LEGISLATIVE COUNCIL

Tuesday 3 February 2009

The PRESIDENT (Hon. R.K. Sneath) took the chair at 14:19 and read prayers.

CIVIL LIABILITY (FOOD DONORS AND DISTRIBUTORS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

NURSING AND MIDWIFERY PRACTICE BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (BULK GOODS) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (BETTING OPERATIONS) BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (POWER TO BAR) BILL

His Excellency the Governor assented to the bill.

UNIVERSITY OF SOUTH AUSTRALIA (MISCELLANEOUS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

ANSWERS TO QUESTIONS

The PRESIDENT: I direct that the following written answers to questions be distributed and printed in *Hansard*.

CHILD PROTECTION

256 The Hon. D.G.E. HOOD (2 April 2008) (Second Session). Can the Minister for Families and Communities advise:

1. How many requests were received by Families SA for the agency to intervene in Family Law children's proceedings (due to child welfare concerns) pursuant to section 91B of the Family Law Act, or otherwise, in 2007; and

2. How many of those requests were agreed to and how many were denied?

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

In 2007, Families SA was requested to intervene in family law proceedings, pursuant to Section 91B of the Family Law Act 1975, in approximately thirty cases. Families SA intervened in two of these matters.

MOUNT BARKER RAIL SERVICE

270 The Hon. D.G.E. HOOD (7 May 2008) (Second Session). Can the Minister for Transport advise:

1. Have any feasibility studies been conducted into restoring rail services to Mount Barker via the Belair railway line, and

2. If so, will the minister release any such reports?

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): The Minister for Transport has advised:

1. There have been no formal feasibility reports completed into restoring rail services to Mount Barker.

2. N/A.

WILLUNGA RAIL CORRIDOR

271 The Hon. D.G.E. HOOD (7 May 2008) (Second Session). Can the Minister for Transport advise:

1. Have any feasibility studies been conducted into reusing the disused Willunga railway line corridor, or connecting the corridor to the Tonsley railway line, and

2. If so, will the minister release any such reports?

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): The Minister for Transport has advised:

1. High level concepts for reusing the Willunga line and potential connections to Tonsley and the Belair line have been considered a number of times over the past 20 years as part of transport system options investigations.

None of these progressed to any level of detail or was subjected to the formal analysis required for a feasibility study.

2. N/A.

GAWLER RAIL LINE

274 The Hon. D.G.E. HOOD (7 May 2008) (Second Session). Can the Minister for Transport advise:

1. Have any feasibility studies been conducted into allowing the Gawler train to continue to the Barossa Valley railway stations, and

2. If so, will the minister release any such reports?

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): The Minister for Transport has advised:

1&2 No feasibility studies detailing the full costs and benefits have been conducted into allowing the Gawler train to continue to the Barossa Valley railway stations.

ADELAIDE HILLS RAIL LINE

279 The Hon. D.G.E. HOOD (3 July 2008) (Second Session).

1. Will the Minister for Transport commit to converting the Belair train line to standard gauge in the near future?

2. If so, is the minister aware that a standard gauge rail line will then extend on that line from Adelaide to Mount Barker?

3. Will the minister commit to entering into negotiations with the Australian Rail Truck Corporation for use of the standard gauge line from Belair to Mount Barker with a view to reinstating passenger trains to the Adelaide Hills and Mount Barker?

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): The Minister for Transport has advised:

1. The Minister for Transport has made a commitment to convert the Belair train line to standard gauge.

The Department for Transport, Energy and Infrastructure has awarded a contract for gauge convertible sleepers and preparations are underway for re-sleepering work to commence on the Belair line.

2. The Belair to Mount Barker Junction rail line (which is owned by the Australian Rail Track Corporation) where the rail line to Mount Barker leaves the interstate rail line is currently standard gauge. It is not proposed to convert the rail line from Mount Barker Junction to Mount Barker to standard gauge, nor is it proposed to operate a passenger service to Mount Barker.

3. There is currently no plan to extend the passenger trains beyond Belair.

CONSULTANTS AND CONTRACTORS

134 The Hon. R.I. LUCAS (23 September 2008). For the year 2007-08:

1. Were any persons employed or otherwise engaged as a consultant or contractor, in any department or agency reporting to the Minister for Education, who had previously received a separation package from the state government; and

2. If so:

(a) What number of persons were employed;

(b) What number were engaged as a consultant; and

(c) What number engaged as a contractor?

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): The former Minister for State/Local Government Relations has advised:

Parts 1,3 and 4:

Details of Ministerial Contract staff were printed in the *Government Gazette* dated 5 July 2007.

In addition:

Details of Public Servant staff located in the Ministerial Office as at 1 December 2006:

1. Position Title	3. Ministerial Contract PSM Act	4. Salary & Other Benefits
A/Office Manager	PSM Act	$66,302.00+$5,967.18 (superannuation)
A/PA Minister	PSM Act	$51,319.00+$4,618.71 (superannuation)
A/Ministerial Assistant	PSM Act	$44,903.00+$4,041.27 (superannuation)
A/Correspondence Officer	PSM Act	$38,557.00+$3,470.13 (superannuation)
A/Correspondence Officer	PSM Act	$38,557.00+$3,470.13 (superannuation)
Trainee Admin Officer	PSM Act	$24,361.84+$2,192.58 (superannuation)
A/Ministerial Liaison Officer (State/Local Government Relations)	PSM Act	$66,302.00+$5,967.18 (superannuation)
Ministerial Liaison Officer (Consumer Affairs)	PSM Act	$76,759.00+$18,422.00 (superannuation)
A/Ministerial Liaison Officer (Women & Volunteers)	PSM Act	$66,302.00+$5,967.18 (superannuation)

Part 2:

The following positions were vacant as at 1 December 2006:

- PA Chief of Staff
- Parliamentary Liaison Officer

Part 5:

(a) The total approved budget for the Minister's office in 2006-07, as per the 2006-07 Budget papers, was $1,216,000.

The salaries paid by the Department rather than the Minister's Office budget were:

Position Title	Department/Agency	Salary
A/Parliamentary Liaison Officer	PIRSA	$8,656.23+$779.06 (superannuation)
A/Parliamentary Liaison Officer	PIRSA	$26,880.72+$2,419.26 (superannuation)
A/Ministerial Liaison Officer (State/Local Government Relations)	PIRSA	$66,302.00+$5,967.18 (superannuation)

Position Title	Department/Agency	Salary
A/Ministerial Liaison Officer (Consumer Affairs)	AGD	$40,064.07+$9,608.00 (superannuation)
A/Ministerial Liaison Officer (Consumer Affairs)	AGD	$31,025.28+$3,102.57 (superannuation)

Part 6:

In the period 2 December 2005 and up to 1 December 2006 no expenditure was incurred on renovations to the Minister's office.

Expenditure was incurred on new items of furniture with a value greater than $500. The details are listed below:

Two Retractable Door Cabinets at $1,119.60 each.

MOUNT BARKER RAIL SERVICE

156 The Hon. D.G.E. HOOD (24 September 2008). Can the Minister for Transport advise:

1. Have any feasibility studies been conducted into restoring rail services to Mount Barker via the Belair railway line; and

2. If so, will the minister release any such reports?

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): The Minister for Transport has advised:

1. There have been no formal feasibility reports completed into restoring rail services to Mount Barker.

2. N/A.

BAROSSA RAIL SERVICE

157 The Hon. D.G.E. HOOD (24 September 2008). Can the Minister for Transport advise:

1. Have any feasibility studies been conducted into allowing the Gawler train to continue to the Barossa Valley railway stations; and

2. If so, when will the minister release all such reports?

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): The Minister for Transport has advised:

1&2 No feasibility studies detailing the full costs and benefits have been conducted into allowing the Gawler train to continue to the Barossa Valley railway stations.

TONSLEY RAIL SERVICE

158 The Hon. D.G.E. HOOD (24 September 2008). Can the Minister for Transport advise:

1. Have any feasibility studies been conducted into reusing the discussed Willunga railway line corridor, or connecting the corridor to the Tonsley railway line; and

2. If so, will the minister release any such reports?

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): The Minister for Transport has advised:

1. High level concepts for reusing the Willunga line and potential connections to Tonsley and the Belair line have been considered a number of times over the past 20 years as part of transport system options investigations.

None of these progressed to any level of detail or was subjected to the formal analysis required for a feasibility study.

2. N/A.

MOUNT BARKER RAIL SERVICE

160 The Hon. D.G.E. HOOD (24 September 2008). Can the Minister for Transport advise:

1. If the minister will commit to converting the Belair train line to standard gauge in the near future?

2. If so, is the minister aware that a standard gauge rail line will then extend on that line from Adelaide to Mount Barker?

3. If the minister will commit to entering into negotiations with the Australian Rail Track Corporation for use of the standard gauge line from Belair to Mount Barker with a view to reinstating passenger trains to the Adelaide Hills and Mount Barker?

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): The Minister for Transport has advised:

1. The Minister for Transport has made a commitment to convert the Belair train line to standard gauge.

The Department for Transport, Energy and Infrastructure has awarded a contract for gauge convertible sleepers and preparations are underway for re-sleepering work to commence on the Belair line.

2. The Belair to Mount Barker Junction rail line (which is owned by the Australian Rail Track Corporation) where the rail line to Mount Barker leaves the interstate rail line is currently standard gauge. It is not proposed to convert the rail line from Mount Barker Junction to Mount Barker to standard gauge, nor is it proposed to operate a passenger service to Mount Barker.

3. There is currently no plan to extend the passenger trains beyond Belair.

SOUTHERN SUBURBS RAIL SERVICE

162 The Hon. D.G.E. HOOD (24 September 2008). Will the Minister for Transport commit to reserving the corridor of land known as the old 'Willunga line' rail corridor for a possible future rail line to the southern suburbs?

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): The Minister for Transport has advised:

1. I refer the Honourable Member to the response tabled in *Hansard* on 14 October 2008, page 252.

CRIMINAL OFFENCES

168 The Hon. D.G.E. HOOD (24 September 2008). Will the Attorney-General advise how many maximum sentences were imposed in South Australian courts, for the period 1 July 2007 to 1 July 2008, for the offences of:

1. Assault (section 20 of the Criminal Law Consolidation Act 1935);

2. Causing Death or Harm by Dangerous Use of Vehicle or Vessel (section 19A of the Criminal Law Consolidation Act 1935);

3. Rape (section 48 of the Criminal Law Consolidation Act 1935);

4. Unlawful Sexual Intercourse (section 49 of the Criminal Law Consolidation Act 1935);

5. Production or Dissemination of Child Pornography (section 63 of the Criminal Law Consolidation Act 1935);

6. Trafficking in Controlled Drugs (section 32 of the Controlled Substances Act 1984, or its previous equivalent section); and

7. Manufacture of Controlled Drugs (section 33 of the Controlled Substances Act 1984, or its previous equivalent section)?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Attorney-General has been provided this information:

Under the Criminal Law Sentencing Act, Judges take into account a range of factors when sentencing including prior offences, age, contrition, mental condition of the defendant, whether the defendant pleads guilty and the personal circumstances of the victim. Maximum penalties are reserved for the most serious commission of the offence.

The following data has been extracted by the Office of Crime Statistics and Research and is based on cases finalised during the 2007-08 financial year where the offence listed was the major charge found guilty.

There were a total of 2,149 cases involving a finding of guilt for the major charge of assault. Of these, 140 cases (6%) received immediate imprisonment/detention and 441 cases (20%) received suspended imprisonment as the major penalty.

The maximum statutory penalty for Aggravated Assault Causing Harm–with weapon/weapon used is 5 years imprisonment and for the offences of Aggravated Assault (with or without weapon), Commit Assault (no weapon or Basic Offence) or Commit Assault That Causes Harm (no weapon or Basic Offence) the maximum penalty ranges from 2 to 4 years depending on which part of the Act the offence relates to.

None of these cases received the maximum penalty. The average period imposed was 24 weeks, with the maximum being 2 years for aggravated offences under section 20(4) of the Act (no weapon involved).

There were a total of 16 cases involving a finding of guilt for the major charge of Causing Death or Harm by Dangerous Use of Vehicle or Vessel. Of these, 5 cases (31%) received immediate imprisonment/detention and 10 cases (62%) received suspended imprisonment as the major penalty.

The maximum statutory penalty for Cause Serious Harm By Dangerous Driving—Aggravated Offence is life imprisonment while for the offences of Cause Death/Serious Harm By Dangerous Driving (Aggravated or Basic Offence) and Cause Harm By Dangerous Driving (Aggravated or Basic Offence) the maximum penalty ranges from 5 to 15 years depending on which part of the Act the offence relates to.

Of the 5 cases finalised in the 2007-08 financial year that received immediate imprisonment or detention, the sentences imposed ranged from 1 year to 5 years 2 months and 2 weeks, with an average period of 2.7 years. None of these cases received the maximum penalty.

There were a total of 20 cases involving a finding of guilt for the major charge of Rape. All of these cases received either an immediate or suspended imprisonment term—12 cases (60%) received immediate imprisonment or detention and 8 cases (40%) received suspended imprisonment as the major penalty.

The maximum statutory penalty for Rape is life imprisonment and for the offence of Rape—Attempted Offence the maximum penalty is 12 years.

Of the 12 cases finalised in the 2007-08 financial year that received immediate imprisonment or detention, the sentences imposed ranged from 1 year and 3 months to 17 years with an average period of 7 years. None of these cases received the maximum penalty.

There were a total of 49 cases involving a finding of guilt for the major charge of Unlawful Sexual Intercourse. Of these, 23 cases (47%) received immediate imprisonment and 16 cases (33%) received suspended imprisonment as the major penalty.

The maximum statutory penalty for Sexual Intercourse With A Person Under 14 Years/Unlawful Sexual Intercourse With A Person Under 12 is life imprisonment while for the offences of Sexual Intercourse With A Person 14 To 17 Years/Intellectually Disabled Person, Unlawful Sexual Intercourse With A Person Under 17 Years and Unlawful Sexual Intercourse the maximum penalty ranges from seven to ten years depending on which part of the Act the offence relates to.

Of the cases in which an immediate imprisonment term was the major penalty, there were 5 cases in which the defendant received a prison term of greater than the maximum penalty for the major charge. These cases received greater than the maximum penalty due to global sentencing under section 18A of the Criminal Law Sentencing Act (see definition below).

Of the remaining 18 cases finalised in the 2007-08 financial year, the immediate imprisonment sentences ranged from 1 year and 3 months to 11 years. None of these cases received the maximum penalty. The average period of direct imprisonment for these 18 cases was 6.4 years.

