LEGISLATIVE COUNCIL

Wednesday 28 September 2011

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

SUMMARY OFFENCES (PRESCRIBED MOTOR VEHICLES) AMENDMENT BILL

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:18): By leave, I move:

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

Motion carried.

LEGISLATIVE REVIEW COMMITTEE

The Hon. G.A. KANDELAARS (14:18): I bring up the 30th report of the committee.

Report received.

The Hon. G.A. KANDELAARS: I bring up the 31st report of the committee.

Report received and read.

NATURAL RESOURCES COMMITTEE

The Hon. G.A. KANDELAARS (14:20): I bring up the report of the committee on little penguins.

Report received.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. J.M. GAZZOLA (14:21): I bring up the annual report of the committee 2010-11.

Report received.

PAPERS

The following paper was laid on the table:

By the President—

Police Complaints Authority—Report, 2010-11

QUESTION TIME

CITY-WIDE LAND AUDITS

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:23): I seek leave to make a brief explanation before asking the minister representing the Minister for Urban Development, Planning and the City of Adelaide a question about city-wide audits.

Leave granted.

The Hon. D.W. RIDGWAY: In May this year it was reported that infrastructure to support Mount Barker's radical expansion will be vastly more expensive than other districts. The Department of Planning and Local Government revealed that Mount Barker's hilly terrain means that the infrastructure cost per block will reach between $60,000 and $70,000 compared with between $30,000 to $40,000 in the flatter areas of our state. We already know that the land release will be one of the most expensive in the state's history. We also know that the state government has decided not to release submissions to Adelaide's 30-year plan.

In that same article in May this year, the department indicated that Mount Barker was selected for the population explosion after a city-wide audit. The article went on to state that the audit considered Murray Bridge and areas along the Southern Expressway for major growth. In fact, on the morning of that article being published, I informally asked the minister for a copy of that audit. He indicated that he would also like to see a copy and that he would get me a copy. I thought that, in fairness, I should apply formally, so I then wrote to the minister, and I have subsequently

followed up with a number of emails. We are now in September, and we have not yet seen a copy of that audit. My questions are:

1. Where is the audit, and why is the minister keeping it secret?

2. Why will the government not share with the people of South Australia the details of that city-wide audit?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:24): I thank the honourable member for his most important questions. I will refer them to the minister for planning and development in another place and bring back a response.

RADIOACTIVE WASTE

The Hon. J.M.A. LENSINK (14:25): I seek leave to make a brief explanation before directing a question to the Minister for Regional Development regarding the federal government's plan to truck radioactive waste through the Riverland.

Leave granted.

The Hon. J.M.A. LENSINK: It has been revealed that radioactive waste is to be transported through the Riverland, raising concerns about the potential contamination of the River Murray as the route crosses the river three times, the potential for road accidents and the impact on the Riverland's image as part of Australia's food bowl. Is the minister concerned that the federal government's decision will undo any of the benefits which come through the Riverland Sustainable Futures Fund?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:25): I thank the honourable member for her important question and am advised that in fact the federal government has not at this point in time made any final decision on the new route for waste that was reported today or yesterday evening. My understanding is that there has been no final conclusion to that and that the federal government has agreed to consult extensively with local communities that might be involved with any changes and other key stakeholders. My understanding is that we are a long way from any changes.

I have also been advised that the transport of commonwealth radioactive waste is regulated under the Australian Radiation Protection and Nuclear Safety Act, which is administered by the Australian Radiation Protection and Nuclear Safety Agency. The advice I have received is that the commonwealth does not require the EPA's approval to transport radioactive waste in South Australia. I am advised that the federal agency ensures that the transport of commonwealth radioactive waste is carried out safely through compliance with the national Code of Practice for the Safe Transport of Radioactive Material and it is the EPA's view that the potential risk to people and the environment is in fact very, very small.

I am further advised that, when the commonwealth has transported significant quantities of radioactive waste through South Australia in the past, it has kept the state government fully informed of any arrangements, particularly the safety arrangements. The EPA has requested the Department of the Premier and Cabinet to distribute a notice to emergency response agencies, similar to notices of shipments of things like uranium oxide from the Olympic Dam and Beverley uranium projects, to inform them about transport.

The commonwealth has indicated that it will consult fully on any changes, and it is anticipated that the commonwealth would engage with the state if their proposal contemplated changes of route through South Australia and that we would be fully engaged in that process. However, I am advised that whichever route is chosen to transport radioactive waste it will be under very strict controls and will present a minimal risk. I am advised that many hazardous materials are routinely and safely transported through the Riverland under state and commonwealth control. The measures that have been put in place in the past have obviously proven to be highly effective and I do not anticipate that that would change.

The PRESIDENT: The Hon. Ms Lensink has a supplementary question?

RADIOACTIVE WASTE

The Hon. J.M.A. LENSINK (14:29): Yes. Does the minister intend making a submission to the commonwealth government on behalf of the Riverland?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:29): As I have already put on the record, my understanding is that the commonwealth has not made any final decision on this whatsoever and it has given a commitment that it will fully consult and engage with all appropriate stakeholders. If and when they determine any change they want to contemplate that might involve South Australia, we would be involved in those discussions.

As I said, these toxic products are already routinely transported, I am advised, through South Australia and other states under the control of the commonwealth. There are very strict safety measures and guidelines that are put in place and I am confident that whatever route is decided by the commonwealth will be a safe one.

RADIOACTIVE WASTE

The Hon. M. PARNELL (14:30): I have a supplementary deriving from the answer. Can the minister explain why it is appropriate and safe to transport radioactive waste across South Australia to a radioactive dump in the Northern Territory when a few short years ago the government legislated to prohibit the transfer of radioactive waste through South Australia to the proposed radioactive waste dump here in this state? What has changed in the intervening period?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:31): As I have said, any proposed changes will be considered very carefully by this government. I have not received any information at all from the commonwealth government that any proposal is going to go ahead. It is very early days and we will be fully engaged to make sure that all South Australians are kept very safe in their homes and in their local communities.

RADIOACTIVE WASTE

The Hon. M. PARNELL (14:31): A further supplementary deriving from the answer: in order to protect the Riverland, minister, will you consider amending the Nuclear Waste Storage Facility (Prohibition) (Referendum) Amendment Act in order to prohibit the transfer of nuclear waste through sensitive parts of our state?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:32): The South Australian government will consider any appropriate legislative change that it might need to address any situation, including this one.

RADIOACTIVE WASTE

The Hon. S.G. WADE (14:32): I seek leave to make an explanation before asking a question of the Minister for State/Local Government Relations about nuclear waste.

Leave granted.

The Hon. S.G. WADE: The Berri Barmera Council has publicly condemned the federal government's plan to truck radioactive waste through the Riverland. Will the minister support proposals by Riverland councils to be declared nuclear free?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:32): Thank you very much for the question. I will take it on notice and get back to you as soon as possible.

RUNDLE MALL

The Hon. CARMEL ZOLLO (14:33): I seek leave to make a brief explanation before asking the Minister for State/Local Government Relations a question about the Corporation of the City of Adelaide.

Leave granted.

The Hon. CARMEL ZOLLO: As members would be aware, on 14 September 2011 this council supported a motion moved by the shadow attorney-general to disallow Adelaide City Council by-law No. 6 (Rundle Mall). The disallowance motion was gazetted on 22 September 2011. Can the minister please inform the chamber as to the consequences of the shadow attorney-general's actions in this instance?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:33): I thank the honourable member for this very important question. All members of the chamber would be aware that recently a motion was passed in this place to disallow the Corporation of the City of Adelaide's by-law No. 6 (Rundle Mall). The mover of this motion was the shadow attorney-general, the alternate number one lawmaker of this state.

I understand that parts of by-law No. 4 may still be enforceable. However, the disallowance of by-law No. 6 has created uncertainty as to what particular activities the council can regulate in Rundle Mall. This is a matter that obviously needs to be investigated further. The council's intention with this by-law was never to prohibit preaching or free speech. The by-law did, however, give council discretion to minimise the disturbance and the impact on people going about their business in Rundle Mall.

This decision has absolutely flabbergasted the traders in Rundle Mall, who are going through tough times at the moment. The question they are asking is: did the alternate attorney-general, the alternate number one lawmaker in this state, understand the consequences of his decision to move this motion?

I understand that it is important to strike a balance between a person's right to free speech and for people to go about their usual daily business without hindrance or fear. The by-law allowed council to attach conditions to grant a permit if a person or group wished to preach in a particular part of the mall. I have been informed by a number of sources that going down Rundle Mall on a Friday night is like going through a town in the wild west, and a lot of traders are reporting a decrease in business and trade because people are allowed to behave unfettered in Rundle Mall.

There has been a significant public outcry about the offensive behaviour and language directed at shoppers and retail workers going about their lawful business, which is totally unacceptable. I also understand that the Rundle Mall traders feel that they are losing business with preachers wreaking havoc on Rundle Mall. I am also told that visitors to Rundle Mall are sometimes reluctant to enter shops where preachers are congregating nearby.

Rundle Mall is an asset to the state. The mall is our premier retail destination and a popular meeting place. The shopping precinct attracts approximately 400,000 visitors every week and $23 million annually. The Adelaide City Council must be certain as to what capacity they have to deal with breaches of the peace in Rundle Mall. It has been put to me by a number of people with an interest in this that the traders in Rundle Mall feel totally betrayed by the Liberals who say that they stand for small business and want to help small business, but what they have done is without any comprehension of what this motion means in disallowing this by-law.

I also understand that the Hon. Mr Wade today asked the Legislative Review Committee to give him a report on what are the consequences of disallowing a by-law. For someone who purports and wants to be the future number one lawmaker in this state, I find that absolutely astounding. We all know why Mr Wade is so keen to get out and get a bit of a media grab. There is a lot of pressure on people like Mr Wade because there will be a reshuffle shortly, and the Hon. Mr Wade knows that there is a big possibility of joining the Hon. Mr Stephens in being dumped from the front bench. As Mr Stephens would know, Mr O'Loughlin has ensured that he will be buried at the next reshuffle.

The Hon. D.W. Ridgway: Who is Mr O'Loughlin?

The Hon. R.P. WORTLEY: Here is a desperate—Mr McLachlan. You can laugh all you like, but the reality is that there are five frontbenchers over there that will be culled to three, maybe two.

The Hon. T.J. Stephens interjecting:

The Hon. R.P. WORTLEY: The ones shouting the most will be the ones who get the chop.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: Order!

The Hon. R.P. WORTLEY: I know it upsets you, but that's reality mate! That's politics! You're gone. Your treatment of Mr McLachlan and SACA has signed your death warrant. You are sunk.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: Order! If the minister has concluded his answer, but if he has not he might want to stick to the answer.

Members interjecting:

The PRESIDENT: Order! You must sit there and suffer in silence.

The Hon. R.P. WORTLEY: Now we have explored the reasons for the ineptness of the shadow attorney-general, the question would be: did he consult with the member for Adelaide, Ms Rachel Sanderson? What has happened now has left us in a position, and me as local government minister, to work with the council to endeavour to fix up the stuff-up of the Hon. Mr Wade. In conclusion to the honourable member's question, we all know that the Hon. Mr Wade is running around trying to grab every single second of publicity. He needs to protect his job, the same as the Hon. Mr Stephens. Thank God we have a responsible government that will work with the council to fix up the problems created by the Hon. Mr Wade.

The PRESIDENT: The Hon. Mr Wade has a supplementary.

RUNDLE MALL

The Hon. S.G. WADE (14:40): I do. The minister mentioned that traders have sought—

The PRESIDENT: Without explanation.

The Hon. S.G. WADE: I was referring to the element of the answer that I was hoping to ask the question about.

The PRESIDENT: You must ask the question.

The Hon. S.G. WADE: The question is: given the minister's statement that the traders seek the breaches of the peace and offensive behaviour and language to be addressed—none of which are covered in by-law No. 6—will the government commit to using South Australian police to actively enforce the laws we have?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:40): The disallowance of by-law No. 6 has created significant uncertainty. The Adelaide City Council is uncertain of what powers it has to control certain activities in the mall, and this is all because of the Hon. Mr Wade's absolute desire to protect his position. Of course, the South Australian police will, as always, act in accordance with the law; they will protect our citizens from breaches of the law. That is quite a silly question really; we might refer it to the Minister for Police.

Mr Wade is trying to squirm out of a very serious situation. What we have here is that traders are now suffering a downturn of business and people are being accosted within Rundle Mall. This is the result of a disallowance motion that obviously had far-reaching consequences that the Hon. Mr Wade did not understand. As the alternate number one lawmaker in this state, that is unacceptable.

APY LANDS, CHILD SEXUAL ABUSE

The Hon. T.A. FRANKS (14:41): I seek leave to make a brief explanation before asking the Minister for Regional Development, representing the Premier, a question on the former Premier's task force resulting from the Mullighan inquiry into the APY lands.

Leave granted.

The Hon. T.A. FRANKS: When the Premier of South Australia released the report of the Mullighan inquiry into child sexual abuse on APY lands on 6 May 2008, he also announced the establishment of a task force to respond to its recommendations and to drive the response to the Mullighan inquiry into child sexual abuse on the APY lands. Over the course of the next six months the task force met on nine occasions. Since then it has met far less frequently.

At the time the Premier explained that the task force would be located within DPC AARD, would comprise state and commonwealth representatives, and would be chaired by the executive

director of AARD. Placing the task force within DPC was a demonstration of this government's earlier commitment to 'raise the importance' of issues on the APY lands 'to the highest level within the public sector'. That was in a ministerial statement made on 6 May.

Ministerial oversight for the government response to the Mullighan inquiry recommendations sit with the Minister for Families and Communities, and at the time of the establishment of the task force the Hon. Jay Weatherill was overseeing both AARD and the Department for Families and Communities. Of course, this is no longer the case. In late July 2008 the Premier had a cabinet reshuffle, and shortly thereafter changes were made to senior management positions across the state Public Service. The effect of those changes was that ministerial responsibility for the Mullighan inquiry is now no longer under the direct control of the responsible minister, and the chair of the task force has changed.

On 16 April 2009 the then minister for Aboriginal affairs, the Hon. Jay Weatherill, advised this parliament that the meetings were now chaired by the executive director of DPC AARD on behalf of the Department for Families and Communities, and any questions regarding the implementation for the recommendations arising from the Mullighan inquiry should, in fact, be directed to the Minister for Families and Communities. These statements suggest that the responsibility for driving the government's response to the Mullighan inquiry is now split across two departments, DPC and Families and Communities. This raises some concerns that the arrangement is undermining the government's ability to implement key recommendations in a timely, coordinated and responsive fashion. My questions are:

1. Does the Premier have concerns that only 10 of the recommendations that were accepted by this government, of a total of 46 but an accepted total of 45, have been completed?

2. Is the Premier concerned that his 2008 commitment to 'raise the importance of issues on the APY lands' has now been downgraded from the aforementioned highest level within the public sector into the abyss of bureaucracy and buck-passing?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:45): I thank the honourable member for her questions and very lengthy explanation. I will refer those to the appropriate minister or ministers in another place and bring back a response. By way of some very brief background information, I have been advised that, under section 11A of the Commission of Inquiry (Children in State Care and Children on APY Lands) Act 2004, the Minister for Families and Communities is required to table an annual report updating parliament on the government's progress in implementing 45 of the 46 recommendations accepted wholly or in part by the government.

I am advised that the only recommendation not accepted was No. 46, which was about the construction of corrections facilities on the lands. I have been advised that the last annual report in November 2010 confirmed that 10 recommendations had been fully implemented and another 35 recommendations were in progress or were longer-term programs.

I am further advised that, since November 2010, a further 17 recommendations had been completed, bringing the total to 27 completed recommendations. The remaining 18 recommendations, I have been advised, are progressing towards full implementation or are, in effect, long-term programs, such as the 10-year housing program, which, obviously, is not going to be able to be completed within that period of time.

As I said, I will refer the member's important questions to the appropriate ministers in another place and bring back a detailed response.

APY LANDS, CHILD SEXUAL ABUSE

The Hon. T.A. FRANKS (14:47): Supplementary arising from the answer: if all recommendations are in fact on track to be completed, is the Umuwa courthouse in fact going ahead?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:47): As I said, a further 17 have been completed, bringing the completion figure up to 27. I am not able to list them. I do not have the detail to list each of those 27, but I am sure that the appropriate minister will be able to provide the member with those. As I indicated, I am advised that the remaining 18 recommendations are

progressing towards full implementation or are long-term targets that are set in time frames that are outside this period.

FATHERS

The Hon. G.A. KANDELAARS (14:48): My question is to the Minister for Industrial Relations. In light of September's celebration of Father's Day, will the minister provide the chamber with details on how the South Australian government is supporting men to combine work and family obligations?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:48): I would like to thank the honourable member for his question. As you are aware, Australians right across the country celebrate Father's Day at the beginning of September each year. This is a day when we can all reflect upon the significant contributions that our dads have made to our lives. However, Father's Day can also serve as a reminder that, for many dads, the basic need for quality time with family can be a distant wish rather than a reality.

As we are all too aware, increasing work demands means that many people are working longer hours, while traditional approaches to work organisation mean that many parents are giving up important aspects of family life to meet their job obligations. In fact, each year Australians work more than two billion hours of unpaid overtime, while the 2010 report of the Australian Work and Life Index (a measurement tool for work-life balance) found that South Australian partnered fathers work the longest average weekly hours (45.6 hours) in the country.

Since 2007 South Australia's Strategic Plan has included Target 2.12, 'Work-Life Balance: improve the quality of life of all South Australians through the maintenance of a healthy work-life balance'. South Australia leads the nation as the only state to demonstrate its commitment to work-life balance in its State's Strategic Plan.

SafeWork SA is the lead agency for South Australia's Strategic Plan work-life balance target and has worked with key stakeholders across public and private sectors to develop a strategy in support of it. SafeWork SA, through this strategy, has worked with employers to promote legislation that supports work-life balance and to develop a business case for employers to implement flexible work options.

One area of legislation is the commonwealth's Fair Work Act 2009, which provides a set of basic minimum employment standards for the private sector called the National Employment Standards. SafeWork SA's work-life balance strategy has supported the response received from employers to the National Employment Standards, which now provide fathers and mothers the right to request flexible work arrangements if they are the primary carer for a child under six years of age or a disabled child under the age of 18.

SafeWork SA has also promoted public consultation on the Australian government's proposal to introduce two weeks of paid leave for dads to take time off work to spend with their newborn babies.

From 1 January 2013, the Australian government's paid parental leave scheme will be expanded to include a dedicated payment for dads and other partners. Eligible working fathers and other partners will have access to two weeks dad and partner pay at the national minimum wage, which is currently $589.30 a week.

Further to this, one of the major projects of my ministerial advisory committee on work-life balance is examining how the quality of part-time work in South Australia can be improved. In the workplace, some male employees can be uncomfortable requesting flexible work arrangements, particularly in workplaces where working part-time is often seen as being less committed to the business.

To this end, the Quality Part-time Work project is working with employers to make part-time work a high productivity and high satisfaction option that is accessible for both men and women at all levels, including management.

The government remains committed to South Australia's Strategic Plan target on work-life balance and this commitment is firmly demonstrated by the continuation of this target in the 2011 update of the plan, which was announced by the Premier earlier this month. Ongoing work towards this target will ensure that all parents, fathers and mothers alike, receive the support they need to fully participate and contribute in their families' lives.

GRIFFITHS, MR D.C.

The Hon. T.J. STEPHENS (14:52): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Minister for Correctional Services, questions about the investigation into the escape and subsequent attempted escape by Drew Claude Griffiths.

Leave granted.

The Hon. R.P. Wortley interjecting:

The PRESIDENT: Order!

The Hon. T.J. STEPHENS: I am glad the Hon. Russell Wortley has actually got his words correct. We recently received multiple replies from the Department for Correctional Services to freedom of information requests regarding details of the escape of Drew Claude Griffiths and his subsequent escape attempt from the Royal Adelaide Hospital. Prior to that we were told that due to ongoing investigations the requested documents could not be released. My questions to the minister are:

1. How long has this investigation been active?

2. What are its terms of reference?

3. When will it be completed?

4. Will this council receive a copy of the report, and if not, why not?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:53): I thank the member for his questions and will refer those to the appropriate minister in another place and bring back a response.

GLOBAL SHARE MARKETS

The Hon. D.G.E. HOOD (14:53): I seek leave to make a brief explanation before asking the minister representing the Treasurer a question.

Leave granted.

The Hon. D.G.E. HOOD: I think it is fair to say that the global share market has endured a very difficult time in the last several months. Whilst we have seen some not insubstantial rises in the last couple of days, the reality is that equity markets around the world are showing very high levels of volatility and much of the outcome seems to depend on some policy makers in the EU. My questions to the Treasurer are:

1. What is the extent of South Australian exposure to global equity markets, in particular through superannuation investments of public servants and the like?

2. What steps have the Treasurer and the government taken in order to minimise exposure to what may be a very substantial fall in equity values, at least as predicted by some pundits?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (14:54): I thank the honourable member for his important questions and will refer them to the Treasurer in another place and bring back a response.

WHYALLA

The Hon. I.K. HUNTER (14:54): I seek leave to make a brief explanation before asking the Minister for Regional Development a question about Whyalla.

Leave granted.

The Hon. I.K. HUNTER: Whyalla is the largest city in the Upper Spencer Gulf region, with a capacity to handle more growth over time. It is important that plans be put in place now so that future growth is sustainable. Will the minister update the house about recent investment projects in the Whyalla area?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for

Government Enterprises, Minister for Gambling) (14:55): I thank the honourable member for his most important question. Indeed, it has been a great pleasure to be able to visit regional centres and see first-hand the benefits which can be gained from investment in regional areas. Last week I had the opportunity to visit Whyalla, one of our notable regional cities, which, with the help of the state government, will be making significant improvements to the sustainability of the city.

I had the pleasure of meeting with the mayor, Jim Pollock, and the CE, Mr Ian Burfitt, to discuss their work on a project that is very important to the area. I speak of course about the Waterproofing Whyalla project which aims to extend the city's existing wastewater re-use scheme within Whyalla to capture, store and re-use 380 megalitres of water a year.

Members will be aware that Whyalla has a dry climate, even in wet years as I understand, with an average monthly rainfall of under 30 millilitres. Obviously, it needs to be able to make the best use of any water that it has available. With this in mind, the city has proposed over $4.5 million for a project which is due to commence soon to help secure the future watering of a number of its major ovals and streets.

The proposed work will extend its existing wastewater re-use scheme within Whyalla to capture, store and re-use 380 megalitres per year. The project extends the existing wastewater re-use scheme, which is a joint venture between SA Water and the council to irrigate two additional ovals with 40 megalitres a year, providing a total water savings of 420 megalitres per annum. The new project builds on the existing agreement between SA Water and the Whyalla City Council which allows Whyalla to take wastewater and re-use it.

I was pleased to be able to announce during my recent visit to Whyalla that I had approved a grant from the Regional Development Infrastructure Fund of just over $1 million to go towards this water infrastructure project. The grant will specifically go towards the installation of water pipelines to deliver recycled effluent to open space areas. The project proposes a number of benefits to the region including assisting in reducing the demand on the River Murray as a source of potable water of around 420 megalitres a year; maintaining green spaces for community use through fit-for-purpose irrigation source from wastewater; reducing overall energy consumption as a result of reducing the need to pump potable water over 400 kilometres; and increasing the existing education and awareness campaigns for water conservation and the use of water re-use schemes.

The project is possible due to the joint commitments of local, state and federal governments. The Whyalla City Council is contributing just over $1.2 million and the federal government is assisting with a contribution of over $2.2 million to the project under its National Water Security Plan for Cities and Towns program.

I am advised that this major project is due to be completed by mid-2012 and I take this opportunity to congratulate the Whyalla City Council for its strategic thinking and careful planning of this work. I am confident that the completed project, using wastewater, will help to green the city and obviously make it more attractive for visitors and more liveable for residents. It is a great project and a very good example of the three levels of government working very well together.

REGIONAL DEVELOPMENT

The Hon. J.S. LEE (15:00): I seek leave to make a brief explanation before asking the Minister for Regional Development a question about regional development.

Leave granted.

The Hon. J.S. LEE: Local government president Mr Kym McHugh said on ABC radio on 14 September that the Local Government Association will push for the state government to listen more closely to issues in regional areas. At the LGA policy forum, delegates voiced support for the regional development ministry to have a higher priority within cabinet. Mr McHugh said:

> We've seen the government centralise services, so they've taken people out of the regions and brought them back into Adelaide. This does not help the regions grow, that's a hindrance to regions growing and other issues like where we need to make sure the regions are well recognised.

My questions are:

1. Does the minister believe that the government is taking regional development seriously when there have been up to eight different ministers handling the regional development portfolio over the last nine years?

2. Will the minister make a commitment to outline an action plan, at a policy and operational level, that will address the regional development concerns that were raised recently at the LGA policy forum?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (15:01): I thank the honourable member for her most important questions. I am pleased to have an opportunity to address those important particular issues.

In respect to the number of ministers who have had responsibility for regional development, I always say that it is quality, not quantity. Regional development has been most fortunate indeed in having had a series of really high calibre ministers who have had responsibility for regional development over time. As I said, it is quality, not quantity, that matters in this, and regional development has certainly had quality ministers.

I guess the other opportunity in this is that there are more members in cabinet and more ministers around the cabinet table who have had a personal hands-on responsibility for regional development and would therefore have a better understanding and greater knowledge. In some ways, regional development is therefore better represented in cabinet by having more ministers around the table who have had experience with regional development. In fact, I think there are some real advantages in that; it certainly helps enrich awareness, information and knowledge.

The state government has worked very hard to ensure that it does engage fully with regional communities. The Regional Communities Consultative Council (RCCC) conducts regional forums and visits on a regular basis. It has been in place now for a number of years and has visited a wide number of regions. It engages directly with local communities on a wide range of different issues and reports back and provides advice to the government in respect to the sorts of information it has gained throughout its visits. It recently conducted a forum in the Riverland, and I look forward to meeting with the chair, Peter Blacker, soon to receive his report back from that.

Since I have been regional development minister, the Local Government Association has had two major forums concentrating on regional development issues. I have attended both of those forums, and I am engaged at that level. One of our other strategies is that I have given a commitment to develop a regional statement. That regional statement is about helping to develop in a very clear and coherent way the across government responses in relation to the wide range of different services and projects and programs that government currently has in place.

We know the essence of bringing about real success in terms of the regions in government is not about building a regional development silo. The real key to it is about being able to connect across government. We know that Health has a very significant regional health program, as do education, policing, etc. Right across our portfolio areas there is a significant contribution to and focus on regional areas. What we do not have, what is missing, is a single statement in one place that clearly and coherently links what government is doing right across government. I think the regional statement will assist in doing that.

REGIONAL DEVELOPMENT

The Hon. R.L. BROKENSHIRE (15:06): A supplementary question: further to the minister's answer, can the minister advise the house whether the minister will, in discussions with her cabinet colleagues, ensure that regional impact statements are included as part of cabinet submissions in the future so that we do not see situations like the Keith hospital and the privatisation of the forests occurring without regional impact statements?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (15:06): The cabinet submissions routinely have community impact statements and that includes, where a proposal is relevant, on regions, so we are already, I believe, currently doing that.

GAWLER SUBSTITUTE BUS SERVICE

The Hon. K.L. VINCENT (15:07): I seek leave to make a brief explanation before asking the minister representing the Minister for Transport questions regarding the Gawler train line substitute.

Leave granted.

The Hon. K.L. VINCENT: My honourable colleagues may remember that back in March I asked the Minister for Transport some questions regarding the bus replacements which were being used while the Noarlunga to Oaklands train line was being worked on. Most of the buses used in that situation were not accessible and that caused some of my constituents issues.

Over the last week I have been receiving calls from constituents about the buses being used as substitutes while the Gawler train line is being upgraded. The majority of these buses are reportedly not accessible either. My constituents have suffered delays because of not being able to board the buses and in some cases have not been able to travel at all. My questions are:

1. What accessible transport options are being provided for South Australians who would usually travel on the Gawler train service?

2. Are these accessible options available regularly, or must the traveller pre-book the service?

3. Has the government made any changes in policy regarding the accessibility of substitute transport services in view of the accessibility failure of the Oaklands to Noarlunga substitute?

4. Will the government provide travellers with accessibility needs with an accessible taxi if the regular service is not available?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (15:08): I thank the honourable member for her most important questions and will refer them to the relevant minister in another place and bring back a response.

WOMEN HOLD UP HALF THE SKY AWARD

The Hon. J.M. GAZZOLA (15:08): I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about the South Australian Women Hold Up Half the Sky Award.

Leave granted.

The Hon. J.M. GAZZOLA: As the minister has informed this place before, an outstanding woman who has made a great contribution to the community will be recognised for her efforts through the Australia Day Council of South Australia Women Hold Up Half the Sky Award. Will the minister tell us about this year's Women Hold Up Half the Sky Award?

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (15:09): As you may recall, the Women Hold Up Half the Sky Award is part of the Australia Day awards and honours and is jointly coordinated by the Office for Women and the Australia Day Council of South Australia. Members would know that I believe that these kinds of awards are very important because they ensure that the valued contribution that women make to our community does not go unnoticed.

The Women Hold Up Half the Sky Award recognises a South Australian woman who acts as a role model and has inspired us through her accomplishments. This award is an excellent opportunity to celebrate these achievements.

In addition to serving as role models to all women in our community, celebrating outstanding women demonstrates the different ways that women contribute as leaders in our communities. Whether it be in the halls of parliament, as a member of local government, as a member of a board or as the person your family or community look up to, women can and do make a difference.

I am constantly amazed and humbled by the work that women are doing to ensure the safety and equal participation of women in our community. Yet, I am surprised that many of these women do not see themselves as being leaders or role models. All women can be the best at whatever they set their mind to and it is important that they are recognised for their achievements and contributions.

I am delighted today to announce that nominations for the 2012 Women Hold Up Half the Sky Award are now open. As members might recall, previous nominations were of an exceptionally

high calibre so I am very much looking forward to seeing the outstanding women that this round, no doubt, will attract.

I have been advised that the Chair of the Australia Day Council of South Australia, Dr Tony Cocchiaro, says that last year the nominations received outnumbered nominations for any other award program that the council conducts, which is an excellent result, particularly for an award that was in its first year.

Last year's inaugural award was won by Pat Waria-Read for her role in advocating for the rights of Aboriginal women as well as the leadership she provides to others in her community. She is a Ngadjuri elder, a very proud one, and she was recognised for her role in the State Aboriginal Women's Gathering and National Aboriginal and Torres Strait Islander Women's Gathering, as well as her efforts in rehabilitation for Aboriginal offenders and prisoners.

Nominations for the Women Hold Up Half the Sky Award close at 5pm on 9 December. The award will be presented at a reception on the lawns of Government House on the eve of Australia Day 2012. I would be very pleased if members would consider nominating inspirational women for the award. If anyone would like information they can contact either the Australia Day Council of South Australia website or the Office for Women.

FAMILY AND COMMUNITY DEVELOPMENT PROGRAM

The Hon. J.S.L. DAWKINS (15:13): I seek leave to make a brief explanation before asking the Minister for State/Local Government Relations a question about cuts to the Family and Community Development Program.

Leave granted.

The Hon. J.S.L. DAWKINS: I have recently been contacted by several non-government agencies, advocacy groups and councils concerned about the Rann government's decision to cut 23 per cent or $2 million from the $9 million Family and Community Development Program by 2013-14.

This important program assists, in part, councils across the state to deliver services and support for youth, low income earners, people with a disability and others at risk or suffering disadvantage. The assistance is primarily focused on early intervention and prevention to enhance social and emotional development.

In addition, local government was also involved in the neighbourhood houses and community centres sector using some funding from the Family and Community Development Program. The 2008-09 annual report for this subprogram states, in relation to outputs:

> The community centres sector reportedly has two million contact hours per year. They also contribute more than 15,000 volunteer hours per week, equating to over $16 million per annum...

The cuts in this funding are placing this good work and the work of many others in jeopardy and will have significant ramifications on service delivery and support for communities in need at the coal face. My questions to the minister are:

1. Does the minister support the work undertaken by local government using funding from the Family and Community Development Program?

2. Has the minister made representations to his cabinet colleague on the impact of this decision on local government?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (15:15): I thank the member for his very important question. First, I support local government's endeavours and what they do in regard to this funding. Secondly, I have not put a budgetary submission to cabinet. However, I will get all the information on where we are with this fund and endeavour to have it at the next session of parliament.

FAMILY AND COMMUNITY DEVELOPMENT PROGRAM

The Hon. J.S.L. DAWKINS (15:15): By way of supplementary question, given the minister's support for what local government do with this funding and his expectation of local government continuing to offer these valuable services with less funding, is this just another example of cost shifting by the Rann government?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (15:16): We are under very tight financial constraints in this state at the

moment. It has been a pretty tough budget and there have been quite significant cuts to the state budget. A lot of them I do not like but have to live with for the good financial management of the state. There are times when we support projects—and all ministers support projects—but we have to tighten the belt and we are subject to certain cuts. As I stated before, I will get all the information regarding that particular funding and get the Hon. Mr Dawkins the answer he deserves.

SCHOOL BUS CONTRACTS

The Hon. J.A. DARLEY (15:17): I seek leave to make a brief explanation before asking the Minister for Industrial Relations, representing the Minister for Education, questions regarding school bus services in rural areas.

Leave granted.

The Hon. J.A. DARLEY: In August Channel 7's *Today Tonight* aired several stories on school bus services which exposed the fact that the Department for Transport, Energy and Infrastructure was making student reimbursement payments to Australian Transport Enterprises (ATE), operating as Link SA, for students who were not carried on Link SA services. *Today Tonight* aired a further story on 29 August which featured a former bus company employee who admitted that he was directed to complete falsified paperwork in order for Link SA to receive false student reimbursement payments.

I understand that quite a number of country school bus services have recently been awarded to Link SA by the Department of Education and Children's Services following a public tender. Questions have been raised with regard to the equity of those who submitted tenders as I understand many of Link SA depots, administrative buildings and workshops are either subsidised or owned by the South Australian government. This would reduce their operating costs and therefore allow the company to lower their price during tender. This in turn has had a detrimental effect on local bus operators, who had previously been operating this service and relied on school bus runs as a basis for their business.

