

## LEGISLATIVE COUNCIL

Wednesday 16 May 2012

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

### SUMMARY OFFENCES (WEAPONS) AMENDMENT BILL

The **Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:18)**: I move:

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

Motion carried.

### CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

The **Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:18)**: I move:

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

Motion carried.

### LEGISLATIVE REVIEW COMMITTEE

The **Hon. G.A. KANDELAARS (14:19)**: I bring up the eighth report of the committee.

Report received.

### PAPERS

The following papers were laid on the table:

By the Minister for Agriculture, Food and Fisheries (Hon. G.E. Gago)—

South Australian Motor Sport Board—Report, 2010-11

By the Minister for Agriculture, Food and Fisheries (Hon. G.E. Gago), on behalf of the Minister for Industrial Relations (Hon. R.P. Wortley)—

Reports, 2010-11—

Kangaroo Island Health Advisory Council Inc.

Lower Eyre Health Advisory Council Inc.

Mid-West Health Advisory Council Inc.

By the Minister for Agriculture, Food and Fisheries (Hon. G.E. Gago), on behalf of the Minister for State/Local Government Relations (Hon. R.P. Wortley)—

District Council By-laws—Port Augusta—

No. 1—Permits and Penalties

No. 3—Local Government Land

No. 4—Roads

No. 5—Dogs

No. 7—Cats

No. 8—Australian Arid Lands Botanic Gardens

### QUESTION TIME

#### SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE

The **Hon. J.S.L. DAWKINS (14:21)**: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question regarding the South Australian Research and Development Institute and its impact on agricultural research.

Leave granted.

The **Hon. J.S.L. DAWKINS**: Last year, the then minister for agriculture, food and fisheries (Hon. Michael O'Brien MP) initiated discussions with the University of Adelaide with a view to the

university absorbing the functions of the South Australian Research and Development Institute, known to us all as SARDI. My questions are:

1. What is the current status of the operations of the South Australian Research and Development Institute, especially its agricultural research centres, amid discussions regarding it being absorbed by the University of Adelaide?
2. Does the deal include all the agricultural research centres operating under the banner of SARDI in South Australia?
3. Under the proposed deal will it mean that the state Labor government will essentially gift \$70 million of assets to the University of Adelaide?
4. Does this also mean that the state government will have no further investment in research and development in South Australia, particularly in agriculture?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:23):** I thank the honourable member for this important question. Over the last 18 years SARDI and the University of Adelaide have developed a very strong, collaborative and mutually beneficial relationship. In early 2010, a joint working party was established between PIRSA and the university to look at developing that relationship further and, in particular, to explore opportunities for some more formal integration.

A two-stage process was agreed upon, with stage 1 covering the major issues that would need to be agreed to in deciding whether integration was feasible and beneficial, and stage 2 covering the details of a proposed integration and the due diligence around that. Currently stage 2 of the process, investigating the integration of SARDI with the university, is progressing, and that includes obviously some detailed financial analysis.

It is anticipated that, if approved, the merger potentially could be finalised by the end of this year, if all goes well. SARDI and the University of Adelaide are currently engaged in a due diligence, which is focused on assessing assets, human resources, funding and also governance. The details of those negotiations are still being completed and are yet to be finalised. An industry advisory committee with representatives from all major agricultural and fisheries-related industries (and, I understand, significant business acumen) was formed in May 2011 to provide assistance and advice with the integration process.

An in-principle agreement has been reached—or this is what is being considered—on the following: SARDI is integrated as a controlled entity into the University of Adelaide; the entity would report to a board which, in turn, would report to the Deputy Vice-Chancellor Research University of Adelaide; SARDI research priorities remain the same and the applied focus is retained; a 10-year state funding commitment tied to clear KPIs addressing the South Australian government commitments to the national research development and extension framework and to support emergency management and biosecurity technical services, as well as the provision of scientific advice to inform policy and underpin regulation; and also the employment terms and conditions of staff will not be less than the provisions under which they are currently contracted.

They are the areas where in-principle agreements have been reached. As a controlled entity in the University of Adelaide it is expected that SARDI would have access to funding arrangements between the university and the Australian government, and this would see future SARDI infrastructure needs largely being met through access to Australian government funds which, as part of a state agency, SARDI is not currently eligible to access. So that will open up the doors to significant financial opportunities to go into research.

The university obviously benefits from the synergies of the merger in terms of education and fundamental research outcomes. This is achieved at cost to the South Australian government in that it is no more than currently invested in SARDI. This will effectively achieve significant repositioning of the University of Adelaide in the national network without increasing state expenditure on research and development and, obviously, the synergies also benefit SARDI research outcomes.

In terms of the details of which particular assets are being considered and what their status would be, as I said, those negotiations and considerations are still on the table. The negotiations have not been completed, and I will be making an announcement when they have been finalised.

**SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE**

**The Hon. R.L. BROKENSHIRE (14:28):** I have a supplementary question. Can the minister advise the house whether the due diligence and other documentation that she has outlined will be provided transparently to this parliament?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:28):** The government always attempts to be as transparent and open as possible. I am not sure whether there are materials that might have commercially confidential implications but obviously we cannot make those available. However, the government as a principle seeks wherever it possibly can to be as transparent and open as possible in all its dealings.

**SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE**

**The Hon. J.S.L. DAWKINS (14:29):** I have a supplementary question. What relationship would SARDI have with Flinders University and the University of South Australia under the new arrangements?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:29):** My understanding is that there are already collaborative relationships with other institutions. There are various projects and capacities and my understanding at this point in time is that we intend to continue the capacity for those projects. My understanding is that, again, discussions are taking place and the details have not been finalised.

**SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE**

**The Hon. R.L. BROKENSHIRE (14:30):** I have a further supplementary. Can the minister outline to the council what savings targets the government has if this is to go ahead?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:30):** I do not have any details of savings targets for SARDI around this particular project. I am happy to take that on notice and bring back the details around that. My understanding is that the state government is in a position where it cannot spend additional funds on research and development and so what it is doing is looking at a way to advance research and development without additional funding.

That was the thrust behind the consideration of this proposal and also the significant advantages to research and development that would come from being able to access those federal funds that I have just talked about. In terms of specific savings targets around this particular project, as I said, I am happy to take that on notice and, if there is one, I will bring back the details.

**AGRICULTURE INDUSTRY**

**The Hon. J.S. LEE (14:31):** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the shortfall of expertise in the agricultural industry.

Leave granted.

**The Hon. J.S. LEE:** Waite Research Institute Director, Professor Roger Leigh, spoke at the Blueprint for Australian Agriculture Conference at the Adelaide Pavilion on 2 May, and he expressed his concerns about the demand for agricultural graduates outstripping the supply by more than 10 to one. Professor Leigh states:

...enrolments in agriculture degrees have been declining for a decade. The current estimate now is about 300 students graduating from agriculture courses in Australia and there are probably 4,000 jobs for agriculture graduates each year.

Reported on 8 May 2012 on ABC radio, the potato industry in South Australia announced that there was a lack of state government assistance to help their industry. Grow SA's Mike Redmond said:

More specialist staff are needed in horticulture and the government has the responsibility to adequately support the industry.

He went on to say that 'there's quite a hole in the expertise that the government offers the industry'. The South East Potato Growers Association's Andrew Widdison says:

Rising government charges need to be reassessed. Primary Industries Department needs to reinstate a staff member dedicated to the industry.

My questions are:

1. Does the minister acknowledge that the government has a responsibility to adequately support the agriculture industry?
2. If so, how does the government intend to address concerns from the industry regarding the shortfall of expertise in the agricultural and horticultural sectors?
3. What measures will the government put in place to reassess the needs of farmers and growers and the issues that the industry faces?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:33):** I thank the honourable member for her most important questions. I am aware that there are skill issues not just within agriculture but right throughout our workforce and nationally speaking as well. For instance, I know that the mining industry as well is looking at shortfalls anticipated in the future around skill acquisition and skilled labour force needs. It is a challenging issue and one that considerable work and focus have been placed on.

There is considerable support for students at school, and also in tertiary education, who are interested in a career in agriculture or agriculture-related occupations, including pathways that they can follow from school through to university. South Australia is holding its share of students studying agriculture and agriculture-related qualifications. I understand that we have 7 per cent of the national share of VET and 8 per cent of higher education, so we are holding our own in terms of national representation.

In 2010, there were over 6,000 VET students and, I am advised, 1,500 higher education students enrolled in qualifications associated with agriculture. The number of students enrolled in agriculture-related qualifications increased between 2009 and 2010 by 13.2 per cent for VET, (compared to 5.1 per cent nationally, so we have more than doubled the national average) and by 8 per cent for higher education (that is compared to 5.9 per cent nationally, so again we are punching above our weight in terms of national averages).

Under the training guarantee for SACE students, a range of certificate II and III agriculture programs are available. Students will receive a subsidy when they undertake these programs under Skills for All. In terms of VET programs, I am advised that under Skills for All the state government will be funding some 57 qualifications related to agriculture. Of these, there are 13 qualifications that will be fee-free for students. In addition, there will be a loading of between 10 per cent and 40 per cent for training delivered in the regions.

That are pathways between vocational and higher education, including credit transfer arrangements between TAFE SA and universities. There are current arrangements between the TAFE SA Diploma of Rural Business Management, the University of Adelaide Bachelor of Design Studies, the TAFE SA Advanced Diploma of Rural Business Management and the Flinders University Bachelor of Government and Public Management.

In relation to higher education, I am advised that the University of Adelaide Waite precinct has been presented as a model for the co-location of agricultural research institutions and has established a track record for delivering value to industry through innovative research and quality education. Their programs include a Bachelor of Agricultural Sciences, a Bachelor of Oenology, a Bachelor of Science (Animal Science), a Bachelor of Viticulture and Oenology, and a Bachelor of Wine Marketing.

Of course, the Roseworthy campus of the University of Adelaide is internationally renowned in dryland agriculture, natural resource management and animal production, and is continuing its pioneering role to develop the campus as a hub of information transfer, communication, learning and new technologies for the rural community.

#### LIQUOR LICENSING

**The Hon. T.J. STEPHENS (14:38):** I seek leave to make a brief explanation before asking the Minister for Communities and Social Inclusion, representing the Minister for Police, questions about the enforcement of liquor licensing laws in South Australia.

Leave granted.

**The Hon. T.J. STEPHENS:** I draw the minister's attention to an article in yesterday's *InDaily* regarding the recent enforcement of liquor licensing and what proprietors see as overzealous policing by this government. Local licence holders are concerned that police resources are being committed to 'sting' operations and the like to catch proprietors out for what appear to be minor and petty offences, such as noncompliant receptacles, one example being where a proprietor had switched to plastic cups from glass for patron safety, only to be pinged. Many of these petty cases have ended up in court, only to be thrown out or for proprietors to be slapped on the wrist. My questions are:

1. Given the recent trouble with organised crime and public shootings, does the minister believe this is an efficient use of police resources?

2. Why are police resources being committed to these operations when the penalties are minor and the benefits of such enforcement are not plain to see?

3. Why is the minister clogging an already overburdened court system with these petty cases?

4. Considering the Premier's push for so-called renewal of the CBD, has any discussion of these issues gone through cabinet?

5. Why is the minister making it harder for small business people and entrepreneurs to trade in South Australia?

6. Can the minister explain how this policy will encourage people to invest in the hospitality industry in South Australia versus somewhere like Victoria?

**The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:40):** I thank the honourable member for his important question on the enforcement of liquor licensing laws. I undertake to take that question to the Minister for Police in the other place and to seek a response on his behalf.

## FISHERIES

**The Hon. G.A. KANDELAARS (14:40):** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the work of PIRSA Fisheries.

Leave granted.

**The Hon. G.A. KANDELAARS:** Lake Eyre Basin has long been known as a stunning and sought-after tourist destination, especially in times of flood; however, there are other industries that seek to enjoy this wonderful part of our country. Can the minister tell the chamber about recent measures taken to better understand and manage fishing in the Lake Eyre Basin?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:40):** I thank the honourable member for his most important question. As members would be aware, Lake Eyre Basin covers a vast area across Central Australia and crosses the borders of South Australia, New South Wales, Queensland and the Northern Territory. Lake Eyre is the lowest point of the basin and the terminating point of the system's major arid zone rivers.

I was very fortunate to fly over Lake Eyre earlier this year and see it in its full glory and have a close look at this unique natural environment. The area is full of potential, with principal human activities around the basin including pastoralism, tourism, mining exploration and production. During larger floods, various fish and aquatic fauna are transported along the main channels and deep water holes. This makes Lake Eyre fisheries quite unique compared with any other fishery in South Australia, largely due to the fact that Lake Hope and Red Lake tend to only fill after the type of large-scale flooding that occurs approximately once every 10 years in the Cooper Creek system.

It is one of the largest internally draining river systems in the world, and its natural environment is relatively undisturbed. It certainly includes sites of cultural significance that support our wonderful wetlands, such as the Ramsar-listed Coongie Lakes. In June 2010, the previous minister for agriculture, food and fisheries requested that a fishery management plan be prepared by Primary Industries and the Fisheries Council of South Australia, and I am very pleased to inform members that a draft of this great body of work has now been completed.

The draft management plan is to apply to each of the three fisheries that operate in South Australia: the commercial, recreational and Aboriginal fishing sectors. There is currently one licensed commercial fisher operating in the Lake Eyre Basin, and the licence holder is permitted to take golden perch and Welch's grunter. The recreational fishery is not licensed, but it is subject to a range of regulatory restrictions, such as bag and boat limits, size limits, restriction on the types of gear that may be used, temporal and spatial closures, and the complete protection of some species.

The 2007-08 study and anecdotal evidence indicated that over 400 fishers undertake recreational fishing each year, with the main targets being the Lake Eyre golden perch, yabbies and other species, including catfish and grunters. The draft management plan will now go out for three months of public consultation, and I am sure the public will be pleased with the results. Management has been focused on the conservation of key species and guides the implementation of the YY Indigenous Land Use Agreement.

The basin is a significant fishing resource of particular importance to the cultural and spiritual lives of local Indigenous groups, and this has been carefully considered in the consultation around the draft plan. Traditional stories and historical records of European and other explorers and settlers provide a record of widespread use of aquatic resources and the use of a range of technologies in harvesting them.

The indigenous land use agreement with the YY includes the appropriate allocation of shares of aquatic resources to each fishing sector, conservation NGOs' interest in the Coongie Lakes and Lake Eyre basin and the development and integration of future ILUAs. There is also a risk assessment that has been undertaken to recognise ecologically sustainable development of the fishery.

The assessment highlights the critical importance of permanent waterholes and the introduction of pest species to the health of the aquatic ecosystem, while also identifying strategies to address them. I commend the work produced by the cooperation between PIRSA and the Fisheries Council of South Australia. I appreciate their role in the sustainability of this wonderful, iconic piece of South Australia.

## FISHERIES

**The Hon. M. PARNELL (14:45):** I have a supplementary question. Can the minister advise whether that risk assessment has been published, given that in the early 1990s the environment department advised against commercial fishing in Lake Hope and other areas on the grounds that insufficient was known about the impact of commercial fishing on the natural environment? Is that risk assessment available?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:46):** I am not aware of whether the risk assessment is publicly available or not. I know that the management plan is a huge and comprehensive document. Although I have had a look through it I am not completely sure of how extensively the risk assessment section addresses that. I am happy to take that question on notice and bring back a response.

## DOG FENCE

**The Hon. J.A. DARLEY (14:46):** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries questions with regard to the dog fence.

Leave granted.

**The Hon. J.A. DARLEY:** On Saturday 12 May, *The Advertiser* published an article which outlined advice from biosecurity experts from Adelaide and Deakin University suggesting:

The dog fence should be torn down and dingoes left to roam free and thrive for the good of native animals and the environment.

The article suggests that large sections of the dog fence are in disrepair and further suggests that it is not cost-effective to keep the fence up. The fence comprises both post and netting sections and sections which are electrified. I understand that at the moment the dog fence is patrolled by inspectors who drive along the fence line looking for breaks and other disturbances. In order for maintenance and repairs to be less labour intensive and therefore less costly, a project was established in the late eighties to determine the feasibility of remotely monitoring the electrified sections of the fence using radiotelemetry. My questions of the minister are:

1. What is the current value of the sheep and wool industry in South Australia?
2. Has the Department of Primary Industries and Regions made an assessment of the impact on these industries and the state's economy if the dog fence was removed?
3. Does the department intend to seriously consider the advice from these biosecurity experts?
4. Can the minister advise what progress, if any, has been made with regard to remotely monitoring the electrified sections of the dog fence?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (14:48):** I thank the honourable member for his most important questions. I have seen the recent media interest in the dog fence, with some of these issues being raised in the public arena. Under the Natural Resources Management Act it is illegal to keep dingoes across the southern side of the dog fence. They are considered to be a major threat to sheep graziers. The fence was constructed to assist in protecting sheep from the ravages of dingoes.