18A−Sentencing for multiple offences

If a person is found guilty by a court of a number of offences, the court may sentence the person to the one penalty for all or some of those offences, but the sentence cannot exceed the total of the maximum penalties that could be imposed in respect of each of the offences to which the sentence relates.

There were a total of 5 cases involving a finding of guilt for the major charge of Production or Dissemination of Child Pornography. Of these, two cases received immediate imprisonment and two cases received a suspended imprisonment term as the major penalty.

The maximum statutory penalty for Produce Child Pornography (Aggravated Offence) is 12 years while for the offence of Produce Child Pornography the maximum penalty is 10 years.

The two cases that received immediate imprisonment had sentences imposed of 3.5 years and 4 years. These cases did not receive the maximum penalty.

There were a total of 13 cases involving a finding of guilt for an offence under section 32 of the current provisions of the Controlled Substances Act as the major charge found guilty, and 1,002 cases under the previous equivalent section of the Act, in effect prior to 3rd December 2007. These 1,015 cases were all finalised in the 2007-08 financial year.

Of the 13 cases under the current provisions of the Act, one received an immediate imprisonment term of 6 weeks and 3 cases received suspended imprisonment as the major penalty, ranging from 8 months to one year.

The maximum statutory penalty for offences under the current section 32 of the Controlled Substances Act ranges from 2 years to life imprisonment depending on which part of the Act the offence relates to.

Of the 1,002 cases under the previous equivalent section of the Controlled Substances Act, 77 (8%) received a sentence of immediate imprisonment and 166 (17%) received a suspended sentence. The immediate imprisonment terms imposed ranged from 4 weeks to 7 years with an average period of 2.7 years.

The maximum statutory penalty for offences under the previous section 32 of the Controlled Substances Act ranges from 2 years to life imprisonment depending on which part of the Act the offence relates to.

None of the cases received the maximum penalty.

There were no cases finalised in the 2007-08 financial year where the major charge found guilty was an offence under section 33 of the Controlled Substances Act.

CHILD PROTECTION

169 The Hon. D.G.E. HOOD (24 September 2008). Can the Minister for Families and Communities advise:

1. How many requests were received by Families SA for the agency to intervene in Family Law children's proceedings (due to child welfare concerns) pursuant to section 91B of the Family Law Act, or otherwise, in 2007-08?

2. How many of those requests were agreed to and how many were denied?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs): The Minister for Families and Communities has provided the following information:

From 1 January 2008-30 September 2008, 26 requests were received by Families SA under Section 91B of the Commonwealth's Family Law Act 1975.

Under Section 91B of the Family Law Act the Court invites Families SA to intervene in proceedings before the court. Families SA has a number of ways that it can respond to this order of the court, not simply intervening as defined by Sections 91B and 92A of the Family Law Act 1975. Alternative responses are outlined by a Protocol between Families SA and the Family Court that has been operation since 1986. This is being reviewed and updated and will be completed by December 2008.

Currently the Agency can:

Deem the request to be a notification and investigate accordingly and if necessary institute care and protection proceedings (for a period of time) under the Children's Protection Act 1993.

Intervene pursuant to section 92A of the Family Law Act 1975 in the Family Court proceedings and become a party to the matter.

Make available to the Family Court Registrar a written report which may be relevant to the proceedings.

Determine it should do none of the above and provide written advice to the Court to that effect.

Families SA did provide a written report in all 26 matters and used these opportunities to carefully consider the requests from the Family Court and take such steps as was considered appropriate in accordance with statutory obligations pursuant to the Children's Protection Act 1993.

SELECT COMMITTEE ON PROPOSED SALE AND REDEVELOPMENT OF THE GLENSIDE HOSPITAL SITE

The Hon. J.S.L. DAWKINS (14:23): I lay upon the table the report of the committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

STATUTORY OFFICERS COMMITTEE

The PRESIDENT (14:23): I lay upon the table the report 2007-08 of the committee, which was authorised to be printed and published pursuant to section 17(7) and section 17(8) of the Parliamentary Committees Act 1991.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The PRESIDENT (14:24): I lay upon the table an interim report of the committee in relation to the desalination plant at Port Stanvac, which was authorised to be printed and published pursuant to section 17(7) and section 17(8) of the Parliamentary Committees Act 1991.

PAPERS

The following papers were laid on the table:

By the President—

Reports, 2007-08—
- Corporations—
  - Adelaide
  - Adelaide Hills
  - Burnside
  - Campbelltown
  - Charles Sturt
  - Gawler
  - Holdfast Bay
  - Norwood, Payneham & St. Peters
  - Onkaparinga
  - Port Adelaide Enfield
  - Prospect
  - Salisbury
  - Tea Tree Gully
  - Unley
- District Councils—
  - Alexandrina
  - Barossa

Berri Barmera
Ceduna
Clare and Gilbert Valley
Cleve
Coober Pedy
Coorong
Goyder
Grant
Kangaroo Island
Karoonda East Murray
Kingston
Lower Eyre Peninsula
Loxton Waikerie
Mallala
Mid Murray
Mount Gambier
Murray Bridge
Naracoorte Lucindale
Northern Areas
Port Augusta
Port Pirie
Renmark Paringa
Robe
Southern Mallee
Wakefield
Wattle Range
Whyalla
Yankalilla
Yorke Peninsula
Employee Ombudsman

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

Reports, 2007-08—
AustralAsia Railway Corporation
Final Budget Outcome
Regulations under the following Acts—
Emergency Services Funding Act 1998—Revocation
First Home Owner Grant Act 2000—Non-conforming Interest
Land Tax Act 1936—Prescribed Associations
Pay-roll Tax Act 1971—Deductions
Public Corporations Act 1993—Land Management Corporation
Southern State Superannuation Act 1994—Insurance
Stamp Duties Act 1923—Spoiled or Unused Stamps
State Procurement Act 2004—Prescribed Public Authorities
Superannuation Act 1988—
Exclusion of Remuneration
Murray Darling Basin Authority
Waterworks Act 1932—Water Rates
Rules—
District Court—District Court Act 1991—
Civil—
Amendment No. 5
Amendment No. 6
Amendment No. 7
Criminal and Miscellaneous—
Amendment No. 5
Amendment No. 6
Amendment No. 7
Magistrates Court—Magistrates Court Act 1991—
Amendment No. 33
Civil—Amendment No. 32

Supreme Court—Supreme Court Act 1933—
Amendment No. 6
Amendment No. 23
Amendment No. 24
Corporations (South Australia)—Amendment No. 5
Motor Accident Commission Charter

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

Regulations under the following Act—
Development Act 1993—
Exclusions
Unley Development Plan
City of Unley—Village Living and Desirable Neighbourhood Development Plan Amendment Stage 1 (Residential Historic Conservation and Streetscape Character Areas Pilot)—Development Plan Amendment by the Council

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

Reports, 2007-08
Community Benefit SA
Playford Centre
Australian Centre for Plant Functional Genomics Pty. Ltd.—Quarterly Report—July to September 2008
Review of the Operation of the Citrus Industry Act 2005 (SA)—Report, January 2009
Regulations under the following Acts—
Dangerous Substances Act 1979—Dangerous Goods Transport
Firearms Act 1977—Fit and Proper Person
Primary Industry Funding Schemes Act 1998—
Apiary Industry Fund
Cattle Industry Fund
Riverland Wine Industry Fund
Workers Rehabilitation and Compensation Act 1986—Rehabilitation and Return to Work Co-ordinators
Rules—
Workers Compensation Tribunal Rules 2005—Rule 20A: Expert Evidence.

By the Minister for Gambling (Hon. C. Zollo)—

Regulation under the following Act—
Gaming Machines Act 1992—Ministerial Exemptions.

By the Minister for State/Local Government Relations (Hon. G.E. Gago)—

Reports, 2007-08
Carrick Hill Trust
Country Arts SA
Leigh Creek Health Services Inc.
Local Government Finance Authority of South Australia
Local Government Superannuation Board
Mannum District Hospital Inc. (incorporating Mannum Domiciliary Care)
Murray Bridge Soldiers' Memorial Hospital Inc.
State Opera of South Australia
Actions taken following the Coronial Inquiry into the death of Grant Austin—Report, 12 January 2009
Regulations under the following Acts—
Education Act 1972—Rules and Criteria
Environment Protection Act 1993—Fees and Levy
Motor Vehicles Act 1959—Return or Recovery of Number Plates
Passenger Transport Act 1994—General
Plastic Shopping Bags (Waste Avoidance) Act 2008—Waste Avoidance
SACE Board of South Australia Act 1983—Fees
District Council By-laws—

Coorong—
No. 1—Permits and Penalties
No. 2—Roads
No. 3—Local Government Land
No. 4—Dogs
No. 5—Moveable Signs
Flinders Ranges—
No. 4—Waste Management
Karoonda East Murray—
No. 1—Permits and Penalties
No. 2—Roads
No. 3—Local Government Land
No. 4—Dogs
No. 5—Moveable Signs
Regional Council By-laws—
Light—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Roads
No. 4—Local Government Land
No. 5—Dogs
No. 6—Cats
No. 7—Nuisances caused by Building Sites

By the Minister for Consumer Affairs (Hon. G.E. Gago)—

Regulations under the following Acts—
Land Agents Act 1994—
Revocation
Temporary Exemption from Registration
Liquor Licensing Act 1997—Dry Areas—
Angaston
Clare
Port Adelaide and Semaphore
Short Term—
Adelaide—Bonython Park
Adelaide—Elder Park
Alexandrina Council
Brighton, Glenelg and Seacliff
Glenelg
Morgan
Peterborough
Robe
Semaphore
Waikerie
Wallaroo

FINKS MOTORCYCLE CLUB

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:30): I table a copy of a ministerial statement relating to the Finks bikie gang made earlier today in another place by my colleague the Premier.

HEATWAVE

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:30): I table a copy of a ministerial statement relating to the South Australian response to the heatwave made earlier today in another place by my colleague the Premier.

QUESTION TIME

GOVERNMENT PROCUREMENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:32): I seek leave to make a brief explanation before asking the Minister for Small Business a question about the government's massive advertising campaign in relation to buying locally.

Leave granted.

The Hon. D.W. RIDGWAY: I welcome members back and I look forward to asking the minister the first of the last 54 questions before he retires. I was at an afternoon tea party—

The PRESIDENT: The honourable member will refrain from opinion.

The Hon. R.P. Wortley: It was a booze-up.

The Hon. D.W. RIDGWAY: The Hon. Russell Wortley said it was a booze-up. He may have been drinking, but I certainly was not.

The Hon. J.S.L. Dawkins: The Hon. Russell Wortley is a bit loose with his accusations about things like that.

The PRESIDENT: I was actually speaking about your comment aimed at the minister, who I am sure has no intention of retiring.

The Hon. D.W. RIDGWAY: I thought the Hon. Russell Wortley was speaking about the afternoon tea, which was a very important one, hosted by the Prime Minister. He may have been drinking—the Hon. Russell Wortley—but I certainly was not.

At that particular afternoon tea to celebrate Australia Day, some six days before Australia Day, the Premier, obviously, was invited to the lectern to introduce the Prime Minister. In his speech he indicated that the government was about to launch a massive advertising campaign to encourage South Australians to buy locally, shop locally and support South Australian businesses, small and large.

The opposition has been advised that contracts for the legal work for a number of public/private partnerships, meaning the desal plant, the prisons, the super schools and the Marjorie Jackson-Nelson hospital—to put together the legal framework for these public/private partnerships—have been let to Victorian legal firms. In fact, the opposition has been advised that expressions of interest were sought only from interstate firms. It clearly seems to be a case of: 'Do as we say', not, 'Do as we do.' It is also—

The PRESIDENT: The honourable member should refrain from opinion in his question.

The Hon. D.W. RIDGWAY: Thank you, Mr President, for your advice. We have also been advised that in most cases the interstate firms charge what is known as East Coast rates, which are some 20 to 30 per cent up on what is provided here in South Australia. So, not only are South Australian firms missing out on the work and South Australian jobs are at risk but South Australian taxpayers are having to pay East Coast premiums for this work to be done. My questions to the minister are:

1. Why has the government excluded our important and very capable legal firms from this important work?

2. In line with the massive advertising campaign that the Premier has announced is being launched by the government, will the government purchase all its services and goods from South Australian-based firms?

The PRESIDENT: The minister will disregard the opinion in the questions.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:36): There will not be much left to answer then, Mr President. I am not responsible for the letting of those contracts, so I will pass the questions on to the relevant minister to find out whether the facts, as put by the honourable member, are correct and bring back an answer.

GOVERNMENT PROCUREMENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:36): I have a supplementary question. In line with its massive advertising campaign, is the government reviewing its policy of

procurement to ensure that all South Australian firms get an equal opportunity to service the government?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:37): Inherent in that question is the implication that that was not the case. As I said, I will refer it to the relevant minister to obtain the facts relating to that contract. With regard to specialist areas such as the letting of PPP contracts, given their importance I can understand why the government would want to use the best expertise available to ensure that the taxpayers of South Australia get the best deal. However, in terms of the selection process and the factors taken into consideration in relation to letting any contracts, as I said I will refer that to the Treasurer or the relevant minister.

ECONOMIC STIMULUS PACKAGE

The Hon. J.M.A. LENSINK (14:38): I seek leave to make a brief explanation before asking the Minister for Gambling a question about the impact of the global financial crisis.

Leave granted.

The Hon. J.M.A. LENSINK: Honourable members would be aware of the boost of some $8 million in net gaming revenue in December last year, the same month as the roll-out of the federal government's stimulus package, as well as the view of concerned sector icon Mark Henley that people are more likely to gamble in tough economic times. My questions are:

1. What strategies does the government have to assist people and provide some education in relation to saving their pennies rather than putting them in pokie machines?

2. Does the minister stand by the government spokesperson who was quoted in *The Advertiser* of Monday 19 January as saying that the increased gambling revenue and the coincidence of the federal stimulus package was merely a fluctuation?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (14:39): I thank the honourable member for her question in relation to gambling and the federal government's stimulus package—which, I am certain, was very well received and which was a very responsible step by our federal government. I did hear what Mark Henley, a very respected person in the concerned sector, had to say. I heard him on radio in the morning, and I believe he spoke a lot of commonsense when he said that it was very difficult to attribute the 1.4 per cent rise. The total net gaming revenue from clubs and hotels for the second quarter of 2008-09 was $193 million; across the quarter it was 1.4 per cent higher ($2.66 million) than the net gaming revenue for the same quarter of the previous year.

The federal government's bonus payments package was designed to stimulate consumer spending in December as a way of supporting Australian industry and Australian jobs, and it is shocking for the opposition to stand up and suggest that it should not have done that. Of course, in that quarter it is also Christmas time, a time of festivity, so people are more likely to go out and have a drink and go to pubs and clubs, and if they are in those venues they may also be more likely to play the pokies. We have also seen more money injected into the community because of lower interest rates.

