HOUSE OF ASSEMBLY

Thursday 25 October 2001

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

DOG ATTACKS

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

That this House requests the Social Development Committee to investigate, report and make recommendations on—

(a) strategies to decrease the incidence of dog attack in both public places and on private property, including whether the definition of effective control in the Dog and Cat Management Act 1995 needs redefining;

(b) the management of breeds of dogs that have a high attack incident rate; and

(c) any other related matters.

A review of the Dog and Cat Management Act 1995 was implemented and managed by the Dog and Cat Management Board in September 2000. That was required by the legislation and it was the first review of the act since its inception. A discussion paper was circulated during a public consultation period lasting some eight weeks. There were 157 copies provided to the public, 69 to local government and 20 to other interested groups. I am advised by the board that some 2 000 responses were received.

Based on the feedback provided during the consultation period, the board has forwarded a number of proposed amendments to the government for consideration. Being mindful of the important cultural, recreational and social role that pet ownership, especially of dogs, plays in our community and a response to public concern regarding the frequency and seriousness of dog-related injuries, I felt it necessary that further research be undertaken.

Over the last 12 months that has included interviews with a variety of South Australian and interstate specialists, analysis of academic reports and reviews of national and international dog legislation. That was conducted in addition to monitoring public opinion expressed in letters to my office and the media and in two separate petitions that were presented to the House earlier this year by the member for Hartley.

The member for Hartley is to be congratulated on his very good work in this area. He has put considerable effort into ensuring that the concerns of dog owners and dog attack victims have been well presented in this place. I am sure that we are all aware of the tragic circumstances of the May family, and the member for Hartley arranged for me to meet with the May family and others, and it is fair to say that the honourable member has presented a strong case in relation to reform for dog laws. I congratulate most sincerely the member for Hartley on his very good work in this area.

The time has come to progress the process, and I am pleased to inform the House that several proposed amendments to the Dog and Cat Management Act are being drafted as I speak. The proposed amendments incorporate a number of changes, including greater provision for guide dogs in training, increased penalties for dangerous dogs and adjusting the legislative framework to better accommodate rapid technological advances in microchip technology, and other matters.

As indicated by the motion, issues relating to the incidence of dog attack in public and private places, and the issues that relate to statistics that suggest a high percentage of dog attacks appear to be caused by a small number of breeds, have been deliberately excluded from proposals currently being drafted. Both are highly emotive, as I am sure members of the House are aware, and they are issues about which there has been significant public debate. Because of this, the government and I believe that the best place for further consideration of these issues is through the Social Development Committee.

For the benefit of the House I want to outline some of the advice we have received in relation to dog incidents. Statistics reveal that approximately 29 000 South Australians are victims of dog attack each year. About 6 500 of these people will require some form of treatment, with about 800 presenting in emergency departments of public hospitals. Approximately 250 of the 800 people, or about one-third, presenting at the emergency areas will be under the age of 12, and injury records from the Women's and Children's Hospital reveal that dog attack is the fourth most common reason for young children to be taken to hospital. As I understand the advice to me, on average, this one hospital alone will treat one child a day as a result of dog attack. Many of these children will be admitted for long-term treatment, with nearly all suffering from severe injuries to their head, face and neck.

In fairness, these figures need to be treated with some caution. Approximately half of these attacks occur on private property by dogs that may well be known to the victims and, more often than not, the reason for the attack, whether it be provoked or unprovoked, remains unknown. The figures also clearly indicate that a majority of dog attacks do not result in serious injury, that is, where the victim requires some form of medical attention.

Some caution needs to be used in relation to the words 'dog attack'. The expression 'dog attack' as it is used by the agency in providing advice indicates that the people who are injured may include people who are injured in incidents with dogs, so it includes people who are injured when playing with a dog, and it might be grandma's dog or their own pet dog. The words 'dog attack' might create the wrong impression of the dog initiating the incident or suggest that it is a deliberate act on the part of the dog. In fact, it could just be a simple accident when the child is playing with their pet or with their grandparents' dog. Also, the skin of elderly people tears more easily and incidents that occur in such cases might not be as a result of a dog attack. A better way to define such an occurrence might be to say it is an injury incident.

Regardless of the fact that some caution needs to be applied to the issue, I think that the sheer weight of numbers and the fact that dog attack is the fourth most common reason for children under the age of 12 to be taken to emergency departments indicates to me that this is an issue that needs further investigation.

In bringing this motion to the House, I want to ensure that two specific aspects of the issue are included as part of the deliberations of the Social Development Committee. The first is to consider whether the definition of effective control in the Dog and Cat Management Act 1995 needs redefining, and that should involve examination of the issues of the on-leash and off-leash designated areas. In the wake of several dog attacks and the introduction of on-leash by-laws by Salisbury council, much attention and public debate has focused on this issue.

While I understand the flexibility of the act, which allows councils the flexibility to address the specific needs of their

own local communities, I propose that the Social Development Committee is the only appropriate group to advise if this is the best approach at the state level, that is, whether there needs to be better coordination across councils, particularly the Adelaide metropolitan area.

If (and I say 'if' because no decision has been made on the matter) 'on leash' requirements are warranted at state level, I also ask the committee to advise the House on how this should be done. However, we must make sure that any 'on leash' requirements are balanced with 'off leash' opportunities, because only then can we ensure the health, safety and wellbeing of dogs, dog owners and the general public. It is also important that the needs of specific operation groups—for instance, shift workers—be catered for.

I also want the committee to investigate the research conducted by the South Australian Health Commission which suggests that a high percentage of dog attacks appear to be caused by a small number of breeds. The Health Commission advises that there are five breeds, representing only about one-third of all dogs, that cause some three-quarters of the hospital-treated attacks and that the risk of attack from these dogs is estimated to be four and five times higher than that associated with any other popular breed of dog.

Again, I caution and advise the House that these figures need to be treated with some caution. Identification of the breed is often reliant upon untrained breed identification techniques and are also distorted by issues such as mixed and cross breeding. So, we need to be careful in making these claims. Again, however, advice from the South Australian Health Commission is that it is its understanding of the issue. Given that, I feel that I have no other avenue than to refer that advice to the Social Development Committee so that it can give that due and proper consideration and come back to the parliament. I think it is entirely appropriate that the Social Development Committee takes evidence on this issue, and I would request that the committee investigate the report and make recommendations to the parliament on the appropriate management strategies of breeds of dogs that appear to have, on the surface, a high attack incident rate.

Of course, this may not necessarily mean legislative change. The best path to follow may include activities such as public education strategies or, indeed, training initiatives associated with those particular breeds. But, ultimately, it is a matter for the committee to come back to the parliament with those recommendations.

In closing, I would like to say that we are very proud of what the Liberal government has achieved in relation to dog management in the last six years. The legislation and the independent framework under which it is administered is, I understand, widely considered to be the benchmark across Australia. We certainly intend that this continue to be the case and therefore acknowledge that it must be reviewed on a regular basis to ensure that it moves with the times and remains reflective of what the community demands and needs.

Again, I want to place on record my congratulations and thanks to the member for Hartley, Joe Scalzi, who has done an enormous amount of work on behalf of his local electorate and the community in general on this issue. It is a very emotive issue; it is a difficult issue, because people are so close to their pets. However, I come down on the side of the issue of the sheer weight of numbers of dog injury incidents—29 000—and the large number of people going to the emergency area of our hospitals. I think it is an issue that the Social Development Committee does need to look at, and I look forward to receiving the committee's recommendations on how this will be best achieved. I look forward to receiving the support of the House for the motion.

Mr SCALZI (Hartley): Members would be aware that I have made representations on behalf of my constituents, the May family, whose children were, unfortunately, injured by a dog attack. Members would also be aware of the petitions that I have presented in this place. So, members will understand how relieved I am that the Social Development Committee will at least look at this very important issue. I commend the minister for bringing it to the attention of the House today and putting forward the motion so that the committee has to look at this serious problem.

I also support the measures that the Mayor of Salisbury has taken with regard to having dogs on leads. I look forward to hearing the evidence that is given to the committee on how the Salisbury council policy has been implemented, as well as the response by the constituents in that area. The minister has outlined at length the reasons for the reference to the committee so I will not go into that.

Members would be aware that I am presently a member of the Social Development Committee, and I look forward to hearing the evidence and, hopefully, resolving this very important issue. There is no question that the act has to be looked at; that this issue has to be resolved; and that children should be able to visit parks, and parents should know that it is safe for them to do so. Whilst I can understand the concerns of dog owners, I think we have to do something about this issue—we cannot endanger our children with dog attacks. One only has to talk to children who have suffered such trauma to see the effect that it has had on them and their families.

So, I welcome and support wholeheartedly the minister's motion, and I thank him for his kind comments. I look forward to hearing the evidence and the committee's referring back to this House its findings so that we can come up with something that will ensure the safety of children as well as respecting the rights of dog owners. I look forward to the Social Development Committee's findings.

Mr HILL (Kaurna): This issue of dog management is obviously fraught with difficulties, highly controversial and highly difficult for governments to deal with, because it deals with—

An honourable member: It's a dog of an issue.

Mr HILL: It is a dog of an issue, as my colleague says. It deals with conflicting interests: we have the interests of the dog owners who want the unfettered right to be able to have their dogs in their possession at will and in public places; and then we have the interest of the general public who want to be able to use parks and public places in safety, particularly with regard to their children. They want their children to be able to run and play without being attacked by dogs.

As a fervent door knocker, I know the difficulties of dogs myself. I have been bitten on a number of occasions by small animals—and some larger animals.

An honourable member: Was Joe Scalzi one of them?

