LEGISLATIVE COUNCIL

Wednesday 5 September 2012

The PRESIDENT (Hon. R.K. Sneath) took the chair at 14:20 and read prayers.

STATUTES AMENDMENT (NATIONAL ENERGY RETAIL LAW IMPLEMENTATION) 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) (14:19): I move:

That the sitting of the Legislative Council be not suspended during the continuation of the conference with the House of Assembly on the bill.

Motion carried.

ANSWERS TO QUESTIONS

The PRESIDENT: I direct that the following written answer to a question be distributed and printed in *Hansard*.

MINISTERIAL TRAVEL

380 The Hon. R.I. LUCAS (24 November 2011) (First Session). Can the Minister for Education and Child Development state—

1. What was the total cost of any overseas trips undertaken by the minister and staff since 2 December 2010 up to 1 December 2011?
2. What are the names of the officers who accompanied the minister on each trip?
3. Was any officer given permission to take private leave as part of the overseas trip?
4. Was the cost of each trip met by the minister's office budget, or by the minister's department or agency?
5. (a) What cities and locations were visited on each trip; and

   (b) What was the purpose of each visit?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers): The Minister for Education and Child Development has advised:

There were no overseas trips undertaken by the former Minister for Education between 2 December 2010 and 21 October 2011; and no overseas trips undertaken by the Minister for Education and Child Development between 21 October 2011 and 1 December 2011.

LEGISLATIVE REVIEW COMMITTEE

The Hon. G.A. KANDELAARS (14:20): I bring up the 13th report of the committee.

Report received.

PAPERS

The following papers were laid on the table:

By the President—

Joint Sitting of the two Houses for the Election of a Senator to hold the place rendered vacant by the resignation of Senator Mary Jo Fisher—Minutes of Proceedings (Paper No. 170) [Ordered to be published]

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

Reports, 2010-11—
- Barossa Wine Industry Fund
- Citrus Growers Fund
- Eyre Peninsula Grain Growers Rail Fund
- Olive Industry Fund

Rock Lobster Fishing Industry Fund
SA Apiary Industry Fund
SA Cattle Industry Fund
SA Sheep Industry Fund
Criminal—Amendment No. 30
Statistical Returns—Road Block Establishment Authorisations

By the Minister for Communities and Social Inclusion (Hon. I.K. Hunter)—

Ministerial Response to Advice from the Premier's Climate Change Council

BROWN, MRS EILEEN KAMPAKUTA

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:22): I table a copy of a ministerial statement relating to Mrs Eileen Kampakuta Brown OAM made in another place by my colleague the Minister for Aboriginal Affairs and Reconciliation.

QUESTION TIME

TOURISM COMMISSION

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:23): I seek leave to make a brief explanation before asking the Minister for Tourism a question regarding the Adelaide Hills Jazz Festival, the Adelaide Cabaret Festival and the South Australian Art Gallery's Departure event.

Leave granted.

The Hon. D.W. RIDGWAY: If a South Australian tourist, a prospective visitor from interstate or an overseas traveller were to type 'deals' into the Tourism Commission's website search function, that person may be tempted to go to some of the advertised events. The very first one which comes up is 'Visit South Australia for a winter wine escape'. They might want to go to Hoot!, the Adelaide Hills Jazz Festival, where, the website tells us:

> There will be tributes to Buble, the local group E-Type Jazz, and international artists will get you in the mood. You will find plenty to eat while you are jazzing along, fantastic local wines from a bevy of great wineries.

Or there is great information about the Adelaide Cabaret Festival, about which we are told on the website:

> The Adelaide Cabaret Festival features the finest local, national and international acts in cabaret. It is one of the best cabaret festivals in the world.

Then there is the Departure at the Art Gallery of SA:

> Be transported back in time to the streets of nineteenth century Adelaide. Enjoy exclusive after-hours access to South Australia Illustrated exhibition, plus street art from some of Australia's hottest local talent.

The trouble is that the Hoot! jazz festival was held from 8 to 11 June, the Cabaret Festival was held from 8 to 23 June, and the Art Gallery Departure event was held on 15 June. The Winter Wine Escape, including McLaren Vale Sea and Vines Festival, was on 19 June, the Barossa Gourmet Weekend on 18 and 19 August, and the Winter Reds festivals were held throughout July in the Adelaide Hills. When you click on the web page for more information, a message comes up, which says, 'Oops! We cannot exactly find what you're looking for.' My questions are:

1. Is it true, as information that has come to me suggests, that, because of Tourism Commission staff and skill shortages, there are simply not enough people to properly maintain the website?

2. Minister, how out of date are you?

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) (14:26): These are operational matters. The Tourism Commission is an independent statutory authority. It is responsible for its day-to-day management, including its website. The Tourism Commission has indicated that it is undergoing a process of updating all of its sites and general information.

These are operational matters. The Tourism Commission is a statutory authority, which is independent of government, and it is responsible for the day-to-day management of its activities and operations. I thank the honourable member for spending all of his valuable time googling holiday options. I will pass on his observation to the Tourism Commission. As I said, I—

The Hon. D.W. Ridgway: It's your website.

The Hon. G.E. GAGO: It is not my website. As I have said, it is an independent statutory authority, which is responsible for its day-to-day operations, including the management of its website.

TOURISM COMMISSION

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:27): I have a supplementary question. Does the government fund the South Australian Tourism Commission?

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) (14:27): I have already indicated that it is a statutory authority. It is independent of government. The South Australian government funds lots of things, but the governance structure means that—

The Hon. D.W. Ridgway interjecting:

The Hon. G.E. GAGO: I know that the honourable member has trouble grasping some of these simple concepts. The funding structures are quite separate from governance structures. It is an independent statutory authority, and it is responsible for its own management. I will pass on the member's observation to the Tourism Commission, which has indicated that all of its current information and websites are currently under review.

WINE GRAPES INDUSTRY ACT

The Hon. J.M.A. LENSINK (14:28): I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the Wines Grapes Industry Act.

Leave granted.

The Hon. J.M.A. LENSINK: In the early 1990s, the Wine Grapes Industry Act was created to protect growers from unscrupulous dealings with winemakers. The difficult vintage of 2011 has placed significant financial pressure on wine grape growers across the state, and this hardship has been made worse by a number of fly-by-night and established wineries refusing to pay money owed to growers for their fruit. Despite this being a clear breach of the act, I understand that there is yet to be a single prosecution.

According to the Wine Grape Council of South Australia, growers are either too scared of being blacklisted by the wineries as troublemakers or put off by the prohibitive cost of litigation to try to recover their money through the legal system. My questions are:

1. Has the act been reviewed under this Labor government and, if not, why not?

2. As ministerial approval is needed for prosecution under the act, has the minister been asked to approve any such prosecutions?

3. Given that the statute of limitations for offences is 12 months, will the minister offer assistance to the large number of wine grape growers who have not been paid from their 2011 vintage?

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): To the best of my knowledge, I am not aware that the industry has raised this issue with me. I am happy, though, to check my files. I meet with a lot of different industry groups, and I meet with them fairly frequently. My door is always open, though. If people request to see me I make every attempt possible to ensure that I do meet with them, and, when I am not able to do so, I ensure that either an adviser, someone from the agency or someone appropriate to their issue of concern does meet with them.

My door is always open. It is something I feel very strongly about. To the best of my knowledge this issue has not been raised with me, but, as I said, I am happy to check my files. I take on board the issue that the honourable member has raised with me, and, to the best my

knowledge, this is the first time that she has raised this issue with me. She has not written to me or wanted to meet with me to discuss it.

The Hon. J.M.A. Lensink interjecting:

The Hon. G.E. GAGO: The point of writing to me is that I always respond, and the Hon. Michelle Lensink knows that I have always been extremely responsive to any issues that she has raised with me. I have always responded in an extremely timely way, and I have always been willing to meet with her or to have officers meet with her to brief her. She knows that very well. Anyway, she wants to do a bit of grandstanding in here today; that is fine. As I said, I am very sensitive to the issues that the industry raises with me. I am happy to go back and check this and see whether there are any matters that need further addressing.

RAINBOW ADVISORY COUNCIL

The Hon. S.G. WADE (14:31): I seek leave to make a brief explanation before asking the Minister for Communities and Social Inclusion a question relating to LGBTIQ policy.

Leave granted.

The Hon. S.G. WADE: The Labor government abolished the Gay and Lesbian Ministerial Advisory Council on Health in 2008. The AIDS Council of South Australia has highlighted the government's failure to recognise the needs of the LGBTIQ community in that it does not have a dedicated or responsible minister, it does not have a ministerial advisory structure and it does not have a designated departmental unit or dedicated LGBTIQ health policy planning or strategy. Last week the government announced that the government is establishing a Rainbow Advisory Council, and I quote:

> ...to participate in discussions and provide advice on policies, programs, services and processes within government.

My questions to the minister are:

1. Does the minister agree that South Australia needs dedicated LGBTIQ health policy planning and strategy?

2. Will the new Rainbow Advisory Council have a direct reporting relationship to the Minister for Health on LGBTIQ health issues and services?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:32): I would like to thank the honourable member for his most important questions and his ongoing interest and support in this area. South Australia has a strong history of social innovation and celebrating the contribution of people from diverse backgrounds. Despite this, LGBTIQ people can most definitely experience in many respects marginalisation, vulnerability and discrimination.

The Department for Communities and Social Inclusion, in partnership with the South Australian LGBTIQ community, will develop an inclusion strategy. The development of such a strategy is in line with the state government's strategic priorities of creating safe and healthy communities and creating a vibrant city.

To inform the strategy's development an advisory group of 16 LGBTIQ people is being established, as the honourable member noted. The advisory group, to be known as the Rainbow Advisory Council, will report to the chief executive of the Department for Communities and Social Inclusion. The council will provide specific advice on how government policies, programs, services and strategies can be made more responsive to gender and sexually diverse people.

As part of the strategy, LGBTIQ people will also be invited to participate in a survey to identify what is important to them and what sort of issues the Rainbow Advisory Council should consider. It is anticipated that a wide range of issues will be identified through the rainbow survey and the Rainbow Advisory Council's deliberations. Advisory groups such as the Rainbow Advisory Council provide a powerful opportunity for South Australians to engage directly with government about issues affecting them, and I am sure that this is an opportunity that all members in this place would support.

The state government engages with many advisory groups to do just the same sort of job. Advisory groups such as these allow many different South Australians with different views and interests to engage directly with government decision-makers. Under the Labor government, South

Australia will continue to be a state of social innovation that welcomes a rich, diverse and inclusive culture for all to share.

Labor will not allow the narrow view held by some people in our community that leads to hate and discrimination, that leads to violence and persecution, but Labor will be fostering acceptance and tolerance of diverse views in our society. This Labor government will continue with its broad social agenda and foster the environment and create the opportunities to keep South Australia ahead of the other states as a welcoming, inclusive community, a place where we all want to live, which I am sure is a vision everybody in this chamber can share.

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

RAINBOW ADVISORY COUNCIL

The Hon. S.G. WADE (14:35): Given that the advisory council on health, abolished in 2008, advised the minister directly, how can this council give direct advice to government when it is to a chief executive—no ministers?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:35): I thank the honourable member for his supplementary question, but I think he has not listened to the answer I gave. This council will directly report to my chief executive. This council will have the role and responsibility of considering across-government inclusion strategies, and that is the appropriate mechanism to do that.

TOURISM, KANGAROO ISLAND

The Hon. CARMEL ZOLLO (14:35): I seek leave to make a brief explanation—

The Hon. R.I. Lucas: Welcome back, Carm!

The Hon. CARMEL ZOLLO: —before asking the Minister for Tourism a question about cruise ship visits to Kangaroo Island.

Leave granted.

The Hon. CARMEL ZOLLO: In the past—

Members interjecting:

The Hon. CARMEL ZOLLO: I didn't know you were talking to me—sorry!

The Hon. R.I. Lucas: I said 'welcome back'.

The Hon. CARMEL ZOLLO: Thank you—I didn't realise you'd missed me.

The Hon. R.I. Lucas: We did.

The Hon. CARMEL ZOLLO: I didn't miss you half as much. In the past when a cruise ship visited Kangaroo Island—

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order!

The Hon. CARMEL ZOLLO: —it had to lie off Kingscote, and passengers were ferried to shore by ship's tender. That journey used to take some time. I understand the minister recently opened a new landing structure at Penneshaw that will make it quicker and easier to get visitors to shore. Will the minister advise the house what this new structure will mean for tourism on Kangaroo Island?

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) (14:37): I thank the honourable member for her most important question, and I certainly had a great deal of pleasure, albeit on a fairly cold and blustery day, in opening the new landing structure at the Penneshaw township on Kangaroo Island. As members would know, the island has been the key focus for the SATC with its very impressive Let Yourself Go campaign. We are very hopeful that this new landing structure will assist the campaign and make it much easier for thousands more people to be able to visit KI.

Cruise ships have been paying irregular visits to the island over the past decade and, as the honourable member said, those ships traditionally anchored off Kingscote and tendered

passengers onto the town wharf, which required, I am advised, around a 45-minute journey, which is not ideal. We also know that it can be pretty blustery around that coast.

As the SATC developed its Southern Ocean cruising strategy, aimed at developing South Australia as a cruise destination, it become clear that Kangaroo Island needed to be included as a destination. Clearly, a new tender landing structure was required to encourage cruise ship visitation to the island. SATC worked with cruise lines to find the most desirable design and location for the new structure, and the new landing structure was completed in July, with SATC providing close to $400,000 for its construction.

When I launched the structure recently, its very innovative design struck me: it is entirely made of plastic, except for the foundation structure, and features a series of different levels to be able to accommodate tenders during various tides. I am quite sure the kids would really enjoy that as a diving platform during summer.

I place on record my congratulations to those people from SATC and the Department of Planning, Transport and Infrastructure, who worked very hard on this project and made the recent launch possible. It also struck me that, as part of the innovative design, it had disability access: it had not only a series of steps going down to the different levels but also ramp structures, so I was very pleased to see that as part of the development.

I have been advised that in November Kangaroo Island will welcome its first cruise ship to the new structure, the Holland America Line's 1,850-passenger *Volendam*. The *Volendam*'s arrival will obviously be a very exciting occasion; not only will it be the first ship to use the new landing structure, but it will also be the largest ship to visit Kangaroo Island. I am further advised that there is more good news to come over the coming cruise season, which runs until April.

A further three cruise ships will anchor at Penneshaw, and together they will allow more than 6,000 passengers and crew to explore and experience this wonderful island. As a result of the new landing structure, I understand that cruise companies are now far more willing to include Kangaroo Island on their itineraries, and five visits have already been booked for the 2013-14 cruise season. As a result, ships from around the world will bring, hopefully, thousands of passengers and crew to Penneshaw.

The cruise ship industry is worth about $7 million each year to South Australia, and it is great to know that the growth in cruise ship visits to Kangaroo Island is also being reflected across the state. It was indeed a great pleasure to visit Kangaroo Island again and launch the structure. It always strikes me as a very beautiful place and I always enjoy visiting there. I appreciate those others who came, including a number of different industry and tourism stakeholders who came along to celebrate the launch of this new structure.

WORKCOVER

The Hon. A. BRESSINGTON (14:41): I seek leave to make a brief explanation before asking the minister representing the Minister for Workers Rehabilitation questions about the appalling treatment of an injured worker.

Leave granted.

The Hon. A. BRESSINGTON: Some members in this place may be familiar with Mrs Mandy Jamieson who, since her workplace injuries, has had to endure ongoing appalling treatment and sheer incompetence by WorkCover. First they underpaid her and then they denied her basic assistance to cope with daily tasks. This placed enormous pressure and stress upon her husband, whom they knew was suffering from depression, tragically leading him to take his own life at the Riverside Centre.

To minimise the fallout, WorkCover then concocted a story of a fictitious divorce, suggesting Mrs Jamieson's injuries had nothing to do with her husband's death. This is despite subsequently providing Mrs Jamieson with in-home care for three hours five days a week. A further demonstration of WorkCover's incompetence was when they mistakenly assumed, and commiserated her on, her son's death rather than her husband's death.

All this comes the amidst the battle by Mrs Jamieson to access basic equipment to ensure the quality of life she is rightfully entitled to, namely, an electric wheelchair. After she pursued this right in WorkCover's compensation tribunal WorkCover agreed, during conciliation, to provide Mrs Jamieson with an electric wheelchair for three months following her now necessary shoulder

surgery—which ironically, according to doctors, could have been avoided if Mrs Jamieson had been provided with the wheelchair earlier.

Mrs Jamieson provided WorkCover with six weeks' notice of the August surgery date and expected the ramps required to allow her access to and from her home to be installed well in advance, as was negotiated with WorkCover. Instead, Mrs Jamieson failed to hear from WorkCover until one week prior to her surgery, by which time they were unable to get the work undertaken. Two days beforehand they cancelled her surgery. Reading the file, a cynical person may think that there was never an intention by WorkCover to comply with the agreement made during the conciliation process. My questions to the minister are:

1. Will the minister indicate how much more this woman must endure before she is provided with the equipment that all her treating physicians recommend?

2. Given the history of this case, does the minister accept that WorkCover has breached its obligations under section 36 of the act where Mrs Jamieson is concerned?

3. When will the minister finally learn that the deny-and-defend approach to injured worker entitlements is more expensive, traumatic and ultimately unproductive than supporting injured workers to ensure their basic needs are met?

4. What action will the minister take to ensure that WorkCover Corporation complies with their obligations to injured workers?

5. Will the minister give a commitment to review this particular case and find out why WorkCover Corporation has not complied and what their intentions are towards Mrs Jamieson's future?

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) (14:45): I will be happy to refer the question to the Minister for Workers Rehabilitation in another place and bring back a response.

WORK-LIFE BALANCE

The Hon. G.A. KANDELAARS (14:45): My question is to the Minister for Industrial Relations. Having recently celebrated Father's Day, can the minister advise the chamber about some of the South Australian government's strategies to support men in balancing work and family obligations?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (14:46): Father's Day is a special day when fathers can spend quality time with their children—kicking the footy together, reading a book, going bike riding or even having a picnic at the local park (in the case of the Hon. Mr Hood, enjoying quality time with his young daughter in North Adelaide, which was quite endearing, I must say). It is a chance for fathers to enjoy some time out with their families.