I am reminded of what Mark Henley had to say about the smoking ban in pubs and clubs in South Australia, that is, that there was a dip within that sector to start with, and then we saw a recouping of revenue as venues changed to suit the new smoking laws and patrons became used to the changed environment. I do not think we have to look too far to see how many hotels have taken advantage of providing new outside facilities, and I have to compliment those hotels because some of those facilities do look incredibly smart.

I do not think anyone could say definitively that the 1.4 per cent increase in that quarter was the result of the federal stimulation package, but I think the federal government is to be commended for putting money back into the economy so that we see stimulation in Australian industry and Australian jobs.

ECONOMIC STIMULUS PACKAGE

The Hon. J.M.A. LENSINK (14:41): I have a supplementary question. Is Mark Henley incorrect in saying that people are more likely to gamble in tough economic times?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (14:41): I do not have the expertise to know why people do or do not gamble. As I have said, Mark Henley is a very respected person within the concern sector. He is part of the responsible gambling working party. As the honourable member has already received a briefing, I am sure she would know all the regulations and codes of practice that we have in place to ensure that we have a responsible gambling industry. We also have Club Safe and Gaming Care, and we have procedures and policies in place to ensure that, as much as possible, people gamble in a responsible manner.

I have also spoken in this place about the precommitment trial. As members would know, legislation will be introduced on the floor of this parliament to remove the $50,000 cap, which will stimulate the market and help to reduce the number of poker machines in this state. This government has undertaken endless initiatives, including education at the school level and research. One does not know where to stop and where to start. So, for members opposite to suggest that this government does not care about seeing responsible gambling in this state really is a nonsense.

ECONOMIC STIMULUS PACKAGE

The Hon. T.J. STEPHENS (14:43): I have a supplementary question arising from the answer. Minister, you mentioned the removal of the $50,000 cap. Are you going to let market forces dictate the price of a gaming machine entitlement?

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 understand that, after the consultation process was completed, we received 11 responses from people who were concerned about and interested in the draft policy legislation that was out for consultation. We will be responding to those very shortly, and that will also be available on the web.

As I have mentioned, one of the issues is the removal of the cap, which should, for all intents and purposes, stimulate the market and see the poker machines change hands, so that we can achieve that extra 800 poker machine reduction that we want.

At the time the legislation is before the council, I will obviously be able to inform the chamber exactly how we will achieve that. That policy is being developed now and is still to be finalised, and we can have a good debate on the issue at that time. The process will also be dictated by regulation.

ECONOMIC STIMULUS PACKAGE

The Hon. T.J. STEPHENS (14:44): I have a further supplementary question. Does the minister agree that, unless you get the particular mechanism right with regard to the lifting of the cap, the government will not achieve the reduction in poker machines that the Premier trumpeted some years ago?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (14:45): That is exactly the work that we are doing now. Of course we want the legislation to succeed. Why wouldn't we? Obviously, that is the work that we are doing now.

An honourable member interjecting:

The Hon. CARMEL ZOLLO: We are, absolutely, a government in action. That is what we are doing, and I look forward to the support of honourable members opposite.

AUSTRALIAN ROAD RULES

The Hon. S.G. WADE (14:46): I seek leave to make a brief explanation before asking the Minister for Road Safety a question about changes to the Australian Road Rules.

Leave granted.

The Hon. S.G. WADE: The minister claimed that a press release was flagged to publicise 99 changes to the Australian Road Rules gazetted on 25 September 2008. However, she said publicly that the press release was overlooked. When asked in the media for a reason, she said, 'For whatever reason.' The minister allowed the department to take the rap. However, in the week

prior to the gazettal, and in the week after the gazettal, the minister remembered to issue several good news releases.

For example, on 18 September, the minister remembered to announce the graduation of 22 new correctional services officers; on 23 September, the minister remembered to announce 1.7 kilometres of fencing on Port Wakefield Road; and, on 1 October, the minister remembered to announce a new footbridge in Athelstone. On the other hand, perhaps the minister was distracted by some bad news at this time. The day before the changes were gazetted, a Newspoll survey was released that showed that Liberal support was up 5 per cent and that a record 45 per cent of South Australian voters were dissatisfied with Premier Rann. My questions are:

1. Did the minister or the minister's office receive a draft press release on the 99 changes to the Australian Road Rules prepared by the Department for Transport, Energy and Infrastructure?

2. Was the act or omission that led to the press release not being issued an act or omission of the minister or of her office?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (14:47): I am just embarrassed for the honourable member opposite. As I have been reminded, members opposite claimed victory before they actually knew the results. It is one thing for our daily newspaper (and we have only one in South Australia) to selectively quote from an interview, and it is certainly another for the honourable member to stand up in this place and also selectively quote and not say the rest of what he obviously read, when I said 'For whatever reason'. I am the minister, and I take responsibility. I need to place that on the record. He is obviously being mischievous—

An honourable member: Again.

The Hon. CARMEL ZOLLO: Again, yes—and I do not think that is appropriate. As I have said in all my interviews, 'For whatever reason, this oversight occurred. I am the minister, and I take responsibility.'

Members interjecting:

The PRESIDENT: Order!

The Hon. CARMEL ZOLLO: There are some in this chamber who may be interested in the Australian Road Rules and how they have come about, and I think it is important that the member who asked the question should know. The Australian Road Rules came about in 1999, and the custodian of the Australian Road Rules is the National Transport Commission.

There is a very firm process whereby states send representatives, and we send two: one from SAPOL and one from the Department for Transport, Energy and Infrastructure. The rules are maintained on a regular basis, and the committee involved is the Australian Road Rules Maintenance Group. As I said, it meets on a regular basis and changes, variations, modifications and sometimes new rules are brought to its attention (usually by SAPOL) because of experience in each state and sometimes because of judicial decisions that are made and the road rules need to be changed.

The road rules in question are part of the fifth and sixth package and, out of that package, I and ministers before me have pulled out the very significant ones we want to publicise to change the behaviour of the public. They are significant. For example, out of that package, we pulled out the responsibility of drivers to ensure that their adult passengers put on a seat belt; and we pulled out the issue of the mobile phone (and what better example in South Australia?) to ensure that people understand, and we have had to further clarify that matter since then. As minister, I went down the path of consulting all my federal colleagues, and we subsequently updated that rule, and we will very soon see the other states follow suit. I give those as examples of significant changes that have to be brought to the public's attention.

I will give the chamber another example I think is incredibly important, namely, the rule in relation to child restraints. With the seventh package, which is yet to be introduced, last year I joined with the RAA and we publicised the fact that in the second half of this year we will bring in new regulations that will see children restrained by age-appropriate sized restraints.

So, was I provided with a press release? As I said, for whatever reason it happened, I take responsibility. If the honourable member specifically wants me to answer that, the answer, of

course, is no, because I do not lie. Even though people opposite might imply that, I do not lie. So, if I could go back to the road rules, these were minor variations, minor clarifications and minor modifications. Some of them apply to our state; some do not.

MINING INDUSTRY

The Hon. R.P. WORTLEY (14:50): I direct my question to the Minister for Regional Development. Will the minister update the chamber on the continuing interest among foreign companies in making significant investments in South Australia's mining sector?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (14:50): I thank the honourable member for his important question. South Australia has drawn intensive interest from foreign investors in recent years, particularly in the mining sector. While a lot of attention has been drawn to the level of Chinese investment in this state, I was delighted last month to attend the formal signing of a $114 million joint investment deal between Mitsui of Japan and Uranium One of Canada to develop mining projects in South Australia. Senior executives of Mitsui flew to Adelaide from Tokyo for the signing ceremony.

Mitsui has acquired a 49 per cent interest in the Honeymoon uranium project and Uranium One's Australian exploration portfolio. This portfolio includes the Goulds Dam and Booleroo projects and other prospective tenements on the Stuart Shelf and Eyre Peninsula. Mitsui's significant investment in this joint venture will allow commercial production to begin at the Honeymoon mine.

Members may be aware that this government approved the mining and rehabilitation program for the Honeymoon mine in early 2008. Amid the current economic uncertainty sweeping the world, this government is delighted that this joint venture partnership has allowed site development work to begin at the Honeymoon uranium project.

Mitsui's joint ventures with Uranium One are a prime example of the confidence international companies continue to have to invest in this state. While Mitsui's business interests around the world are extremely diverse, this joint venture marks the Japanese company's entry into the uranium industry. The South Australian government is extremely pleased that Mitsui has chosen this state for such a milestone investment.

Honeymoon will be capable of producing some 400 tonnes of uranium oxide a year, resulting in an expected mine life of six to seven years. Based on this production rate, that annual export contribution to the state is estimated to be about $40 million. This project is also expected to eventually create about 60 new jobs at the mine, generating added value for the state.

We all acknowledge that, particularly in the case of uranium exploration and mining, the public has a right to expect appropriate regulatory scrutiny of companies operating here. This is precisely what this government has sought to achieve at Honeymoon and other potential mine sites while at the same time still encouraging exploration and development, and this is never a simple balancing act. That is why I was heartened by comments at the signing ceremony in which the joint venture partners supported this government's contention that in South Australia we have struck the right balance.

South Australia remains an active pro-mining, pro-uranium and pro-foreign investment state, with an emphasis on getting things done. While we welcome Japanese interest in the Honeymoon project, Chinese investment in our state also underlines the confidence foreign investors have in our mineral sector. Chinese investors are continuing to seek opportunities for investing in South Australia, even amid the current global financial downturn. Just last month the Shandong Geo-Mineral Resources Bureau was the most recent Chinese delegation to be received by PIRSA Minerals. The level of interest may change amid the slowdown in China's economy, with that country's GDP growing at an annualised rate of just 6.8 per cent in 2008, less than half the recently revised peak of 13.9 per cent achieved in 2007, but so far the signs are good that interest remains undeterred. That is not surprising when you consider the good reviews this state received in 2008.

International and impartial research by both the Fraser Institute of Canada and the London-based *ResourceStocks* magazine rate South Australia as one of a handful of preferred exploration and mining development locations in the world. We are certainly well ahead of any other Australian state in that regard. The Rann Labor government's policies in recent years have resulted in a massive increase in exploration and, while we can expect a slow-down from the record peak of

$355 million in annual spending in the past financial year, the world-class discoveries that are a result of the past five years of exploration are still being translated into mining developments.

While funding for exploration has become tighter, we are still seeing some interesting new discoveries, sometimes in the least expected places. Just last month, Rex Minerals, an Australian junior exploration company based in Ballarat, Victoria, announced an exciting new copper, gold and uranium discovery at its Hillside project on Yorke Peninsula. This discovery is generating a lot of interest from other explorers in the state's mineral-rich Gawler Craton.

Yorke Peninsula hosts historic copper mines and numerous mineral prospects. Most South Australians would be aware of this state's colonial mining history owing a lot to the discovery of copper around Moonta, Wallaroo and Kadina. While the Copper Coast contribution to South Australia may previously have been regarded as historical, the Rex Minerals discovery could signal a renaissance. This is the most significant contemporary discovery using modern concepts and techniques to explore undercover rocks. The area is the southern continuation of the geology in the mineralised area around Olympic Dam, Carrapateena and Prominent Hill.

The discovery at Hillside near Ardrossan confirms the potential extension of similar types of sporadic mineralisation through a belt of rocks over more than 700 kilometres. Exploration is in very early stages at the Hillside project and no economically viable deposit is yet defined, but results returned so far are comparable with early results from Prominent Hill. The mineralisation currently indicates separate copper, gold and uranium-rich zones.

The announcement by Rex Minerals is a further sign South Australia's mining industry is weathering the international economic storm and again registering significant discoveries. Indeed, geoscientists from PIRSA recently revealed that the age of the ancient volcanic rocks responsible for the Burra mine copper mineralisation could be as old as 797 million years.

This age data is part of a project funded by the state government's internationally renowned PACE initiative and is providing potential prospectors with a new understanding of the geology and origin of the Burra ore body. It also confirms that areas of the Adelaide Geosyncline previously regarded as having low prospectivity for copper mineralisation now definitely warrant further exploration. Impressive projects such as this can only lead to increased interest in our state's untapped mineral potential.

This government expects mining companies to look through the short-term weakness in the market due to the current global downturn and continue to work towards the long-term goal of tapping South Australia's huge mineral potential. That is why I was also heartened to read at the weekend that OZ Minerals has informed the ASX that construction of the Prominent Hill copper and gold mine near Coober Pedy essentially is complete. OZ Minerals' Andrew Michelmore told the ASX last Friday that the company expects initial production to begin at the project by mid-February. That is great news in the current climate of uncertainty that is facing most international mining companies.

With all this activity going on in South Australia, what do we hear from the opposition? I will quote some rather irresponsible comments from Mr Pisoni of the opposition, as follows:

> The unfortunate thing is that Mike Rann is fixated on a mining boom, where he's promised jobs and revenue for South Australia from a mining boom that we now see hasn't happened and won't happen with the collapse of mining shares and the collapse of mining jobs across Australia.

That could not be further from the truth. Rather than missing the boat, as Mr Pisoni also claimed in his comments, this government has pulled out all stops to ensure that, even with the uncertain global economic outlook, the mining industry remains confident in our state's future. Those opposite want to live in denial, denying the advances made in the past seven years to tap this state's mineral wealth and the important role that this government's confidence-building policies have played to generate jobs and new investment.

This state is still on track to deliver job-generating mining projects focused on world-class ore bodies. We are delivering on the promised jobs; we are delivering on the promised investment; and, unlike the rest of the country and the world, mining projects are going ahead rather than being put into mothballs. Rather than talking down mining activity in this state, the opposition would be better served in supporting this government's initiatives and supporting the mining sector as it invests to unlock the potential that lies beneath the earth.

SWIMMING POOL SAFETY

The Hon. J.A. DARLEY (15:00): I seek leave to make a brief explanation before asking the Minister for Correctional Services, representing the Minister for Recreation, Sport and Racing, a question regarding home pool safety.

Leave granted.

The Hon. J.A. DARLEY: In an effort to minimise the risk of toddlers becoming entangled in loop curtain and blind cords, the government recently announced the restricted sale and supply of curtains and blinds with loop cords, unless safety devices are included. I understand that the government was prompted to make these changes following the deaths of 10 Australian children who had been accidentally strangled by blind or curtain cords in the past eight years, including a death in 2007 of a South Australian toddler.

