HOUSE OF ASSEMBLY

Thursday 9 November 2000

The SPEAKER (Hon. J.K.G. Oswald) took the chair at 10.30 a.m. and read prayers.

HEALTH AND COMMUNITY SERVICES COMPLAINTS BILL

Ms STEVENS (Elizabeth) obtained leave and introduced a bill for an act to provide for the making and resolution of complaints against health or community service providers; to make provision in respect of the rights and responsibilities of health and community service users and providers; and for other purposes. Read a first time.

Mr LEWIS: I am not trying to be smart, funny or otherwise, sir; I am just saying to you that I cannot hear what the Clerk is saying. I do not think it is because of the level of conversation in the chamber. I know that what he is saying now is already on the *Notice Paper* but on other occasions I am not clear. It is not a reflection on the Clerk: it is a reflection on this system from that end of the chamber. It cannot be heard from here.

CHAMBER AUDIO SYSTEM

The SPEAKER: I take the point of order and will take the opportunity to bring members up to date in this regard. The technical apparatus with which we work in this chamber is antiquated. We all admit that it is far from being perfect. We regularly have technicians coming in here adjusting it and trying to improve it. You would all be aware that we have a consultant doing some work in connection with an audio-video system for the chamber which includes a substantial upgrade of the audio section, even if the chamber was not to go to video. That consultant's report is due in my hands over the next week or two, and we are hoping that we can proceed with the new audio upgrade with some haste.

We are having to put up with the current system and repair and band-aid it as we go along. It is not a good system and, as I say, the technicians are coming in here regularly trying to keep it going. I can only ask members to try to persevere with it at least until the end of this year. If we do not have a new system installed by next year we will have to spend money on upgrading this current system. However, I am trying to avoid that, knowing that the new system could be in operation next year.

It is problem and I acknowledge it. On occasions even I cannot hear the Clerk from where I sit, and I know that the member is sitting a lot further away from the Clerk than I am. The member for Elizabeth.

Ms STEVENS: I move:

That this bill be now read a second time.

I first introduced this bill on 30 March this year. I re-introduced it out of a sense of determination to follow through on Labor's commitments to health and community service consumers and out of a sense of disappointment at the inaction of this government and this minister.

This bill establishes a health and community services ombudsman whose independence is guaranteed by legislation. The health and community services ombudsman has extensive jurisdiction covering health and community services in the government, non-government and private sectors. This jurisdiction reflects the diversity and complexity of the health and community services sectors and includes nursing homes. The bill confers extensive powers on the health and community services ombudsman to assess, investigate and where appropriate conciliate complaints. The chief purpose of the bill is to seek resolution and remedy.

The role of a health and community services ombudsman is extended to look at the issue of rights and quality standards and complaints more systematically and systemically. The health and community services ombudsman has a role in drafting and monitoring a charter of rights for health and community services. The health and community services ombudsman will also monitor trends in complaint handling and foster and encourage the development of local complaint handling and dispute resolution between providers and consumers.

The health and community services ombudsman will also have the powers to initiate investigations into emerging problems in the service delivery system and therefore will be an important part of fostering safety and quality improvement across health and community services generally.

I now want to speak about determination and disappointment. Over a long period, Labor has been determined and committed to guarantee the rights of South Australians when they use health and community services in this state. As I indicated to the House in March, Labor in the 1980s established the Health Advice and Complaints Office as the first step towards a fully independent health complaints authority. In 1993 at the time of leaving office, the Labor government had prepared draft legislation as well as extensive consultation processes to establish such an authority with extensive powers to investigate and resolve complaints. This process was stopped by the incoming Liberal government.

It was not until 1996 that the then minister, Dr Michael Armitage, finally moved some small resources to the state Ombudsman's Office to establish a health complaints unit. However, this unit is restricted in its jurisdiction to cover only the public sector. Every other state and territory in Australia over this same period had or were moving to create fully independent health complaint authorities under specific legislation with extensive powers over both the public and private health sectors—every other jurisdiction. Such a minimal effort by this government revealed its mean-spirited approach to the rights of South Australians. The consequence of its meanness of spirit was to leave South Australians inadequately protected when they are at their most vulnerable.

In opposition, Labor continued its commitment to health rights. In 1994, 1998 and, again, in March this year we introduced measures to establish a complaints agency with comprehensive jurisdiction. The response from this government was silence, petulance and inaction. But Labor will continue: this is too important an issue to let rest. Politicians are sometimes accused of exaggeration and hyperbole but in this case it is not an over-dramatisation to say that we are dealing with matters of life and death.

I remind the House of my previous comments in March this year when I quoted from the 1999 report of the Expert Advisory Group on Safety and Quality in Australian Health Care, which states:

> The Quality in Australian Health Care Study (Wilson et al 1995) estimated that in Australia 'adverse events' account for 3.3 million bed days per year, of which 1.7 million (that is, about 8 per cent of all bed days) would have been from adverse events that were potentially preventable. The researchers noted that 'as in other

complex systems, such as aviation, adverse events in health care seldom arise from a single human error or the failure of one item of equipment but are usually associated with complex interactions between management, organisational, technical and equipment problems, which not only set the stage for the adverse event but may be the prime cause.

In 1998, with the previous bill, I also said:

These adverse events can range from relatively minor disagreements through to life threatening errors, [and] even death. The causes of such a crises in our health system covers the [full] spectrum from problems with resources, unthinking bureaucratic procedures, poor communication, staff attitudes, inexperience and lack of. . . junior staff. Whatever the cause, none must be tolerated. People's health is too important. The basic principle of health care is, first, to do no harm. Our health professionals and administrators must continue to grapple with improving the quality of their services for the good of their patients and for the good of a community as a whole.

Problems, complaints, threats and risks to health and safety are daily occurrences in health and community services, and we have been hearing so much of this of late. This is not to be alarmist or to imply that service providers are on the whole providing poor quality service. Far from it, I believe—as I have continually stated—that South Australians generally enjoy a good level of service quality thanks largely to the dedication and professionalism of health and community care workers. But no system is perfect: errors and breakdowns do occur.

Without the assurance provided by an independent health and community services ombudsman envisaged in this bill, South Australians remain vulnerable and unprotected. South Australian service providers are also vulnerable without this measure because they are denied access to a powerful independent umpire who can help them resolve disputes with their clients and restore trust and relationships of care. This is what drives Labor's determination to establish a health and community services ombudsman. It is a clear and present need that requires action. It is a clear and present need which this government has had to be dragged kicking and screaming to recognise.

This brings me to the disappointment. In 1998, when I introduced a bill to expand the jurisdiction of the state Ombudsman to include private health, Minister Brown indicated that he would like to adopt a bipartisan approach. What happened: nothing. This year in March, when I first introduced this bill, the minister ignored it in this House and would not respond. The minister belatedly issued a brief press statement saying, essentially, 'Me too: we were going to do that anyway.' Well, all I can say is, 'Where have you been Mr Brown—the time is up?'

During the recess this year the minister's department, the Department of Human Services, released another glossy booklet 'Promoting safety and quality in South Australian hospitals', and a strategic plan for quality development in South Australian hospitals was part of the document. Nowhere is there any reference to consumer complaint systems when it is well known that effective complaint systems and feedback loops are essential for quality improvement.

The member for Heysen in his Address in Reply contribution a few weeks ago indicated on behalf of the government that a Health Complaints Bill is, 'an excellent idea'. For once I can say that he is absolutely right. But what is an excellent idea in October 2000 was also an excellent idea in March 2000. It was also an excellent idea in 1998 and in 1993. Where was this government then? Where has it been for eight long years, when several opportunities have arisen to do exactly this?

By reintroducing this bill, Labor is establishing a benchmark by which the government's attempt can be assessed. For once this parliament will have before it a detailed set of alternative proposals and a possibility of a genuine debate. Labor still believes that the best way to advance this issue is through a bipartisan approach. To date, the government has not shown a similar commitment. Now at least we may soon see its proposals—at least, we expect that we will—following His Excellency the Governor's speech.

If we are to move forward on this issue, we must do so carefully and correctly. Any bill which seeks to protect South Australian consumers must pass several tests. A properly established agency must have the following: it must be rights based; its processes must be transparent and accountable; its jurisdiction must be comprehensive, covering private and public health and community services to reflect modern, complex service provision networks; it must have extensive powers of investigation and conciliation; it must be independent; it must offer protection to complainants and service providers alike; it must have the capacity for speedy and effective interventions with the minimum amount of formality necessary; it must be accessible to all South Australians; it must have the capacity for research and analysis and the ability to conduct systemic reviews when necessary; it must have a broad-based education function for both consumers and service providers; and it must have consultation and involvement mechanisms for consumers and providers to promote dialogue on emerging issues and trends.

Labor's bill passes these tests. We now wait to see whether the government's bill will do so. Either way, the public of South Australia can be assured that Labor will strive to ensure that they finally get the protection they are entitled to as a matter of right. I welcome a response from the government. I hope that there will be one this time. The people of South Australia, the only people in this country not to have this coverage, deserve a response from this government.

I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure may be brought into operation by proclamation.

Clause 3: Interpretation

This clause sets out the definitions required for the purposes of the measure. The measure will apply to community services and health services, as defined. It will be able to exclude classes of service by regulation.

Clause 4: Appointment

There will be a *Health and Community Services Ombudsman* (the 'HCS Ombudsman'), who is to be appointed by the Governor.

Clause 5: Term of office and conditions of appointment

The HCS Ombudsman is to be appointed on conditions determined by the Governor for a term not exceeding 10 years. An appointment may be renewed but a person must not hold the office for more than two consecutive terms. Limitations will be placed on the ability of the Governor to remove the HCS Ombudsman from office.

Clause 6: Remuneration

The HCS Ombudsman will be entitled to remuneration, allowances and expenses determined by the Governor.

Clause 7: Temporary appointments

The Minister will be able to appoint a person to act as the HCS Ombudsman in an appropriate case.

Clause 8: Functions

This clause sets out the functions of the HCS Ombudsman under the Act.

Clause 9: Powers

The HCS Ombudsman will have such powers as are necessary for the performance of the HCS Ombudsman's powers.

Clause 10: Independence

The HCS Ombudsman will act independently, impartially and in the public interest. The HCS Ombudsman will not be subject to Ministerial control.

Clause 11: Committees

It will be possible to establish committees under this clause.

Clause 12: Appointment of conciliators and professional mentors

The HCS Ombudsman will be able to appoint suitable persons as conciliators or professional mentors under the Act. An appointment will be for a term not exceeding three years determined by the HCS Ombudsman, on conditions determined or approved by the Minister.

Clause 13: Staff

The HCS Ombudsman will be assisted by staff assigned by the Minister. The HCS Ombudsman will be able to enter into arrangements for the use of the staff, equipment and facilities of a Department.

Clause 14: Annual report

The HCS Ombudsman will prepare an annual report, which must be tabled in Parliament.

Clause 15: Immunity

A person acting under the Act will not incur any personal liabilities for his or her acts or omissions (except in a case of culpable negligence). The liability will instead attach to the Crown.

Clause 16: Development of Charter

The HCS Ombudsman will be required to develop a draft *Charter of Health and Community Service Rights*. The draft is to be presented to the Minister within 12 months, or such longer period as the Minister may allow.

Clause 17: Review of Charter

The HCS Ombudsman will be able to review the charter, as appropriate (and will be required to do so at the direction of the Minister).

Clause 18: Consultation

The HCS Ombudsman will be required to take steps to achieve a wide range of views when developing or reviewing the charter.

Clause 19: Content of Charter

This clause sets out various principles that must be considered when the HCS Ombudsman is developing or reviewing the charter.

Clause 20: Approval of Charter

The charter will be subject to the approval of the Minister. The charter will be subject to scrutiny by Parliament.

Clause 21: Who may complain

A complaint about a health or community service may be made by a user of the service, someone acting on behalf of the user of the service, a service provider if the service is having to be provided because of the actions of another provider, the Minister, the Chief Executive of the Department, or another person authorised by the HCS Ombudsman in the public interest.

Clause 22: Grounds on which a complaint may be made

This clause sets out the grounds upon which a complaint may be made.

Clause 23: Time within which a complaint may be made

A complaint must be made within two years after the day on which the complainant first had notice of the circumstances giving rise to the complaint unless the HCS Ombudsman is satisfied that it is proper to entertain the complaint in any event.

Clause 24: Further information may be required

The HCS Ombudsman may require a complainant to provide further information or document, or to verify a complaint by statutory declaration.

Clause 25: Assessment

The HCS Ombudsman must assess a complaint within 45 days after receiving it and then refer the complaint to a registration board or other person (if appropriate), refer it to a conciliator under this Act, investigate it, or dismiss it.

Clause 26: Notice of assessment

Notice of a determination on a complaint under clause 25 must be given to the complainant and, unless the complaint is dismissed, to the relevant service provider.

Clause 27: Provision of documents, etc., on referral of complaint

The HCS Ombudsman may hand over documents and information on a referral.

Clause 28: Splitting of complaints

The HCS Ombudsman will be able to split a complaint into two or more complaints in an appropriate case.

Clause 29: Withdrawal of complaint

A complainant may withdraw a complaint at any time. The withdrawal of a complaint under this provision does not necessarily affect the powers of a person or board to whom the matter has been referred.

Clause 30: Function of conciliator

A conciliator will attempt to encourage settlement of the complaint by arranging discussions, assisting in the making of an amicable agreement, and taking other action with a view to resolving the complaint.

Clause 31: Public interest

The HCS Ombudsman and, if necessary, a conciliator, will identify any issues raised by the complaint that involve the public interest.

Clause 32: Representation at conciliation

A party to a conciliation may not be represented by another person unless the HCS Ombudsman is satisfied that the representation is likely to assist substantially in resolving the complaint.

Clause 33: Progress report from conciliator

A conciliator must provide a written progress report to the HCS Ombudsman on request.

Clause 34: Results report from conciliator

A conciliator will provide a written final report to the HCS Ombudsman.

Clause 35: HCS Ombudsman may end conciliation

The HCS Ombudsman may bring a conciliation to an end if he or she considers that the complaint cannot be resolved by conciliation.

Clause 36: Privilege and confidentiality

Anything said in a conciliation is not admissible as evidence in proceedings before a court or tribunal.

Clause 37: Professional mentor

The HCS Ombudsman may appoint a professional mentor to be available to the conciliator to discuss any matter arising in the performance of the conciliator's functions.

Clause 38: Enforceable agreements

An agreement reached through a conciliation process may be made in a binding form.

Clause 39: Matters that may be investigated

The HCS Ombudsman will be able to investigate any matter specified in a written direction of the Minister, a complaint under the Act (or an issue or question arising from a complaint), or any other matter relating to the provision of health and community services in South Australia.

Clause 40: Limitation of powers

The statutory powers of the HCS Ombudsman under this part of the measure may only be exercised for the purposes of an investigation.

Clause 41: Conduct of investigation

An investigation will be conducted in such manner as the HCS Ombudsman thinks fit.

Clause 42: Representation

A person required to appear or to produce documents may be assisted or represented by another person. The HCS Ombudsman may also make a determination about representation of a person to whom an investigation relates.

Clause 43: Use and obtaining of information

The HCS Ombudsman may obtain information or documents relevant to an investigation, or require a person to produce information or documents, or to attend before a specified person.

Clause 44: Power to examine witnesses, etc.

A person may be required to take an oath or affirmation, or to verify any information or document by statutory declaration.

Clause 45: Search powers and warrants

A magistrate will be able, on the application of the HCS Ombudsman, to issue a warrant authorising a person to enter and inspect premises for the purposes of an investigation.

Clause 46: Reimbursement of expenses

A person attending for the purposes of an investigation may claim expenses and allowances allowed by the HCS Ombudsman.

Clause 47: Reference to another authority for investigation

The HCS Ombudsman may refer a matter arising in an investigation to another authority (without limiting any power to investigate further).

Clause 48: Possession of document or other seized item

The HCS Ombudsman may retain documents or things seized under these provisions for such period not exceeding 60 days as may be necessary for the purposes of the investigation.

Clause 49: Privilege

A person is not to be required to provide information or a document that might tend to incriminate a person of an offence. A person is not to be required to provide information privileged on the ground of legal professional privilege.

Clause 50: Reports
The HCS Ombudsman may prepare reports during an investigation, and must prepare a report at the conclusion of an investigation. The HCS Ombudsman may provide copies of a report to such persons as the HCS Ombudsman thinks fit.

Clause 51: Notice of action to providers
If the HCS Ombudsman concludes that a complaint is justified but appears incapable of being resolved, the HCS Ombudsman may make recommendations to the relevant service provider. The service provider must advise the HCS Ombudsman as to the action that he or she is willing to take to remedy any unresolved grievances.

Clause 52: Referral of complaint to HCS Ombudsman
A registration board that receives a grievance that appears to be capable of constituting a complaint under this Act must consult with the HCS Ombudsman and may refer the matter to the HCS Ombudsman under this section.

Clause 53: Action on referred complaints
A registration board that receives a referral from the HCS Ombudsman must investigate the matter.

Clause 54: Action on investigation reports
A registration board must inform the HCS Ombudsman whether it is going to act in relation to a matter raised in a report referred to the board by the HCS Ombudsman.

Clause 55: Information from registration board
A registration board may provide to the HCS Ombudsman information relevant to a complaint.

Clause 56: Information to registration board
A registration board may request the HCS Ombudsman to provide a report on the progress or result of an investigation of a complaint.

Clause 57: Intervention in disciplinary proceedings
The HCS Ombudsman may intervene in disciplinary proceedings before a registration board for a matter arising out of a complaint or an investigation.

Clause 58: Establishment of Council
Clause 59: Conditions of membership
Clause 60: Functions of the Council
Clause 61: Procedure at meetings
Clause 62: Disclosure of interest
These clauses provide for the creation of the *Health and Community Services Advisory Council* to provide advice to the Minister and the HCS Ombudsman in relation to various matters, or to refer matters that, in the opinion of the Council, should be dealt with by the HCS Ombudsman under this Act.

Clause 63: Delegation
The Minister or the HCS Ombudsman may delegate a power or function under the Act to another person.

Clause 64: Adverse comments in reports
The HCS Ombudsman must give a person in relation to whom an adverse comment is to be made in a report (and who is identifiable) a reasonable opportunity to make submissions in relation to the matter before the comment is made unless the HCS Ombudsman is satisfied that such action is inappropriate in accordance with the terms of this provision.

Clause 65: Protection of identity of service user or complainant from service provider
The HCS Ombudsman may withhold revealing to a service provider the identity of a service user or complainant in certain cases.

Clause 66: Preservation of confidentiality
A person involved in the administration of the Act will be prevented from disclosing confidential information, other than as permitted under this clause.

Clause 67: Returns by prescribed providers
Designated health or community service providers will be required to lodge an annual return with the HCS Ombudsman containing specified information.

Clause 68: Offences relating to intimidation
Clause 69: Offences relating to reprisals
Clause 70: Offences relating to obstruction, etc.
Clause 71: Offences relating to the provision of information
These clauses create various special offences for the purposes of the Act.

Clause 72: Protection from civil actions
Various acts in connection with the Act are to be protected from liability.

Clause 73: Informality of procedures
The HCS Ombudsman will have regard to the rules of natural justice when acting under the Act.

Clause 74: Determining reasonableness of health or community service provider's actions
In assessing the reasonableness of the conduct of a health or service provider under the Act, the HCS Ombudsman must have regard to the Charter, principles specified under the Act, and generally accepted standards.

Clause 75: Regulations
The Governor may make regulations for the purposes of the Act.

Clause 76: Transitional provision
A complaint may be dealt with under the Act even though the circumstances arose before the commencement of the Act if the complainant was aware of the circumstances not earlier than two years before the commencement of the Act.

Schedule
The schedule specifies registration boards for the purposes of the Act.

Mr HAMILTON-SMITH secured the adjournment of the debate.

ROAD TRAFFIC (HIGHWAY SPEED LIMIT) AMENDMENT BILL

The Hon. G.M. GUNN (Stuart): I move:

That the Road Traffic (Highway Speed Limit) Amendment Bill be restored to the *Notice Paper* as a lapsed bill pursuant to section 57 of the Constitution Act 1934.

Motion carried.

EDUCATION (COMPULSORY SCHOOL AGE) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 26 October. Page 269.)

The Hon. R.B. SUCH (Fisher): I will make a brief contribution. As members know, both the opposition and government have canvassed this matter in the last few years. We have reached a point where leaving school at the age of 15 is no longer appropriate. I understand that all states within the United States have a minimum leaving age of 16 years and about half the states have a minimum leaving age of 18, and many of the European countries have an even higher leaving age.

Of course, seeking to make young people attend school on a compulsory basis will be flawed if the curriculum and the strategies in the school arena are not adjusted accordingly. New Zealand has gone down the path of raising the school leaving age and, whilst it has worked in general terms, it has created some problems, because you have young people at school, conscripted, who do not wish to be there. The way in which to address that, of course, is to have programs that are relevant and of interest to them which they can find satisfying and which will help them to not only obtain employment but also provide meaning in the context of their current age. So, I think that we need to be careful and not assume that simply compelling people to be at school longer will necessarily solve the issue of education and training.

I left school at the age of 14 to work as a farm labourer at Alford near Kadina, but I went back later and continued my education—and I think it is called motivation when you have been out in the work force for a while and you return.

The issue of keeping young people at school longer is particularly pertinent now, because in our state schools the retention rate for year 12 is at about the 60 per cent mark, or slightly below, and in the private schools it is a little bit higher at about 70 per cent.

The point also needs to be made that education in people's schooling days is not like receiving a big dose of an injection that lasts throughout their lifetime. Some people still think

that, if we fill their head with something during their school years, that will last them until their final days. That notion went out a long time ago, and we are well and truly into life-long learning. So, once again, we need to keep this in context and not assume that being at school until you are 16 or 17—whatever the compulsory age becomes—is the total answer; that education, whilst it is critical and vital, is not an inoculation against the challenges of life.

The sad thing at the moment—and this is despite the best efforts of people in education—is that many young people do drop out before they should. It often applies to boys, but not exclusively, and I see on a daily basis these young people who hang around the shopping centre near my electorate office. They feel rejected by the school system. But, as with all these issues, it is not a simplistic one: it involves their family and, in many cases, their own attitudes. They are fairly young, so one needs to be a little generous in passing judgment on them as individuals. But if we are to raise the school leaving age, we need to address that interest issue, which I briefly canvassed previously. It does not matter what the school leaving age is: if the curriculum, the programs and the approaches are not appropriate, it will not satisfy the needs of those young people.

Many of our high schools and, indeed, some of our private schools, have moved to the concept of senior high schools, where there is more freedom in terms of whether or not people wear a uniform. We have the junior high school situation. These really need to be physically separate if we are to have a meaningful approach. I can see a trend in relation to the senior high schools where young people are not required to wear a uniform and where they have more flexibility—more along the lines of a junior university, where they attend lectures and tutorials and are given more responsibility as young adults.

The proposal here, I think, is a fairly modest one. I believe that there is merit in it, and I am sure that many of these issues will be canvassed if the parliament decides, in the fullness of time, to have a considered look at a whole range of education issues. I believe that this issue will be around for a while but, as a community that wants to give our young people the best start in life, it is an important issue and, I think, worthy of the consideration and support of this House.

The Hon. M.D. RANN (Leader of the Opposition): This bill, of course, was introduced by the shadow minister, the member for Taylor, on 26 October, and it mirrors a bill that was introduced by the Hon. Carolyn Pickles on 31 July 1996. It seeks to implement a policy that Labor then took to the election in 1997. The bill proposes that the school leaving age be increased from 15 to 16 years and, as a result of this change, young South Australians will remain at school or will be engaged in some form of accredited training until the age of 16. So, we are talking about a mix of either staying on at school or being involved in a mix of TAFE and school.

On Sunday 8 October, the Premier received front page headlines in the *Sunday Mail*: 'School leaving age raised', shouted the headline. It had been raised, apparently. I am not quite sure how that had happened but, after opposing Labor's bill in July 1996, which the government then said was ill-conceived and out of touch with the real world of education, the Premier suddenly said that cabinet had changed its mind. I am not sure whether he had taken it to cabinet at that stage, but never mind. The story went on:

> The Premier, John Olsen, yesterday confirmed that state cabinet had approved a proposal to increase the minimum school leaving age from 15 to 16.

It is the same government, of course, that had said, when we tried in 1996, that it was ill-conceived and out of touch. The *Sunday Mail* report continued:

> Mr Olsen said the government would seek bipartisan support for its proposal in state parliament.

This is after we had introduced the legislation and this government had said no, it was the wrong thing to do. It shows you how extraordinarily phoney this government is when it tries to cover up its lack of interest in education.

This bill is about bipartisan support, so I put the onus now on the Minister for Education. We are doing with this private member's bill what the government said it had already done, although it had previously condemned it. But, surprisingly, the Minister for Education and Children's Services has now intimated that, despite these front page headlines, the government will oppose this bill, which offers a swift bipartisan passage through the parliament. I understand that the minister may argue that the government cannot meet the deadline to introduce the new leaving age next year because it has not been funded in the 2000-01 budget.

The Premier did not say that in the *Sunday Mail*. He said that he had raised the school leaving age: 'school leaving age raised'. Why did the government raise the leaving age in the bill currently before the House to amend the Education Act? The government has rushed a bill into this place during the current sitting to amend the Education Act in the relation to school governance and the imposition of compulsory school fees without any community consultation on these critical issues. However, there was no mention at all in the government's legislation of the Premier's announcement that he had raised the school leaving age. Was the Premier perhaps just grabbing another headline with no substance and no intention to increase the school leaving age before the next election? To give the minister the opportunity to deliver on just one promise made by the Premier, the opposition has decided to amend the bill before the House and remove all hurdles in the bipartisan way that the Premier insisted upon in his *Sunday Mail* story. We will remove all the hurdles for the government. We will move an amendment that the date for introduction be 1 January 2002. Currently, the bill does not specify a date.

No longer will implementation next year be a problem; no longer will there be budgetary problems; the government will have more than a clear school year to make the arrangements, and then it will be up to the government at the time to implement it. We will do the job. We will do it for you. The budget implications of increasing the leaving age can be factored into the 2001-02 budget and not the 2000-01 budget. Parents and students who will be affected will have more than a year's notice and can be informed by the government of the implications of the new arrangements. There is now no genuine reason why this bill cannot be supported by the government—if, that is, the government is serious about following through on its commitment.

That is the test. Here is the government that opposed raising the school leaving age. It then announced that it had done so. Then, when we put the wood on it to do it for next year, it said 'No.' We are amending the legislation so that it can be put into effect in 2002. Are you serious about this? Was this just another PR attempt by the Premier, because the latest poll showed that he was on the nose when it came to education, because of the massive fall in retention rate from 93 per cent down to about 58 per cent? Is it just about PR again—the Premier's PR—rather than reality? We will put

the government and the Independents to the test. If you are serious about education and about raising the school leaving age, let us pass this bill with this amendment so we can start in 2002.

Let us look at where this happens. Let us face it: this is not exactly a radical proposal. You only have to look at the countries that have done it in the rest of world. Most of Europe did it in 1966, 1967 and 1968; England, certainly did; New Zealand was one of the last in, in about 1993; the United States has done it for years, and I will go through the list later. While the school leaving age remains at 15 in other states—Victoria, New South Wales and Queensland—it has moved to 16 years in Tasmania. It is important that we look at international trends. If we are to compete internationally, we must have a brain-based economy. To cut education in this information age makes no sense at all. It makes about as much sense as cutting defence in war time. If we are to compete and succeed in the difficult and demanding world, South Australia, because of its geographical and population disadvantages, must be an education state. Not one of America's 50 states has a school leaving age lower than 16 years. In 21 states, the leaving age is higher than 16 years, including 12 out of the 50 states where the leaving age is 18 years.

It used to be that Mississippi or Alabama had the same leaving age as us, and they are regarded as the basket case states. Of course, now all the states—even the Arkansas, Alabamas and Mississippis—have got real with the world and know that they have to invest in education. Of course, England did it years ago. I understand that even Wales moved to a school leaving age of 16 years in 1996; New Zealand moved to 16 years in 1993; in Belgium, Germany and the Netherlands, the leaving age is 18 years. Countries that have already moved to 16 years include Scotland, Canada, Denmark, Finland, France, Hungary, Iceland, Norway, Spain and Sweden, and we you are now lagging behind these countries. Education must be our first investment, and all children should complete secondary school or undertake accredited employment training. Education must be the foundation stone for a small state like ours. In the United States, industry and government both realise that, unless they have an educated work force, they will not be able to compete with industrialised countries in Europe and nations like Japan.

Julian Betts, Associate Professor of Economics at the University of California, wrote:

> The strong link between years of schooling and earnings of students once they enter the labour market is by now one of the best established facts in labour economics.

