our offices and the rusty filing cabinets we should get rid of. Again as members have noted, the number of staff here today, who I am sure will miss Trevor very much and very greatly, is a testament to the regard in which he was held around this place by members and staff, that is, our staff, as well as the broader staff within Parliament House.

I place on record my condolences to his family and friends, to all those who were dear to him and, in particular, to those within our extended parliamentary family, Jan and Chris and all the staff here who I know will miss him terribly. I pass on my condolences and that of my staff to them. I know in Britain the traditional title for Black Rod was Gentleman Usher of the Black Rod and, as a number of members have indicated, there could be no better descriptor of Trevor than a gentleman. May he have eternal rest.

The Hon. J.S.L. DAWKINS (15:10): I rise to support the motion. I have different memories of Trevor. Since I have been here I have spent a bit of time sitting in the chairman's chair—as you did, sir, before you became President. In fact, I was put in the position of acting president on my second day in this parliament—which was a bit of a shock.

I think it might have been on my third day here that I actually sat in the chairman's chair as part of a committee. I imagine that Trevor was a bit worried about this. When I sat there and worked with Trevor with complicated amendments—which he always had sorted out immaculately—if I started to get the terminology wrong I got a frown and then a very discreet whisper as to how I should be describing the situation or how the amendment should be put. I will never forget that.

We have talked today about the fact that Trevor would never comment about his thoughts on an issue, but sometimes, as the Hon. Rob Lucas said, he might raise an eyebrow or there might be a little frown. Occasionally, if I was in the chair he would put the messages onto the table and, just depending on what was happening in the chamber, I would get a little look. I was not sure what he was on about, but there was something of which he disapproved.

When I was in the chair when Matters of Interest were being dealt with he would be fastidious about the five-minute timing. If I happened to be in the chair and someone was sitting next to me and we were talking, so that I missed the end of the five minutes, he would glare at me.

The Hon. Caroline Schaefer talked about Trevor's being here for two generations of the Whyte family. Well, he had to put up with two generations of the Dawkins family, as well. Indeed, during my dad's era he actually did not work in the Legislative Council but, rather, in the library. My father, like many members of parliament in that era, had a limited number of staff so he used to go to the library all the time. I think my father went to the library with some obscure requests about matters agricultural about which Trevor knew nothing but he sounded like he knew something about it and, generally, he found something for dad.

He took the role of Deputy Clerk and Usher of the Black Rod immensely seriously. Certainly, he did look the part in the robe, wig and gloves. He loved the institution of the parliament and was very loyal to the Legislative Council. In this place we have the title 'honourable', but Trevor Blowes was truly honourable. It was a privilege to know and work with him and I extend my sympathy to his family and friends.

The Hon. R.D. LAWSON (15:13): I wish to make some brief remarks to support the motion on this very sad occasion. My first close association with Trevor Blowes was in the final stages of the long-running Marineland select committee, of which he was secretary. I soon saw his efficiency, impartiality, integrity and imperturbability—qualities which he always showed subsequently during my time in parliament.

Others today have mentioned that Trevor was a man of style—and, undoubtedly, that is true—but he was also a man of real substance. It was style supported by substance. Others have spoken of Trevor's qualities. He was quiet, reserved and dignified and a very discreet person but he was never funereal in his discreteness. As Jan Davis has illustrated, he had an impish sense of humour which was there for us all to enjoy. I will greatly miss Trevor Blowes, as will all members and staff in this parliament, and I express my condolences to his family and friends.

The Hon. T.J. STEPHENS (15:15): I, too, rise to support the motion. The Usher of the Black Rod oozed class. I do not think anyone can dispute that. Most people would acknowledge when they come here that this is a very different place. You learn which people fulfil which roles; but to me, from day one, Trevor was the Usher of the Black Rod. With a straight back, he strode up and down this chamber carrying the Black Rod, and it always seemed to be very appropriate. Trevor was immaculately presented and, as I have said, I just thought from the day I met him that he oozed class.

Trevor was an absolute gentleman, as others have said, and was very decent to everyone with whom he had to deal. In this place barbs are exchanged between members and sometimes it is a little unsavoury. Well, Trevor sat there with decency, tolerating us all at our worst times, and did not seem to pass judgment. I am very proud of the way in which everyone concerned has spoken today, in particular the Clerk. I pass on my condolences to Trevor's family and friends. God rest his soul.

The Hon. J.A. DARLEY (15:16): I rise to support this motion. It was, indeed, with great sadness that we learnt of Trevor's passing. As members would know, I knew Trevor for only a matter of days, having come into this place on 21 November last year, but, in the time that I knew him, Trevor was always helpful. Nothing was too much trouble for him, and I have learnt from my staff that he provided the same sort of assistance to them. I would therefore like to extend my condolences, and those of my staff, to Trevor's family and friends.

The Hon. S.G. WADE (15:17): I would like to speak briefly, too, in support of this condolence motion. As has been said, Trevor was one of the longest-serving members of the Legislative Council team. Being a member of the class of 2006, I am one of the shortest-serving members of the team. However, it did not take you long as a member of this parliament to be struck by the presence of Trevor Blowes. He personified the best traditions of the parliament. He was almost made for the role of Usher of the Black Rod.

In his service to the parliament, Trevor brought the same passion that he brought to life, and we are greatly in his debt in terms of the service he has provided us over a number of years. A number of members—particularly newer members—have expressed their appreciation of Trevor's support for us at our induction. I must say that, as a new member, I was surprised. I had made a number of peculiar requests and expected them to be politely ignored but, over the weeks and months that ensued, Trevor Blowes and his team quietly and efficiently met those requests above and beyond my expectations.

That logistical support in those early days, and the training and advice that Trevor was able to give me, have been a foundation of my parliamentary service. I will be indebted to him and, in the years ahead, I intend to be a worthy recipient of that support. I believe that, as Trevor personified the parliament, it behoves us all to ensure that this Legislative Council continues to grow in the traditions for which he fought so hard. To his work mates and to his family and friends, I express my condolences.

The Hon. R.P. WORTLEY (15:19): I, too, would like to support the motion. Also, I indicate to Jan, our Clerk, what a tremendous thing she has done under very difficult circumstances. I knew Trevor for only two years. He was a secretary of a couple of select committees of which I was a member and was one of those people you could not help but become very fond of. I would like to mention two things about Trevor. The first is that when I would sit as the Acting Chairman in the Chairman's chair during committee, and while members were making speeches and being very serious, Trevor and I very often would be searching the travel section on the internet, looking up various cheap hotels and accommodation around the world. While I probably used to look very keen and enthusiastic about it, Trevor would always sit there very stony faced so that people would not realise what we were doing.

The second occasion was that, when I first became a member, I also wanted some artwork for my room, and I asked Trevor to take me down to where it was kept. He took me down to a room in the basement. He did not show any surprise when I said to him that I did not really think much of what was there. However, I now know that he had given all the good artwork to Family First. I would like to pay my respects to Trevor and also send my deepest sympathy to his family and friends.

The PRESIDENT: I would also like to say a few words about Trevor, who was a great help to me when I first came into parliament and also when I became President. In any employment, one would describe Trevor as a great bloke and a good, loyal employee whom anyone would be proud to employ. He had a great sense of humour and he had a love of travelling and real estate. Quite often I used to sit up here and look over his shoulder at the varied real estate that was being displayed on the computer and think, 'Gee; I wish we could call this into committee so I could get a little closer and have a bit of a yarn about what he is looking at and what is a bargain and what is not.' When we did reach the committee stage, of course, we would have a bit of a look at the real estate and some of the travel sites. I was more interested in the real estate. Trevor would keep a stony face, as the Hon. Mr Wortley said, so, at times, I do not think any members knew exactly what we were looking at.

I also enjoyed Trevor's support with respect to some of the artwork that we are looking at putting up in the council. Trevor was very loyal to Jan, of course, and now and again I would have a few jokes with him and say, 'Oh, that Clerk of mine; we'll have to gang up on her. We've got to get some artwork up around the walls.' He would say, 'I don't know, Bob; she's not real keen.' I would say, 'Well, it's just the artwork. Perhaps we will get some cartoons.' However, he was not into that.

As others have mentioned, Trevor loved the place and the tradition that went with it. Sometimes I would also joke with him about that and say, 'Next opening day, I don't know about that wig,' and he would say, 'Oh, I think you should wear it. It's part of the tradition.' But I was only joking with him. Of course, I also enjoy the tradition here, and I think it is important that we maintain it. I know that, with people such as Trevor and our other staff, we always will maintain the tradition on those days that are important to us.

As I was walking down the corridor the other day, I walked past Chris Schwarz, who was talking to a group of people, and I heard him say a beautiful thing that explained Trevor pretty accurately. He was telling the people that he was six foot tall, 'and every time you had a conversation with him, he made you feel taller'. I thought that was a wonderful expression that was used by Chris, and it is very accurate.

I congratulate Jan on her contribution today, because I know how extremely hard it would have been for her. She did a wonderful job, and I know that she and her husband Peter will really miss Trevor. I know that the other Legislative Council staff will also miss him very badly. It is nice to see staff from all over Parliament House here today to hear the condolence speeches. On behalf of those in the House of Assembly and the other staff at Parliament House, I pass on their condolences to Trevor's family and friends, and I also pass on my condolences to Trevor's Legislative Council family and his family and friends.

Motion carried by members standing in their places in silence.

[Sitting suspended from 15:24 to 15:48]

LEGAL PROFESSION BILL

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:48): I seek leave to move a motion without notice concerning the conference on the bill.

Leave granted.

The Hon. P. HOLLOWAY: I move:

That that the sitting of the council be not suspended during the continuation of the conference on the bill.

Motion carried.

ANSWERS TO QUESTIONS

The PRESIDENT: I direct that the written answer to question on notice No. 141 be distributed and printed in *Hansard*.

MINISTERIAL STAFF

141 The Hon. R.I. LUCAS (12 February 2008).

1. Can the minister advise the names of all officers working in the minister's office as at 1 December 2007?
2. What positions were vacant as at 1 December 2007?
3. For each position, was the person employed under ministerial contract, or appointed under the Public Sector Management Act?
4. What was the salary for each position and any other financial benefit included in the remuneration package?
5. (a) What was the total approved budget for the minister's office in 2007-08; and
(b) Can the minister detail any of the salaries paid by a department or agency rather than the minister's office budget?
6. Can the minister detail any expenditure incurred since 2 December 2006 and up to 1 December 2007 on renovations to the minister's office and the purchase of any new items of furniture with a value greater than \$500?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs):

Part 1, 3 and 4.

Details of public servant staff located in the minister's office as at 1 December 2007 were as follows:

1. Position Title	3. Ministerial Contract / PSM Act	4. Salary & Other Benefits
Office Manager	PSM Act	\$70,727
Ministerial Liaison Officer	PSM Act	\$72,832
Parliamentary Liaison Officer	PSM Act	\$53,115
PA To Minister	PSM Act	\$53,115
Personal Assistant To COS	PSM Act	\$59,236
Correspondence Officer	PSM Act	\$39,906
Receptionist *	PSM Act	\$43,193
Ministerial Liaison Officer	PSM Act	\$70,727
Ministerial Liaison Officer	PSM Act	\$61,502
Policy Officer	PSM Act	\$77,958

*The Receptionist is a shared receptionist and is funded 0.5 by minister Zollo's office and 0.5 by the Justice Business Services area of the Attorney-General's Department.

Details of ministerial contract staff are due to be printed in the *Government Gazette* in July 2008.

Part 2.

Vacant positions as at 1 December 2007 were:

Trainee; and Administrative Assistant.

Part 5.

The total approved budget for the Ministers office for 2007-2008 was \$1.196 million.

(b) Salaries paid by a Department or agency are as follows.

1. Position Title	Department Agency	Salary
Ministerial Liaison Officer	SAFECOM	\$72,832
Ministerial Liaison Officer	Correctional Services	\$70,727
Ministerial Liaison Officer	Department for Transport, Energy and Infrastructure	\$61,502
Policy Officer	Department for Transport, Energy and Infrastructure	\$77,958

Part 6.

Details of renovations, and items of furniture purchased between 2 December 2006 and 1 December 2007 with a value greater than \$500 are listed below:

Description	Quantity	Unit Cost (ex GST)	Total Cost (ex GST)
Convert storage room into work space—remove partitioning, electrical wiring, install work benches and painting	Labour and materials	\$3,550.00	\$3,550.00

AUSTRALIAN WORK-LIFE INDEX

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (15:49): I seek leave to make a ministerial statement about the launch of the Australian Work-Life Balance Index.

Leave granted.

The Hon. G.E. GAGO: I am pleased to inform the council that today I launched the 2008 Australian Work-Life Balance Index. I am delighted to inform the council that South Australia can proudly boast that the people of our state, along with Western Australia, have the best work-life balance in Australia. The Rann government has made work-life balance for all South Australians a priority through South Australia's Strategic Plan. In 2007 the Strategic Plan contained a new target for work-life balance and improved the quality of life for all South Australians through maintenance

of a healthy work-life balance. Currently, we are the only state that has a specific target relating to work-life balance.

The University of South Australia's Centre for Work and Life has developed the first ever tool to establish base-lining data and allow measurement of the comparative improvement in overall quality of life. This was a significant achievement. I am pleased to advise that the Centre for Work and Life is repeating the Australian Work-Life Index annually in partnership with South Australia's SafeWork SA and Western Australia's State Health Advisory Committee on Work-Life Balance.

This morning I was honoured to be able to launch the 2008 report entitled 'Work, Life and Workplace Culture'. This morning's seminar was the second in a series sponsored by the SafeWork SA Work-Life Balance Strategy. The Australian Work-Life Index found that South Australians are reporting a high level of satisfaction with work-life balance, and that we are below the national average in recording work-life balance conflict.

To create the 2008 index, researchers at the Centre for Work and Life collected data nationally, surveying more than 2,800 people. The findings of the 2008 survey were outlined by Professor Barbara Pocock, Director of the Centre for Work and Life, along with the presentation by the Hon. Dr Cheryl Davenport, Chair of the WA State Health Advisory Council on Work Life Balance.

This year's survey focused on examining the impact of workplace culture on achieving and supporting flexible working arrangements. One of the key findings of the report was that workplace culture significantly impacted on the work-life balance satisfaction of staff. That is, if a workplace is supportive of a member of staff's personal commitments and responsibilities through flexible working arrangements, that staff member is more likely to be satisfied at work. Therefore, in the current tightening of the labour market I would urge employers to attract and retain committed and skilled staff by having working conditions which provide that sort of balance. By working towards achieving improvements in work-life balance, government and business have the opportunity to maximise workforce participation for both men and women.

We know that having a better work-life balance is a factor that helps to attract people to move to and live in our state. This survey will help to reinforce the importance of maintaining a South Australian culture that values work-life balance and that it can be a valuable tool, in terms of marketing, to attract families who share those values to move to South Australia and reap the benefits of this culture. I look forward to continuing to promote a positive work-life balance amongst South Australia's working population, particularly for working women who currently bear the greatest burden for caring and household responsibilities.

I commend SafeWork SA and the Centre for Work and Life for their continuing work on work-life balance issues.

QUESTION TIME

FENCING

The Hon. J.M.A. LENSINK (15:53): I seek leave to make a brief explanation before asking the minister representing the Minister for Environment and Conservation a question about DEH fencing.

Leave granted.

The Hon. J.M.A. LENSINK: I have been contacted by a disgruntled constituent who lives on a property north of Port Lincoln. Some of his adjoining fencing was replaced by DEH and National Parks following the bushfires. He has expressed gratitude that DEH chipped in to help replace the fencing but he has some concerns with it, which I will outline. I am advised by him that cyclone fencing is not allowed and, instead, there must be plain wire fencing which will keep stock out of the adjoining park. Unfortunately, the wildlife can get into his property and, in so doing, the kangaroos will pull up to half a kilometre out at a time if they get caught in it. Emus can also get caught in the fencing and suffer harm. He has spoken to people within the department who have advised him that he is a de facto ranger, and it is entirely at his cost to maintain fencing in spite of the fact that the wildlife that are being sought to be preserved are being injured in the process. My questions are:

1. Has there been a change in policy in relation to whether either DEH or NHT funding can be applied for fencing?

2. Will it revise its policy of using inadequate fencing in the interests of farmers not having to spend considerable hours fixing fencing every time a roo comes through?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (15:56): I thank the honourable member for her question. In relation to fencing, I will pass on her question to the Minister for Environment and Conservation in another place and ensure that the honourable member has a response.

PRISONER NUMBERS

The Hon. S.G. WADE (15:56): I seek leave to make a brief explanation before asking the Minister for Correctional Services questions about the prison population.

Leave granted.

The Hon. S.G. WADE: On 31 July 2007, almost 12 months ago to the day, I put on notice a question to the Minister for Correctional Services regarding the prisoner number forecast for the next five years. It is now 12 months since I asked that question, yet the government has not been able to provide a response, suggesting that the work has not been done. The government would have the information readily to hand if it was planning effectively. The government's failure to plan effectively is shown by the fact that prisoner numbers were significantly understated in 2007-08. They were forecast to increase by 64 when, in fact, they increased by 169. In an estimates committee of the other place the minister stated that 'work is being done' on these projections. My questions are:

1. When the minister advised the estimates committee that 'work is being done', was she suggesting that the government started a half a billion dollar prison expansion without forward projections of prisoner numbers?

2. If there are forward projections, why has there still been no answer to my question on notice after almost 12 months?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (15:58): I thank the honourable member for his question. I believe that on quite a few occasions in this place I have answered questions in relation to this government's commitment to prisoner numbers in the state, in particular the most important one: the building of a new prison complex at Mobilong. We also have put out numerous press releases outlining the strategy that we have—in particular, about the last one involving \$35 million over four years.

I have also outlined where we believe the new beds are going to come from in this next financial year, in particular, saying that we will be frugal in relation to numbers at the Yatala Labour Prison, but always recognising that we have to ensure that we have enough bed numbers for our female prisoners, that we are building, from memory, 12 extra beds at Port Augusta for Aboriginal prisoners, and that we will be expanding two other regional prisons for this financial year. We also put on record the amount of funding that was made available in the last financial year. Again, we have clearly outlined the numbers and the option to expand the new prison. So, what it is that the honourable member does not understand, I am not quite sure.

FLOOD MITIGATION

The Hon. R.D. LAWSON (15:59): I seek leave to make a brief explanation before asking the Minister for State/Local Government Relations questions about flood mitigation plans.

Leave granted.

The Hon. R.D. LAWSON: Members may be aware of a proposal that the councils of Mitcham, Adelaide, Burnside, Unley and West Torrens join together in the formation of a regional subsidiary to develop jointly and implement a plan called the Brownhill and Keswick Creeks Flood Management Master Plan.

That plan was prepared by Hydro Tasmania in 2006. It is a very extensive plan, and it sets out several priority mitigation components, which include the upgrading of various facilities along the Brown Hill Creek alignment and also the establishment (at a cost estimated to be \$17 million) of flood control dams in Brown Hill Creek upstream of the recreation park. The subsidiary, with the five councils as parties, is designed to implement the plan.

Reports today on ABC Radio suggest that the Mitcham council has resolved not to be part of the subsidiary and therefore, to use its words, 'Mitcham is pulling out of this deal on a regional basis'. My questions are:

1. Is the minister aware of these developments?
2. If the City of Mitcham council does not join the subsidiary, does the government have any plans to implement the flood management plan?
3. Does the government actually support the construction of flood control dams in Brown Hill Creek above the recreation reserve?
4. Does the government have any plans or intentions in relation to that proposal?
5. Will the minister intervene to ensure that the flood mitigation proposals to benefit downstream councils are appropriately implemented?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (16:02): I thank the honourable member for his question. I do not have the details of this development, and I am aware of it in only the most general and broad sense. I will be pleased to seek clarification of Mitcham council's position in relation to this project and bring back a reply.

ADELAIDE METROPOLITAN COAST PARK

The Hon. I.K. HUNTER (16:02): My question is to the Minister for Urban Development and Planning. Will he provide an update on progress in developing a coast park along the metropolitan foreshore?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:03): I thank the Hon. Ian Hunter for his question. I am delighted to inform him that in the past month I officiated at the opening of two key sections of Adelaide's Coast Park. On 8 July, I attended a ceremony at the Broadway Kiosk at Brighton to mark the completion of stage 1 of the Somerton Coast Park Project. It was a delight to be back in an area of Adelaide where I grew up and to witness the achievements being made in upgrading the seafront along the Esplanade.

I was also pleased that the state government was able to provide \$890,000 to the City of Holdfast Bay from the Planning and Development Fund for this section of the park. When people see what is being done there, they cannot help being impressed.

Last week, I was also invited to attend the opening of the Hamra Avenue activity node, which is part of the Adelaide Shores at West Beach. Again, the state government was able to kick in \$650,000 from the Planning and Development Fund towards the cost of that project, which links the West Beach section of the coast park with existing cycle and pedestrian networks, such as the Sturt River Linear Park and the Reece Jennings Bikeway. The improvements to this popular section of the Coast Park are also designed to improve the environmental value of the area by safeguarding and complementing the extensive sand dune revegetation works at West Beach.

The Coast Park and its link to the River Torrens Linear Park provide South Australians with some great public space to enjoy walking, cycling or just sitting back to take in the beauty of this city. The metropolitan coast is a special part of Adelaide, and going to the beach is an essential South Australian experience, one that has produced for most of us some of our best memories.

The coast varies from wide, sandy beaches to dramatic cliffs, areas of remnant coastal dunes and important conservation areas. There are estuaries, offshore reefs, historic buildings and settlements. It is also highly accessible to the public with more than 50 per cent of Adelaide's residents living within an easy 20-minute drive to the coast. Residents of Adelaide are fortunate to have retained public ownership of most of its metropolitan coastline.

The Coast Park Concept Plan provides a framework that ensures a consistent approach to the future protection and development of our metropolitan coastline. Adelaide's Coast Park clearly reflects the government's policies of preserving the state's urban biodiversity and protecting our significant environment and cultural features. It also builds on the state government's dedication to social equity by creating a coastal linear park that can be freely used and enjoyed by the entire community.

Recently, I was delighted to announce the latest suite of grants out of the Planning and Development Fund, which increased the state government's investment in the coast park projects to more than \$13 million. This money has been instrumental in helping local councils along the metropolitan coast to make a contribution to the 70-kilometre trail that will eventually connect Adelaide's seaside communities.

Incidentally, I notice that, in discussions in the media in the past about the amount of money this government spends on cycleways, those funds generally refer to money that comes out of DTEI. If one includes this substantial sum of money (\$13 million alone for the Coast Park) and if one throws in what is spent on other parks, such as the Tramway Park and the River Torrens Linear Park, out of the Planning and Development Fund, then there are very significant sums that go to our cycle facilities over and above what comes directly out of the funding from DTEI.

I am happy to inform members that, so far, about 50 per cent of Adelaide's Coast Park has been completed with a further 15 per cent in the planning or construction phase. It would seem, I think, to most people that the concept of a shared-use path linking seaside communities is a fairly simple and straightforward concept but, in reality, the Coast Park involves a lot of intricate design work to ensure that that path navigates its way safely between roads, houses, dunes and the sea. Many obstacles often stand in the way of such a simple concept.

Careful planning has allowed local councils to overcome the challenges created by the many pinch points and the competing demands on the small amount of available space in many cases. These developments also require extensive consultation with residents and other community stakeholders, but the outcome is well worth the investment of time, money and energy by both the state government and local authorities. The result is a piece of civil engineering that satisfies community expectations and achieves our shared vision of a high quality coast park that will eventually stretch from Sellicks Beach to North Haven.

Work on the last stages of the connection between the River Torrens Linear Park and the West Beach Trust Reserve is underway, so we hope that there will be an opening of that section of the road fairly soon. Then people will be able to either walk or ride their bikes all the way from the Hills down the River Torrens to connect to Glenelg and beyond. Of course, there is also further work being done in the Holdfast Bay council area. It is a great piece of work. A significant amount of money has been spent on the Coast Park over a number of years—\$13 million since this government was elected—and I think the results are very worthwhile.

CHILD PROTECTION

The Hon. A. BRESSINGTON (16:09): I seek leave to make a brief explanation before asking the minister representing the Minister for Education a question about child protection.

Leave granted.

The Hon. A. BRESSINGTON: About two weeks ago, I was contacted by a father who has two children who attend a public primary school. He has made allegations that these children are neglected and are literally starving. While speaking with him, I rang the counsellor of the school and put my concerns to him, and the counsellor of the school confirmed that he also had serious and grave concerns for the welfare of the children. I asked the school counsellor if we could organise a meeting, and he said yes. Later, I received a phone call from him saying that it was necessary for me to put the request for a meeting in writing to make it all official, so I did that and emailed it off to him, only to receive a response stating that the meeting could not go ahead until he had received permission from the minister.

In the meantime, the father has been back to the school, and I have organised for a psychological evaluation of the children. The problem is that the father cannot get any information from the school, and the psychologist is unable, through the freedom of information provisions involving the father, to get any information from the school about the children and their performance, and all the rest of it. The counsellor has also made the comment that if he gets involved in this he is afraid of losing his job.

It appears—and this is an assumption—that no mandatory reports have been made about the welfare of these two children. The father made the comment yesterday that last week they returned to him, on his turn of care, with mouldy bread and rotten milk in their schoolbags that he had packed the week before. So, obviously they have had no lunches cut for them in that week. Indeed, the counsellor has made the comment that they are undernourished and have quite often gone to school and said they have not eaten for up to two days. My questions are:

1. Will the minister clarify why the school counsellor would be instructed by the principal to seek the minister's permission to speak with me? I have spoken with the minister about this and she said it is not necessary, so why would the counsellor receive that instruction from the principal?

2. Will the minister intervene to ensure that information is released and mandatory reports are made to ensure the safety and wellbeing of these two children?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (16:11): I thank the honourable member for her important questions and will refer them to the relevant minister in another place and bring back a response.

REGIONAL IMPACT ASSESSMENT STATEMENTS

The Hon. J.S.L. DAWKINS (16:12): I seek leave to make a brief explanation before asking the Leader of the Government a question relating to regional impact assessment statements.

Leave granted.

The Hon. J.S.L. DAWKINS: I understand that all cabinet submissions and significant decisions about services in regional SA require regional impact assessment statements. However, in the estimates hearings on 1 July this year the Minister for Health could not indicate that such a statement had been prepared regarding the Country Health Care Plan. Later that day the then minister for regional development told another estimates hearing:

Country Health SA is in the process of preparing a regional impact assessment statement, with the assistance of the Office of Regional Affairs and the Department of Trade and Economic Development, in consultation with the Regional Communities Consultative Council.

My questions are:

1. Did the preparation of the regional impact assessment statement begin only in the few hours between the two estimates hearings?

2. Why did cabinet sign off on the Country Health Care Plan without seeing a regional impact assessment statement?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:13): I am sure the honourable member is well aware that the Minister for Health has set up a task force to examine the particular matters.

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

The Hon. P. HOLLOWAY: As I understand it, it was always envisaged that there would be input on this proposal. A plan has been put out, and consideration of the feedback relating to that plan will involve consultation with the regional community. As the technical matters involve responsibilities of my colleague the Minister for Health, I will seek a response from him relating to that.

OFFENDER COMMUNITY SERVICE

The Hon. B.V. FINNIGAN (16:14): I seek leave to make a brief explanation before asking the Minister for Correctional Services a question regarding offender community service in the South-East region of South Australia.

Leave granted.

The Hon. B.V. FINNIGAN: I understand that new community service projects are expected to commence in the Wattle Range Council in the state's South-East in the next couple of months. Will the minister provide some details of the project?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (16:14): I thank the honourable member for his important question. The Department for Correctional Services already has a well organised community service program at Mount Gambier, which includes initiatives with Forestry SA.

This initiative has been running for over 12 months. Offenders sentenced to perform community service in the region are most often allocated to a ForestrySA work group. All participating offenders are made honorary Friends of the Forest, and there are currently four supervised work groups a week, or about 30 offenders, attending the ForestrySA project. They carry out tasks such as removing rubbish but, more importantly, identifying and removing invasive weeds from the forest floor.

The main weeds include bridal creeper, boneseed, African violet, and feral pines. This significant work is in order to create a biodiversity corridor to enable wildlife to move between the forest plantations. On a visit to Mount Gambier I met with community correctional officers involved in delivering the program, and they had enormous praise for the commitment of the offenders with whom they were working in this important environmental work.

I understand that an opportunity is currently being developed for the offenders to undertake a registered training course at TAFE that is directly related to their work in the forest. I am also pleased to report that the Wattle Range Council is now working with the Department for Correctional Services—

The Hon. B. V. Finnigan interjecting:

The Hon. CARMEL ZOLLO: Yes. It is now working with the council to engage offenders to also undertake community service projects within the council area. The department will start a community service cost-share program with Wattle Range Council in the next couple of months which will focus on Millicent and the Wattle Range Council, and which will therefore provide opportunities for people who live in those areas to do community service in their local community.

The projects the department will undertake for Wattle Range Council will include programmed parks and garden maintenance such as tree trimming and tree planting, painting of park benches and outdoor structures, and minor building maintenance and construction work such as footpath repairs. Wattle Range Council will provide all the equipment and materials required for the project tasks and will also provide any specific training that might be required for the project. The departmental community service supervisor will provide on-site induction and supervision of the community service clients.

It is anticipated that a registered training course with TAFE will be considered in the future for offenders involved in the Wattle Range Council projects, and it will be directly linked to the work carried out. I am certain that the new agreement will result in positive outcomes for both offenders and the South-East community.

WALLAROO DEVELOPMENT

The Hon. SANDRA KANCK (16:18): I seek leave to make an explanation before asking the Minister for Urban Development and Planning a question about the proposed Wallaroo town centre development.

Leave granted.

The Hon. SANDRA KANCK: Constituents have contacted me with concerns about a \$30 million redevelopment of the Wallaroo town centre, which includes the purchase of council land by the developer, the relocation of a bowling and croquet club, and the building of a supermarket and mini mall. The council has awarded the tender to Leasecorp, which was one of five tenderers but the only proponent given the opportunity to increase its bid. As the minister would be aware, the council can approve the tender, but development approval must be obtained.

Constituents are alarmed by what they see as consistent failures of process by the Copper Coast council. The integrity of decision-making by that council has been the subject of public observation and debate for some time. Leasecorp will now bring a development application to the council's development assessment panel, but there is a perception of conflict of interest, given that some of the project will be on council-owned land, with council already having made decisions about the successful tenderer. My questions are:

1. Is the minister aware of concerns about the Wallaroo town centre development?
2. Does the minister believe that the perception of conflict of interest compromises the ability of the development assessment panel of the Copper Coast council to assess applications for the development of the Wallaroo town centre?

3. Will the minister undertake to investigate whether he should exercise his powers under section 46 of the Development Act to refer the Wallaroo town centre development to the Development Assessment Commission to minimise concerns of a conflict of interest?

4. If not, how does the minister propose to deal with ongoing concerns about the integrity of development assessment processes on the Copper Coast?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:20): First, the Hon. Sandra Kanck has raised issues in relation to the Copper Coast council and I was going to make a ministerial statement at the end of question time today in relation to other matters which she has raised. Essentially I will sum it up. Those matters have been the subject of investigation through the Office for State/Local Government Relations and I am satisfied that no further investigative action is necessary regarding those particular matters, but I will make that statement at the end of question time.

Regarding this particular proposal about the town centre, I receive an enormous amount of correspondence in relation to council decisions and council decision making. I do not recall seeing any specifically in relation to this matter, but it would not be surprising if some has been received by my office. What I do know is that Wallaroo is currently in the process of undertaking a general development plan amendment. If, as I think the honourable member was alleging, there was a conflict of interest with the council, the council should refer that on to the Development Assessment Commission for assessment. I will look at the matters that have been raised by the honourable member regarding that particular development, and I will seek leave to make a statement after question time in relation to the matters that were raised by the honourable member a month or so ago in relation to the Copper Coast council.

COMMUNITY PASSENGER NETWORKS

The Hon. C.V. SCHAEFER (16:22): I seek leave to make a brief explanation before asking the minister representing the Minister for Transport a question about community passenger networks.

Leave granted.

The Hon. C.V. SCHAEFER: I understand that a recent local government conference passed a resolution seeking information from the government with regard to community passenger networks and seeking to lobby the state government to redress current and proposed financial assistance arrangements for community passenger networks.

Community passenger transport networks have operated throughout regional South Australia for a number of years. The original funding was set at \$50,000 per scheme per year with a proportion of that—I think about a third—coming from the state government, a third from the federal government, and a third from community groups such as the local Red Cross, local government, and others. The transport is driven by volunteers who are not able to charge fares and who are no longer able to take direct donations from the users of the scheme. It is used mostly in the more remote areas, but also in some of the regional areas. Now it is almost exclusively used for medical purposes. Towns provide a car or a small bus and transport people to the nearest regional area where they can receive specialist medical treatment.

Given the new Country Health Care Plan, there will be a greater rather than a lesser need for these networks to operate, and the \$50,000 is for the administration of those networks. This funding has not been indexed and has not been increased over a number of years.

What is more concerning to regional local government and the people who live there is a consistent rumour that all financial assistance for this scheme will cease. My question to the minister is: can she inform the council as to the funding and operational status of the CPNs throughout South Australia?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:25): I thank the honourable member for her important question. I will refer it on to my colleague in another place and bring back a response.

UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

The Hon. R.P. WORTLEY (16:25): My question is to the Minister for the Status of Women. Will the minister advise the council about the 25th anniversary of Australia's ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (16:25): I thank the member for his important question, and I am very proud to say—although, obviously, there is no one in the opposition on the other side who cares about or is interested in this important topic—that Australia was one of the original signatories to the Convention on the Elimination of All Forms of Discrimination Against Women which was ratified on 28 July 1983.

This important document reaffirms the human rights, dignity and worth of both women and men. Since 1894, when South Australia was the first place in the world to allow women to stand for parliament and became the first Australian colony and only the fourth place in the world to enfranchise women with the vote, South Australia has been a leader in women's rights. In 1976, South Australia was the first place in the English-speaking world to ban rape in marriage, and in 2008 it has just passed a range of important new laws involving rape and sexual assault—another significant achievement.

July 2008 marks another important anniversary for South Australian women as we celebrate the 30th birthday of the Women's Information Service—established five years before CEDAW was ratified. WIS is the oldest service of its kind in Australia and has been replicated across the nation. This milestone again demonstrates that South Australia is a leader in the field of women's rights. The Women's Information Service in many ways complements CEDAW, particularly by ensuring that women can access information about their rights, educational opportunities, personal finances and matters such as superannuation.

Since its beginning in 1978, thousands of women in South Australia have utilised the Women's Information Service to obtain information, referrals and support. Volunteers have always been at the heart of providing this very valuable service over the years. Many women have generously volunteered their time at the Women's Information Service.

Recently, the Women's Information Service has expanded its service by working with local women at the children's centres that are being established throughout the state and by establishing women's information hubs in rural and regional centres.

Today, the Rann government is ensuring that South Australia continues to lead the nation in the field of women's rights through South Australia's Strategic Plan. Our target for 50 per cent representation of women on government boards by the end of 2008 and 50 per cent of the chairs of these boards by 2010 is a bold target indeed that leads these areas across Australia, as is our target to have 50 per cent of leadership positions in the Public Service filled by women. By continuing to promote women's equal rights, South Australia will remain a world leader.

I also commend the federal government for its recent commitment to commence the process towards accession to the Optional Protocol of CEDAW. This protocol—which the Howard government consistently refused to consider—would allow Australian women to appeal to the United Nations in matters of discrimination should all other avenues be exhausted. This is a strong symbol of the Rudd Labor government's commitment to women's rights in this country, and I am pleased to celebrate the anniversary of the ratification of CEDAW and the establishment of WIS, and look forward to working to eliminate discrimination against women in our state in my new role as Minister for the Status of Women.

GUIDE DOGS

The Hon. D.G.E. HOOD (16:30): I seek leave to make a brief explanation before asking the minister representing the Minister for Transport a question about guide dogs travelling in taxis.

Leave granted.

The Hon. D.G.E. HOOD: I was privileged to be present last week at the Equal Opportunities Commission to hear the decision of Peter Ellson's landmark discrimination case being handed down. The vision impaired advocate achieved a legal first in successfully bringing an action against a taxi company after one of its drivers refused to carry his guide dog. The previous

law specifically allowed legal actions to be brought only against an individual driver. We all know that the vast majority of taxi drivers do the right thing and that it is only a small minority of drivers who wrongly give the others a bad name.

A Family First bill drafted in consultation with the Royal Society for the Blind calls for that same outcome and remains on the House of Assembly *Notice Paper*. The bill imposes fines and disciplinary action for both taxi drivers and taxi companies who refuse to carry a guide dog. Possible disciplinary action under the bill would range from a reprimand up to and including a \$5,000 fine, including a total revocation of the licence. Labor members voted against the bill in October last year. The bill passed the upper house with Liberal and minor party support, for which I thank them. The bill is now stranded in the House of Assembly, unable to pass without government support.

Since that decision, Peter Ellson has again been refused a taxi, just a few days after the ruling, and I also received a complaint just this morning from another vision impaired constituent, saying that they had also been refused a taxi on the weekend just gone, again after the tribunal's decision. My questions are:

1. Does the minister agree that, despite the recent tribunal ruling, the problem is ongoing?
2. Does the minister agree that we will start to see this problem resolved only when taxi companies are forced to take responsibility for the actions of a small minority of their drivers?
3. If so, why will not the government support the Family First bill that languishes on the *Notice Paper* in the lower house at present?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (16:32): The situation recently brought to our attention in the media is shocking and completely unacceptable. I know the Premier also personally feels horrified about this. I understand he has issued a media release demanding that this situation be fixed immediately. I am happy to refer the question to the appropriate minister in another place and bring back a response.