Since 2003, 164 children around Australia have drowned in backyard swimming pools, five of whom were in South Australia. In 1991, the Western Australian government recognised the dangers a backyard swimming pool poses and introduced mandatory fences for all backyard swimming pools, along with regular audits and inspections of the barriers. After these changes were implemented, Western Australia saw a decline in the drowning of children aged nought to five years from 21 deaths in the 2002 to 2004 period to six deaths from 2004 to 2007. In addition to these figures, it is suggested that, for every drowning, four children are hospitalised and 16 children will require emergency department care as a result of near drowning.

Given that the number of children around Australia dying as a result of accidental strangulation by a curtain cord or blind cord is significantly lower than the number of children drowning in backyard pools, my questions are:

1. Is the minister currently looking to improve backyard pool safety beyond the measures already introduced?

2. Given the success in Western Australia, has the minister considered introducing mandatory fences to all backyard pools, along with regular audits in South Australia and, if not, why not?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:01): Perhaps I should answer that question since essentially swimming pool fences come under the Development Act. Members might recall that we did pass some amendments to that act. I think they were initially rejected in this place either in 2006 or 2005 but some legislation was passed. The government introduced measures last year to address the issues relating to the gap between the new legislation requiring that modern Australian standards be incorporated into swimming pool fencing and the initial swimming pool fencing legislation that had been introduced some decades before.

Members might recall that the conditions the government introduced were to require that, when a house was put up for sale and before it could be sold, it would have to comply with the latest Australian standards in relation to swimming pool safety. That was a way of addressing the backlog of swimming pools built prior to the current legislation being enacted. The new provisions were enacted some time last year. From memory, it was 1 October (or thereabouts). Certainly, the government will be looking at that legislation to see how effective it is.

The problem we have in relation to dealing with these retrospective issues concerns how one can identify the places and ensure that legislation is enforced. Clearly, in relation to the provisions we introduced last year, when a property changes hands it is a very good time to ensure that the safety measures have been upgraded. Those measures, as I said, were introduced just over six months ago (or thereabouts). The government will certainly be monitoring them to see how effectively they work. If any further measures are required, we will certainly look at that.

I have seen some press articles interstate suggesting that other states—I think one was New South Wales—should follow South Australia's lead in terms of requiring these measures to be adopted when a house is sold. I am certainly happy to look at any reasonable suggestion to address this issue. Clearly, my colleague in another place has the key responsibility for that but, inasmuch as it falls within the Development Act, I am certainly keen to work with my colleague in another place to ensure that we have legislation that is practical and effective but, at the same time, meets practical requirements in relation to legislation.

I am happy to discuss with my colleague in another place any recent statistics in relation to that, and he can be assured that I will be monitoring the new laws to see how effective they are in terms of increasing the number of properties with swimming pools that have the required Australian standard fencing.

SWIMMING POOL SAFETY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:05): Could the minister provide figures to the council of the number of properties that have been sold since the legislation came into effect where pool fences had to be fitted before the properties were sold; and who has been enforcing that?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:05): Whether those statistics are recorded in that way, I am not sure. Obviously the onus is on householders to ensure that they meet those requirements. If there are any statistics available, I will be happy to provide them to the honourable member.

SWIMMING POOL SAFETY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:06): The minister indicated that he would be monitoring the figures, and now he says that he does not know whether the statistics exists. Could the minister please explain how he intended to monitor the number of houses that have been sold and the effectiveness of the legislation?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:06): We can certainly do that by contacting the real estate agents and others around there to, first of all, get their feedback in relation to the rules, and we can get feedback from those relevant quarters as to how effective it has been.

SWIMMING POOL SAFETY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:07): Will the minister provide that feedback and details to the council?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:07): As I said, the legislation is less than six months old. I indicated that we would be looking at the effectiveness of it. Normally, you would do these sorts of things over a period such as 12 months, and we still have a way to go, but certainly when I have any information available I will be happy to share it.

APY LANDS

The Hon. R.D. LAWSON (15:08): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Attorney-General, a question on the subject of cross-border justice.

Leave granted.

The Hon. R.D. LAWSON: On ABC Radio today the Attorney-General was reported as saying that the government would be introducing cross-border justice legislation to enable police to apprehend certain offenders. The Attorney said that the bill results from the recommendations of Commissioner Mullighan's inquiry in relation to sex abusers on the APY lands. He said that it 'will stop suspected sex abusers fleeing over the border from the APY lands in SA's far north-west.'

In fact, legislation of this kind was first raised at a justice round table in June 2003 by the NPY Women's Council, which operates a domestic violence program in the cross-border area, and as a result of that a cross-border justice project was established. In August 2003, the solicitors-general from South Australia, the Northern Territory and Western Australia made a presentation at a meeting of the Standing Committee of Attorneys-General on this particular subject and suggested an appropriate solution.

In a paper delivered by Inspector Ashley Gordon of South Australia Police, he graphically described incidents of domestic violence, especially in the APY lands where legislation of this kind is appropriate. Western Australia introduced legislation in 2007 and passed it in March 2008. My questions are:

1. Will the Attorney acknowledge that this legislation was not prompted, as his statement suggests, by the Mullighan inquiry?

2. Is it not the case that the Attorney-General only mentioned the Mullighan inquiry in an effort to disguise the fact that this government has delayed for five years the implementation of this important measure?

3. Is this law, contrary to the impression sought to be created by the Attorney-General, as much about bringing to justice grog-runners, perpetrators of domestic violence and other petty criminals as it is about child sex offenders?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:09): I have read the press release from the Attorney-General where I think he makes it clear that in fact there are a number of issues that this legislation will deal with. He states that local women have raised concerns that offenders are crossing borders to dodge the law in relation to domestic violence and the like.

The point that needs to be made in relation to the honourable member's question is that for any cross-border legislation to be effective you obviously need the complementary legislation in other states because, while it may allow South Australian police, correctional services officers and judicial officials to operate across boundaries, there clearly needs to be some reciprocity with that so that Northern Territory and Western Australian police, magistrates and correctional services officers, where relevant, can also operate within our regions.

Given the fact that a complementary bill was recently passed in Western Australia and similar laws, I understand, are expected to clear the Northern Territory parliament this month, that is obviously the necessary step to be effective. So, no matter how long this legislation may take to develop, clearly it needs all states to implement it, and South Australia is playing its part in terms of introducing that legislation. I trust that all members of this council, in particular, will support that legislation having a quick passage.

CROSS BORDER FAMILY VIOLENCE PROGRAM

The Hon. I.K. HUNTER (15:11): I seek leave to make a brief explanation—an amazingly brief explanation, following the Hon. Mr Lawson's information-rich explanation of his question—before asking the Minister for Correctional Services a question regarding the Cross Border Family Violence Program.

Leave granted.

The Hon. I.K. HUNTER: Mr President, I am just crossing out paragraphs 5 to 17. I understand that the Department for Correctional Services' Cross Border Family Violence Program was the recipient of an award in October 2008. Skip down a page. Will the minister now provide some details of the program and of the award it received?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (15:12): I thank the honourable member for his very important question.

An honourable member: Succinct.

The Hon. CARMEL ZOLLO: Very succinct; yes. The Cross Border Family Violence Program focuses upon the indigenous communities within the 500,000 square kilometres of the Pitjantjatjara, Yankunytjatjara, Ngaanyatjarra speaking communities, known as the NPY lands. The lead agency is the South Australian Department for Correctional Services.

The program aims to reduce the incidence of physical and psychological harm in Aboriginal communities of Central Australia by developing and delivering culturally and linguistically appropriate programs to address issues of family violence, anger management and substance misuse. The program is targeted at perpetrators of family violence.

The Cross Border Family Violence Program is a 50-hour group work program. Referrals primarily come from the courts and the Parole Board, but voluntary referrals are encouraged and accepted. Last year I had the opportunity to visit Alice Springs and meet with the team that delivers this program. I would like to place on the record how impressed everybody was with the commitment of this particular team, and they were particularly encouraged by the fact that volunteers were also attending the program.

The program is delivered by dedicated program officers with assistance from local community cultural brokers. The participants learn that family violence is not acceptable and is a crime. They are taught to take responsibility for their thoughts, feelings and behaviour. As the program is available in the community in which they reside, they are then provided opportunities to practise strategies learned whilst supported by peer facilitators and their own community.

The first program commenced in Amata in April 2007, and 15 programs have now been completed in communities across the three jurisdictions of South Australia, Western Australia and the Northern Territory. It is a credit to the government, the dedicated staff and the community corrections cross border cooperation that the Cross Border Family Violence Program has won the 2008 Probation and Community Corrections Officers' Association (PACCOA) award.

PACCOA recognises that thousands of people across the criminal justice system do an amazing job, and every day their dedication makes a dramatic difference in people's lives. The awards recognise exceptional achievement among staff and seek to ensure that outstanding performers share best practice ideas with their peers.

The Cross Borders Family Violence Program won the John Augustus Award in the organisational award category for 'outstanding achievement in caring for victims', 'outstanding contribution in working with offenders', 'outstanding contribution to engaging local communities', 'outstanding commitment to diversity', and 'partnership of the year: best example of joint working across the criminal justice system'. There was also a special individual award presented to Mr Lange Powell, former director of community corrections for the South Australian Department for Correctional Services, who was instrumental in establishing the program.

On behalf of the government I would like to take this opportunity to further recognise and congratulate the cross borders program staff for their commitment and dedication, and for all the good work they are doing in Central Australia.

URBAN GROWTH BOUNDARY

The Hon. R.L. BROKENSHIRE (15:16): I seek leave to make a brief explanation before asking the Minister for Urban Development and Planning a question regarding the urban growth boundary.

Leave granted.

The Hon. R.L. BROKENSHIRE: On 20 December 2007 the minister issued a media release concerning the new urban boundary for Adelaide, which included a proposed 397 hectare development at Bowering Hill in Adelaide's south, near Port Willunga. The release stated that Bowering Hill 'won't be rezoned until formal structure plans are in place' and that there would be a 'guaranteed retention of 400 hectares of open space to the west and south of Bowering Hill, which will protect the coastal cliffs and separate Aldinga from any future development.'

So, in late 2007 the plan was for a 397 hectare development with buffer zones around it. Almost a year later, on 10 December 2008, the *Southern Times Messenger* quoted a letter sent by Wayne Gibbings, the Chief Executive of the Land Management Corporation, to Onkaparinga council. In his letter Mr Gibbings said that the 397 hectare development was 'crucial to ensuring enough land was available for development over the next decade', adding that it was 'appropriate to plan for anticipated broadacre releases…and…the Bowering Hill land would be released after subdivisions at Seaford Meadows, Seaford Heights and Hackham were put on the market.' I add that it was my understanding that the target date for development at Bowering Hill was approximately 2011-2012.

In a letter dated 11 December 2008 to the *Southern Times Messenger* and obtained by Family First, infrastructure minister Conlon said of Bowering Hill: 'This government has no intention to use the land for housing.' Commenting on minister Conlon's intervention, the *Southern Times Messenger* reported that Onkaparinga mayor Lorraine Rosenberg said of minister Conlon's statement: 'We're very surprised to hear it from the infrastructure minister—now we'll need to write to the planning minister to ensure it's correct.' My questions to the minister are:

1. What were the circumstances that required minister Conlon to intervene in this matter?

2. Is minister Conlon talking about the same Bowering Hill as the Minister for Urban Development and Planning?

3. Will the minister confirm that his government has now absolutely excluded Bowering Hill from the urban growth boundary extension?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:19): Bowering Hill is incorporated in and part of the urban growth boundary; it has been since those changes were made in 2007. However, the zoning of that land is such that it is 'deferred urban'. That is what it was made at the time, but any future use of the land is up to the owners of the land, and, while there may be a small private parcel, the Land Management Corporation is the principal owner. So, any statements made in relation to the future of that land, so far as the intentions of the owner, will be from the Land Management Corporation and minister Conlon. In relation to the zoning of that land, the undertakings I gave back in 2007 remain in place, that is, that there will be no rezoning of the land until structure planning and the like have taken place.

In relation to the comments my colleague was referring to, I am happy to get the information for the honourable member. However, as far as this portfolio is concerned, the zoning of that land remains as it was back in 2007. I will honour the undertaking I gave that proper structure planning, including consultation with the council, would have to take place before there was any change. However, if the LMC has changed its view in relation to the land, I will get that information from my colleague.

URBAN GROWTH BOUNDARY

The Hon. R.L. BROKENSHIRE (15:21): I have a supplementary question. Once the structure plan comes through, can the minister confirm that, irrespective of the status of the structure plan, there will be no massive housing subdivisions or housing developments on that land as a result of what the government has now told the community?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:22): As I have said, I will check with my colleague in relation to what the LMC is planning. Issues were certainly raised at the time this land was added to the urban growth boundary. There were suggestions from the McLaren Vale wine community that there was a need for a site for suitable accommodation in the area, and there were suggestions that at least part of this site would make a very good location for high quality accommodation for people visiting the McLaren Vale region. I know there were discussions in relation to that, but I am not aware of whether that is something that is being contemplated. As I have said, my responsibilities essentially stop with the rezoning. I will obtain information from the Minister for Infrastructure as to his view and that of the LMC in relation to that particular parcel of land.

OYSTER GROWERS LEVY

The Hon. C.V. SCHAEFER (15:23): I seek leave to make a brief explanation before asking the minister representing the Minister for Agriculture and Fisheries a question about the oyster growers levy.

Leave granted.

The Hon. C.V. SCHAEFER: Late last year, considerable publicity was generated with regard to the methodology used to collect the full cost recovery levies from the aquaculture industry. The shift from a per hectare cost recovery to a per lease or site cost recovery has resulted in the cost to oyster growers increasing by in the vicinity of 450 per cent. As an example, some oyster growers who were paying between $1,000 and $2,000 last year are now paying between $20,000 and $30,000. For example, five oyster growers in Coffin Bay are paying more for their cost recovery than the entire tuna industry.

Last year, I sought details via this chamber as to the minister's determination and as to the actual true cost, because this is meant to be a cost recovery industry. I further sought that information, with the help of my colleague the Hon. Rob Lucas, via an FOI. My question is: when will my previous questions be answered?

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (15:24): I thank the honourable member for her question in relation to the oyster growers levy. Like everybody else, I saw the issue raised in the media and the response provided by the minister. I will refer the honourable member's further question to the Minister for Agriculture, Food and Fisheries in the other place and ensure that she receives a response.

PREMIER'S COUNCIL FOR WOMEN

The Hon. J.M. GAZZOLA (15:25): I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about the Premier's Council for Women.

Leave granted.

The Hon. J.M. GAZZOLA: As you are aware, Mr President, the Premier's Council for Women provides a valuable service to government, making sure that government is mindful of issues that impact and affect women. Will the minister provide more information on the Premier's Council for 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) (15:25): I thank the honourable member for his most important question and his ongoing interest in this very important council. The Premier's Council for Women provides leadership and advice to the Premier and me to ensure that the interests of women are at the forefront of government policies and strategies. It was established in late 2002 as one of the government's key advisory bodies. It has been actively involved in the review of South Australia's Strategic Plan and has membership on the audit committee.