Mr HILL: No, Joe Scalzi was not one of them! This is a very difficult issue, although, I must say to the member for Hartley, who has been a great advocate of control in this area, that he has been fobbed off, because the minister is really saying that he has had a good close look at it and he realises that it is very difficult. He knows that there is an election

around the corner and he does not want to make a hard decision now, so he is passing—

The Hon. I.F. Evans: That is nonsense.

Mr HILL: That is not nonsense; you know that it is true.

The Hon. I.F. Evans interjecting:

Mr HILL: The minister says, 'Tell us your policy.' I would happily tell the minister our policy if he would release the report on dog management, which he had commissioned and has sat on for a considerable period. The member for Hartley has been fobbed off. In fact, I think it is a delicious irony that the minister, in his clever way, has referred the matter back to the member for Hartley, who is a member of the Social Development Committee. So, Joe, it is back in your court: you know what you want to do; you have worked out what you want to do; and you have told the world what you want to do. You have asked the minister to investigate this and come up with some reforms.

The minister has had a good look at it; he has had a committee review it and he now has a report that says, 'Well, this all a bit difficult. We will give it back to you, Joe, so that you can sort it out yourself.' Well, I think that is fine. I am happy to support this proposition and I look forward to the committee's report, as well as to some action from the government in the future.

Mr VENNING (Schubert): I rise to support the motion. I have to declare my interest, because my wife's substitute husband is a dog! As I am not often at home, Brewster has certainly taken my place. There is a dog in each of our family homes—we and all our children have dogs—and they fall within those five breeds which the minister mentioned as being the most vicious. All I can say is that with our dogs, because they have been properly raised and loved, the biggest risk you take is being licked to death.

Our dog is a German Shepherd, and he is a very valuable member of our family. I believe any legislator, any parliament or any party that wants to legislate hard against dogs will do so at their own risk. After their own families, I am sure people love their dogs a lot more than they love politicians. If members come on heavy on the dog, they do so at their own risk.

I often exercise my daughter's dog at West Beach. I understand exactly what the minister was talking about this morning; I see dogs running out of control. I always keep my daughter's dog within range of my voice and I also have a lead in my hand, because the dog knows it should be on a lead and it is not. When there are other dogs on the beach, I bring the dog to me and put it on the lead.

The SPEAKER: I ask the Minister for Environment and Heritage whether he would go into the gallery or join us in the chamber.

Mr VENNING: It is very difficult to say to people with large dogs that you have to exercise your dog on the lead, because one cannot exercise a large dog on a lead. They will end up exercising you and you will get exhausted, so you have to unclip the dog. I understand that in certain suburbs, where they have certain areas for the training and exercising of dogs, they allocate times for the exercising of dogs; they have different rules, but I hope that the Social Development Committee will push for a standardisation of these regulations. Even on city beaches the regulations change as you walk from one council area into the other.

I will never support the rule or the regulation that provides that big dogs have to be exercised on a lead because it just cannot happen. I also ask the committee to be careful because, if we make rules such as this, do they apply also to country communities and farms? Most farmers have a dog that usually sits in the back of the ute. I am sure members have seen the advert for Toyota with the dog. Certainly, if you put your hand over the side of the ute some dogs will welcome you with a nip. It is a very difficult area for a government to legislate. I look forward to the Social Development Committee's recommendations, as long as the committee stipulates clearly rules for, say, suburban Adelaide, country communities and rural communities where dogs are very common. I understand that there is a high incidence of dog attacks. I appreciate that, but I believe it is more about education of the owner of the dog.

I think owners of certain breeds of dogs should almost be accredited owners, because you have to be more responsible with them. As a dog owner on the beach, I always believe that, if a dog could be marked with a different colour tag to indicate whether or not it is friendly, it would be nice to know as the dog approached. I feel that my dogs will never do anything wrong but, if other dogs come too close too quickly, things could happen. It is up to the owners to control their dogs. I do not want to see the heavy hand of the law come down and enforce certain regulations on people. I think most people have commonsense. Even though the incidence is high, I do not know whether we have statistics to show how many dogs are in the community, but there are thousands of them. I would say that every second household has a dog and the average is probably over one for every two households.

I warn any parliament, any government or any party that has a policy of imposing strict dog laws that they will do so at their own peril. As the minister found out in our own party room—I do not think this is telling secrets—it is a difficult issue. He is not the first minister to try to deal with this issue. I remember that when I was first elected Minister Crafter, I think it was, raised this matter and it died a quick death because it was too difficult. People love their dogs and if we go overboard it will end up in the negative. I look forward to the Social Development Committee addressing this issue. I congratulate the member for Hartley because of his diligence and enthusiasm in this matter, and I am sure that his input will be appreciated not only by members of the government but also by the House as a whole. I look forward to the Social Development Committee considering this matter and I might offer my assistance as a witness. I support this motion.

The Hon. D.C. WOTTON (Heysen): I also support this motion, and I do so as the architect of the Dog and Cat Management Act 1995. One of the most difficult tasks that I think I have ever faced was bringing down this particular legislation. Members may recall at that time, although it is a long time ago, there was an enormous amount of representation made, I would suggest, to the majority of members who were in this place at that time regarding cats. There was a very successful campaign in the electorate to ensure that appropriate legislation was brought down to provide that the cats were managed appropriately and that dogs were managed appropriately as well.

I also commend the member for Hartley for the representation he has made. I know that this has been an important issue in his electorate, as it is, I would suggest, in the majority of electorates that are represented in this place. I agree also with a number of the points that the member for Schubert has made. It is important that we consider and be able to differentiate between what happens in the metropolitan area and what happens in the rural area. I point out to the House that

some little time ago I took the opportunity to spend a day with the SA Ambulance Service to see how it works and functions. We were in the metropolitan area, having done a tour of a number of their centres. In fact, we were at the southern end of King William Street when there was a call to say that children had been attacked in the vicinity of the Torrens River in the parklands, and the driver I was with at that time was asked to take the call. We had a very fast drive through the city to the site. I was made aware first hand of the issue, of the concerns of the parents of the children involved, and also of all the other problems surrounding that particular incident.

I believe it is essential that this matter be addressed. I think it is very sensible that the Social Development Committee be given the opportunity to investigate, report and make recommendations on the three issues that are referred to in the minister's motion. I do not need to go through those issues again. Finally, I make the point, as did the member for Hartley, that in the case of dog control, whether it be dog or cat control, or whatever, it does come back to the responsibility of the individual in appropriately managing that animal.

Legislation can do only so much, but it does come back to the owner of the dog, the cat, the horse, or whatever it might be, being responsible in the way in which they manage that particular animal, and that is certainly the case as far as dogs are concerned. I strongly support the minister's motion and I, too, look forward to the committee's report to the House and its recommendations as to how these matters relating to the appropriate management of dogs can be addressed.

Mr KOUTSANTONIS (Peake): The member for Kaurna is absolutely right: the minister is copping out on this issue by referring it to the Social Development Committee. He will not make a decision before an election. I think that the way in which the government has handled this issue is a little disappointing.

The member for Schubert made some very good points. It is a very difficult issue to tackle. Now being the proud owner of two puppies, I understand—

Mr Wright interjecting:

Mr KOUTSANTONIS: Two puppies—the concerns. Also, my brother is a professional dog breeder.

Members interjecting:

Mr KOUTSANTONIS: They are two little right wingers. Many of my constituents own dogs, and there are in my constituency many dog clubs, which have a lot of concerns that I will forward to the Social Development Committee. I know that I will be dealing with the member for Hartley because I know that he has a keen interest in this issue. I will be forwarding the honourable member submissions from dog clubs and associations in my constituency as soon as the committee takes on this reference.

Mr WILLIAMS (MacKillop): I think that it is a bit churlish of the previous speaker and the member for Kaurna to suggest what they did about the member for Hartley and the minister, when the minister is being quite proactive on this matter, as the member for Hartley has been. Indeed, he has been incredibly proactive on this issue. I have yet to see any policy pronouncements from the Labor Party on any matter whatsoever facing the people of South Australia, let alone on this issue. As most members have indicated, this is a very difficult issue. It will be very difficult to come up with—

Mr Koutsantonis: It's a dog of an issue.

Mr WILLIAMS: It is a dog of an issue—legislation that will reduce the incidence of dog attacks, and the incidence of dog attacks is very high. As a practising farmer in my previous occupation, I spent my lifetime working with working farm dogs. I have a huge amount of respect for the animal, yet I have seen dogs do the most outlandish and outrageous things; I have seen dogs do things that are totally out of character. I guess that most of the attacks—certainly the owners of the pet would argue—are out of character. Like most members, I, too, have received representations from electors on this issue.

I attended a function only a few weeks ago and the wife of one of my constituents and a close friend had a series of stitches on one of her cheeks. She had been collecting her children from a neighbour's farm and a pet dog—not a working dog—attacked her. She had known the dog for many years but, again, it was an attack that was totally out of character. Having said that, I certainly agree with the comments of the member for Schubert about how inept it would be for any of us to suggest that we put severe restrictions on dog ownership and the way in which people can handle and exercise their dogs.

I understand that the Salisbury council has introduced by-laws which allow the exercising of dogs only if the dogs are on a leash. The Mayor of Salisbury, Tony Zappia, who, I understand, at least at one stage was a close friend of the Labor Party—

An honourable member: Still is.

Mr WILLIAMS: Still is? I am pleased to hear it. I think that there is opportunity for the committee to take significant evidence from the Salisbury council in terms of its experience. I am not quite sure how long this by-law has been in operation in that council but, certainly, that council's experience will be valuable to the committee. I certainly wish the Social Development Committee every success in this matter. I would say to the House that I am quite glad that I am not a member of that committee, because I think that the issue will require the wisdom of Solomon. I wish it every success.