I understand that there are parts of the fence that are in very poor condition, and there are issues around the cost-effectiveness of maintaining a fence versus the potential impact on the industry. Certainly sheep growers further north have said to me that the dog fence is very important to them and they believe it would have a significant impact if it were dismantled. They are very keen to see the integrity of that fence maintained. I have also read the arguments of others who say, 'Let the dingoes roam free' and, 'These things balance themselves out.'

Obviously our sheep industry is very important to us. I do not have the exact figures with me, but it certainly is an important sector and it does play a very important role in terms of its economic contribution to this state. I think we would need to think very carefully about removing any protections for them. However, the minister responsible for the dog fence itself is minister Caica, the minister for environment and natural resources, so I am happy to refer the specifics of that question to minister Caica in another place and bring back a response.

#### **GATEWAY PROJECT**

**The Hon. J.M. GAZZOLA (14:51):** Will the Minister for Disability inform the council about the Gateway project to be implemented from May?

**The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:51):** I would like to thank the honourable member for his most important question. The commonwealth has initiated a report entitled Who Cares...? inquiring into better support for carers 2009, which recommends that there should be a focus on carers who do not self-identify or may be reluctant to disclose their role as a carer, a very important segment of the caring community.

The Australian Unity Wellbeing Index Survey 2007 found that carers had the lowest collective health and wellbeing score of any large group surveyed. Disability, ageing and carers undertook the Gateway (Taking Care of Carers) project in 2010-11 with the rural divisions of general practice to increase awareness of carers and assist general practices to refer people to carer support services.

Working with general practitioners was considered a high priority because of the unique position this sector has to identify carers and monitor their physical and emotional health. Access to information and support for carers at an earlier stage will assist with maintaining carer health and well being and will improve the sustainability of the caring role.

Taking Care of Carers leaflets and posters have been developed to assist people accessing GP services to recognise themselves as carers and to direct them to the appropriate support services. This month, the metropolitan Gateway rollout will occur in conjunction with the Access2HomeCare (A2HC), with carers referred to A2HC and then to the appropriate local carer support service. Local carer support services will work with carers to identify their needs, whether it be counselling, respite or just further information.

Information packs will be delivered to practice managers, with leaflets placed and monitored within 180 general practices in the Adelaide metropolitan region for the next 14 months. Additionally, website content accessible through the SA government website has been developed specifically for GPs and health professionals to assist in the rollout of the gateways project.

The Gateway project will enable local carer support services to capitalise on increased carer awareness by strengthening their relationships with general practices in their region. Also, nominations for the SA Carers Recognition Awards are now open and close on 13 July 2012. These awards acknowledge businesses and organisations that provide outstanding responses to carers. Entry to the South Australian Carers Recognition Awards is open to all businesses, not-for-profit organisations, government agencies and general practices operating in South Australia.

To come back to the point of the question, the government is very concerned to deal with that section of the caring community who do not necessarily see themselves as carers and wants to make sure that they have access to the services that will make their lives and their caring responsibility easier into the future.

### APY LANDS, HOUSING

**The Hon. T.A. FRANKS (14:54):** I seek leave to make an explanation before asking the Minister for Social Housing, both in that role and in his role representing the Minister for Aboriginal Affairs and Reconciliation, a question on the topic of APY lands housing and furniture provision.

Leave granted.

**The Hon. T.A. FRANKS:** In July 2010, the federal Indigenous affairs minister withdrew \$900,000 of federal funding from South Australia as part of the National Partnership Agreement on Remote Indigenous Housing. This funding was withdrawn because South Australia failed to meet the target of 44 new houses, I believe by 11 houses. While South Australia was penalised, in fact, Western Australia exceeded its target and got a bonus of an extra \$4 million of funding.

Meanwhile, just this week, we see reports in the media of newly built housing in APY lands being unfurnished, with tenants having no access to the furniture that is needed to make the houses both healthy and habitable. Groups such as the Salvation Army are concerned about the new state government built homes in the APY lands, and I certainly share those concerns. However, it is a case of 'deja vu all over again' on this issue.

Members with even the shortest memory will recall media reports from September 2011 that at least one load of furniture, paid for federally and built by the Playford Community Fund (comprising 40 kitchen suites, 200 mattresses, 250 pillows and 200 bed units), had been delivered to the state department to be delivered to the APY lands in January 2011 but was reported to be in storage awaiting the arrival of a second load. At that time, it was reported that the second container load, with wardrobes and other furniture, had been sent in August and had also gone into storage but a third load of furniture was under construction. However, we heard reports at that time that new housing was unfurnished, with Aboriginal people living in unfurnished housing, sleeping on the floor without mattresses and not having access to health hardware in their own homes.

The Executive Director of Families SA at the time was quoted as saying that the furniture was being stored to ensure that it would be distributed fairly after the second container load was delivered. He also went on to say that Families SA would be working with local agencies to address need, then transport and assemble the furniture in the next four weeks.

The then minister, minister Portolesi, made public comment in September 2011 that, in fact, discussions were occurring to arrange 'flat pack' furniture for housing on the APY lands, yet here we are, seven months later, again hearing reports of government housing being unfurnished. My questions to the minister are:

1. Can the minister provide us with an updated report on the status of all and any furniture sent under government auspices to the APY lands since 2011, identifying what furniture was sent, and when and where it was stored, and when and where and by what criteria it was distributed?

2. Can the minister indicate if any furniture earmarked for APY lands, under federal or state government auspices, including that built by the Playford Community Fund, has been lost in transit?

3. Can the minister provide data on the access to, and uptake by, people on APY lands to NILS in the same time frame, including the number of loans and the amount of loans and, if possible, what purpose these loans were used for?



4. Is there any furniture still in storage, under state government auspices or administration; and can the minister now guarantee that, if there is, it will be distributed as soon as possible to those people in desperate need?

**The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:57):**

I thank the honourable member for her most important questions. I will take those questions to the Minister for Aboriginal Affairs and Reconciliation in the other place and seek a response on her behalf.

#### **PUBLIC SECTOR GRIEVANCE REVIEW COMMISSION**

**The Hon. R.I. LUCAS (14:58):** I seek leave to make a brief explanation prior to directing a question to the minister representing the Minister for Finance on the subject of the Public Sector Grievance Review Commission.

Leave granted.

**The Hon. R.I. LUCAS:** Under the various versions of the Public Sector Act over many decades, public servants have had the right to appeal to some independent body in relation to various employment decisions. That has changed with various versions of the Public Sector Act over those years.

Under the current arrangements, the body that relates to this is called the Public Sector Grievance Review Commission, which was introduced by the Public Sector Act in 2009. Under that act, a public servant who is aggrieved or alleges something wrong with an employment decision is able to take a complaint to the commission alleging nepotism or patronage, or some other serious irregularity in terms of an employment decision that public servant might have been involved in and aggrieved by.

Last week, public sector sources contacted the Liberal Party and indicated that, as a result of budget savings measures, there were now significant delays in appeals to be heard by the Public Sector Grievance Review Commission.

The information provided to the opposition is that the Chief Executive of the Department of Premier and Cabinet, Mr Jim Hallion, is now requiring various departments and agencies, for the first time we are informed, to pay for the costs of any appeal lodged with the grievance review commission. The information provided to the opposition is that previously the costs of those appeals were met by the commission, whose budget was either met by the Department of Premier and Cabinet or Treasury through some whole-of-government appropriation.

The opposition has been advised that there is very significant opposition to this budget saving measure by chief executives of a number of departments and agencies, and in particular senior managers in relation to human resource management within those departments and agencies, and in particular what they believe now are unfair and significant delays in the hearing of appeals within the public sector against employment decisions. My questions to the minister are:

1. Has the government made a decision to require all departments to now pay for the costs of any appeal lodged with the Public Sector Grievance Review Commission and, if yes, what are the details of the decision and from what date has that decision operated?

2. What are the estimated increased costs that will be paid on an annual basis by departments to either the Department of Premier and Cabinet or to Treasury for the operations of the commission under any new financial arrangement?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:02):** On behalf of minister Wortley I will refer the honourable member's question to the Minister for Finance in another place and bring back a response.

#### **RIVERLAND SUSTAINABLE FUTURES FUND**

**The Hon. CARMEL ZOLLO (15:02):** I seek leave to make a brief explanation before asking the Minister for Regional Development a question about assistance in the Riverland.

Leave granted.

**The Hon. CARMEL ZOLLO:** The minister has often spoken about the Riverland prospectus and its role in driving change in the Riverland. Can the minister advise the chamber about a recent initiative that aligns with this prospectus?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:02):** I thank the honourable member for her most important question. I note that it is with a high degree of regularity that I come to this place and announce new program initiatives under the Sustainable Futures Fund, and I am delighted to advise the house that I recently approved a further grant under the Riverland Sustainable Futures Fund to a Riverland engineering company, Joll Engineering, to help expand its workshop.

It is a grant of just over \$21,000 to Joll Engineering & Retail Sales, and it will go towards a project of just over \$44,000 to extend a shed, which is increasing in size by 100 square metres, to concreting and also to electrical and security systems. The Waikerie based business opened in 2005 and provides general engineering, fabrication services and retail products to the agricultural industry. The business has since expanded its production base to include silos and grain feeders. The end of the prolonged drought has led to an increased demand for its services, including the provision of silos, and this grant will help expand its engineering capacity and services to agricultural business in the area.

Expanding Joll Engineering's production facilities is expected to lead to assisting with the creation of two new FTE positions and also employment for a part-time staffer. The expansion will also allow development and manufacturing of its new 'Ezy Drive' chassis, which is an assembly that enables farmers to tow silos to where they are needed on a property. The Riverland Sustainable Futures Fund is designed to promote sustainable economic development in an area that was significantly impacted by prolonged drought.

Guided by the Riverland Futures Prospectus, the fund's aim is to facilitate projects that improve infrastructure, support industry attraction and help grow existing businesses and, obviously, help attract new businesses. The fund focuses on ensuring the key enablers of the economy are in place to build on the existing strengths of the region and to improve its competitive advantages.

The \$20 million, which is available over four years, has been targeted to help deliver structural change, population growth and enhanced employment outcomes for the Riverland. By allowing applicants to access up to 50 per cent of the cost of a project, the fund aims to leverage investment into the area. Applicants can seek advice and assistance from the local RDA to ensure that their planned project lines up with the priorities identified for the region.

The engineering company's expansion has been supported by the Murraylands and Riverland RDA which considers that it helps contribute to the SASP targets of economic growth, total exports and jobs, and fulfil the local business development aim in the regional prospectus and the local government strategic plans, while encouraging economic diversity and reduced reliance on irrigation, which is one of the aims outlined in the RDA roadmap.

The project, which is expected to be completed by mid-2013, is an example of strengthening local business, creating employment and helping strengthen the economy of one of our state's most beautiful regions. I certainly congratulate the applicant and look forward to the completion of this important project.

#### **PHYLLOXERA**

**The Hon. R.L. BROKENSHIRE (15:06):** I seek leave to make a brief explanation before asking the Minister for Primary Industries a question about phylloxera.

Leave granted.

**The Hon. R.L. BROKENSHIRE:** South Australia is blessed with never having suffered a phylloxera outbreak, due to the diligence of the wine industry and the phylloxera board. Consequently, we have some of the oldest vines in the world still in production, alongside Chile and Argentina, whereas much of eastern Australia, Europe and the US suffered devastating vine losses in the past from phylloxera.

South Australia's wine success worldwide is due in part to its phylloxera protections and is the reason why since 1899 the Phylloxera and Grape Industry Board has extracted a levy from grape growers. It has been put to me that, due to changes to the rules regarding phylloxera

protection, grape harvesters can now come in from another wine region without having to wash the machinery; all that is required is a certification that the machine has come from an exclusion zone. A similar rule relaxation has allegedly occurred in relation to soil samples.

The minister has reportedly put in writing that the requirement to disinfect machinery and equipment is now considered unnecessary when moving between exclusion zones. I am also informed that there have been seven outbreaks of phylloxera in other parts of Australia in the last 10 years—a rapid escalation after decades of relatively no outbreaks.

I note that previous 2002 research commissioned by the board identified the Riverland as most vulnerable to the impact of phylloxera due to issues with low profit margins at that time and the financial burden of replanting and the high relative probability of infestation. My questions are:

1. Did the minister or any representative of the state government protest at the relaxation of the phylloxera protection rules when the decision was made under the National Phylloxera Management Protocol?

2. Will the minister reverse this decision as, for instance, her predecessor did in relation to the proposed overnight closures of fruit fly inspection stations in the Riverland?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:08):** I thank the honourable member for his important question. Indeed, South Australia is in a very privileged position in being phylloxera free. Our wine industry benefits significantly from that, so it is worth a considerable amount to our industry to ensure that protections remain in place.

This decision was one which the industry has been involved in and which it has supported. However, by way of background, the South Australian government obviously takes very seriously any threat of phylloxera and is very proud to be working in a very close relationship with our phylloxera board.

The charter of the phylloxera board is to prevent phylloxera from entering this state, to control outbreaks in this state and to develop plans for its eradication in the state's vineyards, if it were to happen. The phylloxera board members must be nominated from South Australia's major grape growing regions and all members must demonstrate proven experience, knowledge and commitment to the improvement of this state's grape growing and wine industries.

The board is tasked with preventing phylloxera from entering this state, controlling any outbreaks and developing plans for its eradication. The board has an ongoing role in developing policies in relation to appropriate restrictions or conditions on the movement of machinery, equipment, vines and other vectors into and within SA to prevent the spread of this disease.

The national set of phylloxera standards is known as the National Phylloxera Management Protocol (the Protocol) and was developed by the industry. A new management protocol has been recommended and approved for South Australia by the phylloxera board. The protocol is an industry standard to which state regulations can be aligned, creating a consistent set of phylloxera requirements across Australia. It does not replace, obviously, state government legislation. The movement of phylloxera risk vectors must still comply, obviously, with any other relevant state legislation.

The protocol introduces the concept of national phylloxera management zones which classify wine regions according to their phylloxera risk status. South Australia is declared a phylloxera exclusion zone (PEZ) by reason that it has never been found in this state. The protocol defines phylloxera risk vectors such as vineyard machinery and establishes movement procedures for moving risk vectors out of and into phylloxera management zones. The protocol also establishes general criteria for confirming, maintaining and upgrading the status of phylloxera management zones.

The plant quarantine standards, which are established under the Plant Health Act 2009, detail the approved conditions of entry into the state of plant and plant-related products, including fruit, vegetables, plants, plant products, machinery, equipment and certain related items from interstate. They form part of a broader network of state and commonwealth legislation to maintain the health and wellbeing of Australia's agricultural and horticultural sectors.

Specific conditions of entry within the plant quarantine standard restrict and prohibit the entry of phylloxera risk vectors across the SA border, and these entry conditions are intended

obviously to comply with the protocol. A person breaching a condition of movement faces a fine of \$20,000 to \$100,000. It is of vital importance that these conditions of entry are standardised on a national basis by agreement between Australia's winegrape growing jurisdictions and it is important that all Australia's winegrape growing regions and states work closely together to ensure security protection.

The interstate movement of machinery drives efficiencies between wine regions by maximising use of vineyard equipment that has a specific use such as mechanical harvesters, cultivators, trenchers, tractors, mechanical pruners and suchlike. The new protocol will allow for a limited movement of machinery across our borders while still protecting our viticulture industry.

Constant vigilance and preparedness obviously remain key strategies in maintaining our phylloxera exclusion zone, and it is for this reason that I encourage members of this state's grape and wine industry to actually engage with members of their phylloxera board on any phylloxera biosecurity matters.

I can only reiterate that it was the phylloxera board that approved these protocols. They are significant leaders within the industry, so it is a protocol that is basically developed by the industry and endorsed by the industry. I think it would be incredibly foolish as a minister (even though my husband is a winemaker, I do not think that gives me the authority) to overturn an industry decision that has been considered as thoroughly as this decision has.