The council's current focus is on the economic status of women, including work-life balance, the women's employment strategy and women's health, safety and wellbeing. I am pleased to announce nine new members of the Premier's Council for Women, as follows:

- Maria Hagias, a woman from a culturally and linguistically diverse background with extensive domestic violence expertise;
- Katrina Webb-Dennis, a businesswoman and former Para Olympian, who understands the needs of young women;
- Dr Anu Mundkur, an academic and gender policy specialist;
- Louise Stock, a rural woman with primary production experience;
- Elizabeth Jensen, a former senior public servant with business development, employment, multicultural issues and policy expertise;
- Karen Bard, who has extensive international experience in the science and technology sector;
- Alison Adair, a woman with legal and private sector experience;
- Frances Magill, who has extensive leadership experience in the superannuation and finance sectors; and
- Lavinia Emmett-Grey, a young woman who is from the university sector and who is President of the University of Adelaide Union.

From 1 February 2009, Pat Mickan and Emeritus Professor Anne Edwards will be co-chairs of the renewed Premier's Council for Women. This arrangement is an inspirational example of job sharing and work-life balance.

Nerida Saunders, Janet Giles, Ann-Marie Hayes and Elizabeth Haebich have been reappointed for a further two years, and Eunice Aston's two-year term continues until February 2010. All these women bring a wealth of knowledge and experience to the Premier's Council for Women, and I look forward to working with them. I know that they will make a really valuable contribution to government policy.

I know that the Premier's Council for Women would want me to take up a suggestion made by the Hon. Robert Lawson in his speech on justice across borders, when he suggested that perpetrators of domestic violence are petty criminals. I am sure that it would also want me to remind members of the council that domestic violence can, in fact, lead to murder and other serious assaults. One in three Australian women experience physical violence in their lifetime; 31 per cent of women assaulted in the past 12 months were assaulted by a current or previous male partner; and 60 per cent of Australian women who are murdered are murdered by an intimate partner.

The Hon. B.V. Finnigan interjecting:

The Hon. G.E. GAGO: Yes, it is offensive. I remind members that it is indeed an extremely serious crime that can affect the life of many women, with tragic consequences not only for their health and wellbeing but also for that of their children. As I have outlined, it can result in serious injury and death, and it has not only a huge human cost but also a monetary cost in terms of the implications on healthcare services, etc. Particularly in mental health, as I have mentioned in this chamber before, domestic violence has a significant impact on the mental health of women who are victims of domestic violence. So I know the Premier's Council would want me to take up the Hon. Mr Lawson on these comments.

PREMIER'S COUNCIL FOR WOMEN

The Hon. J.M.A. LENSINK (15:30): As a supplementary question arising from that long-winded answer, in saying that the Premier's Council for Women was established in 2002, does the minister not acknowledge that there was a previous council under the previous Liberal government?

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) (15:30): The information I gave was absolutely correct. I said that the Premier's Council for Women was established in 2002, which is completely correct. As usual, the opposition has got it completely wrong and is heading off down a rabbit's burrow.

EDGINGTON, MR S.

The Hon. A. BRESSINGTON (15:31): I seek leave to make a brief explanation before asking the minister representing the Attorney-General questions about the WorkCover Ombudsman's office.

Leave granted.

The Hon. A. BRESSINGTON: As members in this chamber will not require reminding, the legal case of Mr Tom Easling was characterised by some disturbing allegations centring on the conduct of the Special Investigations Unit of Families SA, specifically, its manager at the time, Mr Steve Edgington. Key allegations made during the trial were that investigating officers went trawling for evidence against Mr Easling, naming him as the target of the investigation to those they interviewed, failed to keep notes of off-the-record conversations and induced witnesses with cash and other material items to give unfavourable statements against Mr Easling.

Recently I was shocked to learn that the manager of this highly suspect SIU investigation has since been moved on to be appointed with the WorkCover Ombudsman's office, still very much in an investigatory role. My questions to the Attorney-General are:

1. Is it true that the former manager of the Special Investigations Unit of Families SA, Mr Steve Edgington, is currently in the employ of the WorkCover Ombudsman's office?

2. Is Mr Edgington's appointment to the WorkCover Ombudsman's office a promotion in status and income compared with his previous position with the SIU?

3. Has a Special Investigations Unit investigation been undertaken into the conduct of Mr Steve Edgington and his two fellow investigators in the wake of the not guilty verdict handed down in the Tom Easling case and the serious allegations of misconduct that were made during that trial?

4. What confidence can injured workers have that investigations into their respective complaints will be conducted fairly without risking the same system of persecution as used against, and experienced by, Mr Easling?

5. Is Mr Edgington currently the subject of any additional monitoring and/or supervision due to the allegations that have been made about his professional conduct?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (15:33): I am not sure that the Attorney-General really is the responsible minister; it may well be my colleague the Minister for Industrial Relations. I am not sure who has responsibility for the WorkCover Ombudsman's office. It was certainly done as part of the WorkCover act. I will refer it to the relevant minister.

I will just say that all Public Service appointments are made subject to the Public Sector Management Act, and I think all members of parliament should be careful about mentioning public officers' names in parliament without necessarily any evidence supporting them. The Easling case has been raised, but what particular officers of the Public Service may or may not have had to do with it is something that I believe should be investigated by the appropriate authorities, not brought into the public arena for debate. I will refer those questions to the relevant minister and bring back a response.

ANSWERS TO QUESTIONS

LANDSCAPE FUTURES PROJECT

In reply to the **Hon. J.M.A. LENSINK** (4 June 2008).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Minister for Water Security has provided the following information:

The Lower Murray Landscape Futures project was a planning initiative developed in 2004 to analyse the impact of natural resource management actions and future land use options in the Lower River Murray. This project was concluded in 2007.

The environmental watering program on Chowilla floodplain is conducted as part of the Living Murray Initiative, which is not part of The Lower Murray Landscapes Project.

The watering program has been implemented at Chowilla since 2004 with significant benefits recorded for the floodplain and wetland flora and fauna at the 24 sites watered since that time. The Chowilla watering program should be regarded as a considerable success and is vitally important to the long term future of the Chowilla Floodplain Icon Site.

WEST BEACH TRUST

In reply to the **Hon. J.A. DARLEY** (22 July 2008).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The matter is currently before the District Court and we are unable to comment.

ENERGY, STAR RATING

In reply to the **Hon. M. PARNELL** (29 July 2008).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Planning Reforms announced by the Government on 10 June 2008 contained a commitment to extending the targets in the Building code for energy and water efficiency having regard to the impacts on housing affordability. Accordingly, a review is being undertaken of those targets.

The minimum energy standard for houses is influenced by a number of factors and it is noted that star ratings only deal with the energy used for heating and cooling to maintain comfortable conditions. There are other contributing factors to overall household energy consumption such as water heaters, lighting and cooking. In this regard, water heaters are very significant contributors to household energy consumption and as from 1 July 2008 the Building Code requirements for water heaters have been extended to cover the non-reticulated gas areas of the State effectively prohibiting the use of inefficient electric storage water heaters in new houses.

Accordingly, the current review will be looking at those areas of household energy consumption where the Building Code requirements can have the greatest impact. That may be in going to a six star level or it may be that there are other areas where greater impacts can be achieved as the next step.

Concurrently with this work, COAG have established a number of working groups on national issues and one of these is dealing with Climate Change and Water, including energy efficiency. At the October 2008 meeting of COAG it was agreed to develop a National Strategy for Energy Efficiency in preparation for the Commonwealth Government's Carbon Pollution Reduction Scheme. Streamlined roles and responsibilities for energy efficiency policies and programs are to be agreed by the end of December 2008 with implementation to be finalized by June 2009. Arising out of this work it is expected that COAG decisions will be providing a greater degree of national consistency and direction for the Building Code in this important area.

Accordingly, the review of targets arising out of the Planning Reforms will help to inform a South Australian position in the developing national agenda for the Building Code.

BANKS, AMERICAN

In reply to the **Hon. R.I. LUCAS** (10 September 2008).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Treasurer has provided the following information:

Funds SA has advised that it has exposure to one collateralised debt obligation (CDO) like structure within one portfolio. At 31 August 2008 the exposure was $250,000, representing less than 0.002% of total funds under management.

WorkCover SA has advised that is has no direct or known indirect exposure to CDOs.

Public Trustee has also advised it has no known exposure to CDOs.

OMBUDSMAN

In reply to the **Hon. R.D. LAWSON** (25 September 2008).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Attorney-General has received this information:

1. The terms of Office of the Ombudsman have been amended in accordance with the direction of the Statutory Officers Committee so that:

a university degree is a desirable qualification instead of an essential one; and

the salary is aligned with that of a Stipendiary Magistrate.

2. After the resignation of Mr Biganovsky as Ombudsman, the Statutory Officers Committee appointed a Selection Panel to assist it in fulfilling its obligations pursuant to section 6 of the Ombudsman Act, 1972.

After the selection process the Panel was unable to recommend a suitable candidate to the Statutory Officers Committee. The selection process has now recommenced. The vacancy has been advertised both nationally and in South Australia. Applications closed on 14 November, 2008 at 5.00pm.

FIRST HOME OWNER GRANT

In reply to the **Hon. D.G.E. HOOD** (16 October 2008).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Treasurer has provided the following information:

The First Home Bonus Grant of up to $4,000 will continue to be paid. The newly announced federal 'boost' will apply in addition to the assistance that is currently provided by the State Government.

AUDITOR-GENERAL'S REPORT

In reply to the **Hon. D.W. RIDGWAY (Leader of the Opposition)** (20 November 2007).

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business): The Auditor-General's comments relate to the observation that a reconciliation of the fixed asset system balance to the cumulative year to date and period end balance in the general ledger had not been prepared for the period following November 2006.

I advise that over the same period monthly reconciliations were performed on transactions into the general ledger relating to fixed assets and appropriate and timely recognition of those assets was made to the fixed assets system. Accordingly, there has been no material misstatement in the financial reports prepared by the Department.

Audit acknowledged that the cumulative year to date reconciliation substantiating the balances in the end of year financial statements was completed prior to finalisation of the annual audit of the financial statements.

The timeliness of all reconciliations has now been addressed and processes are in place for the year to date and period end reconciliations to the general ledger to be conducted on a monthly basis.

STATUTES AMENDMENT (PROHIBITION OF HUMAN CLONING FOR REPRODUCTION AND REGULATION OF RESEARCH INVOLVING HUMAN EMBRYOS) BILL

Adjourned debate on second reading.

(Continued from 11 November 2008. Page 599.)

The Hon. T.J. STEPHENS (15:35): I will make a brief contribution. I acknowledge that a number of members have chosen to take a detailed look at the science behind this legislation. I mainly wish to share the reasons for how I will vote, and from the outset I indicate that I will not support the bill. I have received many letters on this issue, and the majority of this correspondence has been from people who have the qualifications and expertise to comment on the legislation. I have certainly done a lot of reading and have been interested in the material people have taken the time to send me.

Members would have received a letter from Professor John Martin, Emeritus Professor of Medicine at the University of Melbourne. This highly regarded professor has written to me about IPS cells or induced pluripotent stem cells. Professor Martin states in his letter:

> Progress with research into IPS cells has been extraordinary in 2008, firmly establishing the conversion of normal adult cells to a form that behaves exactly as embryonic stem cells and circumventing any need for cloning to produce patient-specific cell lines. As it stands now, there is no basis for any further efforts to achieve therapeutic cloning using the transfer of adult cell nuclei to human eggs. Indeed, it would be irresponsible to attempt this.

To me this is compelling evidence from a highly respected professor of medicine, and I have received several other letters to support this argument—many letters—and very few which support the bill. Essentially the main point I have taken from the correspondence I have received, and my major reason for voting against the legislation, is quite simple. This legislation is not required at this time, and that is the overarching reason I have chosen not to support the bill. I have other reservations and historically I have been cautious and conservative when it comes to similar legislation.

Members in both places have shared their concerns regarding the need for tight regulation of the medical profession and have shared their concerns from a moral and ethical perspective. Their concerns are well documented and I share many of them. It is really the latest scientific evidence that has made me much more comfortable in choosing to vote against this bill. Dr David van Gend, National Director of Australians for Ethical Stem Cell Research, made the following point in his recent letter to me:

> Cloning has been very clearly left behind by new science which obtains exactly the same type of stem cells.

I am sure other members have received the same letter and other advice that points to the fact that this bill is now outdated and has been superseded, because now we have pluripotent stem cells being made much more efficiently and without what we describe as ethical difficulties.

As I get older—and hopefully wiser—I try to see things from different perspectives, but in this case my decision to not back this legislation was quite easy. I considered the evidence presented to me and made up my mind quite swiftly. I again refer to the letter from Professor John Martin, who explains how debate has moved on to a new form of technology and in his view there is no need for the parliament to pass this bill. Professor Martin made the following succinct conclusion, which best defines why I am voting against the legislation:

> As it stands now there is no basis for any further efforts to achieve therapeutic cloning using the transfer of adult cell nuclei to human eggs. Indeed, it would be irresponsible to attempt this. There is no reason for any parliament to consider or maintain legislative approval for therapeutic cloning.

For members who support this bill and for proponents of the bill who read my contribution later in *Hansard,* I choose at this stage to do what I consider the responsible thing by not lending my support to this bill. With that, I conclude my remarks.

The Hon. C.V. SCHAEFER (15:39): My contribution will be even shorter than that of my colleague; in fact, I could probably say 'ditto' to his contribution. I have not found it easy to make a decision on this because I am instinctively concerned, if not repelled, by the idea of creating a human embryo for the sole purpose of destroying it for the sake of science. However, I recognise that, had I a child or a grandchild with one of these dreadful diseases and there was the possibility that science could cure one of these diseases, the temptation would be very great to bend one's principles. In my view, it has not been necessary for us to take that heartbreaking decision because, as my colleague the Hon. Terry Stephens has just pointed out—and, indeed, a number of other members of parliament—science has superseded this bill and there is no need for it to progress any further.

I will refer to a small article in *The Advertiser* today in its entirety. The article is entitled 'Breakthrough stem cell research' and states:

> Australian scientists have made a stem cell breakthrough that promises to uncap research efforts whilst skirting the contentious issue of needing human embryos.
>
> A joint Victorian and NSW team has produced the nation's first human induced pluripotent stem cell line—a cell that acts like an embryonic stem cell but instead is made from an adult skin cell.
>
> The technique allows scientists to continue their work on crippling illnesses without the ethical problems raised by using embryo stem cells.