Mr HAMILTON-SMITH (Waite): I want to contribute very briefly to this debate to bring a little commonsense to it. As a person with many constituents who have dogs, who love their dogs and who ensure that their dogs are not a danger to people, I recognise the rights of people to get on with their daily lives with their pets without too much government interference in the way of regulation. But there would not be a member in this House who would not have been shocked and dismayed at the savage attacks of recent years upon children that have been widely reported in the media, and the litany of savage attacks that are becoming increasingly more commonplace as we open the newspaper every morning, listen to radio and as we walk around the community and talk to people.

Let me just make one thing perfectly clear: people are more important than dogs and cats. People are more important than dogs. If a dog is going to attack someone—particularly a child—and viciously maim it, I do not particularly care about the circumstances. I do not particularly care if the dog has no previous track record of attacking and viciously maiming a child. I am not particularly sympathetic if that dog hitherto has been a perfectly well-behaved dog. The owner of that dog needs to be called to account in my personal view. If you own a dog that mauls and viciously savages someone, you need to be held accountable.

In my view, there is a question about whether that dog should remain alive. That is my view. People are more important than dogs. I commend the minister for referring the matter to the committee because it is a touchy issue, as we are all well aware. I hope that the committee will be able to look into the issues and develop some cogent recommendations for the minister to consider when developing legislation. But I know where I will be standing on this issue: I will be standing on the side of the parents of those poor children who are mauled by dogs in increasing numbers every week.

I will be standing on the side of people who have a right to go running and exercising or riding their bicycles around the neighbourhood without the fear of some animal launching out of someone's front yard and knocking them off their bike or latching on to their legs, as, frankly, has happened to me on a couple of occasions, and I tell members that it is simply not on. I will be standing on the side of the rights of people, of constituents. I just remind every member in this House: dogs do not vote, people do. Of those many thousands of people who have pets that they love and adore, as I said, they need to be able to care for those pets without fear of having a set of laws and regulations that interfere with that.

However, there is a line, and it is the responsibility of the members of this House to ensure that its citizens are protected from attacks. If animals are attacking people, I think that we have a responsibility to introduce some laws and regulations to stop it, and I would be fairly aggressive and assertive in the way that I struck those laws. It either needs to be that the animal is destroyed in the case of a vicious attack, and/or the owner of that animal is held to account both legally in terms of civil law and financially in terms of compensation.

If you own an animal that does this to people, it is no different, in my view, to someone attacking that person and injuring them. It is almost the same thing. We would not tolerate someone savagely attacking a child or a person without expecting that they be severely punished. I simply make the point that, if you own an animal that inflicts the same damage on a person, you ought to be facing very similar consequences. That, in itself, if you hold the owners accountable, will ensure that owners take steps to ensure that their dogs are not out there attacking people.

People will either not own a dog that is likely to do so; they will take steps to muzzle the dog; or they will take steps somehow to control the dog's activities so that it is not a danger to children, to innocent people, the elderly, the frail, the weak and the disabled. I put it back on the owners: control your dogs or accept the consequences. That will be the spirit with which I enter this debate.

Mr MEIER (Goyder): I want to speak briefly to this motion. In the last week or so I received correspondence from a constituent of mine regarding having dogs leashed, and I indicated to him that this matter was being considered further. Referring this matter to the Social Development Committee is a sensible move and, therefore, I support this proposition. However, it will not be an easy solution. The area in which I live, Wallaroo, is almost semi-rural, even though it will eventually be a complete marina complex. A few of my neighbours have dogs, and one neighbour takes their dog for a walk most days or evenings and does not have the dog on a leash. It is a small dog, and I do not see a problem with that at all; it seems to be a pretty friendly dog. Another neighbour who occasionally comes to tend his block of land often brings his Jack Russell terrier and lets it go free while he is at the block. Then, when it is time to go, he whistles and you see this Jack Russell coming, often from a great distance. So the Jack Russell has had complete freedom. However, this is in a formal built-up area within the council boundary area.

I would be disappointed if the Social Development Committee decided that all dogs should be on a leash if they are in the open. I say to the committee: use your discretion and exercise caution, and do not forget people who live in the country areas. Maybe exclusions need to apply to those who live in the country. I also recognise that many local councils have already taken the matter into their own hands and put in place policies regarding dogs. I just hope that we are not overdoing things in that respect. I certainly concur with the sentiments expressed that young children—indeed, all people—need to be protected fully from dogs that can be vicious and attack people.

I remember quite some years ago when our son was but a little lad and we were walking in a park. He ran off ahead of us, and a dog got quite excited over the fact that this young lad was running and raced up and knocked him to the ground. Members can imagine that, as a father, I was far from happy with the owner of that dog. It was quite a large dog, but thankfully it just sought to play with our son who probably was about three at that stage, and no permanent harm was done. However, if it had been a savage dog, it could be a very different story today. Let us hope that appropriate recommendations can be brought forward as a result of referring this matter to the Social Development Committee.

The Hon. W.A. MATTHEW (Minister for Minerals and Energy): I, too, rise along with other members to support the Minister for Environment and Heritage's motion. In so doing, I congratulate the minister on bringing this motion to the House. I also congratulate my colleague the member for Hartley because, as members on this side of the House know, he has championed this cause and the need for such a motion to come before parliament. He has represented the concerns of his constituents who had two young daughters who regrettably were the victims of a very savage dog attack.

The motion encompasses all the necessary ingredients that need to be carefully researched. I am pleased to note that within the motion the minister specifically focuses on the management of breeds of dogs that have a high attack incidence rate. Of course, those dogs are defined breeds and are represented by clubs concerned specifically with those breeds. Some of those club members have been to me and have advocated that the particular breeds are perhaps unfairly criticised publicly, and even other breeds can be so involved in attack incidence. The minister, in recognising that, has encompassed that fact in paragraph (a) of his motion, where he specifically wants the Social Development Committee to investigate strategies to decrease the incidence of dog attack in both public places and on private property. That means that it can cover all breeds of dogs.

My family is a dog owner. We have a wonderful little Jack Russell who is well behaved and well controlled. We have every confidence that he would not be involved in an incident where he ever bit a person. However, there is always a risk with any breed of dog that that could occur, and that adds to the complexity of this matter. It is why it is so important that the Social Development Committee, a very appropriate body of the parliament, should have the opportunity to investigate, report and make recommendations on this matter. My daughter, who is now 13 at the age of two years was the victim of a dog attack. She was bitten on the face by a corgi, and it was a particularly nasty bite. I was fortunate enough at

that time to have one of my parliamentary colleagues with me, the member for Adelaide, who is also a medical practitioner. Through his swift intervention and the ability to get my daughter to a plastic surgeon and immediately into hospital, now at the age of 13 years the scarring from that attack is not noticeable to anyone who is not aware that she was attacked by an animal.

The attack on her by a breed of dog, a corgi—which is not regarded by most people as being a problem breed of dog—was swift, and as parents we had no chance at all to intervene. The effect on her could have been far more severe than it was. That probably encapsulates the difficulty of the task the Social Development Committee will have in trying to limit dog attacks on individuals. Based on support for this motion from both sides of the House, it appears that the Social Development Committee will have the opportunity to investigate, report and make recommendations on this important issue. I wish the committee well with its endeavours.

I look forward to seeing the recommendations made both personally as an individual and as a representative member of an electorate. I know a lot of my constituents will want to put submissions to the committee, and I will certainly encourage them to do so. This is an important matter in the interests of the wellbeing and the welfare of South Australians, particularly young children, so many of whom have been dreadfully savaged by dogs that have not been controlled properly. I am delighted to be able to support this motion.

Motion carried.

STATUTES AMENDMENT AND REPEAL (SHOP TRADING HOURS REFORM) BILL

Adjourned debate on second reading.

(Continued from 4 October. Page 2380.)

Mr SCALZI (Hartley): I wish to make a contribution on this very important issue. Whilst I can understand the sentiment of the member for Fisher, I cannot say that I support the bill. We all have views on shop trading hours, and for the last eight years the parliament has discussed at length the issues involved in this matter. Whilst the present system is not perfect, the parliament came to a good decision, namely, that the city stores are permitted to trade until 9 p.m. from Monday to Friday; non-exempt metropolitan stores are able to trade until 7 p.m. Monday to Friday, continuing until 9 p.m. on Thursday; and Sunday trading is allowed in the suburbs for six Sundays per year.

The government recognises that this is a complex area, which requires a sophisticated balance between the varying interests of the many players in different types and sizes of retailers, shop employees and customers. We believe we have managed that process well, unlike the clumsy bill which has been introduced with little community consultation—and I say that with all due respect to the member for Fisher. The move to extend trading hours is often supported by surveys which show that more than 80 per cent of people would like to have extended trading hours, and so on. However, they are limited and do not look at the whole issue in its proper context and perspective.

I note that in the second reading speech the member for Fisher talked about economic democracy after referring to parliamentary democracy, of which we are all proud to be part. I have a healthy cynicism about so-called economic democracy, because, in my opinion, when it comes to shop trading hours, and so on, economic democracy does not exist. There is no such thing as a level playing field. True economic democracy, as the member for Fisher would have us believe, reminds me of when they used to talk about worker democracies in the former Yugoslavia and the organisations representing workers in that political system: it does not work.

As I said, it is not a level playing field, and the reality is that there is an over concentration of big companies being involved in shop trading hours. To say that it is a level playing field, that the public wants it and that everyone will benefit from it is too simplistic: it is not the case. Australia has one of the biggest concentrations of retailers. Basically we have a shopping monopoly. I know that the big stores do a lot of good work—and I will not mention all the stores and the percentage of the trade in which they are involved—but the reality is that it is not an economic democracy as the member for Fisher would have us believe.