POLICE, APY LANDS

The Hon. T.J. STEPHENS (16:33): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Minister for Police, questions about the police plane.

Leave granted.

The Hon. T.J. STEPHENS: In May this year I asked the then minister for police (Hon. Paul Holloway) a question about the police plane used to transport officers to the APY lands, Coober Pedy and other remote areas on a weekly basis. I pointed out that my advice was that the plane would travel to the lands only three weeks out of every four, and my comments were dismissed by the then police minister. Police minister Holloway even went to the extent of making a ministerial statement on 7 May which did not answer anything and which stated that the police plane is used according to operational requirements.

My latest advice is that the police plane will now make trips every two weeks out of three, which is actually worse for officers working in the APY lands than was first anticipated. The reality is that weekly flights enabled a two week on, one week off roster, and these are the conditions the nine officers currently working on the lands signed on for at the time. My advice is that the officers are now working seven days and then having a one day break, seven days and having a one day break, seven days and another one day break, before then having six days off. Having been there, I know there is not a lot for these fellows to do in their time off while on the lands. They get a six day break during which they return to Adelaide before starting their roster once more.

I am also advised that a number of these officers will complete their tenure on the lands in early 2009 and that a number have indicated that they are unlikely to return under these conditions and that they believe SAPOL would struggle to fill these vacant positions. My questions to the former police minister are:

1. Will the minister acknowledge that I was correct with my assertion in May?

2. Does the new police minister agree that the current situation with the police plane will be counterproductive to attracting more officers to work on the APY lands and actually do something about it?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:35): I think the honourable member has missed the point of the answer I gave when I was police minister some time back and, what is more, I am well aware that the Police Commissioner fronted the Budget and Finance Committee of this Legislative Council and was asked a similar question, and he answered the question at that meeting. I think the Police Commissioner indicated that there were no budget constraints whatsoever affecting the use of the police plane; that is, it was available as required. The Police Commissioner indicated to me—and I am sure he would have indicated to the committee—that, as a result of the success of the enterprise bargaining arrangements with police to make serving on the APY lands and other remote areas more attractive, there has been less need to bring police into those areas on a temporary basis.

The Police Commissioner certainly told me at the time when I was police minister—and I have no reason to think it is any different—that the plane was available as required but, as a result of the actions taken by the government, fortunately, there was less need to move police through the lands because SAPOL was more successful in attracting police officers to the area—and that is something for which all South Australians ought to be grateful. I know that the Police Commissioner did stress at that committee that it was not a question of resources in relation to the use of the police plane. The police plane is available at the discretion of the police and it is used, when necessary, to transport the police officers.

One of the great benefits of the new plane bought by this government is that it is able to fly to the APY lands in one stop, and it is a much quicker and more comfortable plane than the previous aircraft which were available to the police. In summary, this government has greatly increased resources not just in the police air wing but also in police to the APY lands. Remember this was a problem—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: What I can say is that the Liberals had a great solution to this problem in their time: they did not have any police on the lands. What a wonderful solution that was—do not have any police on the APY lands. If you do not have police there, then you did not need any aircraft. Under this government, not only do we have a significant number of police on the lands (and that number is growing) but the police have been provided with a new Pilatus aircraft, which greatly improves the service that police can provide to those remote areas. That was the situation as I was aware of it as the former minister for police. If there is anything different, then I am sure my colleague the Minister for Police—

The Hon. R.I. Lucas: Budget and Finance—

The Hon. P. HOLLOWAY: Budget and Finance, yes, but apparently the Liberals do not believe the Police Commissioner.

The Hon. R.I. Lucas: We will get to the truth.

The Hon. P. HOLLOWAY: We can see why this committee exists. The Police Commissioner comes in, gives evidence and confirms the point that I had made as the minister, but he does not believe him. He says, 'We will get to the truth.' In other words, they just do not accept anything this government has done. The record of this government in relation to police resources and policing on the APY lands is something which I would think members opposite would keep very quiet about, because their record is not a particularly good one.

POLICE, APY LANDS

The Hon. T.J. STEPHENS (16:39): I have a supplementary question. Does the minister think it is fair that the officers who were recruited to the lands on the basis that they would be away from home two weeks out of three have now been forced into a three week out of four scenario? What is your view?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:39): The Hon. Terry Stephens has raised a number of allegations in this place, and he keeps getting it wrong. The conditions given to police officers have improved significantly, particularly for officers serving on the

lands. Under the enterprise bargaining agreement reached last year, significantly more attractive conditions apply to officers on those lands.

The conditions in relation to serving police officers is a matter for the Police Commissioner of this state. If the Liberal Party wishes to go to the next election and say, 'We will no longer accept the word of the Police Commissioner; the Liberal minister for police in future will direct police operations and he will be responsible for every decision that police make,' if that is what members opposite want to do, then let them say so.

Let them go to the next election and say, 'Under a Liberal government, we will tell the police what to do. They will be responsible to ministerial direction.' Of course, they will have to change the act and convention and history in order to do that but, if they want to do that, so be it. Otherwise members opposite should accept the fact, as do most South Australians, that we are fortunate to have a very good Police Commissioner who runs the police force in an exemplary manner and who makes sure that the resources with which he is provided are used in the best interests of the people of this state.

POLICE, APY LANDS

The Hon. R.L. BROKENSHIRE (16:41): I have a supplementary question. As the Leader of the Government and a former police minister, given that the problem with planes flying back and forth relates to delays and possible budget blow-outs in housing developments on the lands for police officers who will be located permanently on the lands, will the minister give an update as to what is happening with respect to permanent housing on the lands?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:41): It would be wrong for me to give an update. I am no longer the police minister. It was something that was raised—

An honourable member interjecting:

The Hon. P. HOLLOWAY: Well, because the honourable member asked me about an issue he addressed with me several weeks ago. Because the honourable member is bringing new material about housing into the debate, I think it is appropriate to refer the question on. Obviously, there are issues in relation to police housing. As I have indicated in this council before the honourable member came here, both the previous and the current federal governments have been very generous in relation to the provision of finance for housing.

As I have indicated previously to the council, there are always difficulties in getting places built on the lands because we have to get approval from the local community—which, in itself, is a time-consuming process—and it is increasingly difficult to get tenderers and builders to remote areas because of the mining boom which is now taking place in this state. We are endeavouring to get the facilities built as soon as possible.

I think the Police Commissioner informed the Budget and Finance Committee that SAPOL is looking at housing in Marla as a temporary measure. The Police Commissioner provided all that information to either the estimates committee or the Budget and Finance Committee. Police housing is one of the big challenges we face. Certainly, there is an adequate budget but the difficulty is, first, getting approval of the APY executive in relation to an agreement to build the housing and, secondly, getting contractors to construct them. Obviously, we all hope it could be done as quickly as possible.

WOMEN'S SAFETY

The Hon. J.M. GAZZOLA (16:44): My question is to the Minister for the Status of Women. Will the minister inform the council about this government's commitment to the safety of women and the key issues in the area of family safety?

Members interjecting:

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister Assisting the Minister for Transport, Infrastructure and Energy) (16:44): Mr President, you can see that members opposite have no interest in the safety of families. The Rann government continues to demonstrate strong and clear leadership in relation to the safety of women in South Australia. Recent examples of our government's action and commitment include the rape and sexual assault laws which have been reformed and which are soon to be proclaimed. the Criminal Law Consolidation (Rape and Sexual Offences) Amendment Bill 2008 and the

Statutes Amendment (Evidence and Procedure) Bill 2007 were passed on 9 April 2008, following a comprehensive consultation process.

The budget in June saw a commitment of \$868,000 over four years to drive community awareness and change community attitudes and behaviours in this important area. The Women's Safety Strategy Community Awareness Campaign will utilise the South Australian government's law reform agenda as the catalyst to achieve attitudinal and behavioural change across the South Australian community. It will focus on messages about respectful relationships between young people and the community. Domestic violence laws are currently undergoing a thorough review, with wide community consultation and an opportunity for us to use the best examples from legislation across Australia.

The ongoing trial of the Family Safety Framework is an example of this government's commitment to making fundamental changes to the way in which we deal with systemic issues of family safety. The Family Safety Framework seeks to ensure that the services to families most at risk of violence are dealt with in a more structured and systematic way through agencies sharing information about high-risk families and taking responsibility for supporting these families to navigate the services system. Trials of the Family Safety Framework have been implemented in three regions across South Australia: Holden Hill; Noarlunga; and Port Augusta policing boundaries.

The federal Rudd government also has a strong focus on increasing the safety of our families. The Hon. Tanya Plibersek MP, Minister for the Status of Women, announced the members of the National Council to Reduce Violence Against Women and Children in May this year. South Australia's Women's Safety Strategy will provide a strong foundation for the work to be undertaken at a national level through this newly-appointed national council and the development of the national plan to reduce violence against women and children. Certainly, I look forward to working with my federal colleagues to ensure that women and children are safe in our communities.

The Women's Safety Strategy is led by an across-government reference group which reports to me as Minister for the Status of Women. The whole-of-government reference group brings a strategic perspective to the way in which the government is delivering women's safety services in South Australia.

ENERGY, STAR RATING

The Hon. M. PARNELL (16:47): I seek leave to make a brief explanation before asking the Minister for Urban Development and Planning a question about the star rating for energy efficiency of dwellings.

Leave granted.

The Hon. M. PARNELL: In 2004, South Australia was one of the first states in Australia to announce 5 star minimum energy standards for residential buildings. Whilst it was implemented in 2006, it was already achievable by a relatively large proportion of the building industry by providing ceiling and wall insulation. In fact, it was regarded as a very easy standard to meet. We now have 6 star energy efficiency standards which are slightly more difficult to achieve but which are still relatively easy, and in places such as Lochiel Park we have 7½ star energy-rated dwellings.

I note that in May this year the Campbelltown City Council resolved to call on the South Australian government to show leadership through the introduction of 6 star minimum energy efficiency standards for thermal performance in residential buildings from July 2010 onwards. In making that call to various heads of government departments, the council noted that, whilst it had 7½ star dwellings in Lochiel Park, it was still compelled to approve inappropriate development in other parts of the council area due to a standard that is currently pandering to the lowest common denominator on the national stage. My questions of the minister are:

1. When will the government review the minimum energy standard for new residential developments?
2. Will the government support a minimum standard of 6 stars or higher?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:49): It is not as simple a question as the honourable member would suggest because, in relation to energy standards, we have a national building code. Through previous COAG decisions under both the current federal

government and the previous federal government, there have been attempts to harmonise the building code throughout the country, because we are just 8 per cent of the building market here and the state's building materials travel around the country and many imported components are used. So, it obviously makes sense that we have one country, at least as much as possible, in relation to common building standards.

However, that ideal presents some problems, because we have a substantial geographic variation across the country, from the tropical north, where cyclones occur and where there are high termite attacks, for example, in relation to some building materials (and I know it is not relevant to energy, but it certainly is in relation to other parts of the building code), to areas where there is flooding and land slip or other sorts of risks. For some time now through the COAG agenda ministers have tried to get some common energy standards within this country. I suppose the honourable member is right to some extent; that means that we have a lowest common denominator setting.

There was some discussion by the ministers responsible for the building code to try to lift the rating, but to do it in such a way that is common across the country, because the last thing we need in terms of building codes is for each state to go its own way and have different standards and, therefore, different materials, and so on, applying throughout the country.

While it is important that we move forward generally, in terms of lifting our standards, we need to work in concert with other jurisdictions to ensure that we are all moving forward together in ways that do not create inefficiencies or, if we have different standards through the states, result in markets being segmented. It might end up not only costing more but also even leading to less energy efficiency if we do not have some common standards. I will look at the honourable member's questions and, if there is anything further I can add in relation to those standards, I will bring back a written reply.

STATE LIBRARY

The Hon. R.I. LUCAS (16:52): I seek leave to make a brief explanation before asking the minister representing the Premier a question about Public Service management.

Leave granted.

The Hon. R.I. LUCAS: In April this year, I raised the question of a dispute that commenced in December 2005 between two workers at the State Library, which resulted in one worker being suspended on full pay for almost 2½ years for saying 'bullshit' and also saying words along the lines of, 'Don't do anything difficult; you might ruin your gorgeous complexion', to a superior officer. I raised that question in April, and I am still awaiting a reply.

There is another aspect of this dispute that I want to raise now, and that relates to an order that was given to this female employee back in December 2005, when she was told that she would be subjected to a disciplinary inquiry. She was advised by her superior in the State Library that she was not to use the library as a patron or be anywhere within the building.

I am advised that several months later, in June 2006, this employee visited the State Library. A complaint from an officer was raised with her and a letter was sent from Mr Greg Mackie, the Director of Arts SA, indicating that she was not allowed on the State Library site. This female employee wrote back to Mr Mackie asking for the reasons, and she has indicated that she did not receive a reply.

Some months later, in about August 2006, this employee again visited the State Library to use the public library facilities to read newspapers, and so on. As a result, she was approached by the Director of the library, Mr Smith, who ordered her to leave with a security guard in tow. My constituent asked under what law or rule she was being removed from the public library premises. The Director continued to ask her to leave. After further orders were given, two police officers were brought in; they handcuffed the constituent, arrested her and put her in the City Watch House.

I refer the minister to the Libraries Act and Library Regulations 1998, which cover the position in relation to issuing bans on persons entering library premises, including the State Library. Without going through all the details, subsection 8 of those regulations makes it clear that someone can be banned for a period not exceeding two years as long as certain procedures are followed; that is, the library's board must issue a notice in writing to the person and the person has a reasonable opportunity to make submissions to the board opposing or supporting any proposed ban from the use of those facilities.

My female constituent indicates that those provisions of the Libraries Act and its regulations were not used prior to her being approached by two police officers, handcuffed and taken off to the City Watch House from the public premises of the State Library. My questions are as follows:

1. When will the minister reply to the serious questions that I raised in April this year in relation to this issue?

2. What legal authority did Mr Mackie and Mr Smith (the Director of the library) use to ban this person from public usage of the state library, and were Mr Mackie and Mr Smith in contravention of the Libraries Act and its regulations, in particular subsection 8, in relation to processes for banning people for a period of up to two years from the use of library facilities in South Australia?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:57): If I recall the original question asked by the honourable member, I assume that such matters would be before some sort of disciplinary tribunal, so I expect the reason that an answer has not been given is that one would want to await its outcome. I do not think the Hon. Rob Lucas does himself any credit in raising these allegations, which presumably are still before some sort of tribunal. Disciplinary matters take significant time.

If that is the case, the honourable member would have much better knowledge of it than I or the people he is asking as to whether or not this matter is before a tribunal. If it is, how does it help the service of justice in relation to having a fair outcome from the tribunal, both for his constituent and for the other person involved, by trying to air these sorts of allegations in public? As I said, I am not aware of whether there are such disciplinary hearings, but one would think so from the original allegations. It is appropriate that, if that is the case, we should all await the outcome before we further inflame the situation. I think the honourable member is acting quite inappropriately in trying to get around a proper consideration of this matter by raising it here in a public forum.

COPPER COAST DISTRICT COUNCIL

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:59): I seek leave to make a ministerial statement about the Copper Coast council.

Leave granted.

The Hon. P. HOLLOWAY: On 1 April 2008, the Hon. Sandra Kanck asked a series of questions and made a number of assertions regarding The Dunes development at Port Hughes and the District Council of the Copper Coast. I undertook at that time to look into the allegations made by the honourable member and to respond in due course. Having written to and received a reply from the Copper Coast council's Chief Executive, Mr Peter Dinning, requesting information in relation to those assertions, I am now in a position to respond.

A Development Plan amendment to specifically amend the Copper Coast council's development plan to address the proposed development known as The Dunes, which plans to incorporate a residential development and an international standard golf course, was approved on 21 June 2007.

This specific DPA (Development Plan Amendment) was undertaken in accordance with the procedures set out in the Development Act, including the relevant public consultation period. After careful consideration of the DPAC recommendations, I approved the Development Plan Amendment.

Since the rezoning initiated by that DPA process, the Copper Coast council's Development Assessment Panel has not been required to assess any applications relating to The Dunes project. Just four applications have been received in relation to The Dunes project to date, and those applications have all been approved by council staff under delegated authority. Those applications relate to approval in January 2008 for a land division of 297 allotments from 38 existing allotments, which will comprise The Dunes development, as permitted by the rezoning process I have just outlined. This housing estate at Port Hughes is to be developed in stages.

While the residential component of the development will receive its water supply from SA Water, there has been some recent speculation regarding the possible construction of a

desalination plant to support the initial development of the golf course. This speculation suggested the desal plant would operate until such time as wastewater from the residential component reached a sufficient quantity to satisfy the anticipated needs of the golf course.

I am advised that the Copper Coast council has had some preliminary discussions with the proponents regarding the possible location of a desalination plant in the area. A potential location was suggested near the council's existing boat ramp, with the possible location of a storage facility for the desalination plant also explored as part of these preliminary discussions. No formal application for a desalination plant has been received from the proponent. I expect that such an application, should it be forthcoming, would be referred to the Development Assessment Commission on the grounds that any proposal would involve locating infrastructure outside of the council area—that is, in the sea adjacent to the desalination plant.

Any environmental impact would have to be assessed by both the Environment Protection Authority and the Coast Protection Board using the current referral mechanisms contained in this state's development regulations. Mr Dinning advised me in his letter that all elected council members, including the Mayor and Deputy Mayor, have received briefings at various times from the developer of The Dunes. Should the council's Development Assessment Panel be required to consider any development applications, the elected members of the panel would need to give careful thought as to whether any of those interactions with the developers could produce a conflict of interest that would require them to excuse themselves during consideration of the application. Such careful considerations will depend on the individual circumstances.

I am advised by the council that the CDAP (Council Development Assessment Panel) members are all aware of the code of conduct under which the panel operates and that members, including the Mayor and Deputy Mayor, have undertaken CDAP member training since their appointment to the assessment panel. There are formal processes in place for dealing with any complaints in relation to the operation of a CDAP. The Development Act requires councils to appoint a public officer to handle complaints in relation to the conduct of members of a Council Development Assessment Panel. The minister also has the option of appointing an investigator to inquire into a council's discharge of its development assessment responsibilities.

In fact, I urge anyone who has evidence that a CDAP or its members are not discharging their duties in keeping with the code of conduct, that they bring this conduct to my attention so that those allegations can be fully investigated. Furthermore, members of the public can also request an investigation by the South Australian Ombudsman if such a step is considered necessary.

Subsequent to the issues raised by the Hon. Sandra Kanck, I received a complaint about the discharge of the Copper Coast council's responsibilities in relation to the development of The Dunes. On receiving this complaint, I requested an investigation by the Office for State/Local Government Relations. I have since received a report from that office and I am now satisfied that no further investigative action is necessary.

The Hon. Sandra Kanck also touched on the broader issue of the ability of smaller councils to assess larger types of development. In this specific instance, a transparent and public Development Plan Amendment process has already been carried out and applications regarding the future development of this land will be assessed against this new policy framework.

I also note that the District Council of the Copper Coast has engaged the services of an experienced planning consultant to assist it in the discharge of its development assessment functions. If any council in this state feels that it is experiencing difficulty in carrying out its responsibilities for assessing an application, they are free to ask me to appoint the Development Assessment Commission as the relevant authority, if that is their desire.

I would also point out to the honourable member that recent action taken by this government in relation to the Adelaide City Council demonstrates that I have no qualms whatsoever in referring the assessment of development applications of state significance to DAC, if I feel a council development assessment panel is not up to handling this process free of political influence.

As I mentioned earlier in my statement, the Development Assessment Commission would likely be the relevant authority to assess any application by the proponents of The Dunes project regarding a desalination plant due to the requirement for offshore infrastructure. In addition, councils can seek to establish regional development assessment panels if they believe such an option would assist in overcoming resource issues in relation to assessing development applications.

At this stage, there is no evidence available to support the Hon. Sandra Kanck's assertion that this council is unable to discharge its responsibilities simply due to the size of this proposed development.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (CLASSIFICATION PROCESS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 July 2008. Page 3557.)

The Hon. S.G. WADE (17:06): I rise to indicate that the opposition will support this bill, which seeks to update South Australian legislation to reflect changes in the national classification scheme. The national classification scheme is an arrangement between the commonwealth, the states and territories established under the 1996 intergovernmental agreement for a cooperative censorship scheme.

The commonwealth Classification (Publications, Films and Computer Games) Act 1995 establishes the framework for the classification of publications, films and computer games and review of classification decisions. Early in 2007, the commonwealth act was amended to introduce an additional content assessment scheme, to alter the definition of 'film' and to allow for certain modifications to be made to already classified films without affecting their classification.

The complete commonwealth Classification (Publications, Films and Computer Games) Amendment Act 2007 took effect in March 2008. This bill amends the South Australian act to take account of the administrative changes. The South Australian act, although primarily concerned with offence and enforcement matters, also provides some scope for organisations approved by the minister to make an application for exemption from the classification of a specific film at a specific event.

It is the opposition's view that these changes are realistic updates of our censorship regime. Having said that, I indicate my personal concern at some of the statements of the Attorney-General in the context of this bill. In the House of Assembly, the Attorney-General said that he prefers to call classification legislation 'censorship legislation' and that he succeeded in persuading ministers in the ministerial council to refer to themselves as censorship ministers.

During the second reading of the bill, the Attorney-General interjected while the shadow attorney-general was speaking to insist that he was a censor. I support the Attorney-General in opposing the use of mealy-mouthed words which hide or deny reality but, when one reads *Hansard*, the Attorney-General is not merely promoting frankness but is bragging about his assertive stance on censorship.

Personally, I believe that that hairy-chested approach to censorship is not appropriate. Censorship is a tool available to government which should be used sparingly. Governments are duty-bound to exercise the tool when they need to protect the government; however, it is a tool which governments and institutions have misused over centuries. Censorship is a power which should be used with great caution and to the minimum extent necessary.

As ministers and parliamentarians, our first resort should be to engage in public debate. Censorship can stifle the development of moral formation in individuals and the community. As exposure to the flu strengthens the immune system, so public exposure of morally questionable material gives society the opportunity to express its disgust and thus affirm and communicate what is and what is not acceptable. As J.S. Mill put it in his book *On Liberty*:

The peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.

In conclusion, I make the point that it is important for us as parliamentarians to appreciate the importance of developing a moral culture in our community, not merely by resorting to legislation or using administrative force but, rather, by participating in public debate and making sure that our body politic and our community are healthy.

The Hon. D.G.E. HOOD (17:10): I rise on behalf of Family First to strongly support this bill. I take the unusual step of congratulating the Attorney-General on his actions in relation to this measure, and I will outline those in a moment. Family First is adamant that our children, in

particular, must be protected from inappropriate content in film, on the internet, in computer games and, indeed, elsewhere.

In many cases, such as in the equal opportunity debate, for example, Family First equally insists on freedom of speech. There is no inconsistency here. There is a vast difference between genuine free speech and what is, essentially, people making money out of undesirable content. I defend our stance against declining standards on television and in computer games, for example, while at the same time fighting for genuine freedom of speech as it is put under threat by the equal opportunity bill.

The common refrain is that porn does no harm: if you do not like it, just change channels or switch the television off. However, the research is clear. We know categorically that bombarding children with constant sexual images and violence does them tremendous harm—long-lasting and sometimes, sadly, intractable harm.

The social fabric of our society is weakened by a disregard for the material our children, in particular, are allowed to watch on television or play on their Xbox or other device. Our children now have access not only to soft-core-type pornography but also to explicit, deviant sexual material, and they are hearing the dangerous message that sex without responsibility is acceptable and, indeed, desirable, and it is promoted as such in some mediums. Chlamydia infection rates amongst teenagers have skyrocketed in recent times, which provides some evidence of this.

Indeed, the sexually transmitted disease services department of the Royal Adelaide Hospital advises me that, in 2003, 441 teenagers were reported as having chlamydia; in 2004, that number rose to 581; in 2005, there were 588 reported cases; and, in the most recent 2006 data, the number soared to 747 cases. These are teenagers. These figures demonstrate an almost 70 per cent increase in infection in only a few years.

These days, more children are contracting sexually transmitted diseases each year than all the victims of polio in its 11-year epidemic from 1942 to 1953. These figures are completely unacceptable, and they have come about because we are sending the wrong messages to our children via the media and in other ways. Indeed, the over-sexualisation of children, and a complete disregard for what material we present to them, plays a major part in explaining these numbers. One study notes:

Males who are exposed to a great deal of erotica before the age of 14 are more sexually active and more engaged in more varied sexual behaviours as adults than is true for males not so exposed.

The study goes on to state that among 932 so-called sex addicts 90 per cent of men and 77 per cent per cent of women reported that pornography was significant to their addiction.

The fact is that teenagers are significantly impacted by what they see in the media. A 2003 study, published by *The Lancet*, found that teenagers who watched a string of movies in which smoking was heavily portrayed were up to three times more likely to take up the habit. So, what they watched was thought to have a subconscious effect on promoting smoking.

A definitive study, entitled *Television and the Adolescent Boy*, was conducted some time ago by an Australian doctor, Dr William Beldon. The study involved 1,566 London boys aged 13 to 16 and divided them into two groups according to their exposure to televised violence. The study conclusively showed that long-term exposure to televised violence increased the degree to which boys engaged in violent behaviour.

A related 22-year longitudinal study by US researchers, Dr Leonard Eron and Dr Rowell Huesmann, also concluded that there was a significant link between television viewing at aged eight and the seriousness of criminal convictions by the age of 30. A clear link was established.

Children reared on a diet of TV violence had a 150 per cent more chance of being convicted of a criminal offence by the time they were 30 than children reared with little exposure to television violence. I reiterate: children reared on a diet of television violence had a 150 per cent greater chance of being convicted of a criminal offence by the time they were 30 than children reared with little exposure to TV violence.

As computer games become more realistic and immersive, then, no doubt, they would have an equal or even greater effect than indicated by these studies that dealt with television and movies—somewhat simple media of the past. A lot of people have told me in the past that *Big Brother* or sexualised music videos, for example, during children's TV times, *The Gordon Ramsay Show*, *Grand Theft Auto IV* etc., all cause no harm. Family First disagrees, and will continue to be

vocal opponents of any inappropriate content that finds a way into the media, especially where viewed and undertaken by children.

I was one of the most vocal critics in this place against the *Grand Theft Auto IV* game when it was released earlier this year. The game includes blood and gore, drug-running, assassinations—this is a game, remember—and the ability to choose body parts of enemies that you want to shoot at or shoot off. One version of the game enabled the player to pick up a prostitute and then run her over after he had sex with her. As one reviewer of *Grand Theft Auto IV* put it:

...in-game sex [is] offered up and drunk down like flavoured water.

Another reviewer said:

If you grow tired of running around town executing fellow crooks, you can spend some much-needed R&R bashing cars into pedestrians.

The terrible shooting massacre at Virginia Tech in the US in which 32 people died involved a mentally ill student who, by his own admission, was obsessed with violent computer games like Counter-Strike. I think my concerns in this regard are well justified.

The bill before us today implements a national framework that streamlines the classification process and reduces certain regulatory burdens on the industry. It introduces an additional content assessment scheme and allows for certain modifications (such as subtitles, captions, dubbing and audio descriptions or the addition of navigation aids) to be made to already classified films without affecting their classification. Family First has no concern about those measures.

Finally, as I alluded to in my opening, I want to acknowledge the steadfast opposition of the Attorney-General to changing the classification. We will not have an R18+ rating for video games as a result of the good work that he did. Consequently, certain very violent or pornographic video games will not receive a classification and will therefore be banned from sale. In the face of opposition from all other states, our Attorney-General stood firm, as I understand it. I think that his stand is one of the great contributions to our children's welfare, and we certainly thoroughly respect it and would like to acknowledge it appropriately.

With those words, Family First supports the second reading of the bill and we look forward to the committee stage.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (17:17): I thank members for their indication of support for this bill. At this stage I should indicate that the government will move amendments to the bill and, for that reason, I do not seek to move to the committee stage beyond today: we can do that when we resume in September. However, I would just like to indicate why this has come about.

The proposed amendments, which I think have been tabled, are consequential upon recent amendments made to the commonwealth act by the Classifications (Publications, Films and Computer Games) Amendment (Assessments and Advertising) Bill 2008, which passed the Senate on 24 June 2008.

The commonwealth amending bill was introduced in the 41st parliament on 22 March 2007 but, as it lapsed when the federal parliament was prorogued in October 2007, those consequential amendments were not included in the state bill because of the uncertainty about whether they would be introduced and, if so, in what form. In fact, the bill was reintroduced with a minor amendment. As the amendments consequential upon the latest commonwealth bill are consistent with those contained in the state bill before us, it is appropriate and convenient to include them in that bill.

The commonwealth amendments consist of two sets of reforms. The first set of reforms will replace the prohibition on advertising unclassified films and computer games with a scheme that will allow advertising, subject to conditions to be contained in a new commonwealth instrument. The reforms will establish an industry-based self-assessment scheme for assessing the likely classification of an unclassified film or computer game that is advertised with a classified film or computer game. The Classification Board will make the final decision on classification, but will be assisted by the assessments. Unclassified films and computer games will be advertised only with classified films or computer games of the same or higher level.

The second set of reforms will establish a television series assessment scheme which will enable compilations of episodes of a television series, at least one of which has already been broadcast in Australia, to be classified prior to release. Appropriately trained and authorised assessors may provide a report and a recommendation to the Classification Board to assist it to classify a boxed set of episodes of the television series. Again, the Classification Board retains responsibility for classifying the film, and the details of the scheme will be contained in a commonwealth legislative instrument.

The amendments were developed in response to concerns expressed by industry about the application of the existing laws in a marketplace of rapidly developing technology and are uncontroversial. Briefly, the proposed amendments will:

- insert the commonwealth definitions of 'advertising scheme', 'authorised television series assessor' and 'television series film' into the state act;
- insert a new section into the state act to allow the council or the minister, for the purposes of the assessment of a television series film, to take into account an assessment of the film prepared by an authorised television assessor;
- delete section 22 from the state act, which prohibits the classification of a film or computer game if it contains an advertisement for a film or computer game that has not been classified, or an advertisement for a film or computer game that has a higher classification, and substitute new section 22, which allows for classification of films and computer games that contain advertisements in accordance with the commonwealth act advertising scheme;
- insert a new section that mirrors section 21AB of the commonwealth act and will allow the council or the minister to revoke, in certain circumstances, a classification that was made in reliance on an assessment made under the new scheme;
- insert a new division 4 into part 3 of the bill to allow for assessments to be made of likely classifications of unclassified films and unclassified computer games;
- amend section 67, which currently prohibits the publication of advertisements for unclassified films and unclassified computer games, to allow the publication of advertisement for an unclassified film or an unclassified computer game in accordance with the advertising scheme;
- amend section 68 to insert new subsection (2) prohibiting the screening of an advertisement for an unclassified film in a public place, unless it complies with the advertising scheme;
- amend section 70 to prohibit the sale of a classified film that is accompanied by an advertisement for an unclassified film, unless the advertisement complies with the advertising scheme; and
- amend section 71 to prohibit the sale or demonstration of a classified computer game in a public place that is accompanied by an advertisement for an unclassified computer game, unless the advertisement complies with the advertising scheme.

Given those changes to the commonwealth act it would be appropriate to update those in this act. Given the late time of their coming up, we believe it would be appropriate to introduce the amendments now and put them on the table before the council, and we can consider them when we resume after the winter break. I thank honourable members for their contribution to the bill, and I look forward to the second reading.

Bill read a second time.

APPROPRIATION BILL

Adjourned debate on second reading.

(Continued from 24 July 2008. Page 3712.)

The Hon. J.M.A. LENSINK (17:23): Given the hour of the afternoon and the fact that there will be a number of speakers on this, I will try to restrain my comments on the number of missed opportunities in this budget and, indeed, it reflects many opportunities, we would argue. Here in question time, on a daily basis, we receive retorts from the bright lights on the back bench such as, 'Well, what did you do?' Having been a ministerial adviser for the former Liberal

government, in the areas of disability and ageing portfolios in particular, I know that the amount of funding was always incredibly tight.

So, when one looks at the achievements of this government they are very few and far between. Indeed, I note that in the previous financial year the Conservation Council's headline was, 'No news is bad news, say conservationists'. In response to this budget it has said, 'Environment budget: trains win, species lose'. In particular, it has pointed to the issues of peak oil and the fact that this government opposed the motion of the Hon. Sandra Kanck to put that to a select committee. It has also accused the government of not doing its fair share to reduce South Australia's carbon footprint. It does applaud the investment in public transport; however, when one looks forward into the budget papers one wonders when those promises will be delivered. My colleague the Hon. Terry Stephens has coined the phrase, 'Believe it when you see it,' in relation to this government, and I think that aptly describes how we feel.

I return to the Conservation Council's media release. It reads:

'However, climate change is also a tremendous threat to South Australia's unique plant and animal life, and so we are alarmed to see the Department for Environment and Heritage's funding cut yet again, this time by over \$18 million. CCSA has serious concerns that vital NatureLinks and Marine Parks programs simply won't be able to be delivered adequately and that threatened species, both terrestrial and marine, will be pushed to extinction.'

It goes on to say:

The government's approach to water security has also been criticised by the Conservation Council:

'While we've seen the fast-tracking of the desalination plant for Port Stanvac...what should have been the state's first-resort measure for water security has been all but ignored. Harvesting all that stormwater that currently goes out to sea barely rated a mention, despite CSIRO studies showing that we can use wetlands and aquifers to purify and store potable water at half the cost of desalinated water. Instead of prioritising this solution, a meagre \$3 million has been set aside for floodplain mapping, management plans and priority stormwater infrastructure works.'

Those are the comments of one of the peak bodies for the environment in this state, clearly disappointed at the contribution to the environment, and I echo of a number of the points it has made.

I believe this government has been incredibly lax in terms of planning for water security. Last year I was fortunate enough to attend a water trading mission in Israel, and a person from one of the interstate water utilities said that they have regular hook-ups with all water utilities around Australia, and they often remarked to one another that South Australia's response for so many years had been, 'Well, we're praying for rain.' Clearly, God has not been listening to the Rann Labor government because that has not come to fruition.

The Liberal Party has put out very clear policy points in relation to water security both in terms of desalination and stormwater harvesting, something in which this state leads the way—no thanks to this Rann Labor government but entirely thanks to local government, which has been leading the effort, whether at Salisbury or in a number of other initiatives around the state. Indeed, I challenged minister Maywald on investment (or lack thereof) in stormwater harvesting and she stated that it was a priority for local government, indicating that the state government did not need to invest in it. I think that is incredibly shortsighted. The technology is available and it has been demonstrated; and this government ought to be making more of an effort to enhance the efforts taking place that are being led by local government (which does not have the same level of financial flexibility to fund it).

There are four agencies in environment and conservation: DEH, EPA, DWLBC and Zero Waste. Again, and as we have seen in previous budgets, shared services is somehow supposed to deliver a huge windfall for Treasury of some \$23 million or \$24 million. Across all those agencies I think that is something like a 12.5 per cent funding reduction, and that is just scandalous. I sometimes say that everyone is 'green' these days, but I think people have to realise the importance of the environment—and in South Australia particularly, the importance of water and the need for water security.

In Budget Paper No. 3 we find some of the forward estimates in terms of savings targets—and this is in addition to what I have just referred to—whereby on page 2.31 DWLBC, DEH and the EPA are all expected to come up with substantial savings targets by 2011-12. The recurrent figure for DWLBC is \$6.3 million over three years and, on a recurrent basis, that will be \$3.8 million by 2011-12. Similarly—and referring to my question earlier today—the real reason behind DEH not providing funding for adjoining land-holders to assist with repairing fences is that it does not have

the resources. Again, we already have an environment agency which is under-resourced and under a great deal of pressure. Over the next three years to 2011-12, it is expected to come up with a total of \$12.8 million, which in recurrent terms will amount to \$7.7 million by 2011-12. Similarly, for the EPA, the figure is \$1.9 million over three years which, on a recurrent basis, will be \$1.1 million by 2011-12. Clearly, the environment is not a high priority for this government.

I refer to some of the programs within those various agencies. Clearly in this budget there was some funding that was directed towards water security matters. We believe on this side of the chamber that, had the Labor states along with their federal counterpart been able to agree to a deal that would secure some funding for the River Murray, that would have greatly enhanced what this state might be doing at a local level. Indeed, one of the key pieces from the previous budget last year was the announcement of the expansion of Mount Bold, and yet that has all but disappeared.

In relation to some of the other programs, it seems that we are robbing Peter to pay Paul. Coast and marine conservation will receive an increase from the 2008-09 budget compared to the previous estimate of \$5 million, which presumably is to implement some of the new marine parks legislation, but that comes at the expense of areas such as visitor management, fire management and public land stewardship, which is probably the farmers' fences. We do try to tease these things out in estimates, but the answers are usually unsatisfactory (as they are generally during question time), so why those areas have been slashed is, I think, highly questionable.

The important area of environment and radiation protection within the EPA is also receiving a funding cut, as is environment protection generally, so clearly the environment is not a high priority. This government engages in a number of tokenistic press releases and the odd initiative, but it does not go to the heart of the areas that need to be managed correctly for the environment.

I also make a special mention of the No Species Loss program, which has had a very moderate increase of 0.4 per cent in spite of the rhetoric that we hear from this government and the federal government about their commitment to climate change. Clearly, one of the areas where we need to be mitigating the impacts of climate change is in restoring habitat for threatened species, yet they do not receive very much in this budget at all.