Not only is this technology available overseas in experimental stages but it is available within South Australia. I think that, should we go down the path of allowing human embryonic stem cells to be used for experimental purposes, we will probably make it too easy for our scientists and remove again a basic ethic, a basic human tenet that life is precious, regardless of what stage that life is at. I will not be supporting this bill.

The Hon. CARMEL ZOLLO (Minister for Correctional Services, Minister for Road Safety, Minister for Gambling, Minister Assisting the Minister for Multicultural Affairs) (15:42): I also rise to speak to this bill and I also will not be taking up a great deal of the chamber's time. I will not be supporting this legislation; however, I do wish to outline some of the concerns that I have about the bill. Put simply, I cannot in good conscience vote for a piece of legislation that I believe does not protect the sanctity of human life.

In researching this issue, I have come across a number of arguments that suggest that scientists are now able to source pluripotent stem cells by reprogramming ordinary skin cells rather than using human embryos. I understand that pluripotent stem cells have the potential one day to help in treating and possibly curing terrible diseases. Nevertheless, if scientists have the ability to produce the necessary stem cells through reprogramming ordinary skin cells, I feel that the need for embryonic stem cell research is unwarranted and unjustified.

In late 2006, the commonwealth government amended national legislation in the regulation of human cloning and embryo research. The former federal health minister, Tony Abbott, wrote to the state government the year before last and called for the state to amend its law so that it is compliant with national law. However, so much in the world of science has changed since 2006. As I have mentioned, scientists are now able to manipulate cells from adult human tissue and have generated the same potential as embryonic stem cells. Essentially, this discovery offers a new field of research opportunity that does not pose the same ethical questions that surround embryonic stem cell research.

I accept that many of the arguments that were originally put forward when this legislation was debated nationally were made in good faith. However, I feel that these arguments are no longer valid, and the same arguments cannot be made today. If federal parliament had known in 2006 what we know today, I question whether this legislation would have been supported.

In May last year, the Western Australian state parliament rejected this very same legislation. Members of the Western Australian parliament put forward the same argument that I am putting now: if ordinary human skin cells can be reprogrammed to behave like embryonic stem cells, let us avoid the very difficult ethical issue of creating and destroying embryonic human life.

I strongly believe that the issue of embryonic stem cell research is an ethical and moral matter that, as politicians, we have an important duty to carefully consider. Quite simply, I feel that cloning a human embryo with the intention of then destroying it is wrong. I oppose the bill.

Debate adjourned on motion of Hon. J.M. Gazzola.

MOUNT GAMBIER HOSPITAL HYDROTHERAPY POOL FUND BILL

Adjourned debate on second reading.

(Continued from 27 November 2008. Page 1052.)

The Hon. J.A. DARLEY (15:47): I rise to raise my concerns over this bill. Members may know that, immediately before I came to this place, I was the chairman for the Commissioners of Charitable Funds. There are three commissioners who are appointed under, and administer gifts, bequests and donations pursuant to, the Public Charities Funds Act 1935. The commissioners' role is to manage and invest these funds for the benefit of the proclaimed institutions under the act.

Currently, there are 14 proclaimed institutions, including the Royal Adelaide Hospital, the Queen Elizabeth Hospital, the Port Augusta Hospital and, more importantly for the purpose of this bill, the Mount Gambier Hospital. The commissioners currently hold in trust all the money donated towards the Mount Gambier hydrotherapy pool and have invested it in accordance with their act.

I see no reason why this bill should provide for the transfer of this money from the commissioners to Country Health SA when the commissioners have already invested the money for the benefit of the hospital and have the resources to advertise for donors who want their money returned, and when we have a body such as the Mount Gambier and Districts Health Advisory Council whose role under the Health Care Act 2008 is to consult with the community and to receive money to be spent on projects for its benefit.

We need to keep in mind that this is community money, not government money, and it should stay with those who have been appointed under the law to use it for community benefit. In time, it would be logical, in terms of the provisions contained in the Health Care Act, that the 42 health advisory councils that are charged with the responsibility of receiving gifts, donations and bequests on behalf of country hospitals also be proclaimed as institutions under the Public Charities Funds Act to avoid the need in the future for bills such as the one now before us.

My amendments to the bill have two main aims: first, to give the Commissioners of Charitable Funds the authority to pay out money to donors who would like their money back and who can prove the amount donated; and, secondly, for the local health advisory council—in this case the Mount Gambier and Districts Health Advisory Council Incorporated—to develop a plan in consultation with the community to determine how the balance money is to be spent, after which the commissioners will transfer the balance money to the council to be used for this project.

The commissioners are already holding the money raised for the hydrotherapy pool, and it is common sense to let them continue to hold the money in trust instead of transferring the money to Country Health SA. They can then transfer the balance to the health advisory council after it has consulted with the community.

I note that section 18(1)(j) of the Health Care Act 2008 states that the functions of a health advisory council may include:

> ...to participate in budget discussions and financial management or development processes; [and] to undertake fundraising activities.

Section 21 of the Health Care Act also refers to the account-keeping requirements of a health advisory council, indicating that it was intended for health advisory councils to receive and deal with gifts and donations.

The government has argued that health advisory councils do not have tax exemption status as yet and therefore cannot receive moneys. In view of the fact that the Health Care Act came into effect in 2008, it was the responsibility of Country Health SA to obtain tax exempt status for the 42 health advisory councils. If this has not already been achieved this is because of its own incompetence, negligence or both.

There seems to be absolutely no reason to involve Country Health SA in this refund process, given the existing statutory responsibilities of the Commissioners of Charitable Funds and the Mount Gambier and Districts Health Advisory Council. I would urge all honourable members to support my amendments and for the government to see the common sense in this to ensure the efficient and proper administration of these community funds.

Debate adjourned on motion of Hon. J.M. Gazzola.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO—ALCOHOL AND DRUGS) BILL

Adjourned debate on second reading.

(Continued from 12 November 2008. Page 693.)

The Hon. S.G. WADE (15:52): I rise to speak on the second reading of the Statutes Amendment (Transport Portfolio—Alcohol and Drugs) Bill. To facilitate the timely consideration of this legislation, I intend to pose a number of questions to the minister during my second reading contribution and I hope that the minister will be able to provide answers to those questions in her second reading summing up. I will have some further minor technical queries in the committee stage.

This bill changes the law dealing with the testing of and penalties for drivers who are affected by alcohol or drugs. The minister's second reading explanation indicates that crash data shows that the percentage of drivers and riders killed with a blood alcohol concentration above the legal limit has increased from a low of 22 per cent in 1998 to an average of 33 per cent in the past five years, that is, 2003 to 2007.

Over the years, when the road toll is generally coming down it is most concerning that this element of bad driver behaviour seems to be stubbornly defying the trend. I ask the minister, given that her data is in percentage terms, whether she might be able to provide the council with the absolute numbers of drivers and riders killed with a blood alcohol concentration above the legal limit for each year since 1998.

This legislation is particularly focused on repeat offenders. The government advises that, over the five-year period of 2003 to 2007, 40 per cent of drivers and/or riders deemed responsible for an alcohol related fatal crash had previously been detected committing a drink driving offence on at least one prior occasion. In relation to drug abuse, on average, between 2003 and 2007, 24 per cent of drivers or riders killed in South Australia tested positive for THC, methamphetamines, MDMA or a combination of these.

The government's bill combines two initiatives: first, to implement the government's response to the review of the first year of the operation of the Road Traffic (Drug Driving) Amendment Bill 2005; and, secondly, to introduce a mandatory alcohol interlock scheme. I will deal with each element in turn.

In relation to the operation of the Road Traffic (Drug Driving) Amendment Bill 2005, the amendment act came into operation on 1 July 2006. It empowers SAPOL to conduct roadside saliva testing for the prescribed drugs of THC, methamphetamines and MDMA. The government progressed the legislation and subsequently expanded the scope of the testing only on the insistence of the Liberal opposition.

The amendment act required the legislation to be reviewed after the first year of operation, and for that report to be laid before both houses of parliament. Mr Bill Cossey was commissioned to prepare the review report, which found that, while the act had been effective, a number of improvements to the drug driving provisions should be made, and some of those proposals also involved amendments to the drink driving provisions. The most significant change relates to introducing a three-month licence disqualification for the first conviction by a court for driving with a prescribed drug present in the driver's oral fluid or blood, with a similar change for a category 1 BAC offence. The bill provides for a range of other changes to the law.

The second element of the bill is in relation to the mandatory alcohol interlock scheme. In October 2001, and under a Liberal government, South Australia became the first Australian state to introduce a voluntary alcohol interlock scheme for serious drink drive offenders. The government advises that the Road Safety Advisory Council has recommended the interlock scheme be made mandatory for serious and repeat drink-driving offenders. I ask the minister:

1. For each year since 2001, how many people have participated in the voluntary alcohol interlock scheme?

2. How many people is it estimated would have been subject to the mandatory alcohol interlock scheme if that scheme had been in operation since 2001?

3. Since 2001, what proportion of that class of drivers who would have been subject to the mandatory scheme actually participated in the voluntary scheme?

4. How many people is it estimated will be subject to the mandatory alcohol interlock scheme for the first five years of its operation?

5. Did the Road Safety Advisory Council recommend that the voluntary alcohol interlock scheme be discontinued?

6. Given that the scheme is only mandatory for certain classes of serious repeat offenders, why did the government decide to discontinue the voluntary scheme?

7. Is the government confident that there will be enough devices available to meet the projected demand?

8. What will occur if there are insufficient devices available to meet the needs of drivers subject to the mandatory alcohol interlock scheme?

The government indicates that a flexible payment system is proposed, which will mean that more affluent participants will subsidise the costs of those on low incomes, with provider costs for low income participants being reduced by 35 per cent. I should indicate that the Liberal opposition is concerned about this element and does not believe that the criminal justice system—or, for that matter, the road safety laws—should penalise people in proportion to their income. It is not an approach we take for other penalties, but this proposal is moving towards that principle. In relation to the flexible payment scheme, I ask the minister:

1. Will the participant financial contribution scheme be promulgated by regulation?

2. What are the anticipated costs for each participant?

3. How will the contribution of each participant be calculated, and what is the minimum and maximum contribution that participants might face?

4. Will the contribution be a debt to the provider of the device or a debt to the state?

When the government announced its intention to introduce the mandatory alcohol interlock scheme, it argued that it would be necessary to introduce mandatory carriage of licence to support the interlock scheme. The opposition vigorously opposed this proposal, believing it would be a fine for being forgetful and suspecting that it was driven by the administrative demands of government rather than road safety considerations.

Given that the government will go ahead with the mandatory interlock scheme without going ahead with the mandatory carriage of licence, this shows that it has misled the South Australian community. The government announcement of mandatory carriage of licence was a clear declaratory statement published in *The Advertiser*. It is one thing to be declaratory in areas within your control, but it was reckless of the government to declare what would be the law when changes would need to go to parliament.

Of course, the government's arrogance is not merely an insult to the parliament: it undermines road safety. People can never be sure what the law is if the government makes reckless statements in relation to what the law will be and, if they are not sure what the law is, they are less likely to comply with it. As we saw today and in past weeks, not only has the government failed to publicise changes to road laws when the laws have been changed but it publicises changes that have not been made. An example of the havoc that can be caused is seen in a transcript from radio station FIVEaa. On 16 January, Sergeant John Illingworth had to go on radio to clean up the Premier's mess. The transcript states:

> ...on 1st January, the Premier did an announcement in relation to the graduated licensing scheme for all of our learner and probationary licence holders. A lot of people actually thought that those changes came in on the 1st of January, and that's not the case. What did happen was they announced some of the potential changes to the graduated licensing scheme, but the legislation for that is not actually going to be introduced in parliament until the second half of this year, with an implementation date we anticipate early in 2010.

So, South Australia Police found that the government's priority for self-promotion was actually causing confusion in the road using public as to what were their obligations. I urge the government to be much more careful; government communication needs to give the highest priority to road safety, not politics and not self-promotion.

With those comments, I look forward to the minister, in her summing up, responding to the questions I have raised, and I indicate again that the opposition supports this legislation.

The Hon. D.G.E. HOOD (16:01): As members would expect, I rise to indicate that Family First sees this as a good initiative and, for that reason, is supportive of the legislation. However, we

have a few concerns, which I will outline in my speech. Family First is a strong supporter of any legislation that improves, or seeks to improve, road safety. There are many mums and dads out there who have lost a child on the road thanks to drink drivers and drugged out drivers, and they want solutions to this problem. In fact, I am informed that some 33 per cent of drivers and motorcycle riders or the like killed on our roads are above the legal limit of alcohol, and some 24 per cent of fatalities tested positive to THC, speed or ecstasy post mortem, and that is far too high.

The concern I raised a moment ago is that it is possible, in our view, that this bill will actually result in a spike in driving whilst disqualified offending. I put that question to the minister, and perhaps she can address that issue in her summing up, that is, is there a way in this bill of preventing any increase in driving whilst disqualified? Having said that, overwhelmingly this bill implements positive initiatives, which is why Family First supports it.

In simple terms, this bill makes the alcohol interlock device mandatory, and it also implements many of the Cossey report recommendations into the drug testing trials. As I understand it, the alcohol interlock device has been around now for at least a decade, and it works somewhat like a car immobiliser, that is, a driver blows into the device, and it will beep the horn and flash the lights if any alcohol is detected in that particular vehicle.

The Hon. Carmel Zollo interjecting:

The Hon. D.G.E. HOOD: Yes, I am aware of that, thank you. Apparently, as I understand it, in some cases the interlock device may even stop the car. As you would expect, there are hefty penalties for having someone else blow into the device, and that is obviously not the intention of the legislation. It is fair to say that this technology has probably saved dozens of lives over the years, and I for one am very glad that the police have this available to them as a tool.

Installing the interlock device was at one stage voluntary; that is, if you were convicted for drink driving and you had sufficient means, you would have to serve only half of the drink driving disqualification and could serve twice the remaining portion with an interlock device installed. Of course, you had to be fairly well off, because, as I understand it, the interlock device costs over $1,000 to install, and there are hefty monitoring fees in addition to that. The research from QUT in Brisbane says that the scheme is used mostly by offenders with a 'higher economic status'.

I believe that this legislation gets it right when it makes these devices mandatory. As I understand it, the Cossey report did not talk much about the interlock device. I do not know where the momentum has come from to make these devices mandatory (perhaps the manufacturers of the device have had some say in that) but, nonetheless, it is a good initiative, so long as the cost of the device does not mean that the uptake is low.