He also mentioned that it should not be a crime to shop. It is certainly not a crime to shop, but as with everything there are limits. We do not have all government offices open 24 hours a day. In fact, we do not have them open at times when we believe some people would want access to them. If people want to purchase things, they can do so over the internet. Having extended trading hours is about not just the ability to shop but what priorities we have in the community. People who work are also entitled to have time off and time to spend with their families.

Whilst I recognise that we cannot go back to the past when we only had Saturday morning shopping and everyone had time to be involved in sport on Saturday afternoons (and sometimes I think it is sad that we moved away from that), to suggest that we have open slather, that is, extend shopping hours, and that that will create the shopping nirvana and that people will be really satisfied by being able to shop more is very simplistic.

The member for Fisher argues that those who are opposed are the ones who already have extended shopping hours, that is, the smaller traders. However, there is a difference between having a few essential stores providing goods and services for the community and having the full extension. As I said earlier, I believe that the government has been very balanced in its approach by allowing the trading hours that we have in the city and in precincts such as Glenelg, but if we extended it in the metropolitan area it would have a detrimental effect on the smaller traders and would not be in the best interest of the community. It will increase the dominance of certain groups in the industry, and, as I said, that will not support the concept that there is true competition.

It always worries me when we overemphasise this feeling that the greater the competition the longer the shopping hours—that somehow we will all be better served. It is not the case. Economics is not an end in itself. Economics should be subservient to political goals. We are finding out that time and again. The system has to serve the community, not the community the system. We have made the mistake. The concentration of big players in the industry is not a good thing, because they will dominate the industry, and it will not always ensure that we have lower prices or that, in the long run, we will get better service.

The member for Fisher mentioned places such as Kuala Lumpur as an example of where the introduction of extended shopping hours was a success. Let us look at it. Kuala Lumpur has a population approaching 2 million. It always worries me when we use overseas examples to support what

should happen here. From the way in which Adelaide is geographically located, you can travel from one end of the metropolitan area to the other in 30 minutes—unless there is a traffic jam. Access to shopping is never too far away, so I believe that we should keep the system as it is.

Time expired.

Mr WRIGHT (Lee): I also raise to express my concern, and on behalf of the opposition oppose this bill. The issue of shop trading hours, needless to say, has been an ongoing debate for many years. Obviously, it is one of the topics with which both major parties have had to deal to try to come up with the most appropriate mix which services all sectors of the economy. There has been a range of changes over the years, and some significant reforms have been put in place.

I well remember the most recent one that took place relating to the additional trading hours at Glenelg. Part of the debate and rationale put forward by the government (which I might hasten to add the opposition supported) was that it was able to demonstrate that it was a tourism precinct. Before that, of course, there have been other—

Mr Scalzi interjecting:

Mr WRIGHT: I beg your pardon?

Mr Scalzi interjecting:

Mr WRIGHT: Beyond that, of course, there have been other changes which the member for Hartley has already highlighted to the parliament. So, we are not dealing here today with a debate where our opinions are fixed in concrete. Quite the opposite: there has been a demonstration very recently as well as some significant changes where all the major parties have come to the debate with some maturity and flexibility in the way in which they have addressed these issues.

In essence, this is what disturbs me with regard to this bill, because I think that, notwithstanding the right of any individual private member to bring a bill before this parliament—that is our given right—any good public policy position must have some process attached to it. In the same way as the debate about changes to shop trading hours for the Glenelg precinct was conducted, a process must be undertaken. When that debate was on, I well remember commending the then minister for the process that he undertook, because as he, on behalf of the government, worked through that process, he ensured that there were discussion papers and the major players were invited and deliberately involved in the debate—there was a bit of give and take.

I think both sides of the House would agree that this is a big ticket issue which can be addressed only by putting it through such a process. To come in here and try to deregulate shop trading hours without going through such a process and making sure that all the major players are involved in the debate and trying to reach a position that accommodates them does not do us justice. In particular, I am concerned about the lack of process and the effect that a bill of this nature will have on the major players. Whether they be small business, big business, workers, families or trade unions, we need to make sure that they are all involved in the debate and that a process is followed before we reach a decision of this magnitude. I do not see that process taking place.

This is a vexed question for government: it always has been and, needless to say, I suspect that it always will be. That is all the more reason why we must ensure that we handle the debate professionally with the proper processes in place so that all the major players are very much involved. We all have our own personal opinions about shop trading hours. At one extreme, there is the view—with which I do not agree—that we just open shops, full stop, and they can trade wherever, whenever and however they like. I welcome people to put that argument to me, but I am sure that South Australia with the nature of its economy and the size of its population will not sustain such an approach. I would be concerned about what that would do to small business.

As the shadow minister for small business, an issue that is raised with me regularly is this very issue about shop trading hours and the impact that that would have on small business. Whatever side of the political fence you are on, we are all aware that—despite all the arguments that we may have in this chamber about how well the economy is going—it is no secret that, in some areas, small business is doing it tough. We make our own presentations about why that may be the case, but if we are looking at small business out there, and I am sure members are—whether it be in their own electorate or broader than their own electorate—we see that there are some areas of small business that are doing it tough. That may not always be the case, but one of the arguments that is presented by small business is what opening the floodgates would do to small business.

The Hon. R.B. Such interjecting:

Mr WRIGHT: We are not in Victoria. That is the point. We will never be Victoria, we will never be the size of Victoria, we will never have the population of Victoria. This highlights the lack of thought that the honourable member has put into this argument. We must come to this debate with more maturity realising that we are not Victoria, Singapore or Hong Kong—we are South Australia. We must look at the strengths and weaknesses of our economy and try to build on them. We need to be receptive to some of the points of view that are being put forward. Bringing forward a bill of this nature without that debate, without that process taking place, does not do the debate justice. The debate deserves better than that. The debate deserves this process to be gone through.

Members on this side of the House will highlight specific issues. In the limited time remaining to me, I would like to point out that we have currently a mix, which may not satisfy everyone, where the major players have given and taken on this issue. The member for Fisher's second reading explanation highlights the opinion of Don Farrell, the Secretary of the Shop Distributive and Allied Employees Union, and well he might, because Don Farrell and his union members comprise one of the groups that have most at stake from this debate.

If it is good enough for Don Farrell, as Secretary of the union, and his union members to come to this debate with a mature view and to move on this as they have done on a number of occasions—and I well remember their moving back in about 1994 very strongly and winning a High Court decision, but we may not need to embarrass anyone in the chair at the moment about that debate—with regard to the reforms and changes that have occurred, it is good enough for the member for Fisher to ensure that, before a bill of this nature is brought into the parliament, greater thought, greater debate and a stronger process occurs, because an issue of this nature deserves nothing less.

This is not a motion that can be walked in and walked out of here in half an hour without the proper process being followed. I would have thought that a bill of this magnitude at least deserves the process to be gone through. A number of the comments of the member for Hartley highlight and demonstrate that very point.

Mr WILLIAMS (MacKillop): I rise today to inform the House that I will not support this bill. In doing so, I do not necessarily disagree with the principle behind it. I agree with some of the sentiments that were expressed by the member for Fisher in his second reading explanation but, then again, I agree with a lot of the sentiments that have just been expressed by the member for Lee.

Ms Rankine interjecting:

Mr WILLIAMS: There are a lot of people with whom I disagree.

Ms Rankine interjecting:

The ACTING SPEAKER: Order! The member for Wright will have a chance to speak in a minute.

Mr WILLIAMS: I will explain to the House and the member for Wright exactly why I have sympathy for people who seem to be coming from opposite ends of this debate.

The Hon. W.A. Matthew interjecting:

Mr WILLIAMS: I will speak slowly and use small words. In my electorate and in country areas there is no restriction on shop trading hours enforced by the principal act. In the town of Naracoorte, the traders have what I would call a laissez-faire approach to shop trading hours, so the shops can open and close whenever they wish. I think that is the principle that the member for Fisher would like to enshrine across the state. That situation has existed in Naracoorte for some time.

Nearly all the traders in that town operate their businesses on what I regard as normal, regular hours—9 to 5 type hours. There are two supermarkets in the town and the corner shops and delis operate various hours, but the supermarkets take advantage of the fact that they can operate extended hours. An equilibrium has been reached within the retail sector in that community and the shop traders and members of the community seem to be pretty happy with the situation. Those who want to shop at the supermarkets after normal hours and up to 9 o'clock in the evening, I think, do so, and quite often after I leave my office I call in to the supermarkets and I can attest that they do quite a busy trade late in the evenings.

Just down the road in the neighbouring electorate of Gordon, the Mount Gambier City Council has been grappling with this issue of late. I have noted in the *Border Watch* over the last couple of weeks that the city council determined not to take a decision until parliament had wrestled with this bill of the member for Fisher. Mount Gambier has for many years been agonising over what it should do with shop trading hours. It gives an indication of the complexity of this matter that, in two rural communities, one albeit quite a bit larger than the other, there has been serious, ongoing debate for many years. In Mount Gambier that has not come to a conclusion, and it seems that a lot of people, both the decision makers on the council and the traders, want to remain under a restricted regime, while up the road Naracoorte has had a laissez-faire situation for some time, an equilibrium has been reached and everyone seems to be quite happy.