Further to this, I understand that local businesses, such as mechanics, auto electricians, cleaners, etc., used by these local bus operators are expecting to be significantly impacted by the loss of these contracts to ATE. My questions to the minister are:

1. Given the information exposed about Link SA providing falsified information to receive student reimbursement payments, is the minister able to reconsider the tenders awarded to Link SA in preference to local bus operators and, if so, will he do so?

2. Did the minister consider the socioeconomic impact on the local community if tenders were awarded to a large interstate company rather than local operators?

3. Can the minister advise how much local content ATE had in the winning tenders and whether these will be honoured, or will ATE simply revert to using their own national service suppliers and wholesalers?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (15:19): I am advised that in 1999 DECS consulted with the Bus and Coach Association in relation to bus contracts and agreement was reached about the process for contract renewals with bus services continuing into the future. More recently, this process involved either rolling over existing contracts, direct negotiation with incumbent suppliers and/or open tenders, depending on the length of previous arrangements, and this occurred in early 2000.

On 13 September 2010 the Minister for Education and Children's Services announced the following:

- the government will spend $114 million over four years to modernise and improve school bus services across Australia. This figure included $32.8 million over four years of additional funding, $13.8 million of which is from the redirection of existing department resources, as announced in the 2010-11 budget;
- a total of $23.8 million will be spent to acquire 97 new buses over the next four years;
- $90.7 million will also be spent in supporting private bus operator contracts over the next four years, ensuring that all new contracts provide buses with seatbelts and air conditioning;

- all new buses in the DECS fleet will have seatbelts, air conditioning and other safety standards;
- the government will move to a new two-stage procurement process for each route or cluster of routes to seek expressions of interest, and then either choose to directly negotiate with operators or move to a general tender process; and
- industry briefings will be held in key regional centres.

Submissions received in the new contracts will be evaluated against new costing benchmarks, which have been updated to include the new safety requirements.

The first stage commenced with a call for expressions of interest in October 2010. As of September 2011, the second stage resulted in 1,175 RFPs being issued for 125 routes. I can advise that approximately 50 per cent of the routes awarded have remained with the incumbent contractor, with the remainder awarded to other existing contractors. The evaluation of other routes tendered to date is continuing, as is the process of progressively issuing RFPs.

It is anticipated that by 2016 all contracted buses will have seatbelts, air conditioning and other safety requirements. DECS school bus contractors are able to access the department's bus supply contracts, and it is anticipated that the DECS bus supply panel will assist contractors in securing better delivery lead time for their buses.

The incumbent benefits include that the evaluation process for new contracts recognises individual operators' record of providing quality service. The following advantages for incumbent contractors are:

- a 5 per cent preferential weighting to incumbent bus operators in the first evaluation stage to recognise prior service;
- incumbent bus contractors receive an additional opportunity to review their bids if they are over the benchmark and there are bids from other respondents that are below the benchmark;
- incumbent bus contractors also receive a higher reference weighting in the second evaluation stage in comparison to other bidders;
- the process is closed off when all offers are over the benchmark, and this provides the incumbent contractors with the opportunity for direct negotiation; and
- if there is no result from direct negotiations with the incumbent bus contractor, the department can then negotiate with any other party or place a DECS bus on the route. DECS may also consider calling public tenders for these routes to give the incumbent a further opportunity to be awarded the bus contract.

The Hon. R.L. BROKENSHIRE: I have a supplementary.

The PRESIDENT: The time for question time has expired. You can do that tomorrow.

MATTERS OF INTEREST

MOUNT GAMBIER

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (15:23): I recently visited Mount Gambier for a meeting of the South East Local Government Association. It is always a pleasure to meet our local government representatives, and it is clear to me that the South East Local Government Association is enthusiastically looking towards the future, in close partnership with its member communities.

In Mount Gambier, for example, a three-stage redevelopment intended to revitalise three significant sites in the city centre in the period up to 2015 is well underway. One of these projects, the library and community centre, is already very much part of life at the Mount. On the August afternoon when I revisited the building and its environs, they were busy with people of all ages enjoying the facilities, engaging with each other, and making use of the enormous variety of resources.

In noting the community's real pride in its library, I want to acknowledge the vision of Cathryn Harris, who is responsible for much of what has been created there. Cathryn, the facilities manager, is driven by a desire to change the traditional perception of libraries, and the result of her

work, in close association with Mount Gambier City Council, is evident in the state-of-the-art multipurpose building that now draws the city to its doors. This award-winning facility is not only a regional success story but, in fact, a shining example of what can be achieved with the sort of skill and innovation which South Australian is so renowned.

The Mount Gambier Library has been transformed into a lively example of the best of sustainable design and construction, while referencing the unique local environment and incorporating the work of some of our state's most illustrious creators. Some of those references and design features include a stunning 15-metre long interior limestone wall specially finished to expose underground geology, and a skillion roof structure supported by 10 gigantic red gum timber columns. Glassed sections are designed to take the greatest advantage of light and manage extremes of temperature for best environmental effect.

The acoustic specialists have ensured that, in this busy, lively space, noise transfer is minimised. Architects Brown Falconer and builder Kennett collaborated with Jam Factory artisans in the creation of freestanding and built-in pieces. Meanwhile, in line with the themes 'learn, connect, explore', the new facility offers an array of resources organised around themes or subjects.

Multimedia resources and IT training suites complement theme spaces—a local history room, a youth lounge and, of course, the cafe, which brings the experience of a bookshop into the library space. Readings and performances augment the community's use of a number of flexible meeting spaces. The weekend markets, held under and adjacent to the terrace, bring residents and visitors from far and near.

The outstanding facility was funded by the City of Mount Gambier and the federal government under its Regional and Local Community Infrastructure Program. As mayor Steve Perryman noted when he and Senator Dana Wortley opened the library on 17 November 2009, more than 100 jobs were created during the library's construction and post-completion stages.

Around 31 local companies were contracted and a number of new, ongoing jobs were created to staff the facility. Some 7,000 visitors passed through the library on its opening day, and over 18,000 visitors visited in the first week. In the first full month in operation (January 2010) over 43,000 people passed through the doors. This represents an increase in attendance of 400 per cent.

The library represents a tremendous outcome for the communities of the South-East, and I urge all members when visiting the Mount to see for themselves what has been achieved. In closing, I would like to congratulate the Mount Gambier council, the architects, builders and tradespeople, the craftspeople and the artists, the library staff and volunteers and the community as a whole.

I pay tribute to Cathryn Harris, whose energy and enthusiasm has been a catalyst for this important project. It is a good news story, and just as welcome is the news that Cathryn recently received the Telstra SA Business Woman of the Year Innovation Award for 2011 for her work in making the new library happen. Congratulations, Cathryn.

CORRECTIONAL SERVICES

The Hon. T.J. STEPHENS (15:27): I wish to talk about the dire state of the corrections system in this state, specifically using the example of the proposed Mount Gambier Prison expansion. As honourable members would know, the Mount Gambier Prison is privately run by the private security firm G4S.

In the context of the government's abandoning of the new prison project at Murray Bridge, and the subsequent payment of more than $10 million to the proposed builders of that project, all new prison expansion projects became crucially important to this state's prison infrastructure. South Australia from prior to 2008 but especially since has faced a crisis of capacity in the prison system. We lack the infrastructure to keep current prisoners locked up, let alone any incoming prisoners.

The minister had to resort to bandaid on bullet wound measures, such as the use of shipping containers, to try to correct the problem. The reality is that only a new prison would fix the crisis. The minister does not seem to realise the seriousness of the situation, as he said on radio on 15 August:

I'm not saying it's perfect...but we're doing better than New South Wales, Queensland, Victoria and Western Australia combined...

I recently met with the Minister for Corrections in Victoria and the Attorney-General in New South Wales who have jurisdiction over prisons. In Victoria the government has realised that, in order to be tough on crime, more beds in the prison system are needed. New South Wales has had to close prisons in its jurisdiction due to a surplus in capacity.

It was joked that they could, perhaps, outsource some of their bed capacity to the South Australian government. I have inspected the Casuarina Prison in Western Australia and seen the commitment that the government there has to capacity and, in particular, the safety of the officers and the welfare of the prisoners; so, what a shameful situation exists in our state under this government.

Any spin about the Rann government being tough on crime is a complete fallacy. Serious and violent crime is on the increase and this government has nowhere to put these criminals. That brings me to the proposed expansion of the Mount Gambier Prison, a medium to low security prison, which, according to the department's website, has a capacity of 139 prisoners, and currently holds 172 prisoners.

The Public Service Association's Mr Peter Christopher has recently stated that prisons are at 95 per cent capacity. I would argue that the true value is a lot higher and could well be more than 100 per cent of the system's intended capacity, with many cells converted into double or triple cells.

The member for West Torrens in the other place, the Minister for Correctional Services, announced on 3 March 2009 an $18 million expansion of the Mount Gambier Prison, adding 116 new beds. Later that month, the department advised the ABC that the prison would be expanded by 116 beds.

Over a year later, on 10 August 2010, the minister again announced a major expansion planned for Mount Gambier, which will provide about 100 additional beds. On 6 January of this year, the minister stated that the current focus for this government is on the implementation by 2012-13 of an additional 232 beds. This includes the original 116 beds announced two years ago.

What has happened during those two years? Why wasn't work started on the expansion? It is hard to believe that after two whole years this government is no closer to fulfilling its promise to expand the Mount Gambier Prison by 116 beds, but it is completely unthinkable to believe that it should take a further two years to complete.

Following this super announcement, the minister was obviously informed by the Treasurer that there was not as much money as they first thought and he announced that the government is looking at deploying modular accommodation at the Mount Gambier Prison. Is this in addition to the 116 beds already promised? Obviously, no concrete plans have been formed if the minister can just announce on a whim that the government is now looking at shipping containers.

The budget papers, released in July of this year, state that planned prison upgrades to prisoner accommodation totalling $32 million are to be completed by June 2013, by which time it would have been four whole years since the project was first announced and prison capacity would be under even more pressure.

Finally, the minister announced on 15 August, just over a month ago, that plans were underway for a 118-bed expansion of the Mount Gambier Prison. So, the minister has changed the number, or maybe he was confused. He has re-announced plans for the expansion, the same announcement that he made over two years earlier, and the end result is that the prison system is still in crisis.

This upgrade has been talked about for years now. The people of Mount Gambier, the rest of this state, those involved in correctional services and the opposition now want to know just when this expansion will be built, how much it will cost and how many prisoners it will hold. Putting political rhetoric aside, this is about the welfare of law abiders and the rehabilitation of law breakers in this state. A healthy functioning corrections system leads to a healthy functioning society and that is what I, the opposition and the people of this state want to see.

BUILDING THE EDUCATION REVOLUTION

The Hon. CARMEL ZOLLO (15:33): I have had the opportunity over several months this year to represent the state government at the official openings of new school infrastructure and improvements under the federal government's BER scheme.

The government's $42 billion Nation Building, Economic Stimulus Plan was announced in February 2009, a plan to support jobs and stimulate local economies. The $16.2 billion Building the Education Revolution program is a key component of the Economic Stimulus Plan, with around 24,000 projects to be delivered over a period of four years, benefiting more than 9,000 schools Australia-wide.

In April, at the Athelstone schools, Senator Anne McEwen officially opened the refurbished multipurpose hall, library and classroom. The Athelstone junior primary and primary schools received a combined amount of $3,050,000 under the Primary Schools for the 21st Century and National School Pride program.

Senator McEwen rightly pointed out that the school principals, staff, parents and tradespeople had worked together to deliver the important project and achieve a fantastic outcome, and I could not agree more with her. I understand that the Athelstone project supported the employment of approximately 106 workers.

During the month of August, another official opening was celebrated at the campus of the Paradise junior and primary schools. Senator Anne McEwen was unable to attend on the day and I was pleased to be able to speak on her behalf, with Jay Weatherill MP, Minister for Education. It was gratifying to see the good work and the reputation of the school being enhanced by the facilities that were opened. These included a new multipurpose hall or gymnasium, library refurbishment and the grounds refurbishment. A total of $2.125 million has been spent at the school—money really well spent.

At all the schools I had the opportunity to view the redevelopments and to appreciate the quality of construction and work undertaken as well as how much it enhances the learning and recreational capacity of the schools and their communities. It was obvious that all the projects involved a high level of commitment from those who had planned, submitted or constructed—great teamwork for the betterment of South Australia's children.

Earlier this month I also had the good fortune to be present at the blessing and official opening of the St Joseph's and St Mary's buildings at St Joseph's, Payneham. Senator McEwen told those assembled that the school had received $2.65 million from the federal government through the National School Pride and Primary Schools for the 21st Century elements of the BER.

With the funds they built a new multipurpose hall/gym with attached kitchen facilities and toilets which can be hired out for community use, as well. They have really made the most of the funding and space available as upstairs, on top of the gym, there are a couple of new classrooms and open learning areas with windows that overlook the inside of the hall below.

I think it is worthwhile repeating a couple of the comments made at the openings. Helen O'Brien, Assistant Director, Catholic Education SA stated, 'There has been no better investment in education than this.' The Principal of Paradise Primary School, Mr Chris Warnest, said, 'We will never see an investment like this in our lifetime again,' or words to that effect.

I cannot finish this quick contribution today without making mention of the most important people of all—the students I met and witnessed taking part in the celebrations. They were deservedly given key roles on each occasion. As well, we were treated to beautiful performances and demonstrations, and their behaviour was exemplary—in particular, the very young students. All teachers have every reason to be very proud of their students; they were a credit to their schools and their families. It is always a pleasure to be present at such occasions.

As mentioned, what the BER projects deliver is for teachers and students to be able to enjoy teaching and learning in the 21st century facilities that they so richly deserve. As well, the essence of the economic stimulus was to achieve employment, and in that it well and truly delivered. I congratulate the federal government on its responsible stance and foresight. I also make mention of the excellent facilitation and leadership work of the CEO of DTEI, Mr Rod Hook, and his team.

VIETNAMESE NAVY VETERANS' ASSOCIATION OF SOUTH AUSTRALIA INC.

The Hon. J.S. LEE (15:37): I rise today to speak about the Vietnamese Navy Veterans' Association of South Australia Inc. On Saturday, 24 September I was honoured to represent the Liberal Party, at the invitation of Mr Dinh Duy Ninh, the President of the Vietnamese Navy Veterans' Association of South Australia, as a guest speaker at their annual General Tran Hung Dao ceremony.

I was humbled to be the only representative from parliament to be at the 711th ceremony of General Tran Hung Dao, the greatest hero in Vietnamese military history. The evening was filled with solemn pride in the heroism of those who died in the country's service and with gratitude for those who fought for peace and justice to preserve the dignity and freedom of its fellow countrymen and women.

As the evening progressed, I learnt more about the significance of the commemoration ceremony and why Tran Hung Dao is considered the greatest military hero of Vietnam. Tran was born as a prince. He became the supreme commander of Dai Viet during the Tran dynasty. The 20th of the eighth lunar month marks the remembrance day of General Tran. The Vietnamese people refer to him as His Royal Highness and many also consider him as the honoured patron saint of the navy.

He is revered by the Vietnamese people as a national hero. Several shrines are dedicated to him. All major cities in Vietnam, regardless of the political orientation of the government, have streets named after him. General Tran's military brilliance and prowess are reflected in many treaties on warfare that he authored, and he is regarded as one of the most accomplished military tacticians in history.

The Mongols had already conquered China, Central Asia, most of Russia and even the countries of Iraq and Poland in the 13th century. Certainly, they did not expect Vietnam to be such trouble. General Tran led an army of poorly-equipped volunteers and peasant conscripts against the overstretched forces of the Mongol Empire, and he commanded the Dai Viet armies that repelled two major Mongol invasions in the 13th century. His multiple victories over the mighty Mongol Yuan Dynasty under Kublai Khan are considered among the greatest military feats in world history.

General Tran remains to this day an inspiration for all Vietnamese patriots and loyal nationalists. Even the international assembly meeting in the United Kingdom has declared General Tran to be the most talented general of the Middle Ages in the world, truly a figure of great pride for all Vietnamese. In his speech, the president said:

> We the representatives of the Vietnamese naval family would like to take this opportunity to express our sincere thanks and deep gratitude to the Australian people and their government, both state and federal. It is through multiculturalism policies the government has helped to make it possible for us to have quick integration into Australian society.

It is a privilege to have the opportunity to speak today about the Vietnamese Navy Veterans Association of South Australia in the Legislative Council. I acknowledge the great contribution the Vietnamese community make in every corner of our state in a wide range of professions.

I convey my special thanks to the president, committee, families and volunteers of the association for their generous hospitality in organising an important remembrance day for a great military hero and for preserving the valuable Vietnamese culture and history in South Australia.

FOOD PRODUCERS AND LANDOWNERS ACTION GROUP OF SOUTH AUSTRALIA

The Hon. J.A. DARLEY (15:42): I rise today to speak about the Food Producers and Landowners Action Group of South Australia (otherwise known as FLAG SA). In December last year, I was contacted by a constituent, Mr Peter Manuel, who was very concerned about the actions and policies of the Department of Environment and Natural Resources and, in particular, the decisions of natural resource management boards.

Peter had previously heard rumours that the NRM was going to tax farmers for water which fell out of the sky and into their dams. In August 2010, Peter publicly made these claims on FIVEaa but was dismissed as somewhat of a conspiracy theorist. In the following months, after a discussion with a neighbour, who claimed that he was required to obtain a water licence, even though he did not use water for irrigation purposes, Peter attended a public meeting held by the Mount Lofty Ranges NRM board at Victor Harbor. It was during this meeting that he discovered that there was some truth to his suspicions. The NRM planned on making it a requirement for farmers to have meters on dams in order to impose a levy for certain water uses. Naturally, Peter was outraged by this and became very vocal in his opposition.

It was at this stage that I met Peter. In the following months, Peter and I were contacted by a number of people who were concerned not only about the NRM policies but also about the actions of some NRM and Department for Water officers. I was told stories by farmers who felt intimidated and threatened by NRM and Department for Water officers. For example, one farmer

was threatened with a fine of $35,000 for removing a small amount of silt from the river to avoid flooding. Another farmer told me about his frustrations at having to wait 12 months to gain approval to repair a dam wall in order to prevent the dam bursting, which, if it had burst, would have resulted in his neighbour's house being washed away. Another farmer told us how he was run over by two NRM officers and was subsequently charged for obstructing authorised officers.

Many of these incidences were made public and an awareness of Peter's campaign became known in rural areas. As a result of this and growing mutual concern about the government's draft water allocation plans and the effect these would have on sustainable food production in South Australia, Peter formed FLAG SA with a group of landowners and farmers. FLAG SA is also equally concerned about the increasing erosion of landowner rights.

Earlier this year FLAG SA organised a very successful public meeting which was attended by the Minister for Environment and Conservation, along with an estimated 1,000 concerned citizens. Following this meeting FLAG SA was contacted by other groups which had been formed due to concerns about similar problems interstate. I understand another public meeting has been planned for 30 October this year at Victor Harbor and people will be coming from interstate to show their support.

These public meetings are not only to raise awareness about issues concerning water allocation plans but also to protest against the often heavy-handed actions of overzealous officers from the NRM and the Department for Water. FLAG SA is not just a vocal minority of anti-environmental radicals. Its members are simply food producers and landowners who are concerned about the measures taken in the name of protecting the environment when it seems that little regard is given to the impact these actions will have on South Australia's food producers. Far from being anti-environmental, these people are concerned that South Australia's food bowl will be lost if they are not allowed to undertake their work in a sustainable fashion. In the meantime, FLAG SA continues to fight for the rights of South Australians, focusing in particular on food producers' and landowners' rights.

STATE STRATEGIC PLAN

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:46): This afternoon I would like to speak about science. Science is based on fact. Magic, on the other hand, is sleight of hand, smoke and mirrors. Smoke is generally an unwanted by-product of fire, but it can also be used for communication. Chinese soldiers on the Great Wall used smoke signals to communicate with each other, as did our Australian Aborigines. Smoke is also used to hide and to disguise. That is where the word 'smokescreen' comes from. The first mirrors were made some 8,000 years ago, in what is now Turkey, by polishing volcanic glass. Today's mirrors use glass backed with tin, silver or aluminium.

Science uses facts. Conjuring tricks are illusions. We have here in South Australia a government that uses smoke and mirrors, and the biggest deception of the soon-to-be-kicked-out Premier and his fudgy, bullyboy ex-treasurer is Labor's biggest sleight of hand, the State Strategic Plan. The original plan was presented by the failed Premier in 2004.

Members interjecting:

The Hon. D.W. RIDGWAY: I have you all listening, on the edge of your seats. It was full of facts, the sort of facts on which science is based; 60 pages of facts. On the version provided to me there were three photographs. The rest was statistics, goals, targets, a map of measurement tools and priority options. It said figuratively, 'You are here; this is where we want to be as a state in the future and this is a map of how we are going to get there.' Some of the targets were ambitious; some were practical. Some we disagreed with, others we strongly supported, but it was—and this is the important thing—based on evidence, and from evidence came conclusions. That was—

An honourable member: You have 10 minutes.

The Hon. D.W. RIDGWAY: It is not my normal duty to inform the President that we did not start the clock, so I have another five minutes. I do not normally bring people's attention to that.

That was in March 2004. Three years later came the revised State Strategic Plan. Many of the targets had been missed. Some were so wide of the mark the targets had disappeared altogether. Now fast forward to 2011. In the last miserable dying days of Mike Rann's rotten premiership and Kevin Foley's disastrous time at the economic helm, which led directly to the shipwreck of the state's credit rating, we now see the newest version of the State Strategic Plan. And what do we see? A smokescreen. The hall of mirrors. There are now over 100 pages, but the

facts have been erased and the science has gone. More than half the document is pretty pictures and buzzwords. The substance has been removed and replaced by a conjuring trick.

So here is the science, the facts, of the State Strategic Plan from 2004 to today. South Australians will be astonished to learn that the government has now removed the original 2004 plan from the Premier's website. Why? Because Labor does not want you to know the extent of its failure. The 2004 target for jobs: a better than average Australian employment growth rate within 10 years. The result? Not maintained. Unemployment: equal or better to the average Australian within five years to maintain equal or lower than the Australian average through to 2014. Result—not maintained. Youth unemployment: equal or better to the Australian average—not achieved.

Competitive business climate: maintain Adelaide's rating as the least costly place to set up and do business in Australia—not achieved. Economic growth: to exceed the national economic growth rate within 10 years—not maintained. Investment: to exceed Australia's ratio of business investment as a percentage of the economy within 10 years—not maintained. To increase interstate migration and reduce the net loss to interstate by zero in 2008, positive in-flow from 2009—failed.

Productivity: exceed Australia's average productivity growth within 10 years—not maintained. Industrial relations: achieve the lowest number of working days lost per thousand employees in Australia within 10 years—not maintained. Exports: to treble the value of South Australia's exports to $25 billion by 2013—highly unlikely. The tourism industry: to increase visitor expenditure in South Australia's tourism to $5 billion by 2008 by increasing visitor numbers, length of stay and increasing tourist spending—failed.

The share of overseas students, strategic infrastructure, quality of life, mental health, physical health including obesity, crime rates and road safety—fail, fail, fail. That is why the government has removed its 2004 plan from easy public access. That is why the latest plan is full of posed photos and slogans—because the facts have gone. It is Mike Rann's hall of mirrors, and the smoke gets in your eyes.

JUNIOR YOUTH EMPOWERMENT PROGRAM

The Hon. A. BRESSINGTON (15:51): Sounds like a song! I rise today to inform members of a relatively new program to help and guide our junior youth here in Adelaide. Although this is a national program, it is new to Adelaide. This program has been put together by the Baha'i Faith which promotes that everyone is equal in unity, peace and friendship. However, this does not mean that this is a religious program. In fact, there is very little involvement with the faith within the curriculum.

The basis of the program is to prepare our junior youth from the ages of 12 to 15 as they strive towards becoming adults and to allow them an understanding of their potential. It helps them to evolve through their teenage years and it is designed to give them confidence to make positive decisions in their lives. They learn self-expression and, for many, involve themselves in their artistic side: drama, storytelling and actively becoming involved in community service. Not only does this program help prepare them for the future but it also encourages a strong social aspect, such as sports and social outings.

Each group has what they call animators—one male and one female. Both of these animators are still in their late teens, say, 16 to 18. Each of these animators must undergo stringent police checks and be of good character. The animators or group leaders are there to win the confidence of and to become good friends with the younger ones, and perhaps to be seen as a role model or mentor to steer the young ones in the right direction, through their communication.

Some of the outcomes that the organisation has suggested would be: development of comprehension and critical thinking; enhancing presentation skills; acquiring an interest in artistic expression; the ability to analyse complex situations while reading; and teamwork and leadership skills. They could also realise their own capacity to contribute to the betterment of society. Another area, the power of expression, allows them to speak with confidence so others may be inspired by what they have to say. The focus is also on equality, generosity, cooperation and creativity.

As the organisers have said, the curriculum identifies junior youth as a reservoir of talent and energy which can be channelled to make significant and positive contributions to society. We are all aware of the social pressures facing our youth of today as they enter and progress through their teenage years, and that this is a time of make or break in many instances. This is where the focus of this program becomes important.

On the last Sunday of each month there is a get-together at the Peter McKay Reserve at Kilburn, called Spark in the Park. Staff from my office went to the one last Sunday and informed me that there were all kinds of activities: soccer, quoits, a barbecue and a trading tent where people from around the neighbourhood bring all sorts of things—from vegetables to clothes and toys—to swap with one another. This program is available to youth of any nationality and it is important for any young teens wishing to enrol in this program that they have full permission of their parents.

KANDELAARS, HON. G.A.

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (15:55): I move:

That this council welcomes the Hon. G.A. Kandelaars as a member.

It is with great pleasure that I move this motion to enable the Hon. Gerry Kandelaars to make his very first speech in this parliament. I take this opportunity to welcome Gerry Kandelaars to the red benches and just say a few words of welcome and provide a little bit of background about Gerry. Gerry brings to the Legislative Council a unique and very practical set of skills, along with the wisdom and insight that accompanies his life experiences of considerable depth.

As an apprentice in the old postmaster general's department, the PMG, he learned the ropes as a telecommunications tradesman, later moving into the technical area that planned the future needs of our telecommunications networks. Gerry also undertook study that allowed him to move from being a technician to being a technical officer. That was a long time before the internet was conceived, and Gerry has had a front row seat into how our telecommunications infrastructure was born and evolved. He understands it technically but, equally importantly, he understands its social impacts.

As a workplace delegate for the Communication Workers Union from his late teens onwards, and later, as we know, becoming branch secretary, he has seen the transformative power of technological change. We cannot imagine life now without our mobiles, our iPads and such like at our fingertips, but along with his follow Telecom, then Telstra, employees Gerry lived through the impact of privatisation, the massive pressure for redundancies, the destruction of the apprentice training systems, and the wholesale turmoil where organisations were turned on their heads.

Gerry had to lead people through these changes, sticking loyally with his members, his mates, through the bad times and the good, which is the Labor spirit we all treasure in this place. It is that life experience that will also see Gerry, I believe, make a very valuable contribution to this place.

I am told that, in his last job working for Robyn Geraghty in the electorate office of Torrens, he was somewhat prone to whipping out a set of screwdrivers or other appropriate implements to practically solve all sorts of problems for constituents. I understand that he was very handy around the office in a number of ways. We have in Gerry a profoundly practical person who will bring some excellent analytical and people skills learned from being a technician, from being a director with Telstra Super, from a long history of working in vocational education and training and, of course, his long history with the union movement.

Gerry's union background, of which I know he is extremely proud, and which I share, has no doubt provided him with a wealth of human insight and experience. I welcome Gerry here, along with everyone else in this place I am sure, and look forward to the important contribution that I have no doubt he will make in this place.

The PRESIDENT: Before I call on the Hon. Mr Kandelaars, I remind members that it is the honourable member's first speech in the house and I ask members to show him the normal courtesy.

The Hon. G.A. KANDELAARS (15:59): Thank you, Mr President, and thank you, minister, for your kind words. First, I acknowledge that the land we meet on today is the traditional land of the Kaurna people, and I respect their spiritual relationship with this country. I acknowledge that to the Kaurna people, as the custodians of the Adelaide region, their culture and heritage beliefs are still important to the Kaurna people today.

I am the son of Dutch migrants who came to this country 60 years ago. My parents played a key role in developing my social conscience. Unfortunately my father passed away some 10 years ago, but he still remains a constant source of inspiration. My dad was a lover of nature

and the Australian bush. He could, and did, spend hours watching native birds and animals, and enjoyed the unique natural environment that is Australia. Following his death, our family spread his ashes along the Torrens Linear Park, which he and mum used to love to stroll along, and I dedicate this speech to my parents Leo and Nelly.

I have to say that one thing I admired most about my parents was the enormous courage they showed to move from their homeland, the Netherlands, to start a new life in Australia. I do not think many of us understand how momentous a decision this was. They came to this country with each other, very little money, and nothing else. They were cut off from their families and their friends, and had to fend for themselves. A letter would take over a month to reach its destination and another month to return. In fact, the first letter to arrive from my mum's mother took over six months to reach her.

Mum was pregnant with my older brother Neil at the time she and dad arrived in Australia. Again, I cannot imagine how isolated she must have felt. Within three years of their arrival my parents had moved into their first home at Northfield, which, on reflection, was an outstanding achievement. I know that my mum often talks about how she may well have returned to Holland had it not been for the metal-cased GE fan that dad had brought her at Northfield. It certainly makes me reflect on how much easier we have it today, and I certainly do not know how I would cope without air conditioning.

My first recollection as a child was when we picked up my mother and my newly-born brother Ron, from the Northern Community Hospital. This was only possible with the use of my Uncle Ton's Volkswagen. It is something as simple as this that again reinforces just how remote my parents were from family support thousands of kilometres away. I suspect this is one of the reasons why my mum and dad always sought the cultivation of friends as so important. My mum has a very strong network of friends, both from fellow Dutch, other migrants, as well as Australians. These people were my mother's Australian family, and helped her to fill the void that arose when she left the Netherlands.

From their arrival, both my parents were keen to assimilate with their neighbours, to foster a sense of community and to give back to this great country. One of the things I attribute to my mother and father was, as I said earlier, the development of my social conscience. I know that mum used to cringe at the robust discussion that took place around the family dinner table, but it was certainly valuable in the social development of my brothers and I.

Another thing I also most admired about my parents was the strong bond they shared with each other. Woe if anyone tried to get between them! They had a very special relationship which I greatly admired and which was, for the time, so unusual, as it was a relationship of equals. Mum and dad's relationship was so special. The one negative I have about my mother is that she has a constant fight with technology. I think that her motto is: if it won't work, kick it. But, truly, mum, thank you for all the love you have given my brothers and me over the years.

I was educated at St Paul's College and Gilles Plains High School and, on completion of my high school education, I undertook an apprenticeship with the PMG department as a telecommunications tradesman. When I was an apprentice, I met my wife and soul mate, Glenys, and we have now been married for 36 years. Throughout our marriage Glenys has truly been a tremendous support to me. This may sound corny, but, Glenys, you complete me. Thank you for your support that you have shown throughout our life together and for the support, I know, which will continue throughout my time in this place.

The day that I married Glenys was one of the happiest days of my life, equalled only by the birth of my daughter, Katie, and our son, Matthew. Glenys and I are immensely proud of our two children, their personal and professional achievements and the people they have grown to be. Our daughter has been a constant source of joy in our lives. She is a wonderful human being with a terrific sense of humour, and we have a very special relationship with her. She is also a lesbian and has been with her partner, Simone, for eight years.

I can recall how hard it was for her to 'come out' and acknowledge her sexuality. For Glenys and me it was not a concern as we admired our daughter's courage to recognise her own sexuality. I can also remember my son's response, 'This changes nothing. Katie is just still my sister.' As a father of a homosexual daughter, I know the anguish that the current laws that prohibit gay marriage cause, not only for Katie and Simone but also for the rest of our tight-knit family.

It is as if, in the eyes of the law, they are second-class citizens, which they are certainly not. It is time for our society to truly accept that homosexuality is a reality and that homosexual

couples should be able to have their relationship and their love recognised under our secular law, just as heterosexual couples can. Katie and Simone may one day have children, and, if they do, I am sure they will be great parents, certainly as good as Glenys and I have tried to be.

In my view, parenting is not about gender but about your commitment and devotion to your children and about the love you have for them and about what is in your heart. Given what I have just said, it will be no surprise that I will support the Hon. Ian Hunter's proposed amendments to the Assisted Reproductive Treatment (Assistance for Lesbians and Single Women) Amendment Bill.

It would be remiss of me if I did not mention my son, Matthew, and his wife, Kelly. Matthew and I have always had a very close relationship. We do not beat around the bush when discussing issues of the day, and we have been known to call a spade a spade—sometimes even a shovel. Matthew, thank you for your ongoing advice. I appreciate your frankness, your ability to test my reasoning and your love of family above all else.

Thank you, also, to my daughter-in-law, Kelly, who has been a recent welcome addition to our family and who is able to keep Matthew in check—not an easy task at times, I can assure you. It is a great pleasure to see how happy they are together.

Now I will just go through some brief union history. Whilst an apprentice I joined my union, the then Postal Telecommunications Technicians Association. I became heavily involved in the union from an early stage, becoming a workplace delegate and moving on to the Branch Committee of Management.

One of my mentors was the branch secretary at the time I joined, John Sutton, who is here today. I always recall what John told me when I became branch secretary of the union back in 1992, 'Gerry, you'll be a good union official one day when you learn when to say yes.' I took that message to heart. John's reference was not about being a yes man, but being prepared to test and, where appropriate, accept change. Although it is certainly easy to always resist change and say no, it is far harder to say yes and lead people through change. John, I hope I met and lived up to your expectations.

I received another piece of advice from a former federal secretary of the union, Mick Muscemeci, who said, 'Remember, Gerry, this is members' money you are dealing with.' This is a motto I have tried to abide by throughout my time with the union and with every other organisation that I have had the pleasure to work with.

I am not in a position to mention all of my union colleagues, but there are two that I need to thank. The first is John Lee, who I worked with for over 30 years and who was my assistant branch secretary for 11 of those years. John has only recently retired, after 25 years as a full-time union official, and those who know what being a union official is would know how difficult that task is.