However, it should not be just Father's Day when dads get to spend quality time with their children. In today's demanding work environment many parents, both mums and dads, are having to work longer hours to fulfil these demands and pressures, meaning they are missing out on an important family time. Achieving a balance between work and family commitments is the key. The state government recognises this need, and South Australia's Strategic Plan includes a work-life balance target, which is to improve the quality of life of all South Australians through the maintenance of a healthy work-life balance.

As the lead agency for this target, SafeWork SA has recently developed the *Flexible work arrangements: parents and work life balance* brochure. This publication provides information for parents on the benefits of flexible workplace arrangements, relevant entitlements available to working mums and dads, and useful contact details if further information is required. The brochure is available from the SafeWork SA website and at the SafeWork SA bookshop in the city centre. It is also distributed to participants as part of Safe Work Week in October.

Commencing on 1 January 2013, the Australian government's Paid Parental Leave scheme will provide eligible working fathers and other partners with access to two weeks' Dad and Partner Pay at the national minimum wage. This will provide important support for dads to spend time with their newborn babies. The addition of Dad and Partner Pay to the Paid Parental Leave scheme is another step forward in helping fathers spend quality time with their families after the birth of their child.

These initiatives (state and federal) all contribute to creating a positive work-life balance culture and environment in the workplace. Flexible work arrangements are a critical factor in allowing parents to participate and to be productive in the workplace, while also spending quality time with their families.

PRISON CAPACITY

The Hon. T.J. STEPHENS (14:48): I seek leave to make a brief explanation before asking the Minister for Communities and Social Inclusion, representing the Minister for Correctional Services, questions about prison capacity in South Australia.

Leave granted.

The Hon. T.J. STEPHENS: I refer the minister to an article in *The Advertiser* on 22 August in which outgoing Correctional Services chief executive Mr Peter Severin indicated his concern that South Australia's prison system will be bursting at the seams by 2016 and that the building of new prisons and cells is inevitable. The current prisoner growth rate is 3 per cent annually, and the number of sex offenders entering prison has tripled since a decade ago. Mr Severin went on to say that increased capacity can be achieved through either 'a stand-alone facility or through the expansion of a prison like Mobilong'. My questions are:

1. Why did the government scrap the proposed Murray Bridge prison when it is obviously necessary in the opinion of the former chief executive?

2. Considering he had been the chief executive for nine years, why did the government ignore his expert opinion?

3. If there were budgetary constraints then, how does the minister expect the government to be able to maintain adequate capacity beyond 2016 given the current levels of debt and that the projected incomes from the Olympic Dam expansion are nonexistent?

4. As there are currently 80 spare beds across the jurisdiction and only 33 in high security facilities, how does the government expect to keep capacity under 100 per cent given its rhetoric about bikie gangs?

5. If the government is serious about law and order in this state why will it not commit to increasing capacity before the next election in 2014 rather than doing nothing until it is too late?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:50): I thank the honourable member for his most important questions about the capacity of South Australian prisons. I undertake to take those five questions to the Minister for Correctional Services in the other place and seek a response on his behalf.

HOUSING STRESS

The Hon. T.A. FRANKS (14:50): I seek leave to make a brief explanation before asking the Minister for Social Housing a question on the topic of housing stress.

Leave granted.

The Hon. T.A. FRANKS: As the minister would be well aware, housing stress is defined in the State Strategic Plan, and other places, as a situation where a household of less than 80 per cent of the median income is paying more than 25 per cent of that income on rent or more than 30 per cent on a mortgage. That is, I assume, why we have a target—specifically, 6.8—in the South Australian Strategic Plan, which quite laudably states that there is an aim to 'halve the number of South Australians experiencing housing stress by 2014'; a target, however, that we are not making progress towards. I note that the 2006 report on the Strategic Plan target 6.8 read 'unclear', in 2008 it read 'negative movement' and 'unlikely' and, indeed, in 2010 it again read 'negative movement' and 'unlikely'. I also observe that in the 2010 explanatory comment to this target the report noted:

> Technically, there should be no public housing tenants experiencing housing stress. Housing SA's policy states that no tenant will pay more than 25 per cent of their income on rent. Indeed, data on the target excludes public housing.

Yet, according to the Common Ground website (accessed yesterday) in FAQ to potential residents, they are told in relation to the question: 'How much rent will I pay?':

Rent is based on 30 per cent of the total gross (before tax) weekly income. If the tenant is eligible for Rent Assistance, 50 per cent is included in the rent.

So, not only are Common Ground residents expected to pay 30 per cent and not the stated government policy of 25 per cent of their income on rent under this government-supported project, I understand that they have recently been compelled to provide 100 per cent of their rent assistance to Common Ground management.

The Greens support the South Australian Strategic Plan's target of 6.8. We believe it should be transparently applied to those in social housing in this state, whichever category or model the tenant might fall into. My questions to the minister are:

1. The Greens support the reduction of housing stress in this state. Why is it that the government does not?

2. Further, will the minister now commit to ensure that no social housing tenant need live in housing stress under this state government as a result of Housing SA or any other state government policies and practices?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:53): I thank the honourable member for her most important question. It is a bit sad, therefore, that she would ask it in such a ridiculous way. Of course the government supports people in South Australia who are experiencing housing stress and we do what we can to assist them, and I will go through the ways.

First of all, the member referred to rental assistance. I assume she has taken that from the commonwealth rent assistance (CRA). Rental assistance is not meant to be an income supplement; it is meant to assist to pay rent. When people are in the private rental market they can attract CRA, as most of us would know. When they are being provided with housing by the NGO sector it is entirely appropriate, if it is negotiated with the tenant, for the NGO housing provider to ask for 100 per cent of the CRA. They do that and the tenant acquiesces because the CRA is designed to support their rental, not their income.

The supply of affordable housing in South Australia has been significantly increased over the past couple of years through our funding agreement with the federal government, the National Partnership Agreement on Social Housing. There have been 1,360 newly constructed homes and the refurbishment of more than 500 others through the Nation Building—Economic Stimulus Plan. Housing SA is also partnering with community organisations to construct 500 new affordable rental properties through the Affordable Housing Innovations Fund.

This project is funded by revenue received from the sale of public housing properties to public housing tenants through the HomeStart Equity Start Loan. Further to this, the South Australian government has introduced a requirement for the provision of 15 per cent affordable housing with significant new developments. This has achieved more than 2,200 new commitments from 25 developers to date and a further 2,000 commitments are under negotiation currently.

Another successful partnership between the state and commonwealth government is the National Rental Affordability Scheme. It aims to construct 3,800 new private rental properties which must be offered for rent at a minimum of 20 per cent discount below the market rate. These properties are to be offered to low to moderate income households so that there is an increase in the availability of affordable private rentals for working class families.

The Urban Renewal Authority (URA) was established in March 2012 with a strong focus on affordable housing. A key objective of the URA is to provide opportunities for an increased number of South Australians to live in houses which are both affordable and in an area of their choice. The URA will partner with Housing SA to develop a new housing strategy for South Australia which is due for release during 2012. The new strategy will outline directions for our state with particular emphasis in the area of affordable housing.

Consultation on the strategy began late in 2011 and feedback from stakeholders has highlighted the need for continued efforts to ensure our communities are safe, healthy and sustainable. Affordable housing is a key ingredient to achieving these goals. Public housing is a limited resource which is increasingly being targeted to those in greatest need, those on low and fixed incomes, the homeless and those at risk of becoming homeless.

While Housing SA offers the provision of public housing, it offers assistance and provides advice on a range of housing services to South Australians. This can include financial assistance with bond and rent for low income renters to gain access to private rental housing, information regarding housing options to enable people to make informed choices on tenure services and products appropriate to their needs, referral services to appropriate agencies and organisations for those experiencing housing crisis, and finally advocacy for private renters experiencing poverty, instability or inadequate housing in the private rental market.

This government recently made affordable housing a focus area, with an affordable place to live being identified as one of the seven strategic priorities under South Australia's Strategic Plan. A cabinet level task force has been established to drive this and is supported by a cross-agency senior officers group. This government is delivering on affordable housing outcomes for South Australians and to suggest otherwise by the honourable member is absolutely rubbish.

HOUSING STRESS

The Hon. T.A. FRANKS (14:57): I have a supplementary question. If the minister is happy for Common Ground to take 100 per cent of the commonwealth rent assistance, then why does it not ensure that potential tenants are told that on the website up-front and not told it will be 50 per cent?

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): The way that Common Ground undertakes its business is a matter for Common Ground. If there is a situation where the honourable member believes that the tenants of Common Ground are being deceived, then the honourable member should take it up with Common Ground. If she would like to supply me with evidence, I am happy to do it on her behalf if she is unable to do it through her office.

HOUSING STRESS

The Hon. T.A. FRANKS (14:58): I have a supplementary arising out of the original answer. If the government is so proud of its record on reducing housing stress for social housing tenants, will it now commit to undertake to report on that in the State Strategic Plan, because it does not currently?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:58): What a load of nonsense! With great respect to the honourable member, I am with her on many issues that we debate in this chamber, but to come in here and say that the government has no commitment to affordable housing but the Greens do—

The Hon. T.A. Franks interjecting:

The Hon. I.K. HUNTER: Well, let me just say this: the government is delivering on affordable housing; the Greens never will.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. J.M. GAZZOLA (14:58): My question is to the Minister for Disabilities. Minister, will you inform the—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.P. Wortley interjecting:

The PRESIDENT: The minister should come to order as well.

The Hon. J.M. GAZZOLA: Sir, my question is to the Minister for Disabilities. You want me to sit down.

Members interjecting:

The PRESIDENT: The Hon. Mr Gazzola, now that it is quiet, you can have a go.

The Hon. D.W. Ridgway interjecting:

The Hon. J.M. GAZZOLA: You're looking for the question; you should be looking for the answers. My question is to the Minister for Disabilities, as I have said before. Will the minister

inform the chamber why the National Disability Insurance Scheme trial site in South Australia will focus on children and young people?

The Hon. I.K. HUNTER (Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Disabilities, Minister for Youth, Minister for Volunteers) (14:59): I thank the honourable member for his very pressing question. I was just talking about this the other day with community organisations. In late July this year Premier Jay Weatherill, together with Prime Minister Julia Gillard, announced that South Australia would host a launch site of the National Disability Insurance Scheme. The Premier also made the commitment that South Australia's trial would specifically deal with children and young people. The Productivity Commission identified that children currently represent approximately 30 per cent of the NDIS national population. The South Australian launch will focus on approximately 5,000 children aged between the ages of zero and 14 who receive disability support.

During the first year, starting on 1 July 2013, existing and newly eligible children aged zero to five will be accepted to participate in the NDIS trial. It is planned that this will be extended to children aged zero to 13 years in the second year, and children aged zero to 14 in the third year. The focus on children is part of the Weatherill government's efforts to give every chance for every child. This strategic priority aims to provide children with the best possible start in life and to assist families to provide the best possible support for their children. Research has shown us time and time again that early intervention into children's lives pays dividends into the future.

In South Australia, children with disabilities and their families participating in the launch will benefit from increased services delivered through individualised budgets. This will support families to have control in determining the right therapeutic and personal support services to meet children's individual needs.

Since becoming the Minister for Disabilities I have met a great number of parents of children with disability, who have shared their frustrations with me. For example, I have twice met with representatives from the Port Pirie parents of autistic children group, who have told me how difficult it is to access services in regional areas. These parents have federal funding packages for their children but have to travel great distances to access these specialised services, often driving to and from Port Augusta or Kadina just to spend an hour with a speech therapist, for example.

The NDIS will provide an opportunity to fill this gap, and for that reason and many more the trial will first be targeted to children aged zero to 14 across the whole state. The launch will invest in the lives of all eligible children across the whole state, not just those who happen to live in the right location, because we know that for families and carers of children with a disability who live in regional and rural areas accessing vital early intervention therapies and specialised support services is a significant challenge, and in some cases nearly impossible to manage.

I have visited a lot of communities over the last eight months: the APY lands, the South-East, the Riverland, Port Lincoln and the Mid North to name a few of them, but no matter where I go or who I speak to the disability community tells me the same thing: 'We want services in our own communities and we want the NDIS.' We are treating this as the beginning of a once in a generation reform process. While there is a lot of work to be done before 1 July 2013 and while issues of funding and governance are still to be determined, South Australia is fully committed to the full rollout of the NDIS.

We want to get this right. We will start slowly, testing all elements of an NDIS along the way, including assessment, tools, resource allocation and local area coordination. I appreciate that for those in the disability community these long overdue reforms cannot commence soon enough. Some in our sector are frustrated that we are not commencing with a new system for everyone right away. I know that people with disability have put up with faltering systems for too long, but we cannot forget that the design and implementation of an NDIS is a complex task that will take some considerable time.

It is important that we get this new system right, because not doing so will put the whole process in jeopardy. That means making sure not only that the foundations of the new system address the high expectations of the disability community but also that it delivers the personalised care and support people with disability have been asking for.

Choice and control will be central to the launch of the NDIS. There will be a flexible and personalised approach that will allow engagement and community activities and help children, their families and their carers achieve their aspirations. There will be the choice to direct their own lives, decide for themselves what supports they use and how frequently they use them.

South Australia has already moved to a universal individualised funding system which aligns with the NDIS approach. People with a disability will be provided with individualised funding and personal budgets, which will include self-managed funding for those who wish to handle their own finances completely or partially. People receiving self-managed funding will be provided with more choice, flexibility and space to think creatively about how their life outcomes can be achieved. There is a great deal happening in disability right now.

It is important to remember that the national reforms coincide with the significant changes taking place here in South Australia, including the introduction of individualised and self-managed funding, the new Disability Act, the Disability Justice Plan, the Community Visitor Scheme and, of course, the $212.5 million investment into disability services announced by the Treasurer earlier this year in the budget. The Weatherill government set aside $1 million in funding in the 2012-13 budget to help prepare the sector for these changes.

The commonwealth government has also set aside funding to assist the disability sector to prepare for the NDIS launch sites. This process has begun, with the recent Stronger Together conference, and it will ramp up in coming months with visits from international experts Simon Duffy and Helen Sanderson. My department is also finalising extensive support and training plans, in partnership with NDIS and Purple Orange. I look forward to working with people with disabilities, their families and carers, service providers and sector leaders as we establish the NDIS here in South Australia.

WORKCOVER

The Hon. R.I. LUCAS (15:06): I seek leave to make an explanation before asking the acting Minister for WorkCover a question about WorkCover.

Leave granted.

The Hon. R.I. LUCAS: For a number of years, it has been well known that there has been an ongoing difference of opinion between employers, in particular, those currently self-insured or those seeking to be self-insured, and WorkCover and the current Labor government. This has culminated recently in a dispute process, ultimately determined by the WorkCover Ombudsman with a report, which was released in April this year. The WorkCover Ombudsman reviewed the process whereby self-insurers were being evaluated by WorkCover. He made a number of sweeping recommendations about improvement in that process, which the Ombudsman believed were clearly in the public interest.

In response the government and WorkCover have rejected completely the recommendations of the WorkCover Ombudsman and, according to Self Insurers of South Australia, have refused to even enter into any discussion with self-insurers about the recommendations of the WorkCover Ombudsman on this issue. In fact, in an article in *InDaily* in June this year, the WorkCover Ombudsman said:

> 'The existing evaluation [by WorkCover] is very much focused on systems, policies, procedures. It's a paper chase,' Mr Lines told *InDaily*. 'I think the public would like to see self-insured employers assessed on their performance in the actual reduction of injuries and reduction in the cost of claims and the length of time that people are off work. I think those things should be measured, and I can't see why WorkCover would balk at that.'

There are a number of other quotes from Mr Lines, the Ombudsman, expressing amazement at the position being adopted by WorkCover and supported by the Labor government, in particular, the minister. My questions are:

1. Does the minister support WorkCover's refusal to enter into discussions with Self-Insurers of South Australia and the WorkCover Ombudsman about the WorkCover Ombudsman's recommendations in this report and, if so, why?

2. Did the minister approve WorkCover's rejection of the WorkCover Ombudsman's recommendations prior to WorkCover formally responding to the WorkCover Ombudsman?

3. Has the minister or any member of his staff had any contact with the WorkCover Ombudsman on this issue and, if so, what views were expressed to the WorkCover Ombudsman?

4. Why are the Labor government and WorkCover intent on making it as difficult as possible for self-insurers to continue to operate?

5. Has WorkCover rejected any previous recommendations by the WorkCover Ombudsman and, if so, what were those recommendations and reasons why WorkCover rejected

those WorkCover Ombudsman recommendations? Did the minister support WorkCover's rejection of those recommendations as well?

6. For each of the years since 2001, how many applications for self-insurance have been approved by WorkCover and how many have not been approved, and how many self-insurers have lost their self-insurance status for each of those years?

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (15:09): I thank the member for his very important questions. Private self-insurers and crown agencies are generally evaluated by WorkCover every two or three years dependent upon their previous evaluation findings and terms of renewal. As a result of some expressions of dissatisfaction about the process from Self Insurers of South Australia, the WorkCover Ombudsman used his investigative powers under the act and undertook to review the issues.

The WorkCover Ombudsman provided WorkCover and Self Insurers of South Australia with a report and recommendations relating to the process for evaluating the performance of self-insured employers. WorkCover carefully considered the Ombudsman's report but elected not to adopt the recommendations. WorkCover advised that it does not believe that widespread issues exist with the evaluation process and that the complaints from the four self-insured employers were based on dissatisfaction with their evaluation outcomes rather than the process itself.

Furthermore, no consultation was undertaken with employee representatives who strongly opposed the recommendations. WorkCover and the WorkCover Ombudsman recently met to discuss this issue further, and it was agreed that the Ombudsman would take no further action; however, WorkCover would arrange for the Ombudsman to experience a self-insurance evaluation with one of the WorkCover evaluators. In regard to the other issues, they are quite specific and I will refer them to the minister.

CRIME STATISTICS

The Hon. D.G.E. HOOD (15:11): I seek leave to give a brief explanation before asking a question of the minister representing the Attorney-General concerning the website maintained by the Attorney-General's Department about statistics from crime reported in the courts in South Australia.

Leave granted.

The Hon. D.G.E. HOOD: A search of the website of the Office of Crime Statistics and Research reveals that it has statistics as to sentences imposed for various crimes by various South Australian courts. If one looks at the Publications and Statistics section, the latest statistics available as at the court sentencing date are actually for the 2007 year.