But it is not only about how much people earn. The National Centre for Social and Economic Modelling at the University of Canberra published a paper in 1999 which must also be considered. Costs borne by society at large of early school leaving may include:

- increased administration costs of social welfare programs;
- the increased demand on the health system;
- a less efficient operation of the markets;
- higher costs of crime prevention;
- decreased participation in electoral and political processes; and
- decreased social cohesion.

Cost to the individual early school leaver can include:

- lower non-wage benefits at work;
- decreased opportunity for mobility and training;
- less successful job search;
- low return on investment;
- less educated offspring; and
- decreased financial security.

I seek leave to continue my remarks.

The SPEAKER: Order! I am sorry, I cannot permit that. I refer to standing order 80A(e) which allows an extension to be given only to the mover of the bill.

Mr McEWEN (Gordon): The Leader of the Opposition will be pleased to hear that I am serious about education, along with my other colleagues in this corner of the chamber. However, we are not necessarily serious about quick fixes.

Mr Lewis: Yes, we are—we don't like them!

Mr McEWEN: My colleague reminds me that we do not like quick fixes. The real issue here is far more complex than simply extending the school leaving age to 16 years. It is important that as a community we invest in our human resource, and our most important human resource is obviously the one that is coming on to add productive wealth to this nation to support us in our old age. In addressing this issue we need to come to grips with the structural state of education in this state. It is time to go far further than simply extend the leaving age by one year and then leave some outs, as the bill does. It is time to consider a three tiered educational system—R to 6; 7 to 10; 11, 12 and 13—or that senior year being vocational colleges as the minister talks about in other ways, by the extension of the technical colleges or whatever.

There is no point in simply extending the leaving age without adding other options such as further curriculum and further resources. We will have a mechanism to consider that in more detail should the motion for a select committee be successful, because it is another relevant topic we need to look into. Along with the topics that are listed as part of the select committee, obviously resources, school leaving age and other educational leaving options will be crucial. As much as I am prepared to acknowledge that we need to encourage people not only to spend another year at school but to embrace life-long learning, and further we have a responsibility as a state to resource life-long learning and structured learning for as long as it is required to add wealth to our human resources; we must accept that responsibility. On the surface of it, I support the bill, but we can even go further. The best way to do that, in parallel with debating this bill, is to have a select committee looking at this and other related matters.

Mr HAMILTON-SMITH secured the adjournment of the debate.

SOUTH AUSTRALIAN HEALTH COMMISSION ACT

Adjourned debate on motion of Mr Condous:

That the regulations under the South Australian Health Commission Act 1976 relating to flat fee for service, made on 22 June and laid on the table of this House on 27 June, be disallowed.

(Continued from 26 October. Page 272.)

Mr HAMILTON-SMITH (Waite): On behalf of the member for Colton, I move:

That this order of the day be discharged.

Motion carried.

NETHERBY KINDERGARTEN (VARIATION OF WAITE TRUST) ACT REPEAL BILL

Adjourned debate on third reading.

(Continued from 26 October. Page 273.)

Mr HAMILTON-SMITH (Waite): I thank members for their participation in this debate and for their cooperation. The arboretum and the area of land at Urrbrae bequeathed to the state by Peter Waite is a treasure which, it is quite apparent, the entire House values. During the debate I learnt from members opposite a lot about the issue of which I was not previously aware, and I thank the opposition for its support for this bill. I should clarify a number of issues that arose during the debate and, in particular, a legal issue raised by the member for Taylor about legislation relating to the charitable trust.

Clause 2(3) must be read within the context of subclauses (1) and (2). Subclause (1) repeals the 1977 act and subclause (2) means that the terms of the trust affecting the land are the same as they were before the 1977 act was passed. Subclause (3) is necessary to ensure that no legal claims are made against the university, or anyone else, for breach of trust by reason of the fact that the kindergarten was permitted to occupy and did occupy a small portion of the trust land in breach of the trust between 1945 and 1999. Subclause (3) will give protection only against claims for breach of trust: it will not protect anyone from other types of claims. For example, if a child or a visitor to the kindergarten was injured as a result of negligence of kindergarten staff, the Minister for Education, his departmental staff, or the university, then the injured person would still be able to claim damages against the responsible person. Also, for example, if someone has a claim for the price of goods or services supplied to the kindergarten, the claim can still be pursued. Subclause (3) only relates to claims for breach of trust.

I also want to clarify something that I said during the debate in regard to the 1997 act, when I mentioned that it gave title to the department over a specific portion of the trust land. The 1997 bill did not give the department or the minister title: in fact title remained with the University of Adelaide. What the 1997 act did was to give the university the ability to give the Minister for Education and Children's Services security of tenure for an agreed period by granting the minister a lease over the relevant portion of the land. I mention this because the rights and obligations associated with having tenure under a lease are quite different from the rights associated with having title or ownership of land. Also, divesting the university of title or ownership of the land would have been permanent: it would have been a much more serious step to take than authorising the granting of a lease.

What this act will do, if it is supported in another place and is enacted, is protect in perpetuity this valued piece of land for the enjoyment of not only our local community in the electorate of Waite but also all South Australians. As I have said, I genuinely appreciate the bipartisan nature of the support for the restoration of this beautiful site to the people of South Australia. I hope that when the bill progresses to another place it enjoys equal support. I particularly look forward to its being supported by the Australian Democrats who have had a bet each way on this issue throughout the entire length of the matter. I hope that they can finally make up their mind on protecting the environment for the future of all South Australians. I commend the bill to the House.

Bill read a third time and passed.

SELECT COMMITTEE: DETE FUNDED SCHOOLS

Adjourned debate on motion of Hon R.B. Such:

That this House establish a select committee to examine and make recommendations in respect of DETE funded schools, with particular reference to—

(a) current local school management models, including Partnerships 21 and possible alternative models and strategies;
(b) retention rates;
(c) the requirements of children with special needs;
(d) the particular needs of children in the various geographical areas of South Australia; and
(e) school fees and any other DETE education matter that the committee may wish to consider.

(Continued from 26 October. Page 275.)

Ms WHITE (Taylor): On behalf of the Labor opposition, I give Labor's support to the establishment of this committee. Indeed, on more than one occasion in this place we have called for such scrutiny on these very important areas of public education because, after all, education spending is a significant portion of this state's budget—$1.7 billion—and currently it is going through some of the most significant change that has been proposed in decades; yet very little opportunity has been provided to members of this place to ensure properly that those very scarce education funds are being properly utilised. It is our job as the public's representatives and protectors of the public education system in this state to embark upon this inquiry.

The member for Fisher in moving this motion said that his motivation for doing so is to use the select committee as a mechanism to make recommendations for improvements that are in the best interests of children and young people who attend those schools. I strongly support this aim and my own passion for achieving that goal comes from a very simple motivation; that is, I want to be the next minister for education in this state. However, I want to inherit a well funded excellent public education system as a starting point so that from day one, rather than spending precious resources correcting what is not working properly, those precious funds can be used to propel South Australian education forward.

We currently have some excellent schools and some excellent teachers, but we have also created some environments that make effective teaching and learning extremely difficult. There are biases in our public education system, some built up over years of bureaucratic administration, others very recent and attributable to the current policy pushes of a Liberal Government that continues to slash its education budget.

Those biases are harming the ability of children to perform well in schools. The recent biases and inequities that have appeared in the implementation of the current government's version of local school management, that is, Partnerships 21, are impacting as we speak on children in classrooms, yet this fundamental change to the way our public schools operate has occurred without adequate scrutiny. Surely the massive amounts of public funds involved alone justify such scrutiny of themselves.

The opposition has put on record both in this House and the other place our concerns regarding the implementation of Partnerships 21, so I will not repeat those here. Suffice to refer members to my recent Address in Reply speech of 10 October 2000 and to the speech of my colleague the Hon. Paul Holloway in the Legislative Council on 11 October 2000 when he moved Labor's motion for a detailed inquiry into Partnerships 21. That inquiry was to look at the impact of the

scheme on the education budget; global budgets and resources for schools; schools' reliance on top-up funding; teacher recruitment and placement issues; transfer rights and temporary relief teachers; special programs, including disability funding; school audits, accountability and cash reserves; the impact of workloads for schools services officers; departmental implementation staffing and costs; school maintenance funding; and, the risk fund and insurance issues—all very important aspects which need to be looked at in our public schools and which affect teaching and learning in classrooms.

The second term of reference for the proposed inquiry before us today is school retention rates. The fact that so many of our young people are failing to finish high school is shameful and a terrible waste of one of our most precious resources. The alarming decline from a retention rate of over 90 per cent in 1992 to a low of 57 per cent in 1998 in our public schools over such a short period surely deserves the attention of this parliament. One of the most crucial downward trends we have seen in education in fact deserves the attention of this parliament.

Of course the solution is not simple, but the only response we have had from this government is to deny the statistics. It is incumbent on members to address this most dreadful of circumstances, where in a state of such high youth unemployment young people are judging our education system as so inappropriate for their needs that they are dropping out of school in massive proportions.

The third term of reference—the requirement of children with special needs—is particularly important because of all groups of children in our education system it seems that those at most risk of falling through the nets, particularly at this time with changes occurring in our public schools, is that group: special needs children, children with disabilities. They, of course, cost a little more to resource in our schools, and the pressures being put on schools in terms of having to make funding choices between different priorities is having some effect in some of those students falling through the net. Many of these students now are not getting the resources that they truly deserve and need in order to prosper in our public education system.

The final term of reference is school fees. In 1998 and again this year, I tried through this House to initiate an inquiry of this aspect of education, but alas was unsuccessful each time. Labor supports scrutiny of what parents are being charged for through school fees as we believe that the government should be open and accountable for the adequacy of its funding to public schools. From next year public school parents face the additional cost of paying GST on their school fees, despite the promises otherwise by the government in June this year.

The very contrived way that this government has manipulated the school fee collection for 2001 means an administrative nightmare for schools. Principals and school communities are furious at the impact on their budgets with what the government has done in this regard, and over the past week I have heard from many of those principals who are indeed furious about the impact that they see coming in 2001 on their budget. Surely, given that schools now will have to manage their own budgets under this unpredicted stricture and without top-up funding for shortfalls from the government, nor extra staffing funding resources to handle the administrative burden of administering the GST (unlike other states which have put significant resources into the handling of those GST administrative costs), surely that warrants the attention of this parliament.

Labor supports all the terms of reference suggested in the motion before us today. They are significant issues to public education in the state, and because of that fact alone they deserve the scrutiny of this parliament. To do otherwise is to abrogate our responsibility as members to the betterment of public education in this state.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I rise in support of the formation of the select committee. In so doing, I point out the number of things that we are currently doing in South Australia already in regard to the terms of reference that have been raised for the formation of the select committee. Partnerships 21 is without doubt a form of management of schools that I have seen elsewhere in the world in four countries now—New Zealand, Scotland, England and Ireland.

In our own country, in Victoria, I have talked to teachers, parents and principals and I have not yet struck one—and I repeat one—who has said that they want to go back to the old system of being controlled by the bureaucracy. This is because they get to make decisions at the local area and suited to their own local school.

We now have as of today some 60 per cent of schools in South Australia that have signed up to Partnerships 21, and I applaud them for so doing. In addition, we have some 93 schools that have asked for an extension of time so that they may also get into Partnerships 21 as of the first term 2001.

I will go through some of the consultation that has occurred in the development of Partnerships 21. It all started with the Cox report and I approached Professor Ian Cox, a leading academic, and asked him to convene or chair a committee that would look at local management of schools in South Australia and he did so. He had Janet Giles from the AEU on that committee. She supported the findings of that committee and in fact congratulated Professor Cox at the end of the committee on the operations of the committee and the way in which it had conducted its businesses, the outcomes the committee had achieved and the model suggested.

We had members on the committee from special education, from the principals associations, parents associations, school council associations and the department in terms of finance of any local management model. We had a child-care sector representative and a special education student on the committee. So we covered what I believe was the entire educational sector when forming that committee and with that committee coming down with a report, which I accepted.

That report involved some 5 500 teachers, school counsellors, parents and students; there were steering committees working in reference groups, which included AEU members who were involved in the research and development on that committee; there were 83 information sessions held across the state involving over 3 500 staff, parents and community members; there were 5 000 information booklets and 350 000 small booklets in 13 community languages to aid discussion and inform local decision-makers about local management of schools and the model that we were looking at; there were regular consultations with principals' associations; policy development was posted on the web site; and there were eight superintendents at supporting sites.

You will change any model that you develop as you go along. I do not care what model you bring into a community, into a business or wherever: times change and, as you bring in a model, you will see things that you can do better or better

outcomes that you can achieve by making small changes to a model. That is exactly what we have looked at with Partnerships 21. It is the reason why, in June of this year, we gathered together some 73 principals from P21 and non P21 schools to look at the model and to discuss education across the state, and to then be able to make recommendations. Some 99 resolutions were discussed as a result of that particular group and the department and myself have provided answers to the principals and to the state on each and every one of those particular resolutions.

So I am saying that our discussions, our negotiations and our evolving of this model have been and will be ongoing, and we are continually involving the community and the schools in those discussions. There is nothing clandestine and there is nothing hidden: we are open in everything that we are doing with this, and that is the way that I want to be and will be.

The EDSAS finance model, which has been designed to support schools, was instigated by the previous Labor government. Some $8 million had been spent on it and it was not working well. Minister Lucas had to make the decision whether to scrap it and start again or continue to try to improve it. He made the decision to improve it and we kept on improving it to the stage where we believe now that it is a model which will deliver and which will work well for SSOs in schools.

Training and development workshops in terms of Partnerships 21 have continued and still continue to ensure that teachers and school counsellors are well advised in terms of decisions that they are making and also have back-up, so that if problems occur, or if there are queries, a P21 team can be readily accessed to sit down and discuss and work through any issue.

I believe that we are consulting in a very wide way about this and continually looking to get the best outcome for schools, and it is delivering more resources into schools. If you talk to the principals of schools, they will tell you that they are using 75 per cent of the additional money and flexibility to hire more teachers, to give more SSO hours to students who might have literacy difficulties or whatever, and to improve outcomes in their schools.

The other area in the terms of reference that I want to touch on is paragraph (d), the particular needs of children in various geographical areas. Last year there were 75 consultations at 28 country towns held with 1 164 people in relation to a country call consultation to discuss education. I directed the CEO that we should have a country Director of Schools and a metropolitan Director of Schools so that there is a definite person for country school principals and school council people to come to rather than just having a director of schools in South Australia. John Halsey, the Director of Schools, concentrates on country schools alone.

This year we will spend $387.03 million on children's services schools, vocational education training and employment and youth services outside the metropolitan area. The total resourcing for country schools alone is $264 million; while they have 27 per cent of the students, they receive 32 per cent of the total funds. On average, the government spends $5 685 per year on each country student, compared to $4 457 per metropolitan student. In P21 we designed a rural index so that we could take account of distances of schools from the metropolitan area and major services such as museums and art galleries and that type of thing; that is worked into their budgets. The additional special education funding for non P21 country schools is $1.64 million and P21 schools receive theirs as part of the global budget. The Open Access College supports nearly 500 country students with five itinerant teachers. In the country we operated 535 country school bus routes, using 244 department and 289 contract buses.

I think the House can see that at the moment we are concentrating strongly on delivering the best possible education that we can to our country schools, and I am sure that this select committee will show that the government is performing extremely well in this area.

Mr CLARKE (Ross Smith): I support the motion of the member for Fisher. I mainly do so because I think it will help provide a political spotlight on education in an election year which will compel, in essence, both major parties to consider what level of resources they are going to deliver to education in this state.

When you think about it as a member of parliament going around to schools in your electorate, you know, effectively, what needs to be done to greatly improve education in this state. It is about resources and the allocation of resources. Our biggest difficulty is that we have a federal government that has, under John Howard, cut over $5 billion from the education budget since he became Prime Minister, which has had a major impact on all state governments. He continues to do so and continues to favour the wealthy private schools over the lower to middle income schools, whether they be state or private schools.

We know as members of parliament visiting our electorates that, to improve education and retention rates in this state, we have to actually cut class numbers. We have to improve resources in primary schools. I go to primary schools in my electorate and I see classes of at least 30, when they should be no more than 24. We find that teachers are becoming overwhelmed: rather than acting as educators, they are also acting as social workers in terms of handling behavioural management problems relating not only to the students that they are attempting to teach but also to a number of students who come from dysfunctional families. We have also cut the budget with respect to family and youth services and other community services which would assist those families to overcome their dysfunction.

We know that there need to be more computers in schools, but also, more particularly, we have to come up with answers with respect to how we are going to provide computers in the home. There are many families with computers in their homes; likewise, many people, such as those in my electorate, have no computers at home. In fact, I have often wondered, since the government has so many computers that are regularly retired every couple of years, why these computers cannot be made available to families who have no financial resources to be able to purchase their own computer. They could be provided at a very nominal cost so that it will give greater access at home for those children to try to close the gap between the haves and have nots in this information age.

We know that there are too few school counsellors to handle difficult schoolchildren, and this impacts on the education of our young people. We know that the physical resources of many of the schools in our electorates are not up to scratch for teaching best practice. We know these things. It all boils down to what we as a community and as a parliament are prepared to commit in resources. I would not like a select committee simply to go around and hear what we already know as local members, and then to have whatever recommendations it puts forward end up gathering dust. That

is why it is useful to have a select committee in an election year: if it did nothing else, it could try to bring out its findings before the election so that in the run-up to the election both major political parties would have to address the concerns that no doubt the select committee will raise and the recommendations it will make in a whole range of resourcing areas. Likewise, it will be very useful in the lead-up to the federal election where the federal Liberal government has cut the guts out of the federal education budget in this country.

I would like the select committee to look at retention rates, particularly those among young men and the way in which they are not progressing or achieving as well as young women at secondary school. A whole range of factors may influence that, but there is no doubt at all that there is real concern in my electorate over the number of young men who are effectively dropping out before year 10. We can raise the retention rate as much as we like: unless we provide them with resources, a breadth of curriculum that interests them and other alternatives to the existing structures in place, we compulsorily keep students at school who do not want to be there and who will disrupt the remaining students and the staff.

I have often wondered whether a number of these students in year 10 would be attracted to TAFE studies, and whether TAFE is adequately resourced to be able to accept a large number of students who on completion of year 10 may elect to go there to take on vocational education and training, which they may see as more relevant to their needs and interests than going formally through to year 12, which is still heavily centred on academic achievement and progression to university. Why is there such a shortage of apprenticeships? There are a number of reasons. Both government and private employers are not hiring apprentices in the numbers that they used to. Also, apprenticeships are not as attractive. Further, we do not seem to be able to steer those of our young men and women who might prefer to go into a trade into that area while they are at high school. What are the means by which we can engender a culture of lifelong learning among our students and the general population? Again, it really comes down to resources.

What will we do to provide for our schools? I emphasise primary schools. Too little attention has been given to primary schools and pre-schools for remedying or remediating learning difficulties that children have at that stage. I find it appalling that, for children with speech impediments and so on, instead of seeing increased resources in that area over the past 10 years we have seen a reduction in the number of speech pathologists that are available. I speak with some personal knowledge on that. When my daughter was very young she had a speech difficulty. Fortunately, a Labor government was in office and had that as a high priority. A speech pathologist was regularly available at her school and all state schools, and there was also access to a speech pathologist at the then Children's Hospital.

It made an enormous difference to her life and her ability to be educated that she was able to overcome that learning difficulty. If she were at school today those advantages and the access to those resources would simply not be available. Her ability to learn, be educated and now enter the work force (she had her first full day in the work force yesterday) would not have been possible without the sort of resources which were provided 10 years ago but which do not exist today.

I commend the motion to establish a select committee, to focus on education in an election year and get commitments out of the political parties as to what they will deliver. Let us hope the select committee is able to deliberate quickly—it ought to be able to do so—and make its recommendations well before the next election so that the community can put the acid on all political parties to make a commitment to provide adequate resources to the education system. On their own the states will simply not have those resources: it is a matter for a federal government in office. That is why I was so pleased with Kim Beazley's announcement at the recent ALP national conference that education will be a high priority on the Labor Party's national campaign platform when it goes to the election some time next year. You cannot cut $5 billion out of the federal education budget without cutting the guts out of public education in the whole of Australia.

Mr LEWIS (Hammond): In my limited amount of time I must say that much of what the member for Ross Smith said makes sense, but I do not think his assessment of the total quantity of money which the federal government has cut out of education is entirely accurate, in that whatever has happened in that regard affects not just schools but educational institutions at large. The substance of the motion before us is to establish a select committee. I support that motion and wish to move an amendment to it—to add, rather than delete, provisions. I therefore move:

After paragraph (d) insert:

(d)(a) examine the appropriateness or otherwise of the retention of the present leaving age, or any school leaving age;

(d)(b) examine the basis of placement and employment of teachers by schools.

After paragraph (e) insert 'and that the committee report to the House on 13 March 2001.'

The reason for adding to the existing explicitly stated terms of reference is to ensure that the committee is left in no doubt that the House prefers those matters to be explicitly examined as well as the matters already mentioned here, which are very important. They are: the current school management models, including Partnerships 21 and possible alternative models and strategies; retention rates; the requirements of children with special needs; and the particular needs of children in the various geographical areas of South Australia. I have then included the other two provisions, as well as the direction to the committee to report back to the House.

When the education department makes its policies at the present time it has one eye and one ear on what the education union is saying about what it believes ought to be done. The other eye and the other ear are on what the government of the day thinks about such matters, and there is not much else left, so the public gets left out.

The main reason for my supporting this proposition to establish the select committee is to provide the House, and indeed the minister and the department, with the information that will then come, untainted, from the public. I am sure that is what the member for Fisher had in mind when he moved this motion: to enable the public to have its say at last, without its being driven through the process of what the departmental bureaucrats want; or driven through the process of what the education union wants—or says it wants—and which some people cynically suggest to me is to increase the number of teachers and thereby the likelihood of an increase in the number of members of its organisation. I must say that I find some sympathy with that view.

Very often, when the education union speaks, I can hear it speaking with a forked tongue, not in opposite directions but in different directions which have more to do about how it can more effectively manoeuvre in the industrial relations

process to make itself seem more relevant in determining what the salary outcomes are for teachers, as well as the numbers of teachers, because both those factors then determine the revenue which that union collects. I want to see the public have a say, and I want to see the parliament do what it was established to do several hundred years ago, that is, provide for the public will and the public interest to be properly represented in the determination of public policy.

That being so, I draw attention to those explicit matters which some other members have mentioned, such as the age at which children should leave school. I do not know that it is necessarily appropriate to have a school leaving age, and that is why I have asked the committee to look at that. There are some children who are so disruptive in the school process—note that I call them children, not students Mr Acting-Speaker—that everyone would be a jolly sight better off if they were not there.

On this point, I do not think parents have any right to regard (as is the case in many instances these days) that schools are baby sitters for their children so that they can go and pursue whatever it is that they wish to in their day-to-day lives. I think parenting is something which every individual citizen ought consciously choose to do and be involved in; it is not something that arises from two people deciding in lust to get together, conceive a child, and then expect someone else—the taxpayer at large—to meet the cost of raising that new person to effective citizenship as an adult. Because that doesn't work. Yet that is the philosophical framework that is subconsciously adopted by more than 50 per cent of parents these days when you question them about how it came to be or why they have one child, or two or more children, and what they expect is their role by first asking what they expect the role of the state to be in this process.

There are two other things I want to mention, one of which is perhaps to examine the Summerhill experiment and experience. Summerhill made it possible for students to choose where they would apply themselves in their education process. Indeed, by the time they had reached late adolescence, they were effectively further advanced than they would have been had they gone through the formal process, because the formal process does not suit every temperament, disposition or personality type. However, the Summerhill approach does. It may seem like anarchy to some people but in fact it is not. Those who have an aptitude for skills but not intellectual analysis do better; those who have it for intellectual analysis do even better than they would in the formal system very often, because they are constantly challenged and provided with the opportunity to self-regulate the rate at which they learn and grow as individuals.

The Partnerships 21 part of things as they stand, as another major point, is, in general, a good program. However, I want the parents to be able to tell the committee so that the committee can report to the parliament what they think of Partnerships 21 independently of the influence of the union or the bureaucrats and the minister. It is about time we gave adults in this community a chance to relate effectively, through the select committee process, to the parliament about the kind of society in which they want to grow old and the way in which they believe their children ought to be brought up. I commend the member for Fisher, the member for Taylor and other speakers for their support of this proposition. I know that only good can come from it.

Ms THOMPSON (Reynell): I would like to contribute briefly on this issue and particularly to focus on matters relating to the support required for children with special needs, as well as on a matter which is not mentioned directly in the terms of reference but which I think will be covered under any other DETE education matter, that is, the issue of absenteeism from schools.

When I was first elected to parliament, the issue of children with special needs was one to which I committed myself to monitoring and supporting. I have had direct personal experience with respect to this matter, having had four brothers who required special education support because of their various forms of learning needs. I was aware that not only was the special support required at school but also from home. I have a nephew who experienced some brain damage at birth and who also has special learning needs. I have become increasingly aware of the inadequacy of the education system to provide the support that my nephew, Kallan, needs. His parents have to put in considerable work in spending time with him to help him develop the many skills that are required for life in these modern times, and they also have to work overtime to obtain extra money to pay for him to have many forms of therapy to help him overcome the disabilities that he experiences. Kallan is lucky: he has parents who are committed to doing that and who are able to do it.

I encounter many parents in my electorate who do not understand what support their children need and who do not have the financial ability to provide it independently of the education system. The children's needs are just the same as Kallan's needs. If they cannot be provided by the parents, they have to be provided by the education system. Otherwise, those children will grow up being constantly bewildered by the world. They will never be able to read a bus timetable; they will have difficulty tying up their shoelaces; and they simply will not be able to function effectively in today's society. The children cannot afford this; it is not fair to them. Their disability is not something that they asked for: it is not their fault and it is not their parents' fault.

Some parents, as I have said, are able to contribute to overcoming those disabilities more than others. If the parents cannot help, it is not the child's fault. The community as a whole, through the state education system, must address those needs. They are widespread: they can range from very obvious and serious needs to simple needs, where just a little extra help is required. Reading recovery is one of the highest priorities in many of the schools in my electorate. However, reading recovery is not the only form of learning needs that should be specially supported.

I also want to talk about the issue of absenteeism because, in my opinion, one of the causes of poor retention rates is absenteeism in the early years of schooling. At the moment, I have a parliamentary intern busily addressing the final report of a project that she has been working on over the last few months, and this relates to absenteeism in the primary school years. I am speaking now on the basis of the discussions that we have had throughout the project rather than on her final report, which is not yet to hand. I want to pay tribute to the student, Mardi Boxall, and acknowledge her work.

Mardi has met with parents, principals, teachers, school counsellors and the attendance officers from DETE. What she has learnt so far is that an important part of absenteeism is lateness—and I have noticed that this is an issue frequently mentioned in school newsletters in the principal's column. Mardi has found that sometimes a third of children are not present at the school in the early hours of the day. Just 10 minutes' absence from school every day over a year adds

up to a lot of weeks missing by the time you have finished primary school. She has talked with representatives of schools that have used the service of the Education Department attendance officer to help children to get to school. In one case, that involved the attendance officer arriving at the home of a family with three children at 7 o'clock in the morning and assisting the mother to develop an early morning routine because, unfortunately, this parent did not have much experience in developing a routine to get the children to school on time after having breakfast, choosing the right clothes and seeing to their needs for the day. That was intensive work by the attendance officer, and the outcome has been that the school has very much supported the children when they have arrived early and has supported their mother, and it has been a happy experience for all. But a lot of intensive support was required on the part of the community, through the state, to help that family get to school on time.

Some of the stories that Mardi has uncovered have really been quite desperate; for instance, one mother kept her children home from school because the father had come home from shiftwork in a very bad mood, and she was fearful that she would be bashed if the children were not there to act as protection. That is a pretty tragic situation to be happening in our community, and it is even more tragic that the children should be missing out on their opportunities for developing and fulfilling life because of their need to be a protection force in the home. It is quite clear that, in looking at providing true educational opportunities for our children, we have to look beyond just the time they spend at school. We have to provide a curriculum that is suitable for all children. We have to provide teachers who can give each child the attention they need, and the school support officers who provide extremely valuable support to individual children.

However, we also have to look at the school's relationship with the home, which is something that we really do not fund at present. We also need to look at where there are barriers in the home to children getting a proper education and how we as a community can help to break down those barriers. If the committee is established—and I sincerely hope that it is—I will be submitting the outcome of the study undertaken by Mardi Boxall. I will be consulting with school communities in Reynell to get their feedback on her suggestions, and I would be very happy to provide all that information to the select committee in an attempt to provide a better educational environment and better educational opportunities for all the children of our state.