What I understand from the Family First briefing about these costs is that mandatory usage should result in cost savings. We are still looking at offenders paying about $1,200 per year for the device, which will mean that some drivers will simply not be able to take it up and, sadly, may therefore drive disqualified, as I indicated in my opening remarks. I guess that it goes without saying that chronic drunks are often not the richest people in the world, but the 35 per cent discount for pensioners will encourage the installation of the device for that group of people. I note the concerns raised by the Hon. Mr Wade a moment ago. I think he raises a fair point in that it is unusual for these measures to be pitched at different levels of expense, if you like, for different offenders.

Another element to keep in mind is that, in changing to a mandatory scheme, the discount in licence disqualification available under the voluntary scheme will now be done away with. This means that a driver will have to serve the full disqualification, which can mean their being off the road for three, four or, in some circumstances, even five years. After that time, the offender will still have to go onto an interlock device for many more years before having their licence fully restored—something that Family First thinks is a positive move.

The penalties for drink driving in South Australia are quite severe in some cases, and I am certainly glad that that is the case. Opponents to this state's drink driving regime, and the penalties associated with it, may say that the disqualification periods were first put in place in the 1950s, when the city was smaller and transportation was easier. However, in my view, as Adelaide has spread, cars have gone from being a luxury to a necessity, especially if you live in one of the suburban fringe areas. There is some truth to the argument that cars are now a necessity and that therefore a licence is also a necessity, especially for many people to get to and from work.

However, drink driving is a very serious offence, and we should not shy away from that. As a result, serious disincentives need to be introduced.

Under this legislation, two readings of over 0.15 within a five-year period will see someone lose their licence for three years. As a rough rule of thumb, each standard alcoholic drink will put a driver up approximately 0.02 grams per 100 millilitres of blood and, depending on their metabolism, their reading will go down about 0.015 grams per 100 millilitres of blood per hour. So, a high reading of 0.15 (that is, a category 3 offence) means that the driver got behind the wheel after consuming approximately eight standard drinks within an hour. Family First does not have any tolerance for anyone who is prepared to drink at that level and then get behind the wheel of a car. To say that they have just had slightly too many when they have drunk to that level is absolute nonsense and, frankly, they should face severe penalties.

The real question revolves around the best way to control these dangerous drivers. Is it to take away their licence, or is it best to have an interlock device installed earlier in the disqualification? In effectively increasing the disqualification period before an interlock device can be installed, the government suggests that the best way to control dangerous drink drivers is to remove their licence for longer periods of time.

This is the concern: unfortunately, offences against the authority of the court are skyrocketing. OCSAR tells me that in 1988 some 1,701 charges of driving were laid while a licence was already suspended or cancelled, and this figure skyrocketed to some 3,876 offences in 2005. Unfortunately, this tells me that, in many cases, people are ignoring the law as it stands. Dangerous drivers are simply not complying with court-imposed licence disqualifications, and the question is: do we cater for that or pander to it? Absolutely not.

We tell our magistrates to imprison these offenders if their offending is severe enough, as they should if they follow the precedent set down in the case of Cadd. But I would like to have seen in this legislation a focus on putting offenders on an interlock device as soon as possible (which largely makes their driving safe), rather than simply telling them they cannot drive.

The second major element of the bill of which I am strongly supportive expands and makes permanent the current drug driving trial. In effect, most of the provisions relating to drink driving will now be mirrored with drug driving, apart from the interlock scheme, which will not be required for drug driving. We will see recidivist drug drivers facing longer periods of disqualification, and this is entirely appropriate.

In the first year of operation, the data we have suggests that some 10,097 roadside drug tests were conducted. An astonishing 294 drivers who were tested were found to have one or more of the three tested drugs in their system, and this figure equates to one in 34 of those tested. Of the same pool of drivers, only 147 (I say 'only', but significantly fewer than 294) were found with the prescribed concentration of alcohol in their system. It astonishes me when these figures seem to show that drug driving is twice as common as drink driving on our roads. Of course, these are very small statistics and it may not bear out that way, but I suspect that it probably will.

I am advised by the minister's staff that the new drug test will test for THC for five hours and be able to detect other drugs, that is, amphetamines and ecstasy, for 25 hours. Either one or a combination of these drugs is found in 24 per cent of drivers killed on our roads. Let us get them off the road.

Family First did have several queries of the government regarding the roll-out of this scheme in country areas. We are advised, and it should go on the record, that the training of traffic enforcement police officers for the expansion of driver drug testing commenced in February 2008, that country training of police officers commenced at the beginning of April 2008, that country training will be running concurrently with training in the metropolitan area and that a total of 260 traffic enforcement personnel statewide will be trained in drug driver testing once the expansion training is complete.

In addition to these members, apparently some 120 general duties members will be trained in rural areas, and as I understand it they are specifically targeting Port Lincoln, Whyalla, Port Augusta, Port Pirie, the Riverland, Mount Gambier and the areas immediately surrounding them as screeners only. These people have been trained to assist traffic enforcement personnel for testing in country areas.

As I have these assurances from the minister's office, Family First is pleased with these developments. In summary, we will support the second reading of the bill. We are not aware of any

amendments at this stage, but we see this as a positive initiative, and anything that gets these people off the roads should be supported.

Debate adjourned on motion of Hon. J.M. Gazzola.

SOUTH AUSTRALIAN COUNTRY ARTS TRUST (CONSTITUTION OF TRUST) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 25 November 2008. Page 800.)

The Hon. R.D. LAWSON (16:11): I rise to indicate that Liberal members will be supporting the second reading of this bill and its passage. It is convenient that today the minister tabled in this place the annual report for 2008 of Country Arts SA. It is a report which I commend to members. The report is somewhat late. It is required to be delivered to the minister by September and tabled by the minister, and one would have expected it last year, but it is here. I note an appendix to the report indicates that the Minister for Health has been advised that the Country Arts report was delayed pending the completion of audited financial statements.

I think the report is a commendable summary of the activities undertaken by Country Arts SA, and they are very extensive activities indeed. As members would be aware, the range of programs, activities and services supported by Country Arts SA is very wide. It extends beyond managing and operating performing arts centres located in Whyalla, Port Pirie, Renmark and Mount Gambier. It supports financially developing a performing arts touring program for performing arts to regional centres and regional communities.

It develops and manages a visual arts touring program with a focus on creative education, and it develops and manages a program of activities focused on regional centres of culture, amongst many other things. These are important for the health and well-being of our country communities, who too often are left behind metropolitan Adelaide when it comes to the receipt of services and general cultural benefits that arise from being in a major metropolitan area, where the tyranny of distance is not great and a wide variety of programs and artistic practitioners is available. Most people in metropolitan Adelaide have the benefit of being able to access arts programs as they desire, and Country Arts SA does the best it can to ensure that country residents and country arts practitioners are not disadvantaged.

This bill changes the board and governance structure of Country Arts SA. It will abolish four regional country arts boards. When we on this side of the council see the abolition of regional boards, our immediate suspicions arise that this is yet another attempt by centralised government to reduce country representation. That is not, I am pleased to say, the case here, where the Country Arts Trust itself came up with the proposal to alter the board arrangements by abolishing the four country regional boards and reconstituting the trust's membership to comprise the presiding trustee, five regionally-based trustees, a Local Government Association nominee and two other trustees with management and entrepreneurial legal or arts expertise.

The five regionally-based trustees will represent the five regions, incorporating the revised South Australian government regional boundaries. Those regional boundaries were promulgated by the government in December 2006, and there is a rather draconian edict from the government that government service providers actually adopt these regional boundaries. The point here is that it was the Country Arts Trust itself that agreed to the restructuring.

Under this new proposal one trustee will be appointed to represent each of the following groupings of these regional areas as laid down by government: the Barossa, Yorke and lower north region; Eyre and western/northern region; Fleurieu and Kangaroo Island/hills region; Murraylands region; and, the Limestone Coast region. Under the proposed amendments a person will not be eligible to be appointed to represent a proclaimed region unless that person resides in the region, and we think that is an important protection. It is all very well to say that one represents a region, but in a case like this it is entirely appropriate that the representative indeed be a resident of the region.

I commend to members the report of Country Arts SA tabled today, which illustrates quite vividly the extent of the work and programs undertaken by the organisation. It is not a large organisation by most government standards: it has some 60 employees and is governed by a board. Steve Grieve, an Adelaide architect with extensive arts connections, has been the chair for some time, and I commend him for his work. Ken Lloyd, the chief executive officer, is particularly

diligent and active in discharging his responsibilities. I commend the report to members; it makes good reading.

It is unnecessary for me to outline further why the Liberal opposition supports not only the organisation but also the amendments. I emphasise that, whilst we normally would not support the abolition of country regional boards in most circumstances, in this particular case cogent reasons have been provided and adequate country representation is maintained in the new structure. We support the bill and look forward to its rapid passage.

Debate adjourned on motion of Hon. J.M. Gazzola.

EQUAL OPPORTUNITY (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 26 November 2008. Page 875.)

The Hon. D.G.E. HOOD (16:22): Family First believes that this bill is largely unnecessary, ideologically driven and fraught with danger. Put simply, we oppose it. Family First is a party that believes in individual freedoms: we believe in freedom of speech, freedom of association and freedom to participate or not participate in religious activities. We believe in equal opportunity. However, the equal opportunity shield is forged by taking hammer blows against our personal freedoms. For the sake of those freedoms, limitations made necessary in the name of equal opportunity must be limited and restrained, proportional and necessary. It is wrong to blame someone for something they cannot help. No-one should be put at any further disadvantage because they happen to be born with a certain skin colour, a certain gender or the like. Clearly, these things are beyond an individual's control and they should not be discriminated against under any circumstances.

Having said that, this bill goes too far. For example, it requires the hauling of a school-aged child as young as 16 years old before a tribunal for saying something deemed sexually offensive to another child, even if no complaint was made for that behaviour. It goes too far in giving the commissioner power to investigate and instigate proceedings even when no-one has made a single complaint about a particular issue; and it goes too far in forcing schools to place notices on their website if they will not hire people with certain sexual practices, for example. That goes too far. In fact, the previous version of this bill had 15 separate ways that one could infringe the legislation, from not accepting where someone lived or discriminating against someone for where they lived to not accepting the way they dressed, for example.

This is not an exaggeration: in the last census, some geniuses (if I can put it that way) put in the religious section that their religion was Jedi. I guess they were referring to the word 'Jedi' from the *Star Wars* saga. If you answered that your religion was a Jedi in the last census, then, under this silly bill, if you chose to wear your Jedi robe and carry a light sabre to work claiming it is your religion to do so, it would be very difficult for your employer to stop you from doing so. In fact, an employer who objected to those actions might be in breach of the Equal Opportunity Act, so crazy is the legislation before us. It is absolutely ridiculous.

In this version, there are only—and I say 'only' somewhat tongue-in-cheek—13 things which the bill specifically outlaws or which are deemed politically correct, to use the vernacular, if I may. Clearly, there has been a reduction from 15 to 13 and, of course, that has largely been due to Family First's negotiations with the government and, indeed, the opposition. However, under this bill, you still cannot discriminate against someone (so-called) for wearing their Jedi religious costume to work each day if they claim their religion requires it, but you can now be critical of where someone lives, for example, or what they do for a job. Why do we want a law in this state under which someone can say their religion is Jedi, for example, and that they have a right to carry their light sabre and wear their cape to work and to which an employer may not be able to object?

The Hon. C.V. Schaefer interjecting:

The Hon. D.G.E. HOOD: Well, nothing at all, but how ridiculous that we would enact such a law in this state. I can see this law being pushed to its absolute boundaries whereby people will do things as silly as that—maybe not using the Jedi example, but they will do equally silly things. For example, I can imagine a young person going to work at McDonald's and saying that they have a certain type of religion—let us call it Jedi for the sake of argument—and they wear a cape and carry a light sabre and do not want to wear the McDonald's uniform. It is absurd, yet that is exactly what this bill will allow, and the employer—and this is the key point—might not be able to tell that person to remove that costume, if you like, because it could be deemed to offend them.

How ridiculous. What an absolutely pointless law that we simply do not need in this state. I wonder how many people will do those things such as I have just outlined, or even worse than what I have had time to think about, and, in many cases, jam the wheels of business. You can imagine the problem for small business owners potentially. This bill goes way too far.

The reality is that we live in a world where sometimes people do things that others find offensive from time to time. Sometimes I offend people, and sometimes they offend me, but, at the end of the day, mature adults either agree to disagree or simply get over it and move on. They do not need to go running to the government complaining every time someone hurts their feelings, criticises them or says something that they do not like. This is a law we simply do not need.

Our society is founded on a principle that we often do not agree and that we hold opinions in conflict. Indeed, one might argue that that is what has made our society so great. I think Australia in particular is a society of many diverse opinions, diverse practices, diverse religions—the whole gamut, if you like—yet we are largely a peaceful, homogeneous society that is really a model of how society can work and how people can get along even though their opinions can sometimes be very different on certain matters. We do not need laws to sort out these things; we need common sense.

For example, one of the great aspects of this parliament is that we have opinions from right across the spectrum and, in the end, the way in which we reach a decision or pass a bill is after the government, the opposition and the crossbenchers in the back of the chamber—everyone—have had their input. In many cases, a bill is not put forward and absolutely agreed to by everyone. In my experience in this place, it is rare for a bill to go through without its being amended. It happens from time to time, but usually some valid amendments are moved—whether it be by the government, the opposition or one of the crossbenchers—and then a debate ensues. Sometimes there can be quite heated debate and debate about which people can be quite passionate, but nonetheless that is the process for reaching a good outcome. Conflict is built in to what we do not only in this place but in our society, and it can be to the benefit of all.

Of course, it is not just in parliament. We have a similar example in our adversarial court system where we convict a defendant only after they have had a bold prosecution and a fearless defence and the argument is weighed up by an impartial judge. That has worked for us for hundreds of years, as has our parliamentary system. For hundreds of years, we have had disagreements in our community about various things. This bill goes too far: it is absolutely unnecessary.

Of course, there is a difference between genuine free speech and those who wish to exploit pornography and the like, but I am not talking about those things; I am talking about adults agreeing to disagree. But in censoring what is genuine argument and genuine difference of opinion, we sweep aside those disagreements and we sweep them under the table. On everything, this bill asks us to simply bottle up criticism, and the No. 1 objective is simply not to offend anyone rather than reach any actual valuable and lasting conclusion. The cold hard reality is that sometimes people do disagree, and passing this bill is not going to stop people disagreeing on things.

Indeed, over-zealous political correctness is a danger to our society, I believe, and to our culture and it is the reason why Family First has now collected over 11,000 signatures—in fact, nearly 12,000 signatures at last count—against this bill from people who have been prepared to put their names and addresses to a petition saying that they do not want this law to pass.