Whilst there is a Crime Mapper section that deals with crimes reported in various local government areas—and this contains information up to and including 2010—there appears to be no information about sentencing after 2007 on the site. I note, however, that, despite this, *The Advertiser* was able to obtain statistics about sentences from the Office of Crime Statistics and Research for the purposes of an article in that publication on 21 August this year about cannabis traffickers. It therefore appears that the statistics are available but that they are simply not published.

My own research to mid-August this year indicates that, of the last 100 criminals convicted of major drug trafficking offences—or very similar serious drug offences—only 36 were actually imprisoned. My questions are:

1. Has the publication of statistics concerning sentences imposed by the courts been restricted and, if so, for what reason and by whom?

2. Why is it that no statistics for sentences have been published after the 2007 year—some five years ago?

3. Does the government consider that the rate of suspended sentences imposed by South Australian courts for very serious drug offences is higher than it should be in this case?

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) (15:13): I thank the honourable member for his important questions, and I will refer them to the Attorney-General in another place and bring back a response.

BUPA CHALLENGE TOUR

The Hon. CARMEL ZOLLO (15:13): I seek leave to make a brief explanation before asking the Minister for Tourism a question about the Santos Tour Down Under.

Leave granted.

The Hon. CARMEL ZOLLO: The Bupa Challenge Tour is a very popular part of the Santos Tour Down Under, with thousands of people participating each year. Can the minister tell the chamber what plans are in place for the next Bupa Challenge?

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) (15:13): I thank the honourable member for her most important question. Since its inception back in 1999, the Santos Tour Down Under has gone from strength to strength and it is now firmly embedded in the world cycling calendar. It is the first race on the UCI WorldTour and the only world tour event in the Southern Hemisphere.

The Santos Tour Down Under attracts the biggest names in world cycling and is a sporting event that we are very proud to hold here in South Australia. However, it is more than just a bike race—it is a festival of cycling with events and activities taking place right across the state.

The Santos Tour Down Under generates millions of dollars for the South Australian economy. This year's event generated $42.2 million in economic activity and attracted 760,000 spectators, including more than 36,000 interstate and international visitors. It has generated $140 million in media coverage, presenting the state as a premier tourism destination to a worldwide television audience.

We are looking forward to the 2013 event, which will begin with the Down Under Classic on 20 January, followed by the six stages of the Santos Tour Down Under from 22 to 27 January. I am very pleased to advise that 2013 will mark 15 years of the tour, with a very special 15th birthday party on Saturday 19 January. This will be a free public event held in Victoria Square, beginning from mid-afternoon. There will be food, drink, bands, sponsor bike exhibitions, autograph signings and lots of activities available to the general public.

Participants in the Bupa Challenge Tour will also be able to collect their ride jerseys at the party. This year more than 7,000 people participated in the Bupa Challenge Tour, with more than 2,200 travelling from interstate and overseas to take part. In order to make this extremely popular event even more attractive, we have added a new 20-kilometre route to complement three longer distance options, but also to encourage cyclists of all abilities, not just the elite and well-trained cyclists, to take part in the Bupa Challenge on Friday 25 January. It will be a shorter, easier leg and I am sure that even you, Mr President, would be able to manage that leg.

The PRESIDENT: I'll have to pump up my tyres.

The Hon. G.E. GAGO: You will have to pump up your tyres, and no doubt you will get Pam to do that for you. The introduction of this new shorter distance provides an opportunity for all levels of cyclists to ride the same Bupa stage 4 route or part of the route just hours before some of the world's best cyclists.

The Hon. D.W. Ridgway interjecting:

The Hon. G.E. GAGO: The honourable member asks whether I will be riding. Unfortunately, I will not be as I am not a cyclist, but I am a very keen runner, although 20 kilometres is a little further than I would normally go. Nevertheless I am a very keen runner.

Members interjecting:

The Hon. G.E. GAGO: I take it that the Hon. David Ridgway will be taking part in this event, given that he has given so much lip here today. He has obviously shown a keen interest and I am very willing to give his bike a bit of a push off at the start line, as I am sure he will need a little assistance to get going. That is okay; I will be happy to run alongside and give his bike a push along to make sure he gets going. I am more than happy to give his bike a bit of a push to help him along his way.

With four different starts and distances to choose from, from the full 127-kilometre route from Modbury to the new 20-kilometre ride, people can select the distance that best suits them. Many people can be part of this very wonderful event. It is there to encourage not just the elite and well-trained sportsperson but also families in particular. I encourage anyone who owns a bike to

register and be part of the Santos Tour Down Under. You do not need expensive bikes: you can bring your three-wheeler, and training wheels are accepted. You do not need professional cycling attire, just a bike with the ability to take on the challenge.

There is still ample time to set some goals and start a bit of pre-training. The Bupa Challenge Tour is all about challenging yourself rather than racing others. You will be pleased to know, Mr President, that riders are encouraged to 'ride for a reason' and raise funds for the Cancer Council South Australia. For the first time people can gain free entry in the Bupa Challenge Tour if they raise $1,000 or more for charity. Riders who register for the 20-kilometre distance option and the 2013 Bupa Challenge Tour will receive a limited edition Bupa Challenge Tour T-shirt, while riders in the three longer distances will receive a lycra jersey (which is quite terrifying really, Mr President—no offence).

Members interjecting:

The Hon. G.E. GAGO: I was thinking of the Hon. David Ridgway, not you, Mr President. Teams of five riders or more can register until 22 October 2012 and have their team name printed on their jersey, as well as go into the draw for the VIP hospitality tickets at stage 6 of the Santos Tour Down Under.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lee might have a supplementary to it or something.

REGIONAL MENTAL HEALTH SERVICES

The Hon. J.S. LEE (15:20): I seek leave to make a brief explanation before asking the Minister for the Status of Women questions about teenage girls in regional communities.

Leave granted.

The Hon. J.S. LEE: *The Advertiser* reported on 16 August that teenage girls in regional South Australia suffered from depression at twice the rate of boys, according to an Adelaide University study. The study showed that, of 531 teens in South Australia aged between 13 and 18 years old, 23 per cent of girls, or about one in four, suffered depression compared with 11 per cent of boys.

Adelaide University senior psychology lecturer and co-author, Dr Rachel Roberts, said that the findings were significant, given that male depression in country areas received significantly more attention. She said that it was particularly concerning that these teenagers experienced frequent thoughts of self-harm. Dr Roberts continued, to say that this research suggests that depression remains an issue of considerable concern amongst South Australian rural adolescents, especially within remote areas that have fewer qualified mental health professionals and services. My questions are:

1. As the Minister for the Status of Women, has the minister met with the Minister for Mental Health to ensure that preventions are introduced to reduce the percentage of young girls suffering from depression?

2. How will the minister help to raise awareness of teenage girls' depression in regional communities?

3. What form of assistance will the state government provide to improve the availability of mental health professionals and services to regional communities?

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) (15:22): I thank the honourable member for her most important question. Indeed, the issue of body image, particularly amongst young women, and particularly those women in remote regional areas, is of grave concern. We know that body image can be a particular problem amongst young people; young men can suffer from this as well, but it is particularly an issue for young women. This often distorts eating behaviour, so it can lead to eating disorders, as well as to a range of other issues.

In terms of the sorts of services South Australia provides, a report was recently released on South Australian specialist eating disorder services, which outlined the new statewide model of care that was informed by national and statewide reviews, best practice guidelines, existing evidence of practice and discussions with key stakeholders. The Department for Health and Ageing

has established and implemented a committee to progress the report's key priorities, and members of the Body Image and Eating Disorder Consortium, including the Office for Women and Office for Youth, will monitor and provide support for the implementation of the final strategic plan for body image and eating disorders in South Australia. They will continue to provide support and delivery of annual forums and other activities.

The Australian government has invested quite a lot of money in this area as well and I will not outline their activities. Of course, in terms of mental health services, we know that this government has outdone previous governments in its spending and commitment to the development of comprehensive mental health strategies and services. For the first time, we have provided levels of care that were never provided in this state before, such as intermediate care and other longer rehabilitation services.

We are opening 24 dedicated mental health beds in country South Australia and they are located across a number of different country areas. Intermediate care services are also available for the first time in some country areas and the commonwealth government recently announced 159 beds and places for our state's mental health system and new 10-bed community rehabilitation centres to be established in Whyalla and Mount Gambier. Again, as I said, unprecedented mental health services are being developed for our country areas.

In terms of youth suicide, obviously young people's health and wellbeing are a key priority for the Office for Youth, and it is an area for action for Youth Connect and the government of South Australia's new strategy to respond to the needs of young people in relation to mental health and suicide. The office has partnered with and funded a number of organisations to undertake a range of activities, including a partnership with Youth *beyondblue* to deliver a national youth week, and grant funding is provided to organisations to deliver events for young people across South Australia, including country areas, to promote the theme of Look Listen Talk and Seek Help.

ANSWERS TO QUESTIONS

WORKCOVER CORPORATION

In reply to the **Hon. R.I. LUCAS** (24 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 is advised:

The cost for the pilot delivery of certificate IV in Personal Injury Management (claims management) was $101,400. It is entirely appropriate for WorkCover, as the regulator of the workers compensation scheme, to pay for all participants in the pilot delivery of the Certificate IV in Personal Injury Management (Claims Management). Participants in the pilot will actively contribute to evaluation of the pilot so that the best possible program of study is available to those working in the workers compensation industry.

WorkCover further advise that DeakinPrime has the Certificate IV in Personal Injury Management (Claims Management) on their Scope of Registration and that DeakinPrime is approved to deliver and/or assess the qualification and issue the qualification to students. All participants in the pilot delivered by DeakinPrime, who achieve the required competencies, will be awarded a nationally recognised qualification at the end of their studies.

DISABILITY WORKS AUSTRALIA

In reply to the **Hon. K.L. VINCENT** (22 June 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 Employment, Higher Education and Skills has been advised:

1. The Government has not ceased funding to Disability Works SA (DWSA).

2. The Department of Further Education, Employment, Science and Technology (DFEEST) has advised that $110,000 has been provided to support DWSA to continue to administer the Disability Register, and to secure 50 work placements in the public sector during the 2011-12 financial year.

3. In addition to this $110,000, DWSA has successfully applied for a $45,000 Adult Community Education Transitions Grant, which will be delivered in 2011-12 to support the training of students.

4. DFEEST is working closely with DWSA to discuss the most appropriate way forward in 2012-13 for both the management of the Disability Register and support for DWSA, which may include funding bids through Adult Community Education, the Working Regions Program, or other opportunities through the Skills for All initiative.

SAFEWORK SA

In reply to the **Hon. R.I. LUCAS** (16 February 2012).

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations): I am advised:

1. A search of WorkCover SA records has found that there have been no claims in the liquor retailing industry where driveway staff in hotels have been injured by cars whilst working in the drive through bottle shops.

However, a measured risk assessment would conclude that there is some level of risk to safety as a result of moving vehicles associated with drive through bottle shops.

2. On 3 February 2011, SafeWork SA inspectors conducted a compliance audit of Hurley's Arkaba Hotel Trust (the Arkaba Hotel) as part of its SafeWork SA Industry Improvement Program.

The resulting audit document identified that the Arkaba Hotel needed to take reasonable steps to protect the health and safety of persons at the drive through bottle department. The audit tool quoted Regulation 79 (4) of the South Australian Occupational Health, Safety and Welfare Regulations that if a person must work at a place where moving vehicles create a risk to safety, systems of work, and where appropriate, signs, warning devices, barriers, detours and high visibility clothing, must be used to minimise the risk.

I am advised, there was no specific advice to Mr Hurley's business that driveway staff at his hotel had to wear high visibility vests. In fact, the audit tools identified action states, 'Initially investigate methods of reducing the risk, including the provision of speed humps and signage (i.e. 5km/h) to reduce speed and implicit risks.'

3. It is not current government policy that under the current legislation and regulations, all driveway staff in all hotels in South Australia have to wear high-visibility safety vests during their working hours.

HEALTH AND COMMUNITY SERVICES ADVISORY COUNCIL

In reply to the **Hon. J.A. DARLEY** (4 April 2012).

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations): The Minister for Health and Ageing has been advised:

1. I am unable to respond to this question, as it relates to the internal discussions of the Advisory Council.

2. I am unable to respond to this question, as it relates to the internal discussions of the Advisory Council.

3. The *Annual Report 2010-2011 Health and Community Services Complaints Commissioner* (the Annual Report) provides an extensive list of improvements to services arising from complaints. These include:

- improved process for prisoners awaiting clinic appointments to maintain their privacy and dignity
- review and update of patient record confidentiality procedures in public hospitals
- improvement to procedures for obtaining consent for blood specimens in a private laboratory
- unregistered service provider-agreement to practice within applicable professional standards and code

- public hospitals:
  - review of insulin use and update throughout services
  - working group to improve the care of the elderly in acute care settings
  - audit of patient record keeping in emergency departments
  - staff education about falls assessment and recording falls on the incident management system
  - action to improve communications and complaints management in a paediatrics department
  - policy development to ensure appropriate use of mobile phone cameras in clinical settings and consent to clinical photography
- locum general practitioner practice—review of processes regarding documentation, legally appointed guardians and complaints handling to improve these areas of administration and practice
- private medical practice—updated complaints handling policy
- disability services—review and update of policies and procedures associated with major home modifications to facilitate in home care
- private pharmacist—improved procedure to prevent dispensing errors and improve complaints handling procedure
- public paediatric dental clinic—strategies to reduce waiting times
- country health services:
  - improved policy, procedures and training for the care of sexual assault victims
  - staff education about the needs of the elderly in the emergency department, history taking, improvements to documentation, consent, discharge processes, assessment and planning
- home care community service provider—improved staff training in medication management and complaints handling.

4. The improvements referred to by the Health and Community Services Advisory Council relate to those achieved by the Health and Community Services Complaints Commissioner (the Commissioner), documented in the Annual Report.

When a complaint is received that indicates a health service which requires improvement, staff of the Office of the Health and Community Services Complaints Commissioner assist both users and providers to identify ways in which the necessary improvements can be made. When a complaint is made, service providers will often identify what improvements need to be made on an individual, policy or practice level. When a service provider cannot identify the improvements that are necessary, the Commissioner may seek independent advice regarding best practice in the particular area. The Commissioner may then make recommendations to the service provider based on this advice. The service provider is then asked to report on the progress and completion of the planned improvement activities.

5. I am unable to respond to this question, as it relates to the internal discussions of the Advisory Council.

MATTERS OF INTEREST

URRBRAE AGRICULTURAL HIGH SCHOOL

The Hon. G.A. KANDELAARS (15:27): On Saturday 25 August I had the great pleasure of representing the Premier at the Australian Year of the Farmer and 80 years of specialist agricultural education celebrations at Urrbrae Agricultural High School. Among distinguished guests on the day were Mark Parnell MLC, his wife (Senator Penny Wright), Adrian Pederick MP (member for Hammond and a former student of the school) and Martin Hamilton-Smith MP (member for Waite). Michael Keelan (horticulturist, TV presenter and another former student of Urrbrae) was MC for the day.

In October 1913, Peter Waite wrote to the then premier of South Australia (Hon. A.H. Peake) and the chancellor of the University of Adelaide (Rt Hon. Sir Samuel Way) informing them that, subject to his own and his wife's life interests, he intended to present the Urrbrae property of 54 hectares to the university. After almost continual dialogue between the SA government, bureaucrats, the University of Adelaide, Roseworthy and others, Urrbrae Agricultural High School opened in 1932 with an enrolment of 60 students. Gradually, these numbers increased.

In 1974, Urrbrae became a coeducational institution, much to the dismay of some traditionalists. Another initiative carried out at Urrbrae was to include TAFE School of Horticultural and establish a skills centre and education centre on the site. The building and redesign of Urrbrae was completed in the early 2000s. The Australian Year of the Farmer has the following objectives:

- to share how Australia is leading the world in farming technologies and innovation;
- to promote the role our farmers play as environmental managers, creating and delivering sustainability through best practice management; and
- to focus on and prepare for the future of farming in Australia by creating the awareness of career opportunities in agriculture and related industries.

I believe that Urrbrae is contributing to those objectives by educating young people with the potential to enter agricultural and related industries. At the Urrbrae celebrations there were presentations given on Innovations in Agriculture Science on the Breakthroughs in Animal Science by Professor Phil Hynd, Deputy Head of Animal and Veterinary Sciences, University of Adelaide and Forensic Agriculture. Another presentation was on Fingerprinting DNA by Dr Kathy Ophel Keller, Research Chief, Sustainable Systems, from SARDI.

The day was about Farming the Future, with an emphasis on innovation and sustainability. We visited the farm areas and viewed displays with examples of innovation and sustainability. We also visited the wetlands where we were told how attempts were being made to pump water into the local aquifer. Unfortunately, at this stage, the local ASR system has not worked but there are significant initiatives been undertaken by the CSIRO to try to find a solution to this problem. We also looked at waste recycling in the piggery and methane capture and Urrbrae's aquaculture program and their approach of tending to stock to maximise condition and appearance.

One project that Urrbrae is currently involved in is the successful breeding of the endangered purple-spotted gudgeon that are being released back to the River Murray to replenish stocks. This is a three year program which is a great credit to the teachers and students at Urrbrae. I particularly enjoyed the tour of the woodwork and metalwork areas. One student in particular was showing off his prowess and making a suit of armour.

Urrbrae currently has over 1,000 high school students and approximately 500 TAFE students. Urrbrae's technology centre was re-equipped with funding in 2008 and is of a high order. Employers such as the pastoral industry, Santos, Elders, Detroit Diesel, amongst others, are known to approach students of the college.

Time expired.

THOROUGHBRED RACING SOUTH AUSTRALIA AWARDS

The Hon. T.J. STEPHENS (15:32): On the night of 25 August, I had the pleasure of attending the annual industry awards of Thoroughbred Racing South Australia, representing both the member for Stuart and the opposition. This great event recognises the sport's high achievers as well as inducting some legends into the South Australian Racing Hall of Fame. There were approximately 450 industry people in attendance, a very healthy showing for an industry which has been doing it rather tough of late.