The other person I must mention is Noel Paul, who was secretary of the CEPU Postal and Communications Branch, and whom I worked with closely to see the two branches of our union amalgamate. Thank you John and Noel for your friendship, support and tireless efforts in supporting working South Australians.

I am still a member of the union today and proud of the difference it and other unions have made and continue to make to the lives of ordinary workers. It was a great privilege, challenge and honour to work on behalf of the members of my union. Despite the thinking of some in this place, unions continue to play an important role in our society.

Rather than considering union membership as a flaw in one's character, or experience, as some do, I consider it a great strength. Members of the union movement overwhelmingly are committed to assisting ordinary workers to make this country a better place and they should be commended for that.

Through my union participation I have been fortunate enough to be involved in the vocational education sector. I was a board member of PEER VEET and was involved with the PEER group for over 15 years. PEER, for those who do not know, is a group training company and registered training organisation that employs and trains over 400 apprentices in South Australia.

I have also served on a number of industry training boards, such as the Information Industries Training Advisory Board, and until last year the Electrotechnology and Water Skills Board.

Vocational education is an area that I care passionately about. It has certainly evolved over the last two decades and, in my view, education is the single most important key to driving prosperity and understanding in our society.

I am certainly keen to support initiatives that see the disadvantaged in our society being given opportunities to enhance their skills and prospects through vocational education. In particular, I am keen to see Indigenous people take up trades in fields such as fitting and turning, electrical, plumbing, and others. I am aware of a program that PEER VEET is undertaking to encourage Indigenous people to take up trade training, and I commend them for this initiative.

In 2002, I was nominated by the ACTU to the board of Telstra Super and held that position for over nine years. Telstra Super, for those who do not know, is the largest corporate superannuation fund in Australia, with over 100,000 members and $11 billion of funds under management.

The fund is well managed and has had a very innovative program of providing financial planning at no cost to its members. Interestingly, the fund has 65,000 members who are not directly employed by Telstra. In the nine years that I was the director of Telstra Super, I spent nine of those on the Audit Risk and Compliance Committee and five on the Remuneration Committee. My time with Telstra Super certainly added to my skill set and, whilst I do not profess to be a financial market expert, I have a much better understanding of capital markets and corporate governance as a result of those nine years.

As a result of the Hawke/Keating government we now have a superannuation structure that covers the majority of Australians. Personally, I do not think the superannuation guarantees go far enough and a number of studies suggest that the compulsory superannuation contribution should be in the order of 12 to 15 per cent to ensure that Australians have adequate retirement savings.

The reason I raise this issue in this chamber is that we as a society face a significant challenge—the challenge of an ageing population. Some predictions suggest that by 2030 the dependency ratio—that is, the number of people engaged in work versus those who are either retired or dependent on the government—could fall to as low as 2.7:1. Currently, that ratio is at 5:1. I believe the issue of an ageing population will provide us in this place with some significant challenges and it is a challenge I am committed to meet. Key to that challenge is providing adequate health care and the new state-of-the-art Royal Adelaide Hospital will go some way in achieving that.

Making sure that facilities cater for the elderly and the disabled is vital. It is critical that we assist the elderly to engage in our society so that they remain active, both mentally and physically, and so that they can continue to offer us their acquired knowledge and insightful wisdom.

In 2006 I accepted a position with Robyn Geraghty, the Labor member for Torrens, as a community liaison officer. Robyn has been and continues to be one of my mentors. Robyn gave me an opportunity to connect with the community of Torrens. Robyn, in my view, does an outstanding job in servicing the constituents of Torrens. She is clearly held in high regard by the electorate, having been the member covering that electorate now for 17 years.

After working with and for Robyn, I understand why she is so highly regarded. Robyn is dedicated, hardworking, great to work with and she is, as every politician should be, concerned about her community and servicing the people she was elected to represent rather than seeking the limelight. I have learnt a lot from Robyn. Thank you, Robyn, for your wisdom and support.

Unfortunately, Robyn's husband passed away late last year, as you might know. This was a great tragedy for Robyn and her family and was also a great loss to the ALP and the CEPU electrical and plumbing union, a union that Bob served with distinction. Bob's passing was also a great loss to me as he was also another of my mentors. Bob was a unique individual who, like Robyn, never sought the limelight. He was a man of great integrity with a strong social conscience who worked tirelessly to improve the lot of working people.

Back in the 1980s, Bob took on the established leadership of his union as he thought they were not doing the right thing by its members. He was the state secretary of the union for over 20 years and was granted life membership of that union just before his death. Robyn has come through that tragedy with great dignity. Bob will be forever remembered by many of us.

Whilst on the subject of my work with Robyn, I would like to mention two wonderful women I have had the pleasure to work with over the past five years. The first is Diane Davies, the Community Development Officer for the North East Community House, an organisation I had the

pleasure to assist. Diane has an amazing commitment to developing our local community. As an example, the community house provides, on every Tuesday during school terms at the Hillcrest Community Centre, a lunch they refer to as the high noon lunch—for $5, you get a nutritious meal of three courses, which is unbelievable value. It is no surprise that over 40 people regularly attend this lunch. I must say that it is not only about the lunch; it is more about the social contact that this event provides. This is just one of the many valuable activities that the community house provides. Up until recently, I was a member of the board at the community house for five years.

The other person I want to mention is Rille Walshe OAM. Rille is the manager of the Wandana Community Centre at Blacks Road, Gilles Plains. The centre is operated by Centacare. I worked with Rille as a result of my involvement with the Safer Communities Inner North East Group (SCINE). SCINE is a group of like-minded organisations involving the Tea Tree Gully council, the Port Adelaide Enfield council, the Wandana Primary School, the Gilles Plains Primary School and various community centres, as well as the local MPs Robyn Geraghty and Frances Bedford, and it covers the inner north-eastern suburbs. It is dedicated to advocating safety promotion, and it complements the activities of injury prevention and community safety organisations in our community. The organisation's role is to seek to reduce the associated costs of injuries to our community and to provide a safe community environment.

Rille has also been instrumental in developing an innovative program that uses cooking to teach literacy and numeracy to newly-arrived migrants under the Adult Community Education Grant. One of the groups that Rille has assisted is the Uyghur community. The Uyghur are a Turkic ethnic group who come largely from Western China. They are a Muslim community whose desire here in South Australia is only to live in peace. They have a rich culture and traditions, which can only enhance the community here in South Australia. Both Diane and Rille do such a wonderful job in our community, and I personally thank them for what they do.

I believe strongly that Australia and, in particular, we here in South Australia, have been greatly enhanced by migrants. I am disturbed at people who peddle fear and misinformation regarding ethnic groups in our community. In particular, I abhor those who peddle anti-Muslim rhetoric and often extremist views. Australia is a traditionally tolerant and understanding society, and it is demeaned by these and, for that matter, any extremist views.

I am disturbed by the views of a Dutch politician, Geert Wilders, which have recently received airplay in Australia. I am particularly disappointed to hear that Senator Cory Bernardi apparently would like to invite this racist to this country. We would do well to reflect on history. Extremism, whether it is Islamic, Christian, secular or any other ideology, is to be condemned and has no place in our society. The White Australia policy is long gone. Let us not have bigoted rednecks try to resurrect it. Our society has been enhanced by multiculturalism. It has brought us new cultures, friends, foods, traditions. We should, in my view, reflect on humanity that makes us common, not on our differences.

Thankfully, our schools are an excellent example of where understanding and tolerance is taught. A case in point is the Northfield Primary School, which I had the great pleasure of being involved with during my time working for Robyn Geraghty. This school has been formally recognised as a Save the Children Alliance United Nations Global Peace School. This is a wonderful achievement and a great example for all of us.

Such is the high regard the school's peace program is held in that the former principal, Sharon Broadbent (now principal of Burnside Primary School), and the deputy principal, Lee Scaife, were recently invited to a conference in Malta on the program the school has been undertaking. The conference was supported by the European Union. I should mention that Sharon Broadbent was awarded the Public Service Medal this year for her outstanding public service in the area of education in disadvantaged areas.

I joined the Australian Labor Party more than 30 years ago and I have been active in all levels of the Labor movement. I believe strongly in the principle that there should be an equality of opportunity for all in our society and I have worked hard throughout my working life to try to achieve this. I have always believed in the intrinsic link between the Australian Labor Party and the union movement. I intend to continue to work hard to see that all in our society get a fair go: our children, our youth, the elderly, the disabled, the unemployed, working men and women.

Finally, in closing I would like to put on the record my praise for the Hon. Paul Holloway, whom I replace in this place. I have seen the enormous effort that Paul has put into his time in this parliament and the fantastic job he has done for the people of this state. Two of his great legacies

have been his work on the Plan for Accelerating Exploration (PACE) and the 30-Year Plan for Greater Adelaide. I wish Paul and his wife, Wendy, all the best in his retirement from this place. South Australia is a great state with a great future and I am committed to continuing to work on behalf of the community to gain the best interests of the community.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:28): I rise on behalf of the opposition to second the motion and welcome the Hon. Gerry Kandelaars to this place. He joins one of, I think, about 700 South Australians who have had the privilege and honour of serving this state as a parliamentarian, and I can tell from the comments in his speech that, while I am sure there are some views that he and I will not share, there are a number of values about our great state that I think we will share. I am encouraged to hear from minister Gago that he is handy with a screwdriver, because I am sure that a handyman will not go astray on that side of the chamber. I have not seen anybody who has any capacity to be particularly handy on that side of the chamber.

He also indicated something that I think the majority of us all hold dear: the importance of our family and our involvement in our communities. He also indicated his commitment to workers and I very much look forward to him joining me on the forestry select committee, where we deliberate over the government's decision to sell the forestry assets and the great risk that will pose to workers in the South-East. I look forward to his input into coming to a sensible recommendation to the government on that select committee. With those few words, Mr President, I welcome the Hon. Gerry Kandelaars and look forward to serving with him.

Motion carried.

APY LANDS, CHILD SEXUAL ABUSE

The Hon. G.E. GAGO (Minister for Regional Development, Minister for Public Sector Management, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for Gambling) (16:29): I table a copy of a ministerial statement relating to tier 1 notifications, Coober Pedy, made earlier today in another place by my colleague the Minister for Families and Communities (Hon. Jennifer Rankine).

PIMP PAD

The Hon. K.L. VINCENT (16:30): I move:

That the Adelaide City Council—

1. Rescind its direction to the Liquor Licensing Commission to reject an application for a liquor licence from computer/console gaming venue, the Pimp Pad, located at 13 Franklin Street, Adelaide; and

2. Retract false public comment made by its councillors regarding the venue, including allegations that the Pimp Pad is an adult entertainment venue and that management are seeking a 24-hour liquor licence.

Remind me to continue campaigning to get floorboards in here instead of this dreaded carpet—that would make my life a bit easier! In the meantime, onwards and upwards.

I am moving this motion as a result of joint campaigning between myself, the Hon. Tammy Franks and the Hon. Michelle Lensink. As members would be aware, computer and console gaming venue, the Pimp Pad, opened at 13 Franklin Street, Adelaide a few months ago and has since been the topic of much public conversation. Members may have seen headlines like 'Adult Entertainment Venue Opens Next to School', or an article in which the venue was labelled 'a honey trap for kids'.

I have inspected the Pimp Pad personally, along with my fellow MLCs Ms Lensink and Ms Franks, and I have the great pleasure of being able to inform the chamber that the Pimp Pad is none of these things. In fact, the Pimp Pad is nothing more than a small bar with some comfortable couches and big screen TVs for gaming enthusiasts to enjoy their games of choice on. There are no strippers, no posters of naked women and no pokie machines; and, currently, there is no alcohol. There are some factors which have undeniably contributed to the amount of negative attention the venue has received and I am quite happy to discuss these.

Firstly, there is the issue of the word 'pimp' in the name of the venue. Like everyone else in this room, I understand the historical connotations of that word but, like many other words, 'pimp' has undergone some changes in the way that it is used, at least in certain situations. 'Pimp' is now used to mean a range of relatively positive things like style, stylish or cool. Take, for example, the TV show, *Pimp My Ride*, in which a team—

The Hon. T.J. Stephens interjecting:

The Hon. K.L. VINCENT: You have heard of *Pimp My Ride*?

The Hon. T.J. Stephens: Yes.

The Hon. K.L. VINCENT: Yes, you love it! You're up with it! See? Progress; it's happening! For example, take the show, *Pimp My Ride*, which I note the Hon. Mr Stephens is extraordinarily fond of—I did not know that previously but that is good to know—in which mechanics and stylists take old, beaten-up cars and restore them, often including cool novelty features and fashionable upholstery.

I understand the historical connotations of that word, as I have already said, but I consider that its meaning is now sufficiently different to warrant its use in the context of this venue. There are a number of other good examples where the evolution of a word has resulted in it moving away from having an offensive meaning to one that is generally accepted.

Thirty years ago, when Virgin Records opened, there was much outcry about the use of the word 'virgin' in a company name. It is fair to say that most of us are now convinced that the likes of Virgin Records and Virgin Airlines do not represent any threat to anyone due to their name.

The second factor which has caused upset around the venue is the fact that on its affiliate website, Pimp.tv, there are videos in which women wearing bikinis introduce the latest games. I am aware of the potential conflict that this creates. I am a very proud feminist in as far as I do not believe that any woman should be made to do anything she does not wish to do with her life and with her body. To that end I am very aware that some people, including women, are uncomfortable with the idea of such images.

I am also acutely aware that women must be afforded equal rights to those of men to do with their bodies what they will. I do not believe that these women wear bikinis in the videos against their will, nor do I believe that they do so in a way which suggests to other girls and other women that they must dress and behave in this way in order to be seen as valuable. To me these representations stand in contrast to magazines that contain unsolicited pictures of 'stars without make-up' and which poke fun at women for leaving the house without being dressed up to the nines or, indeed, stores like Supré, the clothes store aimed at young women, which was recently chastised for selling T-shirts which read 'I heart anorexia'. I suggest that if we really want to tackle the issue of sexism there might be more pressing issues than the situation of a woman who is comfortable dressing in a certain way.

Regardless of whether you agree with me on this theoretical point, it is nonetheless important to always remember that the Pimp Pad venue is different from Pimp.tv, and there will not be any bikini-clad women in that venue. I certainly do not believe that these issues I have mentioned warrant not allowing the venue to serve alcohol.

I understand that there are some concerns within the Eynesbury student body about having the Pimp Pad next door. I by no means want to undermine the feelings of these students, parents and teachers with this motion. Along with my colleagues, Ms Franks and Ms Lensink, I have met with a group of students, parents and teachers from Eynesbury and was interested in hearing what they had to say. I listened, and the biggest thing I took away from the meeting was that there were issues there, but I believe they can be resolved.

The people at Eynesbury brought to my attention problems they had with Pimp Pad patrons smoking outside the venue near the school. This is a legitimate concern and one that I believe can easily be resolved through negotiation with Pimp Pad management. The biggest concern voiced at that meeting was fear. The students were scared of having to walk past the Pimp Pad and scared at having to potentially interact with Pimp Pad patrons. I do not wish to undermine in any way what the students feel, but I cannot say that their fear is well founded. We are talking about a venue where men and women will go to play video games and have a couple of social drinks. Of course people may occasionally drink more than a couple of drinks, but they are more likely to do that on a Friday or Saturday night when the school is closed.

We are not talking about putting a casino next to a school with a 24-hour licence, where drunken people will be falling out of the door at all hours of the day. We are talking about a video gaming lounge, where some people might get a little tipsy around, say, 10pm, but will be long gone before school starts in the morning. I do not see why walking past a video gaming lounge, where people might be drinking and/or smoking, is any more dangerous than walking past a restaurant in which people may be drinking, or walking past a man who is smoking outside the bank, for

example. These are things you would expect to encounter when you attend a school in the city. Everyone has a right to express how they feel, but I am afraid I do not feel compelled to legitimise fear of video gamers in this place.

Among accusations that the Pimp Pad is a honey trap for kids, councillor Ann Moran from the Adelaide City Council has also been spreading the complete fallacy that management is seeking a 24-hour liquor licence. I am advised that management did look into the possibility of obtaining a 24-hour licence, as they are well within their right to do, but they never actually lodged an application for one. In fact, the liquor licence the Pimp Pad is applying for, in my opinion, is one of the strictest imaginable.

Staff are looking to serve alcohol from 5pm onwards only, and, yes, I appreciate that Eynesbury is a college aimed at university entry and, as such, some classes may go beyond this time. However, one would think that those due in class would be in class rather than at the Pimp Pad, and that any student from Eynesbury who indeed visits the Pimp Pad will do so out of school hours and will be 18 years of age or older in any case.

It is also important to note that, under the liquor licence being sought for the Pimp Pad, in order to buy alcohol a person will need to be a member of the Pimp Pad, so management will have on record their ID, date of birth and address. Additionally, patrons will also be allowed to purchase one drink per person at a time only. Obviously all the current laws around service of alcohol–not serving to minors and not serving to a person already intoxicated, etc.–will also apply.

What is happening at the moment—because the Pimp Pad is currently unable to sell alcohol—is that patrons who wish to enjoy a drink or two are temporarily leaving the venue to purchase alcohol elsewhere. This is, of course, bad for the business, and also places people at potential risk due to them being out on the streets after dark. I suggest it would be much more responsible to allow these people to stay indoors enjoying their hobby.

Of course, the social aspect that the presence of video gaming brings to the Pimp Pad is also important to discuss in this context. Because patrons of the Pimp Pad have a shared hobby to discuss and focus on, the consumption of alcohol is likely to be a lesser priority for them. They are, therefore, less likely to drink solely to become intoxicated, as they might do in pubs or clubs where drinking may be seen as the only available activity.

That is why it was decided that out of the three of us—the Hon. Michelle Lensink, the Hon. Tammy Franks and myself—I should put this motion before the parliament. Because the Pimp Pad's main demographic is people aged 18 to 25, the venue represents a valuable cultural hub for Adelaide's young people, particularly gamers, who are arguably marginalised within the youth spectrum to begin with.

I entered politics because I love the state of South Australia, and I love the city of Adelaide. I believe in its future, and I believe that if the young people of this city are to become that future then we must start to treat them with respect, trust and equality, and we must provide them with opportunities to participate in their society. I have previously taken a stand in this place against the demonisation of young people—for example, some stereotypes that were presented in the liquor licensing bill which was recently before us—and I will continue to do so.

I feel it is also important to note that many of the accusations made by councillor Anne Moran were apparently made without having even visited the venue. In an email sent to me, Ms Franks and Ms Lensink on 23 September 2011, councillor Moran stated, 'I have never…inspected the business [Pimp.tv], although I have stood on the footpath outside.' How Ms Moran can see fit to make comment—let alone public comment—in her role as a councillor about a business that she has not even entered, I am not sure. I am glad to say that, as a result of our working together with Pimp Pad management, several other Adelaide city councillors have actually taken it upon themselves to visit the Pimp Pad, and have since written to me stating that they no longer agree with councillor Moran's claims.

Councillor Moran, other councillors, members of parliament, and indeed members of the public, are more than welcome to inspect the venue to make up their own minds, although I highly recommend inspecting it on the inside as well as the exterior. We are, of course, also able to visit the venue's Facebook page, which at the moment is full of lovely pictures of young men and women, many dressed as their favourite videogame character, enjoying the social opportunities and all-round good times that the venue offers.

In short, councillor Moran's opposition to the Pimp Pad and the public comments she has made are potentially damaging to this exciting and important business. These comments amount to scaremongering and do not stand up to scrutiny. To accept this claim carte blanche does not make for good governance, nor does it make for good management of our beloved city. To that end I move this motion, simply to correct what has been wrongly said about the venue. By wiping some of the incorrect assertions from the public record I hope that we can all begin again on this debate and think about supporting this exciting and inclusive South Australian small business.

The Hon. T.A. FRANKS (16:44): I rise in support of the motion moved by the Hon. Kelly Vincent, that the Adelaide City Council rescind its direction to the Liquor Licensing Commission to reject the application for a liquor licence for the Pimp Pad, and also retract the false public comments made by its councillors regarding the venue, most specifically that the Pimp Pad is a supposed adult entertainment venue and that the management were, in fact, seeking a 24-hour licence. As the Hon. Ms Vincent has most eloquently explained, the Pimp Pad is neither an adult entertainment venue in the style that has been portrayed, nor is there anything sinister about it to be feared by the good people of Adelaide; and, certainly, it is not looking to denigrate the City of Adelaide or, in fact, bring any harm to its near neighbours, particularly Eynesbury College.

I would say that I do think that gamers in South Australian political culture are actually often demonised, and that this issue is one of a long litany of areas we can point to where South Australians have a particular fear of this youth culture. I would draw attention in this debate to the fact that in our recent political history we actually had the first gamers political party run in South Australia—Gamers for Croydon.

In fact, they organised and agitated because they wanted classifications for games to reflect those of movies, books and so on, yet the former attorney-general was in fact blocking them from enjoying that ability to purchase adult games in this country. I would say that we still do not have an R-rated classification for video games in this country, but I do believe that has had some movement, and in no small part due to the work of Gamers for Croydon.

That was done not simply to be able to purchase those things by individuals for their own entertainment, but I would say that that was done in recognition of the effect that the previous regime had and the effect of the current regime that we still exist under. The effect of that has meant that games that would otherwise be classified as adults only (over 18 year olds) in other countries are in fact often classified in this country as available to 15 year olds.

It has probably had the almost opposite effect that the former attorney-general would have liked it to have had. Following on from that, I was very concerned to see this new venue (which the people who have put it together are certainly very proud of; and, certainly, they have put a lot of investment into it) so vilified by an Adelaide City councillor and in the media as being the 'honey trap' for kids and being somehow insidious and improper.

I do believe that a fear campaign has been built up around this venue, and I am very pleased that the Hon. Kelly Vincent on the public record has challenged those incorrect assumptions. I do understand that moves are afoot at the Adelaide City Council, and, in fact, I understand that, in no small part to this motion being put on the table and being discussed, it has given a voice to the previously demonised Pimp Pad.

Pimp Pad is already a very highly successful business in terms of the Pimp.TV that we have heard so much about from councillor Moran. But Pimp Pad as a venue for gamers—a bar and lounge where people can go to and enjoy playing console games and sitting on a couch and having a chat with their friends and social gaming—is nothing new in terms of the social life of Adelaide.

Certainly, I have heard from Kat Nicholson (who presented to the Adelaide City Council last night) that she has in fact been involved in a social group that has used a local church for the last five years to undertake social gaming. But it is, of course, something new for Adelaide in terms of having a public licensed venue where people can go in a safe environment and enjoy social gaming.

It has already occurred that in both Melbourne and Queensland such a venue exists. While I have been somewhat critical of Adelaide being a little afraid of this particular venue, I will note that in Brisbane some similar reactions were expressed, where the Mana Bar there was in fact presumed to have been a dangerous and possibly violent venue because of the demonisation in our culture of gamers.

I note that the initial criticism in Queensland that arose from a fear that those gamers, enjoying their social gaming in a licensed environment, would be violent was quickly dismissed once actual monitoring of the venue was undertaken, rather than scaremongering. In fact, under a monitoring process in that bar, and I will quote the report:

> In the four weeks since the bar has opened there has not been a single violent incident caused by any of its patrons. There has not been a forceful ejection from the venue due to intoxication. There have only been three glasses broken in the entire period of operation, all by accident.

That particular venue, as I say, is very well settled in the cultural scene. People have realised that there was nothing to fear but, in fact, fear itself, and I think the Pimp Pad will follow in the footsteps of the highly successful Mana Bar in Melbourne and Queensland and I wish them well on that.

The use of the word 'pimp' has obviously drawn attention not only to the business but has been used to create some of that fear. Obviously, there is a form of the word 'pimp' that does relate to somebody who is, in fact, involved in prostitution and soliciting. The word 'pimp' does not have only one meaning.

We heard on the radio this morning that if anyone googles 'pimp' they will find out that it can also stand for—and I am going to say it on *Hansard*—Party In My Pants, re-usable sanitary pads, a very green-friendly business. It is also in our popular culture now, as the Hon. Terry Stephens noted before, in the use of the term 'pimp my ride', from a highly successful mainstream television show of the same name.

'Pimp' has been transformed in its meaning to mean something that is pimped up and made more glamorous. I heard on the *Sunrise* program recently, on Channel 7, that they were pimping a boat, so it is in common usage. It is certainly a youth-understood word, not to personify something to do with the selling of sex.

On that note, I would echo the words of the Hon. Kelly Vincent that 30 years ago the Virgin brand was seen as very controversial. Richard Branson certainly knew how to sell a product and how to get attention, and he did so using his Virgin brand very successfully: Virgin Records, Virgin Megastore, Virgin Blue Airlines, it goes on and on and on. He knew, as we do, that in marketing sex sells.

But what the Pimp Pad is not doing is selling sex. I cannot underline that strongly enough. To deliberately conflate the two is not only mischievous, it is something that those who have chosen to create fear and scaremongering and to deliberately go about doing so without having the full facts at their disposal and without visiting the venue, should be well and truly ashamed of themselves. Having said that, I commend the motion to the council.

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

EDUCATION (CLOSURE AND AMALGAMATION OF GOVERNMENT SCHOOLS) AMENDMENT BILL

The Hon. T.A. FRANKS (16:54): Obtained leave and introduced a bill for an act to amend the Education Act 1972. Read a first time.

The Hon. T.A. FRANKS (16:55): I move:

> That this bill be now read a second time.

This bill ensures that a government school cannot be closed or amalgamated except in accordance with a resolution that is passed by both houses of parliament. It builds on the previous work in part 2 of the Education Act which requires the minister to undertake a review process and also to produce a copy of a committee's report and recommendations under section 14E to be laid before each house of parliament within six sitting days of receiving that report and its recommendations, as is the current situation. Importantly, however, this bill will ensure that the minister is, in fact, bound by the recommendations and decisions of the school community in relation to either a closure or amalgamation of a school with the scrutiny of a parliamentary process to follow that decision-making process by the school community.

This has obviously been an area much debated in South Australian politics. I acknowledge that previous work done to amend the Education Act—to ensure that closure and amalgamations of schools were, in fact, able to be subject to a review process and that relevant stakeholders were to be consulted and the minister more accountable to the public—has had quite a history. I take note of the work, in particular, of the Hon. Mike Elliott, the Hon. Caroline Schaefer, the former member

for Taylor (Hon. Trish White), and the former member for Chaffey (Hon. Karlene Maywald) in this area.

It has been a much debated area and, as members would be aware, the closure or amalgamation of a school is something that the community takes very seriously and has quite profound effects on both the school community and the local community concerned. At present, of course, there are requirements that the committee must have regard to the educational, social and economic needs of the local community and that recommendations must be taken with a view to this and the broader needs of not only the community but the state as a whole when making their recommendations to the minister.

However, a school that chooses to oppose either closure or amalgamation does not have the security that a minister will be bound by the decision of the committee. It may, in fact, fall to the minister to put a school community through a quite extensive consultation and review process and then simply to reject the decision without the parliament having any say. This bill would give the parliament and therefore those communities a right of appeal.

We know that, as a result of the 2010 Rann budget cuts, the situation was initially to try to merge 67 co-located schools across the state. It was a budget measure that was announced with the aim of saving some $5.5 million by merging any schools that shared a campus or were co-located. There was a move very early on regarding those 67 co-located schools, and the Minister for Education (and soon to be premier), the Hon. Jay Weatherill, has, in fact, backed away from the forced amalgamation of any of the high schools in those projected savings cuts. He has done so, saying that the high school amalgamations are a little more complicated and, in fact, admitting that they would not have saved much money, anyway.

Many of the schools are very happy about this. The schools I have spoken to in the north and north-eastern suburbs, which have already undergone amalgamation in the past few years, are breathing a sigh of relief because they have been able to get on with the job of educating their students and building strong communities in their school and in their local government areas. The minister did so with the proviso that those high schools which did not wish to participate in the current amalgamation process had only to 'provide sufficient information to reach a conclusion about whether they want to amalgamate'.

Those schools there have been let off the hook, but we still have some 42 junior primary and primary schools currently facing amalgamation. For those schools which do not voluntary want to be amalgamated, they are now undergoing that quite extensive and exhaustive process, which involves, in accordance with the legislation, a review committee comprised of representatives from the schools, the principals, governing council nominees, minister's nominees, DECS' nominees, local government representatives and union involvement, with support officers and paid facilitators.

The committees need to meet several times. They are calling for submissions from their local school communities, and they are considering that information and presenting reports to the minister. This involves countless school meetings and countless hours of volunteer time—time that could be much better spent contributing to building a strong school environment.

Under the former minister, Jane Lomax-Smith, when she was minister for education, and then under the Minister for Early Childhood Development, Jay Weatherill, Labor policy was that a decision to close or amalgamate a school rested with the parents of the children at each of these schools, and that was articulated in the news release of 21 May 2009, which stated:

> The state government has repeatedly given a commitment that state schools and preschools in South Australia can only close or amalgamate with the support of local school communities.

This remained policy and practice after the Hon. Jay Weatherill was given the early childhood portfolio. In a joint news release with then minister Lomax-Smith of 26 November 2009, he also said:

> Education Works is completely voluntary and majority vote of parents is required before changes to the way individual schools operate can be pursued.

This is to be commended and applauded, but this is not the case at the moment. This policy and this process, which was undertaken only a few years ago, has had some repercussions in that one particular school—and I would point to Largs Bay—which only a short time ago voted no to amalgamation, is being put through a review process again.

The PRESIDENT: They are in the same grounds.

The Hon. T.A. FRANKS: Yes, Mr President, they are co-located, therefore they are falling under these particular budget cuts, and this time the amalgamations are not being done with any view to improved education; they are being done to save money in the budget.

The PRESIDENT: It makes sense to me.

The Hon. T.A. FRANKS: It may make sense to you, Mr President—

The PRESIDENT: Hear, hear!

The Hon. T.A. FRANKS: —but it does not seem to make sense to those school communities that are actively opposing the amalgamations. No, not every school community is actively opposing the amalgamations, but there are quite a few that are doing so. There are many in the community—and education union president Correna Haythorpe is one—who believe that schools should have the final decision about merging. Correna Haythorpe says:

> There are grave concerns about the review process in that it is unclear whether the minister will uphold a community's decision to stay as two independent schools rather than amalgamate.

She says, and I agree with her:

> We think it needs to be clear so the communities feel comfortable that this process is not just a fait accompli.

This is something that I think may go back to that debate we were having a little earlier about core Labor values. One would think that grassroots democracy and the protection of public education would in fact be core Labor values, but I wait to be corrected on that.

I would also again draw attention to the fact that the Largs Bay school community had an 88 per cent vote against amalgamation just some short years ago. Here they are being required again to go through a review process, a review process that is going to end up in a loss of SSOs, a loss of funding to those schools. While money will be put into administration, no moneys are being offered for enhancing the educational opportunities for those schools.

Another school community that is quite opposed to this and where I attended a public meeting with the Hon. John Dawkins—the current treasurer, Jack Snelling, was also at that meeting—is that of the Para Hills school communities.

The Hon. J.S.L. Dawkins: He is the local member.

The Hon. T.A. FRANKS: Yes, he is the local member, and he was doing so in his guise as the local member. He did that make that very clear when they asked him a question. Thank you, the Hon. John Dawkins. That meeting was of over 130 parents and concerned residents, who were shocked to find out that it is the minister who has the final say, that they are being put through the mill, asked to provide an inordinate amount of work to tell the minister why they should not be closed, with no guarantee that the minister will take that work seriously.

Given the government has moved to amalgamate co-located schools on purely financial grounds, I am not sure what reasons they can give, unless they can find the government some money to boost their budget. So we will wait and see and remain hopeful that this Labor government will in fact find those core Labor values in the bottom drawer somewhere.

The Hon. J.M.A. Lensink: Don't hold your breath.

The Hon. T.A. FRANKS: I won't be holding my breath, so what I am doing is introducing this bill. This bill would have the effect of ensuring that those school communities' voices were heard, not just by the minister, who could then reject them, but in the other place and in this place if they had valid reasons, sound educational reasons, and they were about building community capacity and not simply budget cuts that had to be found from somewhere. The Greens do not believe the most appropriate place to start is with an education budget slash and burn, but perhaps the government will continue to perpetuate that line.

For some of these communities this is not the first time in the last few years, but repeated efforts have been made. Those efforts are being put into fighting off amalgamations and closures when they could be put into building those school communities, into fundraising, into ensuring that volunteers are helping out and supporting the educational outcomes of those schools rather than simply the absolute existence of those schools. The Labor government is obviously looking to change its leadership and I am heartened that it is the current education minister who will become the new premier as of 21 October. Does that happen at midnight?

The Hon. S.G. Wade: It does.

The Hon. T.A. FRANKS: It does happen at midnight. Good, I am greatly assured by that. I will hope that Cinderella is the one who will appear and not the pumpkin. I hope that, having carried the education portfolio, this premier-to-be, not quite premier-elect, will in fact be an education premier and this will be a Labor education government. With that, I commend this bill to the house.

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

VICTIMS OF CRIME (COMPENSATION LIMITS) AMENDMENT BILL

The Hon. A. BRESSINGTON (17:10): Obtained leave and introduced a bill for an act to amend the Victims of Crime Act 2001. Read a first time.

The Hon. A. BRESSINGTON (17:10): I move:

That this bill be now read a second time.

The physical and emotional trauma suffered by victims of crime has significant and lasting ramifications. This is not only felt by the victims but by their extended family and friends. Throughout the world, and since 1970 in South Australia, societies have recognised this trauma and have sought to compensate victims by and on behalf of their community for the harm and loss that they have endured. Payments on behalf of the public to victims of crime are not intended to replace or replicate common law payments or payments by offenders of means, but rather represent an act of grace by the public to a victim who, through no fault of their own, is impacted by the crime of another; and because the offender often has insufficient assets to compensate their victim.

As is demonstrated again and again, our community supports the victims of crime scheme and its premise that offenders, through victims of crime levies, should be held accountable for their crime. However, as I will shortly demonstrate, the goodwill of the community through the passage of time and the inaction of this parliament has ceased to be reflected in the amount of compensation paid to those victims of crime.