What do these sorts of laws do to our culture? Do you remember the days when, for instance, it was not deemed offensive to call someone a Pom. I have many friends who are English, and I call them 'Pom'. They do not take offence at all; it is what I have always called them. It is not meant to be offensive. It is actually a term of endearment, to be honest. It is how I think of those people, those friends, and I have known them since I was a very young boy about four or five years old and I have never called them anything different. They have never complained once and yet, nowadays, we have laws saying that these sorts of things ought to be discouraged.

Why on earth should it be discouraged? Is political correctness actually sapping the Australian spirit and the sort of larrikin Australianism that Australia has become famous for? Is our fear of the political correctness police turning our culture into something that is just bland, inoffensive and really lacks the vigour and true determination to genuinely debate things? Have we become so careful not to offend that people are now afraid to debate? If we have, I think that is a terrible tragedy.

I would like to take an opportunity at this point to sincerely thank the Attorney-General for his long discussions with me in framing this bill. He certainly made every effort to seek our input and for that we are grateful. I would also like to offer the same gratitude to the shadow attorney-general, who was equally accommodating in her, I think, genuine willingness to reach common ground, for which we were certainly grateful. I have had consultation with many members of the chamber, and I would specifically like to mention the Hon. Mr Stephens, who has taken a good interest in this bill and was certainly very keen to discuss things with me, and I thank him for that.

I thank the Equal Opportunity Commissioner herself, of course, who made herself available on a number of occasions. I have had some very lengthy discussions with her and, while we may not agree, I would like to acknowledge her willingness to engage in the debate, which would ironically be more difficult if this bill should pass. I also mention Mr David Tennant, who worked in my office as a parliamentary intern on this issue. He has prepared a terrific paper on the previous bill's draft clause 61. I am sure that David is destined for a very bright career indeed judging by the quality of his work.

Returning to the substance of this bill, my discussions with the Attorney-General have resulted, from my perspective, in a number of improvements to this bill. When I say 'my discussions', they are not just mine of course—they are Family First's and, indeed, those of members from other parties, I understand, as well. The most significant change is that clause 61—and that is the clause relating to vilification—no longer exists in this bill. Family First spent a fair amount of time and energy on having that clause removed, and I am pleased to say that it is no longer in the bill and I give credit where credit is due. Again, we are grateful to the government and, indeed, the opposition for the role that they have played in that.

This clause was, of course, the primary concern of the 11,000-plus signatories that we received in our long campaign against this bill. As I say, that 11,000 is now closer to 12,000 and, in my fairly extensive contact with those people, the common theme that arose from them was clause 61 as well as some of the other issues that I will go into in a moment.

Provisions similar to the deleted clause 61 have caused tremendous limitations to free speech in other states where they have such clauses in their law. The most frequently referred to case is colloquially known as the Two Dannys case. In March 2002, pastors Danny Nalliah and Daniel Scott presented a lecture on Islam for their church. The lecture, by the way, included directions to support and show acts of mercy and other acts of generosity to those holding other faiths.

It was largely an academic affair, and in no way was the religion of Islam vilified, yet the Islamic Council of Victoria complained of religious vilification resulting in five years of hearings before the commission and legal fees estimated at well in excess of $100,000. Indeed, I will not put it on the record because I do not have any data to justify it, but the estimates of the legal fees that have been given to me have been substantially in excess of that—more than three and four times that.

These are two Christian pastors, who I understand have salaries in the order of $40,000-$45,000 a year. They could never repay the legal bills they were facing in their entire lives. The irony is that, in the end, they were proved not to have breached the law and yet they were lumbered with the ridiculous legal costs and their lives were changed forever.

There have been other cases with similar outcomes in New South Wales and Queensland where freedom of speech has been stifled by a clause similar to the now deleted clause 61 from the earlier draft of this bill. I will not detail those but they have been numerous. Put simply, that clause is absolutely unnecessary, and Family First believes that the government was right to withdraw clause 61 from the bill before us today, and again we acknowledge and congratulate it on doing so.

Concerns about several clauses remain, however, and I foreshadow several Family First amendments regarding several of them. I will just give a brief outline of each of those amendments now.

I have had some quite extensive discussions regarding clause 18—that is, new section 34(3)(c)—with the Association of Independent Schools. The clause requires schools to place a notice on their web site if they will not hire people with a particular lifestyle. I acknowledge that previous wording would also require the policy to be lodged with the commissioner, but the Association of Independent Schools maintains that this obligation remains onerous because it opens the schools up to criticism, protest and, potentially, persecution.

Schools are not required, for example, to print their occupational health and safety policy on their web site, or any other policy, so why are they required to list their hiring policy on their web site? What is it specifically about that policy that says they should have it on their web site? They do not have to put any of their other policies on their web site. Why is it that they should put that policy on their web site? Give me one solid reason why that should be the case.

For that reason, I foreshadow an amendment that would delete this requirement. Instead, the policy should be available on request from the school, like all other policies—for instance, its occupational health and safety policy, or whatever it may be. It should be available from the school, rather than creating a target for militant activist groups by putting it on the web site for all to see. This is something the schools do not want. Why should they have to deal with it?

Clause 25 of the bill removes section 50(2). This was an exemption granted to religious organisations from hiring staff with a certain lifestyle, including people who openly have multiple sexual partners, for example. Although most church-run hospitals, nursing homes and so forth are, in effect, now run as secular organisations, there are a number of what are often called parachurch organisations that regard the lifestyle of their staff as important in the conduct of their daily business.

Let us take a fairly extreme example. Imagine forcing what was formerly called the Festival of Light to hire a transsexual. That would be likely to cause division and tension within its ranks, rather than foster any sense of genuine equal opportunity. Why would we want to create a law that would force that to happen? Parachurch groups are faith-based organisations that work outside of and across denominations to engage in social welfare, evangelism and lobbying and are usually independent of church oversight. I will move an amendment to grant these sorts of organisations an exemption.

My concern here is that these organisations do tremendous work in the community, much of it completely free. They survive on donations. They are the ones that take blankets to the homeless; they do all sorts of charity work; they set up the soup kitchens; and they do all the things that I think everyone in this chamber would think was good work. Why do we want to make it more difficult for them to operate?

My concern is that, if we pass this law and if my amendment to this provision does not pass, I can just about guarantee that those organisations will slowly cease to be over time. Yes, there will be other organisations that to some extent will take their place, but I do not believe that they will be anywhere near as many or anywhere near as committed (potentially). I think that is of grave concern to us. Has this really been thought through?

Further, clauses 67 and 68 and new section 95C in clause 69 give power to the commissioner to launch an investigation 'even when no complaint has been lodged' and to launch her own complaint with the tribunal, whether or not a complainant wishes the proceedings to be initiated. Why would we want to do that?

So, the Office of the Equal Opportunity Commissioner will decide what should be complained about and what should not. Why would we want the Equal Opportunity Commission to look into any practice if no complaint has been lodged? Who has been offended? Why would we do that?

I understand that most interstate commissioners do not have that power to initiate their own complaints, and the reason for that is very simple: it is simply not appropriate for an unelected person to pursue far-reaching social policy crusades and whatever issue they see fit if people are not complaining about the issue, effectively determining social policy unilaterally. So, the Equal Opportunity Commission becomes the arbitrator of what is acceptable behaviour and what is not.

Remember: this person is unelected. This person may have very different views to the preceding equal opportunity commissioner; they may, indeed, have very different views to the next equal opportunity commissioner. Where is the consistency? They can launch these investigations without a complaint even being made and without anyone being offended. How is that good law? The Family First amendments would delete the provisions allowing independent investigation and initiation of complaints where no complaint has otherwise been made and would leave the current system in place. Why do we want that in the bill? We will then have a situation where the commissioner becomes the arbitrator of what is acceptable and what is not. That is not appropriate. It is the role of parliament to make laws, not the equal opportunity commissioner.

In clause 62, students over the age of 16 years are made subject to discrimination laws. We are talking about children being subject to discrimination laws. Although the previous draft allowed children as young as 12 to be brought before the commission, we believe that 16 is still too young. The Family First amendment will increase the age to 18 years.

Courts and other jurisdictions in this state will not accept a complaint against children under 18, except for the Youth Court, of course, so why are we proposing that the Equal Opportunity Commission should be able to accept complaints against children? It does not apply in other jurisdictions.

Frankly, there is no reason why the Equal Opportunity Commission should have a special dispensation to initiate proceedings against children. You can imagine the scenario where a 16 year old child will say something jokingly in a classroom or a playground, for example, and they could end up before the Equal Opportunity Commission with lawyers against them. What a ridiculous outcome.

Lastly, the tribunal has been set up as a no cost jurisdiction for complainants. This is found in new section 95B(2). Family First is concerned that while bringing an action to the tribunal may be cost free for a complainant, that is, with no risk and no significant filter for vexatious claims, for example, it may, nevertheless, be very costly to defend.

So, here we have a situation where the person lodging the complaint has no risk whatsoever, because if they lose there is rarely any cost that they will incur, so they can make a complaint against anyone. It is going to be open slather, I predict, for vexatious claims of certain groups against other certain groups that do not like each other, for whatever reason, and the state will fund those claims.

The poor defendant, the local fish and chip shop owner who is trying to run his or her business just to make a fair living, has to then go to the Equal Opportunity Commission, pay for a lawyer and defend themselves against a claim that may be absolutely baseless.

What is the benefit of that? I can see some very significant problems with respect to small businesses being targeted by, for example, someone who did not get a job and lodges a complaint with the Equal Opportunity Commission, knowing that they have nothing to lose, that they would be up for no cost whatsoever, but knowing that just by lodging that claim the owner of the business automatically loses because they have to find a lawyer.

So, even if the complainant lodges a complaint that they do not expect to win, they know that the business owner, the person they are complaining against, will be up for substantial costs, and they may regard that as a win in the first place, just putting that person through the pain. Hopefully this would not be too common, but I am sure it would happen. Why would the state fund people who make complaints yet not fund people defending themselves against those complaints, whether some of which would be vexatious? It is not a question of whether there would be vexatious claims; there will be. If it is free, why would people not do it?

There are many examples of this and I could go on and on; however, I will just give a couple of brief ones. Some years ago John Laws was obliged to spend hundreds of thousands of dollars in legal fees defending a matter brought by a Mr Gary Burns which stretched out for almost five years—at no cost to the complainant, as I understand it. The Two Dannys case in Victoria was resolved without any finding of wrong-doing after five years of legal argument. Who was the loser there? They were not found to have done anything wrong but had to pay hundreds of thousands of dollars in legal costs. The cost to the complainants? Nothing, not a cent.

Family First proposes that the section be re-drafted so that it is similar to the situation in the small claims jurisdiction of the Magistrates Court, that is, that no lawyers be involved in the proceedings unless both sides agree (because as soon as lawyers get involved the costs go through the roof) or unless the Commissioner decides. There will be some cases where the Commissioner decides the complainant is unable to represent themselves and therefore needs a lawyer, and in that case a lawyer would only be assigned in a way that would be satisfied by a means test—for example, in the same way we would normally allocate a lawyer in a Legal Aid matter. That is, if someone is deemed to require a lawyer but their income or means are insufficient then they would be assigned one through Legal Aid. Why should the Equal Opportunity Commission be any different from the rest of the legal system when it comes to allocating legal services? This will open up a can of worms that we have not even begun to imagine.

Family First is not convinced that this bill is required; indeed, it is convinced that it is not required. We accept and support the fact that there must be help given to those in the community who are genuinely disadvantaged through no fault or decision of their own, and we will always support those people and will always fight for their rights to be treated appropriately; however, this bill does not get the balance right, and as such we will seek to amend it as I have outlined.

The plain fact is that the real world is not a level playing field. Some people are born to privilege, some are born into poverty. Some are born fully able, and unfortunately some are born with a disability. Whilst as legislators we must do everything we can to aid and assist those who do not generally enjoy equal opportunity, it must not be at the expense of others, thus creating further division, tension and scope for disharmony in our society. This bill runs that risk, as it tips the scales too far against what have been long-running and established practices and principles in our society. For that reason Family First will seek to amend this bill and, if its amendments are not agreed to, it will wholeheartedly oppose the bill.

Debate adjourned on motion of Hon. J.M. Gazzola.

PLANT HEALTH BILL

Adjourned debate on second reading.

(Continued from 25 November 2008. Page 808.)

The Hon. C.V. SCHAEFER (16:50): The Liberal Party supports this bill. It was introduced in the lower house in, I think, October last year, and replaces the Fruit and Plant Protection Act 1992. It is merely a modernisation and upgrade of that act, and seeks to further protect South Australia's plant health status and market access, both of which are highly regarded throughout the world. I add that the plant and horticultural industry is a $1.5 billion industry within Australia.

This bill will, perhaps, further minimise the risk of declared pests and diseases entering Australia and ensure appropriate responses to new pest or disease outbreaks. It is hoped that these improvements will be facilitated by better monitoring and further control and streamlining of emergency responses in times of threat of increased disease. The bill establishes an input verification compliance system and gives broader powers to prevent the outbreak or spread of a declared pest. It further expands reporting requirements and regulates wholesale labelling for packaging of imported and local horticultural produce which is to be sold within South Australia.

The bill changes the methodology of applying charges across the industry, and there has been some speculation as to whether it will increase the amount of red tape applicable, particularly when importing horticultural goods into the state. We are assured by the government that that will not be the case, but whenever one reads of an increase in efficiency by requiring further paperwork one does retain some degree of cynicism about whether it will, in fact, actually increase efficiency.

However, the bill does modernise the methods used and, hopefully, will continue to support what is a very valuable industry in South Australia. South Australia is acknowledged as being free of many of the plant diseases and pests which manifest themselves in other states and other nations, and we will support wholeheartedly anything we can do to support our clean, green status internationally and nationally.

Debate adjourned on motion of Hon. J.M. Gazzola.

DOMESTIC VIOLENCE

The Hon. R.D. LAWSON (16:54): I seek leave to make a personal explanation.

Leave granted.

The Hon. R.D. LAWSON: Earlier today, in an explanation to a question, I used words that might have suggested that domestic violence is treated as petty crime. The Minister for the Status of Women was quick to point this out to the chamber. I have now examined the transcript, and it appears that I did not say what I intended to say. I did not intend to convey the meaning that domestic violence was only a petty crime. I should have said not 'domestic violence and other petty criminals' but 'domestic violence and sundry petty criminals'. I do not take the view that domestic violence is a petty crime.

SERIOUS AND ORGANISED CRIME APPLICATIONS

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Small Business) (16:55): I table a copy of a

ministerial statement relating to serious and organised crime applications made today in another place by the Attorney-General.

At 16:55 the council adjourned until Wednesday 4 February 2009 at 14:15.