I want to mention a few award winners of the night, both human and equine. One of the most important awards was the 2011-12 South Australian Champion Racehorse of the Year, which was Southern Speed, a five year old mare which won the Caulfield Cup, one of Australia's most prestigious races. It was also runner-up in three group 1 events, including the Australia Cup. I have had the privilege of being a close friend and business associate of the three owners of Southern Speed: Mr Harry Perks, Mr Trevor Robertson and Mr Rodney Fairclough. It was an absolute thrill for me to be at the event and hear Trevor and Rod give their accounts of their ownership of Southern Speed.

I was quite taken with Rod's moving speech in which he paid particular tribute to his wife Beverley, who has been a very loyal and supportive wife with regard to his racing. He recounted a story of how he headed off and sold some stamps that he had collected and came back with a racehorse and left her wondering what in the hell he had done. That was the start of it all some many years ago. I know that these three families have invested heavily in the sport. They have had ups and downs and it is fantastic to see them enjoying some terrific success.

I would also pay tribute to the great trainer Leon Macdonald and Clare Lindop, who has done a hell of a lot of riding with that stable. It is a magnificent combination. Leon is one of my favourites. He is a Port Augusta man. As Joy Baluch often tells me, I am from Whyalla which is only Port Augusta west. There is great rivalry between Whyalla and Port Augusta and I have been thrilled to talk to Leon many times and be at the Port Augusta Cup with him and see how he interacts. He is held in high regard by country racing people and he is a fantastic fellow.

The John Letts Medal recognises excellence in riding and outstanding achievements throughout all race meetings in the state, and it was won by Matthew Neilson. Mr Neilson was also crowned South Australian Jockey of the Year, the pre-eminent prize for jockeys in South Australia. I loved it—I had a photo taken with Matthew Neilson. I thank him for that. I am quite friendly with the other Matthew Neilson who captains the Australian basketball team, so I am looking forward to sending big Matty a photo of me and the 'real' Matty Neilson, the champion South Australian jockey. Justin Potter was awarded the country racing equivalent. It was great to see country racing being recognised.

Steven Pateman was recognised as the Jumps Jockey of the Year. He was awarded the EJ Mooney Medal. My cheeky speechwriter thought it should be called 'the Hon. Tammy Franks Medal for Jumps Jockey' and I thought that was totally out of order! I said that I will not comment on that; it is just wrong.

Apprentice of the Year was Jordan Frew. It is always encouraging to see good young apprentices coming through. It shows our racing industry has the will to carry on despite the hardships. The CS Hayes Award for Trainer of the Year was Tony McEvoy, while the Country Trainer of the Year was Mick Whittle. Both gave terrific speeches. I have to pay tribute to Mick Whittle; he was incredibly entertaining and, as Tony said, a very hard act to follow when it came to making his speech.

Most Consistent Racehorse of the Year went to Outlandish Lad who ran against Black Caviar in her record-breaking run in the Goodwood at Morphettville earlier this year. There were two Hall of Fame inductees—both were horses—Rubiton and Royal Gem. Rubiton had a dream year in 1987 winning a Cox Plate amongst his 10 wins from 16 starts. Royal Gem had 23 wins from 51 starts including wins in the Goodwood and Caulfield Cup.

Most Outstanding Achievement by a Club went to the SAJC for 2012 and, not surprisingly, the year has been so far quite remarkable for racing at Morphettville. I would like to pay tribute to the committee, in particular to Brenton Wilkinson for his outstanding job getting Black Caviar here. I also pay tribute to Craig Cook from *The Advertiser* for his award for Best Racing Journalist. I also thank Frances Nelson and Jim Watters for their exceptional stewardship.

Time expired.

LILLIES FOR LEUKAEMIA

The Hon. CARMEL ZOLLO (15:37): I was pleased to attend the Gala Italiana on 21 July 2012 to support the Lillies for Leukaemia and the Italian Coordinating Committee. The special guest on the evening was His Excellency Rear Admiral Kevin Scarce. Mrs Liz Scarce is the Patron of Lillies for Leukaemia. Last year on the occasion of the 150th year of the unification of Italy in 1861, the Italian Coordinating Committee held an Italian gala and, following on from that success, the function on 21 July was held. It is great to see the Italo-Australian community which still has many needs, in particular for its elderly, also supporting such a wonderful cause like Lillies for Leukaemia through the Royal Adelaide Research Fund.

Lillies for Leukaemia honours the memory of Merrilyn Stoilov, a happily married 36 year old mother of three children. Merrilyn was diagnosed with acute lymphoblastic leukaemia on 7 January 2005 whilst Merrilyn and her family were holidaying in Queensland. Acute lymphoblastic leukaemia is a form of leukaemia or cancer that affects the blood and bone marrow.

After her initial diagnosis Merrilyn was transported to the Mater Hospital in Brisbane where she received lifesaving treatment for approximately a month as she was classified as critical. In

February 2005 Merrilyn was finally able to return to Adelaide to be admitted into the Royal Adelaide Hospital for further treatment. A bone marrow transplant was required to save Merrilyn's life but unfortunately on 28 April 2005, the very day Merrilyn was to meet with the coordinator of the bone marrow transplant team, she lost her fight.

Lillies for Leukaemia was formed to raise money to improve facilities for recovering leukaemia patients at the Royal Adelaide Hospital. Merrilyn's dying wish was to ensure that other leukaemia patients would have the required standard of care and facilities. In this way her death could be a positive to saving lives in the future.

Merrilyn's parents, Mr Harold and Mrs Jan Reu, who established Lillies for Leukaemia in 2006, were present on the gala evening and had every reason to feel proud of their daughter's determination to leave this world a better place. Mrs Reu collated a beautiful montage of her daughter's life to highlight what a beautiful and determined person Merrilyn was.

Associate Professor Ian Lewis, head of the Clinical Haematology and Bone Marrow Transplantation unit at the RAH addressed the guests on the evening to promote the work of medical research at the Cancer Centre and the Royal Adelaide Hospital Research Fund and to pay tribute to Merrilyn.

Merrilyn is survived by her three children, Adriana (now 21), Alek (now 19) and Nadia (now 16), and husband Marko. I am told the name Lillies for Leukaemia came about because Merrilyn was a floral designer specialising in weddings and corporate events, not to mention the fact that her favourite flowers were lilies.

Lillies for Leukaemia has raised approximately $150,000 since its inception for the Cancer Centre at the RAH and its first goal was reached when in February 2011 Mrs Scarce officially opened the two isolation rooms in the refurbished Cancer Centre. The goal is to now fund research into finding a cure for this aggressive disease.

The delivery of clinical services at the Cancer Centre at the RAH as well as the important research for the advancement of medical knowledge is something that happens quietly in the background until we are touched by circumstances or have an interest in the area, or indeed when it is brought to our attention, such as on the occasion of the Gala Italiana.

Such evenings to raise funds for good causes just could not happen without the support of many wonderful partners and sponsors. Even in these challenging economic times many businesses open up their hearts and their wallets to assist their community. I congratulate Mr Eugene Ragghianti, Carnevale and Special Events Manager from the Coordinating Italian Committee for his dedication in driving the agenda and his tireless efforts to see the evening a success.

DEPARTMENTAL EXPENDITURE

The Hon. R.I. LUCAS (15:41): I am going to talk about government waste by Premier Weatherill in his own department. I will give a small example firstly and then a more significant one. A small example brought to my attention by officers within his own department is a decision that he and his chief executive officer have taken recently to change the wallpaper on all the computers that DPC staff have.

What they have instituted is a new wallpaper for all their staff compulsorily, which has the Premier's seven strategic directions, so that every time the computer fades to the wallpaper the Premier's seven strategic directions will flash in front of you rather than whatever individual public servants might have had—family or serenity, or whatever it is. The indoctrination and the spin continue.

You cannot escape it; there will be the Premier's seven strategic directions on the computer screen in front of them. They had some problems instituting this, and the IT experts had to be brought in evidently at additional expense and cost to ensure that all public servants were to be subjected to the same degree of indoctrination by the Premier and the department.

The second example is the massive waste of $2 million on this Fight for the Murray campaign. There are government guidelines, as you know; we will look at the cost of it through budget and finance at a later stage. The government, as a result of criticisms in the past and a select committee inquiry, issued guidelines in 2011 on marketing, communications and advertising, which made it quite clear that the government would not use politicians, premiers or ministers as part of television and radio commercials and other marketing communications, such as posters.

This particular document makes it quite clear that these guidelines cover digital advertising, such as banner advertising, viral search, video streaming and social media, and that it covers websites and direct mail as well. These guidelines also state on page 7:

> Public funds should not be used for communications where the image or voice of a politician is included within the advertising and the party in government is mentioned by name.

In relation to the Fight for the Murray campaign, I might also note that anyone who has travelled up Rundle Mall in recent weeks would have seen the massive waste of money in terms of the number of staff who were obviously looking after that display in Rundle Mall, where people were on exercise machines. What significance the exercise machines had to the Fight for the Murray campaign, I was at a complete loss, and I think most other people were as well. Nevertheless, it was advertising the government's Fight for the Murray campaign, evidently.

If you sign up for this Fight for the Murray campaign, you get an automatic email from the Premier himself thanking you for the campaign, urging you to sign up family and friends, urging you to visit the websites and various other things as well. Time does not permit me to go through that personal email from the Premier, no less, to anyone who signs up for the Fight for the Murray campaign.

Then you are referred to videos, which have been uploaded. In particular, there are two videos, one *Fight for the Murray*, with Premier Jay Weatherill starring in the *Fight for the Murray* video and another one with the Hon. Paul Caica starring in the video *Fight for the Murray* as well. Those videos which feature ministers seeking support, obviously, for their political views on this issue are in clear breach of the government's own marketing, communications and advertising guidelines. They are in clear breach of promises and commitments given by the former premier and this Premier that ministers, premiers and politicians would not be used as part of government advertising campaigns and guidelines.

Here we have this Premier, who says he is interested in transparency and accountability, clearly breaching his own government's guidelines in a grotesque way as part of this $2 million advertising campaign in terms of the Fight for the Murray. This is an issue that should be pursued in various parliamentary committees and other fora and publicly as well, and the Premier himself needs to justify his own breach of the government's advertising guidelines.

LIFELINE

The Hon. D.G.E. HOOD (15:47): I draw the attention of members of this chamber to the excellent work being carried out by Lifeline, an organisation I am sure most members would know. Lifeline, which has been providing a service for almost 50 years, is a non-profit organisation that provides a free 24-hour telephone crisis support service in all states of Australia and, indeed, in a number of overseas locations. Trained volunteer crisis workers provide suicide prevention services, mental health support and emotional assistance, mainly via telephone but also face to face and, increasingly, online.

Lifeline was founded by the late Reverend Dr Sir Alan Walker. He was the superintendent of Methodist Central Mission (later called Wesley Mission) in Sydney. He had been involved in the formation of the World Council of Churches. In the 1950s, he led the Methodist Church 'Mission to the Nation' crusade across Australia.

One Sunday night, just after midnight, he received a phone call at home. 'This is Roy speaking,' said the quiet voice on the other end. 'I have just written you a letter, which you will receive on Monday morning. By that time, I will be dead. I am sorry to worry you, but there is really no-one who cares what happens to me.' Sadly, the man did take his own life some days later. The loneliness and depression of this suicidal man, along with many similar experiences, prompted Reverend Alan Walker and others to establish Lifeline.

Lifeline was originally organised from the Methodist Central Mission in Sydney. It was two years in the planning and preparation, with 150 people attending a training course to work at the centre. The building used for initial operations was a century-old dilapidated building owned by the mission on the fringes of downtown Sydney. It was renovated for the purposes of the task, and some full-time employees were appointed to direct the work of the telephone crisis volunteers. The director-general of post and telephone services authorised the listing in the emergency page of the official telephone directory. The call centre was opened finally in March 1963. It was well received, with over 100 calls for help on the very first day.

In January 1964, Lifeline was featured in an article in *Time Magazine*, which helped lead to the establishment of similar services around the world. This was followed by the first international convention of Lifeline in Sydney in August 1966 to guide the development of services and to establish quality standards. This led to the formation of Lifeline International.

In 1994, Lifeline in Australia adopted a single national priority 13 phone number, namely 13 11 14, to provide a 24-hour support line. In 2007, a faster response became possible by flowing calls nationally over a wide area network to be answered by the next available operator anywhere in the country. Today Lifeline has over 11,000 volunteer workers. In Australia it receives some 450,000 phone calls every year.

This equates to about 1,250 calls per day or about one per minute from help seekers. Including phone, web and face-to-face contacts, Lifeline has over one million contacts each year with people needing help—extraordinary. Lifeline offers a confidential, non-judgemental service to those in need of someone to talk to. Callers ring in to talk about problems with such things as family relationships, various personal crises, abuse and violence, drug and alcohol use and loneliness.

More than 50 calls per day are from people at high risk of suicide I am told. Lifeline is partially funded by state and federal governments but raises about 80 per cent of its financial needs from second-hand stores, book fairs and other fundraising activities and also from direct donations by the public. Lifeline is always in need of volunteers to assist with fundraising and call centre counselling. I take this opportunity on behalf of Family First to formally commend them on their vitally important work. Our society is better off because of the hard work they do.

EUROPEAN TRANSPORT SERVICES

The Hon. K.L. VINCENT (15:50): During the winter break from parliament I conducted a study tour to Denmark, Norway, Sweden and the United Kingdom to research disability services, policy and legislation. I also visited all the parliaments of these countries and had meetings about other issues relating to my parliamentary work, including chronic pain management programs and sex worker laws in Sweden.

There are many things for me to report back to the parliament on and to address the work that I do here in the chamber advocating for people with disabilities and my broader constituency. However, for today I would like to speak on the transport services, including aviation and airlines, which I encountered and experienced as a wheelchair user in these places.

Firstly, I have to say that I was impressed with all the airlines we travelled with. Of particular note was the special assistance centre in the Frankfurt Airport in Germany and the fact that each of the other European airports I visited—Copenhagen, Oslo, Stockholm and London—all had special assistance teams who seemed to be employed by the airport rather than the airline. Actually, they had the same thing in Singapore, too.

A specialist assistance team of two people would meet me at the gate and then assist me with my transfer from my wheelchair to the aisle chair, onto the plane and onto my seat on board. These people were all trained in appropriate lifting techniques and went about their job efficiently and professionally. I have not seen such a thing here in Australia, and where there is assistance they are never prepared to actually lift me. I am not sure whether this is a lack of training, a fear of litigation or a combination of these two factors, but my contrasting European experience has certainly made me wonder why a similar service does not seem to be provided here in South Australia.

In Denmark's capital, Copenhagen, I was impressed again by the accessibility of its transport system and the extraordinary use of bikes by its broader population. It seems that one in three people in this city ride to work, school or higher education each day. This is in a city that has much colder and wetter weather than Adelaide. Their summer weather is much like Adelaide in September.

Their traffic light signals are even designed to favour pedestrians and bicycles rather than cars. Bike lanes are everywhere. I was able to use public transport to get to meetings as all their train stations have lifts to the platform and all their buses have ramps. They also have clear announcements on trains in both Danish and English for the vision impaired. The transport services in Oslo, Norway and Stockholm, Sweden mirrored the favourable experience I had in Copenhagen.

The airport train services in both cities had seatbelts that secured my wheelchair and the wheelchairs of other travellers, and the staff were always willing to help me get on and off the

trains—and also those who had prams. I noted that the public provision of bike pumps in the streets of downtown Oslo encouraged bike users and the fact that, similar to Denmark, Oslo and Stockholm have a higher use of bicycles despite climates you would think would encourage people to use cars.

The thing about Scandinavia that struck me most was that it seemed that everyone had thought about who would actually be using their services, building or transport before they actually designed and built it. Will a wheelchair user access this? Will someone with a pram need to get in here? Would it be helpful if we had a ramp for the elderly or mobility impaired? The principles of universal design are definitely reflected here. It is certainly not perfect, but the fact that I could access the Norwegian parliament through the same entry and exit as everyone else during a heavy renovation period was a revelation to me and something certainly not reflected in this building.

Time does not permit me to go on any further, but this certainly was an experience I enjoyed very much, and I look forward to working very hard to ensure that our transport and building systems are made equally successful here in South Australia.

LIFELINE

The Hon. T.A. FRANKS (15:55): I rise today to also discuss the Lifeline organisation, particularly in regard to its existence here in South Australia, and the profound and valuable work it does in tackling suicide and self-harm. This is especially timely, given that this coming Monday, 10 September, is indeed World Suicide Prevention Day. I acknowledge and welcome the fact that both the major parties in this state recently made policy announcements on suicide prevention and, more broadly, on mental health. I welcome the increased openness and willingness not only to speak but to act on this issue, not only making a difference in the community but also similarly making a difference in this council.

I particularly acknowledge the work of the Hon. John Dawkins and his ongoing efforts on this issue. I also commend the Minister for Health and Ageing in the other place for his announcement today and note that both members have seen, quite rightly, the role of non-government organisations and community in empowering all of us as individuals to have a better understanding of how to maintain good mental health and how to assist our friends, our family, our colleagues and our loved ones to also maintain good mental health or to cope with a crisis.

There are many facets to countering and reducing suicide, and one that I particularly want to address today is the role of the organisation Lifeline. I also mention that Out of the Shadows into the Light, an awareness raising memorial walk, is to be held in this city next Monday and around the country, and I encourage any and all of my colleagues to participate.

In 2010, in South Australia 197 suicides took place in our state. This is just under double the number of people killed on the state's roads in the last year, yet we know that suicide is the leading cause of death in Australia for men under 44 and women under 34, and the number of suicide attempts nationally is around 178 a day, or indeed 65,300 a year. The organisation that I pay tribute to today, Lifeline, believes that most of these suicides are preventable and that we all have a role to play.

Lifeline connects people with care by providing crisis support and suicide prevention services. Lifeline is involved in all aspects of suicide prevention across a spectrum of care, including early intervention, continuing care and bereavement support, as well as a range of services, self-help resources, mental health information and a variety of programs specific to the needs of their local communities. Lifeline's 24-hour crisis support line, 13 11 14, offers a confidential, non-judgemental service offered by trained telephone crisis support volunteers. It is Australia-wide, and Lifeline receives over one million contacts every year from help seekers—that is over the phone, on the internet and in person. In fact, there is a new call for help answered by Lifeline every 50 seconds, and that is around 1,400 calls a day across the country.