Mr WILLIAMS (MacKillop): I wish to raise some matters of concern I have about the sorts of outcomes this select committee may bring. I know that the member for Fisher, in moving that this select committee be established, said that he did not want this to become a political exercise. He did not want it to involve the scoring of cheap political points. The member was probably genuine in that desire. However, I find it rather naive of him to have an expectation that that would not be the result. Unfortunately, education in South Australia has become quite an emotive issue, and it has become very political. I would lay most of the blame for that squarely at the feet of the AEU, with the opposition strongly supporting its position not only to destabilise the education system in South Australia but also to try to make as many cheap political points as it can on the way.

In the 'Issues' section of today's *Advertiser*, Dr Blandy says that he believes South Australia is trapped in a cycle of negative thinking. He goes on to talk about the pessimism and anxiety in our community. Unfortunately, even though we in South Australia have fantastic public institutions, a fantastic school system and education system, the continuous carping and innuendo which comes from the opposition benches and their mates at the AEU adds to that anxiety and that negativity which impacts right across the state.

Even though this motion to set up a select committee might have come from the best of intentions, I have serious concerns that it might, indeed, lead to more detrimental effects on our schools and, in fact, decrease the morale that unfortunately is at a somewhat low state among the teaching profession because of this continuing negative carping. The teaching profession in South Australia is quite well respected. I have just had to write back to some members of one of the sub-branches of the AEU in my electorate, pointing out the absolute rubbish that was given to them by the AEU about the latest pay increase handed down by the Industrial Relations Commission. Unfortunately, because of the actions of the AEU, we all know that, by the end of that agreement—which is in March 2002—the average teacher in South Australia will be shy of about $600 from their pocket. It is no wonder the teaching profession is having a morale problem among its members.

I will just go through the matters the honourable member has raised in moving this motion for a select committee. I will not say much about the first matter, Partnerships 21, other than to say that I probably have more schools in my electorate than there are in any other electorate in the state. There are about 27 public schools in my electorate, and I visit them on a regular basis and talk to the staff and the parents in those schools about their expectations and the things they want from the education system. To be quite honest, Partnerships 21 has been the greatest thing for the schools—in my electorate, at least—in a long time. In some of the smaller and more isolated schools particularly, local management is a huge winner. It has the potential to be just as big a winner in the larger schools as well, although it is a little more difficult for some of the people in the larger schools. I imagine that the staff in the city based schools have not had to grapple with the problems that are attendant with isolation. In the isolated schools, a lot of the things that staff in city schools have been complaining about being foisted on them via Partnerships 21 have already been part of the everyday life in isolated schools as far as self-management is concerned. However, it has been a boon to those schools.

Retention rates are something about which we hear a lot of nonsense. We must realise that in South Australia over the past 10 years we have come from a position of very high unemployment to a position where the unemployment rate—even though it is still unacceptably high—is continuing to fall. Even though I do not wish to steal the thunder of the relevant minister who will no doubt comment on this later, the latest figures show that we are still going in the right direction with regard to unemployment. That means that people are choosing to leave school today whereas even a few years ago they would not. Those students stayed at school particularly when the opposition was in government because they had no hope, because there was 40 per cent youth unemployment; that is the figure. If they left school, they had a small chance of finding gainful employment in the community. Today, that has been turned around to a large extent. I think I am right in saying that the youth unemployment rate is down to 22 per cent. So the chance of their being thrown onto the unemployment scrap heap has halved in the past few years. That is the great thing for South Australia.

When we measure retention rates, we just do a raw measure of those students who are still at school in year 12 as opposed to the numbers who were in school two years earlier when that group of students was in year 10. With the unemployment rates falling, one of the big wins for this government is that a lot of those students have opted to leave school and go into employment and pick up on other sorts of training. If I have time, I might be able to quote some figures about the numbers of apprenticeships and other sorts of training that is happening in South Australia. The young people concerned have not stopped their education, but they are getting meaningful and fulfilling education whilst being gainfully employed in the work force, and that has been a huge turnaround in the big picture of education in South Australia. It has also been a huge turnaround for the social fabric of this state. Notwithstanding that, the year 10 to 12 student retention rates in South Australia have increased over the past three years.

In 1997, some 63.3 per cent of year 10 students were completing year 12. In 1999, that had increased to 64.8 per cent, a 1.5 per cent increase, whereas the national average was 69.6 per cent. South Australia, as I said, has a lot of part-time students doing vocational education training, and so on, or doing some sort of other in-work training and, if they are included, the retention rate in South Australia is 74.9 per cent, which is above the national average of 72.4 per cent. When we talk about these things, we should cut through the nonsense and the emotional claptrap and start looking at exactly what is happening. I sincerely hope that, if this House decides to set up this select committee, as the member moving the motion wishes, it will cut through all the rubbish and get down to the facts and make recommendations and decisions based on fact, not on arrant nonsense.

Indeed, in South Australia we have a greater proportion of 15 and 16 year olds participating in full-time schooling than the national average: 93.4 per cent of our 15 year olds participate in full-time schooling compared with the national average of 92.7 per cent; and we have 83 per cent of 16 year olds compared with a national average of 80.8 per cent. As I said, we have many students working out of vocational education colleges, and so on, which is in stark contrast to the effort of the opposition, which closed down the technical schools in South Australia and ripped the heart out of manufacturing in this state because we had no trained people. I can see that I am almost out of time, I will just say that one of the things—

Time expired.

Ms STEVENS (Elizabeth): I support the motion of the member for Fisher and I congratulate him on moving it. I also congratulate my colleague the member for Taylor because, on a number of occasions, she has tried get a motion of this nature through this House, and the Leader of the Opposition in another place has also tried to do so. It is interesting that the nature of the numbers in this House has now at last enabled such a proposition to have a chance of success.

A select committee would be very timely, in my view, because never before has public education in this country been under such threat. On the one hand, we have a federal government that is biasing its funding allocations and policies towards not only private schools in general but also wealthy private schools, and doing its best to encourage the community to take up the private option at the expense of the public option. On the other hand, we also have a state government that since its time in office has downgraded, made cuts and caused tremendous damage to state public education in South Australia.

Each of the aspects of the terms of reference is very important. I certainly know that, in terms of my own electorate, the issue of local school management, its pros and cons, how various school communities are progressing—

The Hon. R.L. Brokenshire interjecting:

Ms STEVENS: The member for Mawson interjects, but some schools in my electorate have taken up Partnerships 21 and others are in precisely the opposite position. A whole lot of issues are on the table for both types of schools, and it will be a very good opportunity to get them out in the open and for the community to look at the whole situation in its entirety.

In terms of retention rates, there is a major problem for our state. We all acknowledge that the future of our state depends on our young people, it depends on their having a good education that will take them into the knowledge economy and enable them to obtain long-term sustainable jobs in the new economy.

I found some of the comments of the member for Mac-Killop quite incredible. He made the point about kids leaving school now because they choose to leave school to get jobs. My impression and experience in my electorate is that when kids leave school early they might get a very part-time, casual job on a youth wage which usually does not last very long. They reach adulthood at age 18 with nothing, and they must virtually start again; that is, if they have the energy, the commitment and the support to be able to get back into the system and tackle it again. That is not the answer at all. That is a huge issue.

My colleague the member for Reynell mentioned students with a disability and special needs, and I think the shadow minister also mentioned those children. In the northern suburbs we have a larger proportion of children with a disability; it is a particular issue for us. Those children and how they fare in our public school system deserve considerable investigation, and I will certainly be encouraging parents, schools and other groups in my electorate to make submissions outlining their concerns because there are many, and those children in particular are behind the eight ball in a situation where funds have been constricted.

I would also like to mention the issue of schooling outcomes for Aboriginal children. Again, there are many of them in our schools (or should I say, perhaps not in our schools, when they ought to be) in the northern suburbs, and I hope that the committee looks at those students as well.

I would like briefly to touch on the issue of school fees. It has been a major issue in schools in my area where parents do not have the ability to pay large voluntary components of school fees. Schools in my electorate have virtually no fundraising muscle, and this causes a growing gap between them and the schools where parents are wealthier and can afford to give generously. They are able to go ahead and buy the 'extras', such as computers, which should, and need to, be basic in this day and age. Those students already have an advantage coming from their homes, in terms of the resources that are available to them, and they can go further ahead than the students in schools in my area.

Recently, I had the opportunity to meet with Professor Eleanor Ramsay from the University of South Australia, and she brought to my attention again the alarming statistics in relation to outcomes for students in the northern suburbs, in terms of their ability to undertake tertiary education. The facts are incredibly concerning and very alarming, because

students in the northern suburbs have a significantly reduced outcome in terms of taking up tertiary education compared to students in other metropolitan areas of Adelaide. I hope that the committee will look at that as well, because we need to ensure that outcomes for all our young people are acceptable and that certain groups and certain areas within our city and state do not suffer a disadvantage compared to others.

I note that the member for Hammond has moved an amendment to the motion, and the opposition has no objection to that being included. Our only concern is that we hope the minister will not use the fact that that matter is specifically included in the term of reference of this select committee as an excuse not to support our bill to increasing the school leaving age.

With those few words I conclude. I give my wholehearted support to this select committee. It is not before time. It will be an opportunity to get a whole lot of issues out on the table, issues of a very important nature for the future of this state and the future of young people in our state.

Mrs MAYWALD (Chaffey): I rise briefly to support the motion moved by the member for Fisher to establish a select committee. Education as a portfolio is the second largest funding allocation in this state, second only to human services. It is a very important part of the future of this state to ensure that we get our education directions right. We are living in a world of constant change where often the bureaucracies are unable to keep up with the rate at which progress is happening out in the community. The community has been very consistent, under governments of both Labor and Liberal persuasion, in believing that education is a fundamental priority. This is a very timely opportunity to establish a select committee to look at many of the issues that have previously been mentioned through the contributions of other members. I support most of those contributions and look forward to a very positive outcome for this committee.

The Hon. R.B. SUCH (Fisher): I thank members for their words in relation to this motion. I reiterate that this issue is too important for petty political point scoring. We are talking about the future of children, our young people and the future of our state. This select committee will give an opportunity for not only people in the bureaucracy and the teachers but importantly the parents. I hope, too, that some of the senior students themselves will make submissions or appear before the select committee, because they are very much involved in our system of education. I do not need to reiterate the arguments, as I canvassed them when I initially moved the motion. In the amendment moved by the member for Hammond, the nominal reporting date should be Thursday 15 March instead of Tuesday 13 March as was indicated earlier.

It has been good to have a range of contributions here today. It is a big task, but I am keen that the people who have been nominated by the various parties here will make a positive contribution. As I indicated at the start, it is not a witch-hunt but an attempt to improve a good system of education to make it even better and to ensure that our young people and South Australia have the best possible education system. I commend the motion to the House and move:

That the date suggested in the amendment moved by the member for Hammond of Tuesday 13 March be Thursday 15 March.

Mr LEWIS (Hammond): I accept that.

Amendment to the amendment carried; amended amendment carried; motion as amended carried.

The House appointed a select committee consisting of Mrs Penfold, Ms Rankine, Hon. R.B. Such, Mr Williams, and Ms White; the committee have power to send for persons, papers and records and to adjourn from place to place; the committee to report on Thursday 15 March 2001.

The Hon. R.B. SUCH: I move:

That standing order 339 be and remain so far suspended as to enable the select committee to authorise the disclosure or publication as it sees fit of any evidence presented to the committee prior to such evidence being reported to the House.

A quorum having been formed:

Motion carried.

IVF PROGRAMS

Mr SCALZI (Hartley): I move:

That this House commends the Prime Minister on his stand on IVF programs and urges South Australian senators to support legislation to allow the states to determine who should be entitled to participate in their state's IVF programs.

It is often said that we live in interesting times. However, now more than ever not only do we live in interesting times but we live in rapidly changing and interesting times. We live in times when our interests and our rights rapidly come in conflict with each other, and that is the point at issue today. We must decide as legislators, federally and state, how to determine these important issues.

We live in times when our recent past can become a distant past and the past can appear to be ancient history. We live in times when changes in reproductive technology can realise past impossible dreams as well as past possible nightmares. We live in times when rights can be realised and rights can be abused. In all these changes we must never lose sight of and must bear in mind the rights of individuals, the rights of children and the rights of families and how we wish to determine parameters as a society. I support the Prime Minister's stand on the IVF program and—

Ms Thompson interjecting:

Mr SCALZI: —urge federal senators to support legislation which will enable the states to determine who should participate in IVF programs—not because it is Prime Minister John Howard who made that stand, not because it is a Liberal Prime Minister who made that stand, but because that Australian Prime Minister is right at this particular time. I have no difficulty, however, if the member for Reynell, or any member of the opposition who has difficulty in supporting this motion, wishes to amend it to take out the reference to the Prime Minister and to the government. I have no difficulty with that.

The SPEAKER: Order! There are too many audible conversations going on in the chamber. The member for Hartley.

Mr SCALZI: I have no difficulty with such an amendment because the issue of states' rights and the issue of our federal system are more important than party politics.

Mr Hanna: So who decides IVF now? Who decides who can take part, Joe?

Mr SCALZI: The honourable member interjects and he should know, as he is a learned member, that prior to the recent court decision it was decided by the states. That should be the case: it should be decided by the states and not determined by the equal opportunity and sexual discrimination act, because this issue is not about sexual discrimination. It amazes me, when something of this nature comes up, that because a Liberal Prime Minister puts it up members opposite

say that there is something fundamentally wrong with it. I find the opposition very short-sighted indeed. As I said, this is not an issue involving sexual discrimination; it is not an issue about single parents: it is about the rights of children and the rights of states—the fundamental rights of states. I make no criticism of single mothers or single parents. Indeed, I know how much good work a lot of single parents, both male and female, do to bring up children in difficult times. I know that: I have experienced that personally for eight years, so I am the last one to make this an issue involving single parents. The last person who brought up—

Members interjecting:

Mr SCALZI: Members who trivialise such an important debate are simply reflecting on themselves. When our federation came into being in 1901 and the states decided that we should be a nation—a federation of six states and, as we have now, two territories—the reason why it was decided to have equal numbers of senators in Tasmania and South Australia, as in Victoria and New South Wales, was the desire to protect states' rights; our founders wanted to ensure the rights of the states to determine certain matters within their own areas. That is why there are equal numbers of senators; that is why the number of senators is not based on population; that is why senators are not elected on the number of votes in a particular constituency, and that is to protect states' rights.

If members who interject do not agree with something, they are the first to bring the matter in question to the attention of this House. I find it inconsistent and hypocritical that, because they do not agree with something, the system is therefore wrong. They are fair weather federalists, but I can assure the House that I am not. If the amendment in the federal senate is defeated, I will respect that because, in a democracy, we must respect the decisions that are made. What I object to is that senators act not according to their constituencies in representing the states but according to their particular party's wishes. I object to the senate not having a conscience vote on this issue. I object to a leader of a particular party saying, 'On this issue the senate will vote in this particular way.'

Mr Conlon: Both parties, Joe.

Mr SCALZI: The honourable member interjects and, if the Liberal Party urges its senators to do likewise, I believe that is wrong. This is a matter of conscience. Representing the state should be of prime importance. As I said, this is and should be a matter of conscience.

Members interjecting:

Mr SCALZI: I do not think I should have to deal with laughing children. If members opposite find this difficult, as I said from the outset, they should move an amendment to remove the reference to the Prime Minister and I will accept that amendment. It is up to the House to determine whether or not it accepts it, but I have no difficulty with that. I do not agree with everything the Prime Minister does, but on this issue I happen to believe that the Prime Minister is correct, not only in his stand but also, more particularly, for us as a state legislature to allow—

Mr Conlon interjecting:

Mr SCALZI: If the honourable member would listen, I will come to the point.

The SPEAKER: Order! The member more Hartley is entitled to be heard in silence and to express a point of view.

Mr SCALZI: Thank you, Mr Speaker. I cherish the right to be heard, because often I am not seen. The fundamentally important issue in this debate is that the Prime Minister is empowering the states to make this decision. That is more important than his stand when he says that the states should determine this, rather than political leaders in Canberra pulling the strings and saying, 'You will vote in this way,' as members opposite have done on other constitutional issues.

When reproductive technology became available to assist infertile couples, it had nothing to do with the rights of individuals to access that reproductive technology. It was based on the principle that infertile couples should be assisted by this reproductive technology. There is no such right that, if I as an individual want to have a child, I should therefore be entitled to have a child.

I believe, as some of the critics have said, that this is a human rights issue. I agree; it is a human rights issue. That should be determined by the states' legislation. It is a human rights issue, but it concerns the rights not only of the mother, the father or the couple but also those of the child. If we talk about human rights issues but ignore the rights of the offspring, we are being inconsistent. The rights of a child are fundamental in this reproductive technology. A child should have the right to know his or her biological parents—both male and female.

Members opposite can be critical, but as a teacher for 18 years I know how homophobic teenagers can be. What right does a parent have to impose on a child that when they are 13 or 14 years of age they will be harassed and discriminated against? That is what will happen. I am not casting an aspersion on any individual, but the fact is that we are making laws for the majority. We should deal with the exceptions with compassion, but we should not make an exception the rule. We cannot do that and hope to act in the interests of the child, the family and society. The reality is that a child should have the right to be nurtured in a loving relationship with the support of two parents. Of course, there are single parents, as has happened in my case, and of course people are widowed, and we must deal with that. However, we must not plan to deprive a child of the potential economic support of two parents.

Mr De LAINE secured the adjournment of the debate.

ABORIGINES, APOLOGY

Ms BEDFORD (Florey): I move:

That this House re-states its apology to the Aboriginal people for past policies of forcible removal and the effect of those policies on the indigenous community and acknowledges the importance of an apology from all Australian parliaments as an integral part of the process of healing and reconciliation.

This motion has been reintroduced following the beginning of this new session. Much has been said in this House and in the other place to support the sentiments of this motion and I acknowledge this parliament's proud record and past, prompt moves to address this aspect of indigenous affairs and commend to all members the merit of again showing the way.

I have been heartened today with discussions with my parliamentary colleagues on all sides of the House on this motion and speak to it today aware of bipartisan support for it. That being the case, and in light of the detailed speeches we have made here in this place in the past, I would ask that the motion be put.

The Hon. G.M. GUNN (Stuart): I just want to make one or two comments in relation to this matter. I have read it very carefully and listened to the member's contribution. I just

want to make the point very clearly that I, for one, do not agree with the motion. I have nothing to apologise for—

An honourable member interjecting:

The Hon. G.M. GUNN: I will make my position very clear. I agree with the Prime Minister; so do the majority of my constituents and the majority of Australian citizens. This generation has treated the indigenous people charitably, has provided facilities and is still in the process, quite properly, of doing so. I do not have any problem with assisting people to improve their station in life to become capable people, making an income, looking after their families, taking a role in the community; I am all in favour of that because I believe that is the greatest way we can help indigenous people. However, I do not believe—

Ms Rankine interjecting:

The Hon. G.M. GUNN: You are entitled to your view and I will have my say. I will not be told what to do because a few trendy lefties around this country reckon they have some social conscience and they are the only ones who have any compassion. They are not. They are the ones who have wrought havoc on this country. They are the ones who have exploited the aboriginal people, lived off them and allowed them to be mismanaged.

I have seen these odd-bods up in the Pitjantjatjara land who have so manipulated, controlled and oppressed them to make sure they do not have any economic future. I know all about those odd-bods who wear red head bands and have had themselves partly initiated into the aboriginal tribal life. We know all these hangers-on. These people are your mates and if you want to stand with them you can. Most of them are allergic to water and that does nothing to help the aboriginal people. I make no apology and am not in favour. I think it is an affront to try to compel people who have committed no offence or crime—many of them have worked and grown up with these people in a genuine fashion and want to help them—to ask us—

Ms Rankine interjecting:

The Hon. G.M. GUNN: The honourable member is interjecting out of her seat and carrying on. If the honourable member has a contribution to make, have the courage to stand up. Do not hide behind interjections; go to your place and make a contribution.

Members interjecting:

The SPEAKER: Order! In the last motion before the chair I drew members attention to the fact that people are entitled to be heard and have views on subjects they feel strongly about. If members want to interject, I suggest they get the call to speak next and also should return to their seat if they intend to be disorderly enough to interject. I ask the member for Wright to return to her seat if she wishes to take part.

The Hon. G.M. GUNN: Thank you, Mr Speaker. I am looking forward to the contribution from the member for Wright and others. It is all right to let the member for Florey stand in her place and move this motion, then all the others stand idly by and try to force us into agreement. I will not do that, because I do not believe that this motion will do anything to assist the indigenous people of this state. If it was a proper, constructive and well thought out motion, I would certainly give it my attention.

I have spent a great deal of my parliamentary life representing indigenous people, and one of the unfortunate things is that the people who have set out to speak for them and to get involved with them have certainly not left them with a legacy of benefits. I support the Prime Minister in his decision not to say sorry. Obviously, if people have had injustices perpetrated against them, that is not to be supported. But this generation—myself and others here—have not been party to that, so why should we have blame apportioned to us?

Ms Breuer: It's about saying sorry for what has happened. It has nothing to do with blame.

The Hon. G.M. GUNN: If the honourable member wants to say sorry, she should do so. I am sure that all those blue collar workers in her constituency will be very pleased with her indeed. I hope she makes sure that she writes to them and tells them all what she has done. I look forward to the honourable member doing that—I would even help her with a few stamps if she wanted them.

This is nothing more than a political stunt. It may make the honourable member feel a little better but it is certainly not in the interests of Aboriginal people. Therefore, I cannot support it. We have already been through this debate. We have had a considerable debate Australia-wide. The Prime Minister has made his views clear and precise, and I believe that he has the support of the Australian nation in relation to his views. It is far more difficult to stand up, as the Prime Minister has done, in an honest, straightforward and sensible way—

Mr Lewis: And tell the truth.

The Hon. G.M. GUNN: And tell the truth, as the member rightly says. The Prime Minister is was fully aware, as I am, that you will bring to the fore all the trendies, all the do-gooders and other hangers-on who are living off the taxpayer; the ones with a so-called social conscience who have done nothing; the bleeding hearts, like the honourable member and all those other do-gooders who have so rorted the system and been responsible for hundreds of millions of dollars of hardworking taxpayers' money being invested—unfortunately, not for the benefit of the indigenous people. Let the honourable member come forward with something constructive. Where has the honourable member been? These people have so mismanaged and rorted the situation, and the Aboriginal people are still wanting.

Ms Rankine interjecting:

The Hon. G.M. GUNN: If the honourable member is so naive and so ill informed, I am surprised that she continues to interject—

Ms Rankine: Elaborate.

The Hon. G.M. GUNN: You only have to go to the Pitjantjatjara lands and open your eyes and see. If you are so blind that you cannot understand what is going on, I do not think that you have long to go in this place. That is what Terry Cameron tells me, anyway—you do not have long to go in this place.

An honourable member interjecting:

The Hon. G.M. GUNN: I would suggest to the honourable member—

An honourable member interjecting:

The Hon. G.M. GUNN: I have put it on the record in the past. These places have been mismanaged. The Aboriginal people, who have wanted to engage in enterprises and manage their own affairs—run cattle, involve the tourist commission, and various other things—have been prevented from doing so, because that does not suit the agenda of the so-called well informed, the warm and fuzzy lefties they have up there who put on their red headbands and travel around these areas. This is a move to try to appease the trendy chardonnay set: it is nothing about—

Ms Breuer interjecting:

The Hon. G.M. GUNN: I am surprised that the member for Giles has joined that set; I am surprised that she would want to associate with them. I thought that she represented practical people who understood what the real world was about. I did not think that she would join this chardonnay set, these so-called academics and others who have engaged in this sort of behaviour. At the end of the day—

An honourable member interjecting:

The Hon. G.M. GUNN: The cap fits the honourable member perfectly. We know that the honourable member had to apologise to the nurses at the last election, and she will probably have to apologise to a number of others. In conclusion, I want to say that I would support this motion if it did some good.

Debate adjourned.

[Sitting suspended from 1 to 2 p.m.]

PROSTITUTION

A petition signed by 49 residents of South Australia, requesting that the House strengthen the law in relation to prostitution and ban prostitution related advertising, was presented by Mr Condous.

Petition received.

ALDINGA POLICE STATION

A petition signed by 330 residents of South Australia, requesting that the House ensure that the Aldinga Police Station is open 24 hours a day, was presented by Mr Hill.

Petition received.

DENTAL SERVICES

A petition signed by 23 residents of South Australia, requesting that the House urge the government to fund dental services to ensure the timely treatment of patients, was presented by Ms Stevens.

Petition received.

AUDITOR-GENERAL'S REPORT: PELICAN POINT POWER STATION

The SPEAKER: I lay on the table the report of the Auditor-General on the summary of the Pelican Point Power Station project documents under section 41A of the Public Finance and Audit Act.

The Hon. R.G. KERIN (Deputy Premier): I move:

That the report be published.

Motion carried.

MEMBERS, MOBILE PHONES

The SPEAKER: It has come to the attention of the chair over the past week or so that an increasingly large number of members are now bringing mobile phones into the chamber and using them at length while they are in the chamber. I remind members that they are banned, and I ask members to turn them off. If they must use a mobile phone, I ask them to go into the lobbies.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Human Services (Hon. D.C. Brown)—

Department for Transport, Urban Planning and the Arts—Report, 1999-2000

By the Minister for Environment and Heritage (Hon. I.F. Evans)—

Department for Environment and Heritage—Report, 1999-2000.

QUESTION TIME

SMALL BUSINESS

The Hon. M.D. RANN (Leader of the Opposition): Given that small businesses in South Australia are due to lodge their first GST business activity statement in just two days' time, does the Premier agree with or does he dispute the statements of Mr Max Baldock, South Australian President of the State Retailers Association, that more than 15 per cent of South Australian small businesses could close as a result of the introduction of the goods and services tax? Today, Mr Baldock said:

In South Australia, 98 per cent of small business retailers have suffered a decline in profits since the introduction of the GST.

Mr Baldock continued and said that he estimated that between 15 and 25 per cent of small businesses in South Australia will eventually close or perhaps even fail through bankruptcy as a result of the GST and the cash flow crisis that it will produce.

The Hon. J.W. OLSEN (Premier): In relation to small business and the state of the economy, we ought to take into account a couple of important factors. First, small business is, as has been described in the past, the engine room of the South Australian economy. It is particularly important to us. It is the largest employer group collectively within the South Australian economy, and that is the why the figures released today which show a .4 per cent reduction in the level of unemployment in South Australia to 7.1 per cent are a most encouraging sign.

Consistently and consecutively over a number of months, we have seen a reduction in the level of unemployment in South Australia, to the point where we have an historic number of people employed in our state. Small business being the largest employer, I would take that statistic, that set of circumstances post GST, to be a barometer as to the state of the South Australian economy. In addition, I point up such factors as state final demand and export market effort, all of which have been contributed to by the buoyancy of the economy of our state; and there is no better barometer than the figures released today as they relate to employment and unemployment. As they relate to employment, I was certainly heartened by Morgan and Banks releasing a report last week that showed the potential for further job growth in South Australia was substantial and, in fact, if my memory serves me correctly, we have the capacity to outperform other states of Australia in potential jobs being created, that is, the number of businesses that were going to take on employees versus those that were going to shed employees. In that respect, once again we were out in front amongst the states in Australia.

Where we became accustomed in the 1980s and early 1990s to the cinderella state and following the other states, we are no longer doing that and we are setting a pace with our economic activity and growth compared to the other states in Australia. As it relates to the payment of the fee and remis-

sion to Canberra, the delays will require quite clear discipline in relation to small business; that is, a discipline of ensuring that those funds are put to one side to ensure that they are available for remittance as and when the time arises. There is a pressure that people will tend to use those funds in the interim as a cash flow within the business. That then presents difficulties when the time for remittance comes—and this is the first such time for that remittance—and I have no doubt that, in that respect, it will apply some pressure to some small business operators. However, one would expect that, over the course of a year, this would iron itself out.

We need to remember that a number of other benefits are brought forward in relation to this: first, the reduction in the taxation impost on business and, secondly, and importantly, I point up the efforts put in place by the South Australian government through WorkCover. On 1 July this year we reduced the impost on small and medium businesses by WorkCover of about 7.5 per cent. That is a saving of some $25 million in the pockets of those small businesses and, in addition to that, given a fully funded scheme which we anticipated on 1 July next year, there will be a further 7.5 per cent (I think it is or thereabouts) reduction in WorkCover premium costs. So over a period of a year—1 July this year to 1 July next year—there will be set in place a $50 million reduction in premium costs to small and medium business.