I believe that we will move and should move over a period of time, in a staged process, to a relaxation of regulations with regard to trading, not just shops but all sorts of trading. I do not see why, in principle, we should have regulations on trading hours. It is anathema to my way of thinking. I come down to Adelaide from my electorate during sitting weeks and in non-sitting weeks when I come down for other business, and I regard myself as a tourist in Adelaide. I have somewhere to sleep but, by and large, I am looking to go somewhere for a meal at all sorts of odd hours. If I am in need of doing any shopping, it is often at odd hours that I want to access a retail outlet. I find it frustrating and annoying that it is difficult for me, with my lifestyle, to access the retail industry in general because my hours are not as regular as those of others. They are certainly not normal business hours. I find it difficult even though, in Adelaide, we have already made substantial changes to give retailers vast opportunities.

In his second reading speech, the member for Fisher said that a lot of retailers want flexibility: they do not want to stay open 24 hours a day. He stated that some would like to open later in the morning and remain open into the evening, particularly in the summertime with daylight saving and the longer evenings. The reality is that the government has already allowed city stores to trade right up to 9 o'clock on week nights, and non-exempt metropolitan stores can trade up to 7 p.m. Monday to Friday. Yet, if you go through the city and the major suburban shopping centres, you will find that very few, if any, retailers take advantage of what is already available to them. They just do not do it.

As the member for Lee pointed out, is that a function of the fact that we are not Victoria? The member for Hartley pointed out that we are not Kuala Lumpur. So, is it merely an indication of the fact that Adelaide, with a population of a little over one million people, does not have the demand to keep the retail sector open at this stage? As I pointed out, people like me (and I am sure I am not the only one), because of our lifestyle, would like to be able to go to a shop at an odd hour. However, I suggest that there are not enough people in that category, out of a population of just over one million people, to warrant the traders keeping their businesses open. That is obvious, because they are not taking advantage of what is available to them already.

Don Farrell, whose name has already been used in this debate, mentioned on talkback radio on 2 October on 5AA that the bill proposed by the member for Fisher was a stunt. I think it is a stunt to try to gain some sort of popular electoral appeal on behalf of the member. I agree that, if we are going to change shop trading hours, we need to do it in a staged, managed way. People who invest in the retail sector or in small business in general make their investment expecting to achieve a return on that investment over a period of time, so any sudden changes affect those sorts of investments quite dramatically. If someone makes an investment and their business plan is worked over a five or eight-year period, even though we might legislate or amend legislation as proposed in this bill in a non-retrospective manner, I would argue that such legislation affects those investments in a retrospective manner because the goalposts are moved from where the investor expected them to be when he made that long-term investment. If we are going to make any changes, that is one of the reasons why we have to be very careful to stage and manage the changes.

The other factor in shop trading hours is the labour issue, and the same thing happens there. People working in the industry have argued consistently for many years that they become disadvantaged when we make substantial changes to trading hours. The member for Fisher's bill proposes a change to section 67A by suggesting:

> In determining the hours that a retail employee is required to work under a contract of employment, an employer must take into consideration the impact the hours worked by the employee will have on the members of the employee's family.

I have no idea what that means. Employment has all sorts of effects on family members, and there is no provision to enforce that, and I do not know what he is trying to enforce

or how he would enforce it. Although he has made an attempt to get retail workers on side, I think it has been very poorly done.

Time expired.

Mr SNELLING (Playford): I oppose the bill. I do not share in the libertarian philosophy of the member for Fisher, and it is that libertarian philosophy that has prompted the member for Fisher to introduce this legislation, as it has other pieces of legislation that he has brought to this House, such as his proposal to legalise euthanasia. I oppose this bill both as a former shop assistant and as a former official of the Shop Distributive and Allied Employees Association.

I oppose the complete deregulation of shopping hours that the member for Fisher advocates for two reasons. First, it places an unfair pressure on employees working in the retail sector, having to work unreasonable hours both in terms of the duration of the hours and the timing of the hours. Shop assistants have a right, as we all have, to expect to have certain time off that they can share with the rest of their family. The member for Fisher claims that he has inserted this wonderful clause in his bill that will prevent shop assistants from being put under such pressure. If the member for Fisher, in fact, had any experience working in the retail sector—which he obviously does not have—or spent any time talking to anyone who works in the retail sector—which I do not think he has done—he would—

Mr Koutsantonis interjecting:

Mr SNELLING: He has been talking to the Retail Traders Association, I think. He is happy to talk to the bosses, but I doubt very much that he has gone into many shops and talked to shop assistants about what they think about having deregulated shopping hours.

The Hon. R.B. Such: How do you know that?

Mr SNELLING: I know that is the case because he displays such an incredible amount of ignorance about how much power shop assistants have to determine the hours they work. Shop assistants have to work when the business is there; they cannot say to their employer, 'I'm only working from 9 a.m. to 5 p.m. Monday to Friday. They are the only hours I will work because I have family responsibilities.' The employer would simply say, 'I can't employ you those hours, because I don't have any business in those hours. If you want to work for me you have to work when there is business available to employ you', and that happens to be at those more difficult hours that affect families the most.

My second reason for opposing this bill relates to the obvious damage that would be done to small traders from having a complete deregulation of shopping hours. I must say that that issue has been well canvassed by members opposite. I am not at all convinced by the arguments advanced by the member for Fisher, who quoted the argument advanced by the Retail Traders Association that somehow this bill would not affect small business in any great way. Again, it seems that the member for Fisher has not spent much time talking to small business people about the effect this bill would have on their businesses. Well, I have spoken to small businesses and they are very concerned about this bill and the effect it would have on their right to make a living. It does this in a couple of ways.

First, those small retailers who cater to those people who need to pick up a few small things during those odd hours would be completely wiped out, because it is those large retail chains, which have enormous buying power, that can easily undercut prices and offer a much greater range than can be offered by small businesses. I am not convinced at all that somehow small businesses would be immune from the changes and deregulation advocated by the member for Fisher.

The current act does provide for more trading hours in the city. In fact, it is quite legal for city traders to trade until 9 p.m., but they do not take advantage of this at all. They trade until 5.30 p.m. or 6 p.m. They do not take advantage of the extended hours made available to them. Therefore, I refute the claim made by the member for Fisher that there is some sort of insatiable demand for longer shopping hours. It is just not true and it is borne out by what we can see happening with the experiment to extend trading hours in the city. That is not to say that our present arrangements should be set in stone, although I do think that they represent a reasonable compromise, and I commend the government for arriving at that compromise.

I personally think that we should consider business hours more in keeping with our Mediterranean climate, particularly so in the hot summer months when the Italian, Spanish and, dare I say, the Greek communities have a tradition of having a siesta in the middle of the day and then making up those hours by working into the cool hours of the evening: that would make eminent sense. However, we seem to be intractably attached to our Northern European work habits; so, any such change is quite unlikely.

As the member for Lee has already pointed out, the reform or changes to our trading hours would be far better carried out by government, because it is only government that would be able to get all the important stakeholders together: employees, small and large retailers, and consumers. In that way, a compromise could be thrashed out and any possible reforms in the future could be agreed on. I do not think that a private member's bill advocating complete deregulation of trading hours—open slather—is the way to go about making reforms in this important area.

Mr KOUTSANTONIS (Peake): I rise to endorse the remarks made by the members for Lee and Playford. I, too, have a background in the Shop Distributor and Allied Employees Association, being a former official of that union. I also come from a background of small business, my family having been involved in small business their entire lives, so I have seen the effect of Sunday trading on families and relationships. I note that the member for Fisher does not want to deregulate banking hours so that banks open on weekends. I see that he only wants retail employees working on weekends and late nights.

The Hon. R.B. Such interjecting:

Mr KOUTSANTONIS: Yes, and I notice that you did not advocate that parliament be open on weekends, either. The member is quite happy for parliament to be open from 2 p.m. on Tuesdays and Wednesdays until the evening, and Thursdays for the day.

An honourable member: And that his electorate office open on Sundays?

Mr KOUTSANTONIS: Yes, I would be interested to know if he makes his own staff work on Sundays, and I bet the good doctor himself does not work, being an academic, and probably having never worked in a retail business or had an understanding of what retail workers and families running small businesses go through working on weekends. They are doing it tough and it is getting tougher every day. A lot of families and small businesses are under financial pressure.

This government and the Liberal Party have imposed a regressive tax on small business and the families involved. The people concerned are spending more and more time away from their families attending to their BAS statements and taxes. They are spending more time competing with large retailers because, let us face it, Howard and Costello only care about what goes on in the boardroom and not at the kitchen table. They only care about the large retailers. Now we have a former Liberal member of parliament who has not gone that far from the Liberal Party saying that he wants to deregulate trading hours. Just scratch these people a bit and the free trader in them comes out. They talk about being the party that represents the interests of small business, but for the last five years under Howard—and the eight years under Brown, Olsen and now Kerin—we have seen small business attacked time and time again.

In 1993, I remember being on the steps of Parliament House and seeing the Hon. Graham Ingerson, the then Deputy Leader of the Opposition and the shadow minister for industrial relations, swearing on a stack of bibles that if they won office they would never introduce Sunday trading, because small business goes to the heart of their constituencies and they were in this place to help small business. But, in fact, what did he do? The moment they won in a landslide and no-one could stop them—a majority of 37 to 10 in this House—the first thing they did was that they ratted, lied and broke their promise—just as in the case involving ETSA, SA Water and the creation of 20 000 new jobs in their first four years of office. They broke that promise.

Who was part of that cabinet? It was none other than the member for Fisher, the Hon. Dr Bob Such, the same man who today wants to break that promise he made as a member of the Liberal Party in 1993 that they would introduce trading hours. He is doing it again. He has tried twice to break that promise which he made in 1993. I will be telling the electors of Fisher at the next election that this man has broken three promises to them: first, no Sunday trading; secondly, he would not sell ETSA; and, thirdly, that he will be independent. Well, he is doing the Liberal Party's bidding again today.

Debate adjourned.