Here in South Australia, Lifeline has three centres in operation—two are rural, with several offices under each of the regional centres, and one of course in metropolitan Adelaide, which is the largest service in our state. It offers an online crisis support chat service between 8pm and midnight and has over 60 contacts every day. Of these online crisis contacts, 72 per cent are from people under the age of 25 and 57 per cent of those are from rural and remote locations. I understand that the Lifeline Adelaide centre, which is run by Uniting Communities (who many would remember as the former UnitingCare Wesley) took 26,043 calls in 2011 alone, and that is around 70 calls a day.

The work of Lifeline is incredibly beneficial and relies almost entirely on the goodwill of funding from corporates and community through donations, fundraising and partnerships, rather than the government, for the bulk of its activities. It also receives some government funding at the national and state levels, and that goes towards specific programs and services. However, 80 per cent of its operating costs are funded by revenue raised from its retail, book fairs and fundraising activities. There are also 11,000 dedicated volunteers who donate their time and skills to Lifeline to assist others, and around half of those are volunteers who work on that front line, on the telephone crisis support.

They are very highly skilled volunteers; in fact, in Adelaide alone 180 telephone volunteers are trained in Certificate IV in Telephone Counselling. Most of their work will go unheralded, and during the last five minutes while I have spoken we have seen at least six calls taken in that centre. We must all do what we can in this place to ensure that not only are those calls able to be answered but that those calls reduce in number, because we never let people get to the crisis situation where they need to call Lifeline.

LEGISLATIVE REVIEW COMMITTEE: CRIMINAL CASES REVIEW COMMISSION BILL

The Hon. G.A. KANDELAARS (16:00): I move:

That the report of the committee, on its inquiry into the Criminal Cases Review Commission Bill 2010, be noted.

On 10 November 2010 the Hon. Ann Bressington introduced the Criminal Cases Review Commission Bill into the Legislative Council. The bill was modelled on legislation that established the Criminal Cases Review Commission in the United Kingdom. In June 2011 the bill was withdrawn by the Hon. Ann Bressington and referred to the Legislative Review Committee for inquiry and report along with a number of other matters, including alternative approaches to rectifying issues with the prerogative of mercy and the possibility of establishing a national criminal case review commission.

The committee received 29 written submissions and heard oral evidence from eight witnesses. The submissions to the inquiry covered three main areas: first, an examination of the current mechanism for appeal against the conviction; secondly, the need for reform in this area; and thirdly, an exploration of different criminal case review models proposed in the bill and in interstate and overseas jurisdictions.

Submissions raised concerns about the limited opportunity and statutory rights available to a person who believes they should not have been convicted of an offence, or where new evidence comes to light which may cast doubt over the conviction. Currently, the person has a right of appeal against their conviction on limited grounds provided by statute. The court has determined that it will not reconsider evidence already adduced at trial and will not allow an appeal simply because it disagrees with the decision of a jury.

A convicted person has no right to a further appeal on any grounds after this one right of appeal has been exhausted. This is known as the principle of finality. The only other option for a person wanting to challenge their conviction is a petition to the Governor for a pardon in the exercise of the prerogative of mercy. This is an entirely discretionary exercise of power by the Governor and does not result in a conviction being quashed. Petitions to the Governor from a convicted person are usually referred to the Attorney-General for consideration under section 369 of the Criminal Law Consolidation Act 1935.

Submissions were critical of the current appeal mechanism, the operation of the royal prerogative of mercy and section 369 investigations undertaken by the Attorney-General as being too difficult to establish, expensive and lacking independence. They submitted that royal commissions were a rare and expensive way of reviewing criminal cases. The submission from the Australian Human Rights Commission cast doubt on whether South Australia's current appeal system complies with international legal obligations under the International Covenant on Civil and Political Rights.

There are a variety of factors which may cast doubt over a person's conviction. The committee heard evidence about the nature of the adversarial trial and the propensity of wrongful convictions to occur as a result of the presentation of forensic evidence. Witnesses and submissions expressed concern about the changing nature of forensic science and the development of new technologies that may allow evidence to be retested, the results of which may show that a convicted person is innocent or cast reasonable doubt on the safety of the conviction.

Concerns were also expressed about the method by which scientific expert evidence is adduced at trial. Submissions outline that forensic evidence may be misunderstood or misused due to the question and answer format in which it is adduced in an adversarial trial. Forensic evidence is very complex, and some submitted it may be too complex for a jury to understand. Some witnesses describe the so-called 'CSI effect', where juries may put more weight on forensic evidence than they ought as a result of the presentation of forensic evidence in TV shows. The committee was also concerned that there was no formal opportunity for a jury to ask questions and seek clarification if they did not understand certain matters.

I now turn to the Hon. Ann Bressington's Criminal Cases Review Commission Bill, which the committee examined in some detail. The purpose of the bill was to establish an independent body in South Australia which would provide convicted persons with an opportunity to have any claims about the safety of their conviction investigated and referred to the court, if the commission concluded there was a reasonable possibility that the conviction could be overturned. The bill provided for a five-member commission, with the membership including legal practitioners and those with particular knowledge of the criminal justice system.

Under the bill, the commission would have had the power to investigate applications on behalf of persons convicted of both summary and indictable offences and sentences. The commission's terms of reference under the bill are threefold. First, they must consider that there is a real possibility of a conviction or sentence not being upheld; secondly, this must be as a result of an argument, evidence or information not raised in the original proceedings; and, thirdly, an appeal against a conviction or sentence must already have been refused by the court.

The bill provided the commission with a number of powers of investigation and the ability to assist both the courts and the Attorney-General in their conviction, appeal and review functions. Concerns were expressed in submissions and evidence about the operation of such a commission, including the scope to hear new evidence, its consideration of the outcome of the trial rather than the person's innocence, and the lack of provision for informing and engaging victims of crime.

The committee also heard evidence about the effectiveness of the UK CCRC, which has been in operation since 1997. The committee investigated and heard evidence about the way in which the CCRCs in other jurisdictions operated and also other methods of post-conviction review. The United Kingdom, including Scotland, and Norway all have criminal case review commissions. North Carolina has an Innocence Inquiry Commission which forms part of the courts. Canada has statutory provisions for further right of appeal against a conviction to the federal Attorney-General which undertakes a review and then refers the matter back to the court for hearing.

The committee also considered a national approach to the post-conviction review in Australia. New South Wales has been the only Australian jurisdiction to address post-conviction review in a way other than through the courts. They have an extended statutory appeals section whereby a person can apply to the court, the Attorney-General or the Governor for a review of their conviction. They also have established a DNA review panel, which can organise the testing of DNA where an applicant is of the view that such evidence may prove their innocence.

In light of the evidence and the committee's consideration of the terms of reference, it made seven recommendations. The first was that there should not be a permanent CCRC in South Australia as established by the bill introduced by the Hon. Ann Bressington. The committee is concerned that a permanent CCRC would not be an adequate use of resources, given the size of this jurisdiction and the number of matters it would review.

The committee also considered the national criminal case review model, as required by the inquiry's terms of reference. It is of the view that there may be jurisdictional issues with a national body directing a state court. The committee is also mindful of the need for all states to consent to participating in such a scheme and that there would be difficulties for a national commission applying different laws, caused by the lack of uniformity of the criminal law throughout Australia. It is therefore recommended that the Attorney-General not pursue the establishment of a CCRC at a national level.

However, the committee considers that current mechanisms for the consideration of potential wrongful convictions are in need of reform. It is of the view that such reforms should be addressed through amendments to existing legislation rather than through the establishment of a CCRC.

Part 10 of the Criminal Law Consolidation Act provides several exceptions to the double jeopardy rule. A person acquitted of an offence may be tried again where the acquittal was tainted;

that is, where somebody has committed perjury or another administration of justice offence, or where fresh and compelling evidence comes to light. However, there is no opportunity for a re-trial or review of a person convicted of an offence on the same grounds. To that end, the committee recommends that a person convicted of a serious offence should be allowed a further appeal against where the court finds that the conviction is tainted or where there is fresh and compelling evidence in relation to the offence which may cast reasonable doubt on the guilt of the convicted person.

The committee was particularly interested to hear that the majority of concerns about the safety of convictions centred around the nature and presentation of scientific evidence. The committee is of the view that if the process by which scientific and forensic evidence were more rigorously controlled, the propensity for wrongful convictions would be greatly reduced. The committee therefore recommends that the Attorney-General liaise with the courts in undertaking a review of all current rules and procedures for the admission of expert evidence in criminal trials.

The committee would like to see the presentation of prosecution and defence expert evidence simplified and agreed between both parties, if possible, instead of presented in an adversarial way as is currently the case. This would allow those parts of scientific evidence, in particular, which are not in contention to be agreed and presented to a jury as such. It is hoped that this agreed evidence will streamline arguments about expert evidence and limit argument in court to the differences in expert testimony. The committee also recommends that there be an opportunity for jurors or the judge to ask questions and seek clarification from expert witnesses during trial.

In addition, the committee recommends that the Attorney-General considers establishing a forensic science review panel to enable the testing and re-testing of forensic evidence which may cast reasonable doubt on the guilt of a convicted person and for those results to be referred to the Court of Criminal Appeal. This panel would be similar in constitution and operation to the New South Wales DNA Review Panel and would allow a convicted person to raise questions and ask for the re-examination of existing evidence, or consideration of new evidence not available at the time of trial. The panel would then have the power to refer such evidence to the court of appeal for consideration.

Many witnesses to the inquiry were critical of the operation of the exercise of the royal prerogative of mercy, submitting that it was entirely at the discretion of the executive and, if granted, did not actually result in a conviction being squashed. The committee recommends there be a mechanism in South Australian legislation to allow for a conviction to be quashed or to be considered quashed if a convicted person is granted a pardon.

The committee notes that in the process of considering the rights of the convicted person to review, there should also be consideration of the rights of the victims of crime. Many of the submissions to the inquiry expressed the view that the victims often feel disempowered and that the legal system is skewed in favour of the defendant and that any further conviction review may have a detrimental effect on the victim's need for finality and their efforts to recover from the effect of the crime.

The committee is keen to ensure that the victim's rights are protected and that victims are not only notified but able to participate in the post-conviction review if they so choose. It therefore recommends that the Commissioner for Victims' Rights and victims of crime be notified of any post-conviction review to be undertaken under any act and be able to make submissions to any such review proceedings either through witness submissions or through representation by the Commissioner for Victims' Rights and to be entitled to information about the progress of such a review.

On behalf of the committee, I thank all those who made submissions and gave evidence to the inquiry. I thank the members of the committee: the Hon. John Darley and the Hon. Stephen Wade, Ms Gay Thompson (member for Reynell), Mr Alan Sibbons (member for Mitchell) and Mr John Gardner (member for Morialta). I also thank committee staff: Adam Crichton and our former research officer, Ms Carren Walker, for their work in relation to this report. I commend the report to the council.

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

NATURAL RESOURCES COMMITTEE: BUSHFIRE TOUR 2012 CASE STUDY, MITCHAM HILLS

The Hon. G.A. KANDELAARS (16:18): I move:

That the report of the Natural Resources Committee on Bushfire Tour 2012 Case Study, Mitcham Hills on 17 February 2012, be noted.

An elderly man stands in front of his home wearing shorts and a polo shirt. He is holding an empty aluminium saucepan. Behind him is his home and behind that a wall of flames about to engulf it. Thick smoke obscures the sun. The man appears fortunate to be spotted and picked up by fire brigade district officer Thornthwaite as he speeds through the fire front in his four wheel drive vehicle. This is the scene that remains etched in my memory from watching a horrific video of raw footage from the Canberra 2003 fires. The 45-minute video entitled 'Canberra Australia Firestorm 2003' is available on YouTube and was shot by Channel 9 newsman Richard Moran, riding with the ACT fire brigade district officer, Darrell Thornthwaite.

Members viewed this video as part of the Natural Resources Committee tour of the high bushfire risk area in the Adelaide Hills on 17 February 2012. It was a shocking wake-up call for all of us, even those members with experience in firefighting while serving as CFS volunteers. It brought home to us the reality of how unprepared people are for bushfires and how easily an emergency response can be overrun and outmarched by a large fire on an extreme fire danger day. The death toll from the Canberra 2003 fires was four lives lost, and when you watch the video it is amazing that it was not much worse.

In South Australia we know how devastating bushfires in urban areas can be. However, it is now nearly 30 years since the Ash Wednesday fires of 1983. Most of us have forgotten what happened and many of us were not even around at the time. The committee heard from the CFS that most of the firefighters from that time have since retired. The current CFS volunteers are well trained and dedicated, but they do not have the experience of bushfires like Ash Wednesday.

The Belair CFS took us on a tour of the Mitcham Hills and Upper Sturt. We saw cars parked illegally in narrow streets, gutters overflowing with leaves, overgrown gardens, and cul de sac subdivisions surrounded by dense bushland that has not seen a bushfire since 1955. The lack of preparedness of residents in the Hills is exacerbated by the confusion about what to do when a fire siren is sounded; confusion about whether to go early or to stay and defend; confusion about safe areas; confusion about what school students should do; and a road network that will go into gridlock almost at the drop of a hat.

I come back to the issue about staying and defending. The issue that we saw is that in reality, from the video we were shown, the fire takes hold at such a rate that it is impossible for people to evacuate, if they decide to evacuate at the time the fire starts. It is actually very dangerous if they attempt to evacuate at that point. It is a really difficult issue to get across to people about the very nature of bushfires and the dangers they present when they are in full flight.

This tour was arranged as a follow-up to the Natural Resources Committee November 2009 interim report, the 37th report, and the July 2011 58th report on bushfires. This report includes a number of recommendations that require funding for their implementation. The minister has agreed to review disaster funding arrangements in partnership with the Local Government Association, with a view to developing new arrangements that are more consistent with the national disaster funding arrangements with the states and territories.

The President of the Local Government Association has written to the Prime Minister and the Leader of the Opposition and the federal and shadow ministers, as well as to all South Australian federal members of parliament, raising concerns about South Australia's ability to access the proposed flood levy. I am confident that these negotiations will assist in providing funds to enable recommendations such as those suggested in this report to be implemented. I wish to thank the CFS for hosting the fact finding tour, in particular Dale Thompson, Sturt CFS group officer, and Ray Jackson, CFS regional prevention officer.

I commend the members of the committee—Presiding Member, the Hon. Steph Key MP, Mr Geoff Brock MP, Mrs Robyn Geraghty MP, Mr Lee Odenwalder MP, Mr Don Pegler MP, Mr Dan van Holst Pellekaan MP, the Hon. Robert Brokenshire MLC and the Hon. John Dawkins MLC—for their contribution to this report. In addition, I thank the Hon. Iain Evans, the member for Davenport, and Chris Burford, adviser to minister Rankine, who accompanied the committee on the tour. Finally, I thank the committee staff for their assistance. I commend this report to the house.

The Hon. J.S.L. DAWKINS (16:25): I rise to endorse the remarks made by the Hon. Gerry Kandelaars in relation to this report on the committee's tour of the Mitcham Hills earlier this year on the initiative of the member for Davenport, Iain Evans. Certainly, no-one in this parliament would be surprised about the concern the member for Davenport, along with a number of people familiar with that part of Adelaide, has had about the potential massive fire risk in the future.

It was good to take that significant bus tour in and around the area described by the Hon. Mr Kandelaars and to see the traps, I suppose, that are quite scary if you translate them to a day of great heat and great strength of wind, and many of us would well remember days like that in the past. That tour of the Mitcham Hills reminded me very much of the experiences I had in 1980 and 1983 in the Ash Wednesday fires of both years.

While 1980 pales into some insignificance in respect to the extent of 1983, I very much remember being up in the depth of the Adelaide Hills as a flat country firefighter in a brigade that had been brought up from the Adelaide plains to help fight fires. It is certainly a different kettle of fish to fight a fire in the hills and gullies in that area compared to the flat country I grew up in. There was one particular episode in that 1980 fire where my colleagues and I, in a very old Ford 500 fire unit, were very lucky to escape the fire that came towards us following a sudden change in wind direction.

I very much support the efforts the Hon. Mr Evans in another place has made over a long period of time. I acknowledge the fact that he brought forward a recommendation to our committee, and I think to the House of Assembly on an earlier occasion, for this parliament to have a standing committee on bushfires.

His evidence to our committee was taken on board. In our report of 6 July 2011, as noted by the Hon. Mr Kandelaars, the committee noted as follows:

> The Committee strongly supports Iain Evans' call for a Standing Committee on Bushfires recommending that it may be opportunistically broadened to consider all Natural Disasters, including bushfires, floods, earthquakes, riverbank collapse, tsunamis, extreme weather events, hazardous material and pollution emergencies, pest plagues and agriculture diseases.

I think that the Hon. Mr Evans took note of our recommendation that his proposed standing committee be broadened, and as a result he introduced the Parliamentary Committees (Natural Disasters Committee) Amendment Bill into the House of Assembly on 29 September 2011. It took some period of time because of the way in which the House of Assembly operates its private members' business—which I have never understood; it certainly does take some time for those matters to be dealt with—and, while there were some contributions, it finally came to a vote on 12 July this year.

Unfortunately, the bill failed to gain support from the ALP caucus, despite the recommendation of the committee being supported unanimously by the Natural Resources Committee. As a result of the lack of support from the Labor caucus, the bill was defeated 20 votes to 16 on 12 July. That is a shame, but I hope that, in future, governments of whatever flavour will look more closely at the potential for natural disasters. Certainly, any of us who have made a trip up into the Adelaide Hills (as the committee did that day) have seen the potential for enormous disaster on a bad fire day in that area (particularly with, I think the much greater population than was there in 1980 or 1983), and we need to examine the potential for us to look closer into those matters as a matter of urgency.

I would hope that my colleagues in the Labor Party actually will push on again to see whether they can change the mind of caucus in relation to that. Having said that, as my colleague has done, I would like to thank Dale Thomson, the Sturt CFS Group Officer, and Ray Jackson, the CFS Regional Prevention Officer, for the time they gave us in that area. Their local knowledge was, I think, particularly valuable along with that of the member for Davenport.

I would like to thank the Hon. Steph Key for her chairmanship and also for sharing her own personal experiences of fire and the results of major fires. I also thank the other members and staff of the committee, and I commend the report to the Legislative Council.