I will refer to a couple of areas where the government has put in substantial amounts of money. One of those, of course, is the \$5.5 million for the new EPA building. Given that a number of other areas, particularly within the EPA, will receive cuts, I think it is scandalous that, for the sake of the EPA's being able to say, 'We are green and friendly because we have this lovely building with lots of pot plants', somehow Mike Rann can sleep better at night. The other area is \$500,000 for a plastic bag ban public education program. The Liberal Party has publicly announced that it does not support the plastic bag ban and believes that money should be redirected into real environmental measures rather than being tokenistic in its approach to the environment.

While on the matter of the environment stream, there has been no indication from the government that it has a firm plan in relation to other parts of the waste stream such as car tyres, electronic waste or compact fluorescent light bulbs. Instead, it seeks to ban a product which, apart from when it is flapping about in our seas, is a fairly harmless substance compared to a number of those areas.

In the mental health budget, of course, there is nothing new for the non-government sector. There is some funding for government offices for the community mental health team so, again, the government is investing in bricks and mortar rather than people. There has been some funding allocated to the James Nash rebuild but that, again, is behind target: \$1.1 million was allocated in the previous budget and only \$320,000 of that has been spent. The Queen Elizabeth Hospital aged care and mental health rebuild is again behind target, with \$3.8 million being allocated in the previous budget, none of which has been spent.

Then we have the most significant part of the mental health system, which is the Glenside campus, being funded through asset sales. We have only been advised of \$10 million or \$11 million that has been allocated in this current budget, and I ask this government where its priorities are when it is able to find \$100 million for entertainment centres and so forth, yet it will not proceed with the rebuild of the Glenside Hospital site unless significant property is sold, not only on the Glenside site but also the Drug & Alcohol Services sites. One property is at Warinilla at Norwood, one is at Joslin and one is in North Adelaide, and they are all being sold to fund the new hospital rebuild. This is something which I asked Monsignor Cappo about in a select committee recently and he did not have an answer for that.

I think that most of the rhetoric around the Glenside redevelopment has been just that. There has been absolutely no substance in whatever publication one receives from the government about the consultation and so forth, and the community is, rightly, very angry. I think it is quite insulting, too, that when these issues are raised in this place the government tries to insinuate that somehow the local community is opposed to the redevelopment because it looks down on people with mental illness. If one reads a number of the letters that have been written to the editor, and so forth, that is clearly not the case. People firmly believe that open space is important for the rehabilitation of people who have mental illness.

While on that issue of rehabilitation, the psychiatrist community is very concerned that there will not be any provision for long-term rehabilitation beds within the revised range of services available, and these people are a particularly difficult client group to care for because some need several months in a facility where their medication can be monitored, or changed if necessary, and they can often be treatment resistant and can exhibit complex behaviours. If there is nowhere for these people to go, I ask the government where they will go. I suspect we will see them cycle in and out of acute hospital wards or placed inappropriately in backpacker accommodation.

Similarly, in the area of substance abuse there is no new funding for the non-government sector. As it is, most of those little agencies survive on minimal funds and receive minimal indexation from the government, which barely allows them to keep pace; in fact, it does not, and there is a high job insecurity in the non-government sector, particularly in the drug and alcohol sector and also in mental health. It is hard to keep staff and hard for those organisations to continue to provide services when the government will not update them now beyond financial years. We had the ludicrous situation in last year's budget where they had six or 10 days before the end of the financial year before they knew whether they would continue to receive funding. I suggest to the government that some of the ministers should go and try that sort of job security and see how they like it.

I question also the efficacy of the government's measures in terms of smoking rates, because there has been no change in the target for those rates. It remains static at 22.7 per cent for 15 to 29-year olds, and that reflects a number of other targets as well which have not been met. We have this new interesting language in relation to State Strategic Plan targets, with a rating from 0 to 4 and, if ever there were weasel words, it is words such as 'on track', 'to be met', and so on. We know already that the government has revised its statistics in relation to the appointment of women to boards and committees. That was interestingly revised down a couple of years ago and, according to the latest information, the government is not on track to meet its own targets.

This is again a budget that delivers little. It has a great deal of tokenism and, with the headline statement in terms of this year's golden egg—transport—being so far off into the future, I repeat the words of my colleague the Hon. Terry Stephens: believe it when you see it.

The Hon. J.A. DARLEY (17:44): I rise to indicate my support for the second reading of this bill. In the 2008-09 budget the government indicated an increase of \$36 million in land tax receipts from private owners. Land tax receipts for 2007-08 were reported to be \$223 million, with an expectation to increase by 37.5 per cent to \$306 million in 2008-09. Land tax is paid on rental, commercial and industrial properties and vacant land. These increases will compound the current rental crisis as investors will be left with little choice but to pass them on to their tenants or sell their properties.

A report in the *Sunday Mail* of 27 July claimed that Adelaide's rental accommodation market is the tightest in Australia, and this issue of increasing land tax receipts will further exacerbate the situation.

It is not only residential properties that will be affected by land tax increases but the community will also experience an increase in the price of goods as a result of increases in land tax liabilities of commercial and industrial property owners. The increase in land tax on vacant allotments and development of subdivisions will impact severely on housing affordability, as developers will also have no alternative but to pass on these taxes to purchasers by way of additional costs.

On the issue of public land tax, liabilities have increased by \$25 million from \$155 million in 2007-08 to \$179 million in 2008-09. Ultimately, these increases will be paid for by the South Australian community through an increase in government charges. Furthermore, as the South Australian Land Management Corporation is subject to land tax as well, this will have the effect of increasing land prices in South Australia.

Whilst the above increases could be portrayed as dramatic, I believe the government's estimates are fairly conservative as they are based on an underestimated increase in valuations compared to that which the Valuer-General reported on 29 May 2008. The government estimated an increase of an average 14.5 per cent for residential land in the budget, whereas the Valuer-General reported an average increase of 16 per cent. Similar underestimations for the increase in land tax occurred for commercial and industrial properties.

An increase in land valuations has a further flow-on effect in respect of other levies and taxes. The government estimated an increase in capital value of 13.7 per cent for residential properties, 14.7 per cent for commercial properties and 17 per cent for industrial properties. As certain levies and taxes are based on the valuation of a property, an increase in the capital value will naturally see an increase in levy receipts. For example, whilst the government has not indicated it will increase the rate in the dollar for the emergency services levy, the amount of money collected from the emergency services levy will increase due to the increase in capital values. Indeed, property owners in the Alexandrina council face an alarming increase of 307 per cent for their natural resources management levy, which includes the impact of capital value increases.

On a brighter note, the government should be congratulated for reducing payroll tax from 5.25 per cent to 5 per cent, whilst concurrently increasing the threshold from \$504,000 to \$552,000 effective from 1 July 2008. I understand the government plans to further reduce payroll tax by 0.05 per cent down to 4.95 per cent and to increase the threshold to \$600,000 from 1 July 2009.

I believe the government should also be applauded for increasing stamp duty exemptions for first-home buyers for properties up to \$400,000. Whilst this will encourage more people to buy a property, it must be highlighted that recent reports have quoted the median house price in Adelaide to be \$412,000, and for that reason I believe further consideration should be given to increasing the exemption further.

Over the past few years, the Treasurer has indicated that 'land value growth is projected to moderate in subsequent years'. However, given the Valuer-General's current valuations are conservative in nature, particularly in the inner metropolitan area, should property prices moderate in subsequent years, a rise in valuations is still likely to occur as a result of catch-up.

Finally, on the issue of gambling, the outlook for the next three financial years shows a steady increase in gambling taxes from \$401.3 million in 2008-09 to \$417.9 million in 2009-10, \$439.7 million in 2010-11 and \$464 million in 2011-12. These increases should be concerning to us all, especially given the paltry amount set aside by government per annum to fund the Gamblers Rehabilitation Fund, which is equal to just \$3.845 million. This amount, together with the voluntary contribution of \$1.6 million from the gaming industry, is not directed entirely to providing assistance to problem gamblers but also to staffing expenses and associated administrative expenses of running the Gamblers Rehabilitation Fund, which appears to be fairly extravagant on the face of it. I am advised that in excess of \$400,000 is allocated towards salaries for 5.5 staff members, which equates to almost 10 per cent of the Gamblers Rehabilitation Fund. With those few words, I support the second reading of the bill.

The Hon. A. BRESSINGTON (17:50): I rise today to briefly indicate my support for the passage of this bill. There is a great deal of truth to the adage that strong oppositions are vital for strong governance.

The Hon. T.J. Stephens: Hear, hear!

The Hon. A. BRESSINGTON: Don't get too carried away. I know that the role of the opposition and the cross benches is to scrutinise and review and to hold the government of the day accountable. However, as I said last year, I become tired and frustrated listening to negative comment after negative comment from members in this place. As with any budget, this budget has omissions and a disappointing lack of funds allocated to certain areas—but that is part of the challenge of government. Indeed, there is much on which to commend the government in this budget.

I note that it was generally well received in the media as providing a solid framework for the future of state. The Editor of *The Advertiser*, Melvin Mansell, even stated in his editorial of 6 June that the Treasurer had 'delivered what is arguably the most positive and constructive state budget for a quarter of a century'. Yet if you believed everything you heard from the opposition after this budget was handed down, and indeed in this place last week, there was virtually nothing positive and constructive at all; we are now on another road to financial ruin and another disaster on the scale of the State Bank debacle is now almost inevitable.

Indeed, the global economic situation is quite frightening and unstable as a result of the sub prime situation in the United States, where we are still not sure what the long-term effect will be or even if that situation has yet reached its peak. I find dwelling on the past to be a generally unproductive pastime yet also an ever present reality in this place. It certainly comes from both sides, so I will even out the statement by saying that in question time, time after time in response to questions asked by the opposition, we hear from the government, 'Well, what did you do in your term' and 'It is all the fault of the previous government'. It is fair to say that that was more than six years ago; it is now time to move on and get on with the job and govern.

As I said in my reply to the Appropriation Bill last year, South Australians want solutions, not complaints. Sledging for the sake of sledging is tired. It is a tired way of playing politics and it is a tired way of responding to issues that are raised in this place. Of course, we must learn from our mistakes, but at the same time our eyes must be firmly set on the future. There is no doubt that many sectors that were crying out for upgrades after years of neglect have been targeted.

We all are aware that this budget provides for more than \$10 billion to be spent on infrastructure, including a \$2 billion injection into the state's public transport system—which was savaged in the media earlier this year and, at the time, rightly so. I congratulate the government for correctly prioritising major new rail projects as a vital issue. Together with water and health, spending on transport infrastructure is a direct result of increased pressure from the media, business leaders, the opposition, the wider community and the cross benches in this place. During the first half of this year they all were calling for improvements to transport and health, as well as a move to secure the future of Adelaide's water supply.

It is interesting to note that stormwater harvesting was a really hot issue back in 1994-95. Much of the same debate we are having here and now occurred then, except, of course, sides were changed. I hear no-one here talking about the situation that is occurring up river of the Condamine where they are not only harvesting rainwater but also draining water from the Condamine in huge amounts; and the same situation exists along the Goulbourn River in Victoria. That is what is strangling the Murray River.

Until both those states, Victoria and Queensland, get into some serious debate with this state government, it does not matter how much rain we get, because the Murray will not be revived. Certainly, that is not a consequence of this government's actions alone. This has happened well over a decade; so, both sides of government have some responsibility for the fact that we did water deals way back when and we are now suffering the consequences of those deals.

This is certainly a big-spending budget and, indeed, the government has made no attempt to hide that fact. On the contrary, the massive investment in public transport in particular will significantly increase state debt from about \$82 million to \$1.9 billion by 2012, and it will be some time before these services are delivered.

However, vision and a lot of money is required to provide infrastructure for 10 years down the track. Tramlines are being extended, the rail network will be electrified and 80 new buses and 58 converted electric trains will be bought. These are all initiatives which I fully support. With this in mind, I feel compelled to comment on what I feel was a pathetic instance of political game playing by the opposition following the handing down of this budget. All year we have heard about the desperate need to upgrade our state's infrastructure. The media certainly did not need any encouragement, but it seemed that the Liberals were prepared to go to any lengths, not matter how embarrassing, to ensure that the issue remained in the public spotlight.

For example, members would no doubt recall a shadow minister from the other place crammed awkwardly between two scantily-clad models at a media conference to highlight our overcrowded and unreliable public transport system. I also note that tax reform—

The Hon. T.J. Stephens interjecting:

The Hon. A. BRESSINGTON: I'm sure you did. I am sure you had to draw a lottery. I also note that tax reform has been a key issue for the opposition this year and has called for payroll tax cuts to help South Australian businesses become more competitive. The Rann government should be able to afford it, we kept hearing, due to receiving such huge tax windfalls courtesy of a sustained economic boom and the GST. This may be true, but when the government provides payroll tax cuts and infrastructure spending as two of its key features, the budget is branded by the Leader of the Opposition as 'the most irresponsible set of decisions since the State Bank collapse', while simultaneously crowing that the Liberals had set the agenda.

So, they were terrible ideas but they were also his ideas. Certainly, that is a strange logic; and to the Leader of the Opposition I say, 'You certainly cannot have it both ways.' I congratulate the Treasurer for keeping his word and maintaining a budget surplus. In *The Advertiser* of Tuesday 3 June, the Treasurer stated:

I believe that in the current economic and financial times, the credit squeeze and massively increased petrol pricing, we need to keep the budget strongly in surplus.

This budget contains a huge surplus of \$160 million, which the government expects to grow over the next four years to \$424 million in 2011-12. Large surpluses over the past few years have enabled the government to provide significant infrastructure investment in this budget in vital areas, such as our public transport system, schools and hospitals. That said, there are a number of areas on which I would like to concentrate. As I said, there are a number of sectors where there is scope for a great deal of improvement. I will start with child protection.

I know that you cannot do everything all at once, and I fully appreciate that. However, I am always concerned to learn that bureaucracies which do not work or which are demonstrating chronic shortcomings in their performance of statutory functions are putting out their hand for more resources and more staff when history shows us that the more they receive the less effective they become and the greater the abuse of power and waste of public resources. I would like to make the point that to improve the performance of a department does not always require resourcing: it sometimes requires focusing on where those resources are going.

Over the past two years since I have been in this place, I know that Families SA has had a very difficult job to do. For the life of me, I would not ever want to work in child protection and make the life and death decisions required of that department. It is always a case of 'damned if they do and damned if they don't'. If the department does not remove a child and that child dies or experiences harm, it is demonised for that. If it does remove a child and it is unwarranted, it is demonised for that. However, there are systemic problems. Those problems seem to come from not having effective policy and procedures in place, adequate training to ensure that staff are working within their competency levels, effective case management and supervision or effective reporting to ensure accountability.

Mr President, I speak from experience on this because, as you know, as CEO of a non-government organisation that deals with another very difficult target group, where the demand is high, you learn to work within the resources you are given. However, the focus must be on providing a well-rounded and effective service. There are shortcomings within this department (as I know is the case with others), but we cannot continually blame a lack of resources for poor performance.

I would suggest that perhaps the new minister for Families SA considers some sort of assessment and evaluation of the competency level of social workers who are given the great burden of having to make assessments about whether or not to remove children. It should be a priority for this government to ensure that we have experienced people doing very difficult work, which requires a level of communication and conflict resolution skills.

I will give an example of where things could have gone terribly wrong for a family in Whyalla on the weekend. It just so happens that I knew the mother, who was about to have her three children removed. She rang me at 5.30, with police and social workers at her door ready to take her three children away from her. A tier 3 notification in five hours very quickly escalated to a tier 1 imminent danger removal of those children, with no evidence to back up a mandatory report.

At the beginning of this incident, it would have been easy for the social worker involved to make some very simple inquiries, as I did when I arrived in Whyalla on Friday morning. I spoke with and received a statement from a GP who has been looking after the baby ever since that child was born some three months ago. The baby has gained weight, and every week is in the right weight and length percentile for her age and birth weight, and the mother was observed by the doctor as being a very competent and attentive mother. Over that period of five hours, from the original visit from the social worker to the removal of those children, the only thing that lacked was conflict resolution.

I met with the social workers and family members for four hours, and they agreed that the situation had escalated far further than it should have done. From all the reports that we have received through the inquiry, and also through people coming to me, it seems that there is a blueprint: if a parent asserts their right to seek medical advice (which this mother did), rather than have social workers, with no medical background at all, come into their home to make an

assessment of a child, as soon as those parents assert their right, it seems that the department goes into damage control, and it is almost like a storm-trooper exercise. I have heard the story many times.

I know that people may think that I am a little more sympathetic towards the families involved in this than I am towards the workers, but I am not. I know when a system is lacking and ineffective, and I can identify when employees are doing a job that is well above their level of competency and training.

The fact is that social workers within this department are not trained according to their policy and procedures manual. When the senior social workers I was dealing with on Friday in Whyalla were challenged as to the policy and procedure they should be following, they literally did not know. Evidence has been given that, when there is a policy or procedure change, the only training or notification that social workers receive is via a memo.

In any human service delivery process, it is essential that workers who are dealing with traumatised and distressed people receive the training in their policy and procedures to learn how to effect the best possible result and not put families through trauma or leave children in highly suspicious circumstances.

I compare the situation in Whyalla at the weekend to the family of 12 in Elizabeth Grove. The department moved heaven and earth to keep that mother together with her 12 children regardless of the filth that they were living in and regardless of the fact that young children were wandering around that neighbourhood in a nappy and singlet at 11 o'clock at night in the freezing cold. It just does not line up. It shows that one office acts one way and another office acts another way and policy and procedure have little to do with it. As you would all gather, child protection is a passion of mine because I believe we should be doing everything that we can to avoid a recurrence of having to make an apology as we did in relation to the Mullighan inquiry and children in state care. Prevention is usually better than cure.

Of course, the other issue close to my heart is drugs. I hope that over time this government will see the need to equally fund treatment and rehab centres along with harm minimisation initiatives. I know that it seems that I disapprove of harm minimisation initiatives such as needle and syringe programs; I do not. I believe that needle and syringe programs have now become a necessity; however, their administration and the way they are operated is questionable. All I ask is that the Treasurer maybe shift his focus a little and see drugs as a more sexy issue so that we can start to get on top of that particular problem.

On another note, I have to question the wisdom of the government's new concessions to home buyers. Under these concessions more than 9,000 first home buyers will be eligible for a new \$4,000 first home bonus grant, replacing the existing stamp duty concession scheme. I understand that we have a housing crisis in South Australia, and I understand that affordable housing and making it possible for people to get into their own home must be a priority of the government. However, while this might sound great at first, I see it as pouring petrol on a fire that is already out of control.

Although it has been recently reported that the market is slowing down, with prices even falling in some areas, I see this as the first sign of long overdue correction. The problem is that Australian real estate is the most expensive in the world when adjusted to median household incomes, yet we keep throwing money at people to help them buy a house, which inevitably just bumps up prices further, and they struggle to meet the mortgage payments. To me, on top of increasing interest rates and spiralling inflation, that is a recipe for disaster.

However, the government has made an attempt to help first home buyers a little more. I just hope that we do not suffer the same consequences as we have seen in the United States with the repossession of homes because people cannot keep up with repayments. Many other areas of controversy, such as health and water, have already been addressed by other members, so I will not go into them again. However, in closing I will say that despite my concerns, which I hope the government will address, I believe that, overall, this budget provides a reasonable framework for the future of this state.

[Sitting suspended from 18:09 to 19:50]

The Hon. R.L. BROKENSHIRE (19:50): I want to put on the record my appreciation to all my colleagues in this chamber for allowing some flexibility so that I could bring together my contribution to the appropriation debate and my maiden speech in the Legislative Council. There is quite a lot that I want to say, but there is plenty of time to do so in the future. Given that it has been a long session for Legislative Councillors (unlike members of the House of Assembly) I will try to bring out my key points tonight and follow through with the rest in due course.

First and foremost, and most importantly, I want to acknowledge the fantastic work of the Hon. Andrew Evans. I watched with interest the Hon. Andrew Evans before he came to parliament, when he was out and about in the south and other areas of the state, but particularly in the south. One could see that here was a gentleman who had an absolute passion and commitment for his state and his values and who was prepared to do more than most people would ever do, by helping to develop a party that could make a real difference in this state. Whilst it is still young in its development, Andrew Evans can hold his head high. Very few people, I might add, anywhere in the world start up a party that ultimately ends up with members of parliament in the state or the country in which it started, and so I congratulate Andrew on achieving that. It will be very difficult to get anywhere near what Andrew Evans has achieved in this council but, together with the Hon. Dennis Hood, I will certainly be giving it my best effort.

I want to place on the public record my appreciation of Lorraine, Andrew Evans' wife. The bottom line is that, when you are here in the parliament, at home is somebody else who is backing you up, and the people concerned are often forgotten about. However, without that support at home and out in the community and the electorate, the job is pretty difficult. Lorraine has been a fantastic supporter of Andrew Evans.

As I said, great achievements have already been made. A lot of opportunities are out there, along with a lot of windows of opportunity, and, together with the Hon. Dennis Hood, I look forward to working with the community to ensure that we give them the best opportunity to open those windows. I first met the Hon. Dennis Hood before he was elected to the Legislative Council when he was out on the campaign trail. I have watched a lot of people come in and go out of the parliament and, given that he had only Andrew and the Legislative Council staff to support him, the Hon. Dennis Hood is to be commended for his achievements and the way he has grown in stature and knowledge in this council in just two short years. I understand that Andrew Evans hand picked Dennis to run for Family First in the last state election, and it was an excellent choice.

I have had a history in the Liberal Party, and I want to say that I have appreciated the opportunities that the Liberal Party gave me during those years as a member of the House of Assembly and as a minister and shadow minister for some of that time. After due consideration, it was clear to me that the party I really belonged to and wanted to put my energies and efforts into in the future was Family First. I want to put on the public record here tonight that I will look at every piece of legislation and policy that is put up by the government, as well as every piece of alternative legislation and policy put up by the opposition, without fear or favour. It will be assessed on merit and merit only because that is what the South Australian community wants: members of parliament who are not locked into a party line, and that is one thing I am certainly enjoying in Family First.

We have five or six core values, core values I have always strongly supported. This parliament, and the Westminster system, is based on a Christian foundation. I am proud of that, and I am focused on those five values. I look forward to broadening the whole of the Family First Party in every respect as Dennis and I work with colleagues here and with the broader South Australian community to ensure that we continue to make this state a better and safer place in which to work and live.

I found that you were always compromising in the major parties and, whether it be in the party room, the cabinet or a subcommittee of cabinet, there was compromise after compromise. However, in a watchdog party such as Family First, you do not compromise the South Australian community for power or in order to try to get power, as happens with the majors. That is one thing I certainly will not miss.

I acknowledge my wife and my three children, Mandy, Amy, Nick and Elissa. It was fantastic that they worked with me for 13 years in a marginal seat, where I was never home and might have had only one night out of seven on the farm I love. I want to touch on agriculture in a little while, as I think it needs a greater focus by government in South Australia to ensure that we have a good, strong economy in the future.

Given this opportunity, I put the suggestion to my family, and they were right behind me. They realised that I still had a lot of passion for South Australia, which I had looked forward to delivering prior to losing my seat in the House of Assembly. In fact, Mandy and Nick, in particular, have taken on a further workload in our farming enterprise, and to take over its full management and a couple of staff at 20 years of age is a great effort on Nick's part. I wish him well and thank him for giving his father this opportunity.

I want to touch on the economy because a couple of things niggled me as I sat on the tractor and in the ute listening to radio talkback and hearing it a lot more clearly having left the parliament than I did when I was there. One thing I think needs correction is the AAA rating. The Treasurer has done an excellent job of branding the fact that he almost single-handedly achieved that rating for South Australia.

This has always annoyed me because a lot of hard work was done by a lot of people to get back the AAA rating. The Treasurer did have some positive input but, by and large, if you read the reports associated with the rating, the very hard yakka, and the pain that went with it, was done between 1993 and 2002.

Of course, the media have helped the Treasurer, because I read time and again where they have fallen for the three-card trick of acknowledging the current Treasurer (Hon. Kevin Foley) as getting back the AAA rating. However, if you read the record books, you will see that he had only a little bit to do with it—and I believe that is being reasonably generous.

In fact, I have to say that I am disappointed in most respects, but not all, in what I see as absolutely wasted opportunities over the past six years, in particular. When you are running a business, if you have great income and an opportunity to market your product, you can return a pretty good profit to that business. If you line that up with what has happened here in South Australia in the last few years, there should have been a great profit returned to the South Australian community because the taxation revenue has just been amazing. Home on the farm, I have watched, week in and week out, what we as a small family farm business are now paying per year in direct and indirect taxes, and I can tell you that it is hurting.

In fact, contrary to what the Treasurer says about this current budget, people out there are bleeding big time. There are a few doing very well, but most people now are finding the job very tough. I would have thought that a Treasurer and a cabinet who aligned themselves with the battlers would realise this and would ease the pressure off, not screw the pressure down harder on these families and communities.

You only have to have a look at the budget papers to see what is actually happening with revenue. The 2001-02 budget showed for 2002-03 revenue of \$8.0270 billion, and if you have a look now, conservatively, you can see that this state actually has billions of dollars of additional income, more than was projected over that six-year period.

There is CPI, and there are other things that governments want to do but when you look at the many billions of dollars—and I will talk in specifics about how many in further debate because of the time tonight—let me say that there has been at least a \$10 billion windfall over that period. One has to ask: what have we actually got for it?

As one example, I say to my colleagues: drive down the Victor Harbor Road and show me where any of that additional \$10 billion windfall has delivered a safer and better road for Victor Harbor, other than a sign that tells us how many days have passed since the last serious accident. That sign stirs me immensely when I drive past it because I have been to fatal accidents on that road that occurred in front of our own farm. I drive past black posts every day, some of which represent accidents that I attended, and you never wipe them out of your mind.

I was longing for the day when I would see a proper infrastructure plan and real opportunities and dividends delivered back to South Australians so that we would be able to drive on safer roads, catch up on the backlog of road maintenance and see comprehensive statewide plans for improved public transport that would make a real difference getting cars off the road in regional and rural centres as well as in the city.

That is not happening. Yes, a lot of money is being pumped into a certain sector of the footprint, but most of the footprint of South Australia is receiving very little and I am not just talking about country areas. We see a situation now that really hurts me. I do not mind debt if that debt drives opportunities for the economy. I do not mind borrowing money at home if we buy more

farmland, as long as I have done my homework and that will return a better investment, and we will meet our mortgage payments, build up our equity and increase our cash flow.

You do not mind that in business, and I do not think people mind it when governments do it, too, but the Treasurer himself has admitted that the AAA rating is right up the top now. The Treasurer has said publicly that there is probably no chance of borrowing any additional money, and I understand that, by 2010-11, we will see somewhere around \$5.2 billion of core debt.

That does not take into account unfunded public sector superannuation, and unless we continue to address that seriously—and not drop it off budget by budget to throw some lollipops at parts of the electorate so that we can get re-elected—unless we are serious about getting rid of those shackles on the community, our children's and grandchildren's futures are bleak because we have to face climate change and other threats, as well, and we do not need the shackles of debt.

So, the unfunded public sector super debt is still very high and in my opinion is not coming down fast enough. We still have problems with debt with the Housing Trust and other organisations such as WorkCover that I will touch on in a while, and we are now seeing debt go up to \$5.2 billion after it came down to a manageable figure of about \$2 billion. What I would say on that is: forget the government of the day, because all governments do it (Liberal and Labor), although I have to say that, whilst the Labor Party has some commitments to the community that the Liberals do not have, the Liberals also have some, and I see economic management as still being one of the strengths of conservative government.

I would ask cabinet to table the plan and the background work to part of that \$5.2 billion of core debt that it has acknowledged it is creating with the \$2 billion for, particularly, the tramline extensions and the electrification. I would ask for that plan to be tabled, showing how it was developed, including all the homework that was done and how the plan would be seen as part of a bigger plan, as well as showing the net cost benefit analysis involved. I cannot recall the government telling anyone in the community before the last election that it would be putting the state further into debt and putting the AAA rating potentially at risk.

I think it is time, whoever is going to take government in the future, that if you are going to borrow big amounts of money you need to be up-front and tell the community at the election that you are going to do so. People should be told that you are going to put the state back into debt and given the reasons why, and then let them judge on merit. Otherwise, a massive debt is created over one or two terms of government, and someone else is then put in to clean up the mess, and where does that leave a state like South Australia?

As I said, I am not opposed to supporting and upgrading transport networks for the west: those people need it. What I am opposed to is knee-jerk ad hoc planning that does not cover a proper transport and full infrastructure plan, covering new build, rebuild and maintenance that is urgently required in this state. I will give an example in the south and north of Adelaide. After two bad headlines in the *Sunday Mail* for two weekends, the Land Management Corporation is announcing that it is going to release a heap of land in the southern suburbs, namely, Hackham, Seaford and Aldinga, etc.

I feel for the people who are buying those homes down there. Where is their public transport network? Where is their upgraded infrastructure for roads? Where are their job opportunities? What is happening to those subdivisions when it comes to addressing the issues of water supply (for a start) for them?

I am glad that the Leader of the Government is in the council tonight listening, and I appreciate and thank him for that. I am not saying that it is this particular minister's baby alone, but we cannot continue to pump out subdivision after subdivision and let those pipes run out into the gulf, when we have a drastic situation with the River Murray, which I will touch on in a short while.

Dual reticulation, sedimentation, retention ponding and recycled water are basic things. I had the privilege of studying that before coming into the parliament in 1993. I went over to Austin, Texas; I went to San Francisco; and I have seen it in Israel: I pushed for recycling, previously, and I am proud of the recycled water project for the Willunga Basin from the Christies Beach treatment plant. However, there is no proper plan to ensure that that is automatically provided when it comes to further greenfields site developments in the future.

Now, all of a sudden, most of the \$2 billion is being pumped into one sector of the metropolitan area. I think the north and the south are going to be neglected and will not achieve better transport infrastructure, because the money simply will not be there for it to happen. I put on

the record that, as a young person at the time, I can remember the third arterial road being promised three times to the south, and it was never delivered, and now people ridicule the Southern Expressway.

I will talk about social dividends to people because, first and foremost, it is about people and it is about community. That is why I am very proud to be a member of the Family First Party: our platform is focused on people, families and communities first. Power and control are irrelevant to us, because we are not aiming to hold or to win government. What we are aiming to do is grow the Family First Party so that we in the Legislative Council can ensure that there is a proper balance to stop the power and control initiatives from working against the best interests of South Australians. The thing that hurts me more than anything else is that at this time (at 51 years of age) I cannot remember a better economic period than the past 10 years.

My father and mother told me about the Playford era, the time when he was in government, and they told me about the benefits I was going to receive through infrastructure planning at that time through genuine affordable housing. Let us get the South Australian Housing Trust back to genuine, affordable housing for those people who really need it. That is what it was started for; that is what the Housing Trust was all about. I strongly believe that the majority of South Australian families and communities have missed out on a time when we should have been seeing a proper social dividend.

I include with that disability services, which is an interesting area. I have to admit—and I thank God that it did not affect any of Mandy's and my children—that I did not have a direct association with a family close to me who had a member with a disability until 1992, when I started doorknocking in Mawson. I could not believe then how many families directly or indirectly had a loved one with a disability; it is incredible how many people out there are directly or indirectly supporting a family member, a loved one, a neighbour or a friend with a disability. Yet carers are still telling me they are finding it incredibly hard, and finding it incredibly hard to get respite care. I could not believe it when I heard on the radio—and I think the CEO needs to explain to the new minister why the proposal was put up to the previous minister—that they planned to start charging people with disabilities a weekly fee for wheelchairs and the like. I mean, come on; we are not a Third World country!

I look forward to working with people in the disability services sector. I have a niece, of whom I am proud, who did a degree after having a child; finishing year 12 and then doing this degree, and working in the disability sector. I watched them come to her wedding, and they wanted to come to that wedding because they were so appreciative of her commitment to them. As members of parliament, in both this chamber and in the other place, we all need to focus and ensure we have a genuine commitment that delivers the services those people in the disability sector desperately need.

Of course, then there is aged care and pensioners. A lot of that is federal, but there are things we can do when it comes to aged care and pensioners, because they are finding it really tough at the moment. Food prices, fuel prices, budget CPIs in this state as against the increase in pension from the commonwealth; it is just not stacking up for them. In fact, I am talking to more and more families where the children are now having to support their mums and dads to maintain their homes. They are asset rich—there is plenty of value in their homes—but they are very cash-flow poor; they cannot even maintain their homes and have the right sort of food, and their children have to support them in their own homes.

Water is a major issue. As a farmer I have been fortunate, and I hope we continue to be fortunate at home in Mount Compass so that we can continue the irrigation we do; but it is not just over the last two years. Even in Mount Compass, when I look at the rainfall figures for more than 10 years now, I have not seen the rainfall that I saw when I was a young person on our farm. We have swamps and springs on our farm, and we are at the head of the Tookayerta Creek system. Until recently that was one of the last water systems in this state that was still suitable for water consumption; however, I do not see those springs running like they used to, nor as early as they used to.

I was at my father-in-law's farm at Pages Flat a few days ago in July, and at one of the main creeks feeding the Myponga Reservoir—a creek I could not get across with a tractor most of the time—probably 70 to 80 per cent of these massive culvert pipes had no water flowing through them. We have a major problem with water in this state. We know that we are the driest state in the driest continent in the world, but it is no good knowing that if we are not seriously focused on addressing water concerns and water issues.

Family First released a 15-point plan on water this week. That is just the start of policy and initiative that we will be continuing to develop. We will champion, in every way we can, opportunities to increase water supply in this state because, if South Australia does not have a guaranteed water supply, it does not have a future: it is as simple as that.

I declare my interest here in owning property on River Murray which I see when I visit at least every fortnight, and I have watched the river's degradation over recent years. I have worked on the River Murray and I was there in the good times in the '70s. When it flooded, we were rescuing sheep from little islands in the lagoons and putting them in a boat to move them up to higher ground. We rolled up all our fences and put them up 20 feet higher, among the trees, because the floodwaters were starting to come through. I have seen the River Murray at its greatest and I am seeing it nearly dead right now. I am very happy to meet with the Premier on this issue; in fact, I have written to him and I want to be bipartisan on this. However, the Premier, as the leader of our state, should realise that the No. 1 issue confronting this state is water and that everything else is secondary.

On a Saturday a few weeks ago the people at Milang discovered that the Prime Minister and the Premier were coming to visit. Even though all the media knew about it, no-one from Milang was advised about it. The Prime Minister was to arrive there at 8.30, I believe, on the Saturday morning, and 100 people found out about it the night before. They went out there with their kids and eventually caught up with the Prime Minister, who they thought was there to announce an urgent environmental flow for the River Murray, to stop the problems with the acid phosphorous soils occurring at the moment and the death of turtles. As a gentleman said today, a turtle dying in the River Murray and the lakes at the moment is equivalent to a canary dying underground in a mining development and, indeed, it is.

When the Prime Minister came down there he had no announcement to make on an environmental flow. In fact, I understand that the reason for his visit was the result of the COAG agreement for which Premier Brumby ought to be congratulated, having done such a good job for Victoria. He has stitched up the situation until 2019, no matter what happens, even if they do find the intestinal fortitude to bring in proper legislation and give this new authority teeth. That is what it needs, because if it is an authority in name only on a piece of paper, then rip it up, because it is worth nothing. Give them the teeth, let us show some leadership from the top, let us gain full control over that river, and let us address the problems caused by the mistakes that we have all been guilty of making.

You do not have a river if you do not have an environmental flow, so let us find out what the environmental flow for the river has to be: that has to be the base. Then let us do some work on how much water allocation you can assure people of having, so that they can properly manage their properties and, following that, in the good years you might be able to grow additional plantings. But at the moment I feel for the people in the Riverland and for those right along the river and around the lakes system.

I was privileged as a parliamentary secretary for the Hon. David Wotton (a man whom I admire greatly and who taught me so much in my early years in parliament) to go down with the Denver family and look at the property being developed under the Ramsar agreement. I have been to Kakadu and I have been to Kruger, and I can say that it is probably not going to be like it for much longer if something is not done, but I urge members to go down and have a look at the bottom end of the island. Get in a boat, as I did, and have a look at what is down there. It is magnificent, but it does not have long to go.

The Prime Minister went there to announce the launch of the green paper on emissions trading schemes and the like, and that went down like a lead balloon (pardon the pun). Sadly, I understand the Prime Minister went there because he wanted to use it as an example for climate change. I can tell members, having known that lake and river system for a long time now, that what we are seeing there at the moment has next to nothing to do with climate change. It has to do with two factors: one is an enormous over-allocation of water right through the Murray-Darling Basin; and the other is drought—successive years of drought, which happens in Australia all the time. Of course, it is happening more of late and, yes, it might be the start of climate change, but do not try to fool the people of the Lower Lakes.

I went to the Raukkan community with the Hon. Dennis Hood. I love the Raukkan community, and it is one of the best examples of our Aboriginal families living and developing opportunities for their community. They were without water for days. Finally, a decision has been made, and I commend the Premier and the Prime Minister for that engineering initiative.

The Fischers, as an example, had a magnificent dairy on the Narrung Peninsula. Go for a drive there now and you will see that there are two dairies left. Robert Champion de Crespigny downsized a lot but is still there, along with the Mason family, but that is about it. That dairy industry, had the water system been managed properly, could have been generating much economic opportunity.