SOLAR TECHNOLOGY

The Hon. D.C. WOTTON (Heysen): I move:

That this House congratulates the federal Minister for the Environment and Heritage, Senior Robert Hill, on the provision of $1 million to install state-of-the-art solar technology in remote areas of South Australia.

I should have sought to amend this motion, but I am not going to do so at this late stage; I would have liked to include in that resolution the strong support of the state government in this proposal. This innovative approach to providing solar power facilities for the communities in the Anangu-Pitjantjatjara lands in the Far North-West of the state is to be commended. The state Minister for Aboriginal Affairs raised this matter with the federal minister, Senator John Heron, some time ago and indicated support for the concept.

Pitjantjatjara Projects, in conjunction with the state government, through the Department for State Aboriginal Affairs, applied under the commonwealth Greenhouse Australia Renewable Energy Commercialisation Program for funding to install 10 solar dishes on the lands. Pitjantjatjara Projects is an Aboriginal organisation with project management expertise under the auspice of Anangu-Pitjantjatjara.

The rationale behind this application was to cut greenhouse gas emissions by providing natural solar power to remote communities, while at the same time seeking to reduce community expenditure on general fuel. Also, in the future, there will be opportunities to utilise the heat generated by the solar dishes to improve the quality of water from the underground aquifers.

It is some time since I originally put this motion on the *Notice Paper*, and I am pleased to say that this project is now making progress. The solar dishes will cater for some 20 per cent requirements of the Ernabella and Kenwell Park communities, as well as a number of small homelands which are already connected to the power group. This 20 per cent of solar energy resource will result in generator fuel savings in the vicinity of some $100 000 per year. So, it is an excellent initiative. The cost of the solar field is some $2.4 million, of which $1 million has been allocated through a successful bid to Greenhouse Australia and the balance of $1.4 million provided through ATSIC's state grants program.

I would suggest to the House that this concept is quite unique, and the Anangu-Pitjantjatjara people should be congratulated on being the first indigenous community in Australia to adopt this proposed alternative technology. The government, through the Department of State Aboriginal Affairs, has also been instrumental, with the assistance of the South Australian Centre for Economic Studies, in investigating the merits of the proposal to construct a centralised power station on the AP lands. As I said at the outset, the cooperation between the federal and state governments has been significant, with magnificent results. By using solar energy, the community will, it is estimated, reduce its consumption of diesel fuel by some 136 000 litres each year. If that can be achieved, I am sure that all members would recognise that that is something to be commended.

I congratulate Senator Hill on the project. I also commend the Minister for Aboriginal Affairs in South Australia on this project. In my opinion, Senator Hill has been one of the most, if not the most, successful environment ministers we have seen in the commonwealth. I was privy only recently to look in some detail at the achievements of the minister during his term in office in this portfolio; I wish I had brought that material with me, but I do not have it here. It is certainly a significant list of achievements—some wonderful things for this country in assisting sustainable development and very many other areas.

The Anangu-Pitjantjatjara sun farm, we are told, will also feed directly into the local mini grid and produce enough power to meet 20 per cent of the area's electricity needs. As I have said, these people are the first indigenous community to embrace this innovative technology. The community is also, as I have indicated, planning to explore using the heat generated by the solar dishes to purify underground water and to provide a cheap and reliable source of drinking water—and, of course, in this area that has to be a breakthrough—while at the same time it is recognised now that diesel generators are the only source of electricity in many of these remote areas of Australia.

These projects are helping remote communities move away from their reliance on diesel generators and to move towards clean, renewable energy which reduces greenhouse emissions. I do not need to remind members that renewable energy is a key component of the commonwealth's climate change policy, and the latest round of projects will save about 400 000 tonnes of greenhouse gas emissions a year.

The $55 million RECP grants program fosters the growth of Australia's renewable energy industry, reducing Australia's greenhouse gas levels. So far, almost 40 projects have been offered funding under the program. These grants, of course, are operated through the Australian Greenhouse Office, the commonwealth's lead agency on greenhouse matters.

I am delighted that progress is now being made in regard to this initiative. I again commend the federal Minister for the Environment, Senator Robert Hill, on the provision of $1 million to enable the state-of-the-art solar technology to be installed in the Far North-West of the state. I commend also the state Minister for Aboriginal Affairs for her strong support in ensuring that this project was able to get off the ground. It is a significant achievement for the people affected and, I would suggest, a significant achievement for Australia as a whole.

Ms BREUER (Giles): I want to make a few brief comments about this motion because this project, in part, is located in my electorate. About six weeks ago I was able to see some of the work that was taking place. It is a great achievement for the Anangu Pitjantjatjara people. I must admit that, every time I heard the honourable member opposite pronounce 'Pitjantjatjara' I flinched.

The Hon. D.C. Wotton: What did I say?

Ms BREUER: The honourable member emphasised the third syllable, 'jat', as does the ABC persistently, and there is a great deal of controversy about that, because the people of the area pronounce the word quite differently. So, there is a lesson in elocution for the honourable member. However, it is a great achievement for the people in that area and I was pleased to see the work that was in progress. Of course, the big problem for people in that area is the cost of fuel, the cost of diesel, which they concentrate very much on using in that area, first, because a type of vehicle is required for the environment and, secondly, because of issues involved in petrol sniffing if other types of fuel are used.

Fuel costs are incredible in the area and significant savings will be made on the price of diesel as a result of this solar power. When I visited the area, I think that we were paying some incredible amount for diesel—something like $1.30. I also want to congratulate the people who are involved in building these dishes. I had the pleasure of having a number of conversations with workers from Cowell Electric who are doing the work. I pay tribute to these fellows because they have to leave their homes for weeks at a time. They are away from home for some five or six weeks at a time. There is very little accommodation. Certainly, there are no four star motels for them to stay in.

They live in very basic conditions for weeks at a time. They work seven days a week for seven or eight weeks and just work their guts out getting this project built. However, I do express some disappointment that not more Anangu people were involved in the project. That is an issue for most work that occurs in the lands. Contractors are called in and very few local people are used in these building projects, and I hope that situation is something that can be addressed in the future. This is a great achievement for the lands. Of course, it is one area that is working well, but many other issues in the lands need to be addressed. I do congratulate the Anangu people for having the foresight to request this project and have it taken through the process.

Motion carried.

ROAD TRAINS

Mr De LAINE (Price): I move:

That this House calls on the government to urgently review the existing use of A and B-double road trains currently operating in the Adelaide metropolitan area with the view to restricting or preventing the use of these vehicles in areas where they cannot operate safely.

I raised the issue of road trains being allowed in the metropolitan area in this place in March 1998. I moved a private member's motion at that time in this House in relation to a controversial clearway proposal on Grand Junction Road. I also opposed the introduction of A-doubles into the metropolitan area and, in particular, onto Grand Junction Road for reasons of safety. At that stage, in my view, the motion was defeated on party lines in a very irresponsible way. On this occasion I am asking for government members to show some responsibility and support my motion thereby saving lives and broken bodies.

I assume that members of the opposition will support this motion because I sought leave when I was a member of the opposition caucus to move this motion and leave was granted. I guess that members opposite will support the motion, although that is not a given. This motion is about A and B-double road trains operating not only in the Wingfield/Port Adelaide area but in the whole of metropolitan Adelaide and outer areas feeding into the metropolitan area. My reason for moving this motion is quite simple: these giant trucks are just too big and most roads around Adelaide are not suitable or designed to accommodate them safely.

In this respect, I would also add that the oversized semi-trailers that we see on our roads are also too big and should be reduced in size to suit our road and traffic conditions. I am talking about semi-trailers that have a maximum length of 19 metres, and most are this length. We also have B-doubles with an enormous length of 25 metres; and A-doubles, of course, which are 36½ metres in length. That is just on 120 feet long in the old language—120 feet long, or the length of nine average size cars. That is an enormous size on the roads and the vehicles in question are very intimidating.

These enormous and intimidating trucks are, as I say, too long but also, in my view, excessively overpowering in height. Until late 1994, A-doubles were not permitted to travel on roads from the north, past Lochiel, where a staging station was located and where the second trailer was unhooked and brought into the metropolitan area—usually through Port Adelaide in those days—one at a time by prime movers. In other words, they came in only south of Lochiel as semi-trailers. I find it strange that, until 1994, it was considered unsafe for these giant vehicles to enter the metropolitan area, but suddenly it is now not unsafe.

The minister, a couple of years ago, gave permission for them to travel down south of Lochiel into the metropolitan area. I am certain that traffic volumes have increased and not decreased since 1994; so, for the life of me, I cannot see why it is safer now than it was in 1994. The minister said that A-doubles would travel only on specific routes from Port Wakefield to Port Adelaide and Outer Harbor, and that the area would be policed. I said at the time that I did not believe that it would be policed. It certainly has not been and it certainly is not being policed today. I am reliably informed—and I have seen it for myself—that in the area of my electorate road trains constantly deviate off the main designated roads into the smaller roads and streets.

As far as trucks coming from the north are concerned, there is an excellent marshalling yard—or staging station—

near Two Wells that operates 24 hours a day. This facility is used by many responsible operators, but too many vehicles are coming into the metropolitan area as full road trains. Most roads and corners in the metropolitan area are just not designed to accommodate these giants and they are a disaster waiting to happen. In fact, I have signed statements by many road train drivers saying that they are petrified of bringing these vehicles into the metropolitan area.

They are unsafe and they feel that it is only a matter of time before they have major disasters, but if they do not bring them in they lose their job. I have those signed statements. These giant rigs, when turning left around a corner, for instance, in the metropolitan area must do so from the right-hand lane and vice versa. If turning right, they must do so from the left-hand lane, which causes enormous confusion for drivers of other vehicles who think that it is safe to pass a semi-trailer or a road train only to find themselves suddenly cut off, hitting the side of the road or running off the road.