The Hon. G.A. KANDELAARS (16:33): In closing, I thank the Hon. John Dawkins for his comments. The reality is that bushfires are a factor in our environment—they can be extremely destructive—not that any of us wish that to occur. The other reality is that, because of the increased number of people living in the Adelaide Hills, if we had a major tragedy (like Ash Wednesday) again there is a strong potential for loss of life again, which would be most unfortunate. I commend the noting of this report to the council.

Motion carried.

NATURAL RESOURCES COMMITTEE: REVIEW OF NATURAL RESOURCES MANAGEMENT LEVY ARRANGEMENTS

The Hon. G.A. KANDELAARS (16:35): I move:

That the report of the Natural Resources Committee on a Review of Natural Resources Management Levy Arrangements, be noted.

One of the Natural Resources Committee's statutory obligations is to consider and make recommendations on any levies proposed by the natural resource management board where the increase exceeds the annual CPI rise. The Natural Resources Committee is concerned about the number of issues related to NRM levies, including the widespread practice of proposing above-CPI increases and the bureaucratic complexity of the process required to update the boards' business plans.

Whilst the committee is sympathetic to the needs of the NRM boards to increase their funding base, and has traditionally recommended increases of some levies, members maintain the position that above-CPI levies should be the exception rather than the rule. At a meeting with The Minister for Sustainability, Environment and Conservation in 2011, the Natural Resources Committee made a number of suggestions for improving the process of preparing business plans, and in particular determining levy increases in 2012-13.

In response to this request the minister directed boards to provide copies of their draft business plans to the committee concurrent with their release for public consultation. This has proved helpful in providing committee members with more time to consider proposed levy increases. A number of suggestions form the basis of this report. The committee noted a lack of standardisation between business plans and the annual reports across various boards, which makes it difficult for us to compare information and draw conclusions.

The committee also noted differences between the boards in relation to member remuneration and turnover. Amendments to the Natural Resources Management Act have recently been passed. These amendments include changes to board member terms and reappointment. However, committee members are of the opinion that more comprehensive reforms may be necessary.

I wish to thank all those who gave their time to assist the committee with this report. I commend members of the committee—Presiding Member, the Hon. Steph Key MP, Mr Geoff Brock MP, the Hon. Robert Brokenshire MLC, the Hon. John Dawkins MLC, Mrs Robyn Geraghty MP, Mr Lee Odenwalder MP, Mr Don Pegler MP, and Mr Dan van Holst Pellekaan MP—for their contributions. Finally, I thank members of the parliamentary staff for their assistance. I commend the report to the house.

The Hon. J.S.L. DAWKINS (16:38): I will be brief, but I rise to support the comments of the Hon. Mr Kandelaars in relation to this matter. This issue has been of concern to those on the Natural Resources Committee basically since this committee was established after the last election. Certainly, as the Hon. Mr Kandelaars explained, the committee has the responsibility of examining the work of the boards but also obviously the levy increases they wish to bring forward.

The committee's role in examining those matters is made difficult by the time frame in which the boards bring them to our attention and the cut-off time by which we have to deal with them. It is not dissimilar to some of the work the ERD Committee has to do in relation to development plans, and that has been modified in some sense over the years.

Well over 12 months ago—probably before the Hon. Mr Kandelaars was a member of the committee—we were fortunate to have evidence given to us by the Hon. Caroline Schaefer, a former colleague of mine in this chamber, who is now Presiding Member of the Yorke and Mid North NRM Board. Having been a member of the Natural Resources Committee previously, before she retired from this place, and now being a presiding member of one of the NRM boards, she has the wonderful, unique experience of having sat on both sides of the fence. Caroline was able to give us her thoughts about the difficulties that the boards experience in having to go through the consultation process, tick all the boxes along the way, and then have these delays in getting through to us so that we get enough time to deal with it.

We have had meetings with the minister, and I would hope that perhaps more note of the Hon. Ms Schaefer's remarks is taken in the future because I think that will make our job, and the

job of the minister, easier when dealing with particular situations such as occurred this year, when the committee rejected the rise intended by the Adelaide and Mount Lofty Ranges NRM Board. Delays then followed because the minister's staff and the department took some five weeks to scratch their heads and work out what to do. That put a lot of stress on a lot of people, and we should not have that, particularly when people are serving in these roles for very minimal reward or, in a large number of cases, doing it for their love of the environment.

Having said that, I support the motion and commend the report to the council. If members are more interested in this, I commend to them the evidence given to this committee by the Hon. Caroline Schaefer a number of months ago. It is worth reading. I commend the report to the council.

Motion carried.

FISHING SUPER TRAWLER

The Hon. G.A. KANDELAARS (16:41): I move:

That this council:

1. notes the significant concerns of the South Australian community, commercial and recreational fishing groups and conservation groups about the presence of the FV *Margiris* in our region and the proposal for it to operate in the South Australian Small Pelagic Fishery;
2. notes the importance of the Small Pelagic Fishery to the South Australian fishing industry and the marine ecosystem;
3. notes the potential risks that this immense trawler would have on threatened, protected and endangered marine species and potential impacts on fish species that are commercially important to our state;
4. notes the potentially devastating effects that this super trawler may have on the South Australian sardine industry, which makes a significant contribution to our South Australian economy;
5. opposes the proposed operation of the super trawler in the Small Pelagic Fishery; and
6. strongly urges the federal minister to reject the application for the FV *Margiris* to operate in the Small Pelagic Fishery.

As members would be aware, the arrival of the FV *Margiris*—which, I understand, is seeking to change its name to the *Abel Tasman* in Australian waters—has attracted both growing interest and debate in the South Australian community. I understand that the vessel is seeking to operate under a commonwealth fishing permit in commonwealth waters adjacent to South Australia, targeting jack mackerel, blue mackerel and redbait in the Small Pelagic Fishery. This maritime pelagic environment is the largest aquatic habitat on earth.

Yesterday we heard in this chamber that the South Australian government responded to the public's widespread concerns, and has written to the federal minister for fisheries about this matter. The state is also concerned about preserving this state's reputation for a premium, clean and green food industry. I understand that fishers, conservation groups and local communities alike have opposed the operation of the ship and its potential impact on local fisheries and marine life—in particular, in commonwealth waters adjacent to South Australia.

The government also has serious concerns about the potential risk of the ship's operation to threatened, protected and endangered marine species. I understand the federal minister (Tony Burke) has announced conditions for the management of the small pelagic fisheries that require operators to take all reasonable steps to ensure that listed threatened species are not killed or injured as a result of the trawling operations. However, I am advised that these conditions are only interim and do not give any certainty to the community of South Australia that our important marine life and seafood industry would not be impacted.

It is well recognised that South Australia's marine and coastal environments are internationally recognised for their biological diversity. Both the commonwealth and South Australian governments consider the introduction of marine parks a significant conservation initiative for the habitat protection and biodiversity conservation of the marine environment. The arrival of the FV *Margiris* has caused many of these same communities and stakeholders to question the government's commitment to marine conservation.

I am advised that there is the potential for localised depletion of the small pelagic fisheries and the impact on fish species that are commercially important to this state, in particular, the sardine fisheries. Small pelagic fish are usually forage fish that are hunted by larger pelagic fish

and other predators. Forage fish filter feed on plankton and are usually less than 10 centimetres long. They often stay together in schools and may migrate large distances between spawning grounds and feeding grounds. Localised depletion is of particular concern in small pelagic fisheries because it could disrupt predator feeding and behaviour and, in turn, affect the marine ecosystem.

There have also been significant concerns about the potential for large quantities of sardine bycatch to occur. If this was to occur, it would place in jeopardy the sustainable South Australian sardine fishery, which makes a significant economic contribution to our state. In 2010-11, the value of the output generated directly in South Australia and on the Eyre Peninsula region by sardine fishing enterprises summed $19.3 million. Flow-ons to other sectors of the state economy added another $23.6 million in output.

I applaud this state government for its initiative in approaching the federal fisheries minister to express the widespread concern of South Australians and to voice its objections to the proposed operation of the super trawler in the small pelagic fisheries, and I strongly urge the federal minister to reject the application of the FV *Margiris* to operate in the small pelagic fisheries.

Honourable members: Hear, hear!

Debate adjourned on motion of Hon. D.W. Ridgway.

LIQUOR LICENSING (ENTERTAINMENT) AMENDMENT BILL

The Hon. T.A. FRANKS (16:48): Obtained leave and introduced a bill for an act to amend the Liquor Licensing Act 1997. Read a first time.

The Hon. T.A. FRANKS (16:48): I move:

That this bill be now read a second time.

I introduce this bill today which simply removes the definition of 'entertainment' from the Liquor Licensing Act. This is a move that was first called for, as I understand it, by the Raise the Bar campaign, which many members may have received email correspondence from in recent months. I do so because, as that campaign rightly notes, in South Australia if a person performs in person on a licensed premises that is defined as entertainment and regulated, but if you broadcast sport, gamble or have recorded music then that is exempt from the strict, erratic and often archaic entertainment approvals process.

I note that it is something that does not exist across the rest of the country and has recently been addressed in New South Wales, one of the last states to have such archaic laws. In fact, live performance and activity is considered a normal activity in hotels, bars, restaurants, clubs and cafes across the rest of the country but not in South Australia. It beggars belief that we have such old-fashioned liquor licensing laws with regard to entertainment.

It has a particular implication for live music, which is very topical today as we welcome the announcement that we have a live music Thinker in Residence, Mr Martin Elbourne, who comes to us with over 30 years experience in the live music industry, having managed bands of such high calibre as New Order and The Smiths, two personal favourites of mine, and having been involved in the wonderful Glastonbury and WOMAD festivals. All of those achievements of Mr Elbourne go to prove just why live music is such an important part of not only the arts but also our broader culture. It is not only an activity that brings social rewards it also brings financial rewards, and all of those propositions are incredibly financially successful.

I note that Mr Elbourne is looking forward to meeting with venues and players in the industry in South Australia over the next few months. I would also draw Mr Elbourne's attention to the fine work of Ianto Ware in this area, not only in his previous role with Renew Adelaide but also as part of Urtext and then Format and the Format Festival, and also Mr John Wardle who has been instrumental in the Raise the Bar campaign in New South Wales and has had some input here. I thank both of those men for their input into not only this bill but my understanding of this sector.

Yet here in South Australia while we are announcing a live music Thinker in Residence and we are hearing from the government that we are going to see (perhaps) small bar licences introduced in the near future, we have culture cops policing what entertainment there is in licensed premises in this state; that is, police and monitoring time, funded by our government, spent monitoring what happens in terms of entertainment and live music on licensed premises in this state. In many cases that is an incredible waste of public resources and a punitive approach that not only kills creativity but punishes small business and discriminates arbitrarily. Perhaps this act

contains provisions around the monitoring of entertainment for all good intentions, but in practice it is being applied very oddly.

I draw members' attention to some conditions that currently exist in liquor licences in our state. The Elephant, near Cinema Place, has a special circumstances licence, No. 51203075. Clause 3 of that particular licence states that any live entertainment provided on the licensed premises shall be appropriate to and compatible with the operation of a themed Irish Bar or British Pub.

The Hon. M. Parnell: To be sure, to be sure.

The Hon. T.A. FRANKS: To be sure, to be sure. Clause 6 goes on to state that the premises shall not be used as a nightclub, discotheque, rock band venue or similar, while clause 13 adds that entertainment shall not include any disc jockey activity.

Cibo Espresso's special circumstances licence (51201950) states that at no time shall there be any blues, heavy metal or grunge bands nor any bands which rely on amplified musical instruments. At Purplez, the special circumstances licence (51204225) states in clause 8 that no live entertainment will be played on a Monday and Tuesday. Clause 9 states that any live entertainment played on a Wednesday will be limited to solo, duets or one and two-piece bands. I am not quite sure how that is different to solo or duets but I will not quibble on that point.

Clause 18 states that the licensee shall always advertise/promote the venue as 'an over 30s venue'. I note the incorrect use of an apostrophe in that clause. The licensee shall not advertise/promote or conduct the premises as a rock band or heavy metal venue. Of course, one would know that if you are over 30 you are probably not really into heavy metal anymore, although there may be exceptions.

Members interjecting:

The Hon. T.A. FRANKS: Actually I have been quickly corrected by members in this chamber who surprisingly are in the majority over thirty. Foxy's Lady has a special circumstances licence (51201031) which states that there be no musical entertainment on the vessel other than a guitarist/vocalist entertaining without the use of any amplification and background music and that there be no music, amplified sound or other sounds as to cause loud, continuous or repeated noise or so as to cause a nuisance to persons residing within the vicinity of the operation of the vessel or to persons being carried on the vessel.

We have licence conditions in this state which dictate that something must be themed as an Irish bar or British pub in terms of the entertainment that would provide. I defy anyone to say without a skerrick of doubt what exactly that particular type of entertainment could, should or would include. Why do we specifically have a clause about grunge music and not acid jazz or art rock or folk rock? I wonder at what point something becomes grunge. Why is a Monday or a Tuesday any different to a Wednesday, and what happens if you do not have the exact configuration and somebody calls in sick that day? Are you allowed to go on with what you thought was going to be a two-piece band but is now a solo artist?

You might think that I am being facetious raising these issues. However, in 2008 one venue was in fact prosecuted in court for not playing folk music as was defined and specified in its licence. That venue was found guilty of this charge because it was contended that the music it was playing in its venue was not folk music. Again, I would say that given 'folk' means 'people' one could argue that the definition of folk music could be very broad indeed.

Another venue that I am aware of is currently before the courts because its licence specifically precludes any of its live performances from being advertised. You may be surprised to find that a lot of venues have in their licence conditions that they are allowed to provide live performance but have an addition into those conditions in their licence that they are not allowed to advertise that they have live performances.

This particular venue has had issues initially with it not being allowed to have any posters outside its venue or in its window and it is specifically being prosecuted through the courts after the police have monitored its Facebook page for a good four months over the summer break for not overtly advertising its live performances but in fact for saying words to the effect that it had a jazzy fusion of entertainment—not even citing the particular band that was playing or the performers who were playing that they are allowed to have playing there, but just alluding to the fact that there might be some music in that venue while you ate your meal and had a drink.

I think this is ludicrous. I think this is a waste of our state's resources. I would say that they are scarce public resources and they are being wasted on what I have called 'culture cops'. They are indeed being prosecuted. Licensees inform me—and I am sure that they will inform our new Thinker-in-Residence—that when one goes to get a licence and one does wish to engage in entertainment on the premises, those potential licensees, small businesses, come up against what is an archaic bureaucratic system which dictates taste.

I would also note that a television screen greater than two metres by two metres actually falls into the definition of entertainment, but a television screen under two metres by two metres does not. One would say that while in fact that clause about grunge music may have had some relevance (although I would not think it was a valid clause in the first place in the 1990s when Kurt Cobain—

An honourable member: Grunge is not dead.

The Hon. T.A. FRANKS: Grunge is not dead, I am informed, but I am pretty sure that most bands starting out today are not playing grunge. Certainly, live music is an ever evolving form and there are several hundred types of bands, categories and genres listed on the Music SA website alone.

I draw the attention of the government to this particular issue. I thank Raise the Bar for drawing it to my attention. I know that there is overall reform going on in this area, but this particular issue has come up time and time again in public forums, in correspondence and in conversations that I have had as one of the real sticking points. I understand that there is some history about why it exists and that we used to in fact have a cabaret licence many decades ago.

We do have an entertainment venue licence category and I would point out to all members that that will not be affected by this. We are talking about other areas, where licensees provide entertainment but have to obtain entertainment consent. This bill before us would ensure that that entertainment consent was not necessary unless, as is outlined in the bill, that entertainment was proscribed entertainment. The two categories that the bill identifies are if a venue wants to provide adult entertainment or a professional and public boxing or martial arts events, which has been defined in the Boxing and Martial Arts Act 2000.

I would note on that that we do not currently have in any other areas of our legislation a definition of adult entertainment. The parliamentary library informs me that the Liquor Licensing Act 1997 allows for licence conditions to prevent offensive behaviour on the licensed premises, including offensive behaviour by persons providing or intending to provide entertainment, whether live or not, on the licensed premises. This will enable conditions to be imposed on licences to ensure that adult entertainment is not offensive to the general public.

Currently, adult entertainment is somewhat caught by this clause, but what is also caught in the net of the super-trawler culture cops is live entertainment, whether that be bands, disc jockeys (so described in the licensee conditions), or anything else interactive. Providing a social experience seems to be something frowned upon. I would put to members that by having a more interactive environment, and by having small venues and small businesses supported in this state, we will actually see some impact on ameliorating the big venues, the faceless venues, and the violence that is fuelled by alcohol in this state. There are many other solutions to that, of course, but this will address that issue while also supporting a vibrant live music industry.

Since we have had poker machines in this state we have seen a live music fund set up (that has remained static in the over a decade since it was set up) to try to ensure that live music continues to thrive in this state. Yet we have seen the absolute community outpouring of support for a venue like The Jade Monkey which has become iconic on what is a dwindling live music scene in this state.

While there has been assistance to help that venue find new premises, The Jade Monkey is actually crowdsourcing a call for financial support through 'Pozible', because it cannot afford to set up in new premises without extra financial support. This is a venue that has run quite successfully for over nine years, that is very popular and well resourced, but does not choose to make its sole profit out of selling alcohol. It does wish to support a live music industry and, to do so, one needs the equipment and facilities and the other provisions around that.

It chooses not to have poker machines, and it chooses not to undertake a practice of getting people to drink as much as possible as quickly as possible, and that is to be commended.

That venue has indicated that it is having difficulties, having been put in a position where it will have to change venues with the onerous requirements that will now be put upon it.

The Jade Monkey is just one of many. As I have said, there is a venue going through the courts because, while the venue is allowed to provide live music, it is not allowed to advertise that it provides live music, not even on its Facebook page—and the police have put many months of work into prosecuting that venue. My bill goes to stopping that practice—I personally think that it a bureaucracy gone mad—and ensuring that venues that are abiding by the law and doing the right thing would not have the culture cops on their back.

The bill continues to ensure that complaint-based mechanisms about noise and excessive noise would remain in the act. Should venues be providing adult entertainment, there would be necessary constraints around that. In my consultations with the AHA, many venues that do provide that sort of entertainment certainly have conditions imposed upon them, in that they have to advertise that that is the case, they have to provide suitable warnings that minors cannot be on the premises and so on, and that would continue as it currently does.