I have had a number of people write to me and raise concerns with me about the changing protocol, and I have passed all those on to the phylloxera board for them to consider those comments. I am sure that it will take those on board and continue to make decisions in the interests of our wine industry.

**The PRESIDENT:** Very thorough. The Hon. Mr Brokenshire has a supplementary from a very comprehensive answer.

#### PHYLLOXERA

**The Hon. R.L. BROKENSHERE (15:15):** Is the minister then saying that she does not see any additional risks that are of concern to her or the government with respect to, particularly, the Riverland?

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:15):** I will just explain the standards and the protocol, the quarantine standards, etc. that surround and protect this state. My understanding is that the protocol that was put together did a full risk assessment and has put in place the protocols that are necessary to continue to protect the phylloxera spread. The changes that the honourable member alludes to are those involving equipment between zones that are phylloxera free.

The phylloxera board itself, the industry itself, decided that that was a reasonable thing so long as the equipment was certified to have not been in a phylloxera area. The industry itself has established these standards. The industry itself has looked at these protocols and approved them. South Australia's phylloxera board, our own South Australian industry, has approved of this and said that these are suitable protocols to continue the protection of our viticulture interests.

#### HOUSING SA

**The Hon. S.G. WADE (15:17):** I seek leave to make a brief explanation before asking the Minister for Communities and Social Inclusion a question in relation to public housing.

Leave granted.

**The Hon. S.G. WADE:** The Playford council has drawn to my attention the different treatment of public housing in its area. Playford Alive has been transferred to the Urban Renewal Authority. The Playford suburbs renewal area has remained with Housing SA. The council is concerned the continued sale of public housing in the Playford suburbs renewal area without an urban renewal plan undermines the viability of future urban renewal options. I ask the minister:

1. What proportion of Housing SA houses across the state is being transferred to the Urban Renewal Authority and on what criteria?
2. Will all Housing SA public housing assets in the Playford suburbs urban renewal area be transferred to the Urban Renewal Authority?

3. In the meantime, will the government accede to council's desire that it suspend sale of public housing properties in the Playford suburbs project area until a decision has been made with respect to the delivery of an urban renewal program?

**The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (15:18):** I thank the honourable member for his most important question about the Urban Renewal Authority and the government's urban renewal agenda. As the honourable member will be aware from the government's announcements over previous weeks and months, we have set up a new authority called the Urban Renewal Authority. Its aim and objective is to renew the urban infrastructure of our city. It is to address the future housing needs of this state as we grow into the future. It is about no longer building, as we used to do, Housing SA properties in one neighbourhood and having no tenant mix, or no housing mix in that neighbourhood, essentially setting up for the future a housing ghetto.

What we have done in the very first instance is transfer properties to the URA, for which they will be responsible in developing a housing mix and a new community style. They will be working with local governments and communities to actually get outcomes where we no longer have ghettos but mixed communities: communities where we have affordable rental, affordable housing sold to people on low incomes, and housing sold on the general market.

We are working to have private property developers working with government, and not-for-profit NGOs to provide low rental housing and also housing for sale. The whole idea of this concept is to actually grow social housing in South Australia at a time when social housing is under an incredible amount of stress. Honourable members should know—

*The Hon. R.L. Brokenshire interjecting:*

**The Hon. I.K. HUNTER:** Honourable members should know—

*The Hon. R.L. Brokenshire interjecting:*

**The Hon. I.K. HUNTER:** —that it has not been for about 30 years that the federal government has made allocations to the states for matching grants to build new social housing.

**An honourable member:** How long?

**The Hon. I.K. HUNTER:** The federal government has not been doing it for decades. What they have done—

*Members interjecting:*

**The Hon. I.K. HUNTER:** What they have done is address areas in the community which the federal government thinks are more needy in terms of private rental accommodation. The federal government's view is that public housing is well secured in South Australia and the other states but that people in the highest need in housing are those in the private rental market, and that is where the federal government has been directing for many, many years now its assistance through the Commonwealth Rental Assistance Scheme (CRA).

What we will be doing, in conjunction with the not-for-profit sector, and for the private property developers, is working up new plans to redevelop those old housing trust areas to have new, vibrant communities based around transport oriented developments, mixed tenancies and mixed tenure developments to last our communities into the future.

## ANSWERS TO QUESTIONS

### HERITAGE

In reply to the **Hon. J.M.A. LENSINK** (23 February 2011) (First Session).

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women):** The Minister for Environment and Conservation has been advised:

1. Local Heritage listing is undertaken at the discretion of each individual Local Council. Listing is provided for, but not required, under the provisions of the Development Act 1993. The Development Act 1993 requires an extensive consultation process prior to amendment of Development Plans and does not provide for emergency listing of local heritage places.

A number of the nominations for emergency protection received by the South Australian Heritage Council are for local heritage places not identified through surveys or protected within Development Plans.

The Department of Environment and Natural Resources is working with the Department of Planning and Local Government and the Minister for State/Local Government Relations to increase the number of Local Councils that recognise and protect their local heritage.

#### **WORKCOVER BOARD**

In reply to the **Hon. R.I. LUCAS** (10 March 2011) (First Session).

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women):** The Treasurer has advised:

The Walsh Vocational Rehabilitation review was commissioned by WorkCover in July 2010 and delivered by John Walsh in December 2010.

The total cost was \$151,137 (exclusive of GST).

#### **GLOBAL SHARE MARKETS**

In reply to the **Hon. D.G.E. HOOD** (28 September 2011) (First Session).

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women):** The Treasurer has advised:

1. Funds invested with Funds SA had a 20 per cent exposure to international shares and a 23 per cent exposure to Australian shares as at 30 November 2011.

Funds SA has reduced its allocations to shares, with funds directed to other asset classes with lower volatility.

2. Funds SA will continue to monitor events and make changes as required.

#### **GAWLER SUBSTITUTE BUS SERVICE**

In reply to the **Hon. K.L. VINCENT** (28 September 2011) (First Session).

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women):** The Minister for Transport Services has advised:

1. Accessible buses are being used to provide rail substitute services following the afternoon peak period on weekdays when they are not required for normal scheduled services and on weekends.

At other times, when the buses used to provide substitute services come from the older, inaccessible fleet it is recommended that customers requiring such services forgo rail substitute services and, as an alternative, utilise the existing Adelaide Metro bus service drawn from the regular bus fleet of which 82.8 per cent is accessible.

When it is not possible to use the regular Adelaide Metro bus service passengers are encouraged to contact the bus provider (SouthLink) as early as possible to request an accessible bus be provided for their rail substitute service. SouthLink has advised that it is preferable if they can be notified a day prior to travel however a request received in the morning for afternoon travel may be achieved.

An accessible taxi is provided for a customer if it is not possible to arrange for an accessible bus to operate on a requested rail substitute bus service.

2. As outlined above, accessible buses which do not require pre-booking are being used to provide rail substitute services following the afternoon peak period on weekdays and on weekends. At other times customers are required to pre-book.

3. There has been no change in policy regarding the accessibility of rail substitute buses. The system outlined above has been used for all rail line upgrade projects.

4. As stated in the response to question 1 above, accessible taxis will be arranged for passengers if they are not able to use the regular Adelaide Metro bus system and a request for an accessible substitute bus for a particular service is not able to be met.

#### **ENERGY INDUSTRY OMBUDSMAN**

In reply to the **Hon. M. PARNELL** (14 February 2012).

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women):** The Minister for Mineral Resources and Energy has advised:

1. If an energy customer is not satisfied with the resolution provided by the Energy Industry Ombudsman they can seek independent legal advice about the next steps in relation to their matter. The next steps may include a hearing of the matter in a court of appropriate jurisdiction.

2. The Government is confident that the Energy Industry Ombudsman of South Australia provides a high level of independent dispute resolution for matters arising between energy consumers and retailers. The Energy Industry Ombudsman is funded by energy industry participants and its services are provided free of charge to energy consumers.

Under the Electricity Act 1996, the terms and conditions of the Ombudsman Scheme are approved by the Essential Services Commission of South Australia (ESCOSA), an independent regulator established by the Government in 2002. Both the Constitution and Charter of the Ombudsman Scheme have been approved by the ESCOSA and any changes to the Constitution or Charter must also be approved by the ESCOSA. As such the ESCOSA can ensure that the procedures of the Ombudsman Scheme remain impartial.

#### **SUMMARY OFFENCES (FILMING OFFENCES) AMENDMENT DRAFT BILL**

**The Hon. G.E. GAGO (Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism, Minister for the Status of Women) (15:21):** I table a copy of a ministerial statement made by the Hon. John Rau on the topic of humiliating and degrading images.

#### **MATTERS OF INTEREST**

##### **SPECIAL INTEREST MUSIC CENTRES**

**The Hon. J.M. GAZZOLA (15:21):** I recently had the pleasure of representing the Premier at a reception at Government House for Special Interest Music Centres. Over 80 guests were introduced to the Governor, His Excellency Rear Admiral Kevin Scarce, to celebrate the good work done by the practising public schools. This is a joint program involving four schools: Brighton Secondary School, Fremont-Elizabeth City High School, Marryatville High School and Woodville High School, under the authority of the Department for Education and Child Development.

The Special Interest Music Centres offer talented public school students the opportunity to progress under an intensive music program, covering school orchestras, concert bands, big bands, performance choirs, solo and ensemble performance and percussion ensembles. Students who have the motivation and dedication to extend themselves are given the opportunity to develop these skills while still being present in mainstream education.

To be a member of this program, students must go through a two-part process. Firstly, the audition requires students to undertake a series of musical exercises, as well as one short musical performance of up to three minutes, where their ability is assessed by an expert panel. If successful, the student then undertakes two further contrasting performances which can include a second instrument, then a final interview with the student and parents.

The history of the music centres dates back some 30 years, with the then minister of education, the Hon. Hugh Hudson, announcing in 1975 the establishment of a taskforce to realise the four centres. The first centres, Brighton and Marryatville, came into being in 1976, followed by Woodville in 1977 and Fremont in 1979, the four sites being chosen because of their strategic positioning to cover the metropolitan area. In 2011, His Excellency agreed to become patron of the four Special Interest Music Centres.

It is a busy program for these students. Years 8 to 10 study includes: theory, concert practice, solo and ensemble performances, composition and arranging, history, music pathways,

and music technology. Senior students are offered a broader musical education covering SACE stages 1 and 2, as well as following a pathway for further study at tertiary level.

Each music centre offers students, either handpicked or auditioned, the opportunity to perform in public, including competitions, festivals, school functions, and interstate and international performances. For example, last year, Brighton Secondary School Special Interest Music Centre students participated in performances such as the opening of the Brighton Performing Arts Centre, Government House open day, and the Brighton Jazz Cabaret.

This program not only offers students the best opportunity to develop, but also teaches them the necessary commitment to follow their passion and to continue their development. The gain in self-confidence through working with other students and teachers in diverse situations is a wonderful opportunity for aspiring musicians. As one would expect in Special Interest Music Centres, the students are mentored by teachers committed to excellence. Such exposure obviously benefits the growth of and support for music in South Australia,

As evidenced on the night, the Special Interest Music Centres program is an excellent program that benefits further music development in South Australia. The address by the Governor and awards presentation by Ms Leanda Herring, head of music at Woodville High School, recognised the passion and commitment of all involved. I thank Leanda for her help in this matter of interest as well as noting the information from the other four schools.

Though I cannot mention by name all of the guests, I commend all the regional directors, the chairs of the schools governing councils, the principals, the heads of music and teachers, and not to leave anyone out, the students and parents, for the wonderful job all are doing in furthering the study and performance of music in South Australia.

I congratulate the award winners for 2011: Mr Shai Martin, Brighton Secondary High School; Ms Stephanie De Zen, Fremont-Elizabeth City High School; Ms Amelia Jutilane-Maynard, Marrayatville High School; Mr Nathan Cummins, Woodville High School, and note with pleasure the performances on the night by several recipients. In conclusion, let me quote in part from 'A statement on the arts for Australian schools, the value and importance of learning and performing music':

Music is not merely an adornment to life: it is a basic manifestation of being human, a profound contribution to personal, social and cultural identity, and a means of expression and communication in every culture.

### **AUSTRALIA'S BIGGEST MORNING TEA**

**The Hon. J.S. LEE (15:26):** I rise today to speak about Australia's Biggest Morning Tea. Most of my friends and colleagues would know that I love my scones and jam with my cup of English tea. I also enjoy having yum cha with family and friends. The Chinese words 'yum cha' directly translated mean 'drinking tea'. Nothing is more enjoyable than drinking jasmine tea and eating delicious dim sums and small dumplings. However, while I enjoy all forms of morning tea, today I would like to talk about a more important form of morning tea.

On 24 May 2012, I will be supporting one of Australia's Biggest Morning Tea events in Clare. It is the morning tea that has become one of the nation's best-loved fundraising events. The campaign plays a vital role in raising money towards the Cancer Council's work in research, prevention and support. The Cancer Council's website highlights that each and every day about 25 South Australians are diagnosed with cancer, a dreadful disease that will affect one in two people at some time in their lives.

I am sad to report that I have a number of close friends who have been affected by cancer. Being told that you have cancer can be extremely stressful. People may be overwhelmed with different feelings, anything from anger, shock and confusion to hopelessness. Common reactions to a cancer diagnosis include: 'I don't want to die. No-one else needs to know about this. Maybe it will go away. This can't be happening to me. What about my job? Who is going to look after my family? Why couldn't it be somebody else? I don't deserve this. People will now treat me differently. What am I going to do?'

People often hide their fears and negative thoughts from others. The Cancer Council helps people to overcome their anxiety so that they do not have to face it alone. Since 1928, Cancer Council SA has worked diligently to defeat cancer and create hope for the people it affects. Australia's Biggest Morning Tea plays a vital role in raising money towards the Cancer Council's work to undertake and fund cancer research, prevent and control cancer and provide information and support for people affected by the dreadful disease.



The success of Australia's Biggest Morning Tea comes from the generosity of time and money from all Australians, both individuals and organisations. I would like to acknowledge Jeni and Burt Surmon of Mt Surmon Wines, who have kindly made available their beautiful gallery at Mt Surmon Wines to host the Australia's Biggest Morning Tea fundraiser.

The former member of the Legislative Council, our dear friend the Hon. Caroline Schaefer, whom most of you know very well, has also been promoting the morning tea in Clare. I am very grateful for the generous contribution and the wonderful support.

The morning tea at Mt Surmon Wines has a unique theme that I would like to highlight: the artist exhibiting the artwork in the gallery is a talented South Australian artist by the name of Michelle Wheadon. Michelle has created a beautiful collection of art pieces centred around the theme of 'tea'. The artwork on display is connected to her cancer survivor's story.

Michelle Wheadon and I have been friends since our university days. To me, Michelle is not just a good friend but a transformer. When you hear the word 'transformer', I do not mean the human machines in the movie *Transformer*, nor do I mean the device used to transfer electricity from one circuit to another. Michelle is a transformer because she was diagnosed with breast cancer in early 2008 and subsequently underwent surgery and six months of chemotherapy treatment. However, she survived that and has used and transformed her energy into painting one of the best art pieces. That is why this Australia's Biggest Morning Tea fundraiser in Clare has become very important. I encourage all members to support in one form or another a morning tea to support the Cancer Council.

### BATTLE OF THE CORAL SEA

**The Hon. G.A. KANDELAARS (15:31):** On Sunday 6 May I had the privilege of representing the Premier at the commemoration of the Battle of the Coral Sea conducted by the Australian-American Association of South Australia and held in the Adelaide Botanic Gardens. Other distinguished guests who attended included the federal member for Hindmarsh, Mr Steve Georganas MP, who gave the prime minister's message; the Leader of the Opposition, Isobel Redmond MP; and the Vice-Consul, US Consulate-General, Melbourne, Mrs Kala Carruthers Azar.

Each year the Australian-American associations across Australia organise the commemoration of the Battle of the Coral Sea. I would like to read an excerpt of the commemoration address by Lieutenant Commander Paul Whetstone RAN, which succinctly covers the events surrounding the Battle of the Coral Sea some 70 years ago:

It was 70 years ago, a few months after their surprise attack at Pearl Harbor, that Japanese forces planned to invade southern New Guinea through the conduct of an amphibious assault on Port Moresby. This move was designed to knock Australia and New Zealand out of the war.