Only this morning on the Port Road, on the way into Parliament House, I was almost involved in an accident of this type where a road train turning right from Port Road into South Road suddenly, in heavy traffic, deviated across to the left into the middle of Port Road before turning right, and there was very nearly a pretty significant pile-up. It is a major problem. Police regularly witness this illegal behaviour and do nothing about it. I guess that they see the reality that these drivers must do this, but it is still illegal and they are not pinged. Ordinary motorists who did this would be fined very heavily.

Because the roads are not designed for these giants, when they turn the rear wheels of the trailers quite often ride over the curb and infringe onto the footpath by up to two metres, sometimes knocking down poles and signposts, as well as any hapless person or child who is not aware of the danger that exists. In fact, some time ago, in my electorate a young cyclist in his mid 20s was killed. He was standing by his cycle at the traffic lights at the corner of Ninth Avenue Woodville North and Hanson Road. He obviously did not notice, but a road train pulled up alongside in the second lane to turn left into Hanson Road and, in so doing, crushed him against the pole, killing him.

An inquest was conducted into the matter, but I have been told by semitrailer and road train drivers that the rear vision mirrors on these big vehicles are so high that they do not pick up anything from the road to two metres above the road; in other words, the drivers cannot see from the road to about six feet above the road. This hapless cyclist was killed because the driver just did not see him. This is not good enough.

Of course, the answer is simple: long-haul goods should be carried by rail and not by semitrailers or road trains. Of course, this would add some cost to the transportation of goods. However, the benefits would more than make up for this, namely, the provision of more jobs and by greatly increasing safety for all road users, as well as reducing substantially the cost of road maintenance. These large semitrailers with their enormous loads must have an adverse effect on roads.

I am not critical of the drivers. The vast majority of semitrailer and road train drivers are good drivers and are extremely responsible people. They are courteous, and you only get the odd ratbag. This happens right across the board. I am not levelling criticism at them. These vehicles are too large and are not manoeuvrable enough to come into the metropolitan area, and they should not be here.

I am also worried about the enormous distance that these road trains take to stop in an emergency. Further, by law semitrailers and B-doubles have to be fitted with ABS braking systems—or antilock braking systems—but strangely enough A-doubles do not. They purely have the second trailer on with a drawbar. Drivers tell me that, if they have to brake suddenly or swerve, there is no way that these second trailers will not breakaway and jackknife. It must happen without the ABS braking system. That is another matter to which attention must be paid.

I would also like to focus on the Mount Barker Road. Admittedly, before the freeway had been completed, road trains and semitrailers were tipping over almost daily. These days it is a lot better. However, some accidents have occurred there, brought about mainly by misjudgment of drivers, driver fatigue or whatever. We see the cases where they come down. Some of them still experience problems and make use of the speed traps, particularly the one past Devil's Elbow. A couple of trucks have gone past there, and it is a miracle that no-one has been killed.

One semitrailer went through the Glen Osmond/Portrush Roads corner and did not pull up until Conyngham Street, which is about two kilometres down from Glen Osmond. It was early in the morning, about 7.30 or 7.45. He clipped several cars at the intersection of Glen Osmond Road, and it was an absolute miracle that a lot of people were not killed. If it involved a school bus or something like that, there would have been a terrible disaster.

The reason for this is that some of the drivers do not heed the instructions at Crafers to change to a low gear and use engine brakes. Some of them use their primary brakes, and by the time they get to the bottom they have no brakes left. This is because the brakes are drum and not disk brakes. I will never know why engineers have not designed disk brakes for these vehicles.

In recent times, a friend of mine witnessed an accident on Grand Junction Road at Athol Park. A large semitrailer was turning right from Hanson Road onto Grand Junction Road when it just fell over onto the footpath, narrowly missing a couple of young boys. A few seconds earlier and the youngsters would have been crushed. There are many more examples of narrow misses and people being injured quite severely. In many cases, it is a miracle that more people have not been hurt or killed.

I have mentioned one of two accidents involving the Mount Barker Road. The other accident involved television personality Jeff Winter, who was badly injured and miraculously did not die. These accidents seem to happen at peak periods. Interstate and overseas, restrictions are placed on large trucks on the roads. I do not see why the minister cannot impose restrictions here. I often use that road in the morning or at night during peak hours, when there is heavy traffic on the road. These road trains and semitrailers are travelling on the roads, sometimes two or three abreast. They are a damned nuisance, and they should be banned from using that road and any similar busy road, I would suggest, from 6.30 to 9 in the mornings and from 4 to 7 o'clock at night. What they do before or after is up to them. The minister should look seriously at banning them from these roads at peak times.

I was recently called to a public meeting of residents of Millicent Street, Athol Park, in my electorate. Millicent Street runs between Hanson Road and Glenroy Street, and they were complaining that a lot of trucks use this as a short cut and as a means of avoiding traffic lights. I have seen photographic evidence—and I have witnessed this myself—of these

B-doubles and semitrailers coming through the narrow streets regularly, at all hours, day and night. Especially of a night time and early hours, when they use their air brakes, they speed and they make enormous noise, cause much vibration and frighten the life out of people.

Two people have had rear vision mirrors smashed from their cars by these big semitrailers while they have had their cars parked in front of their homes. As I said, the drivers cannot see the first six feet up from the road, so they have gone past and smashed off the rear vision mirrors. People who have young children are frightened because these monsters tear up and down the roads all day and night, and older people are scared also to venture out in case they get knocked over. It is a real problem that I will take up with the minister as a separate issue, as well as with the local police and the local council to see whether something can be done to prevent these vehicles using this road.

It harks back again to what I said earlier: that the minister promised that on allowing these big vehicles to come to the metropolitan area, and especially to Grand Junction Road to service the port, they would be policed and that they would not be allowed off the main roads. However, this is not happening. This is a typical example. There are other streets near Millicent Street where the same thing is happening, where these massive trucks are coming through. They include Athol and Lavinia Streets. These three streets run parallel to one another, and the drivers use them regularly to bring those giants there.

I say again that these vehicles are too big and dangerous. The roads and corners that we have are not designed to take them. I am asking for an urgent review by the minister and the government to make sure that these monsters are kept off the roads. They should not be allowed farther south than, say, Two Wells, and on the eastern run from Melbourne no further than Murray Bridge or Tailem Bend.

Mrs PENFOLD (Flinders): A and B-double road trains move a greater amount of goods at less cost than single rigs. When the approval for road trains to operate from the west beyond Port Augusta was being debated, one road train operator suggested a saving of up to 40 000 road kilometres a month by allowing road trains access through Port Augusta. That is also a considerable saving in wear and tear on roads and, therefore, a comparable reduction in maintenance costs.

I am surprised that many who say that they care for the environment cannot see the benefits of reduced fuel consumption, lower tyre mileage on roads and less air pollution than the use of A and B-double road trains bring. These trucks are shipping goods across the state and indeed Australia. Without them the time taken to ship freight from one side of the state to the other would be enormous. My constituents and I, living as we do on Eyre Peninsula, are acutely aware of the cost of freight. The decision to allow road trains to operate north of Lochiel dropped the cost of freight by an estimated 14 per cent per tonne, a significant saving considering it applies to all goods brought to or leaving Eyre Peninsula by road.

Freight also applies to goods in metropolitan areas, even though residents may not be as aware of the cost as rural people are. Nevertheless, transhipping goods from A and B-double road trains to single rigs is a large cost in itself, without adding the further cost of running two rigs instead of one. Why should we adversely restrict these vehicles from operating in the Adelaide metropolitan area, which relies on goods and services that these trucks deliver as much as my electorate does? Decreased freighting cost means lower prices to consumers. Efficiency makes operators more viable. This relates directly to employment where uncompetitive businesses simply cease to exist.

Safety is a paramount issue, but legislation must be objective and therefore applicable, sustainable, clear and accepted by all. The motion's proposal to restrict or prohibit the use of road trains in 'areas where they cannot operate safely' is subjective. The statement is capable of any interpretation that anyone wants to put on it. Under this motion one could go so far as to say that the risk of road trains operating anywhere is so great that they should be banned. Next, of course, the same argument could be used to prohibit any vehicles.

The uncoupling of trailers and taking of freight in and out individually, on the surface, may look safer, but it actually doubles or even triples the number of times trucks must travel along the roads. Proportionally, this must increase the potential for accidents to occur and therefore is not as safe as the road train. Trucks with single trailers have always operated in the metropolitan area. The trucks have proved to be safe, while drivers are required to observe a number of safety registers and documents regarding loads, travel times and rest stops. These checks were made more stringent with the truck safe program.

This program prevents anyone without special accreditation, or who has contravened the requirements, from driving into Adelaide. The truck safe scheme was embraced by the trucking community as a means of rewarding companies and drivers with good records. These drivers skilfully negotiate roundabouts, sharp corners and some less than considerate Adelaide drivers. In Port Lincoln we have of necessity allowed large trucks and road trains which have up to three sections to travel through the main street in the central business district. This occurs with minimal interruption to traffic. The road trains use the busiest street to carry grain to the terminal silo at the Port Lincoln wharf for export.

I believe that it is correct to say that, in general, people do not prefer this type of traffic, but see it as a necessary adjunct to living in a rural city which depends on the profitability of grain growing. The A-doubles and A B hybrids negotiate four double lane roundabouts and a pedestrian light. Road trains actually reduce the number of truck movements on the roads, increase safety and efficiency, improve the competitiveness of business and reduce cost to South Australians. I oppose the motion.