Finally, I want to say this about water: I am absolutely amazed that the commonwealth government can come up with an emissions trading scheme that 67 per cent of us know nothing about and do not understand. We know we have a problem with climate change coming and a problem with CO₂, but 67 per cent of us know virtually nothing about it at the moment, yet they can implement that scheme by 2010, in just two years. But we cannot get an environmental flow down the river and we cannot organise water allocation management before 2011. I shake my head, and I am very scared that, if that is the case, where are we going? Every South Australian should stand up and fight for what is right, and that is water.

I want to talk about sustainability, and I am firmly of the belief that if you are going to have a sustainable economy, particularly in agriculture, you have to have an environmental focus on it, and industry has started to do that. My own dairy industry has come a long way in the past five or six years—and PIRSA, for which the Hon. Paul Holloway was minister for a while, assisted very well, and things are improving in those areas. Farmers are becoming more focused on a balance between the environment and their economic requirements.

It has to be sustainable. Agriculture is sustainable. Mining is not sustainable. It is very easy for any government to ride on the back of mining, and I can remember what happened when Roxby Downs first started. I have been talking for a while already and I will not go through it right now but it is on the public record—the mirage in the desert, the book, the whole bit—and now you see the championing of Roxby Downs and the uranium mines.

It is easy for the government of the day. Liberal and Labor would both be guilty of this—do not do much, let the mining magnates get in there, and sell your soul to China and India. Yes, that has to happen to a certain extent—I am not silly. I support the fact that we have to capitalise on those opportunities, but let us have a sustainable dividend returned to Australia and South Australia as we sell that, because things rise and things fall.

Mining could be here for quite a while but, eventually, we are going to mine everything and it will be gone. It might be 10, 30 or 50 years. But areas such as agriculture, done properly, can be sustainable, and the first thing people need, before a roof over their head, even, is food. The world is getting hungrier, and Australian farmers (particularly South Australian farmers) are the best in the world at providing clean, green food, and let us not forget that, and let us support and invest properly when it comes to agriculture.

I want to talk about WorkCover, and this might come as a bit of a surprise, particularly to the Liberal Party. I shook my head when I heard what was happening with WorkCover. I was well aware of what was going on with WorkCover in the early 1990s and the unfunded liability was blowing out. By 2002 the unfunded liability had come back to between, from memory, \$35 million or \$40 million up to \$70 million—in other words, it was manageable.

The last couple of years that I was in the House of Assembly, I heard questions to the then minister asking what he was going to do about the unfunded WorkCover liability that was blowing out. At that stage it went to \$200 million. A few months later, in answer to another question, it was suggested that it was \$300 million and then \$400 million. A few years later, the Premier said publicly that it was \$1 billion—a third of the State Bank debt in unfunded public sector liability.

I found it interesting that the minister was left on watch all the time that this was happening. I understand reports were not presented to parliament on time, if at all, during that period, yet the government left that minister on the watch. I suggest that, at best, the minister was asleep on the job. That minister then brought in legislation that will kick workers right where it hurts—not just workers, but also their families. That happened in the mid-1990s and workers lost out then, and we were in a bad state of affairs at the time. The economy was not booming, the tax revenue was not there and there was massive unfunded debt. So why, I ask this council, do workers have to suffer again?

I have been out with police on patrol. I attended a situation of domestic violence with them, and I will give an example, as it illustrates what can happen. A police officer goes to the back door, another goes to the front door; they have already seen the lady badly bashed; the guy, who is off his head, sees a police officer and myself at the front door and races to the kitchen. What does the

police officer do? Either he backs off, calls for back up, risks that person injuring or killing themselves or, alternatively, bolts through the door and tries to ensure that that person does not get the carving knife from the kitchen, as clearly he was trying to do. When I was with that police officer, fortunately he got there just in time. Imagine that police officer having that carving knife ripped across his shoulder. I do not necessarily think that injury would be fixed in four or six months or even a year. I am not just talking about the physical injury but also the mental and psychiatric injury, yet this parliament, thanks to both the Labor government for implementing it and the Liberal Party for supporting it, has allowed that legislation to go through.

Why should any wife or husband say goodbye to their loved one in the morning, expecting them to come home at night safe from their job, only to find they have had an accident in the workplace and that their whole life is totally disrupted because of it? Injured people have come into my electorate office and, if the physical injury did not get to them, WorkCover certainly did. I have seen no reform with WorkCover in terms of its management, its board, or responsibility by the CEO. I have seen no reform in any of those areas. The only 'reform' I have seen is to kick the worker.

I am not happy when I see an increase month after month in our WorkCover account when it comes through. I do not like that, because my input costs are already too high running our farm business. Having said that—and I pray it never happens—if any of my workers get injured I want them looked after. That is not a bad request of WorkCover: to look after them until they return to work. The ridiculous argument that everyone is out there rotting is a furphy.

There is already legislation in place for the rorter and, in fact, I used it proudly when constituents would come to me and dob them in. There is a mechanism to put an inspector after them and they go after them pretty quickly. They did not rot any more because they were not on the WorkCover system. Do not blame the rorters for this. Most people get back to work fairly quickly because they actually enjoy going back to work. However, that small percentage who cannot return to work are broken and their families are broken—and I have seen it. They end up becoming addicted to alcohol and drugs (at times). They are homeless, the kids suffer and the government has to provide all this other backup support, both commonwealth and state. What has been done in this parliament is a joke, and if I get one chance and one chance only to try to turn some of that around, I will.

I put a final challenge to the government now and the Liberal Party as well, which is in bed with the government on this—and I know why: because they were intimidated, not by the government but by others. If members of the Liberal Party had used their brains—and I bet some of them in the party room would have been raising this—they would have said, 'This is the potential ripple effect to roll the Labor government.' Make no mistake about it, I knew when the former Liberal government was in trouble on certain issues. Monitor your phone, monitor your emails, monitor your faxes and monitor the people who knock on your door in a marginal seat and you know when you are in trouble.

The ripple effect could have built up to a tsunami. If the Libs had used their initiative and not got sucked in, it could have been steaming ahead in the polls now. However, do members know what will happen at the next election? It is good for the Labor Party—very clever. They will say, 'Don't blame us for WorkCover: the Liberals supported it.' It will let them off the hook, but the poor worker and their families are the worse off. I say that it is very disappointing and I use that word underestimating how damn disappointed I am.

I say to those families that, when you are injured and all these doctors start to freak you out and all these people interview you, and your wife says, 'You are home for the third month in a row and I am getting sick of you', and the guy says, 'I am going down the pub'; and the kids miss out, the food is not on the table and everything implodes, go and talk to the people who voted for these changes and challenge them. Because, make no mistake, this will destroy families. We do not stand for that in Family First. We stand for building families and communities, and I am very pleased to see that, along with other crossbench members, my colleague the Hon. Dennis Hood voted against those mad amendments.

I want to touch on the south. I have already talked about land divisions, but I now turn to the Southern Expressway. This is a message for all voters, whomever you vote for. Last year, there was an opportunity to duplicate the Southern Expressway—and the Hon. Patrick Conlon, a friendly colleague of mine old Patrick, attacks the Southern Expressway regularly. I had a bit to do with the Southern Expressway and I am proud of what was done, because it did give the south a decent piece of infrastructure, for a start. However, parallel to that, all these other things happened and the

growth accelerated. Whilst the Southern Expressway as a reverse road was supposed to do the job until I think 2020 (projected), it is not doing the job anymore because of the growth and the things on which I have already touched tonight.

However, last year, then prime minister Howard made a commitment to duplicate the Southern Expressway. The now Prime Minister Rudd, who was in the box seat to win, anyway—and this is my message to voters—did not make that same commitment. The south has been all blue. The south is now all red. The south is one example, but this can apply to the north or anywhere else. I simply say to voters, if you want your own area's future infrastructure and opportunities to get on in this state, do not paint it all blue or all red, because you will be taken for granted.

I am disappointed that, last year, the sitting members of the Labor Party in the south did not lock in Prime Minister Rudd on duplicating the Southern Expressway. That could have created an innovative public transport system and continued the fabulous existing bike lanes which I see people using all the time and also developed a green corridor. They did not lock it in and, guess what, we will not see a duplication of that Southern Expressway in the next 20 or 30 years, I would suggest.

Finally, I want to refer to the railway system. We should not accept another plan or feasibility study for a railway system south—or anywhere else—because there is already a lot of documentation which is collecting dust. People who live in the south should demand proper public transport—and I will be there backing them up.

I mentioned agriculture being sustainable. It will only be sustainable if we are prepared to make career pathways for our young people into agriculture, like we are in mining and the trade skills areas. Trade skills is a great one. I encourage people to get into trade skills and I encourage them to get into agriculture, but we have to create better pathways, particularly for city people who could become some of the greatest farmers of all time. How do they engage in an agricultural career at present? The answer is with difficulty.

Let us become the food bowl. We started Food for the Future. Two members in this chamber have been involved in food plans which were going really well, but they are at risk at present. We should and can and must continue to be the food bowl. I am a bit cynical on this issue because I know how governments operate. I ask: why has the CSIRO had a budget restraint at a time when we need it more than ever before, when we have billions of dollars in surplus recurrent spending alone and virtually no debt with the commonwealth?

The CSIRO should be instructed to work harder on climate change, but at the same time it should not be losing other areas of research. Currently, the CSIRO is closing the Merbein research centre—which is a disgrace. I have not heard the primary industries minister in the other house talking about it at all. He should be kicking and screaming—so should the member for Chaffey. After several years of joint investment, it has now developed a magnificent seedless, easy to peel orange which is exported around the world. It is working on other research. That has now been canned.

Is the federal government saying it will not address the water problems in the River Murray, that it will be happy to import all our dried apricots from Turkey and that we will not be a food bowl? It must be; otherwise, why do away with research and development sectors for citrus and dried fruit?

I finish on country health. I fought for the McLaren Vale hospital with the local people for years. I knew what the hidden agenda of the health commission was, even if the ministers did not necessarily think it was the case. The agenda was to flick the McLaren Vale hospital and put all the services down to Noarlunga because the bean counters and senior management in the health commission thought they would get a better bang for their buck.

Surprise, surprise, after a lot of fighting by the community, the McLaren Vale hospital is still there. It gets \$1.1 million a year from the public sector, from the health department, that underpins all the private work that goes on there, that underpins the food cooked and delivered by the Meals on Wheels volunteers and that underpins its investment in aged-care homes and its future plans for aged care.

Guess what? Some \$3 million a year is spent in the McLaren Vale district because the hospital is there. People who have no better access these days than a gopher can see their loved ones in the hospital. There is not a decent transport system through McLaren Vale. It is better than

it used to be—and I commend both this government and the previous government—but it needs to be better. How would a person get to Noarlunga if McLaren Vale hospital was not there? It would be with incredible difficulty.

That will be the same right around South Australia. Some of the incentives for GPs to work in the country will be funded only until 2010. Is that code for getting the Country Health Care Plan through and then we will not be responsible for doctors or we will not need as many doctors because the hospitals will be closed?

I intend to fight with everything I have got to support our rural and regional people. I commend the government for committing to build better regional hospitals (yes, that is needed, and not just for country people, because it will take the pressure off the city as well, which the government forgot to mention), but do not pull the services out of the existing hospitals. I will give members an example. I know a bit about this because previously I was a volunteer, as well as a former emergency services minister. If a coach and a B-double have a significant accident between Lameroo and Tailem Bend, or between Keith and Tailem Bend, golden minutes count.

When people attend to assess that situation, our great medivac with our highly-trained paramedics and our specialist doctors and nurses will get there, they will get some patients back to the helipad and they will be given as good an opportunity in this state as they would get anywhere in the world, but then you have to assess all the patients. You cannot send them all to Murray Bridge because Tailem Bend is basically history and Lameroo is history. You cannot do that, because not enough beds will be there for a start. Who will take them in the ambulances? So, yes, make Murray Bridge a better hospital (I agree with that) so that the second assessment cases go to Murray Bridge and not to Adelaide.

However, the others who need to be dealt with for shock, and that, but who could go into a cardiac arrest, etc., should be able to go to Tailem Bend or Lameroo. I notice that the minister said that he intends to employ 17 more paid ambulance people in the country. That is a drop in the bucket. Do not underestimate how difficult it will be to have volunteers in the ambulance service if you put this pressure on them. I will be watching the issue of police with interest. I love the portfolio. I am disappointed that the Premier has taken the police portfolio away from this house. I would have loved to have been able to ask questions straight to the former police minister, who was respected, I might add, by police, from the Commissioner right through the ranks. I believe he did an honourable job.

The challenge will be whether the Hon. Michael Wright can do half as good a job as the Hon. Paul Holloway. I am very concerned about police numbers on the beat. 'Tough on crime' is a good call for the media, but we need a holistic approach back into the justice system, and I will talk a lot about that in the future. Illicit drugs is something Family First is passionate about combating.

The final point I want to make is about the Legislative Council and reform. When you are a minister you do not always like the Legislative Council, and when you are a government you do not always like the Legislative Council, because the Legislative Council can stop crazy initiatives, policies and laws coming into place.

You do not want that when you are in government—you want to be free and easy. I have been sitting back and watching what has been happening in this state in the last couple of years, and the last thing the South Australian community needs is more dictatorship, more arrogance and more power and control by a select handful of people in a government. What we need is more democracy. We will not get it in the House of Assembly. I sat in there the other day and I could not believe my eyes when I saw the number of government members as against opposition members. It hit me with a stark reality. We will get democracy only in the Legislative Council.

As I said at the beginning and as I say as I finish now: sitting on that tractor listening to the radio made me realise how important democracy is and how important this Legislative Council is. If the Premier wants to try to dumb down or abolish the Legislative Council, we will have a very good debate. I look forward to that debate both in this council and publicly. If the Premier is serious about rationalisation of the parliamentary system, he should open his eyes to the green house as well, because I reckon there is a fair bit of fat there that he could trim, and then have a look at government and governance.

I will talk more about that in the future, but I encourage the Premier to stick by the commitment he has made in the media that he wants a referendum on the abolition or dumbing down of the Legislative Council.

I very much look forward to the debate, and I will be doing the biggest road show I possibly can with my colleague, the Hon. Dennis Hood, right around South Australia to let people know why this government wants to get rid of the Legislative Council. I thank my colleagues for listening to me for the past hour. I especially thank you, Mr President, and I look forward, with lots of energy and passion, to working with the Hon. Dennis Hood to grow Family First in the interests of looking after the watchdog capacity for the people of South Australia and putting people before power and control.

Honourable members: Hear, hear!

The Hon. S.G. WADE (20:45): I congratulate the Hon. Robert Brokenshire on his maiden speech. I wish him all the best in the years ahead. Appropriation is an opportunity for this council to take stock and for the parliament to consider and reflect on the government's priorities. The budget shows what the government considers as important and what it considers as unimportant. Estimates gives the opposition, in particular, the opportunity to explore both the performance of the year past and the plans for the year ahead. Given the limited time, I will focus on my areas of portfolio responsibility—although, having heard an hour-long speech, I am quite attracted to one, so I might have a go myself. We will see.

When we look at the emergency services budget we need to remember that emergency services is not solely a budget item. The portfolio has a dedicated funding stream in the form of the emergency services levy, no thanks to the Labor Party. The Labor Party vigorously opposed the emergency services levy in opposition but now enjoys the benefits of the funding flow. I note that, in this year's budget, the emergency services levy on fixed property is experiencing a nominal growth of 9.1 per cent when other taxes and levies are increasing by 3.5 per cent.

One of the elements that concerns me and other South Australians interested in emergency services is the government's increasing focus on SAFECOM as the peak body with respect to emergency services. The government has allowed SAFECOM to grow in size and influence. Since 2005-06, the SAFECOM bureaucracy has increased by 18 per cent, in terms of FTEs, while the operational agencies have averaged 7 per cent over the same period. It has allowed the head of SAFECOM to be called a Commissioner for Fire and Emergencies, which suggests an operational role.

Under this government, there has been a shift from volunteer to professional and from operational to bureaucratic sources of advice. In May, my colleague the Hon. Caroline Schaefer highlighted the case of the SES volunteer on the Volunteer Marine Rescue Council in South Australia who was removed and replaced by a paid staff member who had no marine rescue qualifications. The government needs to realise that respect for volunteers is shown by engagement with the volunteers and not by media releases, certificates or speeches.

In relation to the MFS, shortly before the budget, the opposition welcomed the government's backflip on Beulah Park. The council will remember that the government had proposed to build a fire station but was not willing to fund a fire crew.

The Hon. R.I. Lucas interjecting:

The Hon. S.G. WADE: For those who are speaking other languages, it is known as 'Beleulah Park'. This budget, I am glad to say, does fund this backflip, but the government needs to appreciate that we do not just need staff at Beulah Park (or Beleulah Park); our firefighters also need to be properly trained. I am concerned to see that, in the previous financial year, only nine core skills programs were delivered to MFS staff, compared with 16 in 2006-07. In my discussions with our firefighting professionals, it has been made very clear to me that a properly trained staff will dramatically increase the effectiveness of the firefighting service.

In relation to the Country Fire Service, the opposition welcomes the \$15.9 million over four years to enable a type 1 firefighting helicopter to be based in South Australia. After all, we have been calling for an air crane or similar since 2006. Our sadness is that it took a Coroner's report to have the government come through with this commitment. I also thought that the government showed a distinct lack of humility in that neither the budget nor the Premier's media release mentioned the federal government funding, which was absolutely crucial. The Howard Liberal government was the first federal government to provide significant funds for emergency services, in terms of aerial firefighting. It was that funding which made an air crane possible for South Australia.

I notice that in the budget the CFS has dropped the 2007-08 performance indicator of households participating in community fire safe preparedness activities that develop formal bushfire

plans. That is particularly surprising given the statements of the government. Last year's budget showed an outcome of 85 per cent, yet the government made great play earlier this year that a CFS survey showed that only 13 per cent of households have action plans. That survey was used by the Premier to vigorously attack the public's bushfire readiness.

It may well be appropriate for the government to remind people to be bushfire ready, but I think it was rather galling considering the Premier's attack was made a matter of weeks after the Kangaroo Island bushfire, when the government itself had significant responsibility in terms of a lack of implementation of its own bushfire preparedness plans through the Department for Environment and Heritage. It was somewhat hypocritical for the Premier to try to turn the heat onto the public when the government itself was not delivering on its responsibilities.

I have already highlighted to the council my concerns about the lack of support for the State Emergency Service. Basically, funding for that service over the past four years has been static. For example, the 2008-09 financial year net cost of services is \$10.9 million, which is 4 per cent lower than the \$11.4 million allocation in 2005-06, which is now four financial years ago. Over the same period, government spending on SAFECOM has increased by 30 per cent to \$14.3 million.

The cut to the SES has been deeper when you appreciate that the SES has been taking on a significantly higher workload. The budget papers indicate that, in terms of total operational hours, the SES workload has doubled over the past three years. The government needs to respond to risk, and when it does so I believe it will increase support to the SES. The opposition looks forward to the progress in the emergency services act review. We believe it will be a major test for the government, particularly in relation to the position that SAFECOM holds. We believe that it is important to invest in operational services, not in bureaucracy.

I now move to the area of correctional services. I think one of the great shames of this Labor government is its failure to manage our prison populations. The Treasurer has made it clear why he is not supporting effective management. He has made it clear that to save the money he is happy to rack, pack and stack South Australians in prison. In the end, is not a matter of whether you are being tough on crime or soft on crime; it is a matter of management.

Whether prisoner numbers are going up or down, government needs to plan its places to match supply and demand, and this government is simply not managing. According to the Productivity Commission, South Australia is at 22 per cent overcrowding. The Australian average is 4 per cent, and the next highest behind South Australia is Western Australia, which is only 7 per cent overcrowded. This government's record is shameful.

As a knee-jerk response, the government announced in this budget a \$35 million increase for an additional 209 beds for South Australia, but that is a four-year program. At the current rate of increase, it is only a quarter of the additional prisoner numbers expected to occur over that four-year period. Given that a third of the operating funds are scheduled in the fourth financial year, I am still interested to see whether, in fact, some of this money is funding in advance for the new prison.

In this term of government, that is, since 2005-06, the prison population has increased by 24 per cent, spending has increased by 22 per cent, but staffing has increased by only 11 per cent. Clearly, staff are being asked to carry a disproportionate burden of the increased prison placements. This investment is a clear demonstration of the failure of the government to plan properly for growth in prisoner numbers and to invest accordingly.

In question time today, I brought to the council's attention some of the facts in relation to the government's failure in planning. It is 12 months since the opposition asked very simple questions in relation to prisoner number forecasts. These are the sorts of forecasts that any government should be undertaking before it embarks on significant capital investment, yet the government's failure to respond to that question and the government's failure in question time today to give any attempt at an answer indicates that the government is not planning effectively. The budget papers themselves show that prisoner numbers were forecast to increase by 64 places in 2007-08; in fact, they increased by 169. Clearly, even within months of delivering the services, the government is not effectively projecting the prisoner numbers and is failing to manage efficiently.

This overcrowding is already having an impact on prison services. Since 2005-06, the proportion of prisoners with work—that is, duty assignments—has fallen by 20 per cent, from 85 per cent to 65 per cent. Only 43 per cent of education programs were completed by prisoners

enrolled in them, and education and rehabilitation deliverables are stable or falling, in spite of a 24 per cent increase in the prison population.

The opposition believes that the government should be doing a lot better in managing our prison places to try to address the offending behaviours of prisoners so that, when they are released, they will represent a lessened risk to the South Australian community. The government's failure to manage prisons is increasing the risks to all South Australians.

In relation to disability services, I acknowledge the interest shown by the Hon. Mr Brokenshire, and I look forward to working with him to promote the interests of South Australians with disabilities. I point out to him, and to other members of the council, that this budget has no new money for disability services: all the new investment is from the commonwealth.

The government claims that it has matched new recurrent commonwealth funding, but that has been done only by counting the funding it announced in last year's budget, in spite of the fact that the new CSTDA agreement was only concluded on 30 May 2008 and commences on 1 January 2009. I know that people with a disability regard this as tricky accounting by the government, and it means that people with a disability are missing out on services they desperately need.

In addition, the government has got into the habit of making a song and dance about funding for disability equipment and, in particular, making recurring claims that it will clear the waiting lists. This is the third time since 2004 that the government has allocated money to 'clear the waiting lists'. This is clearly an example of recurrent expenditure that is being reannounced year after year, rather than its being built into the budgeting.

Equipment is not a luxury people can enjoy every few years: it is an ongoing necessity, and people with a disability need to have their equipment supplied and maintained on an ongoing basis. To have it regarded as some sort of charitable gift in one-off payments is offensive to people with a disability, and it is very inappropriate.

The Hon. Robert Brokenshire mentioned the hire fiasco earlier this year, when minister Weatherill backflipped within a day of announcing disability equipment hire fees. My concern is that, having done this backflip, the government is showing gross insensitivity by introducing other changes to the equipment scheme without consultation.

People with a disability are being deprived of the opportunity to choose their service provider in terms of reforms to disability equipment. For many of us, it may not matter who services our car or provides a repair to our property, but wheelchairs, calipers, walking frames and so forth are often very intimate pieces of equipment for people with a disability, and they want to be able to trust the person they deal with, as often it involves in-home visits.

I understand that the majority of equipment repairs are done in the home, so we are actually asking vulnerable people to let a service provider into their home. I think it is extremely unreasonable to take that right away without consultation. I believe the government needs to think again about the changes it is introducing to the provision of disability equipment.

I note that, at the end of last year, the government indicated its openness to individualised funding. It prefers to call it self-managed funding, but the point is that people with a disability would have greater power over purchases made on their behalf. I am extremely concerned to see the budget provides no funding for what was anticipated to be a pilot of self-managed funding in this financial year. I notice that the government's objectives for the coming year use words that seem to be referring to self-managed funding but dare not use the phrase. To me, that gives weight to the rumours that are persistent in the disability sector that the bureaucracy is increasingly winning the war in terms of putting doubts in the mind of the government as to whether self-managed funding is feasible.

It is timely, as this council is considering this budget, that we are within a week of having had a reshuffle in the Rann government that has impacted on disability services. I note the comment of the respected leader of the disability sector, David Holst, in relation to the former minister, the Hon. Jay Weatherill. He described Mr Weatherill as a man of compassion, intelligence and work ethic. Having worked with minister Weatherill myself, when I was Chair of Julia Farr Services, I did indeed find him to be a decent and honourable man to work with.

However, in the end, people with disabilities need more than compassion, intelligence and work ethic. They need ministers to be effective. What Mr Holst highlights in his article, without actually directing it at minister Weatherill, is actually how ineffective minister Weatherill was. He

says what a poisoned chalice he had, having to go around the state defending the indefensible, which is the state government's appalling funding for people with a disability. However, it was the Hon. Jay Weatherill's responsibility to highlight to his cabinet colleagues how crucial that funding was and, in that regard, he failed.

Also, I hold the Hon. Jay Weatherill responsible for the creation of Disability SA. That reform was not collaborative. I believe that it was pursued particularly by his agents in an extremely aggressive and inappropriate way. I believe that the community sector was swindled out of millions of dollars of community assets, and it is a reform that is failing to deliver. Mr David Holst, in his article, states:

Disability SA sits today on the edge of a dangerous management abyss, with the restructuring leaving no one in the senior ranks with a high level of experience. It's like having a hospital system run by plumbers.

I think that is a damning indictment of this government and of the former minister.

Mr Holst's article stimulated a parent to write to *The Advertiser* this morning, and I would like to read that letter. It states:

Holst's article is clear and definitive. Disability SA is grossly under-funded to do the task before it. Restructuring has not resolved many of the previous issues despite the minister's best efforts. As the carer-parent of a daughter with severe and multiple disabilities, and highly specialised care needs as a result of multiple trauma from a motor vehicle accident, I must disagree with some of Ms Gale's statements concerning Disability SA's performance since restructuring.

The access to services provided to us by Disability SA has not improved from what it was before restructuring. I refer to customer service, training and equipment services. We have been waiting for occupational therapy services for five years. An urgent referral to repair or remake a now unusable hand splint, lodged in February, has yet to be implemented. This has disadvantaged the recipient in that this hand is used as her only means of communication and the hand is deteriorating in function.

Upgrading of workplace skills (and our home is the workplace) has been slow and at times non-existent. We have gaps in service provision and shifts are often not filled with trained care workers or even not filled at all. Good communication is paramount to a good service. Often there is no communication in a timely manner about changes to service provision, often leaving the family with full responsibility of care unexpectedly.

My experience is that that is far from an uncommon story. I hear constantly from people with a disability and those who care for them that Disability SA, even after two years of operation, is failing to improve services to people with a disability.

I turn now to the area of road safety. Recently the government released an action plan where it reiterated the four-pronged approach to road safety—safer speeds, safer vehicles, safer drivers, safer roads. Yet between strategy statements, the government's focus is far from balanced. The government focuses far too much, in my view, on blaming the drivers. You hear little from this government in relation to the other factors and they have more control over some of those factors, in particular I highlight the issue of safe, quality roads. Safe, quality roads are vital to road safety in South Australia.

Again, I commend the Hon. Robert Brokenshire for his comments about the Victor Harbor Road. What better example could there be of a road where the failure to invest in road infrastructure is costing the lives of South Australians? The South Australian Road Safety Strategy itself—a government document—estimates that 48 per cent of future road safety improvements will come from improved road conditions. Yet this government prefers to ignore this fact and take the cheaper route of more speed cameras and increased penalties.

The government's own road safety action plan released this month highlights the importance of shoulder sealing and overtaking lanes. According to the action plan, shoulder sealing can reduce crash risk by up to 40 per cent, yet this government has cut funding to the overtaking lanes program from \$7.4 million in 2007-08 to a pittance of only \$1 million in 2008-09. This is shameful. Is the government suggesting that no more overtaking lanes are needed in South Australia? The RAA estimates that South Australia has a road maintenance backlog of approximately \$200 million. This also remains unaddressed with the government committing only \$23.7 million for road surfacing and rehabilitation.

I turn now to the Legislative Council and, again, I find myself concurring with the comments of the Hon. Robert Brokenshire. I think he put it aptly when he referred to the honourable Premier's trying to dumb down the Legislative Council. Let me give you some examples of that. Firstly, in relation to the portfolio allocations, he showed that he had a lack of confidence in his Legislative Council team by taking away police and giving small business, taking away emergency services

and giving gambling, taking away environment and conservation, mental health and substance abuse, and giving a fruit salad of other portfolios.

The clear strategy from the government is to try to reduce the relevance of this council, particularly in question time and in the eyes of the media, by making it increasingly difficult for members of this council to ask topical questions. We will be continuing to honour this council by working aggressively to maintain the relevance of question time. We will be creative, and I look forward to the support of the cross benches in that goal.

Secondly, I believe the way the government is handling question time is a deliberate attempt to undermine this council. Government ministers go out of their way to avoid answering a question—for example, as did the Hon. Carmel Zollo in today's question time. As soon as she hears a keyword, she tells us that we have asked that question over and again. The fact that the word might have been common to five different questions—for example, the word 'prison'—does not mean the question has been asked five times before.

The Hon. Carmel Zollo: Come on!

The Hon. S.G. WADE: In fact, the Hon. Carmel Zollo wants to go on the record. She said, 'Come on!' as though she was a cricketer chanting from the hill. But the point of the matter is that I have never asked the minister on forward projections in this council. I have asked it on questions on notice. I have been waiting for a year. The minister has graciously indicated that the response is coming but, after a year, you would think that you would be able to generate it in less than a year—

The Hon. Carmel Zollo interjecting:

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): The minister is out of order.

The Hon. S.G. WADE: —considering that the government should have had those projections in hand well and truly before they started a half a billion dollar investment in prison infrastructure. So, that is the second example. The government is trying to dumb down this council. That is a very good phrase used by the Hon. Robert Brokenshire, and I must keep using it. They are trying to dumb down this Legislative Council to lay a foundation for abolition. We will not tolerate it.

The third example is resourcing. We had an event in the last financial year when the House of Assembly-based Treasurer tried to reduce the allowances available to MLCs—allowances that are vital for us to do our duty.

We will continue to make sure that we fulfil our duties to the people of South Australia, including receiving appropriate resources to do so. Fourthly, I believe that the government is trying to undermine the council by undermining the legislative review function. I pay tribute to my Legislative Council colleagues, particularly the crossbench MPs, because I think there are a number of examples recently where it is only through the crossbench MPs supporting the opposition that together we have been able to ensure that we do our duty in terms of legislative review.

The bills that come to mind are the Serious and Organised Crime (Control) Bill and the WorkCover bill. We had the petulant displays of the Attorney-General in another place in terms of what was or was not the government's priority for the week. In relation to the victims of crime bill, I particularly pay tribute to the sponsor of that bill, the Hon. Mr Darley. He insisted that the best bill was worth waiting for and was not willing to be bullied by this government, and I know that he is continuing to develop legislative proposals that the opposition will look forward to.

I make those points as examples of this government trying to dumb down the Legislative Council and trying to, if you like, prepare it for burial. I can assure you that, to quote one of my favourite films, 'We ain't dead yet.' I will be joining Robert Brokenshire and other members of this council to ensure that the Rann government fails in its attempt not only to abolish the Legislative Council but to dumb it down and make it irrelevant.

Honourable members: Hear, hear!

The Hon. S.G. WADE: In the year ahead, the Liberal opposition will be holding the government accountable for this budget, for its commitments and for everything that we do for the true welfare of the people of South Australia.

The Hon. C.V. SCHAEFER (21:11): I will be, I hope, mercifully brief, but there are a number of issues that I would like to raise with regard to the performance or lack of performance of

this government. As many members have heard me say before, if I am going to speak about the good things that this government has done for regional and rural South Australia it will take me very little time at all.

The Hon. T.J. Stephens: Name one.

The Hon. C.V. SCHAEFER: Well, I cannot actually name one, as my colleague interjects. Off the top of my head, I cannot think of anything that this government has done in six years that has actually been good for regional and rural South Australia. The government neutered and slashed the budget of the department of primary industries, as it was then, and particularly that which remains of it: the agriculture section. It began by taking the natural resources management section and putting it in the Department for Environment and Heritage so that from then on it was very difficult to compare apples with apples with regard to funding.

It has gradually chipped away at that department until it is nothing but a skeleton of that which it should be. The most recent closure/slashing that I have heard is the closure again of a number of regional offices that work in rural solutions. I am not sure exactly where those regional offices are, but I know that one is at Streaky Bay. So, we have a government that will close the hospital at Streaky Bay and the agriculture department office at Streaky Bay, just for a start.

Food SA, of course, is no longer a separate entity. It has been subsumed under the auspices of Mr Don Plowman who does an excellent job given that he has about half the staff and about three times the duties of the previous head of that section.

The most recent and most astounding evidence that I have had of this government's attitude towards agriculture was a quote yesterday from the Leader of the Government in this place, a former minister for agriculture who said on radio:

Look at Olympic Dam: that's \$100 billion or thereabouts. The entire agricultural industry wouldn't produce that in a hundred years.

I would have thought that that just about sums up the attitude of this government to rural and regional South Australia and to agriculture in particular. Roughly, year in, year out, agriculture—

The Hon. P. Holloway interjecting:

The Hon. C.V. SCHAEFER: Not only has the minister the temerity to abuse agriculture on radio, but he now defends himself by saying how wonderful the mining industry will be for South Australia. Of course the mining industry will be wonderful for South Australia and of course it will provide royalties, which hopefully will get some roads—

The Hon. P. Holloway interjecting:

The Hon. C.V. SCHAEFER: He waxes lyrical about how good it is. But you cannot eat iron ore, you cannot eat uranium and you cannot eat any of the other minerals that are going to be mined in rural and regional South Australia. Of course, we support mining and the development of mining in South Australia, but not at the demise, and the peril, of agriculture to this state.

The Hon. P. Holloway interjecting:

The Hon. C.V. SCHAEFER: You did. I will quote again from an interview with Deb Tribe of ABC Radio yesterday where the minister said:

Look at Olympic Dam, that's \$100 billion, or thereabouts, that the entire agricultural industry wouldn't produce in 100 years.

I would have thought that give or take the odd drought—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.V. SCHAEFER: —the agricultural industry would produce that in somewhere between 10 and 15 years. That, I think, summarises the attitude of this government to agriculture in this state, particularly when it comes from a previous minister for agriculture.

Members in this place have heard me speak at length about the Country Health Care Plan, or the plan to destroy country health, of this government, and they have heard me speak at length about the demise that will come from that, not just of health in the country but of the economy and, therefore, the social environment of regional South Australia.

I was, therefore, very pleased to hear the Hon. Mr Brokenshire say that he has a focus on country health, because his party did not support the retention of country hospital boards when it supported the government's health bill, and nor did anyone else on the crossbenches. We were left alone, just as country South Australia has been left alone now. Hopefully, many of my crossbench colleagues have had their road to Damascus and will support us into the future. Similarly, I was very pleased to see the Hon. Sandra Kanck at the rally on Saturday, because she too did not support us when we desperately needed that support.

As I have said, I do not propose to continue speaking about the Country Health Care Plan, or the plan to fail, the plan to let down country areas, because today I heard a number of new issues to do with country health and the funding thereof, including that the number of cars for outreach services such as palliative care in homes, in particular at Roxby Downs, which is the area I have been quoted, but I believe it is statewide, has been cut by something like 30 per cent. So, not only do we not have hospitals, we now do not have the outreach services to service those people who do not have hospitals. Why are we not hearing—

The Hon. P. Holloway interjecting:

The Hon. C.V. SCHAEFER: And now the leader interjects: 'Do you know how much that costs?' So, country lives are not as important. Country lives do not matter.

Members interjecting:

The Hon. C.V. SCHAEFER: The minister interjects: 'Do we know how many millions of dollars extra have gone into country health?' Well, yes I do; it is in the vicinity of \$300 million extra in their six years.

The Hon. R.I. Lucas interjecting:

The Hon. C.V. SCHAEFER: No; it is widely acknowledged by health professionals, even government health professionals, that the CPI for health is 9 per cent. In rough figures that means it is \$600 million below what it should be if it had kept up with health CPI. So the minister should not interject unless he knows what he is talking about.

The Hon. P. Holloway interjecting:

The Hon. C.V. SCHAEFER: I got that at a public meeting, acknowledged by the health professional who was there. People may wonder why we have not heard from health professionals themselves or from the staff of country hospitals. Let me say that they have all been silenced; they have been sent an email saying that they may not comment—even the maintenance man at one of the hospitals, who came to me and said, 'I will be at the public meeting but I may not speak and I may not ask a question. Even as the maintenance man I am not allowed to comment.' That is how transparent this government is!

Another issue I raise concerns the supply of goods to the health department and, because I think it is so important, I will read almost all of a letter I received by email from one of the suppliers just this week. The letter reads:

We were informed late yesterday by one of our national distributors that they have had a request to supply the newly formed Health Supply Department. As you would know the health department purchased the old defunct, loss-making Supply SA business and stock in early July this year, and our understanding then was to supply the major public hospitals in Adelaide, ie RAH and Queen Elizabeth.

Our supplier informed us that the Health Supply Department had requested to purchase products from them in container lots, the supplier apologised to us for the loss of trade that this transaction with the Health Supply Department will have on our business, as we supply a large number of hospitals across the state. He explained that his information was based on ALL hospitals being given an instruction, or about to be given, to purchase a minimum of 80 per cent of all their requirements through this new department.

So much for free trade in South Australia. The letter went on:

This whole operation raises a whole raft of questions as well as problems associated with the setup and operation of such a facility. The original Supply SA was a loss-making operation for years, losing I believe up to \$3 million per year until shut down by the government progressively from December 2007. How does the health department expect this operation to fare any better than the old Supply SA? Supply SA had competition from a large range of businesses across the state [that] sold to the hospitals in direct competition with Supply SA, and one of the reasons for Supply SA's demise was competition and customer service.