The allies gathered a large fleet in the Coral Sea, approximately 500 miles north-east of Australia, to thwart the invasion. From 4 May to 8 May 1942, the Australian and American navies fought together in the Battle of the Coral Sea—one of the first naval battles fought in the Pacific during World War II and also the largest naval battle that has ever been fought off Australia's shores.

The main Australian involvement in the battle was the allied cruiser force—Task Force 44, commanded by Rear Admiral Jack Crace, the Australian-born Royal Navy flag officer commanding the Australian squadron, comprising HMAS *Australia*, HMAS *Hobart*, USS *Chicago* and three US destroyers (USS *Perkins*, *Wallke* and *Farragut*). This task group detached from the main carrier group, commanded by Rear Admiral Frank Fletcher, to intercept and destroy the Port Moresby invasion fleet that had sailed from Rabaul. Japanese torpedo and high-level bombers attacked the cruiser force and although there were no direct hits, the subsequent strafing attacks caused casualties.

In the case of the US forces, it was the fighters, dive bombers and torpedo aircraft from the USS *Lexington* and USS *Yorktown* which sank one Imperial Japanese aircraft carrier, severely damaged two large fleet aircraft carriers and caused the heavy loss of their experienced aircrew. This prevented these carriers from participating in the Battle of Midway the following month. During the Battle of the Coral Sea, the Japanese severely damaged USS *Yorktown* and USS *Lexington*. The latter was bombed and torpedoed, resulting in aviation gas fires and explosions and subsequently had to be abandoned and sunk.

The battle was important for several reasons. It was the first encounter between fleets in which the surface forces did not sight one another and the only offensive weapons were aircraft. Though there was no decisive victor, it was an important turning point in the war in the Pacific because, for the first time, the allies had stopped the Japanese advance. Before the battle, the Japanese had enjoyed a continual string of victory whilst afterwards, it suffered an almost continual series of defeats, including at Midway one month later.

Shortly after the Battle of the Coral Sea, many called it one of the most important naval battles in world history and, at the time, it probably was. In 1942 many people believed that Australia had been saved from invasion by the Battle of the Coral Sea.

The Battle of the Coral Sea thwarted the Japanese planned assault on Port Moresby and ended the Japanese expansion southward. The Official History of the Royal Australian Navy refers to the Battle of the Coral Sea as 'Japan's first check'.

In conclusion, I wish to acknowledge the efforts of the Australian American Association of South Australia in organising the Battle of the Coral Sea commemoration and, in particular, their President, Mrs Dana Stoba and her husband, David, who have worked tirelessly to ensure the continuation of this commemoration.

Time expired.

### FREEDOM OF INFORMATION

**The Hon. R.I. LUCAS (15:36):** I rise to speak about two issues. On 3 May of this year I asked the following question of the Hon. Mr Wortley:

Will the minister assure this house that no member of staff in his ministerial office has breached the confidentiality provisions of the Freedom of Information Act by revealing the name of a person making an application for information under the Freedom of Information Act to a number of persons who are not entitled to be provided with that information under the Freedom of Information Act?

When one looks at the staffing in the minister's office, it should be a relatively simple undertaking or guarantee for the minister to give. He has a freedom of information officer, Amanda Lonsdale, who is a senior admin officer. The arrangements are that, when FOIs come in, that person can discuss with one or two other ministerial advisers in the minister's office the nature of freedom of information applications. We are aware that that occurs with freedom of information applications in most departments, agencies and offices.

Therefore, it should be a relatively simple task for the minister to go to the freedom of information officer, and the one or two other ministerial officers in his office who have been advised of the nature of FOI applications from members of parliament, to seek an undertaking or guarantee from them that they have not been breaching the confidentiality provisions of the Freedom of Information Act. In extraordinary fashion, I got a letter on 8 May from the minister which, amongst other things, says:

To assist me in answering your question, I would appreciate you providing me with any information regarding a breach of confidentiality by any member of my staff so that I may direct my inquiries appropriately. Once I have received this information, I will endeavour to answer your question.

That is a clear indication that the minister has had a quick chat to the one or two officers in his office and said, 'Hey; can I give this guarantee to Lucas that he's seeking?', and there has been a quick comment of, 'Ahem; I think you'd better be very careful, minister; there are these circumstances, perhaps, where you might not be able to give that guarantee back to the house. What about if we try flushing out Lucas to find out how much he knows?'

**The PRESIDENT:** The Hon. Mr Lucas.

**The Hon. R.I. LUCAS:** 'We'll send this letter to Lucas and see whether he will be silly enough to give us all the details of the information that has been passed to him, and then we can seek to mount a defence to that particular claim. That way, if he's not aware of some of the other examples where we have been breaching the provisions and telling everyone, we don't have to reveal that at all.'

The minister would have said, 'Very good idea. No wonder we pay you \$100,000-plus for being a ministerial adviser. Write me a letter and I'll sign it for you.' Then, within hours, a letter came chugging off to my office seeking information.

Well, I did not come down in the last political shower. Let me assure the minister that the question is on the record. We are now aware of what has gone on within his office; let him come back to the house and answer the question. Will he give that undertaking or won't he?

The second issue was in relation to the contract of Freddie Hansen the ex Thinker in Residence, who I have raised before, who is being paid by taxpayers the princely sum of \$392,000. Now that we have actually tracked down this contract, we find that it was signed by minister Conlon and Freddie Hansen, but where it actually says 'the above is signed by' and there is a date there, the date is not filled in as to when it was executed. 'Executed as an agreement on the' such-and-such day of 2012; it is signed by Conlon, signed by a witness, signed by Freddie Hansen, but it does not actually indicate the date.

I wonder why. It is because Freddie Hansen, as I allege, started work and had not concluded an agreement. This agreement had not actually been signed until after Freddie Hansen started work. The only date is in one of the schedules where the remuneration package is referred to of \$392,000, and Freddie Hansen notes that it was dated 2 May, two or three days after he commenced work and just after I asked the question in the house, but minister Conlon does not indicate when he signed that particular schedule.

The question remains: why was this ex-thinker allowed to start work without a contract having been executed and it was only executed clearly after questions were raised in this place by the Liberal Party on that Tuesday?

#### OFF THE SLATE GALLERY

**The Hon. R.L. BROKENSHIRE (15:42):** I rise this afternoon on a matter of interest to congratulate a significant and talented group of people from my own region on the Fleurieu Peninsula, namely, those people associated with what is called Off the Slate Gallery, a gallery in the main street of Willunga that was set up back in 2005 to provide not only an outlet for talented artists on the Fleurieu Peninsula but also an opportunity for those people seeking diverse, sophisticated and quality art to access that art from this shop in the main street.

It commenced as a cooperative gallery in July 2005 in an old building that was renovated by the owner with input from those members of the gallery. In fact, there are 18 members who run the business, and they are continually changing that work because they are part of what is known as the Purple Flag Flying Fleurieu Art Trail. That art trail is really generating some opportunity for the talented artists in our region, but it also adds, importantly, to the fine wine, fine food and fine tourism opportunities the Fleurieu Peninsula offers all South Australians and interstate and international visitors.

I like the concept of the cooperative gallery because individual artists often find it difficult to be able to display and therefore exhibit, market, promote and sell their talents. By setting up a cooperative gallery, you do not have all the overheads of a business that you would if you were by yourself. A commission is paid from each of the pieces of art sold and that helps to run and improve the gallery with respect to its general features that are commendable, to say the least, when you go in there, and they really do help to exhibit and show the finest parts of the art.

The Fleurieu Peninsula has always been an attractive place to entice artists to come and live. What I find particularly fascinating about members of the Slate Gallery are that some of them paint pictures, some are photographers, some are texture artists, some do abstract acrylic artwork, some specifically focus on wildlife, some on landscape and one in particular I found to be very talented with wood, making clocks, pens and bowls of amazing shapes and textures. Another one develops art from objects found on the beaches around the Fleurieu Peninsula. The importance of this is that it also captures a point in time of the history of the Fleurieu Peninsula. I believe that the great environment in which we live and in which these artists also live and work enhances their capacity and their talent.

We hear that we need to be branding and better positioning South Australia, and the Premier raised this on his recent trip to England. We already have icons like the Fleurieu Peninsula, Kangaroo Island, the gateway to the outback, our magnificent aquaculture on Eyre Peninsula, the beauty of Yorke Peninsula, and the richness and diversity of the Lower South-East. The problem we have is that in trying to brand these artists and these people with talent, the smaller tourism operators are not getting the funding and support that they should be getting from the government.

Sadly, after 10 years, we have seen cuts in the budget year after year. These small amounts of money can strongly help to brand and support this state, and small amounts of grant funding and opportunities given to the talented artists and others that I have just highlighted in this matter of interest would go a long way to increase economic and social development opportunities for our state.

Having praised and congratulated everybody involved with the Off the Slate Gallery and particularly the Just A Moment launch that I was able to do as one of the three or four launches that they do each year, I call on the government and the opposition (as a potential government) to look at the importance of supporting and developing art and artists and tourism throughout South Australia and particularly on the Fleurieu Peninsula.

## INTERNMENT CAMPS

**The Hon. CARMEL ZOLLO (15:46):** Earlier this year, my colleague in the other place, the member for Light, Tony Piccolo, brought to the attention of the parliament a motion relating to the internment camps of World War II. Primarily it was for the parliament to acknowledge, some 70 years after the fact, that amongst the enemy aliens interned were people who were either permanent Australian residents, born in Australia or had become British subjects in accordance with the federal immigration and citizenship laws of the day. The overwhelming majority of the people interned at the camps were law-abiding, had made a valuable contribution to Australian society and posed no threat to the security of the nation or its people.

The motion also recorded the belief that most people were primarily interned in the camps on the basis of their cultural heritage in the mistaken belief that it posed an unreasonable risk and not for any demonstrated or validated criminal or security concerns. As noted by the member for Light in the other place, the motion asserted that while the internment policy was implemented in the circumstances of a national emergency it nevertheless acknowledges that the injustice experienced by some Australians was unnecessary and avoidable.

As chair of the Forum of Italo-Australian Members of Parliament, Mr Piccolo has been instrumental in raising this issue at the national as well as state level, and I am pleased to see that the motion was also debated in federal parliament in a bipartisan manner. Whilst we all recognise that it was not just those of Italian heritage who were interned—because amongst others those of German and Japanese background were also interned—like the member for Light in the other place I, too, am familiar or more familiar with the history of those of Italian heritage.

As part of the research on the Italian migration to Australia and particularly South Australia, Professor Desmond O'Connor's book *No Need to be Afraid* speaks of the experiences of those of Italian heritage who settled in Port Pirie, some of whom were interned at Loveday. Nearly half of the 129 South Australian Italians at Loveday in 1943 were from Port Pirie. Professor O'Connor expanded on this time in history at a seminar given at Flinders University in 1997.

It is widely believed that, given their social and cultural background and isolation, many from Port Pirie's then Italian community, in a bipartisan manner, naïvely saw themselves as joining a social club when they became members of the Port Pirie 'fascio'. Apparently this 'social club' organised social gatherings, formed a women's group, a youth group, an Italian school and even a recreation group. After many years of often being discriminated against they believed they were celebrating their Italianness.

As to be expected, the anguish of internment was felt the strongest by the families left behind. War is always cruel and unjust, and women and children in particular pay a very heavy price. It was not unusual, once the men were rounded up and taken away, that the women and children had to fend for themselves with the added burden of shame—

**The ACTING PRESIDENT (Hon. J.S.L. Dawkins):** Order! Just stop the clock, please. The cameraman needs to be made aware that he is not to be taking film of anyone who is not on their feet. You have just been doing that, I think, so can you cease doing it? You only take footage of people who are on their feet. Start the clock again.

**The Hon. CARMEL ZOLLO:** —cast upon them. It was not uncommon once the war ended for families to move away to start a new life, sometimes anglicising their names to hide the shame and forget the injustice and poverty that war had brought to them.

There were 18 internment camps during World War II, including Loveday in the Riverland. Of the 16,757 people who were interned in the camps during World War II, by far the largest group were those of Italian heritage. I appreciate that it was common international practice during both the First and Second World Wars to intern men who were thought to be a risk to the security of the nation on the grounds that they were 'enemy civilians' or 'enemy aliens'. I think it would be fair to say that history has proved that particular policy wrong, and I add my support to acknowledge what occurred.

The member for Light in the other place concluded his motion by hoping that, as a maturing nation, we have learnt from the World War II internment experience to ensure that future generations of migrants to this country are treated with justice and equality before the law and not discriminated against on the sole basis of their cultural heritage, as indeed many were at that time.

## OIL AND GAS EXPLORATION

**The Hon. M. PARNELL (15:51):** Adelaide has this week hosted the annual conference of the Australian Petroleum Production and Exploration Association (APPEA). This is the peak national body representing Australia's upstream oil and gas exploration and production industry. Whilst the government and the hospitality industry get very excited about the 3,000-odd well-heeled delegates filling our hotel rooms and restaurants, the conference is in reality an orgy of self-promotion and self-delusion.

It is described as a 'feast of fossil fuel fantasy', and I would like to refer to some of the items that were on the agenda of this conference. First, we had the annual announcement by the federal minister of the release of more offshore areas for oil and gas exploration. In our state, this means exploration in new deepwater zones in the Great Australian Bight and off the coast of the South-East. Last year, it was off the coast of Kangaroo Island and Lower Eyre Peninsula.

But how short are our memories? It was only last year that our TV screens were filled nightly with burning or gushing oil facilities off the coast of WA or in the Gulf of Mexico, where the natural perils of going into deeper water, rougher seas and more remote locations delivered us massive oil spills, delivering environmental disasters with consequent loss of wildlife and the economic livelihood of whole coastal communities.

But, not to worry, the oil industry has a cunning plan, announcing a 'world-class sub-sea response solution' to deal with what they euphemistically describe as an 'offshore well incident' or, as most people would regard it, an oil spill or pollution disaster. Whilst this investment is welcome, let's not kid ourselves that future leaks and spills will not occur again and that, when they do, they will not be horrendously difficult and expensive to control. With the best available technology, it still took millions of dollars and many months to control the massive oil leaks from last year.

Next we had the routine assurance that fossil fuels are here to stay and certainly not running out. We were told that we have 250 years' supply of gas remaining at current levels of demand, which of course means much less than that, given the enormous increase in global demand for energy and plans by industry and governments to replace some of the dirtiest coal-fired power stations with gas as a supposed transition fuel, as an alternative to going straight to renewable energy. We contrast this with a report from WWF that, at present rates, we will need two planet Earths to accommodate our voracious demand for resources by the year 2030.

Not to be outdone by his federal counterparts, our own Premier was out in front of the fossil fuel faithful with his announcements. One that jumps out is a commitment to a 'roundtable roadmap for unconventional gas projects in South Australia'. In lay terms, this means coal seam gas or shale gas, most likely in the Cooper Basin but presumably also in the settled areas of the South-East of our state.

In the Cooper Basin, production of conventional gas has peaked and is now in decline, so, like the search for oil and gas in deeper water offshore, we are now looking for gas that is more difficult and environmentally more risky to extract. The road map released this week makes for interesting reading. First of all, if you think that it deals with climate change, or our need to reduce our carbon footprint, you have to think again. In fact, there is almost nothing in 217 pages on the matter, other than on page 93, where it says:

With high integrity well construction, the use of natural gas for power generation yields roughly half the life-cycle greenhouse gas emissions of coal-use for electricity generation.

But is that true? If you compare the best possible gas with the worst possible coal, is gas twice as good? The answer is that it almost certainly is not, and in fact it may be worse. We have had visiting experts from the United States, including Scott Anderson, the senior policy adviser in the energy program at the US Environmental Defense Fund, who basically said that the jury was still out on what benefit, if any, derived from burning gas compared to coal.

We know from the presentation given by Doctors for the Environment in parliament here this month that burning gas has a range of health impacts as well. We know that the idea of peak oil and peak gas is not on the agenda of industry and neither is it on the agenda of the federal government. In the most recent budget, there was an announcement of 12 times as much spent funding roads compared to rail. I would like to conclude with a quote from the US Navy Secretary, Ray Mabus, who was referring to the fact that fossil fuels are so much cheaper; therefore we should keep using them. He said:

Well, of course it is! Every new technology is more expensive. What if we hadn't started using computers because they were more expensive than typewriters? What if we hadn't started using cell phones because they were more expensive than land lines? Where would we be then?