First, I seek to acknowledge at the outset that there is a need for significant reform of the process used to determine the amounts to be paid to victims. As has been highlighted to me by several stakeholders, including the Victim Support Service, the current one to 50 scale has resulted in what are, in some cases, insulting payments being made to victims of crime. Integral to this reform would be working to overcome some key court judgments on eligibility and entitlements which have restricted payments, for example, for mental trauma such as that suffered by a rape victim, to 12 points, which currently represents $12,000.

Further, given the amount available in the victims of crime fund (which I will detail shortly), many in the sector advocate the scheme funding the provision of enhanced victim support services such as child psychologists for victims, or extending the scheme to cover compensation for non-violent crime that produces profound trauma, such as fraud and arson. However, given my limited resources and recognising the proper role of government, I have not attempted to address the over-arching reform of this bill and I would encourage the Attorney-General, if he has not done so, to commence that reform process.

Instead, the Victims of Crime (Compensation Limits) Amendment Bill which I introduce today seeks to achieve three objectives, each of which in its own way seeks to improve access to and equity of the victims of crime compensation scheme. The first is to raise the maximum amount payable to victims of crime from $50,000 to $100,000. The maximum amount payable to victims of crime has not been increased since 1990, some 21 years ago. In that time inflation alone has well and truly doubled, meaning that by today's standards $50,000 represents less than $25,000 in 1990. If the maximum payable had kept pace with inflation, the maximum payable would have eclipsed the $100,000 mark that I am proposing.

Given that very few receive the maximum due to the one to 50 scale mentioned earlier—and most only a fraction of this amount—it is little wonder that the Victims of Crime Commissioner Mr Michael O'Connell has called some payments made to victims insulting. Whilst not fully addressing the needed reforms identified earlier, doubling the maximum will, unsurprisingly, double the amount payable to victims. This would mean that the young rape victim referred to by the Hon. Dennis Hood on FIVEaa radio would receive $20,000 rather than $10,000. Whilst to my mind this is still insulting, it is a little less so.

The amount currently in the fund, as revealed to the Budget and Finance Committee, is in excess of $79 million and is forecast to reach $116 million by the end of this financial year. This is up from the $22 million in the fund on 2 April 2008, the date the Premier gloated that the Victims of Crime Fund was available and waiting for victims of sexual abuse in state care. Of course, that was spin for political expediency, and it was not until some 18 months later that the ex gratia scheme for compensating victims of abuse in state care was formally announced, and some months after that before the guidelines were published and it was accessible to claimants.

The obvious conclusion to be drawn is that the fund, through victims of crime levies and other revenue streams, is taking in more than it is providing to victims. Whilst I stand to be corrected, it is my understanding that we are currently expending just over 50 per cent of the amount taken into the fund each year. That is total expenditure, including administration costs and ex gratia payments, as well as victims of crime payments. If this is correct, then basic maths would suggest that doubling the payments made under the scheme would not threaten the solvency of the scheme but rather simply reduce the amount by which it grows each year. If that is the case—and I am sure the government will be quick to correct me—then there is absolutely no reason not to bring the maximum payments in line with the contemporary value of money.

It goes without saying that raising the maximum payable is supported by the Victim Support Service and, from comments made in the media, the Commissioner for Victims Rights, who, to quote him from the FIVEaa radio interview, has argued for increases in the maximum with successive Liberal and Labor governments, adding, 'I believe that it should be a fund that is relative to the value of money today.'

On the commissioner's final point, having raised the maximum payable, the second objective of the bill is to ensure that the maximum continues to reflect the same value to future claimants. It does so by raising the amount in accordance with the All Groups Consumer Price Index of inflation on 1 January each year. If the bill had been in operation as of 1 January this year, in accordance with the 2010 Adelaide CPI figure of 2.5 per cent, the maximum payable would have increased by $2,500. While this does not represent a significant increase, it ensures that the scheme remains equitable to future claimants and prevents the amount again falling into insignificance. The bill also increases other payments allowable under the act, such as payments to assist with funeral costs, in accordance with CPI.

The third objective—and that is what first instigated this bill—is to dispense with the scaled maximum payable, depending on when the offence from which the claim arises occurred. For members not familiar, when the Criminal Injuries Compensation Scheme was first introduced in 1970, I believe, the maximum payable was $1,000—presumably a more significant sum at the time than it appears to be now. This amount was then increased to $2,000 in 1974, to $10,000 in 1978, $20,000 in 1987 and, finally in 1990, the maximum payable has more than doubled to $50,000 with, as I said earlier, no further increases since that time.

If the offence of which you were a victim occurred prior to 1990, or indeed prior to one of the other aforementioned dates, even if you were seeking compensation in 2011, presumably following a successful prosecution, the maximum amount payable to you is the amount considered adequate by the parliament at the time of the offence. This to me is frankly absurd and offensive.

We have this week commemorated the life of former Justice of the Supreme Court, Ted Mullighan, who in his role as Commissioner for Victims of Abuse in State Care was instrumental in encouraging victims of sexual abuse to come forward and name their offenders. Many went on to provide their statements to police, who have since slowly worked through the backlog of cases the inquiry revealed. As members are no doubt aware, victims of sexual abuse whilst in state care are particularly dear to me, and I think each one who has come forward should be commended for their courage, particularly those who are asked to relive their trauma and then tell the world of their struggle in a victim impact statement.

To then tell someone—particularly a victim of child sexual abuse—that because the offence occurred prior to some arbitrary date, the maximum payable is $1,000, $2,000 or even $10,000 is to belittle the trauma they have endured. Few victims proceed to prosecution with compensation in mind, a fact borne out of research. Those victims who do assist the state to punish the offender (and we know that for sexual offences in particular that percentage is worryingly low) should at least receive an amount that is relative to the time the payment is made.

Whilst I understand why the parliament of the day sought to limit exposure to the scheme by confining victims by the date of the offence, I see no reason—given the forecast surplus

available in the fund—not to bring victims who are now coming forward into line with their contemporary counterparts. Do we really believe that the trauma of rape or other violent offence that occurred on 31 August 1990 is any less significant than an offence that occurred on 1 September 1990, or that an offence that occurred prior to 22 January 1970 does not deserve compensation?

By increasing the maximum payable to victims of crime, by then linking that increase to CPI, and by treating all victims as equal—regardless of when the offending occurred—I believe that the bill I introduce today brings the victims of crime scheme in line with community expectations and the compassion it has for victims.

Debate adjourned on motion of Hon. I.K. Hunter.

TERNEZIS, MS K.

The Hon. A. BRESSINGTON (17:21): I move:

That the Legislative Council condemns the failure of the Attorney-General to answer the questions asked in the Legislative Council concerning the case of Ms Katrina Ternezis and to substantially respond to correspondence sent by Mr John Ternezis concerning the same.

As the text of the motion suggests, I am calling upon this council to condemn the Attorney-General for his failure to substantially respond to the numerous letters sent by Mr Ternezis concerning the state's failure to adequately care for and protect his daughter who, by virtue of a Youth Court order, was under the state's, or more accurately Family and Youth Services' (now Families SA but which, for ease, I will refer to as FAYS) control.

Whilst each member in this place—or at least members elected prior to 2010—has received a detailed outline of the failings of the state, which was prepared by Mr Ternezis' legal representative, for members not familiar with it, the facts (which, by FAYS' own documentation, are beyond dispute) are that Mr Ternezis' daughter Katrina ran away from home at the age of 13. She subsequently came under the control of the minister via a Youth Court order, which included a residency order and a curfew that the state was responsible for enforcing.

Despite the state having effective control, Mr Ternezis' daughter ended up, at the age of 14, living with three men who were supplying her with drugs, resulting in a serious heroin habit. At the age of 14 she then became pregnant to one of the adult men, who is believed to have been 33 at the time, and at age 15 had a baby. None of the three men were charged with any offences, despite Mr Ternezis, on numerous occasions, reporting his daughter's living arrangements, drug use and sexual activity with the adult men. Katrina herself apparently disclosed this to FAYS workers.

Having spent years going through all the documentation generated by FAYS during this period in his daughter's life, Mr Ternezis can find no evidence that FAYS made any attempt to report the matter to police. They also saw no harm in her living with these men. This is despite a clear offence being committed against the Criminal Law Consolidation Act 1935.

At the time, Mr Ternezis sought out every possible means for protecting his daughter, including taking his complaints to the then state ombudsman Mr Eugene Biganovsky who, in a letter dated 11 November 2002, defended the department, stating:

In care and protection applications in custody and guardianship orders, Family and Youth Services must establish an evidentiary base, beyond allegations and suspicions, to bring forth an application for Youth Court deliberations. Family and Youth Services consulted with the Crown Solicitor in relation to the matters raised...who is of the view that there is insufficient evidence to remove Katrina from her present living arrangements [that is, with the three men] or make an application to the Youth Court.

At the time of this statement, the child had already become pregnant and a report by an in-house psychologist dated 24 August 1999 even corroborated that the child had admitted to having sexual relations and drug use (supplied by the men). Mr Ternezis has since approached the current Ombudsman seeking a review of the original complaint, which the Ombudsman declined due to the time that has elapsed.

Whilst thankfully Katrina eventually went on to become a healthy and successful young woman, the detail outlined (which I can provide to members if they wish) makes shocking disclosures about departmental malpractice relating to abuse of public office, lack of enforcement of court orders (specifically Youth Court orders), and lack of professional application of policy and procedures of case workers in FAYS, which could have so easily seen this case end in tragedy.

The added tragedy to Mr Ternezis' story is that he has spent the last 11 years since that time trying to hold the child protection authorities to account in order that no other family should relive his horror. I remind the house that, just yesterday, I asked a question about yet another runaway teenager—15 years of age—who also was placed at risk and, also, no action was taken by the department or the police to ensure this child's safety.

This is not just about Mr Ternezis: this is still happening today, and we still do nothing about it. He is not out for compensation but is simply passionate about ensuring that the state is accountable for its actions and omissions when exercising care and control for children so that this does not happen again. Despite this, Mr Ternezis says that all former ministers of FAYS and the department's attitude was always one in which they felt that the best thing for his daughter was for them to support her in doing whatever she liked to do, and that since that time he simply has been ignored by contemporary ministers and the Attorney-General, which brings me back to the motion at hand.

Mr Ternezis has, over the years, been relentless in his attempts to have the department's failings acknowledged. This has included numerous letters to ministers, the Attorney-General and the Premier. The most recent letters by Mr Ternezis to the Attorney-General, dated 30 August 2010 and 1 October 2010 (copies of which I am happy to provide to members), to which he has only received acknowledgments and never a substantive reply, concern questions which I asked in the council seeking clarification to the only answer I have ever received from a minister when asking about Mr Ternezis' case.

For the benefit of members, I will quote the question I asked, first, on 1 September 2009 to the former attorney-general, and then, with few variations, I asked a question again on 30 June 2010 to the current Attorney-General. On 4 March and 24 March 2009 I asked a series of questions of the former attorney-general and the then minister for families and communities about the abuse of public office, lack of enforcement of court orders and the lack of compliance with policy and procedures of Families SA by case workers arising from the detailed chronology provided to all members by Mr John Ternezis concerning his daughter's case.

On 22 September 2009 I received a wholly insufficient answer to my questions, which in part read:

> The minister, the Ombudsman and the Crown Solicitor's Office do not agree with Mr Ternezis and the honourable member about the facts, or that the law does not make them guilty of these allegations.

This follows a long history of ministers and public officials denying any wrongdoing on the part of the state in this case, despite irrefutable facts to the contrary, following which I repeated a surmised version of the facts which I outlined earlier and which concluded with:

> Yet, it is these facts with which the Attorney-General disagrees. Worse still, the Attorney-General, like other ministers, the Ombudsman and Families SA before him, has failed to provide any rationale for his denial.

Following which I asked the Attorney-General:

> 1. Of the facts that Mr John Ternezis and I have provided, which facts in particular does the Attorney-General disagree with?
>
> 2. Given that the Attorney-General in answering my question also spoke on behalf of the Crown Solicitor's Office and the Ombudsman, will the Attorney-General inform the council of which facts they disagree with and inform the council of any advice that they have provided?
>
> 3. Does the Attorney-General disagree that this 15 year old child became pregnant to an adult while in the care and control of the minister and, if so, what facts does he have to support that disagreement?
>
> 4. On what basis does the Attorney-General say that the law does not require the department to comply with the requirements imposed by the Children's Protection Act 1993, its own policy and procedural guidelines and orders made by the Youth Court of South Australia, as set out in the chronology provided?
>
> 5. Is the Attorney-General stating in his answer that the law is so deficient that it does not hold the state accountable for breach of duty of care to a child under the control of the minister?
>
> 6. Given the liability of the state in this case, will the Attorney-General concede that his previous answer is just another example of this government putting its own interests before children and the truth?

As the text of the motion would suggest, I am yet to receive a response to this question, despite it being some 23 months and likely two years when the motion goes to a vote, and some 15 months since it was directly asked of this Attorney-General. It is for this failure and for the failure to respond to Mr Ternezis that I seek the council's condemnation of the Attorney-General.

Following his repeated attempts to seek answers from the Attorney-General, Mr Ternezis wrote to the Premier, first on 26 November 2010 and again on 17 June 2011, in which he states:

> It appears that none of you, your Ministers, nor your representatives in the Legislative Council are concerned by the failure to respond to these questions.
>
> This not only is an insult to very proper questions raised by Ms Bressington, but an insult to the community at large. The questions asked by Ms Bressington are proper questions and deserve a response. They not only related to the circumstances surrounding my own daughter but also related to accountability of the state generally in relation to children under State care.
>
> In my letter of 26 November 2010 I stated that I believed that the failure to answer the questions by that time had placed the credibility and integrity of Parliament in doubt. With the passage of another seven months I would submit that the credibility and integrity of Parliament is now completely missing.

That was written three months ago. It goes without saying that Mr Ternezis has not received a response to that letter. In the second letter sent to the Attorney-General, Mr Ternezis, amongst other excellent points, asks:

> Is one of the reasons that the previous Attorney-General and you as current Attorney-General not answered the questions put by Ms Bressington that it will have to admit that a crime was committed against my daughter?

This, along with being required to concede that his daughter was under the control of the state when this occurred, is my suspicion also. The Attorney-General has fast developed a reputation amongst the profession he supposedly represents as being all too inclined to file anything difficult, no matter how deserving, in the too-hard basket, only to forget and then move on.

This is certainly true of the Attorney-General's failure to respond to Mr Ternezis. We have also seen this in relation to the Attorney-General's consideration of Mr Keogh's petition for a retrial, which, to my mind at least, demonstrates beyond doubt that Mr Keogh failed to receive a fair trial. Despite having this petition before him since donning the Attorney-General title, and it being before his predecessor before that, Mr Keogh is yet to receive a response. Given his uninformed commentary on a 5AA radio interview, I would suggest that he is, or at least then was, yet to even read Mr Keogh's petition.

Subsequent to that interview, I wrote to the Attorney-General pointing out his numerous inaccuracies and my disappointment that he had seemingly reached a conclusion without even reading the petition. I concluded by calling on the Attorney-General to:

> ...give Mr Keogh's Fourth Petition the due consideration it deserves, with particular regard to the new information summarised in the attachment, free of political or policy considerations and in accordance with the relevant legal principles laid down by the High Court—namely where there has been a significant non-disclosure or where significant evidence led at trial is subsequently found to be misleading and non-probative, the conviction must be set aside.

Continuing the theme of the Attorney-General's inaction on difficult matters, I am yet to receive a response of substance, to the best of my knowledge, and I am yet to even receive an acknowledgment, from which I guess Mr Ternezis can gain some degree of comfort.

Personal failings aside, it is my hope that this council will recognise that the Attorney-General has a responsibility to this parliament and, however difficult, must face the truth of the failings of the state to care for and protect Mr Ternezis' daughter. We all too often complain of the futility of asking ministers questions: I am asking the council to do something about it. This case is too important to ignore.

Debate adjourned on motion of Hon. I.K. Hunter.

STATUTES AMENDMENT (DRUG DRIVING) BILL

The Hon. R.L. BROKENSHIRE (17:36): Obtained leave and introduced a bill for an act to amend the Harbors and Navigation Act 1993; the Motor Vehicles Act 1959; the Road Traffic Act 1961; and the Summary Offences Act 1953.

The Hon. R.L. BROKENSHIRE (17:36): I move:

That this bill be now read a second time.

This is a bill that I have wanted to move for some time and the data obtained under freedom of information request over the winter break has demonstrated the merit, in my opinion, of reform with respect to drug-driving. The data showed overwhelmingly that South Australia Police are detecting more people with illicit drugs in their system than alcohol—and that is when they have enough

accredited testers out on the road conducting tests and sufficient budget. I commend the South Australia Police for their blitzes on this issue and they also reinforce how many more (when they can test for drugs) are being found to be on illicit drugs.

The tests, we also have to remember, are not testing for all illicit drugs at this stage due to technology requirements that are still to be improved. At the moment the tests are only for things like cannabis and amphetamines that are more common and detectable. The tests are also not testing for abuse of legal drugs that can impair driving ability, so there is good reason to be concerned and for parliament to act on this issue.

One of the key changes under this bill is to remove the ability to expiate drug-driving offences. That is simply out of step with community expectations these days, given the prevalence rates on drug-driving. Another key change is to create a right to inspect a vehicle if a person tests positive for drugs. South Australia Police are often able to detect significant drug activities when they search vehicles, but the requirement for them to have a reasonable suspicion for conducting a search is not in keeping with community standards on this issue.

If a person has tested positive for cannabis or methamphetamine, it is reasonable to assume that that person may have more illicit drugs in the car. Family First does not care about claims of personal use or dealing—if there are drugs in the car they should be found and seized. This reform codifies the reasonableness of assuming that there might be drugs in the car.

Lastly, penalties are raised under this bill to be closer to drink-driving penalties. If there is a higher incidence rate of drug-driving than drink-driving on our roads, then this is an appropriate step. In particular, the financial penalties applicable are elevated to the equivalent of 0.15 or over in drink-driving law, since we cannot be sure how drug affected a person is and the drugs we are talking about are illicit substances in any case.

Honourable members are welcome to amend this bill if they wish and can find the support of the council. We need reform in this area, and I urge honourable members to think about the safety of themselves and their loved ones on the road and the risk posed to them by drug drivers. If it is okay for the Motor Accident Commission to run ads comparing drink driving to a pilot snorting coke, a surgeon smoking a bong or a bus driver throwing up before starting his shift, it is okay for this parliament to take appropriate action to tackle the failure by drivers to accept the message being put to them in advertising by the MAC.

I would like to place a couple of other points on the public record. When I was a member of the lower house, not only in my time as police minister but after as shadow minister, I was a strong supporter of real reforms around drug driving. At that time, Ivan Venning, the member for Schubert, had a private member's bill. The technology was in its infancy, and the Rann government initially said that it would wait to see what happened interstate, as Victoria, I think it was, had already introduced drug driving testing.

When we debated the drug driving bill some time after it was introduced into the parliament, I expressed my concern about many of the issues I have tabled in this bill. There was some reluctance on the part of some government members to allow police to automatically search vehicles. I think that is a soft approach. We now have enough evidence to show just how concerning it is in relation to the number of people driving with illicit drugs. One of the reasons they are driving with illicit drugs in their system is that they know their chances of being tested and caught are not as great as their being caught drink driving.

I suggest that a good government initiative would be to have a strategy where, by 2014, all police officers undertaking traffic and general duties are trained to be able to drug test. I accept and acknowledge that drug testing is much more expensive than random breath testing. However, if you have ever spoken to anyone who has lost a loved one in an accident as a result of someone being totally incapacitated because of illicit drugs in their system, you would ask yourself: at what cost is life?

There was an incident on the South-Eastern Freeway only a few weeks ago, where SAPOL pulled over a car, which was heading towards Victoria, for something that was unrelated to illicit drugs only to discover a boot full of an enormous amount of cannabis which was heading for the interstate market. It is not always the case, but often people who are drug driving are also involved in trafficking. I believe it is should be mandatory that, once you test positive for illicit drugs, the police do not have to have reasonable excuse to assume that there may be illicit drugs in the car; we should give police the automatic right to search those cars. If that were the case, I would

suggest that there would be fewer illicit drugs on our streets and there would be a lot less trafficking than we are seeing now, particularly to young people.

Finally, I want to say that, for further information, I invite honourable members to read my comments in the *Sunday Mail* of 4 September or in *The Border Watch*, *Eyre Peninsula Tribune*, and *The Leader* in the Barossa and other places. Members could contact my office for further detailed information on just how concerning it is to see the significant number of people who, when drug tested by police, are proving to be driving with illicit drugs in their system.

Unfortunately, we are seeing more and more young people being indoctrinated in the use of illicit drugs. We know from science and research that cannabis is a gateway drug. You have only to look at information about ambulances carrying drug users to hospital because of a drug overdose and the like to see that most of them have a poly cocktail of drugs in their blood. We also know that, the younger you are when you start consuming illicit drugs, the higher the risk of permanent damage or death.

I think it is time we were serious about this problem. We have the technology now, and I believe we have a duty of care to ensure that we do everything we can to stop illicit drug use and particularly people driving under the influence of illicit drugs.

Debate adjourned on motion of Hon. I.K. Hunter.

SOUTH AUSTRALIAN HOUSING TRUST (MISCELLANEOUS) AMENDMENT BILL

The Hon. R.L. BROKENSHIRE (17:45): Obtained leave and introduced a bill for an act to amend the South Australian Housing Trust Act 1995. Read a first time.

The Hon. R.L. BROKENSHIRE (17:46): I move:

That this bill be now read a second time.

This Housing Trust reform amendment bill is a multifaceted bill giving effect to promises that Family First has made to reform public housing, given the way the state government, in my opinion, is failing to administer the housing trust in a responsible way. A great majority of law-abiding Housing Trust tenants in South Australia are suffering at the hands of an irresponsible few, but there is also a very mean-spirited approach to pensioners in public housing when it comes to their pensions.

In addition, community housing tenants are being treated even more harshly by the targeting of their commonwealth rent assistance. This bill seeks, so far as it can, to rectify those issues, though on the pension and rent assistance side it is for future matters and not, sadly, to resolve grief about the Rann government taking hard-fought pension increases from 2009 through public housing and community housing rents. Family First is always reticent about retrospective legislation and in this instance we are asking the government to pass this bill and be open and transparent about future rent increases and, most importantly, be fair to pensioners, given the cost of living pressures they are under.

Turning first to situations that will give rise to ending your tenancy, the provisions in this bill give effect to the expectation of tenants and the community at large that people who commit serious criminal offences whilst they are tenants must lose their tenancy. Public housing tenancy is a privilege, not a right. The United Kingdom housing minister has taken that stance, saying he will back the local councils (which administer public housing in England) in evicting people who got involved in the July rioting.

Family First acknowledges that sometimes children and partners are innocent victims of an adult's offending; his or her offending should not see them kicked out of public housing if they can meet the thresholds to remain there. The bill also empowers Housing SA to obtain criminal histories so that we do not have silly privacy protection for tenants who refuse to disclose their convictions for serious criminal offending. We have been careful to state that the offending must occur during a tenancy. A person who once offended but who is on rehabilitation in the community is, in our opinion, entitled to tenancy. Once they have served their time they are entitled to try to get on their feet but, of course, if they offend again these provisions come into play.

The provisions of this bill also tackle illicit drug production in public housing. Quite simply, it must stop. If the tenant is growing cannabis or cooking amphetamines in their tenancy, they are out under this bill. I cannot see how you can justify someone keeping their tenancy if they are a drug cook or a dope grower; there is no justification whatsoever. Lastly, the three strikes policy on disruptive tenants that Labor has trumpeted since coming into office is codified under this bill. The

government has acknowledged in the past its policy of three strikes, but unfortunately, depending on the minister, we have not seen it happen in practice; this bill codifies that policy.

Secondly, the elements relating to rents: clause 4 requires rents to be declared and varied by regulation. This makes those rent increases disallowable by this parliament. Furthermore, clause 1 of the schedule bans the South Australian Housing Trust from requiring community housing to impose rent in such a way as the SAHT wants. It gives autonomy to community housing, which I understood was one of the intents of the basic principles of community housing in South Australia.

The reason for this structure is that it is the legislatively effective way to tackle the behaviour of this government in seizing pension increases it said it would not seize. It also stops the government from forcing community housing organisations to seize commonwealth rent assistance by way of rent increases. I have had much written communication with the Hon. Jenny Macklin. She, as the commonwealth minister, is scathing of the Rann government for taking that money that was put aside to help those on low incomes and pensions to afford utility costs, only to end up seeing 25 per cent of it ripped off them and going into additional rent with Housing SA.

The community housing organisations are over a barrel on their funding and the government can force them to recover rent assistance from pensioners through threats to cut funding if they do not. This is what has happened, and it is not acceptable. If community housing organisations want to recover full rent assistance, so be it—they are accountable and answerable to their tenants. For the government to force them to take tenants' rent assistance is unconscionable. We have had a very large number of community housing tenants contact us about this matter.

Of broader application and therefore even more unconscionable is the backflip on quarantining pensions. Premier Rann said he would not do it; former prime minister Rudd said he had told premiers not to do it—then Premier Rann did it anyway. As I said, minister Macklin has given minister Rankine what I would describe, at the least, as a good telling-off about it—but not one stroke of discipline or recourse back to the state government. I have the correspondence and documents to back that up.

It is a shambles and demonstrates the way this state Labor government has totally lost its moral compass, just as it has with requiring the vulnerable—in some cases the very same tenants—to pay for public hospital car parking. We have tried and tried to get the state and federal governments to listen but they are doing nothing. Sadly, what is done is done and all we can do is move these amendments.

I will be up-front: if passed, we will use these powers. I am sure colleagues in this house would, because we would have a tool that we need in a democratic society—particularly in the people's house, the Legislative Council—to move disallowance on government if the government is so ruthless in the way it is ripping off pensioners and low-income earners.

If the council supports us in this bill we are telling the government that it will be on thin ice if it jacks rents up again any time soon, running the risk of having them disallowed in this house. The government got more than its fair share when taking that pension increase. I mention thin ice deliberately because I think there is a case for the freezing of rents for a year given what has happened to these people over the last several years.

The third measure is a provision that seeks to reform water metering of Housing SA homes. Housing SA will be required to put individual meters on each and every home and to report regular progress on that in its annual reports.

I want to point out that the parts of this bill are severable. I do not want honourable members to feel that they cannot support the bill because they like one part but not the other. If, through debate, it seems apparent that part of the bill has support but not others, we could consider changes or look at amendments during the debate. This bill is, of course, also open to amendments. We need to have this debate and I look forward to honourable members' contributions.

The Hon. Dennis Hood, other colleagues and I have already made many comments in the media on public housing. Here is the opportunity to put those comments into action to reform an area of public administration in South Australia that should not be toxic, but has become so, due to dreadful mismanagement by the government.

They have talked tough on antisocial behaviour in public housing, but done nothing. Now they have to act or justify to this house why they will not act. In conclusion, this week is the celebration of the 75th year of what we know—and what I prefer to call it—as the Housing Trust. It was set up by the Hon. Sir Thomas Playford and set up to ensure that low income earners and people on pensions had an opportunity for affordable housing. What we see now is 20,000 people waiting—

The Hon. A. Bressington: On welfare housing—

The Hon. R.L. BROKENSHIRE: —legitimate people who should be getting housing. As my colleague Ann Bressington rightly interjected, we are seeing welfare housing. We are seeing people who should be in supported accommodation become—unfortunately for themselves and for good salt-of-the earth tenants—totally disruptive tenants. It is time, with respect to mental health and illicit drug rehabilitation, etc., that we have the right accommodation for them and we go back to the basic, original, proven and intended 75-year-old charter, which was housing trust for people on low incomes and pensions. I commend the bill to the house.

Debate adjourned on motion of Hon. I.K. Hunter.

SUMMARY OFFENCES (TATTOOING, BODY PIERCING AND BODY MODIFICATION) AMENDMENT BILL

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

[Sitting suspended from 17:57 to 19:47]

MURRAY-DARLING BASIN PLAN

The Hon. M. PARNELL (19:47): I move:

That this council—

1. Notes the likely release in November of the draft basin plan by the Murray-Darling Basin Authority;

2. Notes the concerns of the Wentworth Group of Concerned Scientists about the Murray-Darling Basin Authority's basin plan process;

3. Notes the important work and findings on water reform prepared by the Goyder Institute commissioned by the South Australian government;

4. Notes that South Australia's position at the end of the River Murray exposes our state to serious risk of harm unless there is a commitment to river flows that are sufficient to ensure a healthy river system;

5. Recognises that the basin plan is the single biggest opportunity to reform the management of the Murray-Darling Basin and ensure a healthy river, healthy productive communities and a long-term future for irrigation in the basin; and

6. Calls for a guaranteed minimum sustainable river flow to ensure a healthy, working River Murray that is based on the best available, peer-reviewed science.

Securing a healthy River Murray is a critical issue for South Australia. In October last year, the Murray-Darling Basin Authority released the Guide to the Proposed Basin Plan. This was a comprehensive body of work backed by considerable peer-reviewed science, and it was supposed to chart a course for a major change in the management of the Murray-Darling system towards long-term sustainability.

The guide recognised that change was inevitable. It attempted to quantify what were the long-term average sustainable diversion limits for the basin that would ensure the long-term health of the river and the communities that rely on it. The guide was mostly welcomed by all sides in South Australia. Collectively, our community recognised that as the people at the end of the line we were most at risk if the river struggled. However, following strong reactions from vocal elements in upstream irrigation communities, the work that informed the guide was undermined, and a new process was set in train that emphasised a political rather than a scientific-based response. This led to a significant change in personnel, including the resignation of the chair of the Murray-Darling Basin Authority.

Since then there have been delays, with the loss of the urgency that came from the daily reminder of the drought that had gripped much of the basin over the last decade. Most recently, reports have emerged of new sustainable diversion limits that are significantly lower than what the scientists have consistently told us is the minimum required. The Greens share the concerns of all South Australians, who are deeply worried that the Murray-Darling Basin Authority's forthcoming draft basin plan will not guarantee enough water flows to ensure a healthy, working river.

These concerns are also shared by the Wentworth Group of Concerned Scientists. For almost a decade now the Wentworth group has been a trusted and active voice in the debate over the future of the Murray-Darling system, yet just over three months ago they walked away from the Murray-Darling basin plan process in frustration at the direction it was taking. I was keen to find out why, and I knew that this information would also be useful to others, so yesterday I organised a briefing for all South Australian state and federal members of parliament here in Parliament House, and I acknowledge that many legislative councillors turned up, as did a number of members of the other place and federal MPs. The briefing session yesterday featured two speakers and I will outline briefly for the benefit of members some of the things that they had to say to us. These presentations were both extremely timely and pertinent, and I would like to capture some of the issues that they raised.

The first speaker was Tim Stubbs, who is an environmental engineer, and he leads the Wentworth group on water reform in the Murray-Darling Basin. In that capacity Tim Stubbs has led the Wentworth group's call for independent, peer-reviewed science to form the basis of the plan. In the session yesterday he posed the question: why is it so hard, because it shouldn't be hard to get this right? He pointed out that the ducks were, in fact, aligned—the planets, if you like, were aligned. He pointed out that we have national legislation in place that enables us to manage the Murray-Darling Basin as a whole and also the fact that $8.9 billion has been committed and there has also been a commitment from the federal government to bridge the gap for any extra costs.

So the challenge for us is to work out how to best achieve the requirements that are set out in the federal Water Act. I think we have to acknowledge that we do need to make changes and, in fact, we do not have a choice about not making changes. We need to be honest about the level of change that is required. We have the money available to take the action that is necessary and we also need to have a proper debate in the community about how to maximise the use of that money so that it is spent in the best interests of the environment and for local communities.

One question that was raised by Tim Stubbs in his presentation was how we managed to lose 1,000 gigalitres of water. The original figure from the Murray-Darling Basin Authority was that an amount of 3,856 gigalitres would be needed to sustain the environment of the Murray-Darling Basin. The South Australian government, in addition and separately, also commissioned the Goyder Institute to do similar research. They used different scientists and a different methodology but they came up with about the same answer, that is, a sum of water in the high 3,000 gigalitre range.

Now we find that there are public statements from federal environment minister Tony Burke indicating that the likely figure of allocation to the environment is about 2,800 gigalitres, that is, 1,000 gigalitres less than the amount that the peer-reviewed science was telling us we needed not that long ago.

We also have concerns that this lower amount, the 2,800 gigalitres, will, in fact, drop even further, because there will be various pressure points and various discounts that will be applied to that figure. If we go back to the original figure that the Wentworth group is now calling to be reinstated, that of 3,800 gigalitres, we know that, even with that amount, important environmental assets will be lost.

Professor Quentin Grafton, from the Australian National University, did some work recently. It was highly respected work and earnt him a Eureka prize. He showed that it was possible to guarantee 4,000 gigalitres for the river at a cost of only $6.5 billion. I say 'only $6.5 billion' because there is nearly $9 billion that has been allocated to the task and, on that analysis, there would still be 7,500 gigalitres left for irrigation, so we would still have a thriving irrigation industry. Instead of taking that approach and using the money to best effect, the government and the authority are taking the easy political option, and this option will not lead to a healthy working river and we will not be getting good value for our money. If we end up with only 2,800 gigalitres, South Australia will be dudded even more than other states because the tab will be picked up by the environmental assets in other states. Other states will make sure that their environment is looked after, and, by the time the water gets to South Australia, the environmental flows will be largely gone.

It is also worth pointing out that an emphasis on spending money on infrastructure upgrades is a very poor solution in that it delivers much less water for the amount of the spend. We only get 600 to 700 gigalitres via infrastructure upgrades (which is far short of what is required), but it will consume the bulk of the money. The question that needs to be addressed is: what is the best spend for our dollar?

In a system like ours, with floods and drought and an unpredictable boom and bust weather cycle, we have to ask whether we are better off building pipes and pumps or whether we are better investing money elsewhere. The problem, of course, with investing in pipes and pumps is that we are going to be rewarding some of the laggards in the irrigation industry who have not kept up to date with the most efficient practices and who are well behind the efficiency leaders in the industry.

The question has to be whether we are better off offering assistance to the best operators—the ones who are already operating efficiently. If we go with subsidising the laggards then we will have a perverse policy outcome by rewarding those people who least deserve it; and, of course, this should particularly grate with South Australian irrigators who have been far more efficient over many years than their upstream counterparts.