I would argue that that is a very significant reduction of input cost, operational cost and trading cost on small business, brought about by policies of the government which have removed the unfunded liability of WorkCover that we inherited in 1993. They are the real benefits that are flowing through to small business. I would simply invite Mr Baldock to be objective in his assessment and look at the benefits being put in place by the South Australian government to reduce costs on small business as it relates to other administrative requirements being placed on small business as it relates to the new tax system introduced into Australia.

However, I also make this point as it relates to small business in South Australia. With the new tax system we have the abolition of wholesale sales tax. The abolition of wholesale sales tax on 1 July means a reduction in cost for those businesses particularly that are going into the export market. We have taken a hidden tax system off them so that they can access the marketplace nationally, internationally and more competitively than they would otherwise be able to do. Certainly, as it relates to the international market, having wholesale sales tax taken out, removes a burden, a hurdle, that our small businesses would otherwise have to face.

With all these things, there are always two sides to a coin—always—and I would argue that the WorkCover premium cost reductions brought in by this government and management of WorkCover successfully and the abolition of such things as wholesales sales tax better position small business in the long-term.

EMPLOYMENT

Mr WILLIAMS (MacKillop): My question is directed to the Minister for Employment and Training. Will the minister detail to the House the key points of the latest employment statistics for South Australia?

The Hon. M.K. BRINDAL (Minister for Employment and Training): I am sure that, while the Premier has given us initial news on the job figures, every member of this House would be truly delighted at the release of today's employment figures. South Australia's unemployment rate for October was 7.1 per cent and we are again ahead of Queensland and within less than a percentage point (.8 per cent) of the national figure. This is a result on which I believe all South Australians can be congratulated. Without business confidence and without South Australians taking the initiative to provide opportunities for employment, this would not have happened. This is a victory for our community, for the young people who have stayed at school or moved on to get appropriate training, for those in the work force who have reskilled themselves and for those employers who have seen efficiencies and chased new markets.

We now have the lowest overall unemployment figures in South Australia since April 1990. We have a government that has resolutely pursued policies that create a confident and stable employment platform and a Premier who has got out there, gone wherever he was needed and spoken to whoever would listen, to provide opportunities for British Aerospace, Email and a BHP presence in South Australia. It is about time the opposition, if it is fulfilling its role as an opposition, acknowledged the government's good work in this area. Victoria should also be grateful to the Premier because, after all, he has single-handedly created Victoria's biggest growth opportunity: furniture removalists, who are flat out shifting people into South Australia. At long last the Victorian number plate 'On the move' is correct. Victorians are all moving to South Australia. I have heard though that they are going to amend it slightly. The new number plate—

Members interjecting:

The SPEAKER: Order! The leader will come to order.

The Hon. M.K. BRINDAL: The new number plate in Victoria will read slightly differently. It will read: 'Victoria on the move—Brackwards'.

Members interjecting:

The Hon. M.K. BRINDAL: My colleague just helped by saying that they should put 'Victoria—Gateway to South Australia': a very good slogan indeed. If opposition members doubt what is happening, they should look at the detailed evaluation done independently by KPMG for the government. KPMG supports the job survey figures released today in that the impact of South Australia's industry investment attraction fund, something which the opposition has criticised and been carping about of late, is appropriately focused on job creation or retention. Over the four years reviewed, 80 per cent of the projects this government has helped enable are performing as expected and, in particular, 60 per cent are performing better than expected. Some are performing substantially better in terms of their job growth projections.

Mr Foley interjecting:

The Hon. M.K. BRINDAL: There we have the true attitude of the opposition. They will find something negative to say about the most positive results. This, in turn, suggests that we have underestimated the jobs growth from the investment attraction activities from major investments such as Motorola and Westpac, and more recent ones such as BAE Systems and Email are likely to over-achieve rather than under-achieve, based on the job growth projections of the study.

The state government's commitment of $114 million has attracted more than $1 000 million worth of investment. Clearly, this government's aggressive attraction program is having a significant impact on jobs growth as well as growth in the economy and in South Australia generally.

An honourable member interjecting:

The Hon. M.K. BRINDAL: Of course, we get interjections from the members opposite because the employment

rate under Labor was 23 per cent when the Leader of the Opposition was employment minister.

The Hon. R.L. Brokenshire: How much?

The Hon. M.K. BRINDAL: 23 per cent.

The Hon. R.L. Brokenshire: And he wants to lead the state as Premier? You have got to be joking!

The Hon. M.K. BRINDAL: I am sorry, his rating was 23 per cent. Then, overall, unemployment rocketed to 12.3 per cent, while youth unemployment went beyond 40 per cent. Back then, his solution was to call for a jobs summit, and some things never change: he says now that if Labor returns to office he will scrap the very bodies that successfully encourage investment in this state and create something new instead. So, everything we have achieved he will put on the scrap heap. He will reinvent something new and, hopefully, rekindle something in the process. This Leader of the Opposition would be a disaster for everyone's job except his own.

Members interjecting:

The Hon. M.K. BRINDAL: We all know what Labor stands for: it stands for higher taxes; it stands for more red tape; it stands for more interference with their union mates—

An honourable member interjecting:

The Hon. M.K. BRINDAL: —and it stands for appalling economic management. The member for Peake says it is a lie. All he has to do is look across the border.

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: Sir, the parliament deserves better than this. The minister is clearly not answering the question. I ask that he be brought back to it.

The SPEAKER: Order! I do not uphold the point of order. The lead questions on either side are traditionally allowed to run a bit longer than the other questions. I ask the minister to stick strictly to the question that he was asked and start to wind up his reply.

The Hon. M.K. BRINDAL: I will, sir. I will wind up by actually commenting on one of the leader's latest job creation schemes—bringing thinkers to South Australia.

The Hon. M.D. Rann: It's not you, is it?

The Hon. M.K. BRINDAL: It might not be me. It is certainly not the Leader of the Opposition, who has never had an original thought in his life. He is going to bring Bob Ellis to speak on literature; Joan Kirner to talk to us on power stations; Paul Keating to talk on balanced budgets—or maybe even banana republics; and Rob Hulls or Steve Bracks, perhaps, to talk to us about reviving the South Australian economy. They will be the calibre of thinkers that we will get. But at least they will have an idea.

Ms KEY: I rise on a point of order. I thought the question was about unemployment rates, and I am wondering why the minister is now talking about other subjects.

The SPEAKER: I suggest he is doing so because the leader, who was out of order, interjected and the minister was responding to the interjection. I suggest that people desist from interjections, which only feeds the members of the ministry and allows them to go off on tangents.

The Hon. M.K. BRINDAL: I conclude by saying that this government has not lost and will not lose sight of our number one goal, that is, creating an employment opportunity for every South Australian who seeks a job. We hope that would have bipartisan support and not attract trite comments from above the chamber. There is a message for all South Australians: now is not the time to gamble our future. Now is the time to consolidate on the good work that we have done as a community, not to risk anything by voting for the Neanderthals and ne'er-do-wells who sit opposite and can do nothing better than criticise.

SMALL BUSINESS

Mr WRIGHT (Lee): Will the Premier provide extra resources through the Business Centre or another agency to advise and help South Australian small businesses to address the cash flow problems and higher costs arising from the introduction of the GST? The deadline for lodgement of the first GST return by small business is this Saturday, 11 November. The Australian Taxation Office has extended this to 30 November in the case of tax agent clients only. The National Tax and Accountants Association has estimated that as many as 400 000 small businesses nationally will fail to lodge their business activity statement by 11 November. The Institute of Chartered Accountants has stated that small businesses will face a 30 to 50 per cent increase in fees and that 'the complexity of the tax has multiplied by a factor of four'.

The Hon. J.W. OLSEN (Premier): I will be more than happy to make an inquiry of the Business Centre as to what level of inquiry rate is currently being handled by it and whether there has been an abnormal increase in the inquiry rate in recent times. Clearly, as part of the government activities, the Business Centre has always been a key factor in supporting, assisting, facilitating and giving advice to small business in a range of measures. I would want to make sure that that is always the case, but I come back to the point that this must be kept in some context. Through its WorkCover efficiencies and management, this government has actually taken $25 million off the cost of operating a small business this year. In addition, the projections are that we will take another $25 million off the cost of operating a small business next year. The member for Lee wants us to be helpful in assisting small business, as I do. As he knows, I come from a small business involvement and background. I have a high regard for small business and have underscored its importance to our economy.

Of course we would want to reduce small business costs, but we are not only talking about wanting to do that: we have actually done it. We are actually delivering reduced costs for small business in this state. I would reinforce the fact that indicators such as the Morgan and Banks survey demonstrate that South Australian employment expectations are at a record high, with about 30.6 per cent of businesses in this state predicting that they will take on more staff. If 30 to 31 per cent of businesses, including small businesses, are indicating that they will take on staff in the next couple of months, it would seem to me that the economy in South Australia is okay and has some prospects, because businesses are intending to undertake more employment in our state. That is exactly what has driven government policies over the past seven years. We wanted to rebuild and rejuvenate this economy and bring more people into employment in this state—which we have achieved.

In bringing larger companies into this state there is a commensurate roll-out to small business, in that each week more people with a pay packet are walking past the supermarket, deli, service station, newsagent and so on. More people having the capacity to spend in those small businesses create more activity and jobs. That is why we are starting to lead the nation instead of following the nation in matters of economic activity and small business.

I reinforce a point in relation to wholesale sales tax. Because we are an exporting state, exporting to more destinations than does any other state in Australia, and because our growth in exports is outstripping the national average for exports overseas, the abolition of wholesale sales tax has removed a cost impediment to goods leaving here and going into the international marketplace.

That is a direct by-product of a new taxation system. So, you have a number of measures that are working in the long term favour of small business. A number of those measures are deliberate outcomes of policies of this government over seven years. That is a bottom line benefit to small business. It is in their bottom line: $25 million, not going to Workcover but staying in the bank accounts of the small business operators in our state. That thrust, that policy direction, those principles are what underscore the direction in which we are taking South Australia and I would argue, given the Morgan and Banks survey, given the .4 per cent reduction in unemployment levels today, that we are succeeding.

We have an economic activity that is prospective, an economic activity in our state that augurs well for small business, and if some need support for facilitation, education and explanation then the Small Business Centre is the appropriate body for that. As I said to the member when starting my response to his question, I would be happy to look at the activity level to see if it has been increased, to see what is related to a new taxation system and what other assistance should be given to small business.

SCHOOL RETENTION RATES

The Hon. G.A. INGERSON (Bragg): My question is directed to the Minister for Education and Children's Services. Can the minister advise the House on the success of graduates from TAFE institutes and South Australian schools and how they positively relate to school staying-on rates?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): It is very pleasing to see today's employment figures because I believe what it underscores is the fact that the government's education and training policies that have been adopted are right for South Australia. History reveals that Australians have not always been the greatest at taking up further education and life-long education. I believe that the message is now getting through to the Australian population and particularly to people in South Australia, and a new attitude is emerging with those people undertaking life-long learning.

South Australia has more 15 and 16 year olds in full-time schooling than anywhere else in Australia. We also have the greatest percentage of part-time students in year 12: 24 per cent of our students in year 12 are part-time students. These figures are not included in the ABS figures and in the retention rates, and when those figures are converted to full-time equivalents you actually find that South Australia has a retention rate above the national average.

The national average is just over 70 per cent. We have some 16 000 students undertaking vocational education training. That is 33 per cent above what that figure was last year. I only need mention the vocational college in the electorate of the member for Torrens at Windsor Gardens and its outstanding success, the success of the vocational college in the electorate of the member for Kaurna at Christie's Beach and also the success we have seen resulting from the collaboration of schools in the member for Mawson's electorate. Those outcomes in vocational education training for our students are leading on to additional study leading to employment.

However, it does not just stop there, because our TAFE institutes have some 92 000 students this year, and that includes some 4 000 who are studying on-line. Despite the rhetoric heard around these parts about increased funding under user choice arrangements for apprenticeships and traineeships, including TAFE, we have seen apprenticeships and traineeships increase in the last two years from 8 400 to 18 500—a 120 per cent increase in two years. That is incredible. We also have seen TAFE become increasingly flexible in terms of its liaisons with industry, high schools and universities. That is paying off, because it is building up the skills of our trainees and our work force.

One has only to look at the companies with which the TAFE institutes are now working to see why our unemployment figure is decreasing. They are working with companies such as BAE Systems, Telstra, Western Mining, Gerard Industries and Holden's. I can list them in my own electorate in terms of Orlando Wyndham wineries, and within the member for Mawson's electorate in terms of Hardy's winery and training people in the bottling line and in the wineries in that area. That is where we are gaining in the skills in our work force.

A national survey of TAFE institutes and employers and students in TAFE institutes has shown that 81 per cent of students leaving or completing their study at TAFE obtain employment. That is well above the national average of 73 per cent. In addition, 87 per cent of employers say that they are very satisfied with their TAFE students and with the TAFE system. That is the best in the nation.

High school students, of course, can begin courses with TAFE while they are still at school, receive that accreditation and then start their third level of education before they have even left high school. It is little wonder that unemployment has dropped from 12.3 per cent, as was the case under the Leader of the Opposition's time as the minister for unemployment, to 7.1 per cent today. What a contrast to Labor's policies—a legacy of lost causes, a lack of ideas and a lack of policy. No wonder they have to bring in some top guns to pump up their thinking, because there are no ideas on that side. They have to bring in people from outside because there is a void, a total vacuum, on that side of any new ideas. Education and training courses in this state are moving in the right direction, and that is reaffirmed by today's unemployment figures.

The SPEAKER: Order! Before calling the leader, I point out that, in 30 minutes of question time, we have had only two questions from either side. I ask ministers to start to shorten their replies.

AUDITOR-GENERAL'S REPORTS

The Hon. M.D. RANN (Leader of the Opposition): Will the Premier move in this House to authorise the Speaker to publish, distribute and publicly release any reports prepared by the Auditor-General and delivered to the Speaker pursuant to section 32 of the Public Finance and Audit Act during the coming Christmas parliamentary recess, including the Auditor-General's report into the probity, conflict of interest and financial issues surrounding the Hindmarsh Soccer Stadium? The opposition has been advised that, because of major difficulties and delays in obtaining evidence from the member for Bragg and others, the Auditor-General may not

be able to bring down his report into the Hindmarsh stadium until after parliament rises for the Christmas recess. The parliament is not scheduled to sit again until 13 March next year.

The Hon. J.W. OLSEN (Premier): I will be happy to take up that issue with the Speaker, and I think that would perhaps be an appropriate course to follow.

REGIONAL COMMUNITIES

Mrs PENFOLD (Flinders): My question is directed to the Deputy Premier.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

Mrs PENFOLD: Will the Deputy Premier advise the House of initiatives that are creating new opportunities in our all-important regional communities?

The Hon. R.G. KERIN (Deputy Premier): I thank the member for her question and acknowledge her interest and the amount of work that she does in her electorate to make sure that development is occurring. We are seeing the greatest rate of regional development we have seen for quite some time. Unfortunately it is not even. The growth in certain industries is quite remarkable; for example, our exports in viticulture are about 10 times what they were a decade ago. That points out that there has been massive growth. Other such industries include: horticulture, aquaculture and mining. Tourism is also starting to make a real impact out there. Food processing and meat processing are growth industries, particularly with the enormous growth of a couple of our abattoirs. It is a time when we are seeing our export industries really start to take off. Unfortunately, that is not the case in all areas. There seems to be a very incorrect perception. This morning I heard a promo on radio where they were talking about how they were going to feature a town that was going against a trend in rural Australia and growing as against the decline everywhere else. That is the incorrect perception. Across regional Australia, and particularly regional South Australia at present, we are seeing some real unevenness. We have a high rate of development in some areas, and in other areas, where there are structural problems, we still have ongoing problems in trying to attract development.

In those areas of old industry there are people and infrastructure there, but most of the development is occurring elsewhere. In the areas where the new industry is increasing—particularly the primary industries—we have a shortage of labour, and a shortage of housing is well and truly emerging as a major problem. We have housing problems in, for example, Naracoorte, where there is the viticulture industry, including the wineries, and the major growth in meat processing is seeing us with a real problem there which the Minister for Human Resources, our officers and I have been trying to help the local government work through. There are problems in Pinnaroo with horticulture and the potato washing plant. There are problems at Mannum, where there are, once again, horticulture and food processing industries. I met with the Mayor of Murray Bridge this morning and, as the Premier mentioned the other day, we have some real problems there. A whole range of industries is involved. In Murray Bridge over the next couple of years, we have an extra 800 workers to come on line. The housing is a major problem as to where we will put those. Clare is basically built out, as is Loxton, as the Premier mentioned the other day.

There are also problems at Elliston, where this a new aquaculture project. Smoky Bay has gone from one business to 30 businesses over the past few years. Cleve council spoke to me recently about Arno Bay and the need for housing there. All of a sudden we are seeing housing become a major issue and, of course, a lack of suitable employees in those areas at present. It is good to see that development is mainly driven by export industries, which is good news for the whole state. I will pay tribute here to an excellent network of regional development boards. We have a whole network of people working hard with investors, government and local government to achieve the outcomes we are starting to get. At present, many attempts are being made to try to get the spread of that development into some of the areas that are missing out. Several things are going on in the pastoral area with diversification, particularly with some of the northern stations, and pastoralists can well and truly look at tourism as a massive potential at present because of the growth in that.

The area that has seen contraction over a number of years is the Upper Spencer Gulf, where we have seen the restructure of major industries. It is important to note that, at present, with regard to Spencer Gulf, we have three major projects in the railway, SAMAG and the Orion project in Whyalla, which are the three biggest opportunities that Upper Spencer Gulf has seen for some years. So, exports will continue to grow out of regional South Australia. We see 70 per cent of our exports coming out of the regions now. We recently heard the Chief Executive of the Chamber of Commerce or Business SA, Peter Vaughan, make statements about how we are a city state and we should be making sacrifices in our regional areas.

An honourable member interjecting:

The Hon. R.G. KERIN: No. I point out that that absolutely forgets the fact that the exports are the ones that bring in the money to make sure all these other businesses have money to go around. At present we are experiencing good growth in regional South Australia. That augers well. Certainly, the regions are not only doing their bit but above their bit and are seeing some real development.

ADELAIDE CITY SOCCER CLUB

Mr WRIGHT (Lee): My question is directed to the Minister for Recreation, Sport and Racing. What agreement or arrangements, financial or otherwise, exist between the government and Adelaide City Force that requires the soccer club to play at Hindmarsh stadium; and did the government intervene earlier this year to ensure that matches were not moved from Hindmarsh to the Adelaide Oval?

The Hon. R.G. KERIN (Deputy Premier): In relation to this question, I have been undertaking negotiations with both Adelaide City and the—

Mr Wright interjecting:

The Hon. R.G. KERIN: No, there is a whole range of issues, if you would like to listen—

An honourable member interjecting:

The SPEAKER: Order! The chair would like to hear the reply at least.

The Hon. R.G. KERIN: I could not even hear myself giving the answer, so I would appreciate it if I could be heard. We have been negotiating with the Adelaide City Soccer Club and the South Australian Soccer Federation, and we are within a day or so of reaching a final agreement. I am totally unaware of any interference with Adelaide Oval in this respect. Adelaide City does want to play its games at

Hindmarsh stadium and I am not aware of any interference whatsoever with Adelaide Oval.

Members interjecting:

The SPEAKER: Order! I call the member for Hartley.

NEEDLE STICK INJURY KIT

Mr SCALZI (Hartley): Thank you, Mr Speaker. A person's contribution is not based on their appearance. Will the Minister for Police, Correctional Services and Emergency Services explain to the House how a state government launch today will raise awareness of the retail industry to the dangers of needle stick injury?

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): I thank the member for his question on what is an important subject. I am delighted to be able to respond to the member and advise him that today the government, in conjunction with the Retail Traders Association and the Attorney-General, was involved in launching a comprehensive kit dealing with the issues involving needle stick injury in the industry. This is very important because it ties in with the point that the Premier raised earlier about our being able to get WorkCover to a situation now whereby significant returns to small businesses are improving their bottom line. In addition, the government is very concerned about the workers. I commend this positive action today by both the government and the Retail Traders Association, because we do not want to see workers, and indeed we also do not want to see shoppers, being injured through needle stick injury.

Whilst I am pleased to say that the incidence of needle stick injury is rare in our state, the government definitely sees that we must be pro-active in providing the necessary information to retailers and the assistants who work in the retail industry, and also opportunities for them to be able to help educate the broader community, in particular customers, when it comes to possible injuries and how you address an issue if you happen to find that a syringe or a needle is involved. Sadly, we do know that some people use syringes in and around shopping centres, in toilets and the like, and it is important that we keep our community safe. The kits are part of our state government's $18 million illicit drug strategy, the aim of which is to give South Australians the opportunity to break the cycle of drug abuse and crime.

As I have said many times, the only way we can combat the issues and concerns around illicit drug use is to be totally holistic, that is, looking at police issues and health issues, as well as education issues, because this is very much an education issue as well for our community. The information in this kit has been put together by major retailers, government agencies and, in particular, police, and I congratulate all those involved in putting this kit together. Retailers are advised to make sure that all staff are aware of the risk, are encouraged to prepare safe handling kits for the workplace and, importantly, to display posters and stickers in workplaces to alert staff to the risk.

Retail staff and customers occasionally come into contact with discarded needles and drug users who are injecting or who, sadly, at times may have even collapsed in public toilets, stairwells or laneways. Unsafe handling of needles could cause a needle stick injury with the risk obviously of AIDS or hepatitis—HIV. I commend the launch today of these kits, and I encourage all small businesses to contact the Retail Traders Association and ensure that one of these kits is put into every commercial premises in South Australia.

HINDMARSH SOCCER STADIUM

Mr WRIGHT (Lee): My question is to the Minister for Recreation and Sport and/or the Deputy Premier. Will the South Australian taxpayer bear any of the cost of the losses being made at the Adelaide City Force National Soccer League matches staged at Hindmarsh stadium this season, and how much has been lost so far this season? It is understood that the break-even crowd figure at the Adelaide City Force matches at the 15 000 capacity Hindmarsh stadium is about 6 500. Yet again so far this season crowds have been about half that size.

The Hon. R.G. KERIN (Deputy Premier): I do not have figures at my fingertips, but obviously those—

Members interjecting:

The Hon. R.G. KERIN: No.

Members interjecting:

The SPEAKER: Order! Members on my left will come to order.

The Hon. R.G. KERIN: Thank you, Mr Speaker. I do not have the figures. I would not know what is the break-even situation. We have built a soccer stadium.

Mr Foley interjecting:

The Hon. R.G. KERIN: Do you want the answer or not?

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart for interjecting after the chair has called the House to order.

The Hon. R.G. KERIN: You are obviously showing some ignorance as to how things are done. They come in as a tenant and it is up to them, once they have had their tenancy, what their break-even crowd is within that tenancy. Obviously, there is a range of issues to do with the Soccer Federation and Adelaide City Force that need to be worked through. I hope that the honourable member's comments are not having a go at the game of soccer in South Australia. It has had some difficulties, and we are working through them. It is in the interests of South Australia to have one national league side, and preferably two sides, and we are working towards that end. If that is not satisfactory to you, bad luck, but that is the end that we are working towards.

KORTLANG

Mr LEWIS (Hammond): My question is directed to the Premier.

Members interjecting:

The SPEAKER: Order! The member for Hammond has the call.

Mr LEWIS: Did the Premier, when Minister of Water Resources, authorise the expenditure and/or have any knowledge of the expenditure of $250 000 ($100 000 more or less) paid to a firm known as Kortlang, which was then used all or in part to undermine the then Premier Dean Brown as part of the public relations exercise for which they had been engaged?

The Hon. J.W. OLSEN (Premier): I will look to find out whether the company to which the member referred received contracts and who signed them off. As to the inference contained in the member's question, I refute it entirely.

HINDMARSH SOCCER STADIUM

Mr WRIGHT (Lee): My question is directed to the Deputy Premier. Is the government planning to have the board of the Adelaide Entertainment Corporation take over

the management of the Hindmarsh stadium? What discussions have occurred with the Entertainment Corporation about this issue? What discussions have been held with the board and the Soccer Federation on this issue, and what has been the reaction of the South Australian Soccer Federation to these discussions?

The SPEAKER: Before calling the Deputy Premier, I have raised before in this session these multi-question questions. I ask members to phrase their questions and, if necessary, come back with a second or third supplementary question when they get the call. I call on the Deputy Premier to respond as best he can and perhaps provide further information later.

The Hon. R.G. KERIN (Deputy Premier): I thank the member for the rally of questions. I caught some of it as it went past. Obviously, we are looking at the options: we are looking for options.

Mr Wright interjecting:

The Hon. R.G. KERIN: I will tell you what I can tell you.

Mr Foley interjecting:

The Hon. R.G. KERIN: Do you want to listen, or not?

Mr Foley interjecting:

The Hon. R.G. KERIN: Well, give us a go.

Members interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: The answer to the member's question—if he is interested in listening, rather than going on like a bloody cockatoo—is that we have been negotiating with a range of players. The Soccer Federation is happy with where we are going and what we are doing, because the Soccer Federation, over the last few years, has incurred significant losses in the running of the stadium. There is absolutely no secret about that. The Soccer Federation is faced with a difficult financial position. It is in the interests of the game of soccer in South Australia, and the people of South Australia, that we work through some of those issues. If the government comes in to manage the stadium with the Soccer Federation maintaining the lease, then that is in the best interests of the game of soccer, of the Hindmarsh stadium and, therefore, the people of South Australia. That is where we are heading.

As far as the role of the Adelaide Entertainment Centre is concerned, the centre is very much an option for government management. However, negotiation with the South Australian Soccer Federation has been about the government's managing. Which part of the government and who the government chooses to manage is a separate decision: but, yes, the Adelaide Entertainment Centre is an option.

PHYSICAL EDUCATION WEEK

Mr HAMILTON-SMITH (Waite): My question is directed to the Minister for Recreation, Sport and Racing. As this week is Physical Education Week, could the minister explain what activities have been coordinated for getting young people involved in physical activities?

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I thank the member for Waite for his question. Last Friday I had the pleasure of launching Physical Education Week for this year. It is a program that has been running for a number of years through the Education Department and it is well received within the broader community. But, of course, this year's Physical Education Week has been run in the shadow of the Olympic Games and, I guess, it is an opportune time to look at some of the public debates that are happening at the moment in relation to physical activity and participation within our community in recreation and sport.

Following the very successful Sydney Olympics and Paralympics, the Prime Minister made some public comments about retaining the elite sport budget and, indeed, if you believe some of the media reports, may even be looking at increasing the funding available to elite sports. I make no criticism of that, but I want to comment on the funding of participation programs generally within the community. Some people in the community would have you believe that having sporting heroes performing on the world stage will guarantee a delivered increase in long term participation rates by everyday Australians at the local level. I want to spend some time examining that particular theory, because of research done by some South Australian researchers. The federal government, since 1976, has spent around $918 million on elite sport funding—or $1.2 billion, if you include commonwealth infrastructure as well. But that $1.2 billion does not include any state spending on recreation and sport or, indeed, recreation and sport infrastructure.

Over the last decade, of course, on top of that spending, Australia has been world champion in various sports. Of course, we have been champion over the last decade in netball, in various forms of rugby, in cricket, in tennis through the Davis Cup, and in hockey. All of those are icon teams which have won world championships. Of course, locally, we have also seen the Freeman experience in athletics; the Thorpe sensation in swimming; the O'Grady success in cycling; and the Norman and Webb experiences in golf—all individual athletes performing very well on the world stage.

However, if you believe recent research, all of the winning of those championships and all of the money spent have not yet delivered long term participation at community level. All of the evidence appears to be that Australians are becoming less fit, less active and more overweight than they ever have been. The statistics are that the obesity rate in men has increased from 7.8 per cent in 1980 to 17.6 per cent in 1995: for women, in the same period, from 6.9 per cent to 16 per cent. So over that period, in spite of all of the money spent on elite sport and having all the world champions and having all the world champion teams, in actual fact, it has not delivered long term participation.

Recent surveys have also indicated that over the last 12 months—the very year that we celebrate the Olympics in Australia—18 year olds, in fact, have become less active by about 5 per cent, so there has been a drop in participation. That means that the community is yet to be convinced about the argument that elite sport will actually deliver long term community participation at the local level.

So, an argument can be made that more needs to be put into community participation programs, and I am pleased to advise the House that in July at the sport and recreation ministers' conference an agreement was reached to try to increase local level participation by a further 10 per cent over the next decade. The reason we are aiming at that is that, as I am sure the minister for health is aware, each year thousands of Australians die due to illnesses related to physical inactivity. Some estimates suggest that if we increase the community activity by about 10 per cent it would save us about $600 million per annum in our health budget.