The questions I have for you are:

Who gave approval for the health department to spend \$Ms of public funds to purchase a loss-making business, costing hundreds of thousands or millions of dollars to operate, and set up a commercial sales enterprise in direct competition with private enterprise?

How does the health department expect to turn a defunct, loss-making business (Supply SA) of approximately \$3 million a year into a profitable operation?

What budgets have been prepared and vetted to prove the viability of the operation?

How many years of loss-making (taxpayers' funds) are budgeted for?

What skills do the operators have to make it a success or is this just another state government fiasco—State Bank style?

What does the edict to ALL hospitals breach in regard to restrictive trade practices?

The sheer volume and quantity of products ordered from the supplier raises questions about who this department is eventually going to supply.

Is the state government introducing a form of communism, whereby they will control the quantity, availability and price of all products?

Why has sorely needed funds been taken out of a so-called cash-strapped health department to purchase and set up this anti competition operation, when the funds could be better spent on our hospitals in the country, nurses, doctors, police, teachers, etc?

Why have all the hospitals been given an edict that they will purchase a minimum of 80 per cent of all purchases from the health supply department and remove all competition from the supply system?

What is this government attempting to do, not only shut down country hospitals, but also small business that supply these regional facilities, the effect is not hard to imagine.

Reduced business sales, reduced business income, loss of employment opportunities, people moving from country, rural towns, no qualified people left to staff hospitals.

That sums up the attitude of this government. Not only do we have a Country Health Care Plan that plans to fail and sorts out who will fail first and in what order, but we now have an edict that the government will control the supply and purchase of all goods for those hospitals, and we have a restriction on the number of vehicles that may be used to service those few people who are now able to remain in country South Australia.

I have not touched on the River Murray, nor the demise of the River Murray and the people who live and make their living along it but, again, I plead with this government to do something. Where is the budget that shows us what this government will do to save the River Murray? What it has done is signed an agreement which lets Victoria off the hook until 2019 and which provides Victoria with an additional \$1 billion over and above the original allocation for this so-called agreement, and it has replaced it with nothing.

Recently someone described this government to me as 'the mirror government'. When I asked why it was the mirror government, they said, 'Because it's been looking into things for the last six, nearly seven years and has not produced anything.' I think that sums up my frustration with a government that is so city-centric that it does not mind what happens outside the CBD.

The Hon. T.J. STEPHENS (21:27): I make a few observations regarding this bill and I will relate some of the things that I have seen as a reasonably long time country person, given that the community that I originally come from is supposedly one of the winners in this Country Health Care Plan—if you can call it that. I left the community of Whyalla 10 years ago. When I was a young man growing up in that community, our hospital was well staffed and well serviced, and you could just about get any procedure done in that hospital. In fact, I never felt remotely disadvantaged by the fact that I lived in, at that time, the second biggest community in South Australia, if I had a problem.

I point out from the outset, my wife nursed in that hospital for a long time. I have the utmost respect for the people who work there. The level of care that I had when I was unfortunate enough to be in hospital was sensational, but the services were constantly taken away, and it was done by stealth. I still have a very good friend who now is a surgeon in Adelaide. He is a fantastic surgeon. He was removing gallbladders via keyhole surgery when most people in Australia were still making a rather large incision, and the rehab time was dramatically different. I would meet with him on a social basis quite regularly and he said, 'Terry, they just really don't want me here.' Initially, I thought he was perhaps a bit of a whinger.

However, it became quite obvious that he did not fit in the long-term plan for the Whyalla and District Hospital. He constantly had his operating time reduced. We had a good operating theatre, good facilities and top nurses—all the things that meant that we could get the best service

in that district for his area of specialty—but I think they cut him back to two hours a week operating time. I have heard it said before by a number of my colleagues that you do not have to cut a sheep's throat to kill it. You can put it in a paddock and not feed and water it, and it dies. Well, this is what happens: if you do not fit in the long-term plan for the area, they are not silly enough to say, 'We don't want you any more.' They just make it impossible for you to practise in that particular facility.

It became ridiculous. When I lived in Whyalla 10 years ago, and well before that for a long time, if you had private health insurance you could get your operation done in Adelaide. People would travel to Adelaide because they could get operating time in a hospital but you could not get it done at home, and we had all the facilities. And it was not that they were being utilised: there were so-called budgetary constraints. I could never understand it. We paid handsomely for the privilege of having surgery, but the hospital constantly contracted the amount of operating time.

One of the things that has frustrated me is that a number of members of this government have constantly accused members of the Liberal Party of being the people who are creating hysteria in the country community by attacking the Country Health Care Plan. Sir, I know that you are a country man yourself. Can I say that you underestimate the intellect of country people at your peril. A lot of those people are in agricultural pursuits. We have heard the Hon. Rob Brokenshire talking about sitting on his tractor and doing what he needed to do but keeping up to date with current affairs by listening to the radio. Most members would acknowledge that often people say, 'Did you hear this?' or 'Did you hear that?' Usually the answer is no, because we are in meetings, in the parliament, and doing many different things. Country people, in their pursuits, stay up to date with things that are current.

This government, by stealth, removed the community health boards thinking that you will not have a point to go to if you are concerned about your local country hospital. I have attended meetings with regard to country health. They have not been driven by the Liberal Party or members of the Liberal Party. I drove about a 1,400 kilometre round trip to attend a country health meeting at Tumby Bay. I was politely informed by the mayor when I got there (because I introduced myself, out of courtesy) that I would not be invited to speak because this was not a political rally—and I was quite happy to listen to the man's request because it was quite reasonable.

Liz Penfold, the member for Flinders, was there, and she also was not offered the opportunity to speak. They did not need us to speak, and they did not want us to speak. I sat in the audience and listened to country people, who have a good understanding of the services that their hospital provides to them and the comfort it affords them, really. In a place such as Tumby Bay you have a lot of people who are, I guess, a little more senior. They have chosen to live in that beautiful part of South Australia because it has a great little hospital and it is a great community.

I wandered along, after arriving in Tumby Bay, and I thought I would have a look in the local store, because I had no idea how many people would attend this meeting. I did not see a notice in the window of one of the major supermarkets and I was a bit sceptical as to how many people would turn up. Well, the soldiers memorial hall was packed. There were many people who were very respectful and listened to the gentleman, whose name I think is Mr John Southern, who is a representative of the regional health commission of Lower Eyre Peninsula. He is a highly respected fellow who is well liked by members of the community: there was no doubt about that.

I really felt for the fellow because he was defending the indefensible. When you have a panel of country doctors and people from the Australian Nursing Federation, who are very sceptical about the Country Health Care Plan, health professionals who work in the area, and people who use the services, they are all very well aware that, if you have a general practitioner who likes to practice his skills and they are taken away, he will not stay. If you have a young person who has just graduated and wants to head out into the country, he will not go to a place where he cannot practice or develop skills, so you get a marvellous situation where the government can say, 'Look, we would really like to provide you with the service, but we cannot get anyone to go there, so we will have to scale down.' This is what is happening and the community can see it is going to happen.

If government members think this is a sinister Liberal plot to undermine the government, I assure them that we did not come up with this plan and are not driving the opposition to it: country communities are driving the opposition to it. Underestimate them at their peril. They are informed and intelligent and are driving resistance because they know that, if you lose services, you do not get them back. I respectfully put those comments on the record in regard to country health.

With regard to infrastructure, blow-outs and delays, I will mention a couple of things that are indefensible. The Northern Expressway project was originally budgeted to cost around \$300 million; it jumped to \$564 million; and its latest cost is \$1.55 billion and will not be completed until 2017. The disruption and blowout in this project is quite amazing. The Port River road and rail bridges were originally budgeted to cost about \$130 million, to be completed in 2005-06, and the latest cost estimate is \$175 million. If you are running a business yourself and having those sort of run-overs, you would not be able to continue to trade. The South Road/Anzac Highway underpass was originally budgeted at \$65 million, and the latest cost estimate is \$118 million. I am half laughing because, if you do not laugh, you cry. This is serious stuff. The tramline extension was originally budgeted at \$21 million and it ended up costing \$31 million, which is quite unbelievable.

In talking about infrastructure, I refer to the desalination plant. The Hons Caroline Schaefer and Rob Brokenshire, along with all members, understand the importance of water. I visited the Western Australian desal plant two years ago. It took 18 months from whoa to go, to have it up and running and producing. This government has denied the fact that we need one. We were told that we were idiots to suggest it in the first instance, but then suddenly it became a good idea and therefore it was their idea and not our idea. However, that does not really matter.

The time it will take to build the desal plant is staggering. I have been to the one in Western Australia and seen it work. It works beautifully, and it took 18 months from start to finish to construct. There is no sense of urgency with it. The reason it has taken so long is that we will pay for it in increased water rates before we build it. When they tell us what a wonderful job they have done managing our finances and taxes, they have increased our taxes by way of water rates to pay for the desalination plant before we get it. We are paying cash up-front for the damn thing!

We had a tax summit recently in the Liberal Party, well attended by very strong business people throughout South Australia. Labor's first budget in 2002-03 broke a key election promise by introducing new taxes and charges and increased existing taxes and charges, including the introduction of the gaming machine super tax, the Save the River Murray levy and increases in stamp duty on conveyances and regulated fees and charges.

This budget shows that the Hon. Mr Rann and the Hon. Mr Foley will collect \$4.7 billion more in revenue in 2008-09 than did the former Liberal government in its last year of 2001-02. So far, a total of \$13.3 billion extra. I ask: where is this? The 2008-09 budget did not alter the stamp duty regime for non-first home buyers. The median house price in metropolitan Adelaide is more than \$350,000 and the South Australian average is approximately \$320,000. Presently, only 13 per cent of home buyers in South Australia are first-home buyers, the lowest proportion of all states.

The 2008-09 budget did not alter the land tax regime at all. Land tax revenues increased by a massive 29 per cent in 2008-09 and 247 per cent since 2001-02. What do we have to show for it? From 2001-02 to 2007-08, payroll tax revenue will increase by at least 48 per cent. Motor vehicle tax revenue will increase by 6.3 per cent in 2008-09; compulsory third party premiums will increase by 7.2 per cent in 2008-09. Other charges, for instance, driver's licences, speeding fines and registrations have increased by up to 4 per cent. I ask: what have they done with the money?

My portfolio and passion is sport, grassroot sport—things that are imperative to get young people to be active, with massive long-term ramifications. The issue of childhood obesity can be tackled with organised sport. There is very little in the budget—and it has been echoed by a number of industry leaders in the sporting area—for grass root sport. I have made statements to the media in the past few months. It concerns me that organised sport for junior people could soon become the privilege of the well-to-do. Well-to-do families will be able to afford sporting fees and will be able to get their children to organised sport.

I have a very basic background and I come from an industrial city. One of the great thrills and privileges as a child was to be able to participate in organised sport. As a parent, it is one of those few things that I think is reasonably sensible. If you can keep your children active and busy and wear them out, and teach them some team disciplines and a bit of self-discipline, they have half a chance of being reasonably successful as they go through life. It is becoming incredibly obvious to me that it is almost impossible for people on very low incomes to give their children the most basic lessons in life through organised sport because they cannot afford it. Whether that be through a federal government rebate scheme for very low income earners to refund the cost of their children's organised sport, I am not sure, but given that, when the Howard government left office, it had a surplus of \$20 billion, do not tell me that some of that money spent in the short term would not have dramatic long-term effects.

Kim Wheatley's article in *The Advertiser* after the state budget indicated that Sport SA (our key sporting body) feels incredibly let down by this budget, and I am sure that its budget did not grow with inflation. In real terms, it is trying to do a good job—and it does do a good job—advocating for sports in South Australia, but it is put under far too much pressure.

I agree with the Hon. Caroline Schaefer and many others who have spoken before me that water is a key issue in South Australia. I recently visited the Riverland with the Aboriginal Lands Standing Committee. Whilst we worked our way through a number of issues and witnessed a number of very good initiatives and I saw some positive stuff which was fantastic, I have to say that, as a former small businessman, to see the signs in the Riverland pointing to where the region is heading with retail premises being vacated and closing down sales, it is just a disaster on its way through.

The member for Chaffey who has, quite comfortably, cuddled up to this government should be looking to her future (in whatever role that may take) because I suspect that she may have conned the people of Chaffey for some time—but the end is near. I support the passing of this bill and I hope my words are taken with the sincerity with which they are given.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (21:46): I thank members for their contribution to the Appropriation Bill. I congratulate the Hon. Mr Brokenshire on his maiden speech in this council, and I particularly appreciate the generous comments he made about me. I did not necessarily agree with everything the Hon. Robert Brokenshire said, but I am sure he will significantly enliven and enrich debate within the council in the future.

Obviously, many things were said during the debate, and the last thing members would want at this time of night, when we still have a significant amount of business to deal with, is for me to spend too much time responding to every matter that was raised. In relation to technical matters, I understand the Budget and Finance Committee of the parliament has held 20 or 30 meetings and examined every department. I am sure that it will do that again next year and have an opportunity to get into the technical details of the budget.

In deference to the comments made by the Leader of the Opposition, he wanted an answer to one question in relation to full-time equivalents, and I provide that information. The situation involving 9,287 full-time equivalents attributed to the Treasurer by the Hon. D.W. Ridgway was derived from the time of the 2007-08 budget and was based on the full-time equivalent cap for 30 June 2007. Actual data from the Commissioner for Public Employment's workforce information collection report indicates that the general government (GG) sector has grown by 9,598 full-time equivalents between 30 June 2002 and 30 June 2007. It has changed slightly due to revisions to the 30 June 2002 data. Super SA was incorrectly classified to the GG sector, and there was a slightly higher than estimated result for 30 June 2007, primarily due to increased recruitment in health, and a revised estimation of the cap for education.

The information detailing 12,085 full-time equivalents attributed to the budget papers by the Hon. D.W. Ridgway appears to be based on a comparison of total public sector FTEs printed in the 2002-03 and the 2007-08 budget papers. This comparison is spurious as the FTE data in the two budget papers covers a different scope of entities. We have not been able to source the 17,017 FTE growth which the Hon. D.W. Ridgway attributes to the Commissioner for Public Employment. As noted above, CPE data indicates an increase of 9,598 FTEs in the GG sector and 9,946 FTEs across the total public sector.

The Hon. Mr Ridgway also made a number of comments in relation to planning and mineral resources. I will respond briefly to those comments since they come within my portfolio area. On 10 June I announced a set of planning reforms that will have far-reaching implications for making South Australia the best place in which to do business, bring up a family and be part of a vibrant community. These reforms set the future for all areas of the planning system and the planning and development industry, including strategic planning, planning policy and development assessment. The government has developed a vision for Adelaide that is fit for the challenges and opportunities of the modern era. It is for a rapid mass transit-based city, with people living in energy and water efficient developments centred around rail lines.

This will create a climate change prepared city with a strong, affordable supply of housing to accommodate a growing population and a broad range of housing choices to serve a changing demographic base. We have backed up this vision with a real financial commitment of \$2 billion over the next decade for revitalising the public transport system and a boost to Planning SA

resources, including a staff increase in the next three years to manage the reform process and set Planning SA up as a department in its own right. Planning SA is responding rapidly to the directions set by the government and is in the process of developing a plan for greater Adelaide that will set the scene for our development prosperity for the next 30 years.

There will be regional plans building on existing work done in collaboration with regional communities and local government that will comprise:

- specific regional targets for population and land supply (for both housing and employment);
- regional targets and strategies for water and energy efficiency and for housing affordability;
- protected conservation and agriculture/horticulture areas, growth precincts and land subject to further investigation;
- integrated transport planning; and
- major infrastructure requirements identified for feeding into government planning.

In particular, the government's vision is for developments focused on:

- transport corridors;
- transit-orientated developments (TODs) and growth precincts;
- increasing the broadacre land supply; and
- structure planning to manage significant precincts.

The government has also stepped in to reduce the red tape that slows down residential development by setting a program of reforms to deliver simplified assessment and faster approvals for new homes and home improvements. This will provide major time and cost savings for South Australian families and for business, including 30-day approvals for many major alterations and additions and new homes, and it will also free councils from spending time and valuable resources on assessing low impact residential development.

This suite of reforms demonstrates that this government is not limiting its interest to a boutique focus on a couple of precincts in central Adelaide but includes a wholesale modernisation of our planning system and a vision for South Australia's future that the community will welcome. In his speech, the Hon. Mr Ridgway referred to my decision in relation to Adelaide City Council developments over \$10 million, and asked: 'Where will that money go? Will it be invested back into planning in supporting our planning system or will it go into general revenue?' The government made a decision that large-scale developments in the City of Adelaide are of such strategic importance to the state that they require the attention of the Development Assessment Commission (DAC).

I point out that this decision is in line with the philosophy of the recently announced reforms which have led to a refocus of DAC's responsibilities for state significant development (I think that it is recommendation 40 within the planning review). If one looks at the fees associated with the planning assessment process one will see that they will be expended appropriately; and, obviously, an additional workload will be required for the Development Assessment Commission to take on that role. We are currently working with the Adelaide City Council in relation to how this decision will operate, and the detail on that fee allocation and collection models is being developed. A question was also asked about the number of skilled people required for implementation. The government has engaged in a recruiting process to ensure that the right leadership is available for delivering these reforms.

A nationwide search for the chief executive of the new department is nearing completion. Key executive positions have been filled to oversee the implementation of the reforms. The Hon. Mr Ridgway also commented that it was stated that the government is seeking 180 planners and attempting to recruit them from interstate. My comment in estimates, which I think the Hon. Mr Ridgway was referring to, was: 'I think Western Australia has recently been trying to recruit 180 planners.' That was what I said in estimates.

Many of the reforms announced by the government reduced the burden on local government planners by simplifying and codifying the development approval process. In short, these reforms will take a lot of pressure off the current high level of demand—and, therefore, shortage—in relation to the number of planning experts within our state.

The Hon. Mr Ridgway also raised a number of questions in relation to transport and, in particular, the tram. He asked why a tram extension to the Entertainment Centre was a priority instead of rail infrastructure to the north or south. Of course, in fact, they are all priorities. The government's investment to deliver all of them is considerable: \$2 billion. The two major rail lines that this state has are the Noarlunga and Gawler lines: one goes north and one goes south. They carry more passengers than other rail lines and it is part of government's plan that these rail lines will be modernised. However, they first need to be re-sleepered, and they will need new rail carriages and electrification.

As I pointed out before, once the several billion dollars that is necessary to upgrade that infrastructure is spent, it will be relatively cheap—that is, relative to that \$2 billion—to then extend those lines. However, to talk about extending a transport system at present would be like adding a six-lane freeway onto a single-lane dirt road that is full of potholes: it just would not make sense. To get the sort of traffic through that we need to serve we obviously need very efficient infrastructure closer to the city. You have to be able to get the volume of vehicles through and, unfortunately, that is why we have to spend so much money in upgrading the rail system.

The Hon. Mr Ridgway also asked questions in relation to mineral resources development, and I would like to respond and correct a couple of the comments that he made. The honourable member claimed:

We have not seen a commitment from this government on water for our mining industry. That is the single biggest limiting factor to expansion of our mining industry and we have not had any comment on it.

That was his quote. Well, he is wrong. This government is committed to acting on this important issue. Nationally, the central focus of water policy to date has been on the impact of reform of water use and management in the urban and agricultural sectors, particularly irrigated agriculture and sustainable environmental flows. The water needs for other sectors, such as the resources and energy sectors, are more recently coming into focus in the water debate. Identifying sustainable water supplies and best practice water recycling is an essential input into South Australia's existing mining operations and will be a critical requirement for many mining developments in remote areas of the state.

Whilst water is not the main input used by the resources and energy sector, it is critical to their production processes. Every proposal for a mining lease undergoes a comprehensive and highly consultative assessment process which, amongst many other things, considers the potential for impacts on quality and quantity of groundwater and surface waters. In those areas where the waters are prescribed under the Natural Resources Management Act 2002 (the NRM Act), the potential operator must also seek a licence from the Department of Water, Land and Biodiversity Conservation, which is assessed according to the Water Allocation Plan for that area.

Earlier this month, I attended the Ministerial Council on Mineral and Petroleum Resources (MCMPR) meeting, and the issue of water was on the agenda. The MCMPR has recently formed an ad hoc water working group with the objective of responding, where appropriate, to the ACIL Tasman report on water reform and industry—Implications of Recent Water Initiatives for the Mining, Petroleum, Energy and Pulp and Paper Industries, commissioned by the then department of industry, tourism and resources, and ensuring that the MCMPR is positioned to engage effectively in water reform. The water working group provided a report to the MCMPR meeting. The report was an overview of the work of the water working group in responding to its terms of reference.

South Australia has established the Resources Energy Sector Infrastructure Council (RESIC), chaired by Mr Paul Dowd, a highly respected leader in the minerals industry. RESIC is considering the strategic needs for infrastructure, including water, for the state's mining developments over the next decade. Exploration to identify new viable water supplies must continue to be an important focus for the government in partnership with the resources sector. In fact, the government's PACE initiative has targeted water exploration in a number of remote locations. A notable success was the PACE supported discovery of ground water of suitable quality and quantity in the Arckaringa Basin near the developing Prominent Hill copper-gold mine. One might also talk about the success in relation to the Iluka Jacinth-Ambrosia deposit, where the operator there discovered an aquifer of such quality that it had no other purpose, but it was suitable for that operation. In short, the significant effort has been in looking at the water needs of industry.

The Hon. Mr Ridgway also made some comments in relation to the PACE scheme and its forerunners. The opposition likes to claim that TEISA was a forerunner to the very successful

PACE program; indeed, the opposition often sounds like the fabled broken record. South Australia has a long-standing reputation for world leading exploration initiatives that have delivered high-quality pre-competitive geo-scientific information contributing directly to successful exploration discovery and development.

South Australia first achieved international recognition with the South Australian Exploration Initiative (SAEI) in 1992 and has been at the forefront ever since. The Targeted Exploration Initiative (TEISA) was launched in 1998 following on from the highly successful SAEI program from 1992 to 1996. The South Australian government signalled its confidence in the ability of the minerals and energy sector to play a key role in the state's economic growth by providing \$10 million in funding for the next four years. TEISA was created as a phased regional exploration strategy for minerals, petroleum and ground water, with special emphasis on large-scale geo-scientific data acquisition.

The Plan for Accelerating Exploration (PACE), launched in 2004, again raised the bar, leaving all other Australian states and territories scrambling to catch up. There is ongoing debate about which program was the forerunner to PACE, and which government can claim responsibility can be likened to the chicken and the egg debate. The important point is that the PACE initiative has been an outstanding success. As South Australians we should all be rejoicing in the record levels of exploration investment and the new discoveries that PACE has delivered. Other states would not be copying the PACE drilling initiative in various forms if it was not highly successful.

The government has demonstrated its commitment to PACE with the Premier announcing on 4 April 2007 the extension to the original PACE initiative by \$8.4 million over four years, with the new funding taking its value over seven years to \$30.9 million. As I said before—and I will state it again—in the year prior to the introduction of the government's PACE initiative—that is, 2003—mineral exploration expenditure in South Australia stood at \$35.9 million or just 4.9 per cent of the national exploration spend. Mineral exploration expenditure for the 2007 calendar year reached a record level of \$331.3 million—16.1 per cent of total Australian mineral exploration expenditure. This is a record level of mineral exploration investment for South Australia, significantly exceeding the South Australian Strategic Plan target. The honourable member made a number of other claims but, given the late hour, I will not occupy the time of the council tonight.

The development of new mines and the associate approval processes is lengthy, and it is essential to get it right. This is a critical component of the approval process, and that is why the Treasurer announced in this state budget that the government will invest \$14.1 million in the next four years to ensure that South Australia realises the full potential of the mineral exploration boom.

A \$3.1 million allocation will be directed to the Petroleum and Geothermal Group within PIRSA to help speed up the assessment process for applications for geothermal exploration leases from companies seeking to tap the enormous potential for power generation from hot rock technology. This allocation also bolsters support for the state Chair in Petroleum Geology at the University of Adelaide. An \$11 million allocation will be directed to the Mineral Resources Group within PIRSA to strengthen the ability of the agency to manage the pipeline of new mines seeking assessment approval. This new funding will ensure that South Australia realises the potential presented by the state's new mineral discoveries.

The unprecedented increase in exploration expenditure, driven by the success of the government's plan for accelerating exploration, is only the first wave in the quantum change that is taking place in the state's mineral sector. The second wave of change is the pipeline of development proposals and new mines that follow from the successful investment in mineral exploration.

I would like to place on record the existing mines: Olympic Dam (copper, gold and uranium); OneSteel, Middleback Ranges (iron ore); Beverley (uranium); Challenger (gold); Leigh Creek (coal); and Angas, which exported its first ore in the last couple of days (zinc and lead).

New mining developments in construction are: Prominent Hill (copper and gold); Mindarie, which is now producing mineral sands; Beltana (zinc); and Honeymoon Mine (uranium). New developments in the advanced assessment/approval phase are: Cairn Hill (iron ore); Peculiar Knob (iron ore); Kanmantoo (copper and gold); Beverley Extension (uranium); 4-Mile Mine (uranium); and Jacinth-Ambrosia (mineral sands).

I am also very pleased to inform honourable members that, in the period April to July 2008, three significant new mineral leases were granted by this government:

- the mineral lease for the Cairn Hill iron ore project south of Coober Pedy, the first iron ore development in the state outside the Middleback Ranges;
- the mineral lease for the Peculiar Knob iron ore project, also south of Coober Pedy; and
- the mineral lease for the Jacinth-Ambrosia mineral sands project in the far west of the state, the first of a number of mineral sands developments expected in the state's Eucla Basin.

I could say a lot more. Through its Budget and Finance Committee, this house now has the capacity to look at any of the technical details. I could refute many political points that were made during the debate, but I will limit them to one made by the Hon. Caroline Schaefer, who quoted some remarks I made the other day. She suggested that I was trying to imply in some way that there was a problem with agriculture.

The context of that interview was why the Mining Act 1971 is in the form it is and why it contains the provisions it does to allow access for exploration onto land, including agricultural land. I was explaining the reason the act has contained that provision since 1971 and has done so under successive governments. If a future Liberal government is going to change that, I hope it will let me know. I hope it will let the world know because it will certainly create some interest in this state, I can assure it, if it wishes to change that precept that has been around in the act for nearly 40 years.

The reason it is there is that the value of a mineral resource and a very small footprint can be significant. I simply gave the example of Olympic Dam which, of course, has an extremely large value of ore in place. If one looks at the alternative uses one might have for that land, such as pastoralism, there is no way—

The Hon. T.J. Stephens interjecting:

The Hon. P. HOLLOWAY: Well, the agriculture in that area that would be displaced by mining would be infinitesimal. To say that I am running agriculture down is rubbish. What this economy needs is a balanced economy. Our rural economy is in particular difficulty at the moment. We are facing an absolutely unprecedented drought in this country, and the irrigation sector and the Riverland, in particular, are facing catastrophe because of the lack of water within the Murray-Darling Basin. The amount of water in the basin is only just above what, in past years, would have been the entire allocation for South Australia. That is how low the inflows have been into the basin as a whole.

As much as members opposite might seek to gain political profit from that, the reality is that nothing other than a return to average or near average rainfall over a number of years will replenish those storages on which we depend.

Obviously, there is a lot more that one could say, but I think that at this stage of the evening it is time that we passed the budget. I am sure we will have plenty of other opportunities to discuss these issues in future debates.

Bill read a second time.

In committee.

Clause 1.

The Hon. R.I. LUCAS: I ask the minister if he has his advisers with him for the committee stage.

The Hon. P. HOLLOWAY: No. I note that we now have a Budget and Finance Committee established where the Hon. Mr Lucas can go through that sort of detail for every department. As a matter of courtesy to the Leader of the Opposition, I have provided answers to the questions he specifically asked.

The Hon. R.I. LUCAS: I want to indicate disappointment at the arrogant attitude of the Leader of the Government on behalf of his Premier and the government with that particular response. May I say that, because a house of parliament institutes an additional check, in terms of public accountability, in this case through a committee of the Legislative Council (the Budget and Finance Committee), it does not mean that the response from the government and its leader should be a petulant one where he says, 'Well, you've got your committee; I'm now not going to do what every Leader of the Government has done for the last'—I can only speak for 25 to 30 years—

but I suspect that forever and a day the history of the Legislative Council is that questions that have been put to the Leader of the Government on the Appropriation Bill have been responded to by him with courtesy.

On occasions in the past, the Leader of the Government has said, 'Here are the answers to the questions. We have been able to compile them.' After all, he does not have to do them: it is the members of Treasury or government departments and agencies who compile the answers and then undertake to correspond with members in the period intervening between the close of one session and the next.

Given the hour, I will not pursue the matter at length this evening. However, I do flag that it is an issue that I think this chamber should pursue when we consider the Appropriation Bill in future. It is a simple point: just because you add an additional level of accountability through a Budget and Finance Committee does not mean, therefore, that a minister in a government should be able to say, 'Well, I'm now not going to respond to questions on the Appropriation Bill.' The minister has been fighting the establishment of the Budget and Finance Committee for the past 12 months anyway, but I put that particular matter to one side.

The Budget and Finance Committee, thus far, has tended to concentrate with chief executives particularly in relation to issues that apply to their portfolios. The minister is correct in saying that there is nothing to prevent the Budget and Finance Committee taking (particularly with Treasury officers) an all-embracing and all-encompassing view of the whole budget, rather than just the Treasury and directly Treasury-related matters.

Given the minister's response tonight that, indeed, will have to be the response from the Budget and Finance Committee should a majority of its members choose to go down that particular path. Treasury officers not only will be answering questions in relation to matters of immediate interest to them but will now, clearly, have to take over the role of responding to overall questions in aggregate. I flag general areas in terms of wage and cost policy and those sorts of things which traditionally are responded to by representatives of the government. That is, the government makes the overall aggregate policy decisions and public servants come to committees and say, 'We are there to implement the policy of the government of the day and can answer questions in detail about that'.

The minister rightly points out the powers of that committee are broad and can be used by the committee if it so chooses to pursue these particular matters and, if it so chooses, it may well go down that path. I conclude my contribution by saying that we, the Legislative Council, particularly given the statements of other members earlier about dumbing down or reducing the influence and activity of this chamber, should not just meekly accept what this minister has done for the first time ever, I might say. I repeat that: for the first time ever, a leader of the government has snubbed his nose at this chamber and said, 'I am only going to answer these questions on planning and I am not going to answer genuine and valid questions that other members have put. You can go off and use that committee, which I do not think should exist anyway. Go off and use that particular committee and pursue it'. It is an example of a petulant, arrogant minister which is wholly representative of a petulant and arrogant government.

The Hon. P. HOLLOWAY: What a petulant and arrogant response from a petulant and arrogant backbencher! What has never happened before—

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: The Hon. Rob Lucas is probably the most arrogant politician ever in the Legislative Council—

The ACTING CHAIRMAN (Hon. I.K. Hunter): That is out of order.

The Hon. P. HOLLOWAY: —and I think he would recognise that. The convention in the past has been that the leader of the opposition (the person representing the opposition) has asked some questions. The Leader of the Opposition asked some specific questions, which I have answered. If we have a situation where we have a replay of the budget—ministers from this council appear before the House of Assembly, the shadow ministers supply the questions to the house and we have a day in which we question everybody's section of the budget—we have a thorough process. I have responded to the questions that the Leader of the Opposition specifically asked but, if every backbench member in here is going to ask questions on the budget, then where are we going to end up? There has to be some limit.

We were told that by the Hon. Rob Lucas—he is being arrogant now—but he told us, when he set up this committee that one of the things we could do was have a look at the budget, and he has confirmed tonight that that is what it can do. Why then would we would go through this at 10.20pm on the last scheduled night of the session? I suggest that it is not anybody's fault that it has been delayed to this stage, but why would we then want to go into that? I point out to the chamber that I have responded to some specific questions that were asked by the Leader of the Opposition.

I know that the Hon. Rob Lucas loves playing politics but, rather than his talking about dumbing down the Legislative Council, I think that if anything at all dumbs down this place it is comments like that—the cheap, thoughtless, political shot—that we have just had that really does not do us any good. It does us no good at all. The former leader of the opposition obviously has his nose out of joint because he obviously has some adjustment problems, ego problems or something, in coming to terms with his new role. But the reality is that for this council to function effectively there has to be some agreement and some sensibility in how we conduct our affairs. I suggest that this sort of display at this hour of the night on the last night does not really help anybody.

Clause passed.

Remaining clauses (2 to 8), schedule and title passed.

Bill reported without amendment.

Bill read a third time and passed.

ALCOHOL CONSUMPTION

Adjourned debate on motion of Hon. D.G.E. Hood:

That the Social Development Committee inquire into and report on the adequacy and appropriateness of laws and practices relating to the sale and consumption of alcohol and, in particular, with respect to—

1. Whether those laws and practices need to be modified to better deal with criminal and other anti-social behaviour arising from the consumption of alcohol;
2. The health risks of excessive consumption of alcohol, including—
 - (a) 'binge drinking'; and
 - (b) foetal alcohol syndrome;
3. The economic cost to South Australia in dealing with the consequences of alcohol abuse; and
4. Any other relevant matters.

(Continued from 18 June 2008. Page 3366.)

The Hon. J.M.A. LENSINK (22:21): I think this motion is timely and relevant and, therefore, the Liberal Party will be supporting it. There has been a lot of hysteria about the issue of so-called binge drinking which is, I think, a populist term rather than one that is used in the literature, and there is a large body of literature in relation to all sorts of drug use, but especially in relation to alcohol use. I think that it is useful for us as legislators to be well-informed about the facts of this phenomenon known as binge drinking rather than indulge in knee-jerk reactions that are really aimed at being seen to be doing something rather than actually attacking the real problem.

There has been a lot of commentary in the press in recent months and I, like all other members, find the pictures and descriptions of young people, in our CBD mostly, and I think there are a few on Jetty Road, who were lying in gutters, young people who have lost control and are potentially very vulnerable—I think that we all find those sorts of images disturbing.

The Premier has described the current situation as being a pandemic. I would challenge that because I believe that binge drinking in Australia is as old as settlement. We can go back to historic events such as the Rum Rebellion to demonstrate Australia's long association with alcohol. We can look at the impact of a drinking culture where alcohol is used as a reward and the sort of drinking games that people have of downing as many as they can in a short period of time. Indeed our former prime minister Bob Hawke was renowned (and holds some sort of record) for the number of beers that he was able to consume in a certain period of time.

The Hon. R.I. Lucas interjecting:

The Hon. J.M.A. LENSINK: And I am reminded of Kevin Rudd, our current Prime Minister. So, what does the literature say, if we are to look at that rather than indulge in knee jerk reactions? Twelve to 17-year-olds, I think, are a very important group in this whole debate, and I say that because medical evidence demonstrates that young people—in particular, adolescents—are quite vulnerable and the new recommendations that are coming out say that young people should delay the onset of alcohol consumption for as long as possible, certainly before the age of 18, and even perhaps for some years after that. Obviously, since the legal drinking age is 18, that is a decision that they need to make for themselves. Among 12 to 17 year olds there is evidence that levels of consumption declined in the 1980s, increased in the 1990s and have remained stable ever since. That reference is from the Australian Secondary Students Alcohol and Drug Survey.

Since 1990, short-term risk, which is a subcategory of risk, has doubled among some 12 to 15 year olds from 2.5 per cent to 5 per cent, and has increased among 16 to 17 year olds from 15 per cent to 20 per cent. That compares to 35 per cent of the total population of Australians aged over 14. That statistic comes from the Australian Institute of Health and Welfare: Statistics on drug use in Australia 2006.

Of all age demographics, young Australians aged 18 to 24 report the highest level of risky alcohol consumption. By the age of 18 approximately 50 per cent of males and females are young risky drinkers, but two-thirds consider themselves social drinkers. I think that is an important point to make because I think a lot of people underestimate the amount of alcohol that they consume and the potential risk that they are putting themselves under.

As I mentioned, the under 18s are of particular concern. Unfortunately, the age of initiation is getting younger. That is something that I hope the committee will address. The facts are that adolescents aged 12 to 17 have no difficulty obtaining alcohol: 39 per cent obtain it from their friends and 36 per cent obtain it from their parents.

That second statistic is, I think, quite alarming because there is a lot of anecdotal information about the place, when you talk to people (teenagers), that, particularly at private parties, there is an expectation among some young people and their parents that it is okay to supply your kids with a six-pack when they go to a party.

The South Australian Network of Drug and Alcohol Services (SANDAS), which represents the peak NGO bodies for drug and alcohol services, is quite concerned because it believes that parents are actually looking for some guidance from policy makers in terms of what is acceptable for them to provide to young people who may be going to private parties and so forth.

The licensed premises have come in for, I think, an unfair slap of recent times. The council of various ministers around Australia decided that it was going to try to implement a 2am lockout across Australia and, of course, we saw in this state that the government unsuccessfully sought to implement a 3am lockout on licensed premises in the CBD, which it has since had to recant.

The AHA reports that 70 per cent of alcohol is purchased for consumption in non-licensed situations; that covers private parties or people drinking at home. It also refers to those people who, for want of a better word, load themselves up before they go out for a big night out on the town, and nobody has any control over that behaviour except the individuals who choose to consume.

We have also seen the knee-jerk reaction by the commonwealth to increase the tax on RTDs, or alcopops, as they are commonly referred to. The fairly predictable response has been that young people have simply substituted what they consume, including mixing their own spirits, in which situation they do not know what level of alcohol they are consuming, or they may even revert to illicit drugs. There has been some reports in the press about some young people reverting to illicit substances, which are cheaper on the streets for the time.