Time expired.

### **CITY OF ADELAIDE (CAPITAL CITY COMMITTEE) AMENDMENT BILL**

**The Hon. J.M.A. LENSINK (15:57):** Obtained leave and introduced a bill for an act to amend the City of Adelaide Act 1998. Read a first time.

**The Hon. J.M.A. LENSINK (15:58):** I move:

That this bill be now read a second time.

I note that this bill has been moved in the House of Assembly by the member for Adelaide, Rachel Sanderson. Indeed, she had also moved it last year prior to parliament being prorogued. The Capital City Committee has been around for some time and has been reinvigorated with new membership. It contains three state members and three local government members.

The three state members are the Premier, the Deputy Premier and Minister for Planning, the Minister for Transport and Infrastructure and Minister for Housing and Urban Development; and the three local government representatives are the Lord Mayor, the Deputy Lord Mayor and another councillor. In the past, the former member for Adelaide, the Hon. Jane Lomax-Smith, was the chair, and I note that she was also the minister for the City of Adelaide at that stage, a position that the Liberal Party thinks is a nonsense.

The role of the City of Adelaide Act is to 'recognise, promote and enhance the special social, commercial, cultural, and civic role the City of Adelaide plays as the capital city and heart of South Australia'. I think that encapsulates the way that we do feel about our city; it is a very special place.

I think part of what underpins our recognition of the City of Adelaide and its importance is the amount of time we spend debating various things that will take place, such as the role of the squares, where the cultural hubs should be, the role of the riverbank, the role of the cultural precinct, whether we should have parking in the city, and a whole range of other things with which I will not detain the house because we spend a lot of time discussing these issues on talkback radio and in other forms of media.

We firmly believe that the member for Adelaide ought to be a member of that committee. She said, in her second reading speech, 'Inherent in democracy is the role of the member for Adelaide to voice the interests of my electorate.' She also said, 'My office cannot even get copies of the minutes from the committee,' and she pointed out that she is contacted when any issue comes up, whether it relates to festivals and so forth.

I note that, in a very contemporary issue to do with live music in the city and liquor licensing, the Facebook site lists the member for Adelaide as the person to go to, even though, in opposition, she is not responsible for the current liquor licensing policy. She is certainly not responsible for the exorbitant fees that are being placed on licensees, but her office is the place people ring when they have issues, and yet the member for Adelaide is not represented on this particular committee.

The bill itself is a small bill; it has five clauses. The significant clauses of note are clauses 4 and 5, which would include 'the member of the House of Assembly whose electoral district comprises or includes the City of Adelaide' as a member and entitle the member to have a deputy in her absence. This really is an absurd situation; it is incomprehensible that the member for Adelaide has not been included, and I think it is fairly typical of this government.

We were promised a new form of government that would be open and consultative, and we would supposedly all be singing *Kumbaya* and holding hands, and things would be done on consensus. Yet, in their first opportunity in a situation like this, they exclude a member in a very partisan way, simply because she is a Liberal member of parliament and not of their hue.

While there is much talk about the importance of the city and improving the city, I think with the most significant stakeholder being excluded, the work of the committee in question is undermined and somewhat irrelevant. I commend this bill to the house.

Debate adjourned on motion of Hon. G.A. Kandelaars.

**DRUGBEAT**

**The Hon. A. BRESSINGTON (16:03):** I move:

That this council recognises the valuable work and outcomes achieved by the DrugBeat Program of South Australia in Elizabeth Grove over the last 14 years and that this program:

1. was the first to develop a painless and humane detoxification process for opiate addiction and methadone;
2. was the first to use naltrexone in a therapeutic situation for opiate addiction;
3. was the first to recognise the need for a structured and sequential recovery program for addicts;
4. was the first to recognise the need to include family in the recovery process;
5. was the first to develop a proactive parenting program for recovered addicts to break the generational cycle of addiction; and
6. fulfilled all three objectives of the harm minimisation policy, those being to reduce the harm, reduce the demand and reduce the supply of illicit drugs.

It was 14 years ago that DrugBeat opened its doors in Elizabeth Grove. It will close its doors on 30 June of this year, after 14 years of dedicated service to the community, always striving for best practice. There have never been any concerns raised about the program, about how we conduct our business, our financial management, nothing. Our funding was cancelled out of the blue because apparently our submission was substandard. I will go into that in just a moment.

First of all, I want to make it very clear that I am convinced this was a political decision, political as in the politics behind drug policy in this state, but also a political decision that I believe leads straight to the Premier's office. Just as background on this, when I made it very clear to the Premier that I was not going to support the extended trading hours legislation, he said to me, 'Well, then it's time to go to the trading table.' When I asked him what that meant, his reply was, 'Well, what have we got that you want?'

This followed two previous meetings where I naively expressed my concerns for the future of the DrugBeat program. It occurred to me, at the time of that conversation, that I could have asked for double the funding for DrugBeat and it probably would have happened because the Premier was a desperate man, at that time. We all know that this is how decisions are made in this government, not in the best interests or for the true welfare of the people of this state, but out of self-interest and because debts owed to the powerbrokers of this state need to be paid, those who head up the unions. It is that simple. We are in trouble.

Of course we all know how that story ended. The Hon. Mr Darley changed his mind, for whatever reason, and the deciding vote was no longer in my hands. Two days after that deal was sealed and two weeks after the due date that we were to be notified, DrugBeat received a letter stating that our funding had been discontinued. Then, we have the Treasurer on the *7.30 Report* on Friday night, when challenged on the priorities of this government, who was asked, 'Are you comfortable with the fact that DrugBeat of SA's funding has been cancelled but the Adelaide Oval went ahead?' Dear the Hon. Mr Snelling said, 'Well, the people in my electorate like football. I'm very comfortable with the decision that we've made and I'm very comfortable with our priorities.'

The people in my electorate, the people who live where I live and where I worked for 14 years, have been kicked in the guts. The only abstinence-based treatment program in the north will close on 30 June. The Hon. Mr Hill talks about open and transparent government. In 1999, Dean Brown went against all advice from Drug And Alcohol Services to fund our program. He went against all advice to provide us with a premises to work from, and he did that because he spent the time, he came out, he spoke to our clients, he spoke to our parents, he was a hands-on minister who ran his department.

He showed up on open day with a prepared speech in his pocket and after he had spent an hour speaking to clients, Mr Dean Brown tore up the speech that had been written for him by his bureaucrats, who told him to distance himself from our program and from me (I was referred to as 'the crazy lady from the suburbs'), and he spoke from his heart. On that day, he promised that if he remained in government he would expand the DrugBeat program by seven more houses in the Adelaide metropolitan area because of the outcomes that we were already achieving after one year and without any funding whatsoever. He had faith in us. As a result of that, we have always strived for best practice. We have always tried to honour the faith that was put in us by the then minister for health and ageing, the Hon. Dean Brown. We also did it because our community was in dire straits.

When we moved into that area, when I first went to look at the premises that Dean Brown was going to provide us, I cried. It was being used as a flophouse. It was being used as a shooting gallery. There were discarded needles spread everywhere, human faeces spread across the walls, windows were smashed, doors were smashed. This former Friends of the Elderly facility was being completely demolished by youth in our area who had no direction.

Within 12 months of being in Elizabeth Grove, three drug dealers moved out of the street. We had kids at the age of eight, nine, 10, 11 and 12 knocking on our door cold, coming to ask us, 'What do we do? Our parents are drug addicts; what do we do? How can you guys help us?' We worked with those children. We saved the life of a 12 year old who overdosed on her father's antipsychotic medications. Those kids had enough faith in us to come and tell us when they were in trouble.

We rocked up to work on a Tuesday morning and there was a sign painted on our front fence. We did not initiate it and we still do not know who put it there. The sign said, 'Don't let them close this down.' We have had neighbours come to us and say, 'Thank God; we no longer get up every morning having to go out and pick up discarded syringes in our front yard before our children or grandchildren can go out there and play.'

We have had people from the very street that we were in come and knock on our door and ask for help for their children. It was people who had been involved with the DrugBeat program who exposed the house of horrors in the street behind us. Our community started to grow a conscience. Our community started to wake up, because they knew that we were there to help them. They knew that we were from that community ourselves and that we genuinely cared for their safety and well being and wanted to provide them and their children with every possible avenue to live their lives well.

The DrugBeat of South Australia Program is an existential program, and the basis of an existential program is that everybody has the right to exist well. If they need help, assistance and support to do that, then we provide that help, that assistance and that support. We have done that exceptionally well. The DrugBeat of South Australia Program has an unrefuted 95 per cent success rate—not over three months, not over six months, not over nine months: over seven years.

Our clients seven years later are still drug-free. We have had clients—graduates I will say—go on to get their nursing degrees, to get their teaching degrees. We have had lawyers come out of our program. Just last year, the very first client that we ever treated graduated with an engineer's degree.

Tell me that these are not the outcomes that we want for people who at some point in their life cannot even get out of bed in the morning, cannot even relate to their families. These are the outcomes that we are supposed to be paying for with our taxpayer dollars. We have done this on \$4.2 million of state money over this period of time—not a year, but over this entire period of time. We estimate that we have saved the community and the government around \$450 million. We have saved \$450 million, and it could only get better because we do not get referrals from DASSA (Drug and Alcohol Services).

They do not send people to us to try to get people off drugs because their statistics have to look good and their retention rates have to look good. No, we get our clients by word of mouth. For every one person who has come through our program, they have brought at least 10 others with them—after their friends see what they have got, the quality of life they have got, the recovery that they have got and the fact that they can move forward with their life. Their friends want what they have got, and they come and do the program and 95 per cent of them succeed—95 per cent. Who else could boast that? I do not say it lightly.

We know that addiction is a high relapse disorder. Everybody knows that. DASSA would have us believe that addicts may recover after 10, 15, 20 or 25 years on methadone—maybe—that one day they may wake up and have a spontaneous healing episode. Guess what? It does not work like that. The clowns who pass themselves off as experts, who keep our children, our mothers and our fathers addicted to drugs because—and only because—it serves their own political agenda should be inquired into now because they are not using the millions of dollars they get in taxpayer dollars for the benefit of our community. They are not interested in getting people off drugs.

I have a statement from one of the people that we were referred to (because we have nowhere to refer our clients now, of course) from the northern health service. I might add, before I go on to that, that the program manager rang the northern health service and asked for a service that would be able to support our clients, because some of our clients are going to have to leave



the program midstream, which is very traumatic for them. This is going to be the most vulnerable time of their recovery and we have got to close our doors. There is no proper wind-up process to this. It is just: get out, the funding is gone. So our clients are now left. Who knows? They could neck themselves. This is not a consideration of the people who made this decision. This is not a consideration of our Minister for Mental Health and Substance Abuse. They do not care. 'Kick them out!'

Where do we refer them? Our program manager said we need a program that understands central nervous system disorders; that understands dry-drug, dry-drunk; that is able to deal with grief and loss issues; that is able to deal with early childhood issues; and that is able to deal with abuse and trauma issues and domestic violence issues. My program manager said there was stone cold silence on the other end of the phone—stone cold silence. So she referred us to DASSA, which is not abstinence-based. However, there were four to five-week waiting periods for DASSA and they have a harm reduction program with a spectrum incorporating harm minimisation and hoping—hoping—the end result would be abstinence. Wish, hope, dream. There is no plan to get them there, just a hope.

DASSA has relapse prevention groups—not abstinence-based of course, 'seeking safety model'. So, relapse prevention with safe but recreational use. Our clients do not recreationally use. Second Story for clients under 25 years of age, Alcoholics Anonymous, Narcotics Anonymous, ADIS 24-hour counselling service, that is, Australian Drug Information Service. Our clients do not need information on drugs because they are not using them any more. They need information on recovery, and they need support to be able to move forward with their recovery by dealing with their grief and loss issues, their trauma and abuse issues and their domestic violence issues. But nobody offers that counselling, that quality of counselling, in any of the services that we have been asked to refer our clients to.

We have treated teachers, anaesthetic nurses, aged care nurses, public servants, aged care workers, gays and lesbians, youth who have been bullied and harassed at school, homeless youth, those who have been sexually abused, victims of domestic violence, perpetrators of domestic violence, prostitutes, bikies, operators of heavy machinery from the mines, long-term addicts who have never been able to secure or maintain meaningful employment, university students, carpenters, plumbers, mechanics, high school students who have succumbed to the stress of study and work and have turned to the use of amphetamines as a coping mechanism, small business owners, social workers (and, curiously, some of those are doing a Cert. IV at TAFE on drug and alcohol), TAFE students, housewives and mothers, and people who have been diagnosed with a various range of mental illnesses, such as bipolar, schizophrenia, depression, anxiety and obsessive compulsive disorder.

These people had three things in common: they used drugs, the drug use had become problematic (they had crossed the line and become addicted), and all were dealers to support their habit. Even the mums at home with their children were dealing drugs to support their habit, and 95 per cent of these people are not involved in that sleazy lifestyle any more; 95 per cent of these people are at home, at work, at study, getting on with their lives. But we were told in our debrief that, for our submission to get past the first stage of scrutiny, outcomes were not a priority. No, no, no—it was the quality of the submission.

I know that this procurement board believed that some little hick organisation from Elizabeth Grove, some dummy from the organisation, had written that submission. But I knew last October when we were asked to retender for this that we were in trouble. I said to the chief executive, 'We will get somebody to write a submission, somebody whose job it's to understand the quality of submission needed.' So, we sourced a federal health and ageing bureaucrat, whose previous job, just 12 months ago, was to assess and evaluate submissions. But even that submission was not good enough for the State Procurement Board of South Australia, because we have such excellent services in South Australia.

**The PRESIDENT:** Hear, hear!

**The Hon. A. BRESSINGTON:** So, it would not have mattered who wrote that submission, how thorough that submission was or how many i's were dotted and how many t's were crossed: that submission from DrugBeat of South Australia would never have been good enough, because Drug and Alcohol Services never wanted DrugBeat to get this funding in the first place—never wanted DrugBeat to have this funding. The Hon. Dean Brown let us know, in April 2000, that we had been granted funding and he said, 'The process is underway and the money should be in your bank account by the end of the week.' That week came and went; that month came and went; May

came and went; July came and went; October came and went—no money. Dean Brown believed the money had already been put into our account. When I contacted him and said, 'WTF, where is the money?' he was shocked. He thought that it had all been taken care of.

This is the same organisation that said to him, 'Don't go anywhere near this organisation, distance yourself from them. She's the crazy lady from the suburbs, she doesn't know what she's talking about. You don't need this headache.' They delayed our funding by almost nine months. This is the very same organisation we went to after we had been using naltrexone for 12 months—and successfully using naltrexone—for heroin and methadone addiction. We went to Drug and Alcohol Services in good faith and told them the protocols because they were just about to start a trial on naltrexone. We thought, to be fair to addicts, and only to addicts, we would share with them what we had learnt over a 12-month period—that, no, naltrexone just on its own is not a golden bullet.

People on naltrexone need counselling. If they get the right kind of counselling, they will only be on naltrexone for a very short period of time. Naltrexone is non-addictive and people can come off it whenever they like. We laid out our protocol and what we had been doing to get the successes that we had been getting—we were laughed at. They did exactly the opposite: they detoxed these people in a hospital, they put them under anaesthetic first, they detoxed them, they put them on naltrexone, and by that afternoon these people were released onto the street with no support and, even if they had nowhere to go, they were left to wander around in an anaesthetic haze. That was their naltrexone trial so that they could write the paper and say, 'It doesn't work.'

We were the first organisation to develop a humane and painless detox for methadone using buprenorphine, or Temgesic as we knew it then. Low doses over a 10-day period could get a person off 120 milligrams of methadone, which would normally take, with the reduction process, around two years for them to detox properly and to stop feeling the signs and symptoms of withdrawal. Again, Drug and Alcohol Services Warrinilla, our detox centre, was about to do a trial on buprenorphine and use it for detox.

Again, in good faith and as part of our responsibility to make sure that addicts could access the best possible treatment, we spoke to their doctor, Dr Jason White (their pharmacologist) who was going to head up this trial for detox using buprenorphine. We had been using this, remember, for 12 months, the first organisation, service provider, in Australia to use this method—100 per cent success at detox, no ifs, buts or maybes—because it was painless and, if they had a job, people continue to go to work through the day, take their Temgesic and come down off methadone (and 120 milligrams at that).