Also, observations can be made about where people are being active. It seems that all the research shows that people are engaging in less structured activities such as walking,

aerobics, swimming, cycling and jogging. They are undertaking irregular, unstructured, informal activities due to their busy lifestyles. That is one reason why the government will put about $6 million over the next four or five years into recreational trails and so on: to provide better facilities for those people at the local level who are involved in less structured activities.

Society will need to put more money into community participation programs. There is already evidence of the health issues confronting us. For instance, diabetes has increased from 4 to 8 per cent over the past decade, and that should be of concern to all of us. The theme for the physical activity week is 'Active for life'. It is quite appropriate that, while communities and parliaments have debated issues such as lifelong learning in the education sector, we should also attend to people being active for life. Just as the mind needs to be healthy, so does the body.

The government intends to write to Prime Minister Howard seeking increased funds for community participation programs. While we do not decry the outstanding efforts of our Olympians and the money spent on our elite athletes, we think that in the framing of the next commonwealth budget consideration should be given to increasing money for community participation programs. We intend to take that up at the commonwealth level.

SPEECH AND LANGUAGE DIFFICULTIES

The Hon. M.D. RANN (Leader of the Opposition): Does the Minister for Human Services agree that children can be permanently disadvantaged if there are delays in treating speech and language defects and explain why children in the western metropolitan region must wait 14 months for therapy? I have received a letter from a paediatrician working with the Western Paediatric Outreach Service, drawing my attention to a case where the parents of a child aged two years and five months have been advised by the Northern Metropolitan Health Service that there is a 14 month wait for assessment and therapy. The letter states that any delay in treating children with speech or language difficulties could have lasting effects.

The Hon. DEAN BROWN (Minister for Human Services): First, in answer to the question about whether the development of children can be retarded because of a delay in getting appropriate speech training, the clear evidence is yes, it can, particularly with certain types of illness. In South Australia we have significantly increased the number of speech therapists available, through both the Department of Human Services and the Education Department. One of the targets we put down in 1993 was a substantial increase in the number of professionals, and there has been an increase involving 17 positions (it may have been larger than that earlier). A significant number of additional speech therapists have been taken on in the education area.

I know that there are unacceptable delays in terms of first assessing some of the speech problems, particularly with very young children. The age of two is often a stage where one does not know whether or not they have a significant speech defect, but maybe at ages three or four certainly one would. If the leader would like to send me copies of the information, together with the details of the person involved, I will be only too happy to follow it up to see if we can do something about those delays, because it is very important indeed.

I do not know if the member realises, but my wife has served on the board of the Crippled Children's Association, and one of the specific areas with which they have dealt for a number of years is this very area. Certainly, the Crippled Children's Association has been outstanding in the work that it has done in helping children with speaking difficulties. I would be only too happy to follow it through and see whether we can get appropriate help.

YOUTH AWARDS

Mr CONDOUS (Colton): Will the Minister for Youth outline what steps the government is taking to recognise and showcase the achievements of young South Australians?

The Hon. M.K. BRINDAL (Minister for Youth): I thank the member for Colton for his question and acknowledge his longstanding commitment, both as Lord Mayor and since he came into this House, to youth and especially the disadvantaged youth of this state.

Yesterday morning it was my great pleasure to represent the Premier at the launch of the inaugural South Australian Youth Awards Showcase. The government is playing a part in introducing this showcase to celebrate what young people in our state are doing right now and to give them recognition for their achievements and endeavours.

The showcase, which was launched in Hindley Street yesterday, has received strong backing from sponsors, including organisations such as Channel 9, the *Advertiser*, Mitsubishi, Motorola, and Paradise Community Service, and, of course, it is strongly backed by the state government. We have established a range of award categories, including a youth achievement award, a youth environment award and a youth inspiration award. The awards will be judged by representatives from youth advisory councils and helped by selected independent members of the community, each of whom will have made significant community contributions in their own way.

Such awards will build on initiatives such as Active8, the Premier's youth challenge, which the Premier launched in July. Active8 is about building upon and extending young people's range of skills, talents and abilities which they already provide to the community. It is important (and I think no-one in this House is unaware) that 95 per cent of our youth are excellent examples of what we would want to see in developing young Australians. It is a pity that such media attention is attracted on those few youth who, in growing up, experience some difficulties. They are not always irretrievable difficulties, but they are the ones who get all the publicity while the 95 per cent of youth who are doing a decent job and growing up to be useful members of our community are largely and totally ignored.

Providing young people, through Active8, with the opportunity to challenge themselves to discover unknown talents and to develop their skills is important to this government. Active8 is built around eight key values: trust, honesty, integrity, fairness, respect, courage, enterprise and excellence—values with which no-one in this House would argue. In establishing the South Australian Youth Awards Showcase (nominations for which are now open), I hope, too, that we will play another part in recognising the best efforts of our young people in a wide span of endeavours.

We have come to almost a triumvirate in this last couple of years: we have established a youth advisory council (Youth Plus, which is working very well); we are giving additional chances to thousands of young people with the Minister of Education through our schools in Active8 ; and now we are establishing a Youth Showcase. This government

is committed to its youth, the future of this state and to moving past the negative stereotypes, whether they be of this state or of our young people, into an era where we can say 'These are our kids, and we are proud of them.'

DIVISION LIST

Ms THOMPSON (Reynell): I seek the inclusion of my name in the record of voting that appears at page 398 of yesterday's *Hansard*. I was, in fact, present for this division, and I voted no.

The SPEAKER: The honourable member gave the chair advanced notice of that request. I have had the opportunity to examine the record and take evidence, and I am satisfied that the honourable member was present and, in accordance with standing order 179, I order that the votes and proceedings be corrected to ensure that her name appears under the list of names in the third reading of the South Australian Ports (Disposal of Maritime Assets) Bill.

MEMBER'S REMARK

The Hon. G.A. INGERSON (Bragg): I seek leave to make a personal explanation.

Leave granted.

The Hon. G.A. INGERSON: I would like to make a personal explanation in relation to a comment made in this House during question time today. Because of an article in yesterday's *Advertiser*, I had a discussion yesterday afternoon with the Auditor-General, and I make the following comment—and this also concerns the inference to be drawn from comments made here in the House today.

I am currently on summons and under oath in relation to the Auditor-General's inquiry into the Hindmarsh stadium. I have appeared on four occasions, and I will probably be required to appear at least once more, not as was represented in this place today and in the *Advertiser* yesterday. I have not caused any delay to the inquiry. I was not called until well into the inquiry, in late August. The Auditor-General was advised during the inquiry that I would be away on a parliamentary conference. As contained in the transcript, he accepted that and had no problems with that issue whatsoever. I am informed that, during the time that I was away, at least one other person was interviewed for at least two to three days and other issues were dealt with.

One of the reasons for the delay was that during the time of giving my evidence the legal adviser to the Auditor-General was, in fact, changed and it proved to be difficult for the new person and for my legal advisers to coordinate the times. In relation to the article in the paper yesterday, I was not interviewed at all, and it contained many errors. It is my view that this is a political stunt emanating out of this House.

The SPEAKER: Order!

GRIEVANCE DEBATE

Ms STEVENS (Elizabeth): In the midst of all the stress and chaos of last week in relation to public hospitals, members may have overlooked the new management arrangements within the North Western Adelaide Health Service, which was formed in 1995 by the amalgamation of the Lyell McEwin Health Service and the Queen Elizabeth Hospital. There has been much controversy regarding this amalgamation, and certainly there was controversy in the northern suburbs, where people felt that it was not the way to go and that, in fact, all that seemed to happen for people in the north was that they had to travel farther and across country to get to much needed health services.

I also remember very clearly the issues around at the time of the amalgamation, when it was made quite clear to the members of the Lyell McEwin Health Service board in 1995 that, if they wanted better services, if they wanted an upgrade of the Lyell McEwin Hospital, the amalgamation of their board with the Queen Elizabeth Hospital board was not something that they would reject. So, it was with quite a lot of interest that I noted last week that, in the midst of the crisis at the Queen Elizabeth Hospital and the concerns over service delivery at the Lyell McEwin Health Service, a new CEO had been transferred from the Noarlunga Hospital to the Lyell McEwin Health Service and that a new management structure is now in place.

Interestingly enough, this new management structure consists of two separate small committees, one at each hospital, to manage day-to-day operations of each hospital. A third committee, the Strategy and Operations Committee, is to be established and will work between those committees, having a longer term policy and operations role. I understand that the new Strategy and Operations Committee will be made up of the current CEO of the North-West Adelaide Health Services Board, four clinical leaders and the two CEOs of the campuses concerned, among other people. The interesting thing is that the board itself, the initial North-West Adelaide Health Services Board, appears to have been completely emasculated by these new arrangements. I raise this matter today because it is important from time to time that we reflect on what has happened over a number of years. From the standpoint of those two hospitals—particularly the Queen Elizabeth Hospital—it is enlightening to see what has happened over the years.

Seven plans have been announced for the Queen Elizabeth Hospital, and I will outline them. In 1995, the amalgamation with the Lyell McEwin Hospital occurred. In 1996, there was the $130 million redevelopment leading to full privatisation. Later on that year, that was scaled down to a part privatisation. In 1999, there was the BISIT report, which recommended 320 beds plus 70 transition beds. In 1999, the secret options paper was released, downsizing the hospital to 210 beds. In 1999, all those options were abandoned for a further option of 200 new beds. Finally, last week, we saw the pulling apart of the initial amalgamation of those two hospitals. It is interesting to look back at all the things I have just outlined to the House, because the only plan that was ever put in place of those I have just outlined was the amalgamation of the Queen Elizabeth Hospital with the Lyell McEwin hospital, and that is the very one that was essentially pulled apart last week. All these years on, you really have to say just how lacking in vision and direction this government has been.

Time expired.

Mr MEIER (Goyder): Over the past two days I have highlighted to this House how so many people are moving from Victoria to this state—particularly companies—and we have heard about 'Premier Brackwards', about whom we have heard again today. We have had such phenomenal growth in this state that the question could be asked, 'Okay, South Australia is doing well, but what about your own

electorate?' I would like to highlight some of the things that are happening in my electorate in the time I have left. Most people would have read about the Copper Cove Marina, which is going from strength to strength, with some 470 allotments in the Wallaroo area. That is really revolutionising the whole northern part of Yorke Peninsula. We have the Port Vincent Marina, which is simply awaiting the final clarification on native title. All government approvals have been given, and it is ready to go. That will see many residential allotments established and will completely upgrade the area off Port Vincent coast and utilise the connection with Adelaide. It will be a wonderful development. A marina is proposed at Corny Point, and discussions regarding that are now well under way. That, too, looks very promising at this stage.

We have the Wheal Hughes underground mine at Moonta, the only underground mine in South Australia that people are allowed to come and view without any hassles or problems. If you go to Roxby, they do not want the average person to go the mines because of the mining operations there. So, Wheal Hughes is really going ahead in this regard. We have the Dry-land Farming Museum coming along very nicely at Kadina, and members would be aware that a $500 000 government grant was announced some six to nine months ago, and the foundations are down. It is really a well coordinated project and should become the Dry-land Farming Museum in Australia, equivalent to Longridge-type museums in Queensland.

The Dimension stone granite mine at Wallaroo is manufacturing harlequin stone—a stone that is sought after all over the world in places including Italy, the United States and Lebanon. In fact, ownership of that has just changed hands this week to the extent that the mine will now have three times the output it currently has. If anyone wants to see that stone I have a polished example in my office in Parliament House, as well as at the Wallaroo office. We have had the major constructions during our term in office of Yorke Hay, Golden Plains Fodder, Balco Hay and Gilmac Hay respectively on Yorke Peninsula and in the lower north. SACBH has constructed its new grain storage at Bowman's, where we are seeing Balco also construct new facilities. We have the Primo Port Wakefield pig abattoir, and that will double output shortly. We have many oyster leases, particular off Yorke Peninsula. We have Garland coming in to set up a major scallop operation off Wallaroo, which will be employing up to 40 people within a short time.

We have Posaqua fish farming at Tickera and black bream near Minlaton. We have a garden mulch-cum-hay processing plant at Port Clinton for the average gardener who wants special hay. A seed manufacturing plant is in the talking stage at this point. We have a major extension to the sand quarry at Price. Durham wheat silos are now at Kulpara and Balaklava for the manufacturing of pasta by San Remo. A new water storage is being constructed at Paskeville, ensuring that our water is all fully filtered, and a military museum was constructed at Bublacowie about two years ago. The Maitland Auto Preservation Society now has a walk-in old type display from an earlier street in the area. We also have major festivals which most people know about. We have major developments coming up such as a new motel at Wallaroo; new tourist accommodation at Port Hughes or the Moonta Bay area; new tourist accommodation at Marion Bay; and I recently opened the Marion Bay Tavern. We also have new roads going ahead in so many areas. Things are booming in this state, and they are booming in my electorate.

Ms THOMPSON (Reynell): I rise today to speak about a different aspect of sport from what is normally talked about. Together with all members, I regularly receive the bulletins from the Australian Institute of Criminology. I was very impressed by the messages contained in issue No. 165 entitled 'Crime prevention through sport and physical activity'. The authors of this paper are Margaret Cameron and Colin McDougall, and I acknowledge right up front the contribution they have made through this bulletin which I draw on heavily in my remarks. The paper suggests that, while sport is primarily for enjoyment, there are several positive outcomes from people engaging in sport on a regular basis in addition to the obvious fitness rewards. Sport brings together people in a positive context; it provides stimulation for young minds and can provide an escape fro the day-to-day reality which is unpleasant for many young people. Sport and physical activity can offer people a sense of belonging, loyalty and a support network. In some cases, this support may be all that is needed to make sure that self-destructive behaviour like drug abuse, truancy and suicide are no longer seen as options.

Sport is an excellent way of building self-esteem through the development of skills, enjoyment of play and through the social aspect. The value of building relationships through sport must not be overlooked, neither should the positive changes in gender relations through sporting programs that encourage collaboration, understanding and acceptance between participants.

The paper refers to several studies which were undertaken to determine exactly what deterrent value sport or physical activity had on preventing crime. These studies show that there is a definite decrease in unlawful and antisocial behaviour whilst involved in sport and organised physical activity. It was also found that the duration of involvement in such activity had an impact on how long people kept out of trouble. This is where the benefits of sporting clubs and team sports become apparent, because the long-term involvement and support was found to be most beneficial. Many young people taking part in sport as a diversion from crime—and this was in formalised programs—found that someone actually showing that they cared about them had a positive effect and could be the catalyst in itself for preventing unlawful and self-destructive behaviour.

The paper had examples of how young people taking ownership of local sporting facilities had a positive effect on the whole community. These young people were able to encourage their peers not to vandalise these facilities and to engage other young people in sport at the facility. It appears to me that, the more people we encourage and support into sport and physical activity, the fewer people we may have with the motivation and time to commit crimes.

The report also reinforces my belief that a government's resources are much better spent on programs and activities that divert young people from crime, instead of on enforcement and incarceration after the crime has been committed. Not only is it cheaper to prevent the crime this way but also the whole community benefits from a more cohesive society.

The paper also gives weight to the need for government to give priority to supporting the many local sporting people who give their time and talent week in and week out to provide sporting opportunities. Many sporting organisations in my electorate are struggling to pay coaches and players. Others need money for coaches to attend training courses to develop their coaching skills. Still others need upgrading of grounds, facilities and uniforms. Clubs are noticing that there

has been a drop off in the number of parents who stay to watch their children. They are concerned that this is caused by heavy working commitments on the part of the parents, or, in some cases, simply not being able to afford the entrance fee.

I believe that governments need to be more conscious of the many benefits that accrue to the community through sport and thank very much every day the volunteers who undertake this activity and allow us to have such a vigorous community sporting life. The benefits include, as we know, physical fitness, a sense of belonging, a friendship group, learning lessons from trying always to do better, to work together, whether winning or losing, and also the lessons of just having fun.

Mr SCALZI (Hartley): One would have thought from the questions asked by the opposition regarding the soccer stadium and developments on the river precinct, and so on, that somehow the state was not progressing as one would have thought it would be with sound government for seven years, so I thought it was important to put into perspective some of the things that have happened in the last few years. If one looks at the state of the economy prior to the Liberal Government's coming to office, one sees that in 1993 South Australia was in debt to the tune of $6 416 for every man, woman and child in the state—and, of course, a lot of the children would not know what sort of debt they were in.

Since 1993, the Liberal Government has reduced per capita debt levels to just $2 006. This is a reduction of state debt from $9.3 billion to $3 billion today. Members opposite would say that is because there has been a sale of assets, and so on, and, no doubt, that is partly correct. As a percentage of gross state product, the debt levels have been reduced from a crippling 27 per cent to just 7 per cent today. That is very important to put into perspective. Members can imagine if they as a household had to pay 27 per cent of their yearly income to debt servicing. It would limit their ability to deal with everyday needs, yet this was what was demanded of the South Australian economy before we came to office.

The reduction has been achieved through targeted fiscal management and the electricity leasing process which has rewarded the state with a AA+ credit rating. That is the equivalent of someone going to the bank and saying that they have the ability to service a loan. That gives them the flexibility to invest, and therefore meet the needs that arise in times of a crisis, and so on. As I said, we have a AA+ credit rating and are saving $100 million in interest payments annually. One should understand the opportunity cost; that is, what you do not pay in interest, you can put towards something else, and that is more worthwhile, for example, health, education, social infrastructure, and so on. But, we cannot do that unless we are in that sound financial position, and the economic indicators have shown, and the political commentators have stated, repeatedly in the media that that is the case.

Despite some of the criticism that the opposition might make about this government, it cannot move away from the fact that we are sound economic managers. Without the electricity proceeds, just a 2 per cent increase in interest rates would have meant that we would need to find an extra $150 million a year to cover our interest costs. Given that Labor opposed the government's plan, if interest rates increased, the alternative of Mr Rann, the Leader of the Opposition, and Mr Foley would have been to raise taxes by $150 million or cut $150 million from schools and hospitals. Those of us who have a mortgage—and many of us do—know of the impact of the fluctuations of the dollar and increases in interest rates. It impacts on us.

The state economy is no different from the home budget: you must balance it to make it work. We have had some positives. Australia's largest whitegoods manufacturer—

Time expired.

Ms KEY (Hanson): Today I wish to raise concerns of the residents association living in the Adelaide workmen's homes in Richmond. In 1897, Sir Thomas Elder bequeathed some $25 000 in his will for the construction of a number of cottages suitable for the working man, with the aim of providing affordable, healthy and comfortable homes. The trust, Adelaide Workmen's Home Incorporated, built 48 houses between Wakefield Street and Angas Street, and a second group of houses were built in Rose Street, Mile End. By 1924, Adelaide Workmen's homes decided to build the Hilton estate, which now covers Frederick and Albert streets, Davenport Terrace, Martin Avenue and Milner Terrace in Richmond.

In the trust's annual report, it was noted that every house was furnished with a bathroom, cellar, pantry and other conveniences. In their 1925 report, they described some of the 72 tenants in the Adelaide workmen's homes. It says that the tenants included a bootmaker, a cork cutter, two constables, two cooks, one washerwomen, 10 labourers and a whole range of other working-class occupations. More houses were constructed in this estate in 1927, 1930, 1935 to 1939, the 1940s, 1942 and 1950. This housing precinct of 77 contains a complete range of housing types from the 1920s to the 1950s.

More recently, the West Torrens heritage survey of 1998 recommended that the Hilton historic conservation zone should be included in the heritage PAR. It also said that development control should be prepared ensuring the retention of the historic nature of this zone. There were many other recommendations, including that of retaining the historic character and heritage value of the area. The survey also recognised that some demolition may be necessary, but proposed that it should be kept to a minimum. In looking at some of the documents surrounding the Adelaide workmen's homes, I noticed that the memorandum in respect of residential tenancy agreements says amongst other things that the association owns a number of workmen's homes and provides accommodation with concessional rents to workmen, their families and aged persons. The main object of the association is to benefit workmen by providing them with suitable dwellings at a reasonable rental.

At present the trust rents for the homes are market value minus 10 per cent. The average rent is around $110 per week. Two years ago, just before Christmas, news of the development and demolition was dropped on the Richmond tenants like a bombshell. After reviewing the plans and assessing the planning process, tenants decided to form an association—the Richmond Estate Network of Tenants Incorporated (or RENT). This group was not only treated shabbily in the first instance by the Adelaide Workmen's Homes Trust but also by the council. The experience of RENT in the Environment and Resource Development Court was a real David and Goliath scenario and costly at that and, because of the estimated costs for them to go forward, the tenants and people from the RENT group had to withdraw from that process. The redevelopment proposed will increase the number of Adelaide workmen's homes from 77 to 152 in that precinct and it is expected to swell the Richmond population for the

trust from 250 to 500. Thirty-five houses are identified for demolition, 42 to be refurbished and 109 townhouses to be constructed.

The main concerns of the RENT group are as follows: first, that the houses in future will not be affordable but go from something like $110 per week to $200 or maybe even $280, looking at the prices of townhouses in the western suburbs at the moment. The townhouses are not suitable for families or older people and many current tenants have complained of that with the loss of living conditions, the loss of a garden, the loss of an icon—the shed—and backyard space. As the tenants point out, they do not believe that the redevelopment as defined is in keeping with Thomas Elder's will and legacy.

Mr VENNING (Schubert): About 18 months ago the first inaugural Kapunda Agricultural Expo was held at Dutton Park in Kapunda. I went along, as did most of us, because it was a home town episode for me and a local presence to expose the Liberal Party and the local member at that expo. I was quite surprised to learn that Labor also had a site booked and I questioned why they were there, especially in country South Australia, because they had never been to anything like this before. I always go and meet the enemy, which I did, and I was surprised and shocked to see that they even had country people staffing their stand under the banner 'Country Labor Listens'. Who were the front men? They were well known people: one Bill Hender and Ben Brown. Who was there pushing them? We had the Leader of the Opposition, Mike Rann, the Deputy Leader, Annette Hurley, the member for Ross Smith, Ralph Clarke, and many other high profile Labor Party heavyweights—no rudeness meant.

I thought that at last some Labor activity in the electorate of Schubert was to be good. The vote was so low at the last election that they almost made the Democrats look respectable. I wish they had more activity because I feel that it is this lack of activity that enabled their vote to be so low and the reason we had the Hon. Ian Gilfillan and possibly Nick Xenophon elected in the other place. I thought that at last Labor had its act together and that we would get some activity in these country seats. At last there were some real country people who I knew were prepared to stand up and push the Labor line and give them the government line if they ever get into government. These are genuine people because I know them.

Ben Brown stood against me in Custance 10 years ago. I do not agree with Ben's politics, but he is a well-known character, eminently likeable, a resident of Spalding and a former councillor. They were the front profile people of this new group—Country Labor, with the slogan 'Country Labor Listens'. I was a little surprised because this was positive stuff. I thought 'good on them' and I wished them the best of luck. They were pretty keen, so much so that they set up an association called the Country Labor Association.

So, I assumed that it would be only a matter of time before we would see these two and others being preselected for state and federal parliament. When Senator Quirke retired because of ill health, I thought that one would quickly be snapped up here and, yes, the name Ben Brown appeared in the media almost immediately. I know that he expressed interest in it. Here was the big opportunity to put a country Labor person in parliament, in the Senate of all places. But, alas, the factionally unaligned country boy gets a job done on him in favour of the Shop Assistants Union's Geoff Buckland. I thought that at least Geoff would act like a country boy, a country Senator and have his office at Whyalla. But, no, where is the office to be? Anzac Highway! Great stuff! Alas, again Labor fails. Apparently Senator Buckland's office will be in the city and remain there. If you are not a union organiser or a former union official you do not get a gong in the Labor Party. Maybe that was a slip.

What happened in the preselection for Stuart a few weeks later? Ben Brown should have been lay-down misere for that nomination. But, what happens again? Ben, not being a man from the Machine, gets rolled again and we have Justin Jarvis preselected in Stuart. He is another union heavyweight, not known by anyone in country areas. Stuart is mainly made up of agricultural areas and Ben Brown is certainly from one of those. Graham Gunn cannot believe his luck. They had a stand at Jamestown show and people thought that it was a total joke. Who was this person? He had no idea and could not talk to the local people. Country Labor Listens—you've got to be kidding. It was an opportunity totally lost. Bill Hender nominated for the lowly No.5 spot in the upper house. What happens again? We know the result—he did not even get a look in. Country Labor had been ignored. No wonder Bill Hender resigned as Chairman in late October. I hope he does not get expelled at the Labor State Executive next week.

Time expired.

COUNTRY FIRES (INCIDENT CONTROL) AMENDMENT BILL

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services) obtained leave and introduced a bill for an act to amend the Country Fires Act 1989. Read a first time.

The Hon. R.L. BROKENSHIRE: I move:

That this bill be now read a second time.

This bill proposes amendments to the Country Fires Act 1989 to allow the appointment of incident controllers by the CFS for fires or emergencies and to clarify the powers of CFS officers when they first arrive at fires or emergencies so that the fires are quickly controlled in their incipient stages. Both of these measures will continue to support the CFS in its extremely successful focus on initial attack of incidents and a significant improvement in the protection of community assets.

There have been a number of incidents where it is recognised that control would have been enhanced by the appointment of an appropriate instant controller capable of using the other specialist resources provided to them for that particular incident. The amendments will simplify the initial actions during a fire, which will enable the initial crews to focus on the suppression of the incident from the beginning. The proposed amendment maintains and strengthens the South Australian initiatives in consultation by requiring CFS officers and members to consult with the owner of the land or, in the case of a reserve, the person in charge of that reserve so that the most efficient fire suppression steps may be taken. In addition, the amendment requires CFS officers and members of the CFS to consider management plans for reserves.

The Economic and Finance Committee of parliament, in 1999, highlighted concerns regarding control and suppression of fires. The committee was particularly concerned that the current act did not empower immediate and initial actions for outbreaks of fire. The committee also recommended simplifying the way in which officers are placed in charge of fires, and this is also being addressed by the ability of point

incident controllers. The bill proposes other minor amendments that are consequential to the South Australian Forestry Corporation Act 2000. The CFS is respected in this state for its intervention in incipient fires, which has reduced the financial, economic and social impacts on the community and industries of this state. These amendments, I am sure, will further assist in the protection of our state from wildfire.

I commend this bill to the House and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure on a day to be fixed by proclamation.

Clause 3: Amendment of s. 3—Preliminary

Paragraph *(a)* inserts a definition of 'Corporation' as *South Australian Forestry Corporation*.

Paragraph *(b)* inserts a definition of 'forest reserve' as a forest reserve under the *Forestry Act 1950*.

Paragraph *(c)* strikes out the definitions of 'government officer' and 'government reserve'.

Clause 4: Amendment of s. 48—Duty to report unattended fires

This clause inserts proposed new section 48(2), which defines 'government officer'. Section 48(1) now contains the only reference to this term.

Clause 5: Amendment of s. 53—Exercise of control at a fire, etc.

Paragraph *(a)* amends section 53(2) so that the person in control at the scene of a fire or other emergency will be the incident controller or, if an incident controller is not appointed, the most senior member of the C.F.S. in attendance.

Paragraph *(b)* inserts two proposed new subsections after section 53(2).

Proposed new subsection (3) defines 'incident controller' as a C.F.S. member or other person appointed by a C.F.S. officer as the incident controller for a particular fire or emergency.

Proposed new subsection (4) allows the C.F.S. officer who appointed the incident controller, or a more senior C.F.S. officer, to replace the person who is the incident controller by appointing another person.

Clause 6: Amendment of s. 54—Power of C.F.S. member

Paragraph *(a)* inserts proposed new section 54(1a). This proposed new section repeats section 54(8) of the principal Act and moves it to a more relevant position.

Paragraph *(b)* strikes out subsections (3) to (6) (inclusive) and inserts proposed new subsections (3) and (4).

Proposed new subsection (3) states that a C.F.S. member may only take prescribed action if he or she has consulted with the owner or person in charge of the land or reserve (provided that person is in the presence of or can be contacted by the member), and if he or she takes into account any management plans where the power is exercised on a reserve.

Proposed new subsection (4) states that where a fire is on a forest reserve, an officer or employee of *South Australian Forestry Corporation* is in control if that person is present at the scene of the fire. This is subject to the power of the Chief Officer of the C.F.S. (or a delegate of the Chief Officer), who is entitled to exercise a power under section 54 without that person's approval.

Paragraph *(c)* makes a consequential amendment to subsection (7), since the power of the Chief Officer to delegate under subsection (6) of the principal Act is now contained in proposed new subsection (4).

Paragraph *(d)* amends subsection (7)*(a)* in order to reflect the creation of the *South Australian Forestry Corporation* under the *South Australian Forestry Corporation Act 2000*.