I note that the National Alcohol Strategy 2006-2009 has not been updated since the November 2007 election, so I think that the federal government could try to do something fairly comprehensive in terms of looking at this issue, rather than coming up with the odd knee-jerk reaction to make it look like it is doing something. One jurisdiction I have referred to in some interviews is New Zealand. The Alcohol Advisory Council of New Zealand has been running a very successful campaign which has focused on all demographics addressing all drinking behaviour. That is to address the issue that young people are often unfairly targeted, when it may be (as, I think, one of the federal government's ads shows) that it is the behaviour of the parents that influences the child to accept excessive alcohol consumption as a norm. Indeed, I think there are probably people in the older age groups—the 25-pluses—who may still have issues with excessive alcohol consumption.

With those words I indicate that the Liberal Party supports this motion. I look forward to some sensible recommendations following the taking of evidence.

The Hon. SANDRA KANCK (22:31): I will continue to remind members of the rankings of harms of drugs, licit and illicit, that were published two years ago by medical researchers in the UK. Just to remind members, from one to 20, from the most to the least harmful, the order was: heroin, cocaine, barbiturates, street methadone, alcohol (No. 5), ketamine, benzodiazepines, amphetamines, tobacco, buprenorphine, cannabis, solvents, 4-MTA, LSD, Ritalin, anabolic steroids, GHB, ecstasy, alkyl nitrates and khat.

It is a list that does not, and could not, include harmful drugs, but is a very useful table in that it is a tool that assists us in exposing the lack of scientific rigour in the way most countries deal with the issue of drugs. Indeed, South Australia is about to enter a brave new world based on myth and superstition about drugs, having passed the Controlled Substances (Controlled Drugs, Precursors and Cannabis) Amendment Bill. Far from taking a scientific approach, the South Australian parliament, to its shame, will be instructing our courts to ignore the evidence and sentence on the basis that all controlled drugs are very harmful—which, of course, is an absolute nonsense.

The UK research is also very useful in that it includes licit and illicit drugs, which in turn exposes the hypocrisy of most Western societies where the use of the drug ethanol (more commonly known to us as alcohol) is not just tolerated but promoted and encouraged. An analysis of that research appeared on the website of the Transform Drug Policy Foundation in the UK in March last year, and I quote from that:

...if we are being scientific here, it is imperative to separate out the harms that follow from the use of the drug per se and the health and social harms exacerbated or created specifically by the drugs' use within an illegal market.

They gave these particular harms the label 'prohibition harms'.

In relation to heroin, the prohibition harms included the risk of overdose, health risks from sharing needles, property crime and prostitution to fund the habit, and gang warfare associated with the provision of that heroin. These are some of the harms associated with street heroin, but those same harms are not there for legal heroin, which is available to a small number of registered users in Britain. Street methadone is on that list at No. 4, but legally obtained and administered methadone (which is not included in *The Lancet* analysis) would be lower simply because it has none of the prohibition harms. So the table has to be a little skewed from that perspective; the legal drugs will show up as creating less harm. As Transform observes in its commentary about the rankings:

The more you criminalise the drug...the more risky you make its use and more social harms you create associated with illegal supply.

That brings me to alcohol, the drug which is the subject of this motion. The world saw similar harms associated with alcohol during the prohibition era in the US. Stronger alcohol was consumed: whisky as opposed to wine. Because it was illegal, there was no regulated health standard and the alcoholic content was unpredictable. As with our illicit drug markets in Australia, there was no way that a customer could ensure that they were getting what they thought they might be purchasing. From 1920 to 1925 in the US there was a quadrupling of deaths from contaminated alcohol.

So whatever we do, we must keep this drug—ethyl alcohol—legal. It is a dangerous drug and because it is dangerous, we need to keep it above the horizon so that the radar can track it. The dangers have been known for years: direct health consequences to the body and what that means to the individual; our health system and the economy; and the outcomes in terms of behaviour such as domestic violence and road trauma. The turnaround in politics and the hypocrisy of the media on the binge-drinking issue is amazing to behold.

Two years ago, the Adelaide *Advertiser*—or The Dirt Adviser, as I sometimes prefer to call it—did its best to destroy my reputation when I said I felt safer at a rave party than in a bar late on Saturday night. All the current affairs and news programs highlight that same aggressive, anti-social behaviour associated with binge drinking which caused me to conclude that bars on a Saturday night were not the safest places to be. As part of a drug harm minimisation approach I have continued to argue for pill testing at rave parties, but the government has turned down my approaches on the basis of 'sending the wrong message'.

Three years ago our current health minister, who happened at that time to be acting health minister when I made yet again a call for pill testing of drugs at rave parties, publicly responded to my call by challenging me to spend an evening in the Accident and Emergency Department at the Royal Adelaide Hospital to see the carnage created by drugs, so I arranged to do that on a Saturday night from 10 until 3 o'clock the following morning. Sure, there were a couple of admissions associated with illicit drugs, but overwhelmingly the drug that had the most impact on the night—

The ACTING PRESIDENT (Hon. I.K. Hunter): If members want to have a discussion, they had best do it out the back.

Honourable members: Hear, hear!

The Hon. SANDRA KANCK: The drug that had the most impact on the night that I was there was alcohol, and that has subsequently been confirmed by research. A year on from that visit, what is called the Designer Drug Early Warning System Report from Royal Adelaide Hospital validated my observation that alcohol was the problem. *The Advertiser* quoted Dr Michael Davey from the hospital as saying that on any given Saturday night 10 out of 36 general cubicles were taken up by extremely drunk patients.

The Social Development Committee will, as a consequence of this reference, have the challenging task of evaluating conflicting statistics and research. One side of that has already been demonstrated by the speech made by the Hon. Rob Lucas. From what he said, one would conclude that there is no problem of any consequence, that the patterns of alcohol consumption have not altered over decades, yet—

The Hon. R.I. Lucas interjecting:

The Hon. SANDRA KANCK: I said 'one would conclude' from what you were saying.

The Hon. R.I. Lucas interjecting:

The Hon. SANDRA KANCK: Have a read of what I have said. When you come into consciousness like that, you might pick things out of context. I would need a lot of hard evidence to convince me that 10 years ago 10 out of 36 emergency beds on a Saturday night were taken up by drunks. Certainly in the direct vicinity of this building, the broken glass, vomit and urine that Parliament House staff have to clean up on a Monday morning is a phenomenon that would not have been observed 20 years ago. The levels of drunkenness exhibited on the streets early on a Sunday are certainly not something we have seen in the recent past, although I recall as a child, when we still had 6 o'clock closing, being horrified to see people sitting, or even lying down, on the footpath outside hotels too drunk to get up without assistance. I am not sure that statistics were collected back then, so I do not know if we can make adequate comparisons.

The website of Drug and Alcohol Services South Australia (DASSA) partly confirms what the Hon. Rob Lucas had to say. It states:

Between 1998 and 2004, the proportion of the population drinking on a daily basis remained consistent and below 9 per cent for both South Australia and at the national level.

But then one needs to read further to ascertain that 37.1 per cent of South Australians had consumed alcohol at levels considered risky or high risk for alcohol-related harm in the short-term on at least one occasion in the preceding 12 months. That figure went up to 66.9 per cent for those in the 20 to 29 years age group. However, as we know, the NHMRC guidelines on which these judgments were made are being reviewed, with the suggestion that no more than two drinks in a session be now considered as binge drinking.

The terms of reference include, first, whether the laws and practices need to be modified. I suspect that the laws are sufficient and that the deficiencies appear to be in the practice. The statistics show that the very few of those selling alcohol across the bar comply with the legal requirement not to sell to those who are showing signs of intoxication, and there has been little enthusiasm to see that this is enforced. As we know, as at March 2008 only one person had been fined for selling to someone already intoxicated in the past six years.

Some of the more interesting aspects of this inquiry are likely to be covered under term of reference 4: 'Any other related matter'. Perhaps under this reference the committee might investigate the reasons this particular age group is using alcohol in an apparently reckless fashion. I suggest this because the mover of this motion (Hon. Dennis Hood) belongs to the Family First

Party, which has advocated raising the drinking age to 20 years. That might not be a solution, given that the at-risk age group appears to be those in the 20 to 29 years group.

Professor Anne Roach, of Flinders University, is certainly one expert the committee should consult. She was present at the International Harm Reduction Association conference that I attended in May, and she spoke of the complexity of this issue in relation to youth subcultures. She mentioned how the media is using the alcohol consumption issue as a way of demonising young people, and I hope that the Social Development Committee will resist any urge to follow the dictates of the media in that regard.

Something which these terms of reference do not address is the issue of the lifestyle advertising of alcohol. We see ads on television showing that alcohol is necessary to have a good time, that it makes men more masculine or women more attractive. If the committee reaches conclusions about the danger of this drug, then I believe that we must seriously look at whether there is any justified case for the continuation of this type of advertising.

I make the observation that advertising can be very subtle. There is a form of advertising now known as 'viral marketing', and as a very good example I came across an advertisement for a beer that is made in Utah which, of course, is the home of the Mormons—80 per cent of the population in Salt Lake City in Utah are Mormons, so to set up a brewery there is quite a challenge, I suppose, to that religion. This company markets a low alcohol beer called Polygamy Porter. Reading from a website about this it says:

The beer's label is pretty hilarious. Of course, it is what you would expect from a Salt Lake City, Utah brewery that was creative enough to come up with 'Polygamy Porter'. The main label proclaims 'Why have just one?' Across the neck label it says 'Bring some home for the wives' and in small print they claim their motto has always been 'We drink our share and sell the rest.' From the brewery's online store I found a T-shirt I believe I will have to buy for Von—

Von being this man's wife—

to give me for my birthday. The shirt has the full colour label on the back and printed across the front in large letters: 'I've tried polygamy.'

Apparently when the company wanted to put up a billboard in Utah and Salt Lake City there was a bit of a reaction to it, because the label and planned billboard featured a picture of a scantily clad man, cherubs and a six pack of wives. When the brewery owner was contacted about an accusation that this was in bad taste, he said, 'We've exhibited much worse taste than this'. Among other things, the billboard would suggest, 'When enjoying our flavourful beverages, please procreate responsibly'. I did what one does under these circumstances and forwarded the email to others, and thus I have indulged in what is now known as viral marketing.

Some of the marketing is also very clever. For instance, a particular alcohol chain has a wonderful website with cocktail recipes. I bookmarked that one and let a few people know about it. There are some forms of advertising we simply will not be able to stop. Two decades ago, because of the harm associated with its use, substantial measures were put in place to prevent tobacco advertising in print, on radio or on TV. The UK study I referred to when I began my speech gave alcohol a much higher harm ranking than tobacco. Here in Australia we outlawed tobacco advertising and we know it has played a significant role in reducing tobacco consumption, so why do we allow it for a drug as harmful as alcohol? We know advertising is effective: the industry would not otherwise pour millions of dollars into it.

I came under attack from petrolheads last year when I called for the alcohol sponsorship of the Clipsal 500 to be stopped. We know that mixing fast cars and alcohol is very dangerous, and again those advertisers, the sponsors (as they call themselves, rather than advertisers) know exactly who they are targeting and why. Donations to political parties from companies associated with the manufacture and sale of alcohol might also be an interesting issue to investigate.

Another of the issues the committee might find itself investigating under the 'any other related matter' term of reference is that of accessibility—the number of outlets available for the purchase of alcohol. Four years ago the National Competition Council was critical of South Australia for not allowing the sale of alcohol in our supermarkets. I vigorously argued against bowing down to its recommendations and, fortunately, the pressure from the National Competition Council was resisted by the state government.

Lies, damned lies and statistics will be delivered to the committee and it will need to ensure any research provided is peer reviewed and not taken out of context. I certainly hope the committee will look at the existing law to determine whether it or its enforcement is inadequate.

Whether or not alcohol use has increased, whether or not binge drinking has increased, we are talking about a powerful substance. It is because this legal drug is so dangerous that I am supporting this motion. I congratulate the Hon. Dennis Hood for recognising the harm associated with this particular legal drug.

The Hon. R.P. WORTLEY (22:48): I rise today to speak in opposition to the motion moved by the Hon. Dennis Hood. Members may be aware of a motion put by the member for Fisher earlier this year in another place, which covered similar grounds to the motion currently before us. For many of us, drinking alcohol is an accepted part of the South Australian lifestyle. Many people drink moderately and enjoy the social aspects of drinking, but unfortunately some also experience the negative aspects of alcohol, either through their own misuse or through the impact of other people's intoxication. There is no doubt that the misuse of alcohol comes with a cost: a social, health and financial cost borne by the South Australian community.

We already know that approximately 85 per cent of all South Australians over 14 years of age drink alcohol, with 50 per cent of South Australians drinking at least weekly. We know that 10 per cent of South Australians drink at levels that place them at risk of long-term harm to their health and well-being. These long-term harms generally result from regular heavy consumption over an extended period of time and can include heart disease and other cardiovascular diseases, cancers—including mouth, throat, liver, stomach, bowel and breast cancer—and cirrhosis of the liver.

We also know that drinking at levels that place people at risk of short-term harm is more common, with 6.8 per cent of South Australians drinking in this way at least weekly and a further 14.7 at least monthly. Short-term harms usually occur following excessive consumption during a binge (a single drinking session) and can include accidents and injuries that result from intoxication, as well as antisocial behaviour, violence and criminal behaviour. Under-age drinking is also common, with over 90 per cent of South Australian school students aged between 12 and 17 having tried alcohol; and over a quarter of 12 to 17 year old South Australian schoolchildren surveyed in 2005 were reported to have consumed alcohol in the previous week. Of those children, 59 per cent had engaged in risky drinking behaviours within the last two weeks.

The impact of harmful levels of alcohol use on young people's brain development, wellbeing and learning outcomes, and the causal link between early initiation into alcohol use and the development of adult problematic behaviours relating to alcohol and other drugs is of concern. Other harms include: foetal alcohol spectrum disorder. This incidence and prevalence of foetal alcohol spectrum disorder in Australia, together with the risks associated with alcohol consumption during pregnancy, has resulted in significant debate amongst health professionals.

At a federal level, the Intergovernmental Committee on Drugs has formed a working party to advise the Ministerial Council on Drug Strategy on the issue of foetal alcohol spectrum disorder. The working party comprises experts of FASD from the Australian government and each state and territory, and includes indigenous representation. The role of the foetal alcohol spectrum disorder working party includes: the development of a national approach to reduce the incidence of FASD; the development of special initiatives to address the higher incidence of FASD in indigenous Australians; improving diagnosis and recognition of FASD; improving access to services for people with FASD; determining key priorities for research; and developing appropriate policy to address the issue of FASD.

The government is aware not only of the harms caused by alcohol but also the health and social costs of excessive drinking which are felt by the whole community. Australia-wide, the social costs of alcohol consumption have been estimated at \$15.3 billion per year, when factors such as crime, violence, treatment costs, loss of productivity and premature death are taken into account. In this state, the Liquor Licensing Act currently provides a number of mechanisms to control both the sale and consumption of liquor. A key component of the Liquor Licensing Act designed to minimise the harmful and hazardous use of alcohol is, in fact, a mandatory code of practice which applies right across the industry. This code outlines the range of practices relating to minors, responsible attitudes to the consumption of liquor, intoxication and disorderly behaviour, and highlights a responsible attitude to the advertisement and promotion of liquor. It comes with some significant penalties if the code is breached.

The dry areas are also an important mechanism designed to ensure public safety as part of a broad level strategy to address public nuisance. Applications for dry zones can be for various lengths of time and, when combined with liquor licensing accords, precinct management groups and liquor management plans, can assist to promote the responsible service of alcohol and the

management of the alcohol-related issues, including antisocial behaviour. All licensees must establish and maintain practices to minimise undue noise and inconvenience to people in the vicinity of licensed premises and must be vigilant in monitoring sound levels and the behaviour of their patrons. This includes monitoring patron behaviour as they make their way to and from the licensed premises.

The South Australian alcohol action plan is also currently under development and will set down strategies for reducing harm and promote the responsible consumption of alcohol. The plan will be developed in consultation with various partners from across the government and non-government sectors. An interagency working group has already been established to develop the plan and to ensure its smooth implementation and valuation. The priority areas that have been agreed to are:

- to improve health outcomes among individuals and communities affected by alcohol;
- to reduce the incidence of intoxication amongst drinkers;
- to facilitate safer and healthier drinking cultures by developing community understanding of alcohol and through regulation of its availability; and
- to enhance public safety and amenity at the times and places where alcohol is consumed.

With these factors in mind, the South Australian alcohol action plan will set out the government's commitment to minimising the harmful consumption of alcohol and its related impacts on individuals, families and the wider community. It also acknowledges the work of the new federal government and the announcement of its \$53 million national binge drinking strategy. At a recent ministerial council meeting it was agreed to fast-track work on the national binge drinking strategy.

This government acknowledges that it has a role to play in encouraging reduction in the harm caused by excessive drinking to individuals, families and our communities. I agree with the honourable member that the harm caused by excessive alcohol consumption is a real concern and that is why the alcohol action plan has been developed, specifically in the South Australian context, taking into account work already being done at a national level.

This work is already well underway and is drawing on the advice of experts from across government and those with experience in the field. I see no reason to repeat the work that is being done already. I oppose the motion.

The Hon. R.I. LUCAS (22:56): I did not intend to speak, but I rise to speak as a result of the vicious and unprovoked attack by the Hon. Sandra Kanck on my views on this issue, as alleged or claimed by the Hon. Sandra Kanck. I will be mercifully brief to deny absolutely some of what the Hon. Sandra Kanck indicated were the inferred views of the Hon. Mr Lucas in relation to the use and abuse of alcohol.

I can only assume the Hon. Sandra Kanck was referring to a contribution I made earlier in relation to the Rann government's proposed lockout policy. Regarding that issue and related matters I indicate that my view is simple. There is a problem with a minority of people, not just young people, on Friday and Saturday evenings in the city. The motion of the Hon. Mr Hood is canvassing problems right across the spectrum. It does not just relate to behaviour issues in the CBD on Friday and Saturday evenings, although it potentially canvasses that area, as well.

The view I put in relation to the issue of Friday and Saturday nights in the CBD is to tackle the problem with policies that might work and tackle the people who are causing the problem. We should not penalise the vast majority of mainly young people but also older people who happily enjoy themselves in the early hours of Friday and Saturday evenings in Adelaide because of the problems created by an unruly minority.

There are simple solutions, which I hope the committee will look at. One is a policy of a significant increased police presence on Friday and Saturday evenings between probably 10pm to 11pm and 6am on those two evenings. Certainly the evidence is there—if the committee will take the evidence—that a significantly increased police presence on the beat in Hindley Street during those hours will reduce significantly any behaviour problem in the street.

The second issue—and I have also indicated this before in public statements—is that there is an existing law under the licensing provisions which prevents or prohibits licensees from serving alcohol to clearly intoxicated people. The law is there and it needs to be policed. That requires an

increased police presence and increased enforcement. I believe that those policies can work—not knee-jerk, tokenistic policies, such as a lockout policy for 2am or 3am on a particular morning.

I absolutely reject the notion that just because I object to what I believe is a particularly foolish policy and, if I can use the same inference technique that the Hon. Sandra Kanck used, I am surprised that by inference the Hon. Sandra Kanck is supporting the lockout policy from the statements she appears to have made this evening.

I would hope that the committee will look at the lockout policy and at some policies which may well work in relation to the actual problem rather than, as I said, a knee-jerk response which I do not believe will work. As I said, ultimately, I never subscribe to the view that you do nothing, as the Hon. Sandra Kanck was suggesting (or, indeed, others might have suggested), but rather that you look at some policies that might work. The only other brief comment I would make—because I know that the Hon. Sandra Kanck and the Democrats will want to support bans, prohibitions or restrictions in terms of alcohol advertising—is that if one goes back to the debate in relation to tobacco advertising in the mid 1980s one will see that we were told then that there were 16,000 deaths per year as a result of cigarette smoking and therefore we should ban tobacco advertising.

We have done that. We supported it. and I think that all sides of the parliament supported it. We listened to the argument. We asked the then minister for substance abuse (I am not sure who the latest one is but it is the last one) how many deaths from cigarette smoking occurred in 2007. It was actually more than 16,000. I forget the exact number—it was 17,000 or 18,000. What we were told 20 years ago in relation to what needed to be done to reduce the number of people who die as a result of cigarette smoking was to ban advertising. I think that, when they start to move down a similar path (as I am sure they will seek to do in relation to alcohol), the people who pull the policy levers need to demonstrate with evidence that such a policy will work.

In relation to cigarette advertising, the people who advocate that policy now have moved to the issue of the number of people who are smoking, whereas the figures with respect to the debate of the 1980s about the number of people who were dying from cigarette smoking are inconveniently unresponsive of what has occurred. So, they are jettisoned to the dust bin of history in terms of justifying what has occurred, and the people concerned move to new measures to justify what they believe to be the success of the policy. As I said, at the time it was supported I think by everyone in the parliament. I cannot think of anyone at that stage who opposed it. As this committee looks at the debate about advertising and alcohol, I would request that it ask the health advocates within the government departments who will give evidence to provide the evidence as to how it will work if they intend to propose such policy prescriptions.

The Hon. D.G.E. HOOD (23:02): I thank all members for their contributions. I would particularly like to thank the Hon. Bob Such from the other place who, I must say, was instrumental in coming to me early on in preliminary discussions. In fact, it was largely his idea. I just want to put that on the record. He came to me with a number of thoughts and we worked on it together. He was not confident of getting the numbers in his house, so we agreed that I would move the motion here. It seems like the motion will have support, which I am thrilled about.

An honourable member interjecting:

The Hon. D.G.E. HOOD: I am disappointed about that, and I will get to that in a moment. I thank those members who spoke to the motion, and I particularly acknowledge the contribution of the Hon. Ms Lensink, who I thought made eminent sense. Essentially her point, as I understood it, was that the point of the inquiry will be to look at the real impact and the statistics, and that sums up exactly what I was trying to do in putting this motion forward. It was deliberately broad in the sense that it would catch all. I just want to state for the record that no-one is suggesting that we make alcohol illegal. That is ridiculous. I do not think anyone would support that. We certainly would not. I just want to put that firmly on the record in case anyone might have silly thoughts to that effect.

The way in which this motion came to mind was that earlier in the year I had to drop my wife and daughter off at the airport very early on a Sunday morning. Their flight to Brisbane left at 6am. Because my wife was travelling with an infant, she had to be there at 5am. So, I dropped her off at 5 o'clock and drove home. The way I get home is to go through the city to get to Prospect, where I live. I drove down Hindley Street, because I thought, 'Well, I haven't been down Hindley Street at this hour of the morning in a long, long time.' So, I thought I would take the scenic route.

An honourable member interjecting:

The Hon. D.G.E. HOOD: I can tell you, it was a sight for sore eyes. So, there would be no problems there.

An honourable member interjecting:

The Hon. D.G.E. HOOD: No, none of that, I can assure you. Anyway, I drove home via Hindley Street, and it really shocked me. What I saw in probably the two minutes it took me to drive the length of Hindley Street was two young girls literally lying in the gutter; this is at six in the morning. I am sure that those girls would have been under 20—it would not surprise me if they were under 18, and it would not shock me if they were under 16. They were literally lying in the gutter. One of them had her skirt up around her neck and the other one was semiconscious, but barely moving at all. The girl with her skirt lifted appeared to me to be knocked out. She was being attended to, so I did not feel the need to stop and I kept driving.

A few moments later, a young guy (I guess is the best way to refer to him), probably in his very early 20s, or maybe late teens, banged on my windscreen quite violently and screamed abuse at me—someone I had never met, obviously, or seen in my life before. It really left quite an impression on me. As I said, it was only a two-minute journey down that street. I had not been on that street at that hour of the morning for many years—and I would be prepared to take an oath on that if there is any doubt about that fact.

It really struck a chord with me. I got home and it was on my mind and I thought, 'What can I do about it?' One of the things that I could do about it was to ask the Social Development Committee to inquire into the cause. Obviously, I saw many drunk people. There was a feeling of violence on the streets, really, and it was an untoward situation.

The purpose of this inquiry is to examine, essentially, what can be done, what cannot be done and what should be done. A number of the things, as alluded to by the Hon. Ms Kanck, which will be looked at by this inquiry will fall outside the jurisdiction of this parliament. Federal issues, such as advertising, for example, and those sorts of things, will lie outside the parameters of this parliament. However, they are still issues upon which recommendations can be made.

I would also like to sincerely thank members of the opposition for their support. As I said, I think that the contribution by the Hon. Ms Lensink, in particular, was eminently sensible. I would also like to thank the Hon. Ms Kanck for her indication of support. I am genuinely surprised that the government would not support this motion.

The Hon. R.I. Lucas interjecting:

The Hon. D.G.E. HOOD: Indeed. We have standing committees to inquire into just this sort of thing. The Social Development Committee is the appropriate body to hold such an inquiry. The motivation here is not to embarrass the government in any way. Frankly, I think that we would be facing the same issues whichever government was in power. When one considers that the Prime Minister at a federal level is obviously concerned about the impact that alcohol has on our society—

Members interjecting:

The Hon. D.G.E. HOOD: It is a multi-party approach, Mr President, as you can see.

Members interjecting:

The Hon. D.G.E. HOOD: Well, I did that, and after I put her on the plane I drove down Hindley Street. I am disappointed. I just do not see what harm could be done in having a genuine look at this. As I said, it is not an attempt to embarrass the government at all. I think this is just an attempt to try to have a proper look at a very serious problem in our community.

Let me outline that problem. I am conscious of the hour, so I will not take too much time, but I would like to take a few minutes to outline the seriousness of the problem. I want to highlight in chronological order things that have come to my attention since I raised this motion in this council on 19 April this year. I would like to present a list of issues that I think are relevant and give further cause, if you like, for the holding of this inquiry. Again, all these things I am about to mention have come to my attention since 19 April this year. As I said, they are in chronological order.

The first of those is that in Queensland Premier Anna Bligh announced on the sidelines of the 2020 summit that her government would charge parents who provided under-age children with cartons of alcohol for schoolies celebrations and impose fines of up to \$6,000. A couple of weeks after I moved this motion, we all read with shock the harrowing account in the *Sunday Mail* of cab

driver Avel Aretas and his encounters with 'thousands' of binge drinkers, and in particular his observations of young women binge drinking in Adelaide and the risk they place themselves at. On 8 May, just a few weeks later, the Cancer Institute of New South Wales released a study showing that two standard drinks a day increased the risk of breast cancer by 22 per cent; two standard drinks a day increased the risk of developing mouth cancer by 75 per cent; and four standard drinks a day increased a man's risk of developing bowel cancer by 64 per cent.

On 11 May, just three days later, the Ceduna council proposed new licensing conditions at Yalata and Oak Valley to limit alcohol sales to light beer only, to reduce binge drinking, with the Mayor, Alan Souter, saying the community's police and local hoteliers all supported the move but that the licensing commissioner was not interested.

The very day after that, *Dolly* magazine's Youth Monitor surveyed 600 teenagers between the ages of 10 and 17 in findings released on 12 May. The findings were compared with attitudes in 1992. Results showed that 80 per cent of 10 to 17 year olds think that regular drinking is acceptable, compared with 64 per cent in 1992—a significant increase in just a few years. However, 42 per cent think it is acceptable to smoke tobacco, compared with 56 per cent in 1992. So, clearly, the advertising campaign against tobacco has resulted in people of that age group thinking of tobacco as less acceptable. Why we are not doing the same with alcohol is a valid question.

On the question of government involvement, governments of both persuasions have been aware of this problem for some time. Over 20 years ago, in a media release, the former minister for health, Dr Cornwall, referred to a DASC (as DASSA was then called) survey—

The Hon. B.V. Finnigan interjecting:

The PRESIDENT: Order!

The Hon. D.G.E. HOOD: —of some 699 teenagers aged 12 to 17 and 472 adults aged 18 to 23. They found that over 40 per cent of 15 to 17 year olds had engaged in binge drinking (then defined as five or more drinks in a row) at least twice in the two weeks before the survey. Nearly 50 per cent of those aged 12 to 17 believed it should be harder for them to obtain alcohol. The report also shows that an alarming proportion of people aged 12 to 23 believe that drinking wine coolers (the drink of choice amongst young people in those days, or the RTDs of that generation) believe that 'drinking wine coolers or beer is safe if they do not want to get drunk'.

A few days later, a paper presented by the Royal Australasian College of Physicians at its annual congress (starting on 13 May) had the results of a telephone survey of 1,103 Australian women aged between 18 and 45, which showed that 34 per cent consumed alcohol during their last pregnancy; 32 per cent said they would drink if planning, or during, a future pregnancy; 93 per cent knew alcohol affects unborn children; and 81 per cent agreed that pregnant women should not drink alcohol during pregnancy, despite the fact that 34 per cent of them did.

Also, on 13 May (the very same day) the Northern Territory police pulled over a man near Alice Springs, who had a five-year old boy unrestrained in his vehicle but his slab of beer was buckled up alongside of him on the seat. On 15 May we heard that Queensland schoolgirls had formed an 'exclusive' club called Club 21, in which girls are ranked between one and 21 based on their thinness, good looks, binge drinking escapades, popularity with boys, etc. On 16 May the University of Tasmania released study of findings showing that 13 per cent of teenagers said they got 'blind drunk' regularly, while 43 per cent said they did so occasionally.

On 18 May we heard that, at its 61st assembly, which began on 19 May, the World Health Organisation was under pressure to take action against binge drinking. Also, on 18 May we heard that a young man admired by many of our young people—singer Shannon Noll—admitted that he had been engaged in rampant drug and alcohol abuse. On 23 May the Ministerial Council on Drug Strategy decided to fast track the federal government's \$53.5 million national binge drinking strategy in response to the community's concern about binge drinking.

On 28 May we heard, through the former consumer affairs minister, that the state government was taking legal action against the Shenanigans Hotel at the Marion Shopping Centre for encouraging women to drink heavily—as was alleged.

We saw an instant change in drinking behaviour after the federal government's introduction of its alcopops tax, which some observers say has driven young binge drinkers to drink spirits rather than RTDs. Shortly after that, Britain launched a campaign aimed at women, its slogan

being, 'If you drink like a man, then you'll look like one', and it demonstrated how long-term excessive consumption can affect a woman's appearance.

Data revealed at Senate estimates in early June indicated that 9.1 per cent of young people aged 14 to 19 years of age drink at risky or high-risk levels at least once a week. Submissions to the Senate ready-to-drink tax inquiry found that 20,000 girls in Australia aged 12 to 15 have a weekly drinking habit.

As I said, all this data has come into the public arena since I moved this motion on 19 April this year. So, in just a few short months all those things have come to light. Clearly, we have a problem that needs investigation. I state for the record that this is not an attempt to introduce draconian laws under some veil of secrecy or anything of that nature. As members here know, I enjoy an occasional drink. There is nothing wrong with that, but we need to look at what impact this issue is having on our society in a proper and informed way.

The PRESIDENT: It seems a very good argument for 10 o'clock closing.

Motion carried.

DEVELOPMENT (POLITICAL DONATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 April 2008. Page 2347.)

The Hon. J.M.A. LENSINK (23:16): This bill has been proposed to address corruption, perceived corruption or potential corruption involving development. There are two aspects in relation to corruption: the actual corruption that may take place and the perceived corruption that may arise from conflicts of interest, not necessarily being on the take and so forth.

In his second reading contribution, the Hon. Mark Parnell made the comparison with New South Wales, which has had a fair circus of goings-on with developments in the Wollongong City Council area. He stated that the two reasons that that level of corruption would not happen in South Australia were that we had independent development assessment panels and that our councils were inherently less political. I tend to agree with him that those arguments do not necessarily substantiate our not being concerned about potential levels of corruption.

This bill will, in effect, force property developers to disclose all donations to political parties when lodging development applications, and it would apply only to applications of greater than \$4 million or those including a subdivision of 10 or more plots, and they would be accompanied by a statutory declaration. The honourable member states that he does not oppose donations to political parties from developers and that his proposal is that a zoning change or a development application will trigger the need to disclose.

We have disclosure laws imposed by our electoral legislation, and one may argue whether or not they are adequate. However, the Liberal Party views this measure as targeting one industry, whereas, in fact, this may occur in other industries. I will give one example, which I have not been able to substantiate. I have certainly been told that the waste industry in South Australia may be subject to some corruption, and the allegation is made that some of the shonky operators who stockpile materials so that they can avoid paying the solid waste levy are close to senior people in this Labor government.

I raise it to state that, while there may be more opportunities for developers, I do not think it is good practice to target a particular industry. Also, our official stance as a party is that we support the establishment of an ICAC, which would be able to refer any issues to that process. I think it is important to have a process such as an ICAC because one may raise, on the one hand, a developer having a successful application and, on the other hand, reporting the particular donations and the dollar value of those donations, and that gives a perception that there is a conflict of interest.

If we were to have an ICAC it would solve that problem because there would be an established process that everybody would know about. Rather than implying, through raising the issue of the successful application and the amount of the donation (which implies that there might be a perceived or an actual conflict of interest), an ICAC would be a well-accepted way by which anybody who had concerns would be able to have those concerns investigated. With those brief words, I indicate that the Liberal Party does not support the bill.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (23:21): The government does not support the bill. I guess it is understandable that the Greens, as essentially an anti-development party, would put up such a proposal. It is a party that is financed by people from conservation groups and the like that would normally be opposed to development and, obviously, they support measures which, for them, would create a more level playing field. So, in that context, one can understand the motive behind this bill and, indeed, many of the other measures that the Greens put forward. Every day they are in the media advocating something that generally would try to make traditional economic development more unlikely within our society, and that is fair enough: that is their stance.

However, I suggest that this is the wrong act for measures in relation to political donations. This bill seeks to amend the Development Act but this is not a development matter; it is an electoral matter. In fact, there are existing arrangements within the Electoral Act for the declaration of political donations. Whether or not they should work better is another matter, but I suggest that should be addressed in the context of the electoral legislation.

The fact that the arrangements work as well under the Electoral Act as they would under this bill is illustrated by the fact that the Hon. Mark Parnell and the Hon. Rob Lucas (for that matter) have obviously spent time scrutinising those donations and have raised issues within this parliament in relation to them. If there was not that transparency, if you like, in relation to donations, those issues would not have been raised. I do not really see how any improvement is going to be achieved by putting such requirements as already exist in the Electoral Act into the Development Act also.

In his speech the Hon. Mr Parnell said that sunlight is the best disinfectant. That might be so, but that is why, indeed, it should be within the Electoral Act. That is where it belongs. Perhaps the real argument or the strongest argument against this bill is that the amendments, effectively, would be useless in achieving the purpose that the Hon. Mark Parnell expects them to achieve. The loopholes in this bill would be most transparent. Companies could simply donate via third parties.

When some of these issues were raised, I referred to a major project in this state by the Bradken company, which this government supported. To my knowledge I do not believe that company has given any donations to the ALP, but it did give a donation of \$12,500 to the New South Wales Liberal Party and, in turn, there was a donation of \$12,000 from the New South Wales Liberal Party to the South Australian Liberal Party.

Whether or not those two are connected, I do not know, but clearly it gives an example of the sort of vehicle whereby companies might be able to donate through a third entity to avoid this bill, be they so minded. In any case, as in the case of Bradken, those donations are captured in the Electoral Act anyway. In fact, they are captured in a way that you would not be able to get the same information through the Development Act because you would not have got the first donation to the third party through the Development Act, so in a sense it would be less effective than the legislation we already have.

Most of the development decisions are made by local government, and it has already been pointed out that we have a different structure than New South Wales. That is not to say that the likelihood of corruption would necessarily be any less but, given that in this state there are not caucusing or political parties, any perception of corruption within local government through donations to political parties is less likely to occur. Of course, there are members of local government who are members of political parties; often their affiliation is well known, but the point is that they do not have caucusing. They are not committed to a party line; in fact, they stand as individuals and they act as individuals, so donations to political parties have no relevance to that behaviour anyway.

Perhaps the final argument against the bill—and this was touched on by the Hon. Michelle Lensink—is that it really is discriminatory in that it singles out development as one industry sector that should have special rules. If we are going to go down this track, why would we not capture the mining industry because the Greens do not like that industry? Should they be captured as well? Given the Hon. Mark Parnell's bills in relation to superannuation, perhaps he would have ethical donations for political parties where you can donate only if you are from an ethical source. Of course, his definition of ethical donations might be different than other people's.

One could give a whole lot of examples: the hotels industry in relation to liquor licensing matters, the fishing interests in relation to fisheries bills, medical practitioners in relation to certain bills—all of those cases could come up. But one could also say if one was going to go that far: then what about groups like Greenpeace or conservation groups donating to anti-development parties? Should their donations also be declared, because that is the other side of the coin? If influence is being used to achieve a particular political outcome, should that also be declared?

But where does one draw the line? Sometimes parties make their own decisions. I know that the ALP made a decision not to accept donations from the tobacco industry; other parties may not, but I think that is really up to them. That is all in the public arena. The voters at the end of the day can make their choice on what stands political parties make. But what is important in relation to any development decision is that this declaration should be transparent.

In any case, that reminds me of another obvious loophole in this legislation, which would be the timing of donations. What would be the difference if the developer lodges and a donation is made after the event? Is that any less relevant than if it is made before? These timing issues come into it. I believe that the best transparency—the way that sunlight is the best disinfectant—is to have regular scrutiny of political donations right across the country, as they are, so that you can cover movement in donations, and that is best done through the Electoral Commission. If there is need to tighten those, then maybe it should do that. Even if the Electoral Act limitations were effective, if you just had a \$1,000 limit, presumably you could have a whole lot of dinners for \$990 involving spending by different individuals, and that would be another way of getting around the laws. That is exactly what has been done by the federal Liberal Party for some years.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: The Hon. Mr Lucas is down to speak later.