We can be much smarter. We also need to make sure that the timing of the allocation of water to the environment is based on sound science, and that means that we need most of the water for the environment in the wetter years rather than in the drier periods. Irrigators, on the other hand, and river communities need more water in the drier years. The reason is that the natural environment benefits most when the increased water flows are piggybacked on wet years in order to enable small and medium flood events to look after the wetlands of the basin, but we also must have a guaranteed minimum flow.

We need to reframe the debate. We need to focus on river communities more, and we should frame the debate around how we transform the communities along the river with healthy river flows being a side benefit. Ultimately, it is better, I think, to wait to get it right rather than to forge ahead with the suboptimal commitment that appears likely to be put on the table in just one or two months' time. As Mr Stubbs said yesterday:

> This isn't business as usual. This isn't just another step. This is the single biggest opportunity to reform the Murray-Darling Basin so we have a healthy working river, healthy productive communities and a long-term future for irrigation in the basin.

I now turn to the presentation of Professor Chris Miller, who is a professor of social work and social planning in the School of Social and Policy Studies in the Faculty of Social and Behavioural Sciences at Flinders University. Professor Miller has a background working on the challenges faced by communities when a large part of their industry base is removed as a result of change, so he is well placed to comment on the future facing irrigation communities in the basin.

It is unfortunate, I think, to note that, up till now, the water reform in the Murray-Darling Basin has all the hallmarks of not just failing the river but also failing the people who depend on it. As the professor pointed out to us yesterday, this does not need to be the case, and many of the components for a successful social reform are in place if only we had the courage to take the opportunity, and the basin plan is a real opportunity to tackle the sustainability of the irrigation industry.

Part of the debate needs to revolve around an honest recognition that the irrigation industry, in many places, is struggling through many different long-term structural changes, which include things that have not been in the debate much to date, such as an ageing workforce. As it currently stands, communities will be managing their own slow death rather than transforming for their survival, and that is where we need to change the debate.

The process so far has been very poorly managed. Much of the reaction was fear of change. When I say 'reaction', I am referring to images that we are all familiar with of irrigators burning copies of the Guide to the Proposed Basin Plan that featured on all the television news broadcasts and has been repeated many times since. It was fear of change that was driving those sorts of actions, and I think that the debate has not been well handled.

There are many good and wise irrigators who know that things have to change; however, even those irrigators are angry at the poor level of engagement by the Murray-Darling Basin Authority, and they do not trust that government will help them through this inevitable time of change. It was a valuable presentation yesterday and I would like to thank Tim Stubbs and the professor for the time they gave us.

The motion before us specifically notes the important work and findings on water reform prepared by the Goyder Institute for Water Research, which was commissioned by the South Australian government. Prior to the release of the guide to the Murray plan, the South Australian government had invited the Goyder Institute for Water Research to determine whether the proposed sustainable diversion limits would meet the South Australian government's environmental water requirements and improve, or at least maintain, water quality. The review was also to assess the socioeconomic implications of reductions in diversion limits to the major water users within South Australia.

There is a series of relevant reports on the Goyder Institute website, but essentially the synthesis of their work strongly supports the previous peer-reviewed work done by eminent scientists that the minimum diversion limit is in the high 3,000 to 4,000 gigalitre range. I should also point out that this is a bare minimum and, if we were really serious about looking after the River Murray and maintaining it as a working and productive ecosystem, we should be looking at even higher amounts.

Any decision about the future of the Murray must be led by the best available peer-reviewed science. The scientific experts have long argued that we need closer to 4,000 gigalitres and certainly not 2,800. Anything less will not be enough to deliver the health of the communities along the riverbanks. It will not secure a long-term future for irrigation and it certainly will not keep the Murray Mouth open—2,800 gigalitres simply is not a sustainable limit.

When an organisation as reputable as the Wentworth group walk away from a process, as they did with the Murray-Darling Basin Plan, then it is a sure sign that the science is being sacrificed for politics. We must be very careful not to let recent rains, a recent return to wet conditions, blind us to the fact that what we are continuing to do to the River Murray is simply unsustainable. If the draft basin plan fails to include a science-based minimum sustainable river flow commitment, then we are destined to repeat this process all over again the next time that rainfall decreases across the basin. We know from other scientists, from climate scientists, that the predictions for southern Australia are for less rain, not more, and that means less water in the Murray-Darling and not more.

The Greens recognise that the basin plan is an enormous opportunity to reform the Murray-Darling Basin and we need to get this right. We need to think how history will judge the time that we are in. We have the legislation, we have the money, but do we have the political will to make the decisions that are necessary? So far the signs are not good, but the clear message from the Wentworth Group is that it is not too late to ensure a better outcome for our state, a better outcome for our river communities and a better outcome for the extraordinary natural wonderland that is the Murray-Darling River and estuarine systems.

So, I call on all South Australian state and federal MPs to do all they can to ensure that South Australia is not being sold down the river. Through this motion, I call on the Legislative Council to send a clear message that we expect a guaranteed minimum sustainable river flow to ensure a healthy working River Murray into the future. Most importantly, and I have said it several times now so that the message is not lost, the commitment must be based on the best available peer-reviewed science.

Debate adjourned on motion of Hon. I.K. Hunter.

BURNSIDE COUNCIL INQUIRY

Adjourned debate on motion of Hon. A.M. Bressington:

1. That a select committee of the Legislative Council be established to inquire into and report on—

   (a) The legality and appropriateness of the decision of the Minister for State/Local Government Relations to terminate the inquiry pursuant to section 272 of the Local Government Act 1999 into the City of Burnside, and to ascertain:

      (i) the likely duration and costs of proceedings with the inquiry to the completion of a final report by the investigator;

      (ii) the likely duration and costs of proceedings with the inquiry to the completion of a final report by the Ombudsman;

      (iii) the likely duration and costs of proceedings with the inquiry to the completion of a final report by a select committee of the Legislative Council;

      (iv) any legal impediments to the finalisation of the investigation; and

(v) the authority to which to refer any allegations of criminal conduct; and

(b) Any other relevant matter.

2. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that standing order No. 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only;

3. That this council permits the select committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council; and

4. That standing order No. 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses, unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 14 September 2011.)

The Hon. K.L. VINCENT (20:05): I rise today to place very briefly on the record my reasons for supporting this motion, and indeed the support of d4d as a party for re-opening the Burnside inquiry more generally. I am constantly flabbergasted by the continual examples of mismanagement that this government provides when attempting to deal with the Burnside council. I will not recount them one by one, because the Hon. Ann Bressington gave a thorough list of events when moving this motion.

I do, however, want to highlight the absurdity of the position that the government has left everyone in. What we have here is a council which exhibited enough evidence of inappropriate behaviour to warrant a state government investigation, and quite a lengthy one at that. Then, we have a finding from the Supreme Court confirming that it was in the public interest to conduct this investigation.

Despite these two strong indicators that the findings of the investigation would be worth hearing, the public has been cut off indefinitely from any conclusion of these issues. I understand that the current findings are not appropriate for publication, dealing as they do with some terms of reference which the Supreme Court found to be not within the appropriate scope of such an investigation, but this position where we drop the matter entirely is simply ridiculous.

The investigation into the former Burnside council was warranted and has been mandated by the Supreme Court decision. It is clear that the public deserve some answers to the questions they rightly ask about the former Burnside council. Unfortunately, despite the logical reasons to continue this investigation, minister Wortley has decided against it.

I am very supportive of having a committee established to examine the Hon. Mr Wortley's decision, with a view that this inquiry might eventually lead to a point where we can see some real resolution of the original concerns around the Burnside council. I commend the motion to the house.

The Hon. S.G. WADE (20:07): I do not intend to detain the council for long because I think it would be monotonously aware of my conviction that the people of South Australia, and particularly the ratepayers of Burnside council, deserve to have a solution to the MacPherson inquiry.

The minister, I think, suggested yesterday that the state expenditure on the MacPherson inquiry was in the order of $1.3 million, but that understates the cost to the state. There have been significant costs to the Burnside ratepayers through the contribution of the Burnside council, let alone the costs in relation to providing support to people who needed to make representations to the inquiry.

I would not be surprised if it were not already over $2 million that the people of South Australia, in various forms, have invested in this investigation. Let us remember that this government said that the situation at Burnside was so serious that it warranted a very rare event, a section 272 inquiry under the Local Government Act. That was a decision by this government, in fact it was a decision by minister Gago, who is now the leader of this house.

So, if the government thought that the issues relating to the Burnside council were so serious that they warranted a section 272 inquiry, then the people of South Australia, and particularly the ratepayers of Burnside, deserve to have those issues resolved. In that regard, the government repeatedly extended further money and further time to Mr MacPherson.

Clearly, minister Gago and her successors were convinced that the issues that were raised in the Burnside council investigation warranted that level of expenditure and that investment of time. But then at the end of the process we had this bizarre situation where minister Wortley—who by this time was on this side of the merry-go-round that is called the Labor Party local government ministers—decided that rather than resolve the inquiry he would terminate it, after a Supreme Court judgement that did, indeed, raise issues for the management of the inquiry going forward.

The house would know that, on behalf of the Liberal Party, I have moved a reference to the Ombudsman of the matters that have been left unresolved by the MacPherson inquiry, but I will inform the house that the Liberal Party will be supporting this resolution. We will not be seeking a council determination on the Ombudsman's inquiry reference until the committee being proposed by the Hon. Ann Bressington has reported.

We think there is real wisdom in the approach that the Hon. Ann Bressington has suggested, because we believe that the people of South Australia do deserve a cost-effective approach to get a resolution. The Hon. Ann Bressington's motion envisages at least three options to resolve the issue: firstly, that the original investigator complete his investigation; secondly, that the investigation be proceeded with by the Ombudsman; and, thirdly, that there be a select committee of the Legislative Council.

As Liberals, we are very keen to make sure that we do not waste another dollar of taxpayers' or ratepayers' money unnecessarily, so we believe that what I think the Hon. Ann Bressington described as a short, sharp and shiny select committee is wise. I would be surprised if this committee needed to meet more than two or three times, and I would hope that the council would have a resolution very quickly.

In that context, I believe the council will be in a good position to decide what is the best way of giving the people of Burnside and the people of the state the answers they seek. What we do not believe is acceptable is this government's approach, which is to say, 'It mattered in 2009 to have a section 272 inquiry; it doesn't matter now.' In that regard, I am reminded of the Hon. Russell Wortley's series of press releases, commonly called the 'listening series', which talks about the diminution of public confidence in the government and the government of the state. He used to mention the Burnside inquiry in that context, but he stopped. I actually think he was right the first time.

The Burnside council situation, unresolved, I think will continue to undermine the confidence of South Australians in the public administration of the state—not just local government, but state government. Just as the Liberal Party advocates strongly for an ICAC, we believe that the confidence of the people in the governance of this state is fundamental to a healthy democracy. We will be supporting the Hon. Ann Bressington's motion and any other motion that serves to restore, protect and enhance the trust of the people of South Australia in the governance of this state. I commend the motion to the house.

The Hon. M. PARNELL (20:12): The Greens will be supporting this motion. In declaring that position, I remind members that it has been the approach of the Greens, certainly for the last five years, to support motions that we see fall into the category of important unfinished business. I think this particular inquiry well and truly falls into that category, as did the inquiry into the stashed cash affair that had not reported, the inquiry into the Atkinson/Ashbourne affair that had not been reported when I first came to this place, and the Greens supported the continuation of those to a proper conclusion.

The advantage that this current inquiry has over those others is that the light at the end of the tunnel is certainly a lot clearer. Those other ones I think did go on a bit too long, but I accept what the Hon. Ann Bressington says: that this will be short, sharp and shiny. I think the people of Burnside have a right to get to the bottom of this, to find out whether the decisions that have been made have been made properly, and whether in fact it is legally possible to get final resolution of this matter.

We do not see this as a witch-hunt; I know that is how it will often be explained. We see it as the right of the people of Burnside and the people of South Australia to get to the bottom of this, to find out exactly what has happened and whether offences have been committed. Whichever of the different pathways to that outcome the committee ultimately resolves, I think it is appropriate for us to keep this going until we get to the bottom of it. The Greens will be supporting the motion.

The Hon. J.A. DARLEY (20:14): I rise briefly to indicate my support, both as a member of parliament and as a Burnside resident, for the Hon. Ann Bressington's Burnside council inquiry

motion. I, like the Hon. Ann Bressington, do not accept the minister's decision to terminate the inquiry into the City of Burnside or the justifications provided by the minister in relation to that decision.

As we all know, on 22 July 2009 the then minister for state/local government relations appointed Mr MacPherson to investigate and report to the minister on matters relating to the council of the City of Burnside. The terms of reference of that inquiry were subsequently the subject of judicial review, ultimately with the Full Court of the Supreme Court.

The judgement handed down by the Full Court of the Supreme Court provides, at paragraphs 16 to 18, the following:

> It is in the public interest that Mr MacPherson complete his inquiry, and report to the Minister, as soon as practicable, on matters within the scope of the Terms of Reference as limited by the Court. The difficulties confronting him in doing so will have to be dealt with, if and when they arise. The orders claimed by the plaintiffs do not prevent him from reporting to the Minister, if he can do so relying on material on which he is entitled to rely.
>
> The legal and practical problems that now arise are attributable to the fact that the plaintiffs brought the proceedings late in the piece. The challenge to the Terms of Reference could have been made at any time from the appointment of Mr MacPherson.
>
> In these circumstances, we consider that the public interest in Mr MacPherson completing his inquiry and reporting to the Minister, if he is able to do so, should prevail.

The court judgement then goes on to provide at paragraph 19 the following:

> Mr MacPherson should now complete his inquiry and report to the Minister as soon as practicable.

Here we have the Full Court of the Supreme Court telling us that Mr MacPherson should complete his inquiry albeit within the scope of the terms of reference as limited by the court. Despite this, the minister has seen fit to terminate the inquiry and leave Burnside residents, and South Australian residents more generally, in the dark as to the outcome of the original inquiry.

The Hon. Ann Bressington has already indicated that this should be a short, sharp and shiny inquiry aimed at establishing whether or not the correct decision has been made by the minister in terminating the original inquiry. I agree with that position and, as already mentioned, will be supporting this motion. In supporting the motion, I also consider that the Hon. Ann Bressington should be appointed as chairperson.

In closing, I move an amendment to enable the committee now to be a five-person committee rather than a six-person committee. Therefore, in paragraph 2, I move:

> Leave out the words 'That the committee consist of six Members and that the quorum of Members necessary to be present at all meetings of the Committee be fixed at four Members and'.

The Hon. I.K. HUNTER (20:17): The government does not support this motion—no surprise there. I could stop there but I need to put to rest some of the nonsense we have just heard from previous speakers. First, in relation to the Hon. Mr Darley's speech, amendment and suggestion that the Hon. Ann Bressington be the chair, I also suggest that the Hon. Mr Parnell also go on the committee. He can take my place. The Hon. Mr Parnell I think currently is on no select committees and I am on about six or seven—so Mark, anytime you like you can pick this one up.

The motion seeks plainly to establish a select committee to inquire into aspects of the investigation of the Burnside council and less clearly to consider how the investigation could be completed. The Minister for State/Local Government Relations has made it abundantly clear in this place the reasons for the government's decision to terminate the Burnside investigation. He has told us that it is not in the public interest to continue a potentially lengthy and costly process to complete a report within the terms set down by the Supreme Court.

We all know in here that there is a newly-elected council at Burnside getting on with the job. It is not fair to them or to the public to continue to inquire into a report that the President of the Local Government Association has correctly said would have minimal value. I am informed that, despite statements made by the Hon. Ann Bressington, the government has been advised by crown law that its decision to terminate the inquiry is not unlawful.

A select committee can call for as many opinions as it likes. The government and its ministers will act on the appropriate advice it receives. I am also advised that the government has taken action to address the community concerns about allegations of possible criminal conduct during the term of the previous Burnside council. It is my understanding that the Crown Solicitor has been asked to review the material gathered by the investigator (Mr MacPherson) and to refer

any evidence of possible criminal activity to the Director of Public Prosecutions. In taking these actions, the government has endeavoured to ensure that material from the MacPherson investigation is appropriately scrutinised.

What will actually be achieved by this motion? Will it actually be possible to complete the investigation report as proposed in the terms? It has to be recognised that there are likely to be significant legal difficulties in doing so, whether it is the investigator or the Ombudsman, or a select committee attempting to do so. Some people, possibly the plaintiffs in the court action, or others, may very well take further court action for the return of documents and evidence gathered by the investigator, given the Full Court judgement.

The material gathered would need to be unravelled with regard to what parts are valid and what are now invalid under the terms of reference of the investigation. Two of the options which this motion canvasses include the Ombudsman completing the inquiry or that another select committee of this house could complete the inquiry at some other stage—surely, illogical; surely, just plain silly.

Surely the Ombudsman would need to conduct any form of inquiry under the terms of his own act. He could not just pick up the inquiry where Mr MacPherson left it, particularly given the legal rulings affecting the validity of the terms of reference and thus the collection of some evidence. The Ombudsman would presumably have to start the inquiry from scratch, under his own powers, and gather and assess evidence from a council and witnesses again. Similarly, the government fails to see how a select committee could just continue on from what has been done to date and complete the investigation.

If the investigation were to be completed it must be recognised that, under the Local Government Act, the Minister for State/Local Government Relations can only deal with the outcomes of such a report within their own jurisdiction, that is, under the Local Government Act. I am advised that under the act the minister can only deal with the council as a body, not with individuals, and the minister would have to consider acting against the council that has an entirely new make-up and has nothing to do with the old council that was the subject of the investigation in the first place.

The honourable member has continually implied that the government is covering up some secret in respect of the Burnside investigation. This is absolute nonsense. The government was very keen for the investigation to be completed as soon as possible, and had committed to providing a report to parliament provided there were no legal impediments to doing so.

I would like to take this opportunity to remind the house of what actually happened. I am advised that the investigator produced a draft provisional report in August 2010. He made it available to various people to give them the opportunity to respond to him. That is natural justice in action. Subsequently, I am informed that six people decided that they would not provide any response to the investigator and they sought a judicial review, as is their legal right, and they sought a suppression order. That is when the inquiry stopped effectively for more than six months. These people did not ever provide any comment or response to the investigator, as I understand it.

The draft report was never intended to be released to the public. It was a draft to which the investigator would no doubt have made changes if he had been able to consider the responses from all of those named in the draft report, review those responses and then prepare a final report. If the investigation were to proceed now, those people would presumably not provide any further input and are likely to seek, I would imagine, by court action the return of all documentation and records of interviews. What we should be focusing on now is such things as: was there any evidence or possible criminal conduct? As the minister has already stated, the Crown Solicitor's Office—

The Hon. A. Bressington interjecting:

The Hon. I.K. HUNTER: Well, listen, and you might find out. The Crown Solicitor's Office will be providing the government with advice on this. Should we not wait until this is available? Members will then be in a much clearer position to understand the situation and assess the value of any proposal to continue the inquiry. We should also have a look at how we can address and improve governance in local government and introduce appropriate reforms.

I am advised that key matters here include standards of conduct—local government needs a comprehensive model code of conduct for elected members of the council (it does not yet have one), with enforceable sanctions and penalties as recommended by the Attorney-General's Public

Integrity Review. Local government itself is asking for enforceable sanctions for a code of conduct breaches. I also understand there are a range of other issues such as confidentiality provisions, conflict-of-interest provisions, meeting procedures, etc., that need to be covered by such a code.

How councils can be better equipped to deal with these matters is what we should be focusing on. What will be the best framework for investigating serious problems in councils in the future in the context of a new public integrity structure, and what options should there be for taking action after an inquiry report?

This is what we should be concentrating on now. This is what the government is working on now—a practical and forward-looking outcome, not an expensive trawl back over events that began five years ago with no real outcome possible.

The new Burnside council needs to be able to get on with its job, as it is doing currently. The current elected council members at Burnside were not involved or responsible for these matters. The effect on the current council of a continuation or the recommencement of the investigation should not be underestimated. Substantial time and resources are likely to be expended by the council and its staff and the community further troubled.

I ask members to think very carefully about this motion. What will it really achieve? Are you comfortable with more public money being spent on this whole process? The government opposes the motion, and I urge all honourable members to do the same.

The Hon. R.L. BROKENSHIRE (20:26): First of all, Family First advises that it will be supporting the Hon. Ann Bressington's motion. However, from a personal point of view, I have one question for the Hon. Ann Bressington and, depending on the answer, I may foreshadow an amendment to the wording of the motion.

I think it is fair to say that this whole mess started not under this current minister but under the former local government minister or even the one before. This minister is a new minister who picked up the pieces on behalf of several ministers and, frankly, on direction from the Executive Council of the government and possibly even the caucus.

My question to the Hon. Ann Bressington is: can she advise me of the intent of the wording in paragraph (a), 'The legality and appropriateness of the decision of the Minister for State/Local Government Relations' rather than 'the appropriateness of the decision of several ministers or of this government' with respect to terminating the inquiry? I have that question, but I again say that, in principle, we will be supporting the Hon. Ann Bressington in her motion to establish a select committee.

The Hon. A. BRESSINGTON (20:28): First of all, I thank all members for their contribution on this motion. It is obvious that we crossbenchers and the opposition are in unison on this. To answer the Hon. Robert Brokenshire's question, the reason the wording is as it is is simply that the minister made it very, very clear on several occasions that this was his decision and his decision alone and that he had not consulted with any other members of the Labor Party or the Labor caucus. I think it was on the second day of his taking over the portfolio, he beat himself on the chest and said that he had made this decision and that he would stand by it. There was no indication that the government had any influence whatsoever on his decision, hence the wording of the motion.

I think it is important to move forward with this now. I am sick of the circular debate and argument and so on that has been going on in this house for a very long time in relation to this issue. I want to make the point that I believe, as I think other members do, that this was a stupid decision that was backed up by stupid statements with no foundation at all and highly likely to be unlawful, according to the Local Government Act.

These are issues that may not be of concern to this government or to this minister, but they are certainly issues that are of concern to the people of this state. I also make the point that we handed up a petition with 1,680 signatures, which is not a lot out of 30,000 residents, as the minister acknowledged with a smirk on his face—'1,680 out of 30,000—so what?' Well, that is 1,680 people who were approached, as I made the point earlier. This is a concern even to people outside the Burnside council.

People have a perception that there has been a cover-up. What better way to put that to rest for a government that promised to re-engage and reconnect with the community and to be transparent. These actions have done nothing to curb suspicions and allegations that this is a secretive government, so let us get on with this select committee.

We intend to have Mr MacPherson in to verify that it would take millions of dollars and perhaps years to complete the report and ask him some questions that will not be in breach of any suppression orders. We are certainly not going to ask for a copy of the report, as was rumoured; we know the limits. We are simply after a way forward with this, to show whether the minister's decision was lawful and appropriate. I think the people of South Australia and the people of Burnside deserve answers to those questions. I support the Hon. Mr Darley's amendment.

Amendment carried.

The council divided on the motion as amended:

AYES (13)

Bressington, A. (teller)	Brokenshire, R.L.	Darley, J.A.
Dawkins, J.S.L.	Franks, T.A.	Hood, D.G.E.
Lensink, J.M.A.	Lucas, R.I.	Parnell, M.
Ridgway, D.W.	Stephens, T.J.	Vincent, K.L.
Wade, S.G.		

NOES (6)

Gago, G.E.	Gazzola, J.M.	Hunter, I.K.
Kandelaars, G.A.	Wortley, R.P. (teller)	Zollo, C.

Majority of 7 for the ayes.

Motion as amended thus carried.

The Hon. A. BRESSINGTON (20:36): I move:

That the select committee consist of the Hon. John Darley, the Hon. Stephen Wade, the Hon. John Dawkins, the Hon. Gerry Kandelaars and the mover.

Motion carried.

The Hon. A. BRESSINGTON: I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on 23 November 2011.

Motion carried.

OPERATION FLINDERS FOUNDATION

Adjourned debate on motion of Hon. J.S.L. Dawkins:

That this council—

1. Congratulates the Operation Flinders Foundation on its 20th anniversary and success in providing support and opportunities to young men and women who have been identified as being at risk;

2. Acknowledges the terrific work done to develop the personal attitudes, values, self-esteem and motivation of Operation Flinders participants through espousing the virtues of teamwork and responsibility so they may grow as valued members of the community; and

3. Pays tribute to staff, volunteers, board members and ambassadors of the organisation, past and present, who dedicate time, skills and resources into empowering youth through this worthy organisation.

(Continued from 27 July 2011.)

The Hon. S.G. WADE (20:37): I rise to support the motion of the Hon. John Dawkins to congratulate the Operation Flinders Foundation on its 20th anniversary and its success in providing support and opportunities to young men and women who have been identified as being at risk.

As my honourable colleagues have indicated both in this house and in another place, the Operation Flinders Foundation is a South Australian charitable organisation that runs a quality wilderness based program for young offenders and young people at risk. This unique program, which leads the world in programs of its type, takes participants between the ages of 14 and 18 on an eight-day exercise in the far northern Flinders Ranges.

For eight days the participants are placed in an environment where they face demanding outdoor challenges. With the help of a team leader skilled in navigation and bushcraft, they live out and sleep on the ground, prepare their own food, navigate through the Flinders Ranges and learn the values of teamwork and respect. They also learn basic bush survival skills, are taught to abseil, discover Indigenous culture and learn of the rich history of the Flinders Ranges.

The whole experience helps these young people develop personal attitudes of self-esteem, leadership, motivation, teamwork and responsibility. In that regard I think it is important to differentiate Operation Flinders from what it is often misconceived to be. I think when people initially hear of those qualities they start to think Operation Flinders is some sort of American-style work camp; far from it. The values that I just referred to—self-esteem, leadership, teamwork and responsibility—are at the core of Operation Flinders. It is not a work camp. It is a program with which I was very impressed. It is strongly dependent on a team of highly skilled advisers in an advisory council, including both psychologists and psychiatrists, and it focuses on building people up whereas work camps so often are about pulling people down.

As I indicated, the program is strongly supported and, as I will refer to later, is also strongly evaluated. The project truly benefits some young South Australians, providing them with an opportunity to break away from their past and grow as valued members of the community.

The Operation Flinders project was first established in 1991 and, as does often happen in projects of this type, was very dependent on a pioneer, a passionate advocate in the person of Pamela Murray-White. Ms Murray-White was a former Army officer and a teacher. Upon completion of her Army service, she returned to teach at the Beafield campus, dealing with students with behavioural problems. Ms Murray-White recognised the potential benefits of experiences in an outdoor environment from her service in the Army. With assistance from local defence force personnel, she was able to translate her ideas into the program we now have, called Operation Flinders.

True to that heritage, I note that many of the volunteers, team leaders, peer mentors and so forth who are involved in the program have links with the defence forces and with our police. John Shepherd now has the leadership of that program and I know that John is widely respected throughout the state as a passionate leader and a very effective communicator.

Like other members, I have had the privilege to visit the program and I was very impressed with the creativity. I can remember one particular site on the program which engages young people in history and storytelling. It was almost a piece of theatre in the bush. I also recall the abseiling program and I know that—

The Hon. J.S.L. Dawkins: Did you do it?

The Hon. S.G. WADE: I did do it. I went all the way down. I understand that rumour has it when the honourable member for Hammond heard that I had done it, he no longer resisted. I am glad that I can serve as a dare if nothing else. I believe that a program such as Operation Flinders is a crucial crossroads opportunity for young people at risk.

It is only an eight-day program. It cannot give young people the skills that they need to turn their life around but it can offer them a crossroads. It can give them an opportunity in a bush environment well away from the troubles of life to decide what they want to do with their life. It is done in a supportive environment where they have peer mentors, team leaders and a whole apparatus to support them to face challenges in an eight-day period which will give them, as I said, an opportunity to turn their life around.

Also in the work on the field and the work of Operation Flinders back here in Adelaide and through its chapters around the state, I have been very impressed with the work that Operation Flinders does to help the community as a whole understand the value of early intervention, the value of diversion programs, which reach young people at risk where they are to give them opportunities to divert. I think it is a very important message for the wider community to accept.

So often our law and order debates degenerate into a punitive approach which is characterised by this government's 'rack, stack and pack' approach to law and order, and I think Operation Flinders is out there as a positive response to the risk of crime in our community. Let's be frank: the work of Operation Flinders is a very cost-effective investment in preventing future crime. There will be hundreds and thousands of victims who I believe will be spared the trauma of victimisation because of the work of Operation Flinders and programs like it.

The program is partly funded by the Attorney-General's Department. In 2006, the former attorney-general Michael Atkinson boasted in the other place that:

> Upon attaining government, I took steps to offer the government's support for the program...We entered into a three-year contract to support them, and we are proud that the government of South Australia is Operation Flinders' principal supporter.

In the context of these remarks, I am concerned that the government funding, whilst it was renewed for three years recently, was a renewal only in terms of continuation of previous funding. There was no CPI increase. For a program which is dependent on resources that are constantly increasing in cost, that concerns me. Considering that we have bipartisan support for Operation Flinders, I would hope that the government would be able to do better.

As I indicated earlier, it is very important in my view that Operation Flinders is evaluated. Not every good idea is an effective idea, but Operation Flinders has a commitment to quality, it has a commitment to being world's best practice and, in that context, it has subjected itself to constant and professional evaluation. In that context, the 2000 evaluation of the program conducted by the Forensic and Applied Psychology Research Unit from the University of South Australia found:

> Participants at higher levels of risk demonstrated significant improvements on self-reported measures of self-esteem and criminogenic needs (angry feelings, attitude towards police, neutralisation and identification with criminal others). Those participants still in the education system recorded significantly improved teacher behavioural ratings in the area of initiative, social attention, coping with success and failure, social attractiveness and self-confidence.

I agree with the member for Bragg, who highlighted in the other place that it is very important that the government not only contributes to this program but also gives it more funding and makes sure that, as a demonstrably successful program, it prospers in the future.

We are fortunate to have Operation Flinders in our state. We celebrate with it the first 20 successful years of the program, and we look forward not merely to the next 20 but beyond. I support the motion.

Debate adjourned on motion of Hon. I.K. Hunter.

CLIMATE CHANGE

Adjourned debate on motion of Hon. Mark Parnell:

That this council—

1. Notes the recent release of The Critical Decade report and the separate South Australian Impacts report by the Climate Commission and the call for urgent action outlined in the reports; and

2. Calls on the state government to intensify its efforts to respond to the challenge of climate change.

(Continued from 6 July 2011.)

The Hon. I.K. HUNTER (20:47): In rising to respond on behalf of the government, I also flag that I will be moving an amendment that seeks to make the wording of the motion a little bit more accurate; that is how I put it. I move to amend the motion as follows:

> Leave out the words 'intensify its efforts to respond' and insert the words 'maintain the intensity of its efforts in responding'.

South Australia enjoys pre-eminent leadership on environmental and climate change issues, one that has been driven primarily in this state by Premier Mike Rann. After being elected Premier of South Australia, Mike Rann became Australia's first Minister for Sustainability and Climate Change—one of the first such ministers in the world.

The South Australian government has taken action on many fronts to address climate change and establish a leadership position for our state. Initially, these actions were set against a national policy backdrop of inaction perpetuated by the Prime Minister of the time, John Howard. The Premier, as Chair of the Council of Australian Governments, joined forces with his colleagues from New South Wales and Victoria in 2006 to launch a discussion paper on the prospect of a national emissions trading scheme. They later commissioned a major independent report to examine the economic implications that climate change would deliver Australia.

The aim of that report, compiled by respected economist Professor Ross Garnaut, was to provide an independent assessment on the escalating threat of climate change and an economic road map to show how Australia could not only play its part but also become a leader, rather than a

follower, in tackling the challenge of climate change. By taking on this leadership role, the Australian states were able to fill the national policy void that existed until the election of a federal Labor government in 2007. It was action born partially of necessity because our nation is among those at greatest risk from global warming.

South Australia faces the potential loss of high-production land that remains the foundation of our economy, as well as serious threats to our precious water resources, because of the already marginal nature of our rainfall. Australia as a whole faces the possibility of more intense weather events, catastrophic flooding and heightened risk of devastating bushfires if we fail to reduce our levels of greenhouse gas emissions. Consequently, since the Labor government came to office, we have shown a preparedness to legislate as well as to innovate in order to tackle these challenges.

In 2007 we became the first state in Australia and one of the first in the world to introduce dedicated climate change legislation. That includes a target to reduce our greenhouse gas emissions by at least 60 per cent of 1990 levels by the end of 2050. During a time of unprecedented infrastructure investment and sustained economic and employment growth, South Australia's carbon emissions have dropped. It is proof that environmental sustainability can be achieved at the same time as economic growth.

We have also committed to generating 33 per cent of our state's power needs from renewable green sources, such as wind and solar, by 2020. It is an ambitious target for a state that does not have access to hydroelectricity, but we are already on track as a state to reach it. Initially the goal was 20 per cent, but we made such great progress under premier Rann's stewardship that we decided in 2009 to lift the bar even higher.

When this government was elected to office in 2002, there was not a single operational wind turbine in South Australia. Today there are 534 wind turbines with that number likely to grow beyond 550 by the end of the year. Our success reflects the fact that we moved early to gain an advantage in the development of renewable energy sources.

South Australia has established Australia's most streamlined planning framework for wind investors, and we have set up a dedicated investment fund—RenewablesSA—as well as a board of experts to drive further support, such as opening up pastoral land to wind and solar farm investors. Changing our state's land-use planning system to make it more straightforward has helped us attract significant investment in wind farms, and we are now home to more than 54 per cent of the nation's total installed wind generation capacity.

It is has also enabled our state to reach our initial target of 20 per cent of our electricity generated from renewable sources three years ahead of schedule and nine years ahead of the rest of Australia. Premier Rann recently noted that South Australia's nation-leading role as a renewable energy hub has received a major boost with Suzlon Energy Australia announcing plans to invest $1.3 billion building one of the world's largest wind energy projects on the Yorke Peninsula.

Just as importantly, wind power has taken the place of some of our state's imported electricity requirements. Imported electricity is the most carbon intensive in Australia and to reduce the need for it is an achievement that delivers significant benefits for our state and for the planet. Indeed, the carbon intensity of South Australia's electricity is already better than the national average, and that gap is set to widen further as we draw more investment to our renewable energy sector.