We said that we started them off on very low doses, that the most that they would have in a day would be two milligrams, that they popped a tablet under their tongue every hour and detoxed through the day over a 10-day period, and that then they could go onto naltrexone after that until they got counselling, if that is what they wanted to do—again, we were laughed at. What did Drug and Alcohol Services do? It introduced detoxification using buprenorphine with clients on 16 milligrams a day and then reduced them from 16 milligrams down.

In the minds of pharmacologists, that is back to front, because you usually start with the lowest dose and work up. You do not start with the very highest dose and then try and work down. The result of that failed detoxification process was that people were suffering with agoraphobia and paranoia because their system was overloaded with buprenorphine. And who was having to clean up that mess? DrugBeat, of course.

DASSA's clients were coming to DrugBeat saying they had been put through this most horrendous process. They had stayed in Warinilla for six days doing this detox and it was only seven days after they were released from Warinilla that they started to experience detox from the buprenorphine, which is even more severe than detoxification from methadone.

This organisation known as the drug and alcohol services council did not want any information from anybody, especially not this crazy lady from the suburbs. Why? I do not believe they want to fix this problem. I do not believe they want to find a cure for addiction, because there is an empire that depends on having addicts in the system, and the more the better, because the more they have, the more taxpayer money they will get. That is the bottom line.

Nobody sitting in this place knows more about the policy and the politics behind the drug issue than I do. I have not learnt it out of a book; I have not read it out of ministerial statements; I have not read it out of policy and procedures. I have lived it. I have seen the subversive attitude of

these people and the fact that they will use drug addicts as lab rats. They treat them like garbage, and they get paid to do this.

They get paid to do this and they are our children, our grandchildren, our family that they are mucking around with. They have no conscience, and I sat with these very same people for four years on the Australian National Council on Drugs, the peak advisory body to the Prime Minister. What was their main concern? For four years, what did we talk about? Retractable syringes and how many fit boxes we could fit in public toilets.

That was the priority of our drug policy at the federal level. They were not worried about getting cannabis off the street. No; they were quite happy for that legalisation movement to just roll on, and they did not respond to any of the ridiculous research that was put out about heroin trials, shooting galleries and legalisation of drugs. Why? Because some of the very people at the top of the decision-making cycle of this are involved with the drug legalisation movement.

I have mentioned Dr Wodak in here many times. He is head of drug and alcohol services in New South Wales and he believes that cannabis should be sold from every post office in Australia. He is in charge of drug and alcohol services. He is the one who is making decisions about what treatment road they go down in New South Wales. That is why they have their shooting gallery. Professor Robert Ali, head of Drug and Alcohol Services here, I know for a fact is linked at the hip with Dr Alex Wodak, and I know that they support the Parliamentary Group on Drug Law Reform.

This is an incestuous little circle that is perpetrating misery. This is the industry of human misery, and nobody cares. Nobody cares that people's lives are on the line because these people want to pursue a political agenda. That is the other side of the politics of the decision behind the cancelling of DrugBeat money, and nobody will convince me any differently.

Let us look at the other achievement of the DrugBeat program. We were the first to recognise the need for family involvement in the recovery process. When we first made it clear to our funding body that we were going to include family, that we were going to run a parent group, and that we were going to help parents to cope with the behaviour of an addict both before and after detox, do you know what we were told? 'Well, we won't be referring people to you. If you are going to include family members, we won't be referring people to you because that simply doesn't work.'

All my research showed that it did work—research from programs in Italy, Spain, and Sweden. As for the 5 per cent in our program who do not make it, guess what? Their family does not come. Family involvement was crucial not only to support the addict but to try to reconcile those bridges that had been burnt by an addict's behaviour—the thieving, the lying, the deception. It was time to start helping people to heal. The ironic part about this was that we found that parents were coming to our program before their addicted child and going home and changing their behaviour.

Within 10 weeks of changing the way they were talking to them, changing their expectations of them, putting reasonable limits and boundaries in place and allowing them to take responsibility for the decisions they were making, their kids were following them into the program because life was not easy any more. They were not being rescued, they were not being enabled, they were being given the opportunity to experience the full consequences of the choices they were making. And guess what? They did not like it, so they came along to get the help they needed. They succeeded.

The next step was to develop a proactive parenting program for recovered addicts. It became obvious over a period of time that an addict can take over their own recovery. They can take responsibility for it, but they did not have the skills to cope with the pressures and the stresses of having to change the way that they related to their children because of their years in the drug culture. So, we researched that, and we developed a six-month proactive parenting program to help them change their behaviour and break that generational cycle of addiction.

Those parents went on to be able to grow their children up in a reasonable way, to get those children back to school, to get some systems in place at home, some normality. The parents had to make sure that they fulfilled their roles and responsibilities. We got them to run their home and their family as you would run a business: set up a schedule, set up a timetable, break down roles and responsibilities, and do a checklist and time lines of when things were done, to get them into that structure—and it worked.

Those kids went back to school and they finished their education. They are now moving into high school and university. These are kids who would still be caught up in the drug culture

because that was their first five years of life experience, and that is what makes or breaks us—that first five years. That is not my research, that is out there for everybody to know.

Then, of course, to fulfil the objectives of our harm minimisation or harm reduction policy, to reduce the harm we eliminated it. We eliminated it to reduce demand. We had people go back to their bkie mates who had a crop growing in the shed with 3,000 plants and take the stuff back because our program is proactive with that. We would give our clients three days to make up their minds, and would say to them, 'Either you take that stuff back, or we call the cops.' They chose to take it back, so the supply and demand were also diminished via our program. Because our clients did not use drugs anymore, the demand was on a decline.

I challenge anyone in here to tell me that this procurement board—and this was all included in our submission—could look at this and say, 'outcomes aren't a priority' and mean it, or say that they were not convinced that the taxpayers were getting bang for buck out of our program. The other thing—and I should have included this in the reference points—was quality assurance.

The NGO sector was called to a meeting nine years ago by the department of health, and we were told that there was going to be a quality assurance program put in place. It as going to be called the 'service excellence framework' and that every non-government organisation needed to participate in this process. It was a tough process: it was quality assurance but, if you did not get it, you would never be considered for funding.

If you did not have the little emblem on your letterhead that said that you had achieved quality assurance—under the service excellence framework—do not even bother to submit for funding. If you did have it, it was a very good signal that you were going to be good quality; that you had done your work, had met certain standards, and that your organisation should be funded. We have had that status for four years. We are one of the only organisations to reach award level. Others are still in certificate level, whereas we have reached award level, which means our policies, procedures and internal systems are of international standards.

What did the debrief say? They were not sure about our ability: our policy and procedures for Aboriginal and Torres Strait Islander clients was lacking. Well, do you know why it was lacking? It was because, in 14 years, we have never had one single Aboriginal or Torres Strait Islander person in our program. Our policy was to refer those clients to an Aboriginal and Torres Strait Islander service 250 metres down the road at the Lyell McEwin Hospital.

That was our policy, but apparently our policy and procedures were lacking. When I said to the person doing the debrief, 'That is what this is for: this certificate says our policy and procedures are of international standard and are all acceptable for the award level of the service excellence framework,' she did not even know what the service excellence framework was—did not even know.

I then went on to ask, 'Of these mysterious 14 organisations where this same pool of money is going to be spread around, did they have the service excellence framework? Had they achieved this?' Her response was, 'Well, you know, striving for best practice is a process; it is a process, and these organisations are in the process of getting service excellence.'

Well, we have had it for four years, and we have been audited for it, and we continue to strive for best practice. We continue to upgrade to make sure that that status is maintained because, if we do not, we lose the status, but it does not seem to matter because, no matter what DrugBeat of South Australia does, it is never good enough.

I am not moving this motion today expecting the minister to reverse the decision. That is not my intention. DrugBeat would not go back and do this again for the same amount of money because, for the first time in 14 years, our staff are under stress.

Another reason we were given as to why our tender failed was that our clinical supervision was not up to par. We have clinical supervision of our program manager. That clinical supervisor is the same one who Mental Health Services use. So, does that mean that Mental Health Services' clinical supervision is under par as well and it is going to be defunded? I think not. Our program manager has achieved the qualification of clinical supervisor. So, she clinically supervises our other staff, but even that is not good enough, that we would have our own clinical supervisor on premise, that that clinical supervisor is clinically supervised every quarter and that she is a qualified clinical supervisor and used by the mental health system. As I said, nothing DrugBeat does would ever be good enough.

We have had three independent university evaluations of the program done by the University of South Australia. Those evaluations were included in our submission. I have a couple of little quotes. This is from the service excellence auditor and the executive summary:

ADTARP provides a specialised treatment program that approaches the physical, emotional, and mental aspects of recovery. The program is based on a drug and alcohol free abstinence basis. This program is unique within this state as all other drug and alcohol rehabilitation centres use a harm minimisation approach. The abstinence based program appears both professionally and ethically sound and is endorsed by The Southern Cross Bioethics Institute and has been subject to external evaluations by the University of South Australia.

Open and transparent communication is clearly a strong focal point of the organisation and was strongly supported and demonstrated by all staff interviewed, and demonstrated through the daily work planning process.

Evaluation of the programs is extensive and feedback is sought from clients and families on an ongoing basis.

Recruitment, selection, orientation and ongoing development of staff is of a very high standard. Clinical Governance is long standing and appears to be the basis of the credible culture within the organisation. The organisation's commitment to retaining quality staff is evident in the service delivery model and subsequent training and community network opportunities that are presented. This is apparent through the benchmarking undertaken against the Australian Counselling Association standards.

Observations during the audit process indicated a dedicated staff and management team. All staff interviewed are commended for their obvious passion and enthusiasm, and apparent commitment and dedication to their positions and the clients and families who utilise the service.

That is our quality assurance executive summary statement. Andrew May, our financial auditor:

My firm, Major, May & Associates, Chartered Accountants, has been the auditor of ADTARP since its inception in 2001. The annual audits of ADTARP's financial statements have been conducted in accordance with the Australian Accounting and Auditing Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board.

In my opinion the books and the accounting records of ADTARP have always been appropriately maintained by a competent person, and I am satisfied that the ongoing maintenance of ADTARP's accounts on the MYOB Accounting Software continues to be appropriate to the needs of the organisation.

From my annual audit visits, and my knowledge of the staff that have been employed by ADTARP, both currently and during prior years, it appears to me that ADTARP continuously strives to achieve best practice in all of their operations. Given ADTARP's history of effective financial management of public funds,—

you know, bang for buck—

I am confident that ADTARP will continue to be financially viable if it is awarded a contract to provide ongoing services.

Page 19 from the University of SA evaluation states:

Participants complained that other services they had accessed were not as forthcoming with information as ADTARP Inc. and indicated their frustration about the lack of public information on drug treatment and rehabilitation services. Many commented about the general lack of recovery-based services other than ADTARP Inc. ADTARP Inc. delivers its programs in Elizabeth Grove. The latter is located in the northern suburbs of Adelaide, approximately 30 kilometres from the Adelaide CBD. Some participants travelled from Adelaide's southern suburbs each week for the program, in some cases travelling as much as 100 kilometres in a round trip because they said that there was no similar service provided in their area. One participant commented: 'ADTARP Inc. is the only place where you do something, not accept it but get through it and bring about change.'

There can be no reasonable explanation for the defunding of this program other than the fact that the decision was political.

We have provided other services as well. Mr Faschingbauer and I have been going to schools for some 14 years now, speaking to year 9 and year 12 students and telling them the truth about addiction, not about the fanciful, recreational use of drugs or that there has to be a genetic predisposition and all that garbage that is not actually backed up by real science or real medicine.

Central nervous system disorder—if you continue to use drugs on an ongoing basis, your central nervous system is changed; the chemistry of your brain is changed. Then you are an addict. And if you do not abstain, you will continue to be an addict and life will become out of control. The more your brain chemistry is upset and the more it is put under stress, the more side effects you will feel and the worse your life will get. It is not a matter of if: it is a matter of when. A letter from the principal of Golden Grove High School states:

We would like to express our appreciation to both yourself and Ann Bressington for the drug presentation you organised for year 9 and year 12 Golden Grove High School students...We were very impressed with the way in which Ann captivated the students' attention for over one and a half hours—

more than I can do in here—

This was a very challenging task as she spoke to up to 90 students at a time.

Ann's talk will help many of our students make educated decisions about drugs and social situations that they may encounter. The personal stories and knowledge she presented on drugs were powerful and inspirational. Both staff and students were impressed by her integrity. We all respected her willingness to share her personal experiences which will help prevent drug use by the adolescents present.

Many students approached staff after the talk expressing their appreciation at having the opportunity of hearing Ann's message. Several students sought teachers' advice with concerns about their own experiences with drugs as a result of this presentation.

We thank DrugBeat for organising such a meaningful presentation.

Are these not the outcomes that state and federal governments say they want to achieve through drug policy? Are these not the outcomes that state and federal governments say we should be striving for? Are these not the outcomes that state and federal governments use to justify the expenditure of millions and millions of taxpayer dollars?

We do not get these outcomes anywhere, because people in this industry of human misery do not want to hear the other side. They do not want to hear that we have not lost the war on drugs. We have never had a war on drugs. We have had a war of words on drugs, we have had a war of policy on drugs, but we have never actually had a war on drugs, as in striving to bring people off drugs.

If there is no demand, there will be little need for supply. If there is no demand, there will be a minimal amount of dollars needed to be expended on reducing the harm. This is just pure economics at its most basic. But the government does not want to hear about it, Drug and Alcohol Services do not want to hear about it, the experts do not want to hear about it, and the policy makers at a federal level did not want to hear about it. Why not? Because we have to convince the public that nothing works—nothing works.

We are just about to head around that same debate about heroin trials, shooting galleries and legalisation yet again, because there was a paper released just three weeks ago saying we have lost the war on drugs. We are losing it because governments want us to lose it. We are losing it because bureaucrats have another agenda. They are involved with the drug legalisation movement and they should be exposed for that; and they should, because of a conflict of interest, lose their jobs.

They should not be in charge of trying to develop decent policy and decent treatment programs when their main objective is to ensure that eventually legalisation will happen because everybody is going to throw up their hands and say nothing works. This is not good enough. If I was like you lot sitting there and I had not been involved in this for the last 15 years and I had not seen this stuff with my own eyes and I had not had to research treatment and rehabilitation and pharmacology and biochemical repair for people and the counselling that was needed and develop the programs, I would not be believing what I was hearing today, either.

When I started on this journey, I was involved with an organisation called Drug Aid. We lobbied. We lobbied hard for heroin trials, we lobbied hard for shooting galleries and we lobbied hard for legalisation, until my daughter said to me, 'You've got it all wrong. We don't want to be addicts. We want to get off.' So we put together a survey of 1,120 active drug users from Queensland, New South Wales and South Australia, and we asked them 265 questions. We were flooded with people who wanted to participate in this, because the questions we were asking them were questions they had been waiting to be asked for many years.

They had people out there saying, 'Drug addicts? It's a lifestyle choice.' No, it is not: it is a death sentence. I have had addict after addict say to me, 'There are worse things than death, and that is living this life.' It is not a party. They are not hedonistic. They use drugs so that they can simply get out of bed in the morning and work hard all day to earn the money to pay for their next fix. That is it. That is their life. They do not eat, they do not bathe, they do not look after themselves because there is no time. Their life is consumed with earning enough money to pay for their daily habit that is ever increasing, and they have to do some of the most horrible things to support that habit.

Tell me that we are doing our best! Tell me that we are making the right decisions! Tell me that we are listening to the right people! Tell me that we are doing our job! It will take a lot of convincing. I hear these crackpots talk about lifestyle choice, victimless crime, and drug use being

a complex issue. You know what? It is not that complex. People have emotional issues, people have trauma and abuse issues, people have grief and loss issues that need to be resolved.

At the age of 12, when they were going through puberty and all these issues were hanging around their head and involved in their life, they did not know what to do, so they started smoking dope, and it took their mind off these issues. It took them away from that reality they did not want to be in. They started popping pills, they started having a drink here and there. You know what? For a very short time they felt better. Why wouldn't you keep doing that? God, we still do it as adults, but these are our children. Our children are using drugs and alcohol as a coping mechanism for the stuff they cannot handle in their lives. We talk about wanting to prevent, but we do not do anything about it.