The Hon. P. HOLLOWAY: These are the limitations with the bill, but there are essentially the same limitations with the Electoral Act, only I would suggest that they are even worse in the Development Act than they are in the Electoral Act, because they are not as comprehensive in terms of the broader coverage that would be made of it. If one is going to look at the whole issue of electoral donations, then it should be done as a whole, right across the spectrum and not just picking out one particular part of it.

Let me just give a final example, and it is a real example. This bill covers things like subdivisions. There is one company in the near areas of Adelaide which is subdividing. The company is a well-known donor to the Liberal Party. It is about to move its headquarters and sell that property. What value would there be in the company declaring the fact that it donates to the Liberal Party? We all know that it does, but the point is that it will not affect the decision of that particular company in relation to subdivision. Nor will it affect, I should say, this government's decision in relation to any proposal that might come forward in relation to that.

If we are really trying to suggest that somehow or other political parties are influenced by these things, then it would work both ways, presumably. If you have favourable influence, does that mean that you also get unfavourable influence because a party donates to one rather than another? The reality is that, if one looks at the record—and the record is there; it is transparent which companies have given donations—some companies have given to one party or another or both.

Other companies have not, but all of them have at various times received favourable and unfavourable decisions from government, as indeed should be the case because, I would suggest, those decisions are decided on their planning and development merits and not in relation to donations. For those reasons, I do not believe that this bill is an effective way to deal with it. We must have proper scrutiny of political donations, but it should be done as it is now under an effective Electoral Act.

The Hon. SANDRA KANCK (23:32): I am pleased to support this bill, which is a modest one, simply seeking to shed some light on the darkness that surrounds the way that decisions are made in this state. The Hon. Mark Parnell speaks of sunlight being the best disinfectant, but I am inclined to think that we need something a little stronger: caustic soda, perhaps?

The Hon. M. Parnell: Dettol.

The Hon. SANDRA KANCK: Dettol, maybe. Yes, for I believe corruption must be widespread in this state. I come to this conclusion by applying the arguments used by the government and other parties in this chamber. The argument is made that our tough bikie laws will

cause an exodus of bikies to the eastern states and that our lax marijuana laws make South Australia the cannabis capital of Australia. If that is true, then this apparently soft approach to corruption, combined with our development boom, must be attracting crooked developers and encouraging dubious practices.

The Hon. Mark Parnell has made the point that, where bodies are established to find it, corruption is found, but in South Australia, we have preferred not to look. According to a director of the New South Wales ICAC, there are four risk factors for corruption: opportunity, cultural acceptance, little fear of detection and a lack of leadership in support. In South Australia, opportunity is arising from the development boom, but the lack of an ICAC reduces the fear of detection and we suffer from that lack of leadership.

The lack of leadership is demonstrated by the state government's complete lack of interest in, and antipathy towards, deterring corruption. It is important to note that New South Wales sees education in the public sector and the community as an important part of preventing corruption but, in South Australia, our government is so intent on convincing us that everything is fine that it does not bother with that sort of education. This suggests that there may be pockets where there is a cultural acceptance of corruption. So, we probably have all the factors that drive corruption, and there are state politicians who have an almost universal Freudian attraction to vertical objects, giant holes and huge machines.

What deters corruption? According to the New South Wales ICAC, again, the key factors are: investigation. The powerful tools of surveillance, search and seizure, deter corruption. Unfortunately, we do not have an ICAC and this government opposes it. Corruption prevention, which looks at systemic factors that support or prevent corruption. Well, we do not have an ICAC that can do this and no-one else is actually doing anything about it.

Education: raising the awareness of both the public sector and people who deal with the public sector. Once again, no ICAC and no effort from anyone else to make sure this happens. In fact, outright corruption must just be the tip of the iceberg. Much more common would be the legal but lethal seduction of communities and individuals through job sponsorship and job offers.

The District Council of the Copper Coast is currently the most obvious example of developers employing council staff. Let me remind members of some of the salient details. The Copper Coast, with a population of 11,500, is experiencing the construction of a massive golf resort, The Dunes.

The Dunes project will cost about \$750 million and include accommodation for about 2,000 people. The former CEO of the council, John Shane, is now a director of Quickview, the developer of The Dunes project. The former general manager of infrastructure and environmental services of the council, Roly Kavanagh, recently went to work for Quickview as the site manager. There are reports that other council staff are working for Quickview.

One of the councillors, Graham Hancock, has been a consultant for the developer. The mayor and deputy mayor have been asked to step down from the development assessment panel by another council member, councillor Tommy Tonkin, because he believes that routine discussions between the mayor, deputy mayor and developer, conflict with the code of conduct established under section 21A of the Development Act—they have refused. I am not saying that anything illegal has occurred, but it is certainly not best practice. If we had an ICAC it would, at least, be considering an investigation of this council.

There is then the careful cultivation of acceptance by sprinkling sponsorship money throughout key community groups. For example, I note that this year's Make a Wish Foundation fun run will start and finish at The Dunes development. It is not illegal, but it is clear to all concerned that it is designed to buy community support.

The transparency sought by this bill is probably the mildest of the range of tools required to seriously tackle corruption. The government will, no doubt, oppose even this mild measure and, in fact, the Hon. Paul Holloway has indicated that is his party's position. The government will continue to insist that there is no problem and argue that somehow South Australians are different: we do not give into temptation here.

If pressed for justification the government will argue that an ICAC is too expensive. This begs two important questions: what price influence, and what price democracy? South Australians deserve some transparency and reassurance in these matters. Unfortunately, I suspect that we have a situation where the major parties will want to have their cake and eat it as well. Supporting

this bill, however, would be a step in showing that the two major parties are serious about fighting corruption.

The Hon. R.I. LUCAS (23:38): In speaking to this particular bill I will start with two quotes. The first quote is from the Labor Party policy of 2002, the plan for honesty in government, which quotes the now Premier, Mr Rann, as follows:

We will lift standards of honesty, accountability and transparency in government. Secrecy can provide the cover behind which waste, wrong priorities, dishonesty and serious abuse of public office may occur. A good government does not fear scrutiny or openness.

The second quote I turn to, appertaining to the substance of this bill, is from 2 May 2007 in an interview with Mr John Blunt on the Bevan and Abraham show on ABC Radio. Mr Blunt was either general manager or CEO of the Makris Group. The context of this debate was revelations made in this parliament that the Makris Group, through four or five different companies, had donated \$182,000 to the Australian Labor Party prior to the 2006 election. Bevan and Abraham were interviewing Mr Blunt, who was disarmingly honest in his reply. The record of the interview is as follows:

In responding to a question from David Bevan about why the Makris Group chose to donate to Labor, John Blunt replied: 'I mean, we have got business interests, as well, so we want good governance. We want to see things happen in this state.'

Matthew Abraham interjected, 'You want to be looked after, too?'

John Blunt: 'Yeah, we want to make our projects happen, that's for sure, but, you know, that's a part of the way the system—you know, politics—works here...'

I think those quotes summarise the issues that are being addressed by the Hon. Mr Parnell in this legislation. Here we have the chief executive officer of a major developer who, in the period leading up to the 2006 election, had donated \$182,000 not just in the name of the Makris Group but through groups called the Gawler Northern Market Group, and Acanana, and a number of others.

It was only through work done by the opposition in tracing back through company searches that the associated interests of these companies with the Makris Group were revealed. As a result, there were these interviews from Bevan and Abraham, and I quote Mr Blunt again, 'Yeah, we want to make our projects happen, that's for sure, but, you know, that's a part of the way the system—you know, politics—works here.' That is a damning criticism of this government and of this minister, who has been the minister associated with a number of the developments of interest to the Makris Group, to which I will refer in a moment.

In addressing the issues of this legislation, and other related matters, I seek leave to incorporate in *Hansard* a purely statistical table that analyses the donations made not just by developers but also by other major interest groups to the Australian Labor Party between the period 2002 and 2007, all from Australian Electoral Commission returns.

Leave granted.

Donor for period 2002-2007	Total Amount
ALP Holdings Pty Ltd	\$1,568,000.00
Shop Distributive Association	\$778,648.61
Construction, Forestry, Mining and Energy Union	\$753,130.95
Liquor Hospitality and Miscellaneous Workers Union	\$548,865.48
Australian Manufacturing Workers Union	\$405,736.51
Australian Workers Union	\$267,673.36
Companies associated with Makris Group, including: Makris Group Pty Ltd, Balgara Shopping Centre Management, Acanan Pty Ltd, Gawler North Market	\$261,150.00
Australian Hotels Association	\$221,650.00
Transport Workers Union	\$186,338.66
Companies associated with Mr Pickard, including: Fairmont Homes Group Pty Ltd, Pickard Retirement Pty Ltd, Land SA	\$119,450.00
Companies associated with Mr Gandel including: Lewiac Pty Ltd, Northgan Pty Ltd	\$71,100.00
Westfield Shopping Centres	\$64,100.00
Urban Construct	\$48,250.00
Strategic Contacts Pty Ltd	\$33,000.00

Donor for period 2002-2007	Total Amount
Caversham Property Development	\$30,000.00
Companies associated with Bilfinger Berger Australia, including: Bilfinger Berger, Baulderstone Hornibrook Pty Ltd	\$29,850.00
Walker Corporation	\$25,000.00
Companies associated with Mr Sadri, including: MDS Australia Pty Ltd	\$24,400.00
Babcock and Brown	\$24,400.00
ABN Amro Pty Ltd	\$17,700.00
Westpac Banking Corporation	\$4,000.00
Total	\$5,482,443.57

The Hon. R.I. LUCAS: This table refers to donations to the Australian Labor Party between 2002 and 2007. Unsurprisingly, the secretive, mysterious, and some might say sinister, ALP Holdings Pty Ltd is the biggest donor to the Australian Labor Party—approximately \$1.6 million donated through that particular entity. Where that money has come from, or how the money has been accumulated, no-one in this parliament, other than the minister—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: No; no-one other than the minister or members of the Labor Party would know that.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: The Australian Electoral Commission returns, to which the minister refers, saying 'Everything is transparent, everything is disclosed,' indicate nothing more than that—that is, three different donations totalling some \$1.6 million to the Australian Labor Party.

As I go through and refer to some of the individual aspects list, one of the points I would like to make is that, in my view, we are talking about a danger to democracy in terms of the direction we are heading with contributions to all parties, including both the major parties. However, I can assure you, from looking at the returns, in South Australia recently it has been to a much greater extent than ever existed with the former Liberal government in the eight years leading up to 2002.

In the financial year 2005-06, receipts for the Australian Labor Party in South Australia alone were \$4.9 million, while I note that the national Australian Labor Party returns for that same year were just \$3.7 million. So, the national office of the Australian Labor Party had receipts of \$3.7 million in 2005-06 while the South Australian branch of the Labor Party, a mere 7 per cent of the national total, had receipts of \$4.9 million in that period.

We are not talking about small beer here, we are not talking about small bickies. For the first time ever we are talking about significant lumps of money being dumped into one political party. Contrary to what the minister is saying, there is some transparency in terms of many of the aspects of the public disclosure requirements.

I am not going to go through all the list. It is now incorporated in *Hansard*, but unsurprisingly, Mr Acting President, you will not be surprised to know that an association that you have very close affiliations with, the Shop Distributive Association, is the next biggest donor at \$778,000, and then a number of other unions. Going down the list, as I indicated before, the companies associated with the Makris Group during that period made total donations of \$261,000, through various entities called Acanan, Gawler North Market, Balgara Shopping Centre Management and the Makris Group Pty Ltd itself.

The Australian Hotels Association, which is a very big donor to the Labor Party and to be fair, is also a donor to the Liberal Party, made donations of \$221,000. Companies associated with Mr Pickard, again who has been a donor to both the Labor Party and the Liberal Party, through entities such as Fairmont Homes, Pickard Retirement Pty Ltd, and Land SA, donated \$119,000. Companies associated with the developer by Mr Gandel, which included the Lewiac Group and Northgan, donated \$71,000. Westfield Shopping Centre, \$64,000; Urban Construct \$48,000; Strategic Contracts Pty Ltd \$33,000; and Caversham Property Development \$30,000.

Companies associated with Bilfinger Berger Australia donated nearly \$30,000; and Walker Corporation \$25,000. Companies associated with Mr Roost am Sadri, which also includes MDS

Australia Pty Ltd, donated just over \$24,000; Babcock & Brown just over \$24,000; ABN Amro \$17,000; and Westpac Banking Corporation \$4,000.

The point of doing that analysis is to indicate that it is not just the development industry—although that is a healthy source—from which the Australian Labor Party has garnered much of its donations, but in looking at those one can clearly see that. I hasten to say, as I said in an earlier speech on this issue, that the speech that I am making tonight will make no allegations of impropriety against any company. I am just outlining the facts in relation to who has given what and an analysis of what they are also involved with.

The Makris Group is clearly involved with at least a couple of controversial developments in relation to Le Cornu and a major shopping centre down at Encounter Bay, about which I have asked questions of the minister already. Walker Corporation is associated with a controversial development at Buckland Park. Urban Construct is involved with a controversial development at Newport Quays and a number of other developments as well. Bilfinger Berger Australia, which includes Baulderstone Hornibrook, is involved in a number of developments in South Australia as well.

Babcock & Brown is associated with a number of the bidding groups for the PPP projects in South Australia. For example, Babcock & Brown is in one consortium bidding for the \$0.5 billion PPP prisons project. I think Bilfinger Berger is also part of a consortium bidding for the \$200 million plus PPP project in education. Caversham, or the Aspen Group, is tied up with the City Central project, and also I understand with the SA Water building project as well. Hansen Yuncken was tied up with the PPP for police stations, regional police stations and court houses, and it has been tied up with a number of other major developments, such as the Lyell McEwen Hospital redevelopment.

So, if you go through the PPP projects in terms of the bidding groups—Bilfinger Berger, ABN Amro, Babcock & Brown, Hansen Yuncken, Built Environs—all of them are part of bidding groups for major PPP projects in South Australia. One can only imagine that when the bidding comes for the nearly \$2 billion Marjorie Jackson-Nelson project, a number of those particular groups (the development groups and also the financial groups and other groups associated with those consortia) potentially also will be part of the consortia that will be bidding.

That analysis indicates that the development industry is a significant part of the donor group, but so are many other groups as well. I share the views of my colleague the Hon. Miss Lensink and the Leader of the Government, in part, and that is, if this issue is to be tackled (as, indeed, I agree, it should be), I do not believe it can be tackled through the mechanism the Hon. Mr Parnell is advocating, that is, isolating the development industry in this way.

As I said, when you look at this analysis of donations to the Australian Labor Party, it shows groups such as ALP Holdings and Progressive Business (the organisation about which a number of questions have been raised). For the first time last year a return was lodged with the Australian Electoral Commission. It has been my view for some time that, as an associated entity of the Labor Party, it should have been submitting returns for a number of years, as indeed its sister organisation in Victoria has been lodging annual returns with the Australian Electoral Commission. Nevertheless, it started to lodge returns, and I am currently undertaking an analysis of that, and associated entity returns also.

Of course, add to this area of interest the Hon. Mr Parnell has raised in relation to development projects, etc., the work of Progressive Business, which is headed by former Senator Nick Bolkus, and look at the fact that Mr Bolkus has also acknowledged he is a lobbyist in his own right on a number of interests. Look at his work as chair of Progressive Business, raising hundreds of thousands of dollars for the Rann government. It is an unpaid job, but then you look at the other part of the equation, that Mr Bolkus and Mrs Bolkus (Mary Paterson, as she is known) have a significant number of appointments from the Rann government. For example, Mr Bolkus is the chair of the Stormwater Management Authority and, I understand, a member of the healthy living committee. His wife, Mary Paterson, is a board member of the Housing Trust (which pays just under \$30,000 a year), and is on the Local Government Grants Commission and the Social Inclusion Board.

So, there is a web in terms of Mr Bolkus undertaking a significant amount of work (he says, unpaid) for this fundraising arm of the Rann government and raising hundreds of thousands of dollars. He is also a lobbyist in his own right. On the other hand, the Rann government rewards him and his wife with what looks like at least five appointments of a paid nature out of the taxpayers' purse. As I said, one of those appointments is up to almost \$30,000 a year in the Housing Trust.

It is not surprising that the Hon. Mr Parnell, and others I am sure, raise questions about transparency, particularly when one sees comments of the nature of Mr Bunt's. As I said, blunt by name, blunt by nature and blunt in this interview—disarmingly honest. But I can assure members that many similar statements are made off the record and in private by people in relation to the development industry. That is, they believe that to ensure that they are in the hunt, rightly or wrongly, they need to be participants in Progressive Business and making donations of a significant nature to the Rann government.

This current free-for-all we have is a danger to democracy. There is the perception amongst many commentators and observers for potential corruption or impropriety in relation to all these things. My speech tonight is not alleging impropriety against any particular donor I have mentioned in my contribution, but it will be particularly highlighted when a government makes a significant change in a long-standing policy. I have addressed this issue in a number of other areas, but if a government has a particular view in an area, a policy position, and makes a significant change in that policy, and if at the same time one sees significant donations being made to the Australian Labor Party, then it is not surprising people will say, 'Hey, what's going on here?' in relation to what is occurring.

Given the time, I will not go through what I believe all the changes ought to be, other than to speak briefly and highlight a number of my personal views on these issues—I certainly do not profess to speak on behalf of my party. There is no doubt that there now has to be a significant change in relation to electoral disclosure laws. I do not support, for the reasons I have outlined, this particular endeavour from the Hon. Mr Parnell because, if you are to make change, it cannot just be for the developers but ought to cover the gaming industry, hotels and the other donors as well.

I am not the only one raising these issues: Mr Parnell has his model; the federal Labor Party through Senator Faulkner is raising the possibility amongst a number of options (I do not think they will eventually go down this path of banning political donations); the former federal president of the Liberal Party (Shane Stone) is canvassing the potential banning of donations; and Malcolm Turnbull and Christopher Pyne in the federal Liberal Party have talked about significant restrictions or inhibitions in terms of the current practices of donations to all parties. My personal view is that there needs to be a massive overhaul of the current disclosure laws. I have changed my views on these issues as a result of what I have seen over the past five or six years. I am now a supporter of public funding being introduced in South Australia. I do not believe that is the solution in and of itself to the problem, but it can be part of it.

I certainly now support at the very least some limit on the level of political donations that can be made by any individual or associated group to political parties, and I see that being at a modest level. I have looked at some of the disclosure regimes in the United States—given the hour I will not go through them now, but when the parliament returns I intend to speak on some of the options I have looked at in the United States and Canada. I certainly now support much tougher disclosure of all donations and, with the benefit of hindsight, the change my own party made to go from \$1,500 to \$10,000 is now not something I support. At the federal level members on both sides now support a reduction in that figure, maybe even a reduction to below the old level of \$1,500, although I think the Labor Party is looking at \$1,500 as well.

I refer also to the issues of aggregation under current disclosure, where companies are meant to aggregate and go over the disclosure level and disclose. In many cases, in relation to both the Liberal and Labor Party, where companies do not know because the regime is not being policed strongly enough or because they are deliberately not disclosing as they should, the issue of being able to donate to a party in a number of different states up to the threshold level needs to be tackled as well. There are a number of areas in relation to disclosure, but time does not permit me to go through them all this evening. However, I will address my views on them when the parliament resumes.

From looking at what is occurring in the United States, one of the lessons is that, if you do introduce a tougher regime in terms of disclosure and/or including limits on the level of donations, then again the clever operators in the United States have got around that. They have done that through what is known as the independent expenditures. I refer members to the report from the Fair Political Practices Commission in California of June of this year, which is a report on 'Independent Expenditures: The Giant Gorilla in Campaign Finance'. That demonstrates that, with their very tough limits on donations and very tough disclosure (probably second only to Washington), the clever operators have got around that through independent expenditures through independent expenditure committees.

That particular report and a number of others at which I have looked from the Fair Political Practices Commission demonstrate the cleverness of those who wish to donate, and if you think you have closed the loopholes, then you will need to think again. It is not easy, even if you are determined to crack down on it. If we do move to a tougher disclosure which, as I said, I personally support, then, at the same time, you have to tackle the issue of independent expenditures. If you do not, then the American experience demonstrates that you are almost wasting your time—\$100 million in the Sacramento case. I think it was almost an increase of 6,000 per cent in the space of four years. Once the tougher disclosures came in, all the money went back in through independent expenditure committees.

With that, I indicate my inability to support this particular model for reform but, as I said, I am not speaking on behalf of the party, I speak as an individual. I do personally support a comprehensive overhaul of this whole area and I think there do need to be much tougher disclosure regimes in the future to try to guarantee that there is not to be corruption or, indeed, as raised by a number of members, to reduce the perception of potential corruption or impropriety in this whole area.

The Hon. M. PARNELL (00:01): I commence my summing up by thanking the Hon. Sandra Kanck for her support, and the Hons. Michelle Lensink, Paul Holloway and Rob Lucas for their contributions. I asked for this to be brought on for a vote about a month ago, and I am glad that we finally got to it tonight, albeit on what appears to be the last sitting day of the session. I am only very slightly encouraged by the Liberal contributions which provide mooted support for what I am trying to achieve. As I take it from the contributions of the Hon. Michelle Lensink and the Hon. Rob Lucas, the main reasons are that my measure is incomplete as a solution to political corruption. I accept that absolutely. My bill was not designed to be the be all and end all of ending political corruption through inappropriate donations. I never intended it to do that, and I will explain some of the reasons why.

The other argument given is that an ICAC would be the way to go. I agree, an ICAC would be the way to go, but we do not have one, there is not one before us. It looks as if it will be some little time before we get one and, in the meantime, piecemeal as it may be, I think the type of measures that I am proposing as per this bill are the way to go to increase transparency and accountability.

I do need to comment on some of the comments of the Hon. Paul Holloway. Perhaps it is the lateness of the hour, but he was much more mooted tonight in his anti-Green rhetoric, saying that we are an anti-development party. I was waiting for the reference to the Greens' support for the East German planning system of the 1950s. I can assure the honourable member that I do not sit down with Maurice lemma and hark back to the good old days of East Berlin in the 1950s. The Greens are not anti-development. However, if the minister regards this bill as anti-development, then if any development is actually prevented by this bill—in other words, if anyone sees that they cannot go ahead with their development because they have made a donation—what more evidence do you need than something is crook.

If the fact of having to write a statutory declaration saying that you have given some money to a political party means you cannot go ahead with a development, clearly there is something wrong. If people think that it is onerous, bear in mind that in September we will be dealing with a piece of legislation that says, 'If you take \$300 worth of empties to a container deposit place, you have to sign a statutory declaration.' It is not a great imposition on developers, especially given that the threshold is set so high—\$4 million developments or 10-lot subdivisions—to require that declaration.

I agree with the Hon. Paul Holloway that there are other measures, such as the Electoral Act, but we do not have those measures in place and we do not have disclosure laws in South Australia. One of the difficulties we have in trying to cover the field is that, in the absence of an overall regime for political disclosure in this state, we need something to trigger that requirement for making a declaration. That is why I have focused on the development industry: because the trigger is when they want something. They want a development approval and they obtain that approval by lodging an application. It is not the same situation in relation to rezoning exercises or the hotel industry. It is not as if they are coming to government every other day looking for a new permit or licence. The triggers simply are not there.

The Hon. Rob Lucas went to some length to talk about some of the developer donations, especially in relation to the Labor Party. The analysis the Greens have done, especially through our democracy4sale website, shows that the development industry now outspends the union

movement in donations to the Labor Party. More money goes into Labor coffers from the development industry than from the unions.

The Hon. R.I. Lucas: Not in South Australia.

The Hon. M. PARNELL: Not in South Australia, no, but certainly in New South Wales—which is the focus of the democracy4sale website. I can see why the government is unhappy with this legislation.

One of the things I occasionally do in this place is to take ideas from other jurisdictions. I have taken this idea from Labor Premier Morris lemma. In June this year—after I introduced my bill—Morris lemma and the New South Wales Labor government introduced the Local Government and Planning Legislation Amendment (Political Donations) Bill 2008. The bill inserts a new section 147 into the New South Wales Environmental Planning and Assessment Act, the equivalent of our Development Act. Under the heading 'Disclosure of political donations and gifts' the bill provides:

The object of this section is to require the disclosure of relevant political donations or gifts when planning applications are made to minimise any perception of undue influence by:

- (a) requiring public disclosure of the political donations or gifts at the time planning applications (or public submissions relating to them) are made...

It is pretty well exactly what my bill seeks to do. That is what Morris lemma sees as an appropriate response to the perception of corruption that comes from developers giving donations.

Certainly, the rhetoric of the New South Wales Premier, Morris lemma, was stronger at the height of the Wollongong corruption scandal. Certainly, the New South Wales bill does not go as far as my colleagues in the Greens in New South Wales would have liked. In fact, they sought to amend the bill to have it go further because New South Wales was mainly targeting donations to local council politicians rather than the state government or political parties.

In the end, Labor and the coalition combined to require only a developer who submits a development application to a council to disclose donations that were made to local councils and not to political parties. It is not as strong as they would have liked, but the point I am making is that the opposition from Labor to this bill is in direct contrast to the position their colleagues have taken in New South Wales. Certainly, since I introduced this bill, the debate has moved on a great deal.

I will tell members some of the things Morris lemma said in *The Sydney Morning Herald* earlier this year. On 22 March, Morris lemma said:

My view is the time has come for us to now seriously consider moving away from donations and having a fully-funded public system...It's now got to the point the mere fact of giving a donation creates the perception that something has been done wrong. The time has come to test the viability of a full public system.

I acknowledge that the Hon. Rob Lucas expressed some support for a publicly funded system; and, certainly, that is the Greens' position as well. Morris lemma further said:

There's no example of a minister or MP who has done anything wrong, but there is a perception as far as donations are concerned and the time has come to go further in the reforms.

The position of the New South Wales government is not just this disclosure legislation (similar to what I have before the council now), but Morris lemma is also proposing complete bans on political donations. Mr lemma said that he wanted to:

...kill that perception...that you can buy influence. What I want to do is [go towards] a model of full public funding.

That quote appeared in *The Sydney Morning Herald*. In an article in *The Australian* in April this year, Mike Steere said:

The debate about cleaning up the scandal that is Australia's laws on political donations has come a long way in a short time. Suddenly, ideas considered sheer political folly a few months ago are being advocated by the main parties, such as the complete ban on all private donations by political parties canvassed by NSW Premier Morris lemma, forcing parties to rely on public funding.

About Morris lemma, Mr Steere said:

If he's serious, it's a great idea. When Wollongong councillors in New South Wales ask for a minimum donation of \$20,000 in return for approval of a development application, according to allegations before the state's Independent Commission against Corruption, and when ministers, state and federal, sell seats at their dinner table for \$5,000 or more each, it is past time to call a halt.

The article then goes on to talk about the idea of public funding for elections. I would urge particularly members of the crossbench who have not yet committed to a position to accept this very modest reform in transparency in relation to political donations. In comparison to a move to ban donations or to go to full public funding of elections, this is a very modest step. It is just saying that, at the time those biggest developers lodge their development applications (the ones we never find out about until the AEC disclosures come out, often 18 months or so after), they put in a stat deck saying, 'In the last two years, this is what I have given to political parties.'

It is not onerous, it is not expensive and it is not difficult. It will catch only the biggest of developers, but it will provide that element of sunlight that is currently missing. If to get Liberal Party support required the full raft of legislative reform, I am very happy to work with my colleagues in the opposition over the next few months, because I think we could do better than just this bill. This bill, as a stand-alone measure, does deserve support, but I am more than happy to work with the opposition to try to get some more far-reaching reforms along the lines, for example, of some of the issues raised by the Hon. Rob Lucas. But, for now, I urge members to support this bill.

The council divided on the second reading:

AYES (2)

Kanck, S.M.

Parnell, M. (teller)

NOES (17)

Bressington, A.

Brokenshire, R.L.

Darley, J.A.

Dawkins, J.S.L.

Finnigan, B.V.

Gazzola, J.M.

Holloway, P. (teller)

Hood, D.G.E.

Hunter, I.K.

Lawson, R.D.

Lensink, J.M.A.

Lucas, R.I.

Schaefer, C.V.

Stephens, T.J.

Wade, S.G.

Wortley, R.P.

Zollo, C.

Majority of 15 for the noes.

Second reading thus negatived.

NATURAL RESOURCES COMMITTEE: EYRE PENINSULA NATURAL RESOURCES MANAGEMENT BOARD

Adjourned debate on motion of Hon. R.P. Wortley:

That the 16th report of the committee, on the Eyre Peninsula Natural Resources Management Board, be noted.

(Continued from 2 April 2008. Page 2214.)

The Hon. C.V. SCHAEFER (00:18): Given the lateness of this sitting, I will simply commend the tabling of this report. The NRM Committee undertook this report some time ago, and it made seven recommendations. The board appears to have acted as much as possible on the recommendations that pertain particularly to the Eyre Peninsula board. I believe that it has genuinely made efforts to be more transparent, in particular, with its imposition of levies, and more amenable to true consultation with the public and land-holders of the region.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.V. SCHAEFER: Thank you, Mr President. There are other recommendations which need to be acted on by the government. I am sure that no-one here tonight would be surprised to find that the government has been somewhat slower in its reaction to our report than has the Eyre Peninsula Natural Resources Management Board.

The Hon. SANDRA KANCK (00:20): As a member of the Natural Resources Committee I will begin by summarising this report with just three points: (a) we think that Brian Foster, the Chair of the Eyre Peninsula Natural Resources Management Board, is a good bloke; but (b) we are not happy with the local NRM board continuing to argue that it is still in transition as an excuse for a lack of results; so (c) we will be back.

It was pointed out to the committee by a number of people that the area covered by the Eyre Peninsula Natural Resources Management Board is larger than Tasmania, and that is a fact

which must be acknowledged and appreciated. The size of the area and the size and distribution of the population are key factors and problems in managing the natural resources of this region. As one of the witnesses summarised it: 'the tasks are in the rural areas but the capacity is in the urban area'.

There was criticism of the NRM concept in the evidence that we took. For example, one person told us they were promised administrative improvements with the amalgamation of the three earlier entities, that is, the soil, water and pest plant grouping, but what they got was the same lack of service for an extra cost. We were told that 54 per cent of the budget was spent on administration and staff, yet I took a brief look at some of their office space, and it was basic and barely adequate. In fact, I would not be surprised if they were actually breaking occupational health and safety standards.

Even though the staff are working on natural resource projects, there is no sense in the community that they are getting value for the money that is being spent. There was disquiet about the who and the how of the choosing of members of the NRM board, the advisory committees and the four regional subcommittees. Although the report does not make a specific statement about this, the Natural Resources Committee is concerned about the process in relation not just to this region but also to all regions throughout the state. We are currently seeking a briefing from the department about how people are chosen to get onto these assorted groups, committees and subcommittees.

Views were expressed to us that good people who put their names forward were being overlooked, and this has created suspicion towards the board. The volunteer base that was previously involved, for instance, in the old pest plant body, by common and silent consent has not transferred its energies to the new entity, and this is a matter of great concern, because fewer volunteers means that more paid staff are required, which can only add to the accusations about the board being administratively top heavy.

We heard a few positives, but one was that the NRM board had been able to take over some of the tasks that did not fit the core business of councils. This is particularly so because of the dwindling rural populations with a corresponding decline in the rate base. The Ellison District Council, for instance, told us that it has only 1,460 rateable properties, but with an ageing population only 870 of those pay full rates. The numbers, of course, impact on the NRM levies. The individuals in the rural sub-regions have to pay a much higher levy than those living in the cities of Port Lincoln and Whyalla.

Meanwhile, in Whyalla we heard resentment that the vast majority of the levies paid by its citizens were being spent on the Eyre Peninsula and not for the benefit of Whyalla. It is a cross subsidy that they clearly resent. They pointed out that they have no salinity problems and no soil erosion, and their problems are urban.

It was apparent to me that they did not consider themselves to be part of the Eyre Peninsula community, and the Whyalla councillors made it clear that they would like to have direct access to that money, rather than seeing it go to the NRM board. They also criticised the flat fee, suggesting that it was unfair that a little old lady who was a pensioner in Whyalla should pay the same amount as Hagen Stehr in Port Lincoln.

Part of the unhappiness about levies has occurred because, under the old system, councils were meeting the costs of some of these programs from general revenue; now it shows up on the rate statements, and there is a sense, however wrong, that a new tax has been imposed. The NRM levy in Whyalla last year was \$35.05, whereas in Wudinna, with a smaller rate base, it was almost double that at \$70. In Whyalla, the view was expressed that, as it was a levy imposed by state law, it would be better collected statewide in the same manner as the emergency services levy.

The teething problems of a new entity seemed to be lasting longer in this region than in most others. The message that it was a body in transition was given to us a number of times, but other NRM regions we visited appeared to have managed that transition more effectively. The board has clearly failed to engage the community and, consequently, is not getting its message across, despite some good work and some dedicated people.

Communication and ownership appear to be lacking; perhaps it has to do with the sheer size of the region; perhaps it has to do with a mismatch of expectations of rural and urban dwellers. The appointment of a public relations officer at the time we visited may make a difference, but it is the intention of the Natural Resources Committee to visit again after 12 months to check whether

these problems are being turned around. I sincerely hope that they will have by the time we make that visit, which will probably occur, I assume, within the next six to eight months.

There are some good people here, and there is a need for projects to go ahead. For some reason or other, there is in the community a lack of attachment to the NRM board and a lack of goodwill.

The Hon. R.P. WORTLEY (00:27): After hearing such a dynamic speech made by the Hon. Ms Kanck, how can I say any more?

Motion carried.

CONSTITUTION (CASUAL VACANCIES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 February 2008. Page 1847.)

The Hon. R.D. LAWSON (00:27): This bill, introduced by the Hon. Sandra Kanck, seeks to amend section 13 of the state Constitution by inserting a requirement that, where a person who was not elected as the member of a political party resigns or otherwise vacates their position in the council, the casual vacancy shall be determined by what might loosely be termed 'a count back'.

I indicate that the Liberal Party will not be supporting this bill. Ordinarily, we would support the second reading of a bill of this kind to go into the committee stage for further debate. However, given the time, we do not propose to adopt that course on this occasion.

We do, however, consider that parliament should consider the question of the replacement of Independent members who die or resign from the Legislative Council during their term, but we do not support the count back or recount method proposed in the bill; nor, I might I add for completeness, do we support the scheme foreshadowed in the Hon. Ann Bressington's amendment, namely, that a departing member has the right to nominate his or her successor.

I should record that I am not aware of any system where the model proposed by the Hon. Ann Bressington has been employed. However, the count back method proposed by the Hon. Sandra Kanck is followed in some jurisdictions, in particular in the upper house in Western Australia, in the lower house in Tasmania and in the Legislative Assembly in the Australian Capital Territory.

However, the situation in South Australia, Victoria and New South Wales is that state parliament makes the selection. In relation to the Senate, a joint sitting of the state parliament (from where the senator came) makes the selection. In all cases where the departing member was elected as a member of a political party, there is a statutory requirement now that the replacement be a member of the same political party. I am there speaking of the systems in South Australia, New South Wales, Victoria and the Senate.

However, the statutes do not cover the case where the departing member is not a member of a political party or group. In that case there is a precedent and a convention which has been followed since well before those statutory requirements were inserted. That principle and precedent was described by premier Don Dunstan in 1977 in the following terms:

In all circumstances the nearest we can possibly come is to nominate a person who represents the body of opinion that was given expression to by the votes of the electors at the time of the original election.

That is the same principle which has been followed federally. It happened in the state of South Australia in the case of the death of Senator Hannaford in 1967. He had been elected as a Liberal member but was not a member of the Liberal Party at the time of his death. However, the Assembly of Members here selected a member of the Liberal Party; that being the convention that was well accepted.

However, there may undoubtedly be some difficulty in determining who represents the body of opinion that was given expression to by the votes of the electors at the time of an election in respect of a person who is not a member of a political party or endorsed by some political team. It is for that reason that we believe that in the next parliament this issue should be revisited by a parliamentary committee, perhaps a joint committee or even by one of the standing committees. We are not rejecting out of hand the consideration of this important issue, but we do not support the bill.

The Hon. A. BRESSINGTON (00:33): It will come as no surprise that I am highly supportive of the need for independence in the political arena. Issues raised by those who do not have a party line to toe serve to better inform the people whom we serve regarding legislation that is debated and any amendments proposed.

One recent example of this was the WorkCover debate which, I believe, would have slipped through this place and the other place in record time without the public even being made aware of the fact, if not for members in this place and the other who, obviously, are not beholden to the business community in this state.

I point out that section 47 of the Sexual Offences Act would also not have been scrutinised if, as an independent, I did not raise the issues that existed in that flawed piece of legislation. The points raised in that debate, despite the misinformation put out by the South Australian media—where I have since been described as an idiot for suggesting sex contracts—have been backed up and confirmed by Janet Albrechtsen, a lawyer in New South Wales, and also a writer for *The Australian* newspaper.

Despite every attempt by the media in this state to make my comments about sex contracts appear to be ludicrous (when, in fact, it was said as a joke), it backfired when, in 24 hours, the story went international and there was ample opportunity to explain my comments to hundreds of thousands of people about the spirit in which they were intended. It was also a lesson for many that you take the media reporting in this state seriously at your own peril, which probably indicates a need for more independence in the media as well. It was also interesting that after that debate was raised a poll was run on Adelaidenow and, as I said, I think about 60 per cent to 65 per cent of people agreed with the comments that I made.