We were also the first Australian state to put in place a regulatory framework that was specifically tailored to the needs of the rapidly developing geothermal industry. South Australia is blessed with some of the hottest rocks in the nation (if not on the planet) and geothermal energy offers huge potential to deliver truly emissions-free baseload electricity without the variability issues that affect wind and solar.

As a result of moving early, South Australia has attracted around 87 per cent of the total investment in geothermal projects in Australia to the end of last year. The same applies to the growth in the use of domestic solar panels to maximise the benefits of our abundant sunshine. We were the first Australian state to introduce a feed-in scheme that pays consumers a premium rate for electricity generated from their rooftop installations in order to encourage the more rapid take-up of solar power.

But our leadership in renewable energy is not solely attributable to the fact that South Australia offers better wind profiles, hotter rocks or more sunlight than other states. It reflects our preparedness to work closely with business and local councils and to change our regulatory

processes where necessary in order to provide greater consistency, transparency and investment certainty. We were the first and remain the only jurisdiction to introduce a payroll tax rebate for the construction of large-scale renewable energy projects.

We also helped commission a national independent green grid study that shows a viable business case to support 2,000 megawatts of wind energy on our sparsely populated West Coast as well as transmission facilities needed to feed it into the national electricity grid. That is around 45 per cent of our state's current annual electricity generation and will deliver significant economic benefits to South Australia by making us the national engine room of wind power.

It also provides a compelling example of how we can best position our state to maximise the significant opportunities that will arise when the Australian government introduces its carbon-pricing mechanism. It also enables us to further develop our clean and green industries and skills that will work to our economic advantage. There are also a number of other ways we are working to achieve better environmental and economic outcomes.

To further maximise our advantages, we are looking to the power of innovation, by accelerating the development of our biomass and biodiesel industries. For example, the South Australian government has recently provided a grant to help a forestry company on Kangaroo Island, one of our state's premier tourist attractions, explore a proposal for a biomass power plant that will help meet the island's electricity needs.

We have also introduced voluntary sector agreements as a highly effective tool in reducing emissions and increasing the uptake of renewable energy and energy efficiency measures. These industry partnerships have been highly successful in engaging some of our key industries and industry sectors, such as our wine industry and our tertiary education sector, to fund and develop activities that further reduce our state's greenhouse gas emissions.

Another area that presents significant challenges in reducing carbon emissions is improved energy efficiency, particularly with the spikes caused by cooling demands at the height of the torrid Australian summers. That is why we have decided to apply Australia's toughest energy efficiency standards for new air conditioners. We are also supporting the development of prototype solar thermal air-conditioning units for domestic use.

Another initiative with significant potential is the use of green walls—employing vegetation to cover large external walls and roof spaces—to provide a distinctly South Australian response to improving the energy efficiency of existing building stock. These living wall projects are in their early days, but if we can get the vegetation and its maintenance right, we may create a technique that reduces energy demand in large buildings at much lower cost than other alternative methods.

The South Australian government has also acquired Tonsley Park. The 60-hectare former Mitsubishi manufacturing site will become a dedicated hub for new, clean-tech industries that will not only drive innovation but also create local jobs. At the heart of this development will be a sustainable industries education centre that will specialise in training more than 8,000 students a year in the skills required for the clean and green jobs that will define the first half of the 21st century.

As I mentioned earlier, the South Australian government is currently undertaking an unprecedented investment in infrastructure that is building our state for future generations. Among the big build are initiatives to enhance the sustainability of Adelaide and our state, as well as its liveability. These include practical measures, such as the expansion and upgrade of our public transport network, and water capture and re-use projects, such as a pipeline network that utilises recycled wastewater to sustain our city's Parklands.

Our major new road infrastructure projects now incorporate extensive bicycle paths, and in the past eight years we have almost doubled the total number of kilometres set aside for bike paths and lanes throughout Adelaide. We have also released a 30-Year Plan for Greater Adelaide, which provides a comprehensive blueprint to shape our metropolitan area and its future, as well as creating a greener, more vibrant city for pedestrians, cyclists and visitors. It includes reducing the vulnerability of our critical infrastructure in the face of a challenging climate, as well as the ongoing protection of costal development from seawater inundation.

Work is also underway on an adaptation framework for South Australia to address the unavoidable impacts of climate change across regions and sectors of our state. We have built a desalination plan to secure Adelaide's ongoing water security, and we have invested in a new

$30 million super greenhouse that will help us fast-track the development of new strains of grapes, grains and vegetable crops that are better able to tolerate drought and increased salinity.

There is no doubt that South Australia has the intellectual capabilities, as well as the climatic conditions, to develop alternative energy sources and energy-saving initiatives. Above all, we have the will to trial not just new technologies but also innovative policies, a number of which are being adopted at a national and even global level.

For example, we pioneered our Million Trees program, which has already achieved outstanding results, with more than two million seedlings planted to date across Adelaide. Its aim to establish three million local native plants will reconstruct around 2,000 hectares of native vegetation throughout our city's open spaces and will offset around 600,000 tonnes of carbon dioxide equivalents over the life of the plantings.

This work has been expanded internationally through an idea Premier Rann presented to a session he chaired at the summit of the Climate Group's States and Regions Alliance, held in concert with the UN Climate Change summit in Copenhagen in 2009. As a result, an agreement was reached for the alliance's more than 40 member states and regions around the world to plant one billion trees by 2015.

The importance of the Climate Group's States and Regions Alliance is best underlined by the UN Development Program's belief that up to 80 per cent of the decisions needed to implement a global deal on climate change will be taken at state, provincial or regional level. As such, subnational governments such as our state's have a vital role to play if they work in collaboration with industry and the community. As an example, through the work being undertaken by the Climate Group, the trialling of low-emissions LED lighting in public places is underway in our city.

The South Australian government is not resting on its laurels, despite significant achievements in addressing climate change. Rather, it is continuing to move its climate change agenda forward, engaging with the commonwealth as appropriate on its clean energy future package and working across government on a host of initiatives that will keep South Australia in a leadership position, a leadership position that South Australia enjoys because of the passionate commitment of the Premier, Mike Rann, to address the challenge of climate change.

The Hon. J.M.A. LENSINK (21:00): I rise to address this motion, which is in two parts: one referencing the document The Critical Decade report and specifically referring to 'South Australian Impacts'; and, secondly, calling on the state government to intensify its efforts to respond to the challenge of climate change. The issues relating to climate change are very complex and cross a lot of portfolios. The largest source, particularly in Australia, is from our energy production. There are also significant emissions from transport, agriculture, changes to land use clearance and from waste. That involves a lot of different portfolios, notably energy and mineral resources, agriculture and the environment. There are often a number of different ways this topic is tackled.

The Critical Decade report has been published by the Climate Commission, an independent body funded through the federal Department of Climate Change and Energy Efficiency, established in February 2011. The purpose of The Critical Decade report, released in May this year, is explained thus:

> To review the current scientific knowledge base on climate change, particularly with regard to (i) the underpinning it provides for the formulation of policy and (ii) the information it provides on the risks of a changing climate to Australia.

The report refers to evidence of increases in surface air temperature, ocean temperature, decreases in sea and polar ice sheets, and sea level rises linked to human causation through increased carbon dioxide emissions.

For the record, I say that I am certainly not a sceptic. I understand the scientific process and it is one for which I have great respect. I am disappointed at some of the opprobrium (if I can use that word) that is often directed at the scientific community, which I think is completely unfair. The report sources data from the Intergovernment Panel on Climate Change (IPCC), which observed in 2007 that:

> Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas connections.

The report states that this position is further strengthened by more recent research and refers to it. The fundamental finding of the report is that we are living in the decade where decreases in the

amount of carbon dioxide being emitted are an absolute necessity so that our future way of life is not dramatically changed by the impacts of climate change. It is to these potential results that the second report mentioned in the motion is relevant—'South Australian Impacts'.

The three most significant impacts for our state are: increased heats wave periods resulting in heat-related illness and death, particularly among the elderly; changing rainfall patterns, with less participation and therefore more droughts; and coastal flooding. My federal colleague, the shadow minister for climate action, environment and heritage, the Hon. Greg Hunt, in his media release responding to this report stated that:

> The Coalition welcomes the review and update of the climate science contained in the Climate Commission's report...
>
> The Coalition recognises that the world is warming, and that humans are having an impact on that warming.
>
> There is bipartisan support in Australia in support of the science of climate change, as presented in this report. There is also bipartisan support for the target of cutting emissions by 5 per cent by 2020 on an unconditional basis.

However, the release goes on to confirm that supporting the report does not equate to supporting a carbon tax. Given the hour of the evening I will not speak at length, as I might have, but I refer to the Coalition's direct action plan, which I understand was actually endorsed by the Climate Institute as the most effective means of reducing CO_2 emissions.

The direct action plan of the Coalition focused on a number of things, including soil carbons and an emissions reduction fund which would assist business and industry, and referred to the planting of additional trees in public spaces, being mindful of the increase in cost of living. It also referred to our record.

This government, in particular, often likes to claim credit for renewable energy; however, the world's first mandatory renewable energy target was actually established by the Coalition government, which provided a renewable energy market with tradable certificates which has stimulated some $3.5 billion of investment in renewable energy technology since its introduction in 2001. I say that because I think it is unfair that this government continually claims credit for what has taken place in the renewable energy space, when a lot of that has occurred thanks to John Howard.

I refer back to the debate we had in this place in relation to the Climate Change and Greenhouse Emissions Reduction Bill. This bill was pushed fairly quickly through the parliamentary session in 2007, and those of us on this side of the chamber, as well as number of the crossbenchers, including the mover of this motion, were very annoyed that it occurred at that pace. We had trouble getting information about the level of greenhouse gas emissions that had been calculated by the local agency, and at that stage we were very mindful that a lot of this was rhetoric rather than reality.

We had the issue of whether we should have interim targets or not, and my colleague the Hon. David Ridgway moved an amendment that we should establish an interim target. We then had amendments from the mover of this motion to increase the renewable energy target for South Australia, which at that stage Labor did not support. We also had an amendment from the Hon. Sandra Kanck to require the minister to report on any determination the minister makes on those targets. The government did not support the amendment but it passed because of the good work of the crossbenchers and the opposition. My colleague the Hon. David Ridgway moved an amendment to make the CSIRO report on targets, which was passed without the government's support. He also moved an amendment relating to the regulation of the council to provide independent advice to the minister.

Those things were all done to improve the transparency of our system, and I note that that piece of legislation was due to be reviewed this year—and it has not been. I certainly will not support the amendment of the Hon. Mr Hunter. If I had decided to make an amendment to the original motion to ensure that it reflected the views of the Liberal Party, where the Hon. Mr Hunter suggests we leave out the words 'intensify its efforts to respond', I would say 'intensify sincere efforts to respond'. However, I will not be doing that in the interests of process. With those comments, I indicate that we support the motion as it was initially moved.

The Hon. K.L. VINCENT (21:09): I wish to speak today, or tonight as it so happens to be—

The Hon. S.G. Wade: It's still today.

The Hon. K.L. VINCENT: There are more important things to discuss I think, Mr Wade.

The PRESIDENT: The Hon. Ms Vincent shouldn't take notice of interjections.

The Hon. K.L. VINCENT: I wish to speak in favour of the Hon. Mr Parnell's motion, and against the amendment moved by the Hon. Mr Hunter. I think it is fair to say that there are few issues or instances where I would consider that my age is truly relevant in this parliament; however, I have spoken in this place previously—quite recently, in fact—about the fact that being the youngest member in the South Australian parliament I am very concerned about climate change and its effect on my generation—and, indeed, the generations that will come after me. I read with great concern The Critical Decade and, in particular, the South Australian Impacts, for I believe strongly in the vast majority of notable scientists who point to reams of research and data highlighting temperature increase on this planet.

On a world stage, Australia seems significantly behind the rest of the developed world in debating the issue of climate change and carbon emission reduction, and anything that this chamber can do to further government accountability and raise public awareness is essential. In Adelaide, limited community understanding and a lack of public transport infrastructure and engagement still leave us with a heavy reliance on private cars and fossil fuels. Buses, light rail and bicycles provide better options for our environment and for improved public health outcomes.

In this state, houses are still built without double glazing, without adequate insulation and without enough concern for energy consumption. Yes, uptake of solar energy panels on dwellings is increasing, but still we falter in our long-term commitment to renewable energy sources. I have noted casually that visitors arrive in this country and wonder at our limited use of the incredible wind and solar resources that we have at our disposal in this wide brown land.

The South Australian Impacts chapter of The Critical Decade report points to concerning data regarding sea level rises and consequent flooding along our coastline. South Australia has experienced sea level increases on average of 4.6 millimetres per year for the past 20 years. This is above the global average of 3.2 millimetres. Current projections have us at a doubled risk of coastal flooding in Adelaide.

By the end of the century, as many as 43,000 residential buildings will be at risk of flooding, and that would make the western suburbs of Royal Park and Seaton seafront. The City of Charles Sturt, encompassing the majority of the western suburbs, is looking at the prospect of 14,000 inundated dwellings. Most of that city's current beachside suburbs would be under water in a flooding event. The impact on rainfall and food production is also negatively forecast by this report. The government has a Minister for Food Marketing, but that will be a pointless exercise if we have no food to market.

I will vote against the government's amendments to this motion, as I believe it is unwarranted, gratuitous backslapping. Australia is one of the biggest carbon polluters in the world on a per capita basis, and South Australia contributes significantly to this. The Labor government should take note of its heavy reliance on and encouragement of mining finite resources and the consequent carbon footprint that this creates.

I can appreciate the economic benefits of mining to this state, but I would suggest that investment in sustainable renewable resources is essential and the way forward. One would think that the very title of this report, The Critical Decade, gives some indication that current government measures to tackling climate change have not yet been and are not yet enough.

I would also hasten to add that, if this government were really serious about battling climate change, perhaps they would have given more support to the amendments to the electrical products bill recently before us, tabled by Mr Parnell, which sought to give a fairer and more extended solar panel reimbursement scheme.

Action now on climate change is required if we are to arrest carbon emissions and even consider a world that can feed this many inhabitants, just to mention one of the many possible consequences. I commend the original form of the Hon. Mark Parnell's motion to my colleagues.

The Hon. A. BRESSINGTON (21:14): I rise to speak to this motion of the Hon. Mark Parnell, and I thank him for putting climate change on the agenda again. But it will be of no surprise to members in here that I do not subscribe to the hysteria of man-made climate change that has been portrayed by lobby groups who are connected with some pretty shady people; and, of course,

the Club of Rome is one of the big players and instigators of the climate change issue and almost solely responsible for the propaganda and strategies used to raise climate change hysteria.

I will probably be taken outside and stoned after I finish this speech, but that is okay. I would just like to put on the record a few of the emails or parts of the emails that came out as a result of the 'climategate' affair. Professor Chris Folland, Hadley Centre for Climate Prediction and Research, states:

> The data doesn't matter. We're not basing our recommendations on data. We're basing them on the climate models.

Dr David Frame, climate modeller of Oxford University, states:

> The models are convenient fictions that provide something very useful.

Paul Watson, co-founder of Greenpeace, states:

> It doesn't matter what is true, it only matters what people believe is true.

Sir John Houghton, first chairman of the IPCC, says:

> Unless we announce disasters, no-one is going to listen.

Christine Stewart, a former Canadian minister of the environment, states:

> No matter if the science of global warming is all phoney, climate change provides the greatest opportunity to bring about justice and equality in the world.

Other members of the Club of Rome—and it is all on public record—include Alexander King, co-founder of the Club of Rome, premier environmental think tank and consultant to the United Nations. His 1991 book, *The First Global Revolution*, states:

> The common enemy of humanity is man. In searching for a new enemy to unite us, we came up with the idea that pollution, the threat of global warming, water shortages, famine and the like would fit the bill. All these dangers are caused by human intervention and it is only through changed attitudes and behaviour that they can be overcome. The real enemy then is humanity itself.

Professor Stephen Schneider (Stanford professor of biology and global change) was among the earliest and most vocal proponents of man-made global warming, and a lead author of many of the IPCC reports. He is a member of the Club of Rome, and he says.

> We need to get some broad-based support to capture the public's imagination, so we have to offer up scary scenarios, make simplified dramatic statements and make little mention of any doubts...Each of us has to decide what the right balance is between being effective and being honest.

Timothy Wirth, President of the United Nations Foundation and another member of the Club of Rome, says:

> We've got to ride this global warming issue. Even if the theory of global warming is wrong, we will be doing the right thing in terms of economic and environmental policy.

Al Gore, is a member of the Club of Rome and set to become the world's first carbon billionaire. He also is the largest shareholder of the Chicago Climate Exchange (CCX) which looks set to become the world's central carbon trading body. He says:

> I believe it is appropriate to have an over-representation of the facts on how dangerous it is [climate change] as a predicate for opening up the audience.

Maurice Strong sits on the board of directors for CCX. He was the executive director of the United Nations' environment program, he was Al Gore's mentor and he is also a member of the Club of Rome. Back before he became the US President, President Obama served on the board of directors for the Joyce Foundation when it gave CCX nearly $1.1 million in two separate grants that were instrumental in developing and launching the privately owned Chicago Climate Exchange, which now calls itself North America's only cap and trade system for all six greenhouse gases with global affiliates and projects worldwide.

Essentially, Obama helped fund the profiteers of the carbon taxation program that he then steered through Congress. Mikhail Gorbachev, a former president of the Soviet Union, also a member of the Club of Rome, stated:

> The threat of environmental crisis will be the international disaster key that will unlock the new world order.

It goes on and on. We have many, many influential people. We have Prince Philip, Duke of Edinburgh, member of the Club of Rome, who stated:

If I were reincarnated, I would wish to be returned to earth as a killer virus to lower human population levels.

In these times of access to information, there is no way for a government to contain the information floating around in cyberspace. More and more people are turning to their own sources to become informed on issues that will affect them and their children.

The usual sarcastic response will be, 'The internet is full of nutters and the information is not accurate.' Well, that all depends on the information sources you access. It also assists that many politicians and scientists around the world are placing their findings on the web because of the information blanket that has been placed over any and all science that does not support the government line of gloom and doom.

I attended the event Feast and Famine with Bob Katter—'Mad Katter', as he is called—as a guest speaker and let me just say that it was refreshing to hear a man of many years' experience in politics review better times in this country and recall politicians who had the courage to stand up for this country and make it a great nation. I remember better times myself—and have said it often in this place—a time when politicians still played their games, but, at the end of the day, their decisions were always made in the best interests of this country and its citizens and great things were achieved.

Those days are gone and we now bow and scrape before the UN to implement whatever laws and policies it desires. This is part of the globalisation of the world and we now know that the Greens are supportive of a one-world government and all that comes with that, after Mr Brown made that declaration himself in parliament.

There is nothing like swapping and changing in order to push forward with an ideology. The scientific arguments could not be won on fact, so we were bombarded with emotionally-charged arguments and motherhood statements about scientific consensus and also to convince us that we are all running out of time.

The people know that we are being conned and they are angry that they are treated like idiots. For me, the straw that broke the camel's back was when CO_2 was declared a pollutant. Biology 101 says that CO_2 is a natural and essential element in our atmosphere. It is essential for plants, for the natural process of photosynthesis which, simply put, feeds our plant life and also produces oxygen. I am sure most members understand that plants feed on CO_2 and convert CO_2 to oxygen during the day and then convert oxygen to CO_2 of a night; that is what photosynthesis is. So, in fact, if CO_2 is an issue, it could equally translate that the only way to prevent carbon emissions is to eliminate plant life altogether, but we know this would be counterproductive for the environment and the planet.

The Green movement cannot have it both ways—calling for reforestation and then claiming that the food of those forests is, indeed, a pollutant. I am no scientist and nor is anyone else in this place, so we all rely on information from those who are qualified to make determinations on scientific and evidence-based public policy.

The risk is always though, who do we believe? When government has an agenda, it also needs the science to back it up. When having to justify one or more big taxes, of course it must convince the people that their hard-earned money must be taken from them in order to fix that big problem.

Most of us do know that there are numerous stakeholders who have a lot to gain from the hoax of climate change and that the biggest loser will be average Joe, who works more and more for less and less. It seems the government is least of all concerned with the family who cannot afford to feed, clothe and provide shelter and education for their children. God knows, we see ample examples of that in this place.

The Hon. Mark Parnell wants us to acknowledge The Critical Decade report of the Climate Commission, so I will and I will make it clear that I am always suspicious of any report or any commission that is preparing anything for government at a time when the public are screaming out that enough is enough. Part 1 of a scientific audit of the Climate Commission report by Bob Carter, David Evans, Stewart Franks and William Kininmonth stated:

Over many decades thousands of scientists have painted an unambiguous picture: the global climate is changing and humanity is almost surely the primary cause. The risks have never been clearer and the case for action has never been more urgent.

This declaration establishes two things. The first sentence signals that the report is committed to repeating the conclusions of the 4th Assessment Report of the UN's Intergovernmental Panel of Climate Change (IPCC), conclusions that are essentially reliant on computer modelling and lack empirical support. And the second signals that the report is long on opinionated analysis and political advocacy but devoid of objective risk analysis.

These same characteristics apply to the scientific basis of four earlier Australian global warming documents, in order the Garnaut review, two reports [of] the Department of Climate Change, a report by the Academy of Science, and finally a science briefing that Professor Steffen provided to the Multi-party Committee on Climate Change in November, 2010, prior to that committee entering policy-setting mode.

The conclusion of this audit is:

The scientific advice contained within The Critical Decades is an inadequate, flawed and misleading basis on which to set national policy. The report is emotive and...throughout, ignores sound scientific criticism of IPCC shibboleths that has been made previously, and is shotgun in its approach and at the same time selective in its use of evidence. The arguments presented depend heavily upon unvalidated computer models the predictions of which have been wrong for the last 23 years, and which are unremittingly and unjustifiably alarmist in nature. Further, in concentrating upon the hypothetical risk of human-caused warming, the Climate Commission has all but ignored the very real and omnipresent risks of dangerous natural climate-related events and change, which are certain to continue to occur in the future.

Notwithstanding the misassertions of the Climate Commissioners, independent scientists are confident overall that there is no evidence of global warming at a rate faster than for the two major 20th century phases of natural warming; no evidence of sea level rise at a rate greater than the 20th century natural rise of 1.7 millimetres per year; no evidence of acceleration in sea-level change in either the tide gauge or satellite records; and nothing unusual about the behaviour of mountain glaciers, Arctic sea ice or the Greenland or West Antarctic ice sheets.

Regarding the often remarked need to cut carbon dioxide emissions nonetheless—as a 'precautionary principle' approach to perceived dangerous warming—it must be noted that you can't take specific precautions against an unknown future temperature path. The currently quiet sun, and the established lack of warming over the last ten years, may presage enhanced cooling over the next two decades, as indeed is predicted by some solar physicists. In such circumstances, it can be argued that precautions currently need to be taken against cooling rather than warming. But in reality, and given our inability to predict even the near-term climate future, the only sensible course of action is to strengthen society's resilience against all climate hazards, and to prepare to cope with warmings, coolings and climatic instantaneous or step events—one and all, and as they come.

In other words, the prudent and most cost-effective national policy is to prepare for all climate events and change, whether they are of certain natural or hypothetical human causation, and to adapt to such events as they occur. Prudence and careful contingency preparation are required in anticipation of both warming and cooling events, for both are certain to occur again in future.

As they have in the past. Dr David Evans consulted full-time for the Australian Greenhouse Office, now the Department of Climate Change, from 1991 to 2005, and part-time from 2008 to 2010, modelling Australia's carbon in plants, debris, mulch, soils and forestry and agricultural products. Evans is a mathematician and engineer with six university degrees, including a PhD from Stanford University in electrical engineering.

The area of human endeavour with the most experience and sophistication in dealing with feedbacks and analysing complex systems is electrical engineering, and the most crucial and disputed aspects of understanding the climate system are the feedbacks. The evidence supporting the idea that CO_2 emissions were the main cause of global warming reversed itself from 1998 to 2006, causing Evans to move from being a warmist to a sceptic.

I have here the speech that Dr Evans made in Perth on 23 March 2011, and I am going to read it in full:

Good morning, ladies and gentlemen.

The debate about global warming has reached ridiculous proportions and is full of micro thin half-truths and misunderstandings. I am a scientist who was on the carbon gravy train, understands the evidence, was once an alarmist, but am now a skeptic. Watching this issue unfold has been amusing but, lately, worrying. This issue is tearing society apart, making fools and liars out of our politicians.

...The whole idea that carbon dioxide is the main cause of the recent global warming is based on a guess that was proved false by empirical evidence during the 1990s. But the gravy train was too big, with too many jobs, industries, trading profits, political careers, and the possibility of world government and total control riding on the outcome. So rather than admit they were wrong, the governments, and their tame climate scientists, now cheat and lie outrageously to maintain the fiction that carbon dioxide is a dangerous pollutant.

Let's be perfectly clear. Carbon dioxide is a greenhouse gas, and other things being equal, the more carbon dioxide in the air, the warmer the planet. Every bit of carbon dioxide that we emit warms the planet. But the issue is not whether carbon dioxide warms the planet, but how much.

Most scientists, on both sides, also agree on how much a given increase in the level of carbon dioxide raises the planet's temperature, if just the extra carbon dioxide is considered. These calculations come from laboratory experiments; the basic physics have been well known for a century.

...The planet reacts to that extra carbon dioxide, which changes everything. Most critically, the extra warmth causes more water to evaporate from the oceans. But does the water hang around and increase the height of moist air in the atmosphere, or does it simply create more clouds and rain? Back in 1980, when the carbon dioxide theory started, no one knew. The alarmists guessed that it would increase the height of moist air around the planet, which would warm the planet even further, because the moist air is also a greenhouse gas.

This is the core idea of every official climate model: for each bit of warming due to carbon dioxide, they claim it ends up causing three bits of warming due to extra moist air. The climate models amplify the carbon dioxide warming by a factor of three—so two thirds of their projected warming is due to extra moist air (and other factors), only one third is due to extra carbon dioxide.

I'll bet you didn't know that. Hardly anyone in the public does, but it's the core of the issue. All the disagreements, lies, and misunderstanding spring from this. The alarmist case is based on this guess about moisture in the atmosphere, and there is simply no evidence for the amplification that is at the core of their alarmism. Which is why the alarmists keep so quiet about it and you've never heard of it before. And it tells you what a poor job the media have done in covering this issue.

Weather balloons have been measuring the atmosphere since the 1960s, many thousands of them every year. The climate models all predict that as the planet warms, a hot-spot of moist air will develop over the tropics about 10km up, as the layer of moist air expands upwards into the cool dry air above. During the warming of the late 1970s, 80s and 90s, the weather balloons found no hot-spot. None at all. Not even a small one. This evidence proves that the climate models are fundamentally flawed, that they have greatly overestimate the temperature increases due to carbon dioxide.

...At this point, official 'climate science' stopped being a science. You see, in science empirical evidence always trumps theory, no matter how much you are in love with the theory. If theory and evidence disagree, real scientists scrap the theory. But official climate science ignored the crucial weather balloon evidence, and other subsequent evidence that backs it up, and instead clung to their carbon dioxide theory—that just happens to keep them in well-paying jobs with lavish research grants, and gives great political power to their government masters.

There are now several independent pieces of evidence showing that the Earth responds to the warming due to extra carbon dioxide by dampening the warming. Every long-lived natural system behaves this way, counteracting any disturbance, otherwise the system would be unstable. The climate system is no exception, and now we can prove it.

But the alarmists say the exact opposite, that the climate system amplifies any warming due to extra carbon dioxide, and is potentially unstable. Surprise surprise, their predictions of planetary temperature made in 1988 to the US Congress, and again in 1990, 1995, and 2001, have all proved much higher than reality.

They keep lowering the temperature increases they expect, from 0.30C per decade in 1990, to 0.20C per decade in 2001, and now 0.15C per decade—yet they have the gall to tell us 'it's worse than expected'. These people are not scientists. They over-estimate the temperature increases due to carbon dioxide, selectively deny evidence, and now they cheat and lie to conceal the truth.

...The official thermometers and often located in the warm exhaust of air conditioning outlets, over hot tarmac at airports where they get blasts of hot air from jet engines, at wastewater plants where they get warmth from decomposing sewage, or in hot cities choked with cars and buildings. Global warming is measured in tenths of a degree, so any [extra] heating nudge is important. In the US, nearly 90% of official thermometers surveyed by volunteers violate official siting requirements that they not be too close to an artificial heating source. Nearly 90%! The photos of these thermometers are on the Internet; you can get them via the corruption paper at my site, sciencespeak.com. Look at the photos, and you will never trust a government climate scientist again.

They place their thermometers in warm localities, and call the results 'global' warming. Anyone can understand that this is cheating. They say that 2010 is the warmest recent year, but that was almost the warmest at various airports, selected air conditioners and certain car parks.

Global temperature is also measured by satellites, which measure nearly the whole planet 24/7 without bias. The satellites say the hottest recent year was in 1998, and that since 2001 the global temperature has levelled off.

...If reality is warming up, as the government climate scientists say, why do they present only the surface thermometer results and not mention the satellite results? And why do they put their thermometers near artificial heating sources? This is so obviously a scam now.

...The earth has been in a warming trend since the depth of the Little Ice Age around 1680. Human emissions of carbon dioxide were negligible before 1850 and have nearly all come after WWII, so human carbon dioxide cannot possibly have caused the trend. Within the trend the Pacific Decadal Oscillation causes alternating global warming and cooling for 25-30 years at a go in each direction. We have just finished a warming phase, so expect mild global cooling for the next two decades.

...Official climate science, which is funded and directed entirely by government, promotes a theory that is based on a guess about moist air that is now a known falsehood. Governments gleefully accept their advice, because the only way to curb emissions are to impose taxes and extend government control over all energy use. And to curb emissions on a world scale might even lead to world government—how exciting for political class!

> ...Even if Australia stopped emitting all carbon dioxide tomorrow, completely shut up shop and we went back to the stone age, according to the official government climate models it would be cooler in 2050 by about 0.015 degrees. But their models exaggerate tenfold—in fact, our sacrifices would make the planet in 2050 a mere 0.0015 degrees cooler!
>
> ...Finally, to those of you who still believe the planet is in danger from our carbon dioxide emissions: sorry, but you've been had. Yes carbon dioxide is a cause of global warming, but it's so minor it's not worth doing much about.

Lord Christopher Monckton is one of the world's most outspoken critics of the climate change debate and one can go to the now world-famous interview he did with a member of Greenpeace about the facts of climate change based on research from the University of Illinois and, of course, from the data collected from those satellites up there and beyond responsible for collecting and feeding information to our scientists on the ground about the state of our planet.

This member of Greenpeace was protesting about a gathering of climate change scientist sceptics who were presenting their research papers at a conference. Lord Monckton asked this member where she got her information and she cited the Greenpeace movement's magazines, newspapers and news reports as her main sources. When he offered her websites to go to to access the scientific information, her response was, 'Well, I'm very busy. I have a life and I simply do not have time to spend searching for information.' That is what these climate change alarmists have relied upon. It is just all too hard for most—at least that used to be the case.

I know of thousands of people now who have abandoned mainstream media for their information because they are seeing so much conflicting information elsewhere and they are hearing the same information from many sources. This is not being disrespectful to science. This is actually acknowledging true science from corporate science. They are sceptical—and rightly so. The days of 'trust me I am the government' are well and truly over.

That particular video clip sent shock waves among average citizens who identified with that member of Greenpeace as being nothing more than sponges soaking up a propaganda campaign that would inevitably drain our money and destroy our lifestyle in this country as we know it. The usual tactics were deployed: criticise and destroy credibility, humiliate and denigrate. But it did not work, and Lord Monckton was received in this country by people who were seeking the truth about what was being flung upon us via a carbon tax in the name of saving the planet when, in fact, this is about the rich getting richer and the poor getting very, very much poorer.

This is demonstrated in an article in the *Telegraph* on Monday 12 September 2011 which states, 'Al Gore could become world's first carbon billionaire.' This is the same man who refuses to debate Lord Monckton publicly and whose book, *An Inconvenient Truth*, was ruled by the High Court of the UK as being unsuitable for inclusion in the school curriculum because of the inaccuracy of information.

Lord Christopher Monckton has been one of those most outspoken scientists, as I said, and we are all very familiar with how some in the media tried to debunk him and his qualifications while in Australia. No-one, as far as I am aware, promoted the fact that just prior to coming here this year he won a debate in the prestigious Oxford Union Society on climate change. I quote from an article on this momentous occasion:

> For what is believed to be the first time ever in England, an audience of university undergraduates has decisively rejected the notion that 'global warming' is or could become a global crisis. The only previous defeat for climate extremism among an undergraduate audience was at St Andrew's University, Scotland, in the spring of 2009, when the climate extremists were defeated by just three votes.
>
> Last week, members of the historic Oxford Union Society, the world's premier debating society, carried the motion 'That this House would put economic growth before combating climate change' by 135 votes to 110. The debate was sponsored by the Science and Public Policy Institute, Washington DC.
>
> Serious observers are interpreting the shock result as a sign that students are now impatiently rejecting the relentless extremist propaganda taught under the guise of compulsory environmental-studies classes in British schools, confirming opinion-poll findings that the voters are no longer frightened by 'global warming' scare stories, if they ever were.

This debate on climate change is tearing our society apart, and it is not doing our Prime Minister, Julia Gillard, any favours either. She has been criticised in the *New York Times* for her decision to introduce a carbon tax when the rest of the world is rejecting this notion, and she is also accused of putting Australia at financial risk if she persists with her intention.

I also note a report written by glaciologist, Jørgen Peder Steffensen, that core samples from the Greenland glaciers reveal that we are living in the coolest period of the last 10,000 years.

It is my information that the two scientific professions we should be listening to in this debate for scientific truth are the geologists and the glaciologists; but no-one from these sciences is on the Climate Commission. We have meteorologists who are flat out predicting the weather a week in advance and others who, for the purpose of proving the fact of man-made climate change, are out of their depth and area of expertise.

We hear that a consensus has been reached when, in fact, this is not the case. We also see and hear the hypocrisy of many involved in the climate change swindle—those who have found a way to further capitalise from the hard-earned money of everyday citizens. If we are concerned about climate change in reality, then why are we not hearing any more of the disruption of the Mexican Gulf, which is the heart and lungs of the oceanic systems and which contributes to regulating our weather? That disaster was not caused by an average Joe, and the devastation caused will never truly be rectified.