We have not changed what we have been doing in drug policy for 25 years. We have let this myth go on and on and on, and all we do is repeat the bureaucratic doublespeak that does not make any sense. If you really break it down, it says nothing. It says nothing, it offers no hope, it offers no help, it offers no change. Let me tell you that the reason the Drug and Alcohol Services Council hopes that abstinence will be an outcome is because they do not know how to help a person become abstinent. They do not know, they do not have the skills, and they do not have the training in dealing with addictive behaviour and helping that person to change that behaviour over a period of time.

The DrugBeat program runs for 15 to 18 months. If their people are not taken care of within three months, 'Well, too bad, you're sad, baby.' Let me also inform members sitting here that when one of our clients, who we were told to refer to Warinilla, although he did not need detox—detox was done, over, six months clean, but Warinilla was the only option—set foot inside that gate, and before he reached the front door, he had been approached six times to score. Tell me why a person in recovery should have to be confronted with that crap. This organisation is government run and government funded, although there is no service excellence framework for this organisation.

This is what we now are supposed to subject our clients to—to go to a needle exchange program. They do not want to use needles, they have no use for them. To go to a parent program through family drug support, which is supported by Warinilla, their home page says, 'Harm minimisation is our objective,' and the fifth dot point is, 'Teach your kids how to mull up safely.' Our parents do not need that advice. They need advice on how to communicate with their children. They need advice on how to continue to help them to heal. They need advice on how to continue to build those family relationships. But, no, they are going to get 'how to teach your kid to mull up'. What a disgrace! What an absolute disgrace!

I am not saying that there are not parents who will not access those services and whose families will not benefit. Don't get me wrong: everyone is at a different level, everyone is at a different stage, but why are they funded better than abstinence-based programs? Why do they get a bigger piece of the pie? Why are they on Warinilla's website and DrugBeat is not? Why has Drug and Alcohol Services never, ever referred a client to the DrugBeat program?

Why is it that when we have done a dummy call to Drug and Alcohol Services as a parent wanting to access a treatment program and asked, 'What about the DrugBeat program?' they have said, 'Oh, you don't want to go there.' This is the drug information service phone line saying, 'Oh, you don't want to go there. They charge \$10,000 for that program. People have died on that program, you know. Do you really want your kid to go there?' Tell me there are no subversive moves on hand here.

These were cold calls and, yes, we set it up, but now we have the information and we know why people do not refer from Drug and Alcohol Services to us, because they want the clients and they want them to be diverted into the programs that they want them to go to. As I said, it is time to shine a light on this. I have gone soft on this for six years because I knew that if I started raising these issues publicly DrugBeat's funding would have been cut a lot earlier—but now the gloves are off.

This is war. The truth will come out; the truth will be exposed and you will all be expected to sit here and listen to it, because we are all responsible for allowing this to continue to be perpetuated. There is no plausible deniability—there is none; there will not be; there cannot be, because our kids' lives depend on the fact that we do our job. If we are not prepared to do it we should get out—get out of the job.

I am not going to take up any more of this council's time. As I said, I am going to be asking for a select committee inquiry into Drug and Alcohol Services and I will be consulting with the Hon. Dennis Hood and the Hon. Martin Hamilton-Smith on the terms of reference. They will be broad and sweeping and it will be a long inquiry because, unlike some people here, I am prepared to ask the questions and wait for the answers. I want the truth, and I want these people exposed for what they are—frauds. With that, I leave it with you.

*There being a disturbance in the gallery:*

**The PRESIDENT:** Order!

Debate adjourned on motion of Hon. G.A. Kandelaars.

### **SUMMARY OFFENCES (DRUG PARAPHERNALIA) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 2 May 2012.)

**The Hon. G.A. KANDELAARS (17:09):** I rise to indicate that the government, at this stage, supports the Summary Offences (Drug Paraphernalia) Amendment Bill 2012. I will keep my remarks brief in relation to this matter except to say that the government appreciates the ongoing work the honourable member has undertaken on this important matter. Indeed, I am advised that the Attorney-General in the other place has met with the Hon. Ms Bressington a number of times regarding this initiative, and the work continues to ensure that new laws improve upon the existing situation.

I appreciate that the honourable member desires to advance this legislation as swiftly as possible, and the government is eager not to impede its passage through this place. I understand that the work is ongoing on this matter and that the Attorney-General may be advised by police or the Crown that certain further amendment of the legislation is required. I can assure the house that consultation with the Hon. Ms Bressington will continue to occur with a view to delivering the best possible outcome. The government at this stage supports this bill.

**The Hon. S.G. WADE (17:11):** I indicate that the opposition, too, supports the bill. I am not surprised that the government is supporting it. After all, this is really an example of the Hon. Ann Bressington helping the government to fulfil what it sought to achieve in earlier legislation. In June 2008, the parliament passed a government amendment to the Summary Offences Act 1953 to prohibit the sale and supply of drug paraphernalia, particularly in responses to calls for legislative change from the Hon. Ann Bressington.

There were some issues that arose in the case of *Police v Koutsoumidis* in 2009, and I understand that the Attorney has had constructive discussions with the Hon. Ann Bressington. The Hon. Ann Bressington is proposing this bill, as I understand it, to provide a regulation-making power to make sure that the original intention of the legislation is fulfilled. The government support is not unexpected and is welcome, and we indicate that the opposition will join the government in supporting the Hon. Ann Bressington's bill.

**The Hon. A. BRESSINGTON (17:12):** I would like to thank the Attorney-General for assisting in the drafting of this bill, for seeing that there was a gap with the last piece of legislation that went through and for working cooperatively with me to make sure that it goes through now. Thank you, everybody.

Bill read a second time.

Bill taken through committee without amendment.

**The Hon. A. BRESSINGTON (17:12):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

### **LEGAL, JUSTICE AND POLICE RETIREMENTS**

**The Hon. S.G. WADE (17:14):** I move:

That this council places on record its appreciation of the exemplary service to the people of South Australia by Chief Justice John Doyle, Commissioner of Police Mal Hyde and Director of Public Prosecutions Stephen Pallaras, and their contribution to the legal, justice and policing services of the state.



The leadership of the South Australian justice sector is going through a period of extraordinary change. The year 2012 will see three of the most senior leaders step down: Chief Justice John Doyle; Director of Public Prosecutions, Stephen Pallaras; and Commissioner of Police, Mal Hyde. My motion is focused on these three men, but the change does not stop there. The chief executive of the Attorney-General's department, Jerome Maguire, and the head of the Legal Services Commission, Hamish Gilmore, both leave their roles in 2012.

The roles mentioned in the motion have a decisive influence on the development of our justice system. All have some level of independence from the executive in pursuing those roles. Each of the roles interacts with the others significantly to shape the criminal justice system of our state. Each of the retiring incumbents has served within these roles with great distinction.

Chief Justice John Doyle was appointed Chief Justice of the Supreme Court of South Australia in 1995. Educated at St Ignatius College and the University of Adelaide, he completed his studies as a Rhodes scholar in Oxford. Appointed a QC at the age of 36, he served as Solicitor-General of this state for nine years from 1986. Since 1995, he has led the Supreme Court as its Chief Justice during 17 years of significant development in the court and the law.

On Monday last, the court held a special sitting to celebrate 175 years of service. Chief Justice John Doyle presided, being only the eighth chief justice to serve the court over those 175 years. Chief Justice Doyle has proven to be an outstanding jurist with a national reputation. He has been a keen supporter of professional development within the judiciary, serving as chairman of the National Judicial College of Australia from 2002 to 2007.

He was awarded the Companion of the Order of Australia in 2002 on the Queen's Birthday honours list for outstanding judicial and community leadership as Chief Justice of South Australia, and for service to education. He has been a diligent and energetic leader of the South Australian judiciary and legal profession. He is recognised as a man of the highest intellect and integrity, and a man of deep faith. We trust that his successor will be just like him—strong, independent and able.

As he is an avid supporter of the Norwood Football Club, I trust that their unbeaten run in 2012 will be an omen for Chief Justice Doyle to have a long and fulfilling retirement. On behalf of the opposition, I offer Chief Justice Doyle, his wife and family our thanks for his service.

I turn now to the service of former Director of Public Prosecutions, Stephen Pallaras. Having graduated in arts and law from Monash University, Mr Pallaras served on the Melbourne bar for nine years before a decade of service as senior crown counsel in Hong Kong from 1984 to 1994. A crown prosecutor in Western Australia for seven years from 1994 to 2002, he was appointed a Queen's Counsel in 2000.

Mr Pallaras was appointed South Australia's Director of Public Prosecutions in 2005. In 2008 he was appointed to the executive committee of the International Association of Prosecutors and in 2010 a member of the executive committee of the International Association of Anti-Corruption Authorities. Mr Pallaras is clearly a barrister and prosecutor of not merely state quality but national and international standing.

Mr Pallaras has championed a range of issues within our community, such as controlling religious cults, the need for an anti-corruption commission and the control of firearms. Mr Pallaras has demonstrated the finest traditions of independence of the office of the Director of Public Prosecutions and has advocated for and achieved a significant increase in the resourcing of that office.

Mr Pallaras has engaged the South Australian community, but I was surprised to hear of one strategy that he used in Western Australia that I understand he has not used here. I understand that, during his time in Western Australia, Mr Pallaras was an award-winning radio presenter and accomplished musician. As one half of what was known as *Brothers in Law*, he broadcast a radio program which was a forum for legal and moral issues to be debated, as well as providing free legal advice for listeners. I think this story highlights the commitment of Mr Pallaras to connect the community with the law. On behalf of the opposition, I offer to Mr Pallaras, his wife and their family our thanks for his service and best wishes for his future endeavours.

I turn now to pay tribute to Commissioner of Police, Mal Hyde. The son of a 37-year veteran policeman, Mr Hyde joined Victoria Police in 1967 at the age of 16, rising to become deputy commissioner of that force from 1993 to 1996. Mr Hyde holds a first class honours degree in law and a Masters in Business Administration. He was awarded an Australia Police Medal in 1996 and made an Officer of the Order of Australia in 2008.

Commissioner Hyde has served as Commissioner of South Australia Police for the 15 years since 1997. Commissioner Hyde has become both the longest serving and most highly respected police leaders in Australia. He has led South Australia Police through a wave of changes, including challenges such as the historic sex offences cases, the 'bodies in the barrel' case, and the anti-gangs efforts. Within the force, he has changed processes, such as Focus 21, and the establishment of the new police academy and police headquarters have been major achievements.

Commissioner Hyde has had a particular interest in professional standards for police, innovation and encouraging best practice and new ideas. He, too, operates as a leader on a national level, in his roles as a member of the Board of Management for the Australian Crime Commission, CrimTrac, and as Chair of the Australia New Zealand Policing Advisory Authority for the past three years. On behalf of the opposition, I offer to Police Commissioner Hyde, his wife and family our thanks for his service and best wishes on a long and fulfilling retirement.

In closing, I wish the successors of these men all the best in their roles. They have big shoes to fill. One appointment has already been made: Mr Kimber has been appointed as the new Director of Public Prosecutions. He is highly respected, and his appointment has been warmly welcomed by the legal community. We look forward to similarly high-quality appointments being made to the other roles and assure all the people who are appointed of our ongoing support in their important roles.

Debate adjourned on motion of Hon. Carmel Zollo.

### POLITICAL PARTY REGISTRATION

Adjourned debate on motion of Hon. S.G. Wade:

That the regulations made under the Electoral Act 1985 concerning registration of political parties, made on 29 September 2011 and laid on the table of this council on 18 October 2011, be disallowed.

(Continued from 4 April 2012.)

**The Hon. M. PARNELL (17:23):** This is a motion to disallow regulations made under the Electoral Act that—

*The Hon. J.M. Gazzola interjecting:*

**The PRESIDENT:** Order!

**The Hon. M. PARNELL:** —impose new obligations on political parties to prove their entitlement to remain registered. These requirements are certainly more onerous than those that have existed in the past, and that is at the heart of the Hon. Stephen Wade's motion to disallow these regulations.

There are two approaches that can be taken to this question: the first one is a political, pragmatic approach, and the second approach is one that is more rooted in democratic principles. From a pragmatic, political approach, one might want to look at the list of political parties that do not have parliamentary representation and at which ones do or do not preference you or your party, and then work out whether it is reasonable to make those groups jump through various hoops.

That may be the approach—and I am not saying it is—the government has taken, but it is certainly not the approach the Greens are taking to this question. We are going to be supporting the disallowance motion because we believe that it is unreasonable for these small parties to have to spend what I estimate is at least \$1,000 a year in satisfying the requirement not only to provide evidence that you have 200 members but to get the signatures of those people on a document to the Electoral Commission to prove that you are entitled to still be a political party because you have 200 members but not a sitting member of parliament.

I say it would cost thousands because, as we all know, you would probably need to send out twice as many letters as you require responses because people are busy and they often do not respond to their mail. People often join political parties because they want to make a bit of a statement of support but they do not necessarily want to be involved in the day-to-day administration of a party and they are certainly not interested in filling out unnecessary forms. To get your 200 signatures you would need to send out 400 or 500 letters and you would probably need to provide return envelopes as well. So, it is an onerous obligation on these small parties.

I want to put on the record the currently registered parties in South Australia that will need to go through this rigmarole: the Australian Democrats (I think they are at the heart of this issue,

certainly the former attorney-general made no secret of his dislike for the Australian Democrats and was keen to do whatever he could to make their collective lives a misery); the Shooters Party; the Stormy Summers Reform Party; One Nation SA Division; Freedom, Rights, Environment, Educate Australia Party (the so-called FREE Party); the Save RAH Party (I would be very surprised if they contest the next election, I think that horse has well and truly bolted, but nevertheless they would be caught by this because they are currently registered); the Democratic Labor Party (a party that we all thought was long gone but they now have, I think for the first time in 20 or so years, a senator representing Victoria); Gamers 4 Croydon (I do not know whether they are still active); the United Party—Water, Housing, Health Care; the Fair Land Tax—Tax Party; the South Australian Fishing & Lifestyle Party; and the Liberal Democratic Party. That is the list that is on the Electoral Commission website, dated 28 July 2011.

If we were simply to take a pragmatic approach, we would look at those parties and where they send their preferences. Some people might think it is reasonable to make their lives more difficult, but that is not the point in a democracy. Everyone has the right to form collective organisations and to run candidates at election time, and I do not think it is democratic to be putting undue hurdles in the way of those parties maintaining their electoral registration.

In supporting the disallowance motion I would echo the Hon. Stephen Wade's plea to the government, which is to think again and come back with another set of regulations that can still have a threshold membership. There is no problem with having to have a certain number of members before you are a recognised political party, but let us get rid of this idea that you have to get 200 of your members to sign a document every single year, at great expense, and send it in. There are much simpler ways of proving membership and there are other ways of validating membership, if in fact the numbers are brought into question. With those brief comments, the Greens will be supporting the disallowance motion.

**The Hon. S.G. WADE (17:28):** In conclusion, the Electoral Act was amended in 2009 to allow more rigorous processes to be prescribed for regulation of political parties seeking to retain official registration. This set of amendments, as I mentioned in my previous contribution, were an amendment to that and introduced what we regard as onerous administrative burdens on minor political parties to achieve the annual renewal of their status.

As I indicated in my disallowance motion moved on 14 March, these requirements are unfair and burdensome. The practical effect will be the significant shutting out of what I referred to as micro parties, parties that do not have parliamentary representation. For many such parties, submitting 200 signatures each year on forms declaring membership within the period of the return would be an arduous task. This requirement is grossly out of touch with the operation of many political parties, which often offer two year memberships.

The Hon. Mr Kandelaars, on behalf of the government, responded on a previous occasion by claiming that the purpose of the regulations was to prevent disingenuous political parties from springing up immediately before elections. What is disingenuous is that assertion. These regulations are about renewal of registration, not new applicants for registration.

The initial registration for micro-parties is still covered by the rigorous process outlined in the act, and surely any party seeking to renew its registration suggests that it has at least some commitment to ongoing political involvement.

I want to advise the council that I have written to the Electoral Commissioner to obtain her views on the effect of the disallowance. Out of respect to the commissioner and to this council, I propose to read that letter onto the record in full. On 4 May 2012 the commissioner wrote to me as follows:

Thank you for your letter of 26 April 2012 advising of your motion to disallow the electoral regulations and seeking my advice on the likely impact.