However, as I have said, we would not have our state authorities going around to check whether or not someone was playing folk music, grunge music, heavy metal or otherwise. It is a common-sense bill. It is a small bill, but I think it would have a profound impact. I indicate that there are many members who are working on this issue, and it is far broader than simply this particular clause in this bill, although this bill would have a profound and almost immediate impact should it be implemented. With those words, I commend the bill to the house.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

FISHING SUPER TRAWLER

The Hon. M. PARNELL (17:07): I move:

That this council:

1. notes the growing community concern and disquiet over the arrival in Port Lincoln of the super trawler, FV *Margiris*, to operate in Australian waters to fish the Small Pelagic Fishery;
2. expresses concern about the potential impact on local fisheries of the current quota of 18,000 tonnes for the Small Pelagic Fishery;
3. recognises the need for a balanced approach between the needs of a sustainable commercial fishing industry, access for recreational fishers and appropriate marine conservation outcomes;
4. notes that the government has written to Senator Ludwig, federal Minister for Agriculture, Fisheries and Forestry, to advise him that the South Australian government does not support the FV *Margiris* operating in South Australian waters or in commonwealth waters around South Australia; and
5. endorses that move and urges the federal government to prevent the FV *Margiris* from operating in Australian waters.

This motion, as members may already be aware, is very similar to one which was moved by the Australian Greens in the Tasmanian parliament, which was supported by all parties. I hope that this motion will be similarly supported by all parties and Independents in this parliament. What is probably also quite clear by now is that the question of the appropriate management and use of our marine resources is now a national debate, and it has brought into question the adequacy of our environmental and natural resource management laws. That debate is timely because, if we get it wrong, our economy and our environment will suffer.

The Dutch-owned FV *Margiris* is the second biggest fishing boat ever built. Super trawlers such as the *Margiris* are a combination of fishing vessel, fish processing factory and floating freezer ship. Super trawlers pull enormous nets up to 600 metres long, with an opening of up to 200 metres across. I note that, in the media, people have tried to visualise what that means, usually by reference to how many jumbo jets would fit inside the net. As I understand it, they are not fishing for jumbo jets; they are fishing for smaller fish. But I have seen estimates ranging from four to 17 of these jets fitting within the net; it is a very big net.

Once the fish are caught, they are sucked up on board via a huge vacuum hose, and the bycatch is then discarded. The fish are then frozen and stored on board. This method enables boats like the *Margiris* to stay at sea for long periods, fishing and storing hundreds of thousands of tonnes of fish each year. To put it into context, this boat is more than twice the size of the biggest fishing vessel ever used in Australian waters.

Part of the reason for concern in the community is the experience of this vessel and vessels like it overseas. David Ritter, the CEO of Greenpeace Australia Pacific, wrote an opinion piece in the *Sydney Morning Herald* on 31 August, and he described it like this:

> The basic problem is that there is too much capacity in the global fishing fleet. According to the World Bank, the global fleet is 2½ times what the oceans can sustain. The situation in Europe is even worse. And, with European stocks of fishing running out, the biggest and worst of Europe's fleet—boats like the *Margiris*—have gone in search of other fishing grounds.
>
> The seas off the west coast of Africa have been among the hardest hit. Earlier this year, the West African nation of Senegal went to the polls. Among the usual big issues there was an unexpected topic running hot with voters: super trawlers. In May, the newly elected government of Senegal acted decisively, kicking out the super trawlers and demanding they empty their catches in the capital, Dakar. Local Senegalese fishermen have reported a surge in their catches since this action was taken.

We need also to consider why this boat is in South Australia. The Tasmanian fishing company SeafishTasmania, in joint venture with the trawler's Dutch owners, was planning to base the super trawler in Devonport in its quest for fishing rights for jack mackerel and red bait. It now looks like the boat is likely to be based in Port Lincoln where it has been warmly received by that city's tuna barons.

Had it gone to Devonport it would have been subjected to a considerable amount of protest, particularly from recreational fishers who had threatened to blockade the port. Members might have heard the ABC Radio National Background Briefing program which featured a large number of very angry recreational fishers who were concerned that the extraction of large quantities of small fish from their seas would in fact have an impact on their ability to catch bigger fish.

It is also significant that the Tasmanian parliament, as I said, passed the Greens' motion calling for the ship to be banned. According to SeafishTasmania's Director, Gerry Geen, that resolution indicated that Tasmania was 'not particularly inviting us to use their Tasmanian ports'. There were also plans for protests in Fremantle, which was fully expected to be the first port of call, and the Greens were very involved with local community efforts, including supporting recreational and commercial fishers, to make their displeasure known if the ship landed in Fremantle.

The latest information is that the ship will be notionally registered in Brisbane, but that does not mean that it will be based in Brisbane and in fact it may not even visit Brisbane. Ironically, the fish that are proposed to be caught by the *Margiris* in Australian waters may well be exported to West Africa. However, I think that there is also a reasonable chance that the tuna feedlot industry in Port Lincoln has its eyes on these thousands of tonnes of small fish as potential cheap feed for their caged tuna. One of the biggest costs of the tuna feedlot industry is the cost of feed, which explains, I think, why the tuna barons at Port Lincoln have rolled out the red carpet for the *Margiris* while other Australian port towns are promising protest and disruption.

One of the main issues of concern for local communities, and especially fishing communities, is that of local depletion of small fish stocks. The way in which the quota system is set is that there is a tonnage allocated but the area in which that tonnage can be harvested is absolutely massive. What that means is that if they have the capacity to do so then fishing vessels will catch their quota in a shorter period of time and probably as close to port as they can manage.

The idea of local depletion of small fish is one that is very worrying to other commercial fishers and to recreational fishers, and you only need to contrast the potential impact of, say, 10 boats catching the same quota in 10 different areas compared to this one boat catching it in one location. Probably the main area of concern, and certainly that which is featured in the full page advertisements that we have seen in *The Australian*, for example, recently, is this notion of bycatch.

Now, 'bycatch' is a very quaint term. It is, in fact, a slightly nicer way to describe what is in reality the indiscriminate mass slaughter of important higher-order species, including protected seals and sea lions, dolphins, rays and a range of seabirds, including penguins. What we have seen in the last day or so, especially from the federal government, are statements that the operations of the *Margiris* may be suspended if it kills too many dolphins and seals. That in itself is a shocking admission: that as far as federal authorities are concerned it is a foregone conclusion that dolphins and seals will be killed.

One analysis I read recently about the newly imposed conditions is that, if there are 10 seal deaths in 24 hours, then the *Margiris* must suspend where it is fishing and move 50 nautical miles away. That is quite remarkable when you think about it: that you are allowed to kill 10 seals every

50 miles. You have to put that into context. If recreational fishers were killing 10 seals or dolphins or whatever, all hell would break loose.

It just goes to show how hypocritical it is that the standard that would apply to all other Australians or South Australians does not apply. They accept as an inevitable consequence of this activity that a certain number of protected animals will be killed. It is a similar hypocrisy to that which applied to the tuna feedlot industry, which was the single biggest killer of dolphins at Port Lincoln, with at least 22 recorded killed in the predator nets surrounding the tuna cages.

I will move on briefly to the federal government's role. Certainly, the federal environment minister, Tony Burke, has been in the media and said the following:

> Under national environmental law I don't have the power to block it altogether. What I do have is the legal power to impose a number of restrictions on it based on the impact it can have, not on the fish that it's targeting but on the bycatch—the seals, the dolphins, the fish that are protected and listed and I have responsibility for.

Again that draws our attention to the complete inadequacy of our commonwealth environmental laws, that the minister is only allowed to pay attention to things that have reached the pinnacle of conservation by being included on endangered species lists or on lists of species where we have treaties with other countries. The vast bulk of the natural environment is of no interest or concern legally to the federal environment minister. That is certainly a situation that I know the conservation groups are working on at the moment as the commonwealth environmental laws are being reviewed.

Minister Burke is proposing certain conditions that will need to be complied with and conditions in relation to observers on the boat and underwater cameras. We know that bycatch is inevitable, and I do not believe that their untried methods will eliminate it. In fact, at the most generous level they try to claim that the bycatch represents only 1 per cent of the total catch. I do not believe that a ship of this size, with these size nets, will catch 99 per cent of exactly the species they are after and only 1 per cent of other creatures.

It just beggars belief that that is in fact the statistic. Let's say for one minute that we think it is correct. That means that 180 tonnes of seals, sea lions, stingrays and all manner of other fish—18 10-tonne trucks—is the bycatch, and that is if you accept that the bycatch rate is 1 per cent, which I do not. So, we are talking massive quantities of sea life that will perish as a result of this ship's activities.

I will briefly mention the quota, as it also has been in the media a bit lately. The amount of fish proposed to be caught by the *Margiris* in the Small Pelagic Fishery is 18,000 tonnes. This figure ostensibly has been set using science, including assessments of the available biomass in the oceans. However, scientists and others in the community are starting to question the basis on which the quota was set, and just this week the Tasmanian parliament has been considering evidence put forward by the Greens following an analysis by Dr Andrew Wadsley of Australian Risk Audit, who found that the estimates of fish stocks were unreliable and based incorrect data, and that therefore the quota was unreliable.

In fact, if you just go to the Australian Fisheries Management Authority website and look at the small pelagic fishery page, you will find that they themselves admit they do not know, with any certainty, how many fish are out there. They do not know the biomass of some of these species, including species in the part of that fishery off the South Australian coast.

I will also mention, in relation to quota, that where I think the real action lies will be in the federal parliament next week, and the Senate in particular, where my colleague Senator Peter Whish-Wilson—who might be a new name to some people; he is the senator who replaced Dr Bob Brown on his retirement—has moved for the quota to be disallowed when parliament resumes. As I understand it, there is also an Ombudsman's inquiry underway into how the quota was set.

I want to finish by making an observation about the proposed name change for this vessel. The Dutch owners of the *Margiris* have decided to rename the ship the *Abel Tasman*, in honour of the 17th century Dutch explorer Abel Tasman. However, I do not think people will be fooled by a simple name change; giving the ship a name with a more Australian feel does not imply Australian support for what this ship proposes to do. My Green parliamentary colleague in the Tasmanian parliament, Kim Booth, put it like this:

> Calling the vessel *Abel Tasman* would just be adding insult to injury for the hundreds of thousands of Tasmanians for whom that name has a deep connection and significance...Just as a leopard cannot change its spots, this cynical use of Tasmania's namesake is...shameless spin.

I thought I might reflect a little bit more on Abel Tasman and who he was. We know about his exploring activities, but in May 1648, after most of his exploring days were done, Tasman was put in charge of the Dutch expedition sent to Manila to try to intercept and loot Spanish silver ships that were coming from America. Apparently he had no success, and he returned to Batavia in January 1649. So Abel Tasman has previous form in plunder, loot and pillage, and our job is to make sure that the current incarnation of that name is equally unsuccessful and that it goes back to where it came from.

Lest any members begin to feel too nostalgic about those swashbuckling days on the high seas, it is worth adding just one more Abel Tasman anecdote. In November 1649 he was charged and found guilty of having, in the previous year, hanged one of his men without trial. He was suspended from his office of commander, fined and made to pay compensation to the relatives of the sailor.

If the FV *Margiris* is allowed to plunder our seas with the approval of commonwealth authorities there will not be any compensation paid to those whose livelihoods or recreational activities are affected. There certainly will not be any compensation for the loss of the non-target species, including dolphins, seals and penguins. I urge all honourable members to support this motion.

Honourable members: Hear, hear!

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

ELECTRICITY INDUSTRY SUPERANNUATION SCHEME

The Hon. R.I. LUCAS (17:23): I move:

That this council:

1. notes general community concern regarding the Electricity Industry Superannuation Scheme (EISS) and the set of documents providing the basis of that concern provided to members of parliament by the organisation SA Superannuants and Mr Richard Vear, a pensioner of EISS;
2. refers the following matters to the Ombudsman, pursuant to Section 14 of the Ombudsman Act 1972 for investigation and report:
   - (a) determine whether or not the method used to calculate EISS taxed-source pensions is designed to reduce employer costs for those pensions compared to what the cost would be if the pensions continued as untaxed-source pensions; and
   - (b) if it is a method designed to reduce employer costs, determine:
     - (i) whether or not the EISS Board and the Department of Treasury and Finance knew this, or ought to have known this, at the time the rule was authorized for use;
     - (ii) whether or not, since the time of the rule's authorization, the EISS Board and the Department of Treasury and Finance have dealt honestly with the representations being made to them about the validity of the rule; and
     - (iii) whether or not it is a method that complies with the Electricity Corporations Act 1994 (as modified by the Electricity Corporation (Restructuring and Disposal) Act 1999) and the Heads of Government Agreement on Superannuation;
   - (c) if the method does not comply with the Electricity Corporations Act 1994 (as modified by the Electricity Corporation (Restructuring and Disposal) Act 1999) recommend a method for calculating taxed-source pensions that does comply with that act and with the Heads of Government Agreement on Superannuation;
   - (d) review the Mercer Strategy reports (Review of Taxation Status of the SA Government Superannuation Funds) of 1998 and 2004, commissioned by the Department of Treasury and Finance and determine whether or not these strategy reports underpin the method of reducing EISS pension benefits to its members, as it has been applied since July 2002:
     - (i) in this matter include a review of the decision to provide the Crown Solicitor with a copy of the 2002 Mercer Explanatory Memorandum on EISS rule changes, but not copies of the 1998 and 2004 Mercer Reports on Taxation Status of SA Government Superannuation Funds. This advice was sought on the legality of the EISS pension reduction method, due to a request from the EISS Trustees, to the Treasurer Hon K. Foley.
     - (ii) in this matter, review also the advice given to the Minister for Finance that the 1998 and 2004 Mercer reports were only relevant to the State Pension

Scheme and its possible transfer to the taxed superannuation environment but not to the transfer of the EISS pensions, from the untaxed arrangements that applied to the ETSA Superannuation Schemes, prior to privatisation.

(e) review the EISS submission, dated 4th August 2006, made as part of the 2006 public consultation process conducted by the Federal Government on its 'Plan to simplify and streamline superannuation' to determine if:

(i) this submission shows that the EISS Trustee was aware, or should have been aware, that its pension reduction method had been designed to reduce employer costs for taxed-source pensions below that for untaxed-source pensions and deliver an advantage to employers.

(ii) the EISS Trustees' changes to its 'Taxation Rules' 29 to 31 that became effective in July 2007 were made to ensure that employers continued to receive an advantage at the expense of EISS pension division members.

(f) review the appropriateness of allowing the organisation, Mercer, to continue for so long as the sole provider of actuarial advice to EISS and the Department of Treasury and Finance on the matter of transferring untaxed funds into the taxed superannuation environment, when Mercer had compared the rights of fund members and employers in such a transfer by saying, on page 63 of its 1998 report:

'The government may need to cope with demands from members of the pension scheme that they, as well as the Government, should share in the gains achieved. An important part of the response would be that these people are still members of schemes, which have been closed because of their generosity, and yet their benefits have been continued. Thus they should have little to complain about if the advantage of applying the PJFC [pre-July 1988 Funding Credit] is not passed through to them, so long as they are not detrimentally affected. A critical point is that the benefit reductions should be such as to remove the windfall gains, but not to the extent of causing detriment to any members'; and

(g) any other relevant matter.

Members interjecting:

The Hon. R.I. LUCAS: As some members, by way of interjection, have noted, this is a very lengthy and detailed notice of motion which I do not propose to repeat for the *Hansard* record. There is a debate that continues in the parliament on the Statutes Amendment and Repeal (Superannuation) Bill 2012. That debate has concluded in the House of Assembly and is now with the Legislative Council. I am indebted to my colleague, the member for Davenport, who has had carriage of the bill and who, in a most comprehensive way for those avid readers of *Hansard*, in May of this year outlined the Liberal Party's position on the bill, which I do not intend to repeat.

More importantly, he outlined a very detailed statement of the concerns of a small number of persons potentially impacted by aspects of the legislation. As all members in the Legislative Council, I am sure, will be aware, a number of those persons (Mr Ray Hickman, Mr Richard Vear, and a number of others) have been active in lobbying members in relation to aspects of both the superannuation bill and the subject of this particular motion that I am moving on behalf of the Liberal Party but which has been negotiated by my colleague the member for Davenport.

Perhaps to put it as simply as I can, this small group of persons has argued that the EISS (Electricity Industry Superannuation Scheme) tax-sourced pensions were being calculated by a method, in their view, designed to reduce the cost to their employers, when the relevant act (Electricity Corporations Act 1994) required that the method go no further than avoid or reduce an increase in employer costs. Their concerns are much more comprehensive and detailed than that, but that is a critical part of the difference of opinion that has gone on for some considerable period of time between these persons acting on behalf of Electricity Industry Superannuation Scheme members and the current government, a couple of treasurers and those within Treasury who advise the treasurers; and that disagreement continues until this particular point.

In the debate in the House of Assembly, there seemed to be the basis of almost an agreement, and that was that, the member for Davenport having read out all of the concerns, the Minister for Finance indicated that he would agree to an independent review of the questions being raised by the member for Davenport on behalf of the EISS members and that he and the Minister for Finance would ensure that the independent review was undertaken and that he would determine the terms of reference for that review on the basis of the matters raised by the member for Davenport both in his letters and in the course of the debate this morning.

What then ensued was that the Minister for Finance outlined a proposed independent review, the actuary being proposed by the Minister for Finance was opposed by the EISS members and some of the proposed terms of reference were opposed by the EISS members as well. What ensued then was a detailed negotiation and discussion between the member for Davenport and the EISS members and that is what we essentially have before us now; that is, rather than just having the independent review that was to be established by an actuary who the Minister for Finance had nominated, the proposal that is before this chamber is now to seek an independent inquiry by the Ombudsman. As I said, the terms of reference, if this house approves it, are quite detailed and cover all the issues that the EISS members would wish to see canvassed by an independent inquiry.

Can I say at the outset that I make no specific comment in relation to the particular actuary who the Minister for Finance had nominated. I do not wish to be associated with any particular criticism of that particular individual. I think in fact that the particular individual may well be an acquaintance of mine from 20 or 30 years ago from Mount Gambier High School. He is a well known and respected actuary. As I said, I do not wish to be associated publicly with any criticism of that particular individual. Nevertheless, the EISS asked members for their own reasons and they essentially relate to what they believe to be a conflict of interest, and that person had given advice in relation to these schemes some years ago. That is why this council is now being asked to consider an Ombudsman's inquiry into these issues.