I notice there are no motions, or no concerns are being expressed in this place, to hold BHP and the Obama administration accountable for this man-made disaster of epic proportions. No, we are much busier in this place wasting our time on a debate that the majority of people believe is a load of hogwash. Those people include leading scientists in their field who we would demonise and whose character we attempt to assassinate rather than listen to common sense because it does not serve the global political agenda that is being served.

We have seen some catastrophic things happen to our environment, but it is not the citizens: it is the corporations that are responsible. And what is our government doing about that? Rewarding the real polluters via the carbon tax. This, of course, was affirmed by Melbourne's Grattan Institute, which stated, 'Study finds compensation proposed in carbon draft bill is unnecessary or justified.' This particular article outlined that the Grattan study shows that these polluters are going to be rewarded for polluting this planet. Meanwhile, we will all be paying far more for our power, and our cost of living is going to increase simply because we have to proceed with this climate change agenda.

One of Australia's foremost experts on the relationship between climate change and sea levels has written a peer-reviewed paper concluding that rises in sea levels are decelerating. The analysis by New South Wales principal coastal specialist Phil Watson calls into question one of the key criteria for large-scale inundation around the Australia coast by 2100—the assumption of an accelerating rise in sea levels because of climate change.

Based on century-long tide gauge records at Fremantle, Western Australia (from 1897 to the present), Auckland Harbour in New Zealand (from 1903 to present), Port Denison in Sydney in Sydney Harbour (1914 to present) and Pilot Station at Newcastle (1925 to present), the analysis finds that there was a 'consistent trend of weak deceleration' from 1940 to 2000. Mr Watson's findings, published in the *Journal of Coastal Research* this year and now attracting broader attention, supports a similar analysis of long-term tide gauges in the United States earlier this year. Both raise questions about the CSIRO's sea level predictions.

Climate change researcher Howard Brady at Macquarie University said yesterday that the recent research meant that sea levels accepted by the CEO were 'already dead in the water as having no sound basis in probability'. He sent on to say:

> In all cases it is clear that sea level rise, although occurring, has been decelerating for at least the last half of the 20th century, and so the present trend would only produce sea levels of around 15cm for the 21st century.

The weather cycle for Australia has always been a severe one. We are either in boom or bust in this country—severe drought followed by floods—and that has been the way ever since I can remember, and that is far longer than a decade or so. In fact, the Australian Bureau of Statistics states:

> Australia's most severe drought periods since the beginning of European settlement appear to have been those of 1895-1903 and 1958-68. The 1982-83 drought was possibly the most intense with respect to the area affected by severe rainfall deficiencies. These periods were comparable in their overall impact, but differed appreciably in character.
>
> The 1958-68 drought period is described in the article contained in the 1968 Year Book No. 54. That drought period was widespread and probably second only to the 1895-1903 drought period in severity. The areas affected and the durations of drought were variable and overlapping.

It also states:

> Since the 1960s, there have been nine major Australian droughts. The major drought periods of 1895-1903 and 1958-68 and the major drought of 1982-83 were the most severe in terms of rainfall deficiency...

This just shows that drought is not something new to this country. It is not something that we can attribute to climate change. It is part of the normal cyclic behaviour of our climate. As I have said in other speeches, our farmers have had to deal with this for decades and decades.

So, to think that for the last 10 or 20 years that this is all new to everybody is why people are so angry about this. People out there have a memory. They understand, they know and they remember that the Murray has been dry or in flood before—it is cyclic—and nothing we can do is going to change that. How arrogant are we to believe that we can control the climate?

I could go on and on, as I have, about this issue, but I will not go on for too much longer because, at the end of the day, debates are never won or lost in this place based on solid science. Depending on the issue, party politics is what wins out, and that is how we contribute to the gradual degradation of our democracy and our political system.

The best thing to say on this issue is that the people know that they are being conned. The people know they are being sacrificed for the sake of the few who will make the money on the carbon market and they are more than angry about it.

To all political parties who serve this agenda I say keep up the good work, because it will be the demise of your party in the long run. People have had enough of being seen as cash cows for government. Climate change is a solution to government's problem of not being able to control every facet of existence of the people. The carbon tax fraud has seen the political death of two prime ministers—Kevin Rudd and Julia Gillard—and apparently when sleazy politics and spin fail we can roll out the big guns, namely our celebrities, to put it all into perspective for us poor sods, we climate sceptics, climate deniers or global warming heretics, who are so lacking in the ability to think for ourselves that we would be easily mesmerised by the rich and famous. Even that failed to convince the majority.

I suggest that we mortals get over ourselves and deal with the pollution of this planet in real terms rather than some mythical problem that will cost us and this country dearly and solve none of the problems of government being influenced, if not ruled, by the corporate world of global financial money gobblers who have an insatiable appetite for everybody else's hard-earned money.

This planet will survive long after the human race has been eradicated through selfishness, greed and lack of respect for the world we are supposed to care for and about. We are focused on convincing people to reduce the population in order to solve world hunger, but if in fact governments had a refocus of priorities we could in fact make a huge difference to the issues that face the people of this world, the starving people of this world.

Environmentalism has been taken over by the Green Nazis. Let us be clear: this planet is polluted and it is not because of average Joe, who goes about—

The Hon. M. Parnell interjecting:

The Hon. A. BRESSINGTON: —I wasn't talking about you—the average Joe who goes about the business of living in a world created by government policies that support big industry rather than the public good. That is our problem, not how much carbon dioxide we release into the atmosphere. Carbon dioxide is not the problem, as has been demonstrated over and over again and then ignored. The problem we face is the pollution of our land, air and water through chemicals that are released by big industry and allowed to do so by our environmental protection agencies worldwide which do little more than support government in protecting the real offenders.

Man-made climate change or industry pollution: there is a big difference in how that challenge should be met. We are not having any debate on the efficacy of the use of thorium and I can also guess as to why not. While we sit here and argue over man-made climate change—and if the Greens were to have their way we would be back in the Dark Ages, living in caves and rediscovering the use of fire all over again—China is leading the way in technology that has been around since the 1960s and then literally abandoned. Less waste, less risk, less pollution, no emissions, but we remain stuck arguing about coal pollution that could quite easily be eradicated. Then we blame average Joe for using the only technology that is available to him.

I do believe that the Hon. Mark Parnell has raised an important issue and I also believe that the scientific critical analysis of The Critical Decade report should be an important feature in this debate. As for calling on this state government to intensify its efforts to respond to the challenge of climate change, I say that all the science must be considered and a metered approach that includes all the information is necessary if we are to find a way forward. I also put on the record that information selection in order to prove an argument has destroyed people's faith in science

altogether and this kind of manipulation and propaganda must stop if we are ever truly going to move forward in the best interests of the people of this planet and the planet itself.

Clean green solutions are not so clean and green at the end of the day. Wind power is limited in the amount of energy it produces and now there are reports of farmers having to walk off their farms because of the EMFs that are produced from the turbines and are making them and their families ill, not to mention the limitations for producing affordable power to meet baseload requirements.

Solar energy is a great individual approach that is only an option for those who can afford it and I believe is an option that should be expanded with the ongoing assistance of government to ensure that those in the lower socioeconomic belt—which, by the way, is rising every day—can be assisted to do their bit. We hear all the advertisements about natural gas being a clean green alternative and ignore environmental damage to our land, air and water through the practice of coal seam gas mining, otherwise known as fracking.

How much hypocrisy are the people supposed to endure? I suggest that every member of this and the other place watch the low budget documentary known as *GASLAND* available on YouTube for download. If that does not raise serious concerns about what is happening in order to market 'clean green energy', then we are not fit people to be making any contribution to any debate on climate change, pollution or any other topic about the wellbeing of our environment and our people.

In other words, it is time to stop the rot and find solutions without any political agendas; that would be very difficult to do. We may all find that the truth will set us free indeed. I agree with the sentiments expressed in the Hon. Mark Parnell's motion because I, like so many others, am concerned about the health of the environment, knowing well that pollution causes damage to all life forms, including humans, and that a balance must be found that allows us all to live in a clean, safe environment without having to regress to the past.

There is a middle ground, and that can be revealed through examining best practice in all aspects of the provision of energy and industry. If they must be dragged kicking and screaming to the discussion and forced to comply with standards that do not compromise the health of the people or the planet for financial gain, then so be it. Drag them to the table. That is our battle—consequences for actions—and the government should leave average joe alone in the meantime until it is better prepared to offer true leadership, rather than just another fundraising exercise to strip the people of any extra money they may be lucky enough to have through hard work and effective financial management.

I do support the motion of the Hon. Mark Parnell as it is written but I do not support any efforts to further advance an unrealistic and unscientific approach to restoring our environment and the health of the people who are adversely affected by the ongoing support of the polluters of our air, water and land in the ongoing struggle to seek renewable clean green energy sources from a limited perspective.

Biofuel is adding to world hunger. While maize is being diverted to biofuel, it is adding to the food shortage in Somalia and other places. We need to think long and hard. As the saying goes, for every action there is an equal and opposite reaction. Looking at this issue from one narrow perspective is not doing us or the world or the planet any good at all.

The Hon. M. PARNELL (21:57): I will, in wrapping up, first thank those members who have contributed to this debate: the Hons Ian Hunter, Michelle Lensink, Kelly Vincent and Ann Bressington. In relation to the Hon. Ann Bressington's contribution, I will just say that I had been getting a bit worried of recent times that she and I were agreeing on too many issues, but I am pleased to say after tonight's contribution that the natural order has been restored, and Ann and I will agree to disagree on this. But I do acknowledge that she is supporting the motion but perhaps not for the same reasons that I put it forward or that I am supporting it, but she certainly is acknowledging that the state government needs to intensify its efforts to respond to the challenge of climate change. She would respond to that challenge—

The Hon. A. Bressington interjecting:

The Hon. M. PARNELL: Yes, she would respond differently to the Greens, but nevertheless would respond. I will just say that I have been encouraged by members to respond in detail to the honourable members' contribution, and I know members would like to hear what I have to say about Lord Monckton's views, but what I will say is that in any field of science, and especially

in any field of public debate, where the consequences are severe and the responses required are urgent and far-reaching, there will always be contrarians. There will always be contrarians. The honourable member has found most of them, I think, and we have heard about them tonight.

For the record, I am not a fan of world government, I have never been to Rome and, whilst I am a fan of caves, I do not particularly want to live in one. In fact, as I have said in the past, in relation to responses to climate change, I want my beer cold and I want my showers hot, but I think we can provide those important services in ways that do not harm the climate, and that is what action on climate change is about.

In response to the Hon. Kelly Vincent's contribution, I think we do need to remember that the honourable member will be around and will be living the legacy of decisions we make today longer than most of us in this room, so I think we do need to pay attention to young people. I will refer briefly to what some young people are doing in a few moments.

I thank the Hon. Michelle Lensink for her contribution. She would appreciate that the motion I have drafted does not identify the particular response that is required. It does not invite the Liberal Party to endorse the price on carbon that is being proposed. It simply says that the government should intensify its efforts to respond to the challenge of climate change. The honourable member made the valuable point that the response needs to be sincere. This debate is full of spin.

That brings me straight to the Hon. Ian Hunter's contribution where he listed in some detail everything the government has done, wished it had done and would like us to think it had done in relation to climate change. His contribution included things such as the meritorious program that whenever you build a freeway, if you put a bike path alongside it, all of a sudden it becomes a green, climate change friendly project. I beg to differ: I would love the bike lane, but we do not need the freeway.

I do not support the amendment that the Hon. Ian Hunter has put forward. The call in the motion is for the government to intensify its efforts. The honourable member's amendment is that the government should maintain the intensity of its efforts. Why am I surprised that, every time a member stands up in this place and makes even the mildest suggestion that the government might want to do a bit more than it is currently doing, the response is predicable and uniform? It is, 'We are doing enough, thank you very much. Don't you legislative councillors dare tell us that we need to do more.' That is the response that we got tonight.

In my original contribution introducing this motion I identified a range of areas where I said the government could do better. It included things like stopping support for outdated and dirty fossil fuel programs such as coal to diesel, more support for rail freight over road, planning for more sustainable urban forms and not increasing urban sprawl, supporting our agricultural sector and helping them to adapt to climate change, amongst others. I will not go through those again.

There is one more thing I would like to put on the record now. It is an issue that should attract support from all sides, and it does bring into focus why this motion is so important in calling on the government to intensify its efforts. It is the issue of the replacement of Australia's dirtiest coal-fired power station with clean, renewable energy. I am talking about the Playford B Power Station at Port Augusta.

This coal-fired power station was described by the climate group last year and the year before as 'mainland Australia's most carbon-intensive plant'. That means that per unit of energy the carbon pollution from Playford B is the worst in the country. Thank goodness it does not run all the time. It is mainly used for peak purposes, so it is not as dirty in overall terms as some of the Latrobe Valley power stations in Victoria, but per unit of energy it is the dirtiest in the country.

Replacing that power station needs to be a priority for South Australia. What makes this such a good news story is that it is going to be relatively easy to do, because the planets are aligned. These are the things that line up to make replacement of Playford B an excellent and timely project. First of all, we are about to get a price on carbon. The dirtiest of the fossil fuel power stations will become uneconomical.

There is also a pool of commonwealth money to help transition from dirty energy to clean energy, and this project could tap into that fund. We know that the coal that fuels the Port Augusta power stations is running out. There may well be some debate about how long that will take. The local member in another place estimated in parliament earlier this year that he thought between

five and 15 years; other people are now saying it might be 20. Whatever the number, the coal is running out.

That does not mean we have to wait. We do not have to wait for it to run out. We can transition that power station away from coal to renewable energy before then. We know that the operators (Alinta) of the Playford B Power Station are keen for change. They know the writing is on the wall. They have said publicly that once the carbon price is in they are going to have to reassess the viability of Playford B. We know that the local council is interested in maintaining power generation at Port Augusta, and the workers obviously want to keep their jobs.

The other planet that has aligned to make this an excellent project is that the government is about to approve the biggest and most energy-hungry project in this state's history: the Olympic Dam expansion. That is a project that will use more electricity than every single house in Adelaide combined. It is the elephant in the room in the climate change debate in South Australia—an elephant that was conveniently left out of the Hon. Ian Hunter's contribution. We have not a snowflake's chance in hell of meeting our climate reduction targets if the Olympic Dam expansion goes ahead in the way that I think the company wants, and that puts extra pressure on the government to attach conditions to that approval that require renewable energy.

This is a golden opportunity to replace Playford B with a world-leading, job-intensive, cleaner alternative and the best of those alternatives looks to be a solar thermal plant. The Greens were pleased to join with a number of community groups here in South Australia, and I would like to mention the Australian Youth Climate Coalition, Conservation Council SA and Beyond Zero Emissions who are all united in their call for Port Augusta to be the site of Australia's first solar thermal plant.

I will not go into the detailed science. Members probably know a little bit about it, but we are talking about using the power of the sun to generate heat which can then be used to generate electricity. The advantage of solar thermal is that it provides baseload power, and the reason for that is that heat is much easier and cheaper to store than electricity. You store the energy in the form of heat rather than storing it in batteries, and you can provide electricity day and night.

A baseload solar thermal power station at Port Augusta in place of Playford B has incredible advantages not just for the climate but over other forms of renewable energy, including wind and photovoltaic energy. It would be the first in Australia. It would be something for us to be proud of, and now is the time to do it. Finally, I urge all members to support the motion as originally drafted. I do not think we overstep the mark in calling on the government to intensify its efforts and I believe the motion should be supported by all members in that original form.

Amendment negatived; motion carried.

ANIMAL WELFARE (JUMPS RACING) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 June 2011.)

The Hon. T.J. STEPHENS (22:08): I rise to speak to the Animal Welfare (Jumps Racing) Amendment Bill which seeks to ban all competitive jumps racing in this state. As lead speaker and on behalf of the opposition, I indicate that we oppose this bill and we will continue to support the racing industry in this state in all its forms.

I will go on to outline the reasons for our particular position but, before I do that, can I just put on the record that I am not particularly interested in receiving 3,000 emails from people who want to tell me that I do not care about animals, that the Liberal Party does not love animals, that we have no interest. I will go through our Legislative Council team in the Liberal Party, and we are a small team so we quite intimately know what we get up to in most areas.

I will talk about our leader, the Hon. David Ridgway. His dog leads a life that most dogs would only dream of—spoilt rotten. The Hon. Michelle Lensink has cats (and I am not a cat person, I must say) that she loves to bits. The Hon. Stephen Wade has just built a house around his—I was going to say 'bloody cats' but that would be unparliamentary, Mr Acting President. The Hon. Stephen Wade has built a house around his cats.

The Hon. Jing Lee has, sadly, just lost a family pet. She spent a fortune in vet's bills trying to give it a long and happy life but unhappily it did not work out. I know that over the years the Hon. John Dawkins has had many animals his family have loved and cherished. Even the Hon. Rob Lucas (whom many on the other side often refer to affectionately as 'the smiling

assassin') has a family pet he would die for—and if he wouldn't, his lovely wife, Marie, would ensure that he did die for!

As to my own personal set of circumstances, I have a female Rottweiler who is the only member of my family, when I come home at any particular hour, who loves me to bits, and I love her back. Last week, the vet kindly informed us that she needed a knee reconstruction, so $4,500 later, and wrapped in cottonwool, we are currently nursing our dog at home. It is more difficult than when we had our children because you can put a small baby in a capsule, or some sort of hand-held device, and take them places. I defy you to pick up a Rottweiler, when she is supposed to be quiet, and go about your business, so at the moment we are really juggling a busy lifestyle around our dog.

I see Mr Ivan Venning (member for Schubert) in the President's Gallery, and I suspect that his lovely wife, Kay, treats their German shepherd better than Ivan. I mean that in a jovial way, but I know that many of the Liberal family have been to Ivan's place and seen how they treat their animals. Mr Acting President, I know that you have recently adopted an aged dog and that you and your husband, Leith, care about this dog. So, before the Liberal Party gets the 3,000 mandatory emails saying that we are all dog haters or animal haters, or that we have no respect, I want to put on the record that we love our animals. In my own personal set of circumstances, I actually own and race horses with good friends. We—

The Hon. R.I. Lucas: Bloody slow ones.

The Hon. T.J. STEPHENS: Yes, most of them are slow, but do you know what? They are treated in the most amazing fashion—nearly as well as my Rottweiler at home, but not as well because they do not sleep inside and so on. A group of us had a horse called Upmarket Star. This horse won in the country and in the city, and it died in the paddock. In the middle of an electrical storm, when it was being spelled in lush pastures, it ran through a fence and smashed a leg, and I can tell you that you have never seen a group of grown men sadder about the passing of an animal.

This was not about financial or economic gain or loss; it was about a group of guys who had a common bond: we had a horse we loved to bits. We would meet at the stables on Sunday nights, have a beer and talk about life—it was a great escape. Do not tell me that people who are involved in the sport of racing are only interested in economic gain, because the reality is that very few of us ever see any sort of economic gain. I want that on the record because, when I receive those 3,000 emails saying that I do not care about animals, and that I am an animal-hater and all the rest of it, I want to dispel that pretty early.

The jumps racing industry has a rich history in this state, with the first hurdle race being run in 1842 in Adelaide. The Oakbank Racing Club's Great Eastern Steeplechase—the most popular and successful jumps race in this state—was first run in 1876. It also has a significant history in Victoria, with jumps races being run in the Victorian Racing Club in 1869 and the Warrnambool Racing Club starting steeplechases four years later.

A total ban on jumps racing in this state would affect 19 race meets, with a total of 26 races. The racing clubs affected by this bill are: Oakbank, Morphettville, Gawler, Mount Gambier, and Murray Bridge. All of those, except for Morphettville, are regional courses that rely on revenue from every single race in order to remain viable.

The jumps racing portion of the industry assists and supports the other sectors of the industry, with many trainers, jockeys and support staff shared across the racing industry. The Victorian and South Australian industries are so intertwined that a ban here would have a significant effect on the Victorian industry and vice versa. Last week I met with the Victorian Minister for Racing and he recognises the importance jumps racing has in his state's racing industry, as I trust the government here does. Whilst I am a staunch believer in animal rights, a ban makes no sense. These horses are bred to race, and some over-zealous attempt to respect so-called rights of horses seems ridiculous. A ban here will lead to calls to ban whips, followed by calls to ban equestrian, flat racing—where will it stop?

The horses are bred to race. They are a domesticated animal and cannot be released into the wild. Those against jumps racing like to cite statistics, and I will cite some now. In the last five completed jumps racing seasons fatalities amounted to 0.96 per cent of a total of 1,044 starters—a number, while higher than anyone would like, is relatively small when looking at the industry as a whole. No-one is denying that jumps racing results in more fatalities than flat racing, similar I am

sure to athletics where hurdlers would be at a higher risk of injury than sprinters. A great flat racing champion died in track work last week. They are sad facts of life, but they happen.

Thoroughbred Racing South Australia and other industry bodies are working hard to minimise the risk of harm to horses involved in races, and it is in their interest to do so. Those seeking a ban make trainers, jockeys and all involved in this industry out to be barbaric people, yet I can safely say, having had a little to do with the industry myself over the years, that these people care the most about the animals they keep.

Two years ago Thoroughbred Racing South Australia appointed a panel to review jumps, which included stewards, ex-jumping riders and trainers, as well as a veterinary surgeon. This panel is constantly reviewing jumps racing and investigates all incidents that occur during races. Three years ago Thoroughbred Racing South Australia altered the angle of the hurdle to 55 degrees from 60 degrees in order to minimise the risk to horses. This is in stark contrast to what occurred in Victoria, where the president of the local RSPCA and a member of the Animal Welfare Advisory Council were part of a review panel that recommended the 'yellow-top' jumps. This style of hurdle was introduced on the false assumption that a smaller jump would be safer for the horse. This hurdle actually led to an increase in fatalities. This example highlights the danger in allowing those with little industry experience to impose binding conditions.

I move now to what is arguably the most important part of this debate, namely, the economic impact jumps racing has in this state. As honourable members know, the Oakbank Easter Racing Carnival is an institution in South Australia, not to mention a boon for the people of Oakbank and the greater Adelaide Hills region. I have had the pleasure of attending this year's event, as well as many in the past, and data compiled by the Oakbank Racing Club and the state government show that the Easter Carnival injects more than $57 million into the state's economy. Much of this goes back into the local area.

A 2011 study showed that 11.7 per cent of patrons travelled to Oakbank from overseas or interstate for this year's event, injecting more than $4.3 million in direct event expenditure. Irish Race Day, which displays Irish and Australian jumps jockeys, is the third largest attended event at Morphettville. The racing industry in this state contributes $273 million to gross state product, and so jumps racing's contribution is significant.

One final point is that an immediate ban on jumps racing would leave trainers with no choice but to humanely put down the horses. Surely this would lead to more horse fatalities than if they were left to continue racing. In summary, jumps racing in this state has a rich tradition. It is good for the economy and is an industry which, to the best of its ability, ensures the highest standards of animal welfare. While I fail to convince some, I urge all honourable members to reject the bill.

In closing, can I say that I have had discussions with the Hon. Tammy Franks on this particular bill. They have been respectful and I respect the Hon. Tammy Franks' position. I do not believe that the Hon. Tammy Franks is a zealot that hates all forms of racing. I do not believe that this is the start of her campaign to start with jumps racing, then go to flat racing, to pony clubs and equestrian events, but I do believe there are those in the community who actually think like that. It is a great tribute to our democracy that we can have debates in this place based on the merit of the argument and still treat each other with respect. I urge members to vote against this particular bill.

The Hon. G.A. KANDELAARS (22:20): I rise on behalf of the government to oppose this motion. Jumps racing is conducted in 19 countries, including Australia. There are 3,380 jumps races annually in Great Britain, 2,179 in France, and 1,394 in Ireland. Other countries include the US, Japan and New Zealand. A total of 19 race meetings were held throughout South Australia in 2010 at which 26 jumps races, in a mix of hurdles and steeple races, were conducted. In South Australia jumps racing events are held at Oakbank, Morphettville, Gawler, Mount Gambier and Murray Bridge. The Oakbank Racing Club was formed in 1875 and held its first Great Eastern Steeplechase the following year.

Most jumps racing participants are involved in flat racing as well, with the combination providing their wider employment, and it is therefore difficult to separate the two. Many leading trainers involved in flat racing have jumps horses in their stables to complement their income and provide connections with a viable option to continue the racing careers of their horses. As an example, those with jumps horses currently in their stables include trainers of the calibre of David Hayes, Eric Musgrove, Robbie Laing, Lee Freedman, Darren Weir, Robert Smerdon and Chris

Hyland. Leading owners such as Lloyd Williams, who inject a large amount of capital investment into racehorse ownership and breeding, are also involved in jumps racing.

Many jumps jockeys work daily as track riders for trainers. There is a critical shortage of skilled track riders in South Australia, so these jumps jockeys provide a critical service to the industry. Without the opportunity to augment their income by riding in jumps racing, these skilled horsemen and women would be lost from the racing industry. It is also important to note that the jumps racing industry in South Australia and Victoria are intertwined, with owners, trainers and jockeys regularly travelling to various events in both states.

Statistically, horse fatalities in jumps racing are rare. As the Hon. Mr Stephens said, the official figures show that in 2010 fatalities were only 0.96 per cent of a total of 1,044 starters in jumps racing events that year. Thoroughbred Racing SA continues to do everything possible to ensure safety in the sport for riders and horses in jumps racing across the state. Two years ago Thoroughbred Racing SA appointed a jumps review panel comprising stewards, ex-jumping riders/trainers and a veterinary surgeon. This panel continually reviews all jumps events as part of Thoroughbred Racing SA's ongoing commitment to safety in the sport.

Every jumping race or trial at a South Australian racetrack, whether or not there is an incident, is reviewed by this panel, including the performance of horses, riders and the fences themselves. I will not cover the matter of the angle of hurdles in this state, because that has already been covered by the Hon. Mr Stephens.

South Australia's two best-attended race meetings of the year are the two days of the iconic Oakbank Easter carnival, which attracts more than 100,000 spectators over the two days. This is in contrast to the Oakbank twilight race meeting, which is not a jumps event and is held in December, which attracted only 3,000 people in December 2010. The event is famous around the world for its jumps racing and it continues to grow in popularity and importance to the state.

The 2010 event injected $57 million into the local and wider South Australian economy, an increase of over $10 million over 2009. The South Australian government is particularly aware of the tourism and economic benefits attributed to the ability of the racing industry to continue the program of jumps racing events. The positive economic impact on businesses within our tourism and recreational business sectors, from both local and interstate and international visitors to South Australia, is significant and cannot be underestimated.

The contribution of jumps racing should also be seen in the wider context of the entire South Australian racing industry. A 2004 study showed that the racing industry contributed $273 million each year to the gross state product, with almost 25,000 participants and 3,450 full time equivalent jobs. A ban on jumps racing in South Australia would have significant consequences in terms of the economy. Jumps racing is a very significant contributor to the South Australian economy.

The state government's two best-attended meetings of the year are at Oakbank, which inject tens of millions of dollars into the local and wider economy. It is worth noting that the South Australian taxpayers make no contribution through the state government to funding the Oakbank carnival. As I have previously alluded to, racing meetings are also held at Gawler, Mount Gambier and Murray Bridge, all of which are provincial clubs.

Every race meeting at which jump events are held is important to the ongoing viability of these courses. In terms of employment, jumps racing is a significant employer, not only on race days but also behind the scenes. Jockeys, trainers, strappers, vets and stable support staff would be among those whose livelihoods would be immediately put at peril. Socially, jumps racing has been a part of South Australia's racing for more than 170 years and is a vital part of the racing scene, particularly in regional South Australia.

It is a sport which brings families and communities together around racetracks in this state. Horses are naturally athletic animals, and trainers will tell you that many of the horses are natural jumpers and, very often, poorly suited to flat races. In fact, they will tell you that with such animals it is near impossible to stop them jumping. Jumps horses are thoroughbred animals and represent a significant investment. As such, they benefit from care; and attention to their diet, health, training and wellbeing is monitored at every step.

There are some risks to animal welfare in the sport of jumps racing, but this risk applies to all equestrian events in which horses are jumped, such as three-day events, dressage and endurance rides. Part 3 of the Animal Welfare Act defines what constitutes ill-treatment of animals,

and no further refinement is necessary. The decision to continue jumps racing in South Australia rests with Thoroughbred Racing SA, the racing controlling authority for thoroughbred racing in this state. The view of the government is that the safety of riders and horses is obviously important, but it does not believe that jumps racing is cruel, and opposes this bill.

The Hon. K.L. VINCENT (22:29): I rise to speak to this bill and to indicate that I will be supporting it, but, before I go on any further, I would like to add something of an ad-lib response to comments made by the Hon. Mr Stephens. I note, first, that, of course, he made specific mention of the importance of respect in this debate, and indeed I consider that the Hon. Mr Stephens and I have always had a very amicable relationship, so these comments which I am about to make are very much off the cuff and are in no way intended as a personal attack. However, they occurred to me as I was listening to him speak and I felt that they are important to raise.

First, if I recall correctly, the Hon. Mr Stephens said that he is not interested in receiving 300 emails tomorrow morning—

The Hon. T.A. Franks: He said 3,000.

The Hon. K.L. VINCENT: Well, the number is somewhat irrelevant, I think. He is not interested in receiving 3,000 emails tomorrow morning about his stance on jumps racing, but I would consider, to put it bluntly, that it is his job to receive those emails; and, indeed—

The Hon. T.J. Stephens: Can I say that, from South Australians, I am happy to take them; from people throughout the world, I'm not interested.

The PRESIDENT: Order! There will be no debating across the chamber.

The Hon. K.L. VINCENT: Of course, we may not always come to the chamber representing exactly what is put in those emails or letters to us but, as parliamentarians, I believe that we do have a duty to carefully consider the opinions and the beliefs of the people of this state who we were elected to serve.

Whilst I would not wish to take that comment out of the spirit in which I am sure it was intended (which is a good one), I think that it is important that we remain mindful of that potential impact. Also, I mention the fact that the Hon. Mr Stephens uses members of the Liberal Party's own pets as examples of their commitments to animal welfare. Now, to a certain extent, that is very relevant. I have recently become the stepmother to Pickles, our three-legged cat—not quite biological but the mother of Kirby, the bitey, beautiful beagle. I think that it is important to note also that Kirby—who, yes, is named after Justice Michael Kirby—was adopted on the same day that the Hon. Mr Hunter adopted his beautiful dog, Zoe.

Whilst I would consider that my adoption of these animals is somewhat indicative of my commitment to animal welfare, I have always had goats, horses and dogs—all manner of pets—throughout my life, I do not consider that they are entirely indicative of my commitment to animal welfare as a whole. To me, using that argument is a bit like saying that, because I have been able to provide a good life for myself or a good life to those with disabilities who are immediately around me (my family members, some of my very best friends) that that should go far enough to demonstrate my commitment to the people with disabilities in this state, and I certainly do not believe that is the case, so I do not think that argument stands up to scrutiny. Anyway, my rant is complete.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.L. VINCENT: The Hon. Mr Wortley will be glad to know that my ad lib is henceforth complete. I am sure my advisers will also be very glad since I have diverted from the path of scripted righteousness, but I will now continue. I have thought long and hard about this bill, because I know that, while there may only be a few jumps racing professionals in our state, they are passionate about their industry. However, after a lot of thinking and consideration, I have come to the conclusion that there is no valid reason for sacrificing horses in such great numbers and in such brutal ways; and, of course, I want to take a little time to explain to you how it is that I have reached this conclusion.

There can be no denying our society's close relationship with the horse. The extraordinary thing about that relationship is its ability to survive irrelevance during the past century. Since horses ceased to be useful for their original man-made purposes (since we have outmoded them with cars and tractors, for example) we have sought to artificially keep them in our lives. They have been

pushed to the fringes as cities grow, but in Japan, for example, you will still find horses living in stable blocks on the 20th floor, and in Australia horses are almost alarmingly accessible. Although they are largely unnecessary in some senses, we have gone to considerable lengths to keep them around.

The industry most successful in reigniting the relevance of the horse is racing, which in Australia is by far the most economically worthwhile equestrian pursuit. However, while our original reason for supporting the racing industry may have been to maintain that strong bond between horses and people, we must now wonder if we have lost sight of that goal.

Is racing still about keeping horses in our lives, respecting and exercising their strength and beauty, or has it grown into a thing all of its own, where the punt and the dollar have eclipsed any thoughts of animal welfare and animal will? I think some of the flat racing practices we see in modern Australia are certainly questionable, but, given the context of this bill, my concerns about flat racing are nowhere near as urgent as my concerns about jumps racing.

I will not repeat the stats about jumps racing deaths, which the Hon. Tammy Franks recited when introducing the bill, nor will I list the states and territories in Australia which have already chosen to outlaw the so-called sport, because I do not think these facts are in dispute and they certainly have already been discussed. What seems to be in dispute in this debate is whether jumps racing horses are happy and whether the number of deaths and serious injuries the sport occasions are acceptable.

To me, the clear answer to this question is that the number of deaths and serious injuries is not acceptable. There is a difference between what you might call 'accidents', which happen in everyday sport, and what we see in jumps racing. While I in no way wish to imply that the deaths and injuries which occur in jumps racing are deliberate, I do not think they can be termed 'accidents' either. The deaths and injuries are an intrinsic part of jumps racing, and it is obvious that the sport cannot take place without injuries occurring.

We have seen various governing bodies in Australia attempt to alter the rules and regulations of jumps racing to stop these deaths, and it has not worked. This is because running and jumping in a pack is not natural or normal for horses and therefore will inevitably cause a problem when horses are made to perform this task. Jumps racing deaths and injuries are not accidents: they are an expected consequence of the sport's content. That, to me, is not acceptable. It is also not what I want our society's relationship with horses to be.

I believe that jumps racing represents a departure from a common-sense, ethical way of incorporating these animals into our lives, and so I believe it must stop. It seems that others are coming onside with this argument, most notably the Law Society, which last week acknowledged that jumps racing could well be considered illegal already. I hope that we can continue to strengthen our cause with this bill and that in the future we can again be proud of how we keep horses relevant in modern culture, relevant in our lives and therefore relevant in their own.

There being a disturbance in the gallery:

The PRESIDENT: Order! The gallery will come to order, otherwise I will have to have you jumped clean out of the place. The Hon. Mr Hunter.