Paragraph *(e)* strikes out subsection (8) of the principal Act, which has been moved to proposed new subsection (1a). This paragraph also substitutes proposed new subsection (8), which introduces two new definitions.

'Government reserve', a phrase used in proposed new subsection (3), is defined in the same way it currently is in the principal Act. The definition has been moved to a more relevant position.

'Prescribed action', a phrase that is used in proposed new subsection (3), is action taken by a C.F.S. member under section 54 of the principal Act that would damage property or cause pecuniary loss to the owner.

Mr WRIGHT secured the adjournment of the debate.

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) BILL

Second reading.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The purpose of this Bill is—

- to amend the definition of motor vehicle in the *Goods Securities Act 1986*; and
- to make four unrelated amendments to the *Motor Vehicles Act 1959*.

Goods Securities Act 1986

The purpose of the amendment is to amend the definition of motor vehicle in Section 3(1) of the *Goods Securities Act 1986*. Currently, the Act defines motor vehicle as '*a motor vehicle as defined in Section 5(1) of the Motor Vehicles Act 1959*.'

The *Motor Vehicles (Miscellaneous) Amendment Act 1999* which is scheduled to be proclaimed in mid-2001 will amend the definition of motor vehicle in section 5(1) of the *Motor Vehicles Act* to mean '*a vehicle that is built to be propelled by a motor that forms part of the vehicle*.' The new definition will not include trailers. However, a new section 5(3) will state that '*a reference in this Act to a motor vehicle includes a reference to a trailer unless it is otherwise expressly stated*.'

The new section 5(3) is not referred to in the definition in the *Goods Securities Act*. To prevent the exclusion of trailers from the definition of motor vehicle in the *Goods Securities Act* and the unintended restriction of the scope of the Act which would occur on the proclamation of the *Motor Vehicles (Miscellaneous) Amendment Act 1999*, the definition of motor vehicle is to be amended to specifically include trailers. This will ensure that the scope of the *Good Securities Act* remains unaffected and that securities can continue to be registered over trailers.

Motor Vehicles Act 1959

The first amendment varies the criteria for granting a concession on registration fees to ex-service personnel receiving a pension based on impairment of locomotion from 75 per cent incapacity to 70 per cent incapacity.

Section 38 of the Act provides a reduction in the registration charge of two-thirds in relation to a motor vehicle owned and used by an incapacitated ex-serviceman or ex-servicewoman. Such a person is currently defined in the Act to include a person who receives a Commonwealth pension 'at the rate for total incapacity' or such a pension 'granted by reason of impairment of the power of locomotion at a rate not less than 75 per cent of the rate for total incapacity'. Such a person is also eligible for an exemption from stamp duty on the market value of the vehicle and from stamp duty on compulsory third-party insurance (see Schedule 2 of the *Stamp Duties Act 1923*).

All States and Territories provide incapacitated ex-service personnel with registration fee and stamp duty concessions. However, the qualification for concession in terms of the pension rate of incapacity varies from between 70 per cent in New South Wales and Queensland and 100 per cent in the Australian Capital Territory, Northern Territory, Victoria, Tasmania and Western Australia. The proposal follows a recent decision of the New South Wales Government to reduce the qualification for the concession from 75 per cent to 70 per cent of the pension rate for total incapacity.

According to information provided by the Department of Veterans' Affairs 590 people currently receive a pension at a rate of 70 per cent of the pension rate for total incapacity and may, if they receive the pension at this rate by reason of impairment of the power of locomotion, be eligible for the concession in section 38 of the Act.

The second amendment to the Act requires the driver of a heavy vehicle to produce his or her licence to an inspector forthwith on request. Section 98AAA of the Act requires the drivers of heavy vehicles to carry their licences with them while driving a heavy

vehicle. If requested by a member of the police force, the driver must produce his or her licence forthwith.

Inspectors who carry out on-road checks and examinations of heavy vehicles do not have this power. They have no way of confirming the identity of the driver at the time. Currently section 96 of the Act gives the police and inspectors a power to require a driver to produce his or her licence forthwith or within 48 hours at a police station convenient to the driver. It is extremely difficult for an inspector to check whether a driver has presented his or her licence at a police station.

It is proposed to extend the requirement to produce a licence forthwith to a police officer to an inspector under the *Motor Vehicles Act* or the *Road Traffic Act*. This will enable an inspector to check that the driver of a heavy vehicle is correctly licensed to drive the type of heavy vehicle he or she is driving. This is an important road safety measure.

Because the licence has a photograph of the driver, the inspector would also be able to confirm that the name and address given by the driver matches those specified on the licence. Log-book information would also be able to be corroborated. If an expiation notice were issued, the name and address of the offender would be correctly stated. This would assist the enforcement of the provisions of the Act relating to heavy vehicles.

Section 139D of the Act currently makes it an offence punishable by a maximum fine of $5 000 for a person engaged or formerly engaged in the administration of the Act to disclose information except under certain circumstances, for example, with the consent of the person from whom the information was obtained or to whom the information relates; as required by the *Motor Vehicles Act* or any other Act; or for the purposes of legal proceedings arising out of the administration of the Act.

The third amendment to the Act would make it an offence punishable by a maximum fine of $5 000 to use information obtained in the administration of the Act and disclosed as permitted by the Act for purposes other than those for which it was disclosed.

The amendment will act as a deterrent to persons who receive information from the Registrar of Motor Vehicles under the Act for a specific purpose from providing it to third parties for other purposes and will better protect the privacy of persons who have given information to the Government as required by the Act.

The proposed provision is consistent with Principle 11 (limits on disclosure of personal information) of the Privacy Principles in the Commonwealth *Privacy Act 1988*.

The final amendment would make it an offence for an inspector to address offensive language against a person, or without lawful authority or belief as to lawful authority, to hinder, obstruct or use or threaten to use force against a person. Such a provision applying to inspectors, authorised persons or authorised officers occurs in over twenty Acts, including the *Local Government Act 1999*, the *Passenger Transport Act 1994* and the *Rail Safety Act 1996*. The *Motor Vehicles Act* currently contains a provision making it an offence for a person, without reasonable excuse, to obstruct or hinder an inspector or authorised agent. The proposed amendment would impose a somewhat similar obligation on an inspector.

I commend the bill to honourable members.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of the measure on a day to be fixed by proclamation.

Clause 3: Interpretation

This clause is the standard interpretation provision included in Statutes Amendment measures.

PART 2

AMENDMENT OF GOODS SECURITIES ACT 1986

Clause 4: Amendment of s. 3—Interpretation

This clause substitutes a new definition of 'motor vehicle'.

PART 3

AMENDMENT OF MOTOR VEHICLES ACT 1959

Clause 5: Amendment of s. 38—Registration fees for incapacitated ex-service personnel

This clause alters the eligibility requirement for concessional registration fees for incapacitated ex-service personnel by lowering the pension rate of incapacity from 75 per cent to 70 per cent.

Clause 6: Amendment of s. 98AAA—Duty to carry licence when driving heavy vehicle

This clause inserts a definition of 'member of the police force' to include inspectors under the *Motor Vehicles Act* and *Road Traffic Act* as persons who may require drivers of heavy vehicles to produce their licences.

Clause 7: Amendment of s. 139D—Confidentiality

This clause makes it an offence punishable by a maximum fine of $5 000 for the following persons to use information disclosed under section 139D other than for the particular purpose for which it was disclosed:

- the person to whom the information was disclosed;
- any other person who gains access to the information (whether properly or improperly and whether directly or indirectly) as a result of that disclosure.

Clause 8: Insertion of s. 139G

139G. Offences by inspectors

The proposed section makes it an offence punishable by a maximum fine of $1 250 for an inspector to address offensive language to any person or without lawful authority or a reasonable belief as to lawful authority, to hinder or obstruct, or use or threaten to use force in relation to, any person.

Mr WRIGHT secured the adjournment of the debate.

RACING (PROPRIETARY BUSINESS LICENSING) BILL

In committee.

(Continued from 8 November. Page 423.)

Clauses 19 and 20 passed.

Clause 21.

Mr WRIGHT: Clause 21(3) states:

If a payment is not made as required by the Authority, the Authority may discontinue the investigation.

It this situation occurs, could it compromise the product that is on offer?

The Hon. I.F. EVANS: This is part of the investigation prior to a licence being issued. If there was a complex investigation they may seek, for instance, payments on an interim basis through the investigation so that they do not run up a bill of $100 000 and find out they are not being paid. So they may say, 'Pay us $20 000', or whatever. That clause is there so that if the payment is not made, as required, they can stop the investigation. So it is a cost control measure within the investigation.

Mr FOLEY: Costs of investigations relating to applications is a very important issue. What expertise does the authority have to undertake the appropriate investigations and work required to assess the applicants, given the particular nature of their business; the backgrounds of people involved; the corporate structures involved; and perhaps the various international participants in the corporation involved? It is very detailed work, and I would be very interested to know how equipped the authority would be to undertake that investigation.

The Hon. I.F. EVANS: As the member for Hart would know, given his portfolio interest, section 25 of the Casino Act has a very similar provision, asking the same authority to undertake similar investigations for Casino duty agreements, which I think they are called. So, the same skill set exists in relation to these investigations. The authority is quite skilled in those investigations.

Mr FOLEY: The minister is correct, of course: it is my portfolio area. He is right to say that they have the skills for judging casinos. Of course, this is a very different business from that of a Casino operator and it is a whole new area of expertise. I do not know of the authority investigating and providing licences for any other interactive racing venture before, obviously. Again, I put the question that it is a

particular business, and have you consulted the authority to get an undertaking or advice from it that it is suitably skilled in dealing with this? Is it quite okay about this?

The Hon. I.F. EVANS: I understand the advice is that there have been discussions at officer level about the requirements of the bill and, to put the member's mind at rest, I think it is obvious to everyone that if parliament says that the authority needs to undertake these investigations and, if for some unforeseen reason, the skill set is not there, obviously steps will be taken to bring in the appropriate skill sets to undertake the investigation.

Clause passed.

Clause 22.

Mr WRIGHT: Clause 22 provides a description of what takes place with the authority and the minister and so forth with regard to an application and states that the authority must notify the applicant and the minister of the results of its investigation. Beyond that, who, then, makes a decision? Is it the authority? Is it the minister? Is it a combination of both?

The Hon. I.F. EVANS: As I explained yesterday in reply to an answer in the committee stage, the minister negotiates the agreement, it goes to the authority, which oversights it, and then the authority recommends to the Governor, who issues the licence.

Mr WRIGHT: The authority recommends to the minister?

The Hon. I.F. EVANS: We have dealt with this under clause 7, which provides that the Governor may on the recommendation of the authority grant a proprietary racing business licence. As the Governor is not bound to act in accordance with the authority's recommendation, the minister negotiates the agreement and it goes to the independent authority. When the independent authority is satisfied, it then makes a recommendation to the Governor, who then has to make up his or her own mind but does not necessarily have to follow the recommendation. So, it is the minister, authority, Governor.

Mr WRIGHT: It is the government that makes the decision?

The Hon. I.F. EVANS: Yes.

Mr FOLEY: Are you saying that the government makes a decision on the advice of the authority? So it may choose to accept or ignore the advice of the authority: is that what you are saying?

The Hon. I.F. EVANS: Yes, under clause 7, with which we dealt last night.

Mr FOLEY: You can be very smug about this, but I know a little about this. That is not the way the Casino operates. At the end of the day, an independent panel—the authority—assesses probity and a recommendation was put to the government on the Casino sale which the government had to accept: that is my understanding of what occurred with the Casino. If it involves clause 7 I am happy to revisit that clause, if we can; or, if not, I will find another clause to ask my question, but are you saying that under this legislation the government can reject or accept the advice of the authority in granting a licence to Cyber Raceways, TeleTrak, or whatever it is?

The Hon. I.F. EVANS: Clause 7, with which we dealt last night, makes it very clear that the Governor may on the recommendation of the authority grant a proprietary business racing licence. My understanding of the Casino Act is that the Governor may grant a casino licence. Here we say that the Governor may, on recommendation of the authority, grant a proprietary racing licence.

Mr FOLEY: I will get the Casino legislation. You are saying that the Governor may, on the recommendation of the authority, grant a proprietary racing business licence. Under what section of the Casino Act did you find that?

The Hon. I.F. EVANS: I think it was section 5.

Mr FOLEY: That section provides that the Governor 'may grant a casino licence'. In the case of the first grant of a casino licence under this section, the grant is to be made to Adelaide Casino Pty Ltd. Any later grant of a casino licence under this section is to be made on the recommendation of the authority to an applicant for the licence. That provides that the Governor may grant a casino licence—and we all know that that means the government would grant it. In the first case—the Casino licence under this section—the grant is made to Adelaide Casino Pty Ltd. Then, when it is sold, the authority will make a recommendation to the applicant for the licensee.

Where this differs—and this worries me greatly—is that this provides that the Governor may, on recommendation of the authority, grant a proprietary racing licence. The Governor is not bound to the act in accordance with the authority's recommendation. That element of the clause is not in the Casino Act. It provides that the authority can decide that it will not grant Cyber Raceways a licence but, according to the law that we passed last night, the government can still grant that licence. That is what it says: the Governor is not bound to act in accordance with the authority's recommendation. That is outrageous.

The Hon. I.F. Evans: Why?

Mr FOLEY: It is saying that, if the recommendation of the authority is not to grant a licence, cabinet—a Liberal cabinet—can decide to grant the licence, anyway.

The Hon. I.F. Evans interjecting:

Mr FOLEY: Well, the Governor acts on the recommendation of cabinet. You know that, Iain; you have been in cabinet long enough to realise that. Please confirm this scenario to me—and I want this precisely answered. Under your law, if cabinet received a recommendation from the authority that Cyber Raceways is not a fit and proper body to conduct proprietary racing in Adelaide and it does not recommend that a licence be granted, and the cabinet of the day chooses to disregard that and grant a licence, can it do so?

The Hon. I.F. EVANS: The only person who can grant a licence under this bill is the Governor, not the cabinet.

Mr FOLEY: That is the most incompetent statement I can imagine from a cabinet minister. You do not even understand how cabinet government works. Sir Eric Neal does not sit over there in Government House thinking up what might be a good idea on the day: he acts on the advice of his cabinet. Any cabinet minister worth their salt understands that. If you do not, I have grave fears about any other decisions you might be making.

The Hon. I.F. EVANS: I will make some clarification for the member for Hart. I am not sure why we are debating clause 7 when we were on clause 22, but the advice to me is that the Governor may, on the recommendation of the authority, grant a licence. So, if the authority makes a recommendation, the government can grant a licence but, if it does not make a recommendation, then the Governor cannot issue a licence. If the authority wishes a body not to have a licence, it simply makes no recommendation.

This provides that the Governor is not bound to act in accordance with the authority's recommendation. If the Gaming Supervisory Authority decides that an applicant

should not have a proprietary racing licence, then it makes no recommendation. The Governor cannot overturn that, because there is no recommendation before him or her. No recommendation comes up for consideration.

Mr Foley interjecting:

The Hon. I.F. EVANS: I will try to explain it further for the benefit of the honourable member. The clause provides 'the Governor may, on the recommendation of the authority'. If the authority chooses not to make a recommendation, the Governor has no decision to make. If a recommendation is made that a proprietary racing licence be issued, the Governor may issue the licence. If the authority says yes, the Governor can say no; but if the authority says no, the Governor cannot say yes, because there would be no recommendation before the Governor to consider.

Mr Foley: That is not what the law says here. The law says—

The Hon. I.F. EVANS: Well, that is the advice—

Mr Foley: I don't care what your advice is. I am seeing what I am reading.

The Hon. I.F. EVANS: That is the advice to me from Parliamentary Counsel as to the way it is worded.

Mr FOLEY: With all due respect to Parliamentary Counsel, we are making the law here.

The Hon. I.F. EVANS: If there is no recommendation before the Governor—

Mr FOLEY: That was not my question. If the recommendation is that a licence shall not be granted to TeleTrak because it is not fit and proper, can the Governor still grant the licence?

The Hon. I.F. EVANS: If it is the decision of the Gaming Supervisory Authority that a licence should not be issued, it will not make a recommendation. Because there is no recommendation, the Governor has no decision to make, so the licence is not issued.

Mr FOLEY: That is not how it works in government. That is an extraordinary explanation.

Mr WRIGHT: I address another side of what the minister was talking about. I think I have this right. If the Gaming Supervisory Authority makes a recommendation to the Governor for a licence, then a decision can be made. So, are we not setting up here a structure whereby we are doing exactly what members on your side told us last night the government did not want to do? That is, we should not be picking winners. We were told that we should not—

The Hon. I.F. Evans interjecting:

Mr WRIGHT: I am sorry, but yesterday some of your colleagues, and I think also the member for Chaffey, said that as a parliament we should not be picking winners. We were criticised—I think unfairly—for that being the basis of our argument. I will speak more about that later as we consider other clauses, because that is not the basis of our argument. If everything were in place with regard to licensing, taxation and probity, I agree; who would we be then to say that this legislation should not pass? I have some sympathy for the point of view that was put last night by a number of members, including the members for Chaffey, MacKillop and Bragg—and I should have thought you would have done so as well. Are we not doing just that?

The Hon. I.F. Evans interjecting:

Mr WRIGHT: We are, and correct me if I am wrong. If the Gaming Supervisory Authority makes a recommendation to the Governor for a licence (and this is the way the minister explained it), the Governor then has the right either to tick off or deny a licence. When we say 'Governor', that is code for government. Therefore, the government, not the Gaming Supervisory Authority, is making decisions about who can and cannot have a licence if the Gaming Supervisory Authority recommends that a licence should be granted. So, we are doing the very thing that a number of government members said last night we should not be doing—and I have some sympathy with that argument.

Is it going to be government, that is cabinet, that will be sitting down making the decision selecting, after the Gaming Supervisory Authority has gone through all of the probity checks? We then have a situation where government can sit back, cabinet can sit back, and for whatever reasons—political or non-political—can second guess what the Gaming Supervisory Authority has done? This is right against the principles that were explained to us last night.

The ACTING CHAIRMAN (Hon. G.M. Gunn): The question is?

Mr WRIGHT: That is the question.

The ACTING CHAIRMAN : Can I just make a point? The minister is not obliged, if he so determines, to respond. Can I say to the member that he should be aware that he gets three calls. The chair has had a bit of a difficulty counting and has been very tolerant. I think the member should make his point this time unless he has an amendment.

Mr WRIGHT: Fair enough. Minister, is it correct that the Gaming Supervisory Authority makes a recommendation and if that recommendation is yes the government or the governor (code for the government) then has the right to say yes or no to that particular recommendation from the Gaming Supervisory Authority? The second part to that question is: would it not be better to take it out of the hands of government so that you have an independent organisation, that has gone through all the probity checks with the Gaming Supervisory Authority, and if they make a recommendation that there should be a licence granted a licence will be granted? End of debate.

Mr Foley: They don't know what you're talking about.

Mr WRIGHT: I know they don't.

The Hon. I.F. EVANS: I note the clause we are debating—or not debating, actually; we are debating clause 22 and the member is speaking to clause 7. However, I will go back and talk about clause 7 as a courtesy and I note the member wishes to go back to clause 5 and wants some courtesy from the government there as well.

The facts are that the Casino bill talks about 'the governor may issue a licence'; this bill talks about governors may be issuing licences. If the supervisory authority says yes, then the governor can say no. They may have gone through all the probity checks but there may well be a number of reasons why, at the next step—

Mr Foley: You're changing your answer; your changing your explanation to suit. That is not what you said before.

The Hon. I.F. EVANS: I have been consistent in my answer. My answer has been: if the Gaming Supervisory Authority says no; the governor cannot say yes. If the Gaming Supervisory Authority says yes, the governor has an option to say no.

Mr Foley: If the Gaming Supervisory Authority says no, the government can say yes?

Clause passed.

Clause 23.

Mr WRIGHT: I have an amendment, namely, clause 23A.

The ACTING CHAIRMAN: I will call the member after we have dealt with the clause.

Mr FOLEY: If I could ask the minister's indulgence to come back to that issue via clause 23—

The ACTING CHAIRMAN: I do not think we can go back to clauses we have already considered.

Mr FOLEY: Well, you can choose to do that and I will have to take it up in another forum. However, we are either getting very poorly advised here or the minister is confused with the advice he is getting or we have a serious problem: we have a minister of the cabinet who does not understand how cabinet works. The minister's—

The ACTING CHAIRMAN: We are on clause 23 and the member must link up his remarks—

Mr FOLEY: I will and it will be obvious as I draw to the final part of this question. With clause 23, which we are currently debating, it is important that we reflect upon what was passed last night in clause 7. When we were discussing that in the last clause—where this indulgence was granted to the minister to do that—he said that the governor may grant a casino licence on recommendation of the authority but if there is no recommendation of the authority then the governor does not do anything. I think that is what he first said. Then he came back and said, 'If the authority says it recommends there be a licence but for whatever reason the government does not want to approve it, the governor does not have to follow the recommendation.' So, his explanation has changed and if his second explanation is to be believed that is what my first question was. If it happens in that scenario that the authority recommends that there be a licence and the cabinet decides there shall not be a licence permitted, why cannot the reverse occur? The reverse would be that if the authority recommends no licence the governor can recommend a licence because that is how it reads.

The ACTING CHAIRMAN: Order! I say the minister can respond on this occasion. However, the matters raised by the member for Hart are not relevant to this particular clause which deals with direction to the licensee. The chair has been very tolerant but I think we must move forward. If the member wants to reconsider a clause there is a process of which he is obviously aware and that will be determined by the committee.

The Hon. I.F. EVANS: I shall clarify this for the member and if we need to clarify the wording between this House and the next then we shall do that. The clear intention is that if the authority says no then the governor has no decision to make because it does not get to that point. If the authority says yes there is a recommendation. If the authority says no there will be no recommendation to make to the governor and he or she has no decision to make.

Mr Foley interjecting:

The Hon. I.F. EVANS: Well, the advice to me is that that is not the way the system works but I will check that in between houses.

Mr Foley: Look at the Casino licence: they have to recommend either yes or no.

The Hon. I.F. EVANS: That is not the way this is worded.

Mr Foley: Why is this in here? Why is it not consistent with the Casino?

The Hon. I.F. EVANS: We never said it would be totally consistent; we said it would pick up the principles. If the authority makes no recommendation then the governor has no decision to make; if the authority makes a recommendation of yes then the governor has a decision to make.

Clause passed.

New clause 23A

Mr WRIGHT: As we are progressing through this bill we find that there are more and more inadequacies. Obviously, it will need to be cleaned up significantly. When I made my second reading contribution yesterday, I identified five major concerns that the opposition had with this bill. The first two, in their own right, led us to believe quite solidly that there was strong opposition to this bill. I then identified three other reasons that, by themselves, we did not believe were strong enough to simply oppose this bill. But critical to our argument was that everyone should be licensed, no matter what (and we will talk about that later so I will not dwell on it) and that a licence fee should be applied to everyone.

I made the point very strongly in my second reading contribution that the effective tax rate for proprietary racing/internet wagering (as I said, I think that if people are on top of this subject they know that they are not identical) should be no less than what it is for traditional racing. One would have thought that I was coming from right out of left field from the reaction of some members opposite. I started to dwell on this and I started to wonder whether, in fact, I had missed something. The minister said to me that that would get picked up in the Authorised Betting Operations Bill. I had already read that bill, and I had already read the TAB (Disposal) Bill. I had already gone through them clinically, just as I had with this bill and, to the best of my knowledge, that was not picked up in any of those bills. We made that point very strongly yesterday, and that has been confirmed. The Minister for Government Enterprises has confirmed with me today that he will amend the bill to pick up the tenor of that argument so that—and you had better listen to this one, because it is pretty critical, Karlene—

Mrs Maywald interjecting:

Mr WRIGHT: What? What is the problem?

Mrs Maywald: Get on with it.

Mr WRIGHT: I am.

Mrs Maywald interjecting:

Mr WRIGHT: I am explaining why there is now no longer any need to proceed with this amendment. If the member would rather that I move the amendment and that we roll in speakers to debate it, we can do that as well. The Minister for Government Enterprises has, very fairly, given me a commitment. He has gone back and made a close examination of the bill. He agrees with the principle that has been outlined by the opposition, and that bill will be amended to reflect the argument that was advanced. So, a very strong point was made.

This amendment was always subject to questions that were going to be asked in the committee stage. Those answers did not clarify the situation but, as a result of discussions initially with the member for Bragg and subsequently with the Minister for Government Enterprises today, there is the commitment that this very important principle will be adhered to: that is, that we as a state will be in no worse a position from the point of view of revenue to the state as a result of proprietary racing compared to traditional racing. So, I do not intend to proceed with my amendment.

Clause 24.

Mr WRIGHT: We spoke yesterday about the Gaming Supervisory Authority and acknowledged the added dimensions both as a result of the corporatisation of the racing industry and also, of course, this bill, and there is obviously acknowledgment of that. With respect to the regulation of licensed businesses—and I mean no disrespect to the Gaming Supervisory Authority, because I will need to become more aware of its changing role—obviously, this details what is

required with regard to the approval of racing rules, systems, procedures and equipment. It is a broad area. Bearing in mind that the GSA has not dealt with this type of activity previously, what expertise does the GSA have with respect to any of these matters that are listed in clause 24?

The Hon. I.F. EVANS: I give the same answer to the member for Lee as I gave to the member for Hart with respect to the same question. If the Gaming Supervisory Authority finds that it does not have a particular skill set to deal with this legislation once the parliament approves it, obviously, steps will be taken to bring within the Gaming Supervisory Authority the appropriate skill set to deal with the issues before it.

Mr WRIGHT: That is fair. I do not expect the minister to provide me with a figure; that is unrealistic. We have a changing dimension, as I have already said, with both corporatisation and with this matter. I suppose what I am trying to say is this: what, if any, budget limitations will be placed upon the Gaming Supervisory Authority to handle the growing and broadening responsibilities that it has as a result of the act that has already been passed and this bill, if and when it is passed?

The Hon. I.F. EVANS: Obviously, if this bill is passed, the Gaming Supervisory Authority will have an increased role. Its budget will no doubt be allocated to reflect that. It will have to live and work within its budget as approved from time to time.

The ACTING CHAIRMAN: Does the member wish to move his amendment to this clause?

Mr WRIGHT: No.

The ACTING CHAIRMAN: I point out to the member that, if he does not wish to proceed with his amendment now, he will have some difficulty if he wants to reconsider the clause at a later date.

The Hon. I.F. EVANS: To clarify the situation for the chair, my understanding of the member for Lee's intention is that, when we reach the end of the committee stage, the committee will consider the question about recommitting clause 5, and all the amendments on the page before the chair flow on from clause 5. So, what the member for Lee intends, as I understand it, is not to move clause 24 now, because it is consequential on the recommittal of clause 5. If the chair instructs that we need to move clause 24 now and test the member for Lee's question now rather than recommit, we can do it that way.

The ACTING CHAIRMAN: The chair would be happy with that. However, the committee would have to reconsider clause 10 and also clause 24 at a later stage.

The Hon. I.F. EVANS: My understanding is that the member for Lee wants to recommit clause 5 and, if the committee agrees with his amendment, he will seek to recommit the other clauses. If the committee does not agree to clause 5, he will not proceed with the suggestion of recommitting clauses 10 and 24. That is my understanding.

Mr WRIGHT: That is not quite the way that I was expecting to do it but I will be guided by that. What was suggested to me was that, when we reach the end of all the clauses, I then seek to reconsider clause 5. Primarily, what the minister said is correct. I was hoping to do it in one hit: to reconsider clauses 5, 10 and 24 all at the same time because, as the minister correctly said, they are consequential on each other—

The Hon. I.F. EVANS: You do clause 5 first. If that gets through you seek to recommit clauses 10 and 24. You do it in three stages. If you do not get clause 5 up the other two don't flow on.

Mr WRIGHT: Really, the guts of this is in clause 10.

The Hon. I.F. Evans interjecting:

Mr WRIGHT: Okay, then I can have the debate on the whole lot?

The Hon. I.F. Evans: Yes.

The ACTING CHAIRMAN: That is up to the chair. But the chair will be accommodating if members agree.

Clause passed.

Clause 25.

Mr FOLEY: From the earlier debate we had on clause 7, it may appear that the fact that I am not a lawyer means that I do not read things as well as I should. In fairness to Parliamentary Counsel, my colleagues share the view of Parliamentary Counsel in the explanation of clause 7. I still do not quite follow it that way, but my colleagues assure me that that is the case. As I just said to the member for Chaffey, if that is the case, I am not sure why it is there, unless it is there because the government wants to be able at some point not to issue a licence to TeleTrak. That is an odd decision of the government, which is so enthusiastically backing TeleTrak. It seemed to me that the Governor was not bound but apparently one must look at it the other way.