Mr MEIER (Goyder): I am happy to speak to the motion moved by the member for Price. Members need to read the motion very carefully, and the key words are 'with a view to restricting where these vehicles cannot operate safely'. I for one am fully in agreement with the view that, if a vehicle is traversing a roadway and it is being done in an unsafe manner, then something has to be done. Therefore, I have no problem with this motion because I would hate to have vehicles travelling on a regular basis which, quite clearly and without question, are travelling in an unsafe manner. I do not believe, despite what the member for Price had to say, that this is the situation in most cases.

I travel along Grand Junction Road from time to time when I am commuting to and from my electorate, so I am very familiar with the A and B-doubles using that road. It is not an entirely satisfactory situation—no question about it. From that point of view, I do not have a problem with the government's ensuring that all the safety features are considered and adhered to. I will comment on the situation

as it applies before those road trains reach the Adelaide metropolitan area.

I fully endorse what my colleague the member for Flinders has just said; namely, it is an absolute necessity for these road trains to be operating. They are an important part of our economy. They are essential to the efficient transportation of a variety of commodities, the main commodity in my area being grain. Certainly the use of A and B-doubles to transport grain from Ardrossan to Port Giles affects my electorate very much, with a massive amount of grain being transported literally on a daily basis throughout the year.

I refer to a letter which appeared in this week's Yorke Peninsula *Country Times* from one of my constituents, Mr Garry Cornish of Ardrossan. His postal address is Ardrossan, but he lives at Pine Point, which is the only town that is not bypassed by these road trains. I certainly have had many discussions with Mr Cornish. I acknowledge the concerns that he makes and I even chaired a meeting (I think it was last year) in an attempt to consider this issue further. The letter is entitled 'Think seriously' and states:

> Sir,
>
> 'Sale of the Ports Corporation is imminent', states John Meier on the front page of the YP *Country Times*, 9.10.01. With the go ahead of Port Giles deep sea port, large Panamax vessels will frequent this port. This means that three-trailer road trains and B-doubles will be transporting grain around the clock to meet demands.
>
> The State Government knows full well that the Main Coast Road is not equipped to take such punishment and what is it intending to do about this situation? It is a priority that all towns en route from Ardrossan to Port Giles be bypassed.

The meeting that I chaired at Pine Point last year (which Mr Cornish urged me to set up) was attended by members from the Department of Transport, locals, members from the transport industry and other interested persons. It certainly was clear that a lot of traffic goes through Pine Point.

As with so many situations, it is a matter of seeking to have certain restrictions, and you rely very much on the fact that the transport operators adhere to those restrictions, the key one being that they reduce their speed to 60km/h through Pine Point. Another key requirement is that they do not use their exhaust brakes through Pine Point. Both these factors certainly upset Mr Cornish and other members of the community, many of whom simply stay in the caravan park at Pine Point. I fully appreciate and understand those concerns. However, I also believe that transport owner/operators have done a lot to emphasise to their drivers that they are expected to stick to the speed limit and not to use their exhaust brakes.

One transport operator said that, if one of his drivers deliberately flouts his instructions, he will be dismissed. Whilst I recognise Mr Cornish's desire for a bypass at Pine Point, I also have to weigh up many other priorities in my electorate. A lot of money needs to be spent on roads. I said to Mr Cornish—and I make the point here—that I believe that the millions of dollars that would be required to bypass Pine Point at this stage are required for other roadworks. Mr Cornish disagrees with me. I wish there was a surplus of funds so that further consideration could be given to this issue, but I believe that the attempts made by Transport SA, the police and truck operators to overcome this problem as far as possible have gone a long way towards alleviating some of the worst abuses.

Another thing that was pointed out at the meeting—and they were running the trucks on that day—is that the modern rigs are vastly superior to the earlier ones. They have air suspension and they are much quieter than the early models, so their noise level is significantly less. However, they still make noise, as I guess all vehicles will.

I would like to finish on this point. It was interesting to hear the concerns raised by the member for Price, and I appreciate that many houses will be affected by road trains going through the area which he has highlighted. Those people are also affected by the noise and a lot of other noise because there is far more traffic in that area. Whenever a person lives adjacent to a major roadway there is conflict and concern. I recognise what the member for Price is endeavouring to do. I do not think it would hurt for this motion to proceed so that the government can ensure that every consideration is given to safety factors wherever these road trains move.

Ms CICCARELLO secured the adjournment of the debate.

UNPAID WORK

Ms HURLEY (Deputy Leader of the Opposition): I move:

That this House—

(a) recognises the social and economic value of unpaid work and the importance of having adequate statistics on unpaid work in developing policy and implementing planning decision; and

(b) notes with alarm the decision by the federal government to downgrade the Australian Bureau of Statistics measurement of unpaid work by increasing the period of survey from five to 12 years and urges the federal government to reverse this decision.

Many people perform unpaid work in the household or voluntary work in the community. This work is of great benefit to individuals, families and society as a whole. Indeed, it is likely that our society would not function without this unpaid work. Much unpaid work is done by women and has been in the past an invisible contribution to the nation's economy. The Hawke government introduced measurement and assessment of activities outside the paid work force. This was in the form of time use surveys performed by the Australian Bureau of Statistics which were conducted every five years.

As a result of these surveys we know that over half the work performed in Australia each day is done by people caring for their children and families or doing voluntary community work. Unpaid household work and voluntary work make a real contribution to the Australian community. This work is not diminished by the fact that there is no financial reward for that work. It is diminished if it is not properly valued and respected by the community.

I believe that the Australian community places a very high importance on this work that is now being poorly represented by its current leaders and policymakers. The Howard government has now announced that the frequency of time use surveys would be downgraded from once every five years to once every 12 years. The federal shadow minister for family and community services, Mr Wayne Swan, said:

> The so-called decline in 'family values' that has been blamed for a host of social ills is a misdiagnosis of the fundamental problems facing today's families. It is the promotion of market values over family values that is the root cause.

This decision to downgrade these time use surveys sends a signal that the Howard government places far more emphasis on the market and the economy than it does on family and community values.

A very successful campaign has been run by the Women's Action Alliance to include a question about unpaid work in the most recent census. This was not included this time, but I understand that there is now an agreement to include it in the next census. I am also indebted to the Women's Action Alliance for bringing this issue to my attention, particularly Mrs Maureen McCarthy, the South Australian convener.

I represent an area that has a high proportion of young families, including many on a single and/or a low income. I know how much they struggle to make ends meet. A lot has been written in support of women's right to work, and some practical supports have been put in place. I still believe there is not enough recognition and support for families where one parent, usually the mother, does not work or works only part-time so that she can devote her time to unpaid work for her family and the community.

Members would all know that schools and many community organisations would almost grind to a halt if parents withdrew their volunteer labour. You would also know that there would be a massive strain on aged care services, hospitals and community services if there were no volunteers. Dr Duncan Iremonger, who has done a great deal of work in this area, says in the *Family Matters* journal:

> We need regular national time accounts to show what is happening to our household work on a continuous basis; we need regular estimates of Gross Household Product to show the value of this, at present largely invisible, output; our employment and occupational statistics need to record the extent of participation in household work and the management of most important industries, the household industries which provide the basic framework of nutrition, rest, recreation, nurture and care for our population.

If there is a survey of this type of work only over a 12-year period, how do we as governments plan properly? How do we know the value of this work? In our rapidly changing society, data that is over 12 years old is almost useless. Policy that ignores the links between unpaid work and the wider economy risks being wrong and being an unfair burden on the family and the community. For example, early discharge from hospital policies may save the government money, but it could result in a family member having to give up paid work to care for the patient. If we have incomplete statistics about what is going on in our society, how can policy makers make informed decisions? This decision to downgrade time use surveys reflects a lack of regard for unpaid work and should be reversed. I urge all members to support this motion.

Ms THOMPSON (Reynell): The deputy leader has spoken very persuasively about the importance of the time use surveys in terms of recognising unpaid work in our community. As she said, a very large proportion of that unpaid work is undertaken by women and, unless we have constant time use surveys, we do not know what proportion of it and we do not know how the contribution of unpaid workers is changing within the community. It certainly is changing. Personal observation shows a greater increase in the number of men involved in community activities traditionally undertaken by women, and one of those is Meals on Wheels. However, in terms of the family, we know that a lot more work is undertaken by women than by men, and we know that from the time use surveys that have been undertaken to date.

Time use surveys have been very popular surveys. It appears to be quite an onerous task to undertake a time use survey because the participants have to keep a diary and somehow have to remember what they have done just about every hour of the day for, I think, seven days. That is quite a challenge. It has also been very useful for people to review just how they spend their time at a personal level and at a community level. I have seen many articles in popular magazines that are based on the time use survey. There are articles that ask men to estimate how much of the housework they do and how much women do, and that information is compared against the time use surveys and people are able to reflect on them.

That might seem fairly trite but it is very important in many Australian households to help them work out the difficult task of balancing work and family, household tasks and what part of the task is done by whom in the community. Given that we have developed an Australian Bureau of Statistics survey that is being used in the popular world, it is most peculiar for us to virtually abandon it, because taking something out to a 12-year time cycle is virtually abandoning it.

As it happens, I was involved in the development of the first time use surveys, and that is how I know something about the diaries that are involved. At the time I was working in the then Department of Labour and I was on a number of national women's employment committees. We found that the time use survey was going to be really important in terms of looking at both paid and unpaid work.

It was going to be very important for government to look at a number of aspects of planning because it gave us important details about people's travel patterns, for instance. It told us about who has to take the children to school, get to work, go back, do the shopping, pick the children up from school, or maybe do it the other way around. It gave us information about what times of day that happens. It told us whether they were catching buses or trains or driving cars to undertake this important work.