The Hon. I.K. HUNTER (22:38): As alluded to by some previous speakers in connection with the quantity of contacts coming into our electorate offices through the email system, emotions are running high on both sides of this debate, so I believe it is important to take a step back and examine this issue in an objective and factual manner, or as factually as we possibly can.

Jumps races are very different to flat horse races—that stands as unquestionable. Jumps races are endurance events for both horse and jockey, run over much longer distances than flat races. Jumps races can be up to five kilometres long, compared with the average 1.5-kilometre flat race. In hurdles, horses jump lightweight frame fences with brush tops, and in steeplechases horses jump higher, more solid obstacles.

Jumps racing jockeys are generally heavier than flat-race jockeys and often have less experience. Jumps horses are typically horses that have been bred for flat racing, trained to run at full speed, but have proven too slow to win on the flat as, obviously, the Hon. Mr Stephens and, indeed, you, sir, have experienced many times. Those old, slow nags just do not return.

Over the last 20 years, there have been more than a dozen reviews on jumps racing in Australia. In 1991, the federal parliament's Senate Select Committee on Animal Welfare found

there was an inherent conflict between jumps racing and animal welfare which could not be eliminated by education, training or alterations to the height or placement of hurdles.

Accordingly, that committee recommended that state governments should phase out jumps racing completely by 1994. I note that South Australia and Victoria are now the only states in the country to allow jumps racing. Jumps racing ended in Queensland over 100 years ago, 70 years ago in Western Australia, 14 years ago in New South Wales and four years ago in Tasmania.

It is interesting to note that while the South Australian parliament debates this bill, the Victorian government has recently reconfirmed its support of the industry. The Victorian government has pledged $8.85 million towards jumps racing prize money and announced a $2 million funding package that will go towards the purchasing of new jumping obstacles.

The pro jumps racing camp offer a number of key arguments in support of the sport. Supporters of jumps racing maintain that the sport continues to enjoy strong community support. The racing industry claims this public support is evident in the healthy betting turnover for hurdle and steeplechase events.

I note, however, that the long-term trend is for punters to bet 30 to 40 per cent less on jumps races compared to flat races. This was certainly the case on 4 July 2011 at the Morphettville races when the TAB turnover for the Grand National Steeplechase was 34 per cent lower than the flat race that preceded it and 30 per cent lower than the flat race that followed it.

I note that in May 2011, the Grand Annual Steeplechase run in Warrnambool generated $196,000 in bets, compared to the Warrnambool Cup flat race held later that day, which generated over $1 million in bets. It comes as little surprise then to discover that jumps racing accounts for less than 0.7 per cent of all racing turnover.

I am also aware that the overwhelming majority of owners in jumps racing make a loss financially on those races, and in most cases the prize money is not even enough to cover the cost of training. One wonders why they do it. Therefore, the argument that jumps racing is needed in South Australia to support our economy is kind of weak.

Supporters of jumps racing argue that without a jumps racing industry to fall back on, the many horses that do not make the grade for flat racing would be sent to the slaughterhouse. Pro jumps racing groups believe the industry saves these slower horses from premature death. I note, however, that critics of jumps racing dispute this and claim that the horses usually end up at the slaughterhouse regardless, with most jumps racing horses running in five or fewer races in their short career.

Despite calls to ban this sport due to animal welfare concerns, jumps racing supporters firmly believe that horses actually enjoy jumping obstacles because it is something they were born to do, but experts such as the University of Sydney's Dr Paul McGreevy disagree. Dr McGreevy argues that in the wild, horses jump only when they need to do so; that is, if they are being chased and they have to go over a fallen tree, fence or some other obstacle. They are, after all, a prey animal. Dr McGreevy argues that in the wild, horses will generally go around an object if they can and jump only when necessary.

The University of Kentucky's equine expert, Dr Thomas Tobin, maintains that the bone structure of a horse is not designed to jump obstacles for extended periods of time, and that long periods of sustained jumping will significantly increase the risk of a horse breaking bones. Whether it is a natural inclination for horses to jump or not, there is no disputing the statistics that reveal that jumps horses face an increased risk of injury and death compared to horses run on the flat.

A study published in 2006 in the *Equine Veterinary Journal* looked into the risk of fatality and causes of death of thoroughbred horses associated with racing in Victoria. The study reviewed data taken over a 15-year period and found that on average 13 horses a year died in jumps races, and that the risk of horses dying in jumps races was almost 19 times higher than in flat races.

This figure is consistent with other Australian studies and certainly reflects the 2011 statistics so far. Already this year we have seen seven horses die in Australia due to their involvement in jumps racing. I note that the number of horses that have died away from the track due to injuries related to the sport, such as training and trials accidents, are unknown.

Thoroughbred Racing South Australia recognises that the sport is not without risk for the horse or jockey but argues that the fatality rate of horses is relatively low. In recent years, Thoroughbred Racing South Australia has taken steps to minimise the risk of injury and death of

horses. For instance, in 2002, they changed the jumps to a hedge top to allow horses to brush through the jumps, placed wings on the side of the jumps to make them more visible to the horses, changed the angle of the obstacles and made the jumps themselves half a metre higher, to slow the horses down during the race. But despite these modifications, horses are still dying.

It is not only the welfare of animals that should be considered when discussing this issue; the occupational health and safety of jockeys in their workplace is also an important matter. It is my understanding that jumps racing jockeys have a fall rate 12.5 times higher than their flat-racing counterparts, and jumps jockeys can expect to fall every 19 rides, on average.

A study conducted by the Menzies Research Institute in Tasmania, published in *The Medical Journal of Australia* in 2009, concluded that jockeys fall at a rate of 0.42 per cent in flat racing and 5.26 per cent in jumps racing. Although most falls occurred pre or post race, falls occurring during the race resulted in the most severe injuries. The study found that in jumps racing jockeys typically fall as the horse tries to clear a jump, with nearly 10 per cent of fallen jockeys transported to hospital or declared unfit to ride.

In summary, while I will not be voting in support of this motion at this point in time, I think the jumps racing industry should really try to engage with the facts and not try to brush these concerns under the carpet. I note just today in *The Advertiser* a small story by Sarah Martin that jumps racing is bad for the industry, where Mr Steve Ploubidis says:

> The argument is weak. Flat racing would not miss jumps racing. It's not popular with the public or the punter.

He should know something about the racing industry. It continues:

> 'Jumps racing...is a significant contributor in terms of employment and economic benefits,' the industry says.

The facts do not uphold that statement one little bit.

The justifications are weak and they are repudiated by the data and the facts. They do themselves no favours by disingenuously refuting the valid concerns raised in this motion, with no real evidence to back their claims and often in blatant contradiction of the facts. I urge the government to keep an eye on this issue and this industry, for it seems to me that it is not an industry that wants to grapple with the reality of its negatives.

For a start, if the jumps industry were serious, it would move to shorten the jumps races to being equal to flat racing in length and reduce the number of jumps accordingly, and it would have the same weight requirements for jockeys as flat racing. That would be a start. That would show that the industry is serious in addressing the very real problems inherent in jumps racing. If it does not, it should not be surprised if this parliament is again debating a bill to ban their industry some time in the future.

The Hon. A. BRESSINGTON (22:47): I rise to indicate my support for the Animal Welfare (Jumps Racing) Amendment Bill introduced by the Hon. Tammy Franks, and I will apologise to the Hon. Mark Parnell straight up for upsetting that balance that was so short-lived that he spoke of earlier.

An honourable member interjecting:

The Hon. A. BRESSINGTON: 'The natural order; the planets are aligned.' Each time the news covers another horse falling as it crashes over the jump, often landing head first, before cartwheeling, I cringe, and I wonder how we can allow such gruesome deaths to occur in the name of sport and entertainment. It is a most harrowing spectacle we endure all too frequently during the jumps racing season.

Not only do we see the South Australian deaths—some five, I believe, this year received coverage—but the six from Victoria are also brought into our homes via the news. I am sure few of those behind the thousands of emails, calls and letters my office has received have recently attended a jumps race. Like me, their experience is through the horror of the news. I believe it is time for this state to join all but one of its counterparts who have successfully banned jumps racing.

As has been detailed, jumps racing has never gained a foothold in Western Australia, the Australian Capital Territory or the Northern Territory. Queensland was the first to ban jumps racing in 1903. Following the Senate select committee in 1991, which recommended phasing out jumps racing over three years, New South Wales made jumps racing a criminal offence in 1997. Then in

Tasmania, due to lack of popularity of the sport and the horror of the carnage, jumps racing ceased in 2007. Now only Victoria and South Australia remain.

South Australia very nearly stood alone when the Victorian minister, following the public outrage at the death of three jumps horses at the Warrnambool racing carnival, suspended jumps racing in that state in May 2009. The sport was allowed to resume after supposedly strict conditions were imposed. As has been demonstrated time and again, these conditions failed to significantly reduce the death toll, with a further five horses dying by the season's end.

As a result, Racing Victoria then announced, to the delight of those who brought the cruelty of this sport to the fore, that the 2010 season would be the last for Victoria. Their joy did not last long, however, and just seven weeks later Racing Victoria bowed to industry pressure and permitted the sport to continue provided certain key performance indicators (a euphemism for the number of falls and deaths) were met. Of course, they were not but, given the influence involved in this sport, jumps racing continues. But for this influence and for Racing Victoria's lack of integrity to see through its commitments to the Victorian public, South Australia would have been alone in allowing this sport to continue. I call it a sport very lightly.

I accept that jumps racing is a small part of the South Australian horse racing sector, with only 24 trainers practising the sport, nearly a quarter of whom are described as hobby trainers with few horses in their stables, and a quarter who, whilst registered, have not entered a horse in a South Australian race. Further, it can only be described as unprofitable, given the limited prize money on offer, particularly if restricted to South Australian only events. From information provided to my office by the Hon. Tammy Franks, only seven of the 20 trainers took home any winnings in the 2010 season—that is, 13 won nothing.

Jumps racing also accounts for less than 1 per cent, I believe, of racing turnover, and the amounts wagered on jumps events is consistently lower than its flat racing counterpart, as already mentioned. A fact highlighted by Colin Thomas, the spokesperson for Citizens against Animal Cruelty, was that TAB figures showed that betting for this year's National Steeplechase at Adelaide's Morphettville Racecourse fell 34 per cent from the flat race that preceded it, before again rising 30 per cent for the flat race that followed. Mr Thomas concluded in an article in *The Australian* that:

> TAB figures show that punters don't share the same delight about jumps racing that racing administrators do.

It is hard not to agree with him. Punters are clearly voting with their wallets. It is time that we, too, voted. Given the Law Society's advice, the government can no longer hide behind the suggestion that this is a matter solely for Thoroughbred Racing SA and cannot be legislated for. While this has always been plainly false to members, it is now also clear to the public.

While I do not consider them entirely comparable, it is time that jumps racing went the way of dog fighting and cock fighting and is specifically prohibited by the Animal Welfare Act. I do not consider this is a question of if but rather when. Given that it is clear that it will not be today, I encourage the industry to work towards a date of its choosing before public pressure becomes too great and members in this place and the other place take that choice away from them.

Occupational health and safety issues are of paramount importance, apparently, to this government, and I believe that should have been one of the main considerations in determining whether this bill was to have any serious consideration or not. I remind members here that it is a relatively short time ago that we used to think that it was okay—or humanity used to think it was okay—to tie up black people and get them to pull ploughs and whatever through the fields, and whip them and consider them to be less than human.

We evolve. We change. We become more respectful and we become more demanding of ethical conduct. People are demanding that governments take ethical stands on certain issues. I believe that jumps racing is one of those issues. I congratulate the Hon. Tammy Franks on bringing this bill to us and opening up this debate. I also congratulate the Hon. Ian Hunter on his contribution. Even though he is unable to vote for this bill, he has made it clear that he, too, is not in favour of this particular abomination of sport.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.A. DARLEY (22:55): I rise today to speak about the Animal Welfare (Jumps Racing) Amendment Bill 2011, which was introduced by the Hon. Tammy Franks to ban jumps racing in South Australia. I understand this is a highly emotive issue, with passionate arguments coming from both sides. However, I would like to highlight the fact that from information provided to me it seems that data can be manipulated so as to portray arguments both for and against in a positive light.

For example, there is an argument from the anti-jumps racing camp that jumps racing comprises less than 2 per cent of the South Australian horseracing industry and, therefore, banning jumps racing would have little impact on the economy. Further reinforcing the insignificance of industry is the fact that there are no full-time jumps racing trainers, stables, or jockeys in South Australia.

Thoroughbred Racing South Australia has no argument with the fact that there are no full-time jumps racing employees. However, they qualify this by stating that many trainers' stables and jockeys that are involved in flat racing are also involved in jumps racing. Further to this, they argue that jumps racing plays an integral part of supplementing flat racing both financially and by giving trainers and jockeys the opportunity of augmenting their income, particularly those jockeys who are unable to contain their riding weight to a level suitable for flat racing.

Thoroughbred Racing South Australia states that in five racing seasons (up to 2010) 0.96 per cent of starters in jumps races in South Australia died. This percentage seems quite insignificant, however. Dr Lisa Bowden from the University of Melbourne found that there is a fatality for every 115 horses that started in a race from 1989 to 2004. The periods used to calculate these fatalities are different, and it is therefore difficult to make a comparison. Further, it is not known whether any changes were made to jumps racing from 1989 to 2005 which may have improved or reduced the fatality rates.

The economic impact of jumps racing is difficult to interpret, too. Anti-jumps racing supporters highlight that only 16 per cent of the prize money offered by South Australian sponsors and clubs is won by South Australians. In other words, only 16 per cent of South Australian prize moneys remain in the state. However, when discussing the economic impact of jumps racing, Thoroughbred Racing South Australia discusses the attendance numbers at jumps race meetings, the most famous being the Oakbank Easter Carnival, which was reported to have injected $57 million into South Australia's economy in 2010.

Again, without comparing apples with apples, it is difficult to determine which argument holds more weight. The only consistency between the arguments from both sides is the regrettable fact that it is accepted that if jumps racing were banned more horses involved in the industry would be destroyed. This would be an unfortunate consequence of the ban; however, those who support a ban suggest that jumps horses could be utilised in high weight racing. I do not know much about this, but to me this option seems unlikely.

As demonstrated by the facts presented, it is difficult to ascertain which side's argument holds the most weight. Both have valid points, and proponents for both sides undoubtedly feel very passionately about the issue. In consideration of these issues, I will not be supporting this bill.

The Hon. T.A. FRANKS (22:58): In summary, I would like to thank those members who have made a contribution this evening and put some time and thought into those contributions: the Hons Gerry Kandelaars, Terry Stephens, Kelly Vincent, Anne Bressington and John Darley, and, in particular, the Hon. Ian Hunter. I do thank you for certainly, as you said, not only bringing some facts into this debate but also displaying your conscience and bringing your intellect into this debate.

While I am disappointed that you will not be crossing the floor, I do hope that you are true to your word and that the debate that you have put up today here in this chamber is also undertaken in your caucus room. I would hope that the Labor Party caucus seriously has a look at the industry of jumps racing. I reiterate that the bill before us is not a slippery slope, and it is not a subterfuge that would lead to other parts of the industry being banned. It has nothing to do with pony clubs or equestrian events in general. All of those are furphies and deserve to be treated as such. I thank the Hon. Terry Stephens for acknowledging that he does not impute my intent in moving this bill here today.

It has been almost universally accepted in everyone's contribution that the jumps racing part of this industry is, in fact, a very small part of the industry here in South Australia. People have talked of its rich history, but I would just say that it does not have a very bright future.

Those who are still engaged in this part of the industry are indeed passionate about their industry, and they will go to great lengths, no doubt, to preserve and protect what they hold dear. However, they are dwindling in number and they are dwindling in power. There is only a small number of those involved in the jumps part of this industry in South Australia.

Also, South Australia is certainly propping up the Victorian industry when it comes to any talk of economic impact for this state. In fact, of the $942,000 in prize money, South Australian trainers have received only 25 per cent in recent times. So, talk of it being such a boon for our economy is a misunderstanding; in fact, we are subsidising other states, such as Victoria, with our support of the industry in this state, as well as bringing in the international components.

For those who believe that Oakbank would falter with the loss of jumps racing, I would say that I do not think that, by and large, people go to Oakbank specifically because there are jumps races in that program. They go to Oakbank because it is a long weekend and it is a picnic race.

The Melbourne Cup used to include a jumps race as part of its program. In 2001, a horse called 'He's Back on Track' was killed during a jumps race, and the following year they discontinued running that jumps race.

An honourable member interjecting:

The Hon. T.A. FRANKS: No. I think the Melbourne Cup is probably a shining example in the racing industry of how to create a successful event. I do not think the Oakbank racing carnival would not necessarily see the Melbourne Cup as a good way forward in terms of a business model.

I draw members' attention to a letter I circulated to them, which was covered in *The Advertiser*, from the former CEO of the SAJC, Mr Steve Ploubidis. Mr Hunter has covered some of the letter, so I will not go over that ground again. In that letter, Mr Ploubidis certainly does not mince his words. He states:

> Jumps racing advocates have again peddled lies to you in this instance to support jumps racing. Here are the facts.
>
> - Only a very small minority own jumps horses.
> - Most trainers would rather see an end to jumps racing.
> - You will note that during the jumps season, jumps races are always programmed at the beginning of the day because the general punter is not at the TAB as yet and they do not bet on jumps racing anyway. It's like prime time TV, you don't have your worst programs on at prime time and your best on at midnight to dawn!
> - Betting turnover is the lowest on jumps racing off course (TABs) and on course (at the track, that's why they're usually...[in the early parts of race day]

Mr Ploubidis then discussed the claims made by the new SAJC CEO, Mr Jim Waters, and suggests that his comments are playing a political line with regard to the contribution of jumps racing to the racing industry and to the economy in general. I draw members' attention to these claims because they were canvassed in the debate tonight. Mr Ploubidis says that Mr Waters' claims are definitely in need of some serious critical scrutiny. If, as it is said, racing in general attracts more than 500,000 people, Mr Ploubidis says:

> Where are they? It's been a standard joke in the industry that clubs should use the 'Oakbank gate counters'. They seem to click their clickers twice for every person that walks in! The gate income never matches attendances. The truth is that what is reported as being the total attendance over two days is probably overstated by 40-50%.
>
> Let's do the maths. The SAJC runs 65 meetings per year. The major race days are Adelaide Cup, Melbourne Cup, Irish Day, Twilight and other themed days, etc., with a combined crowd estimated at around 60,000. An average attendance for the other, say, 55 meetings, is 1,500 per meeting (and even that is overstated). That means the combined attendance of the SAJC over 12 months is around 80,000. Therefore the total is approximately 150,000 people in a full year. There wouldn't be more than 20-30 individual jumps races all season.
>
> Mr Waters' figure of 500,000 people attending jumps racing is clearly grossly exaggerated. Even the four days of the Melbourne Cup week at Flemington doesn't attract that many! Jumps racing in SA at all other racetracks, (excluding Oakbank) would not attract more than 10,000 people p.a., and that's being deliriously generous. Throw in Oakbank and you are up to 60,000-70,000 and that's using Oakbank counters!

The claim that racing supports 3,500 jobs Mr Ploubidis says is 'simply fantasy':

> The SA jumps industry such as it is, relies on paying interstate or overseas owners/trainers such as Eric Musgrove and John Wheeler appearance money to bring their horses over. Without them, there would simply not be

enough horses in SA to sustain a jumps industry, particularly Oakbank. Secondly, there are also not enough jumps jockeys in SA. Without paying interstate jumps jockeys to come over SA would simply not have enough riders.

Mr Waters clearly fails to substantiate his claims.

The suggestions that racing contributes up to $300 million into the SA economy is also claimed by Mr Ploubidis to be 'fanciful and wishful thinking'. He says:

In general, jumps horses come from flat racing horses at the end of their careers. It's a way for owners to attempt to recoup some of their investment.

He describes it as:

…like an ageing AFL player getting sacked and then rolling up to an SANFL club to squeeze the last bit of juice out of the lemon. That's not to say that there aren't genuine jumps trainers and horses, but very, very few indeed.

Mr Ploubidis says:

…flats racing would not miss jumps racing. It's not popular with the public or the punter.

Whatever people might care to say about Mr Ploubidis and how he is regarded by the industry, you cannot say he has not been an industry insider.

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. T.A. FRANKS: In summary, I have found the experience of this bill quite an interesting one because, as some members would be aware, I actually attended several of the days which had jumps racing as part of their racing programs. On one of those occasions, when I went to take a photograph at Morphettville I was in fact escorted from the race track for daring to try to photograph a jumps race.

I find this an unusual reaction from an industry that says it has nothing to hide. The lengths that this industry is currently going to to ensure that photographs and footage are never taken of a jumps race in this state I would say do not do their cause any good. Certainly I would support the Hon. Ann Bressington in her call for maybe the industry to start to look at its exit plan.

On that note, of course this bill has enabled the provision of legal advice from the Law Society, and I do thank them for the work that they have put into that legal advice. As members would also be aware, it has made the revelation that in fact jumps racing is possibly already in contravention of subsections 13(1) and 13(2) of the current Animal Welfare Act. I draw members' attention to that and the fact that the bill we are now voting on was actually said by the Law Society probably to be redundant but certainly useful in clarifying the law and making sure that we are not going to open up what I would call a can of worms, to continue the animal analogies in this debate. Certainly I would caution minister Tom Kenyon from continuing to say that this industry is beyond the parliament's powers. Certainly this parliament, as the Law Society has now advised, has every ability to legislate with regard to the racing industry and to legislate to ban jumps racing in this state.

With that, as I say, I look forward to the Labor caucus perhaps discussing this issue and certainly having an informed and factual debate. Given the legal implications that the bill not being voted up tonight has in terms of potential legal challenges from the RSPCA or other groups, I would say that the state government may well in fact be facing its own version (an animal welfare version) of the Malaysian solution where they are to be found in contravention of existing laws if they do not take this issue up.

As a society, we no longer condone or accept animal cruelty as a legitimate form of entertainment. The thousands of emails, while all of them may not have come from South Australians, I can assure you many of them did. I can assure you that they were not computer generated. They were real people at the end of those emails, and they are real people in the gallery tonight who have come to hear this debate.

There being a disturbance in the gallery:

The PRESIDENT: Order!

The Hon. T.A. FRANKS: This parliament tonight clearly does not have the fortitude to pass this bill. The courts may have to lead the way. Either way, I believe jumps racing has now reached its final hurdle. With that, I commend this bill to the chamber.

There being a disturbance in the gallery:

The PRESIDENT: Order! No wonder they escort you off the racecourse if your behaviour is like that all the time.

The council divided on the second reading:

AYES (4)

Bressington, A.	Franks, T.A. (teller)	Parnell, M.
Vincent, K.L.		

NOES (17)

Brokenshire, R.L.	Darley, J.A.	Dawkins, J.S.L.
Finnigan, B.V.	Gago, G.E.	Gazzola, J.M.
Hood, D.G.E.	Hunter, I.K. (teller)	Kandelaars, G.A.
Lee, J.S.	Lensink, J.M.A.	Lucas, R.I.
Ridgway, D.W.	Stephens, T.J.	Wade, S.G.
Wortley, R.P.	Zollo, C.	

Majority of 13 for the noes.

Second reading thus negatived.

CORONERS (RECOMMENDATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 29 September 2010.)

The Hon. I.K. HUNTER (23:16): I will be very brief. The government has already put its position on this bill on record. I rise tonight to make some further comments in relation to amendments that have been placed on file by honourable members.

The government appreciates the efforts that members have made to improve this bill, but we feel that the amendments neither independently nor together sufficiently improve the bill to an acceptable level. The government maintains that there is some scope for improving the act but we feel that the current bill is not the vehicle to drive this improvement. We will not be supporting the bill or the amendments.

The Hon. K.L. VINCENT (23:16): I also will be brief. I am pleased to support the Hon. Stephen Wade's Coroners (Recommendations) Amendment Bill 2010. As the honourable member outlined in his introduction of the bill, this issue and reforms relating to it have been more than 10 years in the making. If we are to support a transparent, accountable and effective coronial inquest process in this state—I would suggest to honourable members that if they wish to get home in time they might allow me to finish my contribution—then this reform regarding recommendations is necessary and long overdue.

The government has suggested that it will require significant extra resourcing to give the Coroner the additional scope, but I do not believe this to be the case. The bill will simply empower the Coroner to recommend on matters they come across through the course of regular investigation, and will bring us into line with other Australian states.

Unfortunately, I gather from speeches made in this place that for some reason the government is not keen on the extra transparency and protection that this bill could provide. This is unfathomable to me. I commend the work done by the Hon. Mr Wade and the Hon. Mr Darley on shaping and finetuning this bill, and I will be supporting them both as we move into the committee stage.

The Hon. S.G. WADE (23:18): In summing up I would like to thank honourable members for their contributions; namely, the Hon. Carmel Zollo, the Hon. Mark Parnell, the Hon. Ann Bressington, the Hon. Ian Hunter and the Hon. Kelly Vincent.

In so doing I would particularly like to acknowledge the comments of the Hon. Carmel Zollo. I was pleasantly surprised to hear her response on behalf of the government, and I quote the key section:

> The government agrees that there should be some extension in the Coroner's power to make recommendations; however, this bill goes too far. The government is also not convinced of the need to amend the reporting requirements under the act.

That is a significant shift from the government's contribution to predecessor bills to this bill and I believe it offers some hope that the government will, if you like, come into the conversation.

As I have indicated to the house previously, this is not a Liberal bill. It was initially the product of the Hon. Sandra Kanck; developed by the Hon. David Winderlich. The Liberal Party took it up in this parliament and, true to that heritage, was very much engaged with the Hon. John Darley to develop it.

I would also like to acknowledge the range of stakeholders that I mentioned in my second reading speech. This has been very much a collaborative project, both within the parliament and beyond.

Having acknowledged the Hon. Carmel Zollo's comments on behalf of the government that the government does see the need for reform, I hope that if the council does support this bill tonight (and I do expect that will happen) the government might look for an early opportunity—which might be tomorrow when the bill turns up in the House of Assembly—to amend it.

After all, the government has criticised the opposition and, for that matter, the whole of this council, for not amending bills. If this bill does have some merit, which the government is indicating is so, then we would be more than open to talking about how it can be improved. I thank honourable members for their contributions and hope that the council might see fit to pass the second reading so that we might consider it further in committee.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

The Hon. S.G. WADE: I move:

Page 2, lines 15 to 17 [clause 3(1), inserted subsection (2)(b)]—Delete paragraph (b) and substitute:

(b) relates to a matter arising from the inquest, including matters concerning—

(i) the quality of care, treatment and supervision of the dead person prior to death; and

(ii) public health or safety; and

(iii) the administration of justice,

and is, in the circumstances, an appropriate matter on which to make a recommendation.

Under section 25(2) of the Coroner's Act 2003, the court may 'add to its findings any recommendation that might, in the opinion of the court, prevent, or reduce the likelihood of, a recurrence of an event similar to the event that was the subject of the inquest'.

The bill before us has a broader definition in clause 3(1) which in addition to the provisions above includes any recommendation that in the opinion of the court is appropriate in the circumstances even if the recommendation relates to a matter that was not material to the event that was the subject of the inquest.

Feedback from the Law Society, a medical defence organisation, the Aboriginal Legal Rights Movement and the state Coroner have persuaded me that the definition as it stands in the bill is too ambiguous. Instead it was suggested that that clause should be amended in two ways: first of all, to narrow it to ensure that any recommendation is sufficiently connected to the death to be within the coronial jurisdiction and, secondly, so that the section be clarified by reference to themes of relevant factors identified in other state and territory coronial statutes.

The opposition has taken advice, and the drafting of the amendment was assisted by the evidence law expert Andrew Ligertwood. We are proud to have a South Australian legal academic

of the standing of Mr Ligertwood. We believe that the amendment improves the bill and I acknowledge the comments by government members that they acknowledge that it does improve the bill. Perhaps we might be able to work on the bill even further to get it to the point where the government could support it. I commend the amendment to the council.

Amendment carried.

The Hon. J.A. DARLEY: I move:

Page 2, lines 18 and 19 [clause 3(2)]—Delete subclause (2) and substitute:

(2) Section 25(4)(a)—after 'Attorney-General' insert:

and any relevant Minister other than the Attorney-General

(2a) Section 25(4)(b)(i)—delete subparagraph (i)

(2b) Section 25(5)—delete subsection (5) and substitute:

(5) Each relevant Minister must, within 8 sitting days of the expiration of 3 months after receipt of a copy of a recommendation resulting from an inquest—

(a) cause a report to be laid before each House of Parliament—

(i) giving details of any action taken or proposed to be taken in consequence of the recommendation; or

(ii) if no action has been taken or is proposed to be taken—giving reasons for not taking action or proposing to take action; and

(b) forward a copy of the report to the State Coroner.

For the benefit of those members who are not aware, this amendment was originally intended to be introduced as part of a private member's bill in response to the inquest into the death of Christopher Wilson. I will provide further details about this matter in a moment.

Given that my private member's bill would have dealt with the same issue as the bill introduced by the Hon. Stephen Wade, and following discussions with the honourable member, it was decided that I would deal with the issue by way of an amendment to his bill instead.

At the outset, I would like to thank the Hon. Stephen Wade for his cooperation and support with respect to this amendment. The amendment relates to section 25 of the Coroner's Act, which deals with findings on inquests. Section 25 provides that:

(4) The Court must, as soon as practicable after the completion of the inquest, forward a copy of its findings and any recommendations—

(a) to the Attorney-General; and

(b) in the case of an inquest into a death in custody—

(i) if the Court has added to its findings a recommendation directed to a Minister or other agency or instrumentality of the Crown—to each such Minister, agency or instrumentality of the Crown; and

(ii) to each person who appeared personally or by counsel at the inquest; and

(iii) to any other person who, in the opinion of the Court, has a sufficient interest in the matter.

Section 25 further provides that, in the case of an inquest into a death in custody:

(5) The Minister or the Minister responsible for the agency or other instrumentality of the Crown must, within 8 sitting days of the expiration of 6 months after receiving a copy of the findings and recommendations under subsection (4)(b)(i)—

(a) cause a report to be laid before each House of Parliament giving details of any action taken or proposed to be taken in consequence of those recommendations; and

(b) forward a copy of the report to the State Coroner.

This amendment is intended to broaden those reporting requirements in two ways. Firstly, it will extend the reporting requirements so that they apply to all inquests where recommendations directed to a minister, an agency or an instrumentality of the Crown have been made by the Coroner. At present, those reporting requirements are limited to deaths in custody. Secondly, where no action has been taken, or is proposed to be taken, the amendment will require the minister to provide the reasons for not taking, or not proposing to take, any action.

As I mentioned earlier, this amendment came about as a result of the inquest into the death of Christopher Wilson, who was murdered on 27 February 2004, aged 23. Between 14 August 2008 and 21 July 2010, there was an exchange of correspondence between my office and that of the Premier, the former attorney-general and the current Attorney-General, all relating to the findings and recommendations of the Coroner. In addition, Mrs Wilson and I both provided written submissions to the Review of the South Australian Public Integrity System, raising this same issue.

To his credit, in July of 2010—some two years after this matter was first raised—the current Attorney-General did provide some feedback in relation to the recommendations of the Coroner; however, that advice did not give any positive indication regarding whether or not the recommendations would be implemented. Since that time, my office has asked for updates with respect to the Coroner's recommendations more generally.

It is unfortunate that some 3½ years have passed and Mrs Wilson still finds herself waiting for action from the government in relation to all of the recommendations of the Coroner. This is clearly unacceptable. At the very least, this amendment would prevent another family from experiencing similar heartache and frustration to that experienced by Mrs Wilson. I urge all honourable members to support this amendment.

The Hon. S.G. WADE: On behalf of the opposition, I thank the honourable member for taking the opportunity to incorporate into this bill some of the wise opportunities to reform the act that he has identified through his work with his constituent. It did amaze me that we have not, up to this point, taken the opportunity to have an accountability mechanism for coronial inquests that do not involve deaths in custody. After all, if the Coroner has gone to the bother of a coronial inquest, why would we not try to take the opportunity to learn the lessons before a death occurs?

The other aspect of the honourable member's amendment, in terms of reporting back on inaction as well as action I think is very wise. Obviously, in whole areas of public administration, acts of omission are just as significant as acts of commission. So, with those brief words, I welcome and support the amendment of the Hon. John Darley.

The Hon. J.M. GAZZOLA: I only make a contribution on the basis that I note—

Members interjecting:

The ACTING CHAIR (Hon. J.S.L. Dawkins): Order, members on my left!

The Hon. J.M. GAZZOLA: —that the Hon. Mr Darley's amendment was lodged at 3 o'clock this afternoon. I only note that if the government tried to amend one of its own bills at 3 o'clock on a sitting day it would be pulled up and we would be told—

Members interjecting:

The ACTING CHAIR: Order!

The Hon. J.M. GAZZOLA: —in the words of the Hon. Terry Stephens, that this is an absolute disgrace and that we should be reporting progress. Thank you, sir.

The Hon. S.G. WADE: I observe that most government bills start in the House of Assembly and our consideration is the final consideration. The Hon. John Darley has moved an amendment; the House of Assembly will have the opportunity to consider it with all due consideration.

Members interjecting:

The ACTING CHAIR: Order! Interjections are out of order.

The Hon. G.E. Gago interjecting:

The ACTING CHAIR: The minister is out of order.

Amendment carried.

The Hon. R.P. Wortley interjecting:

The ACTING CHAIR: Order! The ministers are not helping the debate and neither are members on my left.

The Hon. J.A. DARLEY: I move:

Page 3, after line 8—Insert:

(8) In this section—

relevant Minister, in relation to findings and recommendations of the Court, means—

(a) if a recommendation is directed to a Minister, or to an agency or other instrumentality of the Crown, as a result of the inquest—the Minister to whom, or the Minister responsible for the agency or other instrumentality of the Crown to which, the recommendation is directed; or

(b) in any other case—the Attorney-General.

This is a consequential amendment.

Amendment carried; clause as amended passed.

Schedule and title passed.

Bill reported with amendment.

The Hon. S.G. WADE (23:33): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 23:34 the council adjourned until Thursday 29 September 2011 at 14:15.