An honourable member: You were wrong!

Mr FOLEY: In fairness to Parliamentary Counsel, I was wrong; they were right. I apologise.

Mr Wright: That is the first time this year.

Mr FOLEY: No, it's not. Trust me; it happens often! It is always good to apologise when you are wrong.

Mr WRIGHT: Clause 25 is obviously an important one. We have a new form of gambling. We have people going into a totally foreign and new concept—watching and gambling on racing on the internet. I see this as an important clause, and I am sure the minister does, too—particularly with young people. I know it is the Gaming Supervisory Authority's decision ultimately, but what is the government's view on the expectations in relation to an advertising code of practice?

The Hon. I.F. EVANS: We have not worked out the exact details of what might or might not be in the advertising code of practice yet. We accept the principle that, given that we are dealing with a product that will rely on gambling, it may be appropriate to have a code of practice in relation to this product. Once the bill has passed, we will have to sit down and work through with the Gaming Supervisory Authority some issues in relation to that. That will also depend on the licensee's application and what exactly the product is. The honourable member would acknowledge that the quarter horse approach is so totally different from the TeleTrak approach that the way you handle advertising of those products would be totally different. That is why, in essence, it is left to the authority to sit down with those and work out an appropriate form. It would involve such considerations as what time you advertise; for example, we may want to try to steer certain television advertising away from times when children would be viewing. It will involve those sorts of issues.

Mr CLARKE: I want to follow up the questions asked by the member for Lee on clause 25. I see that in clause 25(a) the licensee must adopt a code of practice on advertising approved by the authority. The bill does not provide to the authority any guidelines as to what we as a parliament think the appropriate advertising standards should be. I am unclear

as to what penalty might finally apply if the licensee actually breaches a code of practice, whatever it might be.

The minister needs to give some careful thought to this legislation, because I am sure that in another place the Hon. Nick Xenophon will want to know more about it. All of us in parliament have concerns generally with the level of gambling that is taking place and the hardship that it causes some members of our society. There has already been criticism of government instrumentalities such as the TAB as to the type of aggressive advertising it has undertaken, as well as the Lotteries Commission and the Casino, as to whether it seeks to pretend that everyone can be a winner when, of course, that gambling works on the basis that there has to be many more losers than winners if the system is to prosper.

I am not anti-gambling per se, but I am anxious that, where a private company in particular that is beyond the minister's direct control is involved in an industry that relies basically wholly and solely on gambling, the type of advertising they conduct is factual, does not mislead the punters and does not have all the objectionable features of an advertising campaign taking money off people who can ill afford it.

The Gaming Supervisory Authority may not necessarily be the right body—and I stand to be corrected on this by the minister—to draw up a code of practice. My assumption is that the body being licensed should act honestly and diligently, pay out what it says it will pay out, collect the money, that it is honest and accounted for, pay the turnover tax, and so on. I do not know whether it is particularly au fait with the skills or knowledge surrounding advertising and the way in which aggressive advertising can be used to target particular segments of the market to draw more money out of their pockets.

There needs to be a hefty penalty on any licensee if they do not conform with any established code of practice, provided that the code of practice is legally enforceable, and, at the very least, government, through parliament, should give a lead as to the type of guidelines in this area, if not in the bill directly then certainly at least through the regulations. I am interested to know the minister's views on that.

The Hon. I.F. EVANS: To clarify it for the member, if the body does not conform to the code, I am advised that it becomes a statutory default under clause 31 of this bill. A system is set out in relation to a statutory default, and it becomes liable to disciplinary action under clause 36. So, a code of conduct for advertising is set by the Gaming Supervisory Authority. If it does not meet that code, it becomes a statutory default, and it can suffer disciplinary action of, for instance, a fine of up to $100 000, which is quite substantial. Clause 36 details the options available if they do not conform.

Mr CLARKE: I thank the minister for that explanation. However, the point that I was making relates to the type of advertising standards that are to be included in the code of practice. Does the Gaming Supervisory Authority have the skills, expertise and the people? How will it go about drawing up this code of practice? Will it involve people who have had a lot of experience with problem gamblers and things of this nature perhaps to sit on the panel as part of a consultative group, in terms of drawing up acceptable guidelines for advertising and so on?

The Hon. I.F. EVANS: As I have mentioned before in other answers, if the authority lacks the particular skills set, obviously they will buy that skill set in or make sure they get the skill set within the authority. Obviously, they will look at other advertising codes around Australia and the world, take advice and make their own judgment on what is an appropriate form of advertising, given the nature of the product they will be dealing with. I make the point for the member for Ross Smith that, because I do not think he was in the House last night and he may have missed some of the explanation, a number of organisations/companies have indicated an interest in running proprietary racing, not only TeleTrak which I think the member might be aware of and which relies on an internet product as such but also a group known as Quarter Horse Racing out of Melbourne and Quarter Horse Racing out of Brisbane, which are far smaller organisations and which are planning a different sort of concept.

For that reason, we cannot prescribe in legislation exactly what the code will cover. That is why the authority will have to make a judgment on each application about an appropriate advertising code and they will need to take their own advice. If they have not got the skills—and I am sure they do—then, obviously, the option for them is to get the skills set on the authority so they can establish an appropriate code.

Mr CLARKE: Do I assume then that we can take it for granted that the authority will consult widely in terms of drawing up this code not only with the successful licensees but with those community groups that particularly have an interest in handling problem gamblers? I am not necessarily saying the authority will agree with everything that those organisations will have to say, but that they will be properly consulted and have an opportunity for input into the codes of practice before they are finally promulgated.

The Hon. I.F. EVANS: I cannot give the commitment that they will be running a public consultation; that is, place an advert and hold a public meeting, come along and have a say type of consultation. Certainly they will be talking to those groups that have an interest in advertising generally and they will be taking their own advice on the establishment of the code. Obviously, we have included this because we recognise that there may be some benefit in having a code of practice in relation to advertising and the authority will take advice to develop an appropriate code.

Clause passed.

Clause 26.

Mr WRIGHT: This clause talks about a whole range of things. How much will the public be informed about all these transactions that are included in clause 26?

The Hon. I.F. EVANS: I am not quite sure where the member is coming from. The proprietary racing licence agreement is tabled within 12 sitting days, so the agreement is tabled in the House. I am not quite sure what the member is driving at with his question; sorry.

Mr WRIGHT: Clause 26(1) provides:

> The relevant authority may, by written notice to a licensee, require approved rules, systems, procedures, equipment or code of practice provisions—

and so on. How much of that information will be made available to the public?

The Hon. I.F. EVANS: I refer the member for Lee to clause 24(2)(a). Clause 26 talks about the approved rules and alteration to those rules. Clause 24 talks about how those rules were approved and under clause 24(2)(a) it says that the rules must be published in a manner approved by the commissioner. The Liquor Licensing Commissioner will establish a requirement on the licensee to publish the rules, so there is a system in place. If the rules are altered, then, obviously, they will have to be republished in a manner approved by the Liquor Licensing Commissioner. So there is a system whereby they will be published.

Mr WRIGHT: How will they be published, or, if we do not have that sort of detail, what is the system currently used for similar type activities publishing information of that nature?

The Hon. I.F. EVANS: I am not quite sure that I can give a clearer answer than I gave last time. The facts are that the rules are approved and the racing rules relating to the system, procedures and equipment will need to be published in accordance with the requirement by the Liquor Licensing Commissioner. If they are altered, they will need to be published again as approved by the Liquor Licensing Commissioner. Why we give the discretion is because one would assume that the Liquor Licensing Commissioner will not require them, for instance, to advertise it in the *Australian*. The Liquor Licensing Commissioner may require it to be published in a booklet. That discretion is up to the commissioner, but the point is—and I understand from where the member is coming—that the act makes it very clear, and therefore the amendments to the rules will be published in a manner approved by the commissioner.

Mr WRIGHT: In relation to clause 26(3), what time frame are we talking about for something such as that?

The Hon. I.F. EVANS: We have not stipulated a set of days, but we have used 14 days everywhere else throughout the act. We would have thought 14 days would be around the mark. We will make a note of that and look at it when it is between houses to see whether we need to clarify that for any reason.

Mr WRIGHT: Clause 26(4)(a) provides:

> in relation to rules, systems, procedures or equipment—the commissioner;—

the Liquor Licensing Commissioner I presume, under the auspices of the Attorney-General. Clause 26(4)(b) provides:

> in relation to code of practice provisions—the authority.

That is the Gaming Supervisory Authority, under the umbrella of the Treasurer, as I understand it. The minister does not have to detail the specific responsibilities of those two separately, but what, if any, crossover of responsibilities will there be? How much cross-fertilisation will there be between the Liquor Licensing Commissioner and the Gaming Supervisory Authority throughout this whole clause but in general as well?

The Hon. I.F. EVANS: Obviously, in the first instance, they will need to meet and clarify exactly the understanding of each other's roles. I know there have been some discussions in relation to the preparation of the bill in that respect as they did with corporatisation. The question is so broad that I am not quite sure how I can give a specific answer to it, to be honest. Given that the Gaming Supervisory Authority has the overarching authority and the commissioner has a more hands on approach, obviously the authority will set the broad direction and the commissioner will be involved with on ground delivery. They will need to have a very close working relationship.

Clause passed.

Clauses 27 and 28 passed.

Clause 29.

Mr WRIGHT: In this clause we talk about the appointment of inspectors. There will be such number of inspectors as are necessary for the proper administration of this act. I guess at this stage that we do not know how many inspectors will be required as that will depend on how many licences there are and all that. Let us say that we have Cyber Raceways operating and for the time being let us work with what we know at present. What number of inspectors do you envisage will be required for a concept whereby we have one licensed corporation conducting proprietary racing?

The Hon. I.F. EVANS: You will not know the number of inspectors until you know the exact on ground operations of the business. The example I gave last night and I use again is that, if one applicant applies to run 20 races and another applies to run 5 000 races, obviously the number of inspectors required is vastly different. The commitment I give is that there will be enough inspectors to ensure the appropriate probity on ground, and the number needed will have to be a judgment for the authority or commissioner at the time. I cannot give an indication whether that is one or 10 as it will depend on the nature of the business applying and the way they structure their business on the ground.

Mr WRIGHT: That is fair, but there is a commitment that there will be enough inspectors on the ground to handle the business, whatever its size.

The Hon. I.F. EVANS: There will be enough inspectors on the ground to handle the business, whatever the size, and that judgment will be made by the authority or the commissioner at the time.

Mr FOLEY: I understand, minister, that initially you were looking at a $25 million licence fee from TeleTrak, which would give the government finances to pay inspectors. You have since decided not to charge TeleTrak the $25 million licence fee and I do not know why, but it has happened. Is it correct that there has been some discussions with the thoroughbred racing industry and other racing codes that $5 million of that $25 million would be made available for improvements for the racing industry? Did discussions like that occur between you and members of the racing industry?

The Hon. I.F. EVANS: Good try! I will explain it fully and frankly. When TeleTrak approached us, it was with a fee around the figure that the member for Hart suggested. The government has not walked away from that fee, but TeleTrak has not applied for a licence either. The matter of the licence fee is a question mark at best. There were discussions, in fact with the member for Lee in the corridor as opposition spokesman. I raised with him that, if the government received a licence fee in future, there was an opportunity for the government to decide that it might want to put some of the licence fee back towards building a traditional racing industry. I have had discussions with the member for Lee and floated the idea with other members of the racing industry because there is a view that if we can get private sector money into the racing industry it is in principle a good thing. However, with licence fees gained under this bill, the way it is structured it will be a matter for governments to decide where the fee is distributed.

Since then, as we have always argued, proprietary racing interests should speak to the traditional racing industry about how it can come to a commercial arrangement to grow the traditional racing industry on the private sector interest. Cyber Raceways, with the greyhound and harness codes, essentially has come to a commercial arrangement where Cyber Raceways will pay a fee for service for the harness authority and the greyhound authority to conduct races on its behalf. As a result they will pick up a significant fee and therefore grow the traditional racing product on the back of private sector money, which is exactly the principle we suggested some time ago, namely, that traditional codes should be talking to private sector interests about how to provide a commercial service, profit out of it and, through the profit, grow the traditional racing industry, whether through

increased stakemoney, better breeder incentive schemes, better payments back to owners or breeders, or whatever—it is a matter for the industry.

So, the honourable member's question was whether I spoke to some members of the racing industry and floated that concept: yes, I did. I floated it with the member for Lee and with other members of parliament, but time has moved on. At that stage no code had signed an agreement, but since then two codes have signed an agreement. If that project proceeds as projected, I understand they will receive substantial financial benefit from it, and good luck to them. This bill sets up a fee for those who do not want to work with the traditional industry. A fee is required and the government of the day can decide where it wants to put that fee.

Mr WRIGHT: How much is that fee?

The Hon. I.F. EVANS: Which fee are you talking about—the fee in the bill?

Mr WRIGHT: The significant fee.

The Hon. I.F. EVANS: To the greyhound and harness?

Mr WRIGHT: Yes.

The Hon. I.F. EVANS: I am not aware of what it is.

Mr WRIGHT: How do you know it is significant?

The Hon. I.F. EVANS: The comments made to me by the chair or members of the authority have suggested that in their view it is a significant fee. I accept their description of it. My understanding is that—

Mr Wright interjecting:

The Hon. I.F. EVANS: Some people in the harness code I understand have had a good briefing at club level about the arrangements. If the authorities think it is a significant fee, I take their word on it.

Mr WRIGHT: So you do not know what is the fee or that it is a significant fee, but you are relying on some ad hoc arrangement where perhaps people have said that it is a significant fee. You do not know what is the fee and therefore you do not know that it is a significant fee.

The Hon. I.F. EVANS: I am not sure how this relates to the appointment of inspectors.

Mr Foley interjecting:

The ACTING CHAIRMAN: Order!

The Hon. I.F. EVANS: As we stand today there is no application before us for a proprietary racing licence because no legislation allows for it. So, no inspectors are needed today and no fee is collected today. The arrangements the member for Lee is talking about fall outside the scope of this bill. They involve a commercial relationship between a not-for-profit company, that is, the harness code and the greyhound code, and a company called Cyber Raceways. There is a commercial relationship, no different in essence from a commercial relationship that exists between the racing industry and Sky channel. When the member for Lee asks whether I know the fee, I know that it is a significant fee. I do not know the exact dollar value of it. Given that it is corporatised, it is a commercial relationship basically between two private sector companies. To come back to the question of the member for Hart, if we get a proprietary racing licensee up and therefore need inspectors, the judgment about fee will obviously take into account any extra resourcing, and a judgment will be made about extra resourcing for inspectors. The fee is not prescribed within the legislation. It is a matter of judgment on the complexity of the operation, so the matter of resourcing is easily covered within the scope of the bill.

Mr FOLEY: Issues of finance, of course, are dear to my heart and how we pay for our inspectors in racing and in a whole lot of areas in government is something that I spend a lot of time trying to work through. So, this is certainly a very relevant clause on which to be asking this line of questioning. Why are we not charging a fee? If TeleTrak has said that it is prepared to pay a $25 million fee—given that it will have a monopoly in the only state in Australia and the only jurisdiction in the world that will allow Cyber Raceways, TeleTrak or whatever it is, to operate—why are we not charging a fee; why are we not prescribing that fee in this legislation; and why are we not taking them up on their offer of a $25 million payment?

The Hon. I.F. EVANS: I think the member gets confused. When TeleTrak applies for a proprietary racing licence, the matter of fee will be dealt with. We have not ruled out charging TeleTrak a fee, whether it be $1 million or $25 million. We have not ruled out charging TeleTrak a fee if and when they apply for a proprietary racing licence. The member asks why it is not in the bill. That is because this is framework legislation. This is not legislation that is designed for only one application: it is for any application that is made in the next 50 years. This legislation could deal with 50 applicants. We are not going to nominate 50 fees. So, the fee is established through a framework. To clarify it for the member for Hart, we have not ruled out charging TeleTrak a proprietary racing licence fee: we simply have not done that. If and when TeleTrak applies for a licence fee, I have no doubt that the Treasurer's interest will be as strong as the honourable member's.

Mr FOLEY: I will probably be the Treasurer. I can assure you that $25 million is a figure that readily comes to mind, particularly if it has been offered. What I find a little odd and perplexing, in a way, is this: I can understand that harness and greyhound authorities have come to a commercial arrangement with Cyber Raceways, and I understand the way that happens and that they have struck that deal. However, I am advised that the thoroughbred racing authority—that august body that administers racing for thoroughbreds in our state—has not reached an agreement, and my colleague the shadow minister would confirm that, as the minister has confirmed. Has the thoroughbred racing industry made representation to the minister concerning this legislation and the passing thereof? Has it argued, lobbied and communicated to you its disapproval of this legislation?

The Hon. I.F. EVANS: That depends on to whom you are speaking in the thoroughbred industry.

Mr FOLEY: The authority.

The Hon. I.F. EVANS: I sent a letter to the authority three or four weeks ago with a copy of the draft bill. I have not heard back. In fairness to the authority, I think it would be a fair summary of its previous comments to me, about the principle in general, that it was not in love with the idea. There are some in the industry, though, that I think are supportive of it. I had early representations from the thoroughbred breeders that there might be an opportunity for them to benefit from more thoroughbred racing in this state. I also had discussions with representatives of the jockeys' association, and I encouraging them to talk to the proponents of TeleTrak, because there is an opportunity for more rides. What the outcome of that discussion was, I am not sure. I do not have a formal letter before me today in response to the draft bill, but I think it would be fair to say that the thoroughbred authority, as such, certainly has not signed, to my knowledge, an agreement with any proprietary racing company and generally would not support the principle. That is my understanding.

Mr FOLEY: If I may, Sir—

The CHAIRMAN: No, the member has had his share.

Mr FOLEY: All right, I will do it in the next clause.

The CHAIRMAN: And the member for Lee has had about four.

Mr WRIGHT: I won!

The CHAIRMAN: No, come on.

Mr WRIGHT: Not on this clause.

The CHAIRMAN: Yes, on this clause. I have to say that the member has exercised his—

Mr WRIGHT: Have we gone back?

The CHAIRMAN: No, we are on clause 29.

Mr WRIGHT: And I have asked one question: how many inspectors will there be?

The CHAIRMAN: I suggest that the member look in *Hansard*. The chair has been very understanding and not counting.

Clause passed.

Clause 30.

Mr FOLEY: Again, I return to how we pay for our inspectors and, then, the inspectors having been paid for, how they are able to enter and inspect. I find the issue of the role of a thoroughbred racing authority extremely peculiar. Am I being told that the Thoroughbred Racing Authority in this state has made no formal representation to the Minister for Racing in opposition to this and that it has not responded to his invitation to comment on this legislation? Given that every thoroughbred racing authority in Australia, bar this one, has been vocal in opposing this concept and proposal, all ministers of racing—including former ministers of racing in your party, one of whom spoke here last night—have opposed this concept quite publicly.

I understand that the Australian Racing Board has opposed it quite strongly. They see this as a serious threat to the viability of the racing industry in Australia. But here in South Australia we do not hear a whisper. There might have been a couple of meetings with the minister and they said, 'Gee, minister, we don't want it.' I do not believe they have made representations—

Mrs Maywald interjecting:

Mr FOLEY: Exactly, and that is what I am coming to. I do not believe they have made representations to my colleague and, as the member for Chaffey quite rightly points out, they are nowhere to be seen. There has been no press release, no protest on the steps, no public statements—nothing. We know why: because they have done a deal with their mates in the Liberal Party. This is Michael Birchall at his best. They have a piece of legislation—

The CHAIRMAN: Order! The chair has been more than tolerant. He must relate his comments to the clause.

Mr FOLEY: Exactly!

The CHAIRMAN: The chair will insist.

Mr FOLEY: Insist you can, sir, and I will listen to your direction. As I say, the power of officers to enter and inspect is important. How we pay for those officers is linked to whether or not we get a licence fee to assist us in paying their wages, and the views of the thoroughbred racing industry, I should have thought, are very important, if you follow the sequence of what I am putting.

I simply say that we have a bill coming into this House, if not tonight then next Tuesday, to sell the TAB. So, obviously, the thoroughbred racing industry has decided that the important issue for them is to sell the TAB and get their financing deal from the government—and obviously part of the deal is that they go quiet on this. I can tell the House that a year or two ago they were not quiet: they were making loud protests. They were telling anyone who would listen how we should not have private proprietary racing in this state and in this country. But we do not hear a word now. They have clearly done a deal, and that, I think, speaks volumes about the decision of the racing industry so closely to align itself in a partisan way with this current Liberal government.

I have said previously, and it does not need to be repeated, that they have chosen to be a partisan body when it comes to the Liberal Party in South Australia. But I think—particularly as it applies to clause 30 and the power to enter and inspect—that the thoroughbred racing industry has been quite prepared to do a deal to get their sale of the TAB; to sell the TAB work force down the drain; and to have no regard for the future of the employees of the TAB or, indeed, the role that the TAB should play in our economy. They have been prepared to jettison all of that to get their financing and funding deal. Part of the deal is obviously that they must go quiet; they have to lie down; and they have to be absolutely silent on the issue of TeleTrak. I think that is a shameful decision by that particular authority. But, as I said, they are a partisan authority and the Liberal Party is its way to effect public policy in this state. I wonder how that might transpire in years to come. In particular, I think the minister is negligent in not setting a licence fee. If we do not have a licence fee we will not have the money to pay for inspectors who will need to enter and inspect premises.

Progress reported: committee to sit again.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I move:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

SHOP THEFT (ALTERNATIVE ENFORCEMENT) BILL

Received from the Legislative Council and read a first time.

RACING (PROPRIETARY BUSINESS LICENSING) BILL

In committee.

Mr WRIGHT: Not long ago the minister freely acknowledged that $5 million had been talked about with respect to the contribution that would go back to traditional racing if and when TeleTrak were licensed. It has been common knowledge and frequently talked about right through the racing industry that if TeleTrak were to be licensed it would pay a $25 million fee. The minister indicated that a figure of $5 million going to traditional racing was being considered. I know he also raised that with other people in the racing industry, and I believe he acknowledged that as well. He made the comment that if TeleTrak applied (and, he asked, why would it not?) that licence fee may be back on the agenda, and that figure may be back on the agenda for the racing industry.

Why on earth would TeleTrak apply for a licence when what we have currently operating is Cyber Raceways, in which the major investor is TeleTrak, being able to deliver its product as a result of going around the back door and

doing a deal with the South Australian Greyhound Racing Authority and the South Australian Harness Racing Authority?

If we establish in the legislation that you do not pay a licence fee if you do it that way, why on earth would TeleTrak go off and pay a licence fee, when via Cyber Raceways it has already established what it wanted to establish? That is off the agenda. I would like the minister to tell me how in any shape or form in that dynamic we can realistically look at TeleTrak applying for a licence and paying a licence fee when it has already been able to do what it wanted to do via Cyber Raceways and strike up a deal with SAHRA and SAGRA? What expectation, if any, should or could the racing industry have about this idea that has been put out there in the racing industry regarding their getting $5 million as some form of compensation if we are to have proprietary racing? I think that is dead and buried.

The Hon. I.F. EVANS: Let us clarify this for the member for Lee, who seems to be fixated on TeleTrak.

Mr Wright: You mentioned it.

The Hon. I.F. EVANS: No; for the whole debate your contributions have been over issues concerning TeleTrak, whereas we take the view that the legislation is about any company. Let us walk through the argument for a second. You are saying that it is outrageous that a private company can come to a commercial arrangement with the greyhound and harness industries and, through that commercial arrangement, the greyhound and harness industries grow their product. You expressed concern about that principle. I do not know why you would express concern about a private sector company investing money.

Mr Wright interjecting:

The Hon. I.F. EVANS: They are not paying a licence fee, because they are not conducting the racing. The authority—

Mr Wright interjecting:

The Hon. I.F. EVANS: The authority is conducting the racing, so the probity—

Mr Wright: The income comes from the wagering.

The Hon. I.F. EVANS: The gambling probity is controlled under the authorised betting bill, about which I know you have spoken to the Minister for Government Enterprises. The racing probity is provided by the controlling authorities—the traditional industry that has run it for over 100 years. The gambling probity is provided by the authorised betting operations bill. If a company approaches any of the traditional codes and they cannot come to an arrangement about their conducting the racing on their behalf, the only option available to them (apart from not running racing) is to apply for a licence and pay a licence fee. That may well mean that more people will approach the controlling authorities to run racing. If it does, it means that more money will be going direct to the controlling authorities and not to government. That is what it means. The inspectors and all the oncosts are being provided by the traditional industry in that case, not the government.

So, if a proprietary racing licence is never issued we do not need the inspectors, because the bill will not have come into operation on the ground. In your scenario, if they all sign commercial contracts with the controlling authorities, the fees and commercial contracts will go from the private sector directly to the racing industry and not government, and the racing industry will build in an appropriate profit margin to do what it wants to do in the industry; that is, lift stake money, increase training and provide better facilities. They will build that into their service fee and come to a commercial relationship.

Mr Wright interjecting:

The Hon. I.F. EVANS: We say we do not know what the service fee is; that is a commercial negotiation between a not for profit company—that is, the authorities—and the commercial provider of the service fee.

Mr Wright: How do you know they're going to be better off?

The Hon. I.F. EVANS: How do we know whether racing will be better off? That is a judgment for the racing industry. It is no different in principle from the football league having a media contract with Channel 7 or Channel 9 of which we do not know the details. They are two companies outside government and, if we do not know what will be the fee between those the two companies in five or 10 years, so be it.

Clause passed.

Clause 31.

Mr WRIGHT: What happens if any of those statutory defaults occur?

The Hon. I.F. EVANS: I refer you to clause 36, which sets out provisions such as $100 000 fines; they can also vary the conditions of the licence or censure the licensee; they have to show just cause; and they can cancel or suspend the licence for a specified or unlimited period.

Mr WRIGHT: I was hoping that you would give me that answer; it is just the answer I wanted. What happens if they cannot pay the fine?

The Hon. I.F. EVANS: If they cannot pay the fine that is dealt with under the bill.

Mr Wright interjecting:

The Hon. I.F. EVANS: If they cannot pay the fine the authority has the other options available to it. It can withdraw or suspend the licence. Those options are all set out in clause 36. In clause 36(3)(e) the authority may cancel the licence. In clause 36(3)(d) the authority may suspend the licence for a specified or unlimited period. It can vary the conditions or do all sorts of things with the licence. I would suggest that if they had a $100 000 fine and did not pay it they would probably have their licence revoked or suspended.

Mr WRIGHT: Under clause 31 with respect to this arrangement you are explaining to me—and you have gone on and referred to clause 36 with regard to disciplinary action—if this occurs will they be treated the same as any similar organisation for such a transgression?

The Hon. I.F. EVANS: I do not know what you mean by 'similar' but under the bill there are very clear options for the Gaming Supervisory Authority to take. They are set out in clause 36(3). My understanding is that, in principle, they are not dissimilar to those in the Casino Act.

Clause passed.

Remaining clauses (32 to 50) passed.

Schedule.

Mr WRIGHT: Clause 2(a) contains the wording 'but does not include a race or racing of a kind prescribed by regulation': this seems to contradict clause 3(d) relating to interpretation. We spoke about clause 3(d) earlier and you said that it may need to be tidied up in the Legislative Council, and that may well overcome the question I am asking here.

The ACTING CHAIRMAN: Does the minister wish to respond?

The Hon. I.F. EVANS: The advice to me for the member for Lee is that one is to be prescribed by regulation actually

for proprietary racing. So, the definition of racing there does not include proprietary racing. I shall clarify that. The kind prescribed by regulation is to be proprietary racing as distinct from racing as defined in the Racing Act.

Schedule passed.

Mr WRIGHT: I move:

That clauses 5, 10 and 24 be reconsidered.

The Hon. I.F. EVANS: The government will support the opposition's motion to reconsider as a courtesy. The member for Lee came to me after question time wanting to recommit this question. My understanding is that we are recommitting it on the basis of having one speaker from the opposition to debate a principle that entails all these clauses and if that matter is lost we will not go on to debate the other clauses.

Motion carried.

Clause 5.

Mr WRIGHT: I move:

Page 8—
Line 5—after 'conducts' insert:
, or arranges for the conduct of,

I would like to acknowledge the minister's goodwill in allowing this to occur. If I can say to my colleagues, who are not listening, I have given a commitment that I shall be the only speaker on these amendments. So, I do not want any of them breaking my commitment. I shall be the only speaker.

Mr Atkinson: We could technically.