I also indicate, in moving this particular motion, that I do not wish to go through all of the details because they are really quite complicated and complex. They are well understood by the EISS members. The member for Davenport has worked very hard in terms of understanding the detail of the concerns, but I do not believe it is essential for this council to go through the detailed argument at this stage.

It is essentially a simple principle that these EISS members, acting on their own behalf and on behalf of members, had considerable expertise in relation to this because they pursued this issue for many years. They have a disagreement with the government and the government's advisers. The principle we are being asked to support (potentially) is what is an appropriate process to try to establish in an acceptable way the difference of opinion.

I think an Ombudsman's inquiry, and certainly this is the proposal from the member for Davenport, is an appropriate process to go through. I am interested to see the results of an independent inquiry, independent to the degree that everyone on all sides can accept that it is independent so that ultimately when it comes back and if it finds against the EISS members in some respect, or in a number of respects, then the understanding we have is that they will be prepared to accept the independent umpire's decision.

I think that is an important part of a resolution of this quite difficult issue, that they have respect for the independent umpire. If the independent umpire finds against them on the complicated case they have put then I hope they will accept the independent umpire's decision. I hope that is the case, if it goes down that particular path. Equally, I would hope the government, if there is an independent inquiry, would accept the independent umpire's decision as well.

In concluding my remarks, in a lot of the correspondence members have received on this particular issue there is quite specific criticism of a senior government officer who has provided advice to the government over a period of time. The correspondence does not mention the name of the individual and I am not going to mention the name of the individual. I think we all know to whom they are referring, but I can only speak on behalf of my colleagues on this side of the political fence.

I have certainly had some dealings with him, as a former treasurer. I hold the person in high regard. I certainly hold his corporate knowledge and expertise on the issue of superannuation in very high regard. He is not often, if ever, wrong in relation to superannuation issues, but I hasten to say that no-one is infallible. No-one can claim 100 per cent accuracy on every issue. As I said, on behalf of the member for Davenport and the Liberal Party in moving this particular motion, I in no way would want this to be interpreted as any criticism, direct or indirect, of that senior officer who has advised the Treasurer, the Minister for Finance and the government on this complicated and complex issue. With that, I urge members of this chamber to support this motion which, as I said, is a vehicle to try to resolve what is a difficult process and a disagreement between the EISS members and the Treasurer, the Minister for Finance and the government.

Debate adjourned on motion of Hon. B.V. Finnigan.

COMMUNITY SAFETY AND EMERGENCY SERVICES

The Hon. R.L. BROKENSHIRE (17:35): By leave, I move my motion in an amended form:

1. That a Select Committee of the Legislative Council be established to inquire into and report on community safety and emergency services in South Australia, including:
   - (a) The status of funding, resources and policy initiatives for community safety and emergency services in South Australia, viz:
     - (i) the South Australia Police;
     - (ii) the SA Ambulance Service;
     - (iii) the Country Fire Service;
     - (iv) the State Emergency Service;
     - (v) the Volunteer Marine Rescue;
     - (vi) the Metropolitan Fire Service;
     - (vii) the South Australian Fire and Emergency Services Commission; and
     - (viii) the rescue components of—
     - (ix) Surf Life Saving South Australia (SLSSA);
     - (x) South Australia Police Rescue; and
     - (xi) the State Rescue Helicopter Service.
   - (b) The process leading up to the creation of the new Community Safety Directorate and analysis of the structure and operations of the directorate;
   - (c) The historical and current adequacy of the Emergency Services Levy to meet emergency services funding and resource requirements;
   - (d) The accuracy and adequacy of crime statistics and other key performance indicators as a measure of community safety perceptions and realities; and
   - (e) Any other related matter.
2. That standing order No. 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order No. 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

This motion is broader than the original motion due in part to further research on the motion revealing the crossover in community safety and emergency services issues but also the difficulty in comparing budgets over the last 10 years, given much of the emergency services function was contained within the global budget for the overarching department, and that is true to an extent today. Concerns have been raised with me by workers at the coalface upwards about funding of services, not just for emergencies but for community safety.

I am going to be brief at this point in time because I will wait and summarise in detail what my colleagues have to say with respect to the motion that I am putting up, which I hope to put to a vote in early October. I say at this point in time that we have seen police budget cuts and delays in recruitment, we have this new Community Safety Directorate which several people in key positions have indicated to me they have concerns over with respect to its formation.

Crime stats are an issue, too, that we need to have a look at. Many people say they are not reporting crime and we need to establish just what the facts are around crime and then the funding of the emergency services levy and what is clearly a relative funding shortfall in many of the emergency services that I am sure all colleagues have had representation on from some of those services.

In conclusion, I know that we have had a lot of select committees and that it is a busy workload for all members in this chamber. We have been able to clear up a few select committees recently and I am advised by some colleagues that there are others that are close to being completed. I think this is an important select committee, particularly before the review of the act and given the time since the emergency services levy came into being and where we are today. I

commend the motion to the house and I look forward to summarising further details with respect to the motion after colleagues have had contribution to the debate prior to it being put to a vote.

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

ADELAIDE UNITED FOOTBALL CLUB

The Hon. T.J. STEPHENS (17:42): I move:

That this council—

1. Recognises—
   (a) That Adelaide United Football Club represents Adelaide and South Australia in a national sporting competition;
   (b) That Adelaide United Football Club represents Adelaide and South Australia in an international sporting competition outside of our national league;
   (c) The social, health and economic benefits that Adelaide United Football Club contribute to our State; and
2. Condemns the State Labor Government for its current lack of support for Adelaide United Football Club.

I thank the Greens for their support to date on this motion. The crux of this motion is its second part, that the government has harmed and is harming the Adelaide United Football Club through failing to assist the club to the best of its ability. The government owns Hindmarsh Stadium and, rather than assist the club by giving it the most amenable deal justifiable in business terms, as it has facilitated for the state's Australian Football League sides, the government continues to draw as much money as it can from this mighty club, a club that has had a reasonable measure of success in its very short history.

While unfortunately there is no A-League championship to its name, Adelaide United has had more exposure to the world than any other A-League club through its efforts in the Asian Champions League and the Club World Cup. No other A-League club has reached these heights and despite these herculean efforts the club is still in precarious financial straits, forever reliant on a select few honourable gentleman on the board of management.

There are two gentlemen in particular to which the club, every Adelaide United fan and the government owe a debt of gratitude. They are Messrs Greg Griffin and Robert Gerard AO. It seems somewhat ironic that the government is unwilling to assist or even compromise with the Adelaide United Football Club board, given that, without the efforts and investments of these few, the government would not be able to profit from having a professional soccer team play at Hindmarsh Stadium.

Instead of thanking these gentlemen for keeping A-League soccer alive in this state, the government, by doing nothing, is making it increasingly difficult for the football club to prosper. A better stadium deal, in line with what many other football codes have with the proprietors of their respective stadia, has been sought by the management board, but the government refuses to come to the table.

I ask the Minister for Recreation and Sport to engage the football club in discussion regarding a more equitable deal for Adelaide United. Is it right for the government to profit from this football club while it struggles financially? If anything, the government should be doing its utmost to foster and encourage the financial and on-field success of the football club because by doing so it could actually work to the government's benefit.

The government is currently facing a crisis regarding the future financial and economic direction of the state and in its own budget. Without the predicted mining boom, the government is now turning to other sectors, such as food and tourism. In fact, the government has stated that it wishes to turn South Australia into Asia's food bowl. It appears obvious to me and to many that a key way to tap into the Asian market would be via soccer, one of our true links to Asia.

Football Federation Australia is a member of the Asian Football Confederation and, as a result, the A-League sends its top three sides to the AFC Champions League to play sides from some of the densest television markets in the world, namely, China, Japan and South Korea. Adelaide United Football Club has appeared more often than any other A-League club in Asia and it has had the most success. United reached the heights of the Asian Champions League final in 2008, making it to the Club World Cup and narrowly missing a play-off against the great

Manchester United. These are now opportunities lost by the government—opportunities to market South Australia and its jewels.

During the Asian Champions League campaign why isn't the government or the SATC, given it is a statutory authority separate to government, according to the honourable minister opposite, buying advertising space and promoting heavily during these matches? Before we scream, 'Where is the money going to come from?', I point out to the government that, rather than spending $2 million telling South Australians that there is a problem with the Murray, why not spend some of that money creating opportunity and jobs in South Australia by heavily promoting this football club throughout Asia?

It beggars belief that any South Australian does not understand that we have a problem with the Murray, yet we are using money that could well be creating jobs in tourism and certainly promoting fantastic brands of wine and food into Asia. Even the words 'Explore South Australia' or 'Explore Kangaroo Island' on the front of the Reds' playing shirt during matches would reap rewards for tourism in this state.

During Adelaide United's 2010 Champion League's campaign, it faced Shandong Luneng, which represents the Chinese province of Shandong, a province with a population of 96 million people. The television audience of the match-up between these two clubs was 30 million people. This is almost 1½ times the population of our entire country watching one soccer match. The exposure that Adelaide United receives in Asia is unparalleled.

The last Champions League match against Nagoya Grampus, a Japanese side based in Tokyo, attracted a live free-to-air television audience of 25 million in Tokyo alone. Once replays, pay TV and the rest of Asia are added to this figure, the mind boggles at the number of people exposed to Adelaide United and to an attached advertisement. If only a tenth of those people watching these two matches googled South Australia, Kangaroo Island or the Barossa, or whichever message the SATC or StudyAdelaide exposed to that television audience, that would be well over five million people.

A vast percentage of Adelaide's international students come from China. Our universities rely on a steady stream of these students paying up-front at a premium in order to subsidise places for local students. StudyAdelaide needs to wake up to this opportunity, which is the responsibility of the perpetually controversial Minister for Education.

This seems rather easy pickings for the government, pickings that the government is apparently not interested in, pickings the honourable Minister for Recreation and Sport has no clue about. The potential and the benefits are obvious. What is the government going to do? It is up to those on that side of the chamber. As much as we would like to, we cannot do anything from opposition but, if we could, the opportunity would no longer be a missed one.

This government needs to stop wasting the time and money of the South Australian taxpayer and do something which will truly be of benefit to the people of South Australia. Get behind Adelaide United, and get behind the opportunity to promote this club and this state throughout Asia, and make sure that those hardworking people who have invested their time, energy and money into what some people would say is a bottomless pit are actually rewarded and acknowledged rather than putting barriers in front of them.

Debate adjourned on motion of Hon. Carmel Zollo.

FORCED ADOPTION APOLOGY

Private Members Business, Orders of the Day No. 25: Hon. T.A. Franks to move:

That this council—

1. Acknowledges that previous parliaments and governments share responsibility for the application of some of the policies and processes that impacted upon unmarried mothers of adopted children, and now apologises to the mothers, their children and the families who were adversely affected by these past adoption practices and expresses its sympathy to those individuals whose interests were poorly served by the policy of those times.

2. Calls on the Premier to move a formal statement of apology in the parliament in relation to—

   (a) past adoption practices for which it is now recognised that, for a significant part of the 20th century, the legal, health and welfare systems and processes then operating in South Australia meant that many pregnant unmarried women were not given the appropriate care and respect that they needed and were sometimes coerced to give up children for adoption; and

(b) processes, such as the immediate removal of the baby following birth preventing bonding with the mother, which are recognised, in many cases, to have caused long-term anguish and suffering for the people affected.

The Hon. T.A. FRANKS (17:49): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

WRONGFUL CONVICTIONS

Private Members Business, Orders of the Day No. 29: Hon. A.M. Bressington to move:

That the Legislative Council acknowledges—

1. That wrongful convictions occur and some are uncorrected by the appellate courts;
2. The accomplishments of the Innocence Project in the United States of America, and of its affiliated organisations worldwide; and
3. The efforts of Australian affiliated innocence projects in raising awareness of wrongful convictions and advocating for those innocents wrongfully convicted.

The Hon. A. BRESSINGTON (17:50): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

INDUSTRIAL RELATIONS COMMISSIONER

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (17:51): I move:

That pursuant to section 34 of the Fair Work Act 1994, the nominee of this council to the panel to consult with the Minister for Industrial Relations regarding the appointment of a commissioner to the Industrial Relations Commission of South Australia be the Hon. R.I. Lucas, MLC.

Motion carried.

EMPLOYEE OMBUDSMAN

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (17:51): I move:

That pursuant to section 58 of the Fair Work Act 1994, the nominee of this council to the panel to consult with the Minister for Industrial Relations regarding the appointment of the Employee Ombudsman be the Hon. R.I. Lucas, MLC.

Motion carried.

TELECOMMUNICATIONS (INTERCEPTION) BILL

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

STATUTES AMENDMENT AND REPEAL (TAFE SA CONSEQUENTIAL PROVISIONS) BILL

The House of Assembly requested that a conference be granted to it in respect of certain amendments to the bill. In the event of a conference being granted, the House of Assembly would be represented at the conference by five managers.

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (17:53): I move:

That a message be sent to the House of Assembly granting a conference, as requested by that house, and that the time and place for holding the same be the Plaza Room on the first floor of the Legislative Council, at the hour of 3.30pm on Wednesday 19 September 2012, and that the Hon. J.S.L. Dawkins, the Hon. G.A. Kandelaars, the Hon. R.I. Lucas, the Hon. T.A. Franks and the mover be the managers on behalf of this council.

The Hon. R.I. LUCAS (17:53): I move an amendment to that motion:

That the Hon. J.A. Darley be substituted for the Hon. T.A. Franks.

As I have explained to the Hon. Ms Franks, and I explain now to members in this chamber, the century-long convention or tradition of this particular chamber is that, going to a conference of managers, the Legislative Council managers are there to represent the position of the Legislative Council. The Legislative Council's position is different from the position of the government. The

House of Assembly managers, as strange as it might seem, which include the member for Unley, are there to argue the government's position.

The practical reality of what goes on in the conference we can leave to the discussions that go on within the conference, but the position is that there is a disagreement between the houses. The government in the House of Assembly has a view and the Legislative Council has a view. The Legislative Council's view on a couple of those amendments is different.

So, the Hon. Mr Wortley and the Hon. Mr Kandelaars, according to the conventions, will be there arguing for the Legislative Council's position, strongly and passionately I would hope, and contrary to the government's position. That is the convention. But the convention is also that, of the five members of the Legislative Council, the position of the Legislative Council, which is a majority position of the Legislative Council, is reflected by majority position on the conference of managers; that is, of the five members, three represent the majority position on the one or two amendments where there is dispute.

The whole bill has gone through and there was not much dispute, but there is a package of amendments that were moved by me on behalf of the Liberal Party and by the Hon. Mr Darley on his own behalf. Those amendments are the subject of the disagreement or dispute, and those amendments are the ones that have to be resolved at the conference. So, the position on the amendments from the Hon. Mr Darley and myself was supported by the majority of the Legislative Council.

The reality of the conventions is that the majority position of the managers, if we put aside the fact that the Hon. Mr Wortley and the Hon. Mr Kandelaars should be supporting the Legislative Council position, is that of those arguing the Legislative Council's position. As I explained to the Hon. Ms Franks, with the greatest of respect, her position is the same is the government's position. The Hon. Ms Franks' position—the Greens' position—is not supporting the Liberal Party amendment or indeed the Hon. Mr Darley's amendment: she is opposing it—she has the same position as you.

As I indicated to the Hon. Ms Franks, if the government wanted the Hon. Ms Franks on the conference, it could have (as has occurred in the past) agreed that one of it is two members (the Hon. Mr Kandelaars, for example) would step aside and the Hon. Ms Franks could be one of the two government members, if that is their wish. The Hon. Mr Wortley has had this explained to him—he is aware of it—and I am not sure why he would now choose to, in essence, seek to breach what has been the long-held conventions and traditions of the council in relation to the conference of managers.

There is no specific affront to the Hon. Ms Franks: I am delighted to see her on a conference of managers if she happens to reflect the majority view or, if she is in the minority view on that particular issue, I am delighted to see her there representing that view, which was the government's position, as one of the two government members. But, the government and the minister cannot just have their way or, if they do, we might as well throw out all the rules in relation to a conference of managers from here on and not worry about the convention.

The Hon. T.A. Franks: We're on your side; you don't have to convince us.

The Hon. R.I. LUCAS: Oh, are you? Okay, sorry. The Hon. Ms Franks has saved me from speaking for another 2½ hours, and I am delighted with that. The Hon. Ms Franks evidently is indicating that she supports the position that I am putting and I will therefore conclude my remarks by saying: let us stick with the conventions of the house and not seek to breach them through this particular motion that has been moved by the minister.

The Hon. R.P. WORTLEY (Minister for Industrial Relations, Minister for State/Local Government Relations) (17:59): In response to the Hon. Mr Lucas, the century-long held conventions that he is speaking about, naturally after a process, will be upheld. Now that the motion to include the Hon. Ms Franks has been moved, if the opposition does not agree with that position they will then use their numbers to ensure that the Hon. Mr Darley will be the person, so the conventions will be upheld.

The position we take strongly is that we do not believe that the way this was done was totally inappropriate. I do not see why it would be when, at the end of the day, we are putting up the Hon. Ms Franks, who I understand is quite happy to support the position of the Hon. Mr Lucas.

The PRESIDENT: The Hon. Ms Franks, I will allow you to have a say now—

The Hon. T.A. FRANKS (17:59): Thank you, Mr President. Given that I have been represented, I would like to present my own position.

The PRESIDENT: The minister has replied, so I suppose, really, that is it.

The Hon. T.A. FRANKS: The Greens indicate that we will support the opposition's amendment to this motion. We see it as a fit and proper process to reflect the majority of the Legislative Council.

The council divided on the amendment:

AYES (12)

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

NOES (5)

Finnigan, B.V.	Gago, G.E.	Gazzola, J.M.
Kandelaars, G.A.	Wortley, R.P. (teller)	

PAIRS (4)

Lee, J.S.	Zollo, C.
Wade, S.G.	Hunter, I.K.

Majority of 7 for the ayes.

Amendment thus carried; motion as amended carried.

CITRUS INDUSTRY (WINDING UP) AMENDMENT BILL

The House of Assembly agreed to the bill without any amendment.

At 18:05 the council adjourned until 6 September 2012 at 14:15.