I believe the South Australian parliament, particularly the Legislative Council (the house of review), needs Independents and the autonomy they bring to ensure that both major parties are held somewhat to account without the restrictions imposed by party structures. This is especially true when speaking out on controversial matters. Therefore, I encourage anyone who is considering to run as an Independent, particularly in the Legislative Council, to do so.

However, the bill before us does not empower Independents with the rights and privileges afforded to major parties but eventually to reduce the number of Independents in the chamber. It is proposed that, if an Independent vacates their seat, their position is not to be filled by another Independent of the former member's choosing but by a nominee of the party whose candidate received the 12th highest vote at the previous election. This demonstrates contempt for the intent of the voting public and seeks to further disenfranchise Independents and those who voted for them.

In the scenario which we saw unfold in this place late last year with the Hon. Nick Xenophon's resignation of his position to run for the Senate, this bill would not have his position filled by another Independent who ran on his ticket but rather by a party which may not have achieved a quota at the previous election. Even though the right of choosing a replacement would have been afforded to the honourable member's own party, the mover of the bill, and any other had she created a casual vacancy, the Hon. Sandra Kanck makes the point that when the constitution was drafted it was not envisaged that Independents would win a seat in the Legislative Council.

However, instead of rectifying this oversight, this bill seeks to reverse the very principle which saw the Hon. Kate Reynolds enter this place when the Hon. Mike Elliott resigned. At that time the Hon. Kate Reynolds had not stood on the ballot at the previous election. This is a right of parties to nominate members and have them enter this place, and, as equal members in the chamber, it should be the right of Independents as well.

However, the honourable member seeks to treat those who voted for an Independent ticket with contempt by disregarding their express wish which is indicated by the voters of this state. The honourable member would have us dishonour the voting public's preference to be properly represented by an Independent as reflected by the final election result. It is no secret that the voting public are disappointed and disillusioned with party politics and the fact that many times over their best interests do not seem to be the priority but rather they are often forced to endure legislation based on party loyalties. Again, WorkCover is a perfect example of this.

I will be moving amendments which, unlike this bill, empowers Independents and, in turn, those who voted for them with the same rights as those currently afforded to parties by ensuring that, if a casual vacancy is left by a departing Independent, the vacancy must be filled by the nominee of the former member. If the former member is unwilling or unable to nominate a candidate of their preference, then if the former member was part of a ballot paper grouping, the

appointee must be the subsequent person on the ballot ticket. However, if there is no such candidate or the candidate is unwilling, then my amendment, like the honourable member's bill, would revert to the party whose candidate received the 12th highest number of votes. I find this preferable to a joint sitting of parliament, which would presumably be government controlled, appointing a replacement member.

We also have a similar situation that has come about by the resignation of the Hon. Andrew Evans from Family First. That party has nominated a replacement in the Hon. Robert Brokenshire, a former Liberal Party member of the House of Assembly. How could such privilege be made available to parties and not to an Independent? What this shows to me is that the presence of Independents is seen as a threat and that this bill will serve to enshrine in legislation discrimination based on the party's reluctance to accept that the voting public are not in sync with the policies proposed by that party and that gradual dismantling of the party has occurred for this reason and no other.

As an Independent, I am able to move from what is perceived to be left to right, not based on minority groups and the votes that may be attracted from those groups, but rather based on research and evidence, and the costs and benefits that legislation will have for all South Australians.

In my mind, the decisions I make are based on removing discrimination, intolerance and restoring the human rights of all people and ensuring that the parliament and people of this state are also aware of their responsibilities as members of a diverse and often troubled society. The performance of all MPs should be based not on party politics but on what is in the best interests of the people they serve. This is essential in this place, the house of review, where I truly believe party politics should not even exist.

I implore all members to consider that there is benefit in working with Independents and that there is also great value in receiving an alternative view of the world outside the party room, away from the instructions of the powerbrokers of those parties. The majority of average citizens are now wanting their share of representation and their needs met. An American literary figure, H.L. Mencken, stated:

A professional politician is a professionally dishonest person. To reach a place of high office, that person has had to endure many humiliations and compromises so that over time the person becomes indistinguishable from a streetwalker.

These words are harsh and, when I read this quote, I was quite shocked that somebody would actually put that in writing, but let us look at the trust level that people have in politicians based on a recent survey where Bindi Irwin and the Wiggles beat politicians hands down in the trust test. What an indictment of our standing in the community! It is naive to think that there will not be ramifications of this lack of trust in the long term. I believe that the 2006 election was the electorate's way of saying, 'Sharpen up.'

The Hon. B.V. FINNIGAN (00:41): It is very tempting to make some choice reflections about the nature of democracy and the role of the Legislative Council, particularly given the speeches by the previous two members, but I think I will leave that for another time. The government does not support this bill. On Monday 15 October, the Hon. Nick Xenophon MLC resigned from state politics only one year into his eight-year term: perhaps that is one of the factors that has reduced trust in politicians, to which the Hon. Ms Bressington alluded.

The Hon. Mr Xenophon resigned to pursue a seat in the Senate at the election held later that year and was, of course, successful. The Hon. Mr Xenophon's resignation enlivened provisions of the Constitution Act about casual vacancies. Questions arose about whether Mr Xenophon belonged to a political party for the purposes of section 13(5) of the Constitution Act, which provides:

[where the member who has resigned] was at the time of his or her election publicly recognised by a particular political party as being an endorsed candidate of that party and publicly represented himself or herself to be such a candidate, the person chosen by the assembly to occupy that vacancy shall, unless there is no member of that party available to be chosen, be a member of that party nominated by that party to occupy the vacancy.

That, as you would know, Mr President, having come from a casual vacancy yourself (as, indeed, I did) is the normal course of events where the party nominates a person who is committed to the same platform as the person who was elected and who has resigned.

The government was satisfied by written statements made by the Hon. Mr Xenophon that he was a member of a political party and not an Independent. It was for the public to see the

inconsistency in the Hon. Mr Xenophon's public and repeated statements of being an Independent and his later statements that he belonged to a political party. The Hon. Mr Xenophon's motivation for the later statements, I imagine, was to see his preferred candidate, the Hon. Mr Darley, elected to the Legislative Council, which is what the Assembly of Members determined.

At the time that the casual vacancy arose, the Hon. Ms Kanck, the mover of this bill, wrote to the Premier asserting that Ms Kate Reynolds, a former Democrat member of the Legislative Council, ought to fill the vacancy as she had the next highest number of actual votes at the 2006 election. The government found this to be a bizarre theory, not least because Ms Reynolds had publicly stated that she did not want the seat. In any event, the issue became null and void upon the Hon. Mr Xenophon making formal statements that he was a member of a political party. With this bill, the Hon. Ms Kanck wishes to amend our Constitution Act.

The Hon. A. Bressington: That is not right. He denied being in a political party.

The ACTING PRESIDENT (Hon. R.P. Wortley): Order!

The Hon. A. Bressington: Well, it is incorrect.

The Hon. B.V. FINNIGAN: I would ask the honourable member, if she is confused on this matter, to have a look at the Premier's remarks at the sitting of the Assembly of Members in which he made it quite clear that the reason that the Hon. Mr Darley was being nominated to the vacancy was that the political party provisions of the Constitution Act had been satisfied.

With this bill the Hon. Ms Kanck wishes to amend our Constitution Act, should the same situation occur in the future. The government does not see the bill as meritorious. The government opposes the amendments put forward by the Hon. Ann Bressington. All members of parliament are elected under the same set of casual vacancy rules, as set out in the Constitution Act, and those are the rules to which they agree on registering as a candidate.

If you are a member of a political party and publicly represent and are recognised as an endorsed candidate, the Constitution Act has a specific provision for your casual vacancy. If you are not a member of a political party your casual vacancy falls within the general provisions of section 13 of the act. The public expects a candidate to be up front and clear about whether or not they belong to a political party, and the government does not see merit in legislating for a blur between political party candidates and Independents. The government opposes the bill and would oppose the amendments, were they to get to a stage of being voted on.

The Hon. SANDRA KANCK (00:45): It is clear that there is no support for this bill, but I do wish to respond to some of the comments made. The Hon. Ann Bressington seems to be under the impression that this bill would basically rule out Independents from filling the position of an Independent. That is certainly not the case.

What this provides is, 'The Electoral Commissioner must, by notice in the *Gazette*, declare who was the continuing candidate'—not the continuing party, the continuing candidate—'who had the highest number of votes after all vacancies required to be filled had been filled at the election.' So, it is quite possible that that person defined as the continuing candidate could be an Independent.

Let us say, for example, that at the 2006 election the Hon. Nick Xenophon had received 13 per cent of the vote, with the Hon. Ann Bressington as his No. 2. It would have been perfectly possible, in that scenario, that the Hon. Ann Bressington would have been that continuing candidate. There is certainly no intention, with what I have here, to specify that it go to a political party: it is simply the next candidate in line, had there been a twelfth quota to be filled.

The Hon. Bernie Finnigan was saying that the Hon. Nick Xenophon had said that he belonged to a political party: quite the contrary, and he made the statement on numerous occasions that when he shaved in the morning that was his 'party' meeting.

The consequence of the mild constitutional crisis that arose at that time was that the Premier made a ministerial statement—in fact, he might have even made two of them—in which he said that because of this the choice that was made by the joint sitting was justiciable. In other words, he was saying that it could be taken to court, although nobody did on this particular occasion. What I was attempting to do with this bill was to ensure that in the future, should that happen, we removed the risk of it being challenged in court.

I am pleased to hear the response from the Hon. Mr Lawson that although his party does not support this particular method—and he has not explained exactly what method he does

prefer—it is certainly willing to entertain a further bill. I think that is good news, because in the electorate at large there is certainly a fascination with Independents.

I expect that, come the next election in 2010, we will see more Independents elected. Sooner or later, unless we pass some legislation to deal with this, we will face the situation where a casual vacancy needs to be created to replace an Independent and we will find it being contested in our courts.

I indicate some disappointment that we will not be able to take this into committee and tease out these issues more but, as I said, I am pleased to hear that the opposition recognises that there is a potential problem in the future.

Second reading negatived.

STATUTORY AUTHORITIES REVIEW COMMITTEE: MEDICAL BOARD OF SOUTH AUSTRALIA

Adjourned debate on motion of Hon. B.V. Finnigan:

That the report of the committee on an inquiry into the Medical Board of South Australia be noted.

(Continued from 13 February 2008. Page 1680.)

The Hon. SANDRA KANCK (00:52): The Medical Practice Act 2004 is 'An act to protect the health and safety of the public by providing for the registration of medical practitioners and medical students; to regulate the provision of medical treatment for the purpose of maintaining high standards of competence and conduct by the persons who provide it; and for other purposes.' As the main function of the act is to protect health and safety through registration, it is paramount that the intent of the act is put into practice and that the act is further amended to protect the public—at the very least along the lines of what is recommended in this report from the Statutory Authorities Review Committee. Those recommendations are, in fact, quite limited, but they are better than nothing.

When I last spoke on this issue I expressed concern that this final report from the committee had backed away from the strong recommendations made in the interim report that was made public 18 months earlier. Back in February I said, 'The interim report highlighted the reluctance of the board to be forthcoming with information—and little has changed.' Well, that was the case five months ago and, sadly, it is still the case today. Tonight I will look at some of the recommendations from this report, compare them against the minister's response to the report, and further compare that to the realities of the way the Medical Board continues to behave.

A number of the recommendations in this report are about the Medical Board's website. I challenge members of the Statutory Authorities Review Committee to check out the website of the Medical Board, if they have not already done so. I have checked it on and off now for a period of nine days just to make sure that my findings from the first occasion continue to be verified, and what it has showed me is that the Medical Board of South Australia has thumbed its nose at the Statutory Authorities Review Committee.

The first recommendation was that the board's online database search be altered to show if a medical practitioner has current conditions or limitations, and the reason. That is a laudable recommendation, but unfortunately the minister's response was, 'The issue of whether to publicly display all details of any conditions or limitations is a policy matter for the board to determine.' So, of course, the board has not implemented this. I think the minister's answer is a cop out, and I strongly recommend to the committee that they challenge him. To leave it up to the board as a policy matter can, and will, allow mistakes to be made.

The minister further said, 'Details on any conditions or limitations may be provided to a consumer by telephoning the registrar.' Well, I have to tell members that the minister has been conned by the Medical Board because, despite what the minister claims, consumers who have tried to get this information by phoning the registrar have had information denied to them.

I suggest that the chair of the committee, or one of the minister's staff, do the same and see what happens. So an actual visit to the Medical Board then becomes the only other way to access this information. As the boards are located in metropolitan Adelaide, the process of having to attend the Medical Board to obtain information discriminates against rural and remote health consumers. Can the public access the register at the board office? The answer is no. One of my staff did a little research for me a fortnight ago. She went to the Medical Board to view the register,

specifically the register of persons removed from the register and the conditions and limitations of a specific general practitioner. She spoke to four different staff members.

First, she was told that the register was available on the web. She explained that the section she was looking for was not and, in any event, I observe that not everyone is computer literate and board staff should be made aware of this. Then she was told that she would need to apply in writing to the registrar, that any conditions imposed would be divulged only if they did not involve the private affairs of the doctor, and that this information was given to a person only if they were the patient of a specific doctor.

My researcher took with her a copy of page 14 of the latest annual report and she read out that particular recommendation. I was going to read the exact words but, at this late stage, I cannot find the exact words. However, the annual report is quite specific about the register being publicly available. She subsequently showed this to the first three staff members who had effectively tried to fob her off and they were completely unaware of the contents of the annual report. Eventually she saw a fourth and more senior person who was also unaware of this statement in the annual report. What is even more interesting is that today, following the appearance of the members of the board at the SARC hearing yesterday, the annual report has completely disappeared off the website.

The board staff member reiterated that members of the public were able to view conditions or limitations imposed on a doctor only if it is their treating doctor, and that a letter must be written to the registrar who will determine whether the information is to be released. That is not what the act says, but this is typical of the unilateral and arrogant manner in which the board operates. The staff member explained that the registrar was on leave that week and that he usually handles such matters. So, after 40 minutes my researcher left with none of the information that she sought.

Recommendation 2 was that the online registration database search of medical practitioners be altered to show that the registration has been suspended or cancelled, if that is the case. The minister's response was that this was a good idea, but it is not possible with the board's current data system. The further excuse for not implementing it was the intended implementation of a national registration and accreditation scheme as proposed by COAG.

The Hon. I.K. Hunter: In 2010.

The Hon. SANDRA KANCK: Yes, that is exactly right. The 2006-07 annual report states that there was limited progress towards the development of an Australian index of medical practitioners and the project has now been discontinued nationally. That annual report was tabled in parliament on 23 October 2007, so the board can no longer use that as an excuse for the poor state of its website. One is left pondering what the excuse might be now. I think the minister has been poorly advised by the Medical Board. It does not take an enormous amount of effort to put a new field into a database. My previous two trainees would have been able to alter the Medical Board database.

Recommendation 3 was that guilty findings and decisions of the board and the tribunal be published in full both on the website and in the annual report with full names, unless a suppression order is in place. Minister Hill's response was that they are available, both on the website and in the annual report which is also on the website. As I pointed out, the annual report has disappeared off the website today.

Minister Hill informed the committee that the current board policy in relation to disclosure of names is done on a case by case basis but the board is to further consider this matter. It is true that information is contained in the annual report, but it is non-identifying information, so if you were contemplating visiting a particular doctor and wanted to know whether there were any black marks against that doctor, you would not be able to find this out from the annual report. I went through that process for a constituent who was going to have a breast augmentation and wanted to know whether there were any fly-by-nighters. I tried to find that information looking at the board website and could not find it.

In regard to decisions, I printed that section of the board's website, and it basically has five words: 'Decisions' and two headings, 'board hearings' and 'tribunal hearings'. Click on 'board hearings' and you get nothing, and click on 'tribunal hearings' and you get nothing. If the annual report still was on the website—which it is not, but it was yesterday—and if you were trying to access it yesterday you still would not have known from checking the website that you could access information in the annual report. There is nothing in the home page of the Medical Board website to indicate that that is the case.

There is a search engine, and I typed in the words 'annual report' and clicked to see what came up, and it came up with 13 different results for 'annual report'. I had already found it by another method but, when you have 13 different potential references, where do you start? It seems to me, just from that, that the board is more interested in protecting medical practitioners than assisting the public.

Until a few weeks ago, there was one decision on the board's website, that is, Henry Vincent Keogh v Colin Henry Manock, a decision dated 22 June 2005, but even that has now disappeared. In the last annual report, in the section on the Doctors Health Committee it is revealed there were 46 medical practitioners or students in the board's health program as a result of drug or alcohol abuse, psychiatric or physical illnesses, and a category called 'infected health care workers'. I can understand that privacy issues would be involved, but sometimes the lack of information available to the public can result in patient safety being compromised.

The act states under 'medical fitness to provide medical treatment' that 'a person or body must, in making a determination under this act as to a person's medical fitness to provide medical treatment, have regard to the question of whether the person is able to provide medical treatment personally to a patient without endangering the patient's health or safety'. I am aware of several matters, including the Dr Mauro case, where the MBSA was given sufficient information to know that the practitioner was impaired to a level where he was unable to provide safe care to patients. It was only when a serious event occurred and others (especially the Coroner) became involved, that appropriate action was taken by the board.

Recommendation 4 was that the board voluntarily implement an online medical practitioner profile to enable more comprehensive details of medical practitioners to be viewed. The suggestion was that the Massachusetts model be followed. The Massachusetts board of registration has a physician profile on each registrant, which includes any malpractice claims within the last 10 years, disciplinary actions (both hospital and board), and/or criminal actions. Minister Hill responded, as he did with recommendation 2, that some of this information was available on the website but such an enhancement would require significant upgrading of the board's database. Again, that is a cop-out.

In my speech in February I gave examples to illustrate the need for the public to have this information available. I gave a couple of examples, of which I will briefly remind members. In one, a doctor had bail conditions imposed as a result of charges of unlawful sexual intercourse with the daughters of family friends. Those bail conditions prevented him from treating women unless another person was present, and there were also limitations on the procedures he could perform. The board eventually imposed these same conditions, but did not ensure the conditions were met. Members of the public were not aware of these conditions and, as his business was cosmetic surgery, he mostly saw female patients.

The other cases involved two separate doctors with limited registration, each having the limitations imposed as a result of offences under the Controlled Substances Act. In each case a patient with severe back pain went to see their GP for pain management. The GP told them to take Panadol, to no effect. The limitations prevented this doctor prescribing stronger pain relief. Fortunately, one of my staff was a friend of this person, so knew of the *Gazette* and the limitations and she suggested the person attend another doctor. The new GP provided appropriate medication and continues to treat this person's pain.

A constituent who was aware of limitations being imposed wanted to find the specific limitations imposed on a doctor. They were informed by the Medical Board they would need to visit the registrar in person to obtain this information. On visiting the registrar they were informed the person was a very fine medical practitioner who had requested the board not allow them to prescribe drugs of dependence as drug dealers were causing them problems—clearly a lie because the doctor had also been gazetted under the Controlled Substances Act for a breach of that act.

The inclusion of suspended or cancelled registration is extremely important. From the many constituents I have talked to about the secretive processes of the Medical Board, one in particular stands out. A man came to see me several years ago because he had been drugged and sexually assaulted on several occasions over an extended period by his treating psychiatrist. The then minister of health did a deal with the doctor: the doctor agreed to give up his right to practise, and he was not prosecuted. That doctor had worked for over 40 years and, having treated thousands of people, I find it hard to believe that he singled out just one patient.

People with mental health problems are often not given the same respect as others and, if they informed others of abuse, it might well be dismissed as being simply a function of the mental illness. The secrecy of the Medical Board removes a way of validating the experience of such patients who might have been abused by a doctor. Why should this psychiatrist be protected? It surely is a matter of public interest and safety when a doctor is suspended or deregistered for abusing a patient. Other states and territories, such as Victoria and Queensland, have this information available on their websites. This ensures consumers can know any information that may limit the extent of treatment they can obtain from a medical practitioner.

The South Australian Dental Board publishes on its website a list of conditions and/or limitations imposed on dentists. It is difficult then to comprehend that similar information is not available in regard to medical practitioners, as they deal with the whole body and not just the mouth. But the recommendation from SARC was that the board provide this information voluntarily—a sure guarantee that it would not happen, given the board's demonstrated unwillingness to be accountable. I wonder now if the committee is reconsidering the recommendation that it be voluntary.

Recommendation 6 was for regular criminal record checks of all medical students and registered medical practitioners, through either the provision of a national police certificate or consent to a criminal record check through the CrimTrac agency. The minister's response was that implementation of this would need further investigation. I would like to know how far that investigation has gone. There is certainly nothing about the Medical Board's website that would indicate any progress thus far.

I am skipping a few recommendations here and going to recommendation 13, which was that the board include on the website definitions of the terms 'medical unfitness' and 'fitness'. We have been assured by the minister this information is there. It is certainly not readily found, either by using the search function or manually searching through the pages for this information.

I again put the word 'medical fitness' into the search engine on the board's site and it came up with 36 results, which meant that anyone who wanted to know this would have to trawl through all of them. The question is: where do you start when you have 36 of them to go through? You could go through all 36 and still not get there. I can tell members that, after a lot of work, one of my staff was able to find it, but it was a laborious task and it should not be this hard.

Skipping through to recommendation 20, this was that the board engage an independent consulting firm to review all its processes to ensure that it is operating in a customer friendly and efficient manner. I think I have already given a range of examples to show that the board is failing on this front in a number of ways. Minister Hill's response to this recommendation is that the board has engaged independent consultants to review some of its processes.

Well, you would not believe it by looking at the website. Given what I and others have seen when looking at this website, it seems to me that either the consultant did a very poor job or the board has not taken the advice of the consultant. The board's new website is even less consumer customer focused than it was before. Instead of a complaints form, there is now a notification form, and many of the previous functions have gone. When people phone for information, it is denied; when people visit the board's offices, information is denied.

Going to recommendation 22, that was that the Medical Practice Act 2004 be amended to include a secondary lesser charge of unsatisfactory professional conduct. The minister indicated that the timing of the implementation of the national registration and accreditation scheme would determine the government's action, but should the implementation of the scheme be significantly delayed, amendments to include a charge of unsatisfactory professional conduct will be considered. We know that that national scheme has been delayed, in fact firmly put on hold, so I am waiting to see the amending legislation, Mr Hill.

Recommendation 23 was that certificates of good standing must not be issued to medical practitioners under current investigation or subject to disciplinary action or those being monitored by the Doctors Health Committee, and that such certificates must clearly display all past guilty findings by the board and the tribunal. The certificates of good standing that are available to medical practitioners confirm only that there is no current disciplinary action pending against the medical practitioner and that is simply not good enough. Doctors can also obtain something called a letter of good standing for a fee of \$30. That does not appear to exist in any legislative framework and appears to be an invention of the board.

Skipping through to recommendation 35, which, in part, says that details of what happens at hearings should be on the website—and the minister advises that they are. I invite others to look and let me know where on the website they can be found. I have not succeeded in finding them. Recommendation 37 required the Medical Board to report back to the committee 12 months after the tabling of the report. I checked with the committee's researcher this morning. She advised me that the board appeared before the committee only yesterday. I wish I had known because I really would have liked to sit and listen, and I will be seeking a copy of the *Hansard* of that hearing.

Given what I have already said today, I imagine the committee might not have been impressed by them. I saw the newspaper reporting of it this morning and I am told that the board was less than candid in their responses to the committee—and I note the Hon. Mr Stephens is nodding his head. Overall, it appears that, while new legislation for the 2004 Medical Practice Act has been enacted, the Medical Board is still not doing what the act requires. Given past dealings with the board, it would also be beneficial for the SARC to seek feedback from medical practitioners and complainants about the way the board is functioning.

I mentioned the Natural Resources Committee with its inquiry into Deep Creek. We were deeply unsatisfied with the minister's response and with responses from the bureaucrats who advised the committee, and although the committee reported about eight, 12 months ago, we are still pursuing that. I recommend to the Statutory Authorities Review Committee that they should do the same.

Beyond the report I make observations about some aspects of the board's performance as a consequence of another matter drawn to my attention. While so often I see the board taking the side of medical practitioners against a patient who has complained about them, sometimes the board takes action against a medical practitioner that is inexplicable.

In January *The Independent Weekly* ran a story about Dr Ian Buttfeld, a physician who specialises in pain management using opiates for the treatment of patients. Opiates are addictive. Some 20 years ago a friend of mine died from cancer and, as the cancer progressed and she knew it was terminal, she was on morphine. She said to me, 'Sandra, I am not addicted to morphine. I am addicted to pain relief.' There really is a difference.

The article from *The Independent Weekly* referred to Dr Buttfeld and almost 200 of his pain management patients. The consequence of Medical Board intervention is that at least 25 of Dr Buttfeld's patients were transferred out of his control to Warinilla as outpatients, where they are treated by doctors whose expertise is drug addiction, not pain management. That is an insult to all those patients. The article in *The Independent Weekly* states:

Adelaide orthopaedic surgeon Roger Paterson is aghast. 'He's the only person who provides the service. There's absolutely no-one else who gives this help to sufferers of chronic pain,' he said.

The Medical Board pursued Dr Buttfeld over four years, during which time the doctor was unable ever to secure a face-to-face meeting with the board, despite written requests. I understand that, as well as refusing to meet with Dr Buttfeld, the board has not spoken with any of his now former patients to ascertain their perspective on his treatment methods.

I met with Mr Greg Betross, husband of one of those patients. Trish has systemic vasculitis and, therefore, is not in a good state to visit me. Her condition results in a loss of blood to the extremities and the fracturing of bones. She has had over 40 operations and procedures to keep her partially mobile but with a great deal of pain, so much so that family members could not give her a hug.

After referral to Dr Buttfeld and with X-rays showing her bones are disintegrating, for the first time in many years that pain was brought under control with prescription opiates. As a consequence of Medical Board intervention, rather than being a medical patient under treatment by a specialist pain doctor she is now regarded as a substance abuser, under treatment by ministers Hill and Lomax-Smith. Mr Betross is despairing of the intervention by the board and its ultimate outcome for all those patients.

Many of those patients and their families have been so badly impacted by the board's meddling that they have now formed a group called Dignity for Chronic Pain Sufferers and established their own website; so this will not be the last we hear of this particular Medical Board intervention.

There are further quotes from the article in *The Independent Weekly* that are worth putting on the record. The article states:

Dr Butfield has a wide range of professional colleagues who admire his therapy and its success, but his unorthodoxy also attracted detractors in the medical field. His dosages, while allowing patients to resume something of a normal life, were criticised by powerful enemies on the Medical Board...Of course there are legalities and niceties, enemies and proprieties. This is a case with no winners. The Medical Board may get sick of itself and the health department may hurt its reputation, but in South Australia there will be a dozen dozen victims if their painkillers are left in a vial. A dozen dozen is a gross, and gross is the system which has this outcome.

How is it that the Medical Board of South Australia so often is not working for the benefit of health consumers when that is its brief? The real losers in this particular case are the patients who are now facing the indignity of being treated as drug abusers and the many patients who were getting pain relief and who have now had this denied.

SARC's interim report recommended that the Medical Board of South Australia be stripped of its powers to investigate complaints and undertake disciplinary hearings in relation to medical practitioners, providers and medical students; but, unfortunately, this final report has backed away from that. As far as I can see, there have been no changes to the Medical Board in any real sense since either report was tabled or the new act came into place.

The board's main function is to protect the public through registration and to make the register publicly available. Despite an extensive inquiry by the Statutory Authorities Review Committee and amendments to the act, the Medical Board of South Australia is still secretive and not even performing the basic function of the act, that is, making the register publicly available. This is a body that acts without accountability, and I say, 'Bring on the amendments, Mr Hill.'

The Hon. B.V. FINNIGAN (1:20): I thank members for their contributions on the motion. As the Hon. Ms Kanck noted, the board, or at least its chairman (Dr Mudge) and the registrar (Mr Hooper), appeared before the Statutory Authorities Review Committee yesterday. Members who have an interest in this area may wish to look that up. The purpose of those two people appearing was in accordance with the final report, that is, to report back to the committee 12 months later. Whether the committee will take any further action arising out of their appearance is still to be determined. I commend the motion to members.

Motion carried.

LANDLORD AND TENANT (DISTRESS FOR RENT—HEALTH RECORDS EXEMPTION) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 18 June 2008. Page 3398.)

The Hon. R.D. LAWSON (1:21): Liberal members will support the passage of this bill. However, it does raise some issues of principle and it does have a number of weaknesses which ought to be recorded. The issue which this bill seeks to solve was first raised by the former—and I should say the future—member for Hartley, Joe Scalzi, widely known as the Lion of Hartley. To her credit, the present member, Ms Grace Portolesi, has pursued the issue and introduced this bill; but she herself acknowledges that it touches only—I think to use her words—the tip of the iceberg.

As the member for Enfield noted in another place, this bill touches the surface but does not really provide a satisfactory solution to a difficult problem. The issue arose because a medical practitioner ceased practising from rented premises. The landlord was owed rent. He seized the medical records and, for all we know, other assets of the medical practice. The landlord hoped to re-let the premises to a new medical practice. In the ordinary course of events, any new practitioners wanting to rent the premises would want the medical records so they could take advantage of the goodwill associated with the premises, namely, the fact that the patients who were accustomed to attending the premises would continue to do so in the future and any new medical practitioners practising from those premises would need the records.

More cynically (and I am not accusing this particular landlord of such thoughts, because I am not aware of them) and in general, the landlord of an established medical clinic might not be very happy if the doctors and their patients decide to move down the street and occupy other premises. Such a move would obviously reduce the potential rental value of the landlord's now vacant medical clinic. In most cases, of course, one would imagine that the medical practitioners would be keen to sell the goodwill of any practice and would therefore keep the medical records, but that did not happen in this particular case.

The result was that the landlord took possession of the medical records as security for the payment of rent, but the doctor did not meet his obligations and no new doctors took over the

lease. This disadvantaged the patients of the practice, because they could only obtain their own medical records if they were prepared to pay the landlord what he termed an administration fee. There is no doubt about the legal right of a landlord to distrain for rent, but that is only a very small part of the wider issue of the rights of patients in relation to their medical records.

The legal situation in Australia was settled in the case of *Breen v Williams*. In this case, the plaintiff, Ms Breen, sought to access the records of a surgeon who had provided advice and treatment in relation to silicon breast implants. Ms Breen was contemplating suing the manufacturer of the breast implants and she, not unreasonably, believed that the surgeon's records could be relevant to those proceedings. She was not complaining about the surgeon's performance; she just wanted access to her records that were in his file.

The surgeon said he was prepared to provide Ms Breen's solicitor with copies of her records if she agreed to release him from liability in relation to his treatment. She was not prepared to do that. The surgeon maintained that the records belonged to him, and they contained 'conclusions, commentary and musing', which were private to him and which would be recorded differently if his patients were entitled to have access to their records at any time. He expressed concern that his patients would be caused confusion and unnecessary worry and stress if their notes were made available to them without adequate explanation. He offered to provide Ms Breen with a report that contained what he considered to be the relevant information for her purposes, but he would not agree to give her access to the original notes themselves.

The High Court in that case followed established common law principles and affirmed that a doctor has property in his own notes and that a patient has no legal right of access to those notes. There is no implied term in the contract that exists between a doctor and the doctor's patient that the patient will have access to the medical records kept by the doctor. I should mention for completeness that the doctor's notes are quite different from X-rays, specialists' reports and other reports that the doctor may hold but for which the patient has paid. Those X-rays and other documents are the property of the patient, and the patient is entitled to get them.

I should mention in passing that the situation that arose in the case of *Breen v Williams* would not arise in relation to patients in public hospitals. As members would be aware, they can use freedom of information legislation to access their medical records subject only to an important exemption for information that might be harmful to their health or wellbeing. That is in accordance with the FOI legislation. It should also be mentioned in passing that a patient can obtain access to medical records by means of either discovery or subpoena in civil proceedings if such proceedings are either underway or contemplated.

Unlike Australia and the United States, there is a principle that a doctor and patient enjoy a fiduciary relationship, and that relationship requires the doctor to divulge the contents of his notes. In the United Kingdom, the position was previously the same as Australia. However, in that country the Access to Health Records Act 1990 provides a general right of access by individuals to all medical records, both public and private. The situation in Canada is similar to that in the United States. I mention that because this is an issue that ought to be addressed in Australia. It has not been addressed, and this bill does not address it either.

In *Breen v Williams* there is an important passage from Justices McHugh and Gaudron, where they said, in effect, that this was not a case where judicial activism allowed judges to devise new rules: the rules that they were examining were well established common law rules and that it was for the legislature to intervene if appropriate. I believe it is appropriate that the legislature should intervene and that we should define a proper right of access for patients. However, rather than biting that particular bullet in this case, our Attorney-General has decided to avoid the hard work and simply provide some electoral assistance to a factional colleague. This bill is not even a bandaid. It is a bit like seeking to bandage a grazed knee with a minty wrapper dipped in water; it is virtually useless. All we can say is that we have done something, but I suppose, as the saying goes, something is better than nothing.

The bill will exempt from distraint for rent medical records. It will not stop a doctor from selling the records to a multinational corporation without the patient's consent. It will not stop a podiatrist from throwing his records on the dump, and it will not prevent a dentist from shredding his records. If an irresponsible health practitioner decides to abandon his or her practice and in the dead of night removes those assets which might have some value but leaves his accounts behind, the landlord cannot, even under this legislation, seize the accounting records.

This last point, I think, is a serious additional limitation on this legislation. It arises because the word 'record' is very widely defined to include not only the clinical records but also the financial records of a practice. The question might be: why should a defaulting health practitioner be in a privileged position in relation to his accounting records? After all, those records might be of some use to a landlord who seeks to recover unpaid rent.

It is proposed in this bill that there be a special regime for any landlord who has already distrained for rent and holds the medical records of a practitioner. Such a landlord must take reasonable steps to return the records to the health practitioner unless he or she is otherwise directed by the Minister for Health.

Given the time, I will not pursue a number of questions, which ought to have been answered and would ordinarily be answered during the committee stage. I will put the questions on the record, so that in future when this matter is revisited, as undoubtedly it will be, there is some note of them. My questions are:

1. Are there other instances, of which the Health Commission is aware, of cases where landlords are holding or have held medical records for distraint apart from the particular case referred to by the member for Hartley?

2. What has been the experience in relation to resolving those issues, and what steps have been taken in those cases to resolve the issues?

3. In relation to this particular case, I believe that the council should have been informed of the arrangements, which I understand were ultimately made in relation to the resolution of that case.

4. As I have mentioned, the new regime will allow the Minister for Health to have a role in relation to such records and, in particular, a power to direct that records be disposed of in a certain way. I believe that we ought to have been informed of whether any policy has been developed by the Minister for Health or his department in relation to the directions which might be given if such cases arise in future.

As members will be well aware, it is late in this session. We believe the bill is better than nothing, and we are happy to see it pass this evening.

The Hon. I.K. HUNTER (01:34): I thank all members for their contribution on this bill and for their indications of support. As I said in my second reading explanation, we do not pretend that this bill will address all the broader concerns, particularly those raised by the Hon. Mr Lawson in his speech, but it does have these benefits: it is simple, it is quick, and it is a common-sense solution to a problem that already exists.

I will take the questions of the Hon. Mr Lawson on notice for the next time this bill is opened or when the broader issues are addressed by government. I will not delay the council any further, and I look forward to the speedy passage of this legislation.

Bill read a second time and taken through its remaining stages.

APPROPRIATION BILL

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (01:36): I move:

That standing orders be so far suspended as to enable the Clerk to deliver the message and the bill to the Speaker of the House of Assembly whilst the council is not sitting and notwithstanding the fact that the House of Assembly is not sitting.

Motion carried.

LANDLORD AND TENANT (DISTRESS FOR RENT—HEALTH RECORDS EXEMPTION) AMENDMENT BILL

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (01:36): I move:

That standing orders be so far suspended as to enable the Clerk to deliver the message and the bill to the House of Assembly whilst the council is not sitting and notwithstanding the fact that the House of Assembly is not sitting.

Motion carried.

ADJOURNMENT DEBATE**VALEDICTORIES**

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (01:37): I move:

That the council at its rising do adjourn until Tuesday 9 September 2008.

This is, of course, the last day of sitting before a minibreak of some five weeks. It used to be a rather longer winter break, but now it is almost a late winter/early spring break. This is a particularly sad occasion for us all because of the passing of Trevor Blowes.

Given the hour, I will be very brief and, in lieu of the traditional speech given at this time, I thank all members of parliament, their staff and, indeed, all the staff of Parliament House for their contribution during the past session. We greatly appreciate all their work. I trust that everyone will return refreshed and healthy in September.

The Hon. J.M.A. LENSINK (01:38): I will be equally brief. On behalf of all Liberal members, I extend our thanks to all our support staff, whether it be Hansard, the catering staff or, indeed, the table staff. I note that in this current session our esteemed Clerk has been noted for her service, and we congratulate particularly Jan Davis, AM, KFC, MCG. We wish everybody a healthy break (for some but maybe not others) and look forward to further debates when we resume in September.

The PRESIDENT: On behalf of all members of the Legislative Council, I rise to thank all chamber staff, the Hansard staff and all the other staff who have supported the Legislative Council throughout the last session. I wish members and staff a happy and healthy break.

Motion carried.

At 01:39 the council adjourned until Tuesday 9 September 2008 at 14:15.