Mr WRIGHT: You could technically but I have given my word. We are only to deal with clause 5 as I understand it unless that clause is voted in favour of. To be honest, I am not terribly optimistic but being a betting person I will give it every charge I can. In saying that, it is important that I explain to members that if clause 5 goes down we will not go on to clauses 10 and 24. Members on both sides of the chamber need to appreciate that the clause here is all about charging a licence fee: that is one of our major objections to this bill. We have made a very strong case that, if one brings a bill into this parliament, there should be a requirement for everyone to be licensed, whether they apply for proprietary racing directly or whether they do it via a code, as one of the corporations is currently doing. We also argue that a licence fee should be paid by everyone, whether, in fact, you do proprietary racing directly or whether you do it indirectly by striking up an arrangement with any of the codes or a race club.

We then say that the licence fee should be 1 per cent of the total amount of the bets made during a preceding period of 12 months with a person authorised to conduct totalisator betting operations in this state on races conducted or arranged to be conducted by the licensee. This means that, after a 12 month period, when we have a figure of the corporation's turnover as a result of a contractual arrangement with the TAB, its licence fee should be based upon 1 per cent of that turnover. I freely admit that it would be very difficult, whether one is in government or on this side of the House, to decide what a licence fee could or should be. Although we have previously had this concept running around about a $25 million licence fee, I am not too sure how or when that figure was arrived at. That is irrelevant to this debate.

Rather than our plucking a figure out of the sky, the fairest and most equitable way of applying a licence fee is to base it on turnover, because if the business is doing well and the turnover is up, obviously, the 1 per cent that it will pay as a result of that turnover will be a higher figure than if its turnover is down. It is quite deliberately set so that, if the business is growing and doing well, if there is a lot of activity and if a high net turnover, it will be charged at 1 per cent. If, of course, the business is not doing well and it has a low rate of turnover, naturally, the requirement as to the fee that will be paid by that corporation—whichever corporation it may be—will be a lower figure.

That is the most equitable way of applying this licence fee. It is far more equitable to do it that way than to pluck a figure out of the sky and say that it will be $5 million, $10 million or $20 million. If I did that, the first thing that the government would do, quite rightly, would be to ask: 'How did you arrive at that figure? You will cripple the business before it gets started.' That may be a realistic argument that one could make out—and I would suggest that everyone else in this chamber would not know what the figure should be. So, quite clearly, the most equitable way of doing this is to base it on net turnover, so that—

The Hon. I.F. Evans: Net turnover?

Mr WRIGHT: Net turnover. That is what I asked for. Is that in the amendment?

The Hon. I.F. Evans: No, that is all right. We understand what you mean.

Mr WRIGHT: That is the fairest way of doing this—

An honourable member: The same as the poker machines.

Mr WRIGHT: The same as the poker machines. I am pleased that the member for Bragg has returned to the chamber. It is an appropriate time, as the minister obviously will put in a strong acquittal about this being net turnover. Am I allowed to say this to the member for Bragg? Perhaps I should not. It may well be that the minister does have an argument with respect to this being based on net turnover, but I think that is the fairest way for it to be done.

All the rest is consequential. Although there are a number of clauses that we look to amend, the subsequent clauses that have been changed to bring this principle into play are consequential. What we are seeking to achieve is very simple: we are saying that, if you are involved in proprietary racing, you should need to have a licence. If, in fact, you are involved in proprietary racing, not only must you have a licence but also there must be a licence fee attached to that, and the best way of striking that licence fee is to base it on the turnover of the corporation over a 12 month period. So, in that situation, the corporation cannot be asked to pay the money up front: it will be able to operate for a 12 month period. After that 12 months we will know, of course, what the turnover is as a result of its activity with the TAB, and the fee is then placed at 1 per cent of turnover. We believe that is the fairest and most equitable way of applying a licence fee.

The Hon. I.F. EVANS: Although I have only just picked up the amendments, I am happy to speak against them. I understand the principle of where the member for Lee is coming from but, frankly, the amendment says that we will set the licence fee today at 1 per cent. I am not sure whether the member means that should involve 1 per cent of turnover, net turnover or net wagering revenue. However, it is 1 per cent of a figure. Why would a parliament set the fee at 1 per cent of a future figure which is today unknown?

An honourable member interjecting:

The Hon. I.F. EVANS: No—proprietary racing is not yet established. With pokies there is—

An honourable member interjecting:

The Hon. I.F. EVANS: There were in other parts of Australia, and I think you have had some track record to enable you at least to judge the Australian market. That is

why Frank Blevins was frothing at the mouth trying to introduce the bill, because he realised the amount of revenue that would come to Treasury.

The government opposes the setting of a fee within the legislation. It is clear within the legislation that, if someone applies for a proprietary racing licence, they must pay a fee. Then, the minister of the day will negotiate, the Gaming Supervisory Authority will sign off, and it will ultimately go to the Governor. So, there is plenty of opportunity for a fee to be set. Certainly, it is the government's intention to set fees when people apply for a proprietary racing licence.

I will now state another reason why I oppose it. The member for Lee says, 'We set the 1 per cent of turnover, or net wagering revenue—whatever the figure is—at 1 per cent today, but we cannot collect it for 12 months.'

An honourable member interjecting:

The Hon. I.F. EVANS: No, because we do not know what it is. I agree; that is your system. But that means that the government must incur the cost of all the inspectors and all those costs up front for a whole year. The taxpayer wears those costs for a year, and you will then get refunded retrospectively. Why would you do that when the system that is provided for in the bill basically says that you can set the fee up front, whether it be $5 million or $10 million—whatever the figure happens to be? You can impose your fee up front and, therefore, cover the costs of operating the business.

While I understand the principle that the member for Lee is trying to introduce, we think that the appropriate method is for the government of the day to set the fee, whatever the fee will be, once it has had an opportunity to sit down with the applicants for a licence and judge each one on its business case and on the operation that they propose.

The committee divided on the amendment:

AYES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Hurley, A. K.
Key, S. W.	Koutsantonis, T.
Rankine, J. M.	Rann, M. D.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	Wright, M. J. (teller)

NOES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F. (teller)	Hall, J. L.
Hamilton-Smith, M. L.	Ingerson, G. A.
Kerin, R. G.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Oswald, J. K. G.	Penfold, E. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.

PAIR(S)

White, P. L.	Wotton, D. C.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

Clauses 10 and 24 and title passed.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I move:

That this bill be now read a third time.

Mr FOLEY (Hart): I will make a brief but important contribution to the third reading as the bill has left committee. As I said at the outset in my second reading contribution, I had fears about this bill. The passage of the bill through committee has done nothing to allay those fears—if anything, it has dramatically increased my concerns about this legislation. As the bill comes out of committee, it is a sloppy piece of legislation which the government has just cobbled together. It is a bill that is designed for political purpose. It has no proper structure about it. As we learnt, no licence fee will be charged. We will not put a requirement in the act. There is no understanding as to: the format the industry will take; the cost of the industry; what the taxpayer contribution will be; and how it will impact on existing codes and on other industries. It really is a poor piece of legislation. It is extremely poorly drafted. You may not have believed the shadow minister for racing or the shadow treasurer's criticisms of the bill—why I do not know, but you may not have agreed with us—but you have to admit that you should at least listen to the concerns of a senior member from your own party, the member for Bragg, the former Minister for Racing and former Deputy Premier.

An honourable member: He knew nothing, though.

Mr FOLEY: I change my views of people, and I have never heard the member for Bragg talk with more commonsense and be in the real world more than he was with this legislation. It is quite unique to have a piece of legislation such as this, where a senior member of the Liberal Party, a former Deputy Premier, agrees wholeheartedly with the opposition—indeed, in some cases, he might have wanted to go further than the opposition on some issues. That was an extraordinary development. The fact that he was prepared to risk the wrath of his own leader, his own party and cross the floor in itself is a telling moment in this parliament. This has been a parliament, particularly in the last year, in which there is an attitude—can we have some coffee and biscuits brought in, sir, and a little bit of music, and we can have a real party! I should not be so frivolous. The fact that we have a parliament where the deputy—

Ms Rankine interjecting:

Mr FOLEY: I am outraged that the member for Wright would interject out of her chair, and it was a clear reflection on the Speaker. She said that even the Speaker is not listening to me. However, I know you were, sir; I know you are hanging on every word, because I know you, too, sir, would have liked the opportunity to participate in this debate. However, as a Speaker who follows very much the traditions of this parliament, you resisted the temptation to give the government a serve. As a former racing minister, you would have to be concerned. As I said, there has been some strange crossings of the floor in this parliament in the last few months, but none as significant as the former Deputy Premier, someone who is a cabinet secretary and someone who is the Premier's eyes and ears in his caucus. I notice that he crossed the floor only once, but nonetheless it was significant that he did so.

Mr Hill interjecting:

Mr FOLEY: He probably should have resigned, but I will not push the point. I did that once before and I do not think I should be that cruel and suggest that it happen again.

The Hon. G.A. Ingerson interjecting:

Mr FOLEY: No, I am saying that once was enough.

The SPEAKER: Order! Will the Government Whip and others please resume their seats?

Mr FOLEY: Thank you. Anyway, I have little more to say. I have responded to a request from my colleague to speak first, and I took that request on board. I notice he is now back—

Mr Atkinson: Without notes.

Mr FOLEY: It is all up here when it comes to TeleTrak. I am disappointed; it is poor policy by the government. We should not be that surprised, because it is a hallmark of this government that, when it comes to policy, it is not very good at it. This is one, though, that will have some detrimental impacts on the industry and the state, and it is an indictment on this government that it could be politically pressured. As I say, I direct no criticism at the member for Chaffey. From a local member's point of view, she has been very successful in getting her way, but it is poor form for a government that is so in minority, so scared of losing the Treasury benches and so bereft of decent policy that it has to stoop to this level, and I urge the House to oppose the third reading.

Mr WRIGHT (Lee): The member for Hart spoke very eloquently, as he always does, and I know that my colleagues are right behind me wanting to make an exhaustive speech at this third reading stage because of the importance that they see the racing industry has in South Australia. If I could just speculate for a moment, we have two—I think we only have two—former racing ministers sitting in the chamber right now as history is being made, and I think I could say very confidently that neither of those two racing ministers would have brought a bill of this disgrace and ineptitude into the parliament. Neither of those two racing ministers, who do have a thorough understanding of the racing industry, would have acted this lowly to bring a bill of this nature into the parliament, because they would have done the right thing. If this was pushed onto them in cabinet and subsequently in caucus, they would, because I know they are men of principle, resigned their post. They would not bring—

Members interjecting:

Mr WRIGHT: I can say that with a great deal of confidence. Both of those austere gentlemen have reputations in the racing industry which, I am sure, would have weighed heavily on their shoulders if they had been put into a position whereby they had to bring a bill of this nature into the parliament. I can confidently claim that.

This is not a debate about whether proprietary racing should be introduced into South Australia. This debate is about how that proprietary racing is conducted. As the opposition said last night and again today, it is a debate not about picking winners and losers but about bringing into this parliament a bill which does all the important things that a bill should do in regard to a concept such as this.

When yesterday I outlined a whole range of reasons about why the opposition opposed it, I highlighted two major reasons. One is that there is no licence fee as there should be. The minister says, 'Yes, there is provision for a licence fee to be charged,' but we know that, if any corporation goes to an authority of racing or a club—that is, goes via the back door—it does not pay a licence fee. That has been deliberately put in this bill to satisfy the wishes of the member for Chaffey.

If this was a proper bill, it would state that, if you are to be involved in proprietary racing, you must obtain a licence, and everyone inside and outside this chamber knows that is correct. Irrespective of your views about whether or not you believe in proprietary racing or whether or not you are cynical about proprietary racing, this debate should get down to whether you should be licensed if you conduct proprietary racing, and the answer is yes. Subsequent to that answer, you should be licensed for proprietary racing, whether you do it directly or whether you use the back door and do it via SAGRA or SARA.

If this was such a great deal for SAGRA or SARA, why would they not do it themselves? They can do this just as easily as it is being done by whatever corporation it may be and, in this case, it is Cyber Raceways. They can get the product and put it on the internet service. There is no great sophistication or organisation in doing that.

The first premise that should be undertaken with regard to this bill is that, if you are to be involved in proprietary racing, whether it be directly or indirectly, you should be licensed—and there is little doubt about that. Building on from that, if you are licensed, as you should be, you should pay a licence fee. This bill is all about establishing an opportunity for Cyber Raceways not to pay a market fee—not to pay a fee for being licensed. Have no doubt about that: that is what has been put in place here.

Whether you go through the front door or the back door, you should pay a licence fee. There should be a contribution to the state as there is with any other form of gambling; whether it be the Casino, TAB, tote, bookmakers or the traditional racing industry, they all pay their way. However, the structure that has been put in place by this government—and let it hang its head in shame forever because of it—allows a corporation, whether it be Cyber Raceways and/or any corporation, to go through a club and/or an authority and avoid paying a licence fee. That just is not good enough. Everyone should be licensed and everyone should pay a licence fee—there is little or no doubt about that. Here we have a bill that is a sham. You have only to look at the contribution from the member for Bragg, who highlighted a range of inadequacies with respect to this bill.

The other area that this bill must cover is probity. There must be probity to a level and an extent where we can have total confidence, as there is and as there should be with traditional racing.

Mrs Maywald interjecting:

Mr WRIGHT: The member for Chaffey laughs because she knows nothing about racing. We have the highest standards in Australia when it comes to probity—higher than any other racing regime around the world. I am sure the former minister—the present Speaker—and the former minister, the member for Bragg, will concur with that because they know and understand racing and have worked with it. We have the highest probity standards in Australia and world wide when it comes to racing. If you are to bring a bill of this nature into the parliament, you should have nothing less than those very highest of standards. The standards for probity are critical. We are going into a new and revolutionary concept, which has not been done anywhere else in the world. This is an untested concept. We are going into new horizons on the Australian racing landscape, and it is critical in a climate of that kind that we have the highest possible probity.

As the member for Bragg quite correctly pointed out in his contribution yesterday, when it comes to probity you can drive a truck through this. When it gets to the other place, it is my understanding that significant changes will made as a result of contributions made by the opposition and/or the Independents. They, too, can see the weaknesses in this

structure and this bill. It does not have the transparency that a bill of this nature should have.

Let us look at a few of the comments made in the contributions to this debate. We still do not know whether the poor old member for MacKillop, Mr Switch, is for or against the bill. He talked about the importance of setting up a licensing regime, about how important it is to have probity in place, but we do not have a licence fee structure. He talks about the importance of having a licensing regime. There is no such licensing regime if you go in, under the government's bill, via the back door. He should listen to the former minister who correctly pointed out that everyone should pay a licence fee and that probity must be of the highest order. He then goes on to talk about competition—

The SPEAKER: Order! I caution the honourable member. You do not have an opportunity in the third reading debate to analyse members' arguments in second reading speeches or in other parts of the debate. You can summarise the bill, but you cannot go back and analyse previous debates—it has all been done.

Mr WRIGHT: There has been a range of contributions that have been most disappointing. With the ruling I have just received from the Speaker, I cannot talk about the inadequacies of those contributions. However, I was heartened by the contribution made by the member for Bragg, who talked about its being a facade and about its being ridiculous in this form. He said that you could drive a truck through it, that there was a lack of probity and that a licence fee should be imposed, irrespective of how it is set up. That is the whole basis of Labor's opposition to this bill, which is nothing more than a sham and which should be recognised as such. It is nothing more than a bill that has been brought into this parliament purely for political reasons: purely to satisfy the cross benches.

The framework of any legislation must be correct and clearly set out. It is not set out in this bill, and it does not cover those areas that rightly should be covered in a bill of this nature. The bill is a great disappointment because it lacks so much. I said in the second reading that the government should have been up front and honest in bringing a bill into this parliament. The minister talks about its being a framework bill, but this bill should have recognised that everyone should be licensed, irrespective of how they will operate in this climate, whether they apply for a licence or operate as a result of striking an arrangement with a controlling authority, and should have stated that a licence fee will be paid by everybody. It should also have demonstrated that the effective tax rate paid by proprietary racing would be no worse than it was under traditional racing.

I know that the minister will say that that is in the Authorised Betting Operations Bill, but it is not in the bill, and the bill has to be corrected as a result of the contributions made by the opposition yesterday. As a result of the discussions held with the minister today, he has given me an assurance that when the bill is debated next week he will bring in an amendment to make sure that what we discussed yesterday about the effective tax will be changed to ensure that proprietary racing will at least make the same contribution to the state as does traditional racing, as indeed it should. They are the critical elements that should have been in this bill.

Everyone needs to be licensed, irrespective of how you will operate in this world of proprietary racing. Everyone must pay a licence. The effective tax rate can be no worse than that for traditional racing. All probity issues must be addressed and, when those areas are covered in a bill, in which they should have already been covered, that is when the government can look to the opposition for support. We may have our cynicism for a concept like this, but if those areas are covered the opposition will reconsider its position with regard to this bill. However, in its current format, the bill is nothing but a dud, a sham. It is a bill with which members on that side of the House, including the Independents who are supporting it, for the reasons I have just outlined, should be absolutely disgusted. They know, just like I know, that the areas that I have covered should be covered in a bill of this nature. They are supporting the member for Chaffey. The member for Chaffey is supporting her organisation in her own electorate. She has every right to do that, and good luck to her for doing so. However, she should not bring in a bill of this nature that avoids all of the requirements that should be in a bill. Do not support a local member who does not understand what should be involved in a bill of this nature with regard to licensing, taxation and probity, because the bigger picture should be taken account of. The bigger picture should be taken account of, and that just has not happened.

So this is a very shady bill. This is another piece of inadequate legislation on the racing horizon that has been brought in by this minister and by this government. It fails the racing industry day in, day out, time and time again. I suspect that the former minister, the member for Bragg—this is my suspicion, and I am not quoting him and have no right to do so—along with the other former minister for racing, also share the views of the opposition that this bill is not a good bill and does not have the requirements that it should have to be an accountable, open, fair and transparent bill. For all of those reasons, this bill is a crook bill that should not go through the parliament, that should never have come into parliament in the format that it has, and it is a piece of legislation in relation to which this government, with the support of the independents, should hang their heads in shame forever.

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I move:

That the time for moving the adjournment of the House be extended beyond 6 p.m.

Motion carried.

Mrs MAYWALD (Chaffey): My final remarks will be very brief, given the hour of the day. I quite agree with the member for Lee that every corporation that intends to conduct proprietary racing should be licensed. I have no problem with that whatsoever. The problem with the member for Lee's argument is that he is trying to incorporate a broadcasting company into the gambit of proprietary racing. There is a very distinct difference in what is being proposed by Cyber Raceways and what is being proposed by proprietary racing. The minister has made very clear throughout the entire committee proceedings that a fee will be charged. I cannot understand any argument that says that a government would want to set that fee below the cost of what it is going to cost them to operate. It makes absolutely no sense to me. Any fee that will be established—and the minister has given an undertaking—will cover the cost of stewards and will cover the costs associated with the operation of the government's probity requirements.

The interesting thing is that the member for Lee says that the probity problems relate to Cyber Raceways and to the directors of Cyber Raceways and that they should have the

same level of probity that is in existing racing. There are no probity requirements for the directors of the existing racing industry. I might be as ill-informed as the member says I am in relation to racing, but the directors of the existing racing industry are not required to undertake any probity checks.

Mr Wright: They are not for profit.

Mrs MAYWALD: The member for Lee made it quite clear in his statements that any racing operation should have the highest level of probity. I agree with him. The other flaw in the closing speech of the member for Lee relates to the existing racing industry also. The existing racing industry is exactly that, not for profit. And being not for profit, they are providing a service under the existing Racing Act, with all of the probity under the existing Racing Act for the running of racing on tracks in country areas built for them. The existing racing industry happens to think that is a very good idea, because if it was to go out and venture into internet wagering itself, to be able to provide the picture that is proposed by Cyber Raceways, for greyhound and for harness, it would not have the capital: it is as simple as that. Sure, it can do it, but it does not have the resources to do it, nor does it have the expertise. It is a racing organisation.

The question in relation to this bill and what this House needs to consider in voting on the third reading, is what this bill is all about: it is about the licensing of proprietary racing. The question before the House is whether we want unregistered, unlicensed racing to go ahead in this state. The Labor Party, by opposing this bill, is making it quite clear that they think, 'Yes, we should have unregistered racing in this state.' I disagree. I think that we should have registered racing; I think that we should have licensed racing and I think that we should be able to charge a fee for that racing; and I think we should be responsible in this state to ensure that no form of racing can go ahead in this state unregulated. As it currently stands, without this bill passing, that is the case.

The Hon. M.D. RANN (Leader of the Opposition): I think most members would recognise my interest in this area and, indeed,—

Mr Venning: And experience.

The Hon. M.D. RANN: —experience, and my expertise, having worked in the racing industry as a young man in New Zealand, where horse racing is taken seriously: in fact, I worked at Ellerslie racecourse. I want to say that the arguments of the member for Chaffey do not make any sense. She was trying to compare this company's proposed set-up with those clubs that have built the industry over generations and say that somehow they were in the same category. These are not for profit organisations which, for years, have built up an industry that employs thousands of people in this state. This is not a proprietary organisation where there should be the most stringent probity assessments of the people involved. The member says she agrees: that was not clear from her previous contribution. There should be a licence fee to have this right. This outfit has been around for years.

I do not believe there have been any political donations or anything like that, but they have been trotting around the country and minister after minister from different political persuasions have basically not seen them as people of substance. They have about as much substance as the Minister for Government Enterprises' cyber MPs. Cyber Raceways, cyber MPs: both have about as much chance of becoming reality. I do not believe this is about political donations, but it is about politics. It is about a government that found itself on the ropes because it cannot manage a majority. It is about a government that, only a few years ago, had a majority of 37—

The SPEAKER: Order!

The Hon. M.D. RANN: —and now has a majority of one—

The SPEAKER: Order!

The Hon. M.D. RANN: —and is seeking to buy support—

The SPEAKER: Order! The leader will come to order!

The Hon. M.D. RANN: —by doing a dodgy deal on the side.

The SPEAKER: I will give you one more chance. I will name you if you dare shout me down again. Don't you ever try it again or I will name you on the spot. I caution you against bringing in debate which is a second reading debate.

The Hon. M.D. RANN: I am trying to sum up the debate, and I am sure—because I am a great supporter of yours in this position—that you will take exactly the same line with members opposite when each day in question time they shout down members asking questions.

The SPEAKER: Order!

The Hon. M.D. RANN: I know you will—

The SPEAKER: Be very careful when you start to refer to the chair.

The Hon. M.D. RANN: I know you will, because I have confidence in you and in your integrity and in your deliberations.

But let me finish. Everyone in this place knows what this is about: it is a dodgy deal to try to buy time and support for this government. That is what it is really about. The ministers know behind the scenes, as ministers all around the country know, who we are dealing with in terms of this company. They know that there is no substance to what they are offering, but that a deal has to be done to keep the member for Chaffey in the tent. That is why this government, once again, is prepared to put accountability and probity out the window. We know what it is about. So why do we have to go through this pretence? It is interesting to see other independent members who have been proclaiming their interest in accountability and probity, but when it comes down to doing a deal for one of their own I know exactly where they will vote.

I want to pay tribute to the member for Bragg, who has been a minister in this area, and, like me, has an interest in the racing industry. He had the guts to say what was true about this proposal and I think that he deserves the commendation of all members of parliament for making a stand.

The Hon. G.A. INGERSON (Bragg): I never feel very comfortable when the Leader of the Opposition gives me some praise. I am quite concerned about his gracious praise, because I know it is not very genuine. As I said in my second reading speech and I say again here on the third reading, there are significant issues of probity that this bill does not cover. I hope that, during the passage of time until this bill comes back to us with amendments (as I am informed it certainly will), something will be done about making sure we get wider coverage on probity issues. I have expressed concern about the licensing process. I was not prepared to support what the opposition put forward because, while the idea might have been right, it would not work in practice.

As I said in my second reading speech, there are widespread issues, as far as I am concerned. As I also said, it is my intention to oppose this bill on the third reading in the hope that, along with other members of the Legislative

Council, the government will look very closely at these probity issues. When, as they surely will, the amendments come back to this place, we can then decide whether to pass the bill. I believe that with a fair amount of goodwill all the issues can be resolved and that proprietary racing can get on with the job which it believes it can do and make a contribution to the racing community in this state.

Mr KOUTSANTONIS (Peake): Since I was first elected to this House I have maintained my position with respect to poker machines and other forms of gambling, and I am concerned about what is happening in relation to this form of gambling licence. From what I understand, in every other form of gambling when you have a licence you are required to pay a fee. I am a bit concerned about this bill, how it would be examined and regulated, and whether checks and balances are in place to ensure there is no impropriety here whatsoever. I am not sure what deal has been made with people in this House—I am not privy to those conversations and arguments, so I will not comment on them—but I will say that the racing industry in South Australia is a huge employer and a good earner for the state.

There are racecourses very close to my electorate. Morphettville racecourse is very close to my western suburbs seat of Peake, in the area I represent in West Torrens, and I am concerned about the effects this bill will have on the current racing industry. I do not think I have heard answers from the minister about what effect this will have. What concerns me most is that loyal Liberal MPs such as the member for Bragg—the former Deputy Premier, Minister for Racing, Olsen supporter, lead back-stabber, and the first one to stand by Premier Olsen—

The Hon. I.F. EVANS: I rise on a point of order. The member for Peake has a right to contribute, but he should debate the third reading and not other matters.

The SPEAKER: I uphold the point of order and ask the member to bear in mind that this is the third reading debate.

Mr KOUTSANTONIS: Thank you for your guidance, Mr Speaker; I withdraw those remarks. We have here one of the most loyal ministers and members of the government—the one person you would not think would turn on his own government. Plenty of people have turned on this government; the member for Fisher has turned his back on this government—

The Hon. I.F. EVANS: I rise on a further point of order, sir. The honourable member is not debating the third reading.

The SPEAKER: Order! I ask the honourable member to have regard to the chair's directions and adhere to the third reading debate.

Mr KOUTSANTONIS: The point I am trying to make is that I am one of those people who are not up to date on the racing industry, but I do have concerns. One of the flashpoints for me is that the former racing minister is showing his own concerns about this bill. I think it is a valid argument that a member of the government—a person who has made detailed observations and knows intimate details of the racing industry, and a former spokesperson and administrator of the racing industry on behalf of the government—is coming out and saying that there are problems with this. I respect the member for Bragg for his loyalty to his leader and his party, but I am concerned that, if even he is talking about problems with this bill, something must be wrong.

I take my advice on racing matters from the member for Lee, who is eminently well experienced in this industry. I cannot claim any interest in racing other than occasionally watching the Adelaide and Melbourne Cups and attending Morphettville racecourse, but I do support the local industry, and I have real reservations about how this will affect the existing racing industry. I have not heard anything from the member for Chaffey or the minister about that, and that is what concerns me. It is a huge industry, and I wonder whether the government is prepared to stand up and answer our questions about this. I have followed the member for Lee's arguments and I support them. I urge the Independents to listen to the member for Lee and follow his arguments also.

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I thank members for their contributions. I will make a quick rebuttal for clarification. In the traditional racing industry two codes have already signed up with private enterprise in relation to providing a fee for service. This bill simply plugs a gap in the current system where, prior to this bill, private enterprises that wished to run racing could do so unlicensed and without probity. This bill sets up a system whereby those who wish to conduct racing for profit will have to go through a licensing regime and appropriate probity checks. There is a mechanism in the bill for licence fees; it is certainly the government's intention to charge a licence fee. Of course, it does not surprise me that members of the opposition oppose this. They opposed corporatisation and the TAB sale, which were positives for the racing industry; and they said on radio three or four months ago that they would oppose proprietary racing, even though they had not seen the bill. So, there was no doubt that the opposition always intended to oppose this. I thank members for their contribution and commend the bill to the House.

The House divided on the third reading:

AYES (23)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F. (teller)	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Kerin, R. G.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
Meier, E. J.	Olsen, J. W.
Penfold, E. M.	Scalzi, G.
Such, R. B.	Venning, I. H.
Williams, M. R.	

NOES (21)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R.	Foley, K. O.
Geraghty, R. K.	Hanna, K.
Hill, J. D.	Hurley, A. K.
Ingerson, Hon. G. A.	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
Wright, M. J. (teller)	

PAIR(S)

Wotton, D. C.	White, P. L.

Majority of 2 for the Ayes.

Third reading thus carried.

STATUTES AMENDMENT (FEDERAL COURTS—STATE JURISDICTION) BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

At 6.19 p.m. the House adjourned until Tuesday 14 November at 2 p.m.

Corrigenda:

Page 220, column 2, line 53—For '$300 million' read '$300 000'.

Page 222, column 1, line 29—For '27' read '27 000'.