While you advise that your main focus is in relation to the registration of political parties, I have some concerns regarding the time frame involved in reintroducing the other regulations. The regulations primarily relate to election activities and come into effect during the period of an election. However, regulation 5 prescribes the authorities which can access electoral roll data and without a regulation I would be unable to release any information to the sheriff for jury lists, SAPOL for criminal investigations etc. Act the day-to-day operations of the state.

If I can pause there, in response to the commissioner's letter, that comment indicates that she does not appreciate that this is a disallowance only for the amending regulations, not for the 2009 regulations. Her letter continues:

With direct reference to the regulations pertaining to the registration of political parties I would like to offer the following.

The 2009 legislative amendments envisaged certain documents would be provided with the Annual Return (5B) by the registered officer of a registered party by 30 September each year. If the disallowance motion is supported by parliament, I would have no legislative backing to specify the content of accompanying documents. In fact, without accompanying regulations, the registered officer of an alleged registered political party would only need to forward a statement of continuing eligibility for the purposes of the Annual Return and I would be unable to determine the party's eligibility as the Electoral Act 1985 intended. The removal of the relevant regulations would cause ambiguity in the application of the law and raises the prospect of legal challenges.

Under the transitional provision of the principal act, section 43A will become operational on 30 September 2012, with the first Annual Returns due by this date. It is my intention to advise the registered officers of the new legislative requirements well in advance of this time frame to afford them the opportunity to gather required documents.

The anecdotal evidence suggests that many small non-parliamentary parties tend to register to contest an election in the year before a general election is scheduled. As you are aware, the next state general elections are due in March 2014—

The commissioner is very right to indicate how aware we are of that date; 24 March is indeed the date for the next state general election. I will read that sentence in full:

As you are aware, the next state general elections are due in March 2014, and I would be very concerned should there be any ambiguity regarding the registration of political parties come 2013.

Regulations 5A as it currently stands would not impose any undue hardship to administer with a person not being able to be relied upon for membership by more than one party.

Similarly Regulation 5C provides me with the legislative support to investigate any potential issues, as the act is not provide me directly with investigative powers.

Apart from a courtesy paragraph at the end, that is the end of the letter. I should stress to the commissioner and indicate to the government that the opposition does not object to the bulk of the amending regulation; it is merely this burdensome requirement for the submission of the 200 forms every year.

A key concern raised by the Electoral Commissioner in relation to the prospect of the disallowance was the time frame in promulgating fresh regulations. On this matter, the ball is in the government's court. If this council considers that the regulation should be disallowed, the government could promulgate new regulations tomorrow.

We have also sought to bring this to a vote in such a time frame as to allow four months before annual returns are required to be lodged if the government is expeditious in issuing new regulations—and, as I said, we are only objecting to one clause and it would not take long to fix. The regulation could be in place well before the annual returns are required, in plenty of time for the Electoral Commissioner to indicate to parties what the requirements are.

This should prove no problem to parties who currently have a member of parliament, as it is clear what the expectations on these parties will be; but it is the micro parties that we believe need to be given a fair playing field. They should not be exempted from the requirements of the act. Those hurdles, particularly at the first registration phase, are not insignificant, and we as a parliament endorse those requirements.

Another concern raised by the commissioner in her letter was that regulation 5 prescribes the authorities which can access electoral roll data and, without a regulation, she is concerned that she will be unable to release any information to the Sheriff for jury lists, SAPOL for criminal investigations and the like. However, with all due respect (and I have consulted the Clerk on this issue), the commissioner perhaps is under the misunderstanding that the effect of the disallowance would be to disallow the existing regulations under the Electoral Act. In fact, the effect of the disallowance is only to disallow the new regulations—the new 5(a), 5(b) and 5(c) that went in at the end of 2011.

Regulation 5(c) prescribes the class of persons to whom confidentiality provisions do not apply in relation to the provision of information obtained through party registration processes. The regulations exclude the Crown Solicitor, police officers and employees of an administrative unit that is under the minister responsible for the administration of the Criminal Law Consolidation Act engaged in the investigation of an offence against the Electoral Act. So, information provided under 5(c) is only in relation to purposes connected with the operation or administration of the act and is only in relation to material provided to the Electoral Commissioner for registration purposes.

In other words, regulation 5(c) allows the provision of otherwise confidential information relating to the political party registration to authorities involved in the investigation of breaches of the Electoral Act. It is not to be confused with the ability of the commissioner to provide information from the electoral roll to police, the Sheriff, deputy sheriffs and Sheriff's officers, the Minister for Health, the SA Superannuation Board and the Central Northern Adelaide Health Service Incorporation, which continues to happen under section 27(a) of the act, as I have previously raised.

When political party representation was being debated through the Electoral (Miscellaneous) Amendment Bill in 2009, then attorney-general Michael Atkinson moved an amendment to lower the registration requirements from 500 to 100. I understand that was a concession to the National Party. Interestingly, the Nationals are also a party that would be adversely affected by these regulations. Thankfully, the then attorney-general backed down from his original proposals, which would have almost certainly annihilated almost every micro party in the state. The then attorney-general went on to say:

The government accepts that increasing the minimum number will make it more difficult for new political parties to obtain registration and, indeed, that was the intention.

In 2009, the government amendment bill sought to prevent so-called 'disingenuous parties' from springing up before an election by putting a six-month ban on the processing of registration applications. That change was defeated in this place. Perhaps the Hon. Gerry Kandelaars was referring to this intent when he expressed his concern about parties springing up immediately before an election. The Labor Party has repeatedly demonstrated that it treats the very existence of other political parties with contempt.

This is an unnecessary and unfair burden on micro parties and a blatant attempt by the government to shut out voices that it does not want to hear. It is really no surprise that the government does not want these parties around, given the number of reasons it has given the community to feel discontented and unhappy. Accordingly, the Liberal Party has put this disallowance regulation. I thank the Hon. Gerry Kandelaars and the Hon. Mark Parnell for their contributions to this debate, and I seek the support of the council.

Motion carried.

## MARRIAGE EQUALITY BILL

Adjourned debate on second reading.

(Continued from 28 March 2012.)

**The Hon. G.A. KANDELAARS (17:40):** I rise today to speak in support of Tammy Franks' Marriage Equality Bill, and in so doing there are three areas that I propose to discuss: the first issue is what marriage means to me; the second issue is the equity and equality between heterosexual couples and homosexual couples; and the third issue is that of religion and its relationship with the issue of same-sex marriage. I am a heterosexual male and have been married to my wife Glenys for over 36 years. Our marriage has been a most wonderful and fulfilling partnership.

Glenys and I were married in 1975, which was around the same time that no-fault divorce came into being in this country. I raise this because at the time the changes in divorce law were seen by some as a threat to the institution of marriage. It was a time when society was moving away from the idea where wives were considered the property of their husbands. We have, thankfully, moved on from that notion, and I note that this change occurred nearly four decades ago and, in the time that has passed since, the sky has not caved in, nor has society collapsed.

I actually saw the changes in those laws as strengthening marriage, and that one should never and could no longer take their marriage for granted. I see marriage as a commitment between two people to love, support and nurture each other, and I certainly do not see same-sex marriage as a threat to my own marriage, nor will it devalue the relationship I have with my wife. I see the recognition of same-sex marriage as a step within our society which moves away from seeing homosexuals as deviants and people to be feared, which they should certainly not.

To the issue of equality: I say that if we hold to the view that homosexuality is not deviant behaviour but that some people are biologically attracted to members of the same sex, just as other members of society are attracted to the opposite sex, then why does the law discriminate against these people? My only conclusion is that it must be the result of the insecurity of a few. Same-sex couples who seek marriage wish it for the same reason as heterosexual couples, that is,

legal security for themselves, their partner and children and to publicly acknowledge their commitment and love for each other.

It is a reality that marriage provides couples with immediate access to certain entitlements under law. This is not necessarily the case for de facto couples, who must live together for a period of time before those same legal rights are conferred upon them. Prima facie, a marriage certificate allows a couple to prove their legal rights, which can be particularly important, for example, in the case of an emergency situation. Marriage is an institution in which legal rights are defined and recognised, whilst rights under a de facto relationship differ between jurisdictions, even in Australia.

The commonwealth Marriage Act 1961 clearly discriminates against same-sex couples. In fact, the definition of marriage in this act was amended by John Howard's government in 2004 by virtue of the Marriage Amendment Bill 2004, which heightened the discrimination even further. The federal parliament then defined marriage as a union between a man and a woman and that any existing same-sex marriages from a foreign country were not to be recognised as marriage in Australia.

The discrimination that now applies as a result of the definition of marriage under federal law is similar to the discrimination once applied to Aboriginals, who were prevented from marrying the person they wished. In the case of South Australia, Aboriginals needed the approval of the chief protector of Aborigines under the Aborigines Act 1911. The Marriage Act is the only remaining federal law that discriminates against same-sex couples. This sends a clear message that it is okay to discriminate against homosexuals in our society—which it is not.

In 1972, as a result of the murder of Dr George Duncan, South Australia introduced a 'consenting adults in private' type of legal defence into our law. In 1975, South Australia became the first Australian state or territory to legalise sexual conduct between males. That was nearly 40 years ago. Marriage is considered an important legal and social institution which, in my view, should be available to same-sex couples. It is true that marriage equality will not remove all the prejudices held by some against homosexuals in our society, but it will certainly go a long way towards minimising such prejudices, and it will remove any argument that it is okay to discriminate against an individual because the law itself discriminates.

It is a preposterous idea that anyone should try to justify opposition to same-sex marriage on the basis that laws in Australia have already been introduced to increase the rights of homosexuals. To say that because homosexuals have been granted more rights under the law than they previously had, they should not be entitled to further rights to mark them as equal to their heterosexual counterparts, is ridiculous. Society should not accept a compromise solution, nor a second-best effort where we can tell homosexuals that they should be thankful that they are not still living in an era where sexual acts between consenting same-sex persons are illegal.

Instead, society should be striving for more: it should be striving for a new era when homosexuals are treated as equal under every law in this land. Allowing same-sex couples to marry will strip away one of the last vestiges of legislated discrimination against homosexuals. It will allow gay people to participate in the universal and valued institution of marriage if they so desire. It will enhance same-sex couples' self-esteem and subsequently help to enhance their mental and physical wellbeing. In fact, Lee Badgett, a professor of economics at the University of Massachusetts, has undertaken landmark research on same-sex marriage in the United States and the Netherlands. She states:

Overall, the experiences of same-sex couples in two countries, the United States and the Netherlands, suggest that same-sex couples...and their families are strengthened by a policy of marriage equality for same-sex couples.

There is also a growing body of research showing that married partners, including same-sex partners, are on average healthier, happier and live longer than their cohabiting peers or singles. According to the United States Centre for Disease Control, even the rates of heart disease, drug use and stress are lower amongst married partners.

The following places overseas allow same-sex couples to marry: the Netherlands, 2001; Belgium, 2003; Canada, provincially beginning in 2003 and nationally in 2005; Massachusetts, 2004; Spain, 2005; South Africa, 2006; Connecticut, 2008; Iowa, 2009; Vermont, 2009; New Hampshire 2009; Norway, 2009; Sweden, 2009; Mexico City, 2009; Argentina, 2010; the US District of Columbia, 2010; Portugal, 2010; Iceland, 2010; New York State, 2011; Washington DC, 2012; and Maryland, 2012. As you have heard, this list has grown rapidly in recent times.

I recently spoke to this house in support of the Hon. Ian Hunter's Assisted Reproductive Treatment (Equality of Access) Amendment Bill 2012, which I am pleased was passed only in the last session, and I read into *Hansard* a speech from the United States by Zach Wahls who was raised by two mothers. I urge anybody who has reservations about marriage equality and the ability of gay parents to raise a child into an outstanding young adult to search for this video on YouTube and view it for themselves. I am sure they will be truly impressed.

I would now like to touch on the issue of religion and same-sex marriage. Whilst I accept that many have strong views on same-sex marriage based on their religious beliefs and whilst I accept their right to hold such views, what I do not accept is that that view be enforced on the rest of society outside of their homes or their place of worship. My strong view is that there should be a separation of church and state.

Not all people hold religious beliefs, just as not all people hold religious beliefs that are against same-sex marriage. I have no issue with churches that, because of their beliefs, refuse to marry same-sex couples, but this should not preclude same-sex couples from getting married in a church that accepts same-sex marriage such as the Quakers or, for that matter, undertaking their marriage vows under a civil ceremony as many heterosexual couples do today.

I understand that the bill before us does not propose the French model of marriage ceremony, although I certainly believe this model has merit. Under the French model, as I understand it, state-sanctioned legal marriage is completely separated from its religious counterpart. To celebrate a religious marriage is a two-stage process. A couple would participate in a civil, legally-recognised marriage at the registry office, with a subsequent religious ceremony as an option at an institution of their choice.

In fact, I understand that my parents, who were married in the Netherlands over 60 years ago, actually undertook this process, and they received a legally-binding marriage certificate from the registry office before, at their choice, they were married in the local village church. Evidence suggests that there is strong support in Australia for same-sex marriage. In fact, a Galaxy poll conducted in 2009 showed that over 60 per cent of Australians are in favour of same-sex marriage, and I suspect that a survey today would show even higher levels of support for same-sex marriage.

Finally, I must be clear that I do have a personal interest in this matter. As you know, Mr President, I am the father of a gay daughter and, one day, just like any other father, I hope to be able to escort her down the aisle to marry the love of her life if, of course, she chooses to do that. This issue is clearly not just about homosexuals. It is also about their families and their friends, and in many cases they would like to see this inequality in our law rectified.

I look at my son Matthew, who is happily married to his lovely wife, Kelly. He sees the current law discriminating against his sister and would like to see her entitled to exercise the same right of marriage as he was entitled to. My wife holds a similar view, and it is difficult for my family to accept a law that promotes inequality firstly within our society, but also within the confines of our family.

As I said in my first speech in this place, I know the anguish that the current law that prohibits gay marriage causes, not only for Katie but also the rest of our tightly knit family, as it is as if in the eyes of the law she is a second class citizen—which she is 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, their commitment to each other and their love recognised under secular law in marriage, just as any other heterosexual couple can. As you can see, Mr President, the issue of same-sex marriage has a significant impact on my family as well as many other families in Australia, and as such it is no surprise that I fully support the Hon. Tammy Franks' bill without hesitation, and I urge other members to do likewise.

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

### **MENTAL HEALTH (INPATIENT) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 3 May 2012.)

**The Hon. J.S.L. DAWKINS (17:57):** I rise to support the remarks made about this bill by the Hon. Michelle Lensink on this important issue and on behalf of the Liberal members in this place. I also note the contributions made by the Hon. Ann Bressington, the Hon. Tammy Franks, the Hon. Mr Brokenshire and the Hon. Carmel Zollo. I think that is indicative that more and more

people are prepared to make contributions both in the parliament and in the community about mental health matters.

While this is not a major bill, it does make an important change to the language. It certainly changes the terms 'detention' and 'treatment order', replacing them with the phrase 'inpatient treatment order'. While many people may not see that as a huge difference, certainly anything we can do to destigmatise these issues is important. We need to encourage people in the community to discuss mental health issues. It is something where, in the work that I have done over a number of years in suicide prevention, I have noted a change.

We need to continue to move to change community attitudes. When I first raised these issues in the parliament and in my party room, there were a number of people who were uncomfortable with discussing these issues. I do not say that there are not still people around who are uncomfortable discussing suicide, but there are fewer of them and we are seeing more discussion in the media. I am pleased to say that the ABC 891 program with Ian Henschke has opened the debate on suicide prevention.

We see *The Advertiser* has been prepared to do more. A number of country newspapers have been prepared to discuss the issues and in fact, my local paper, *The Bunyip*, raised more issues about that, and they were issues that I raised in this parliament only last week. So, I am pleased with that. I think we need to encourage that in the community, because there was a time of which most of us would be aware where no-one was prepared to admit they had a mental health issue because, in times gone past, people who did that got locked up in an institution forever.

Now we are, thankfully, beyond that, but I think we need to keep up that challenge across the community at all times, because there are still people out there who feel that, if they admit any of these tendencies or feelings, they will be discriminated against. We need to help those people, and we need to help the organisations, many of which are non-government bodies—voluntary bodies—and which are out there trying to help people with mental health issues. With those words I support the bill.

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

#### **TAFE SA BILL**

Received from the House of Assembly and read a first time.

#### **STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL**

Received from the House of Assembly and read a first time.

#### **STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL**

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

At 18:03 the council adjourned until Thursday 17 May 2012 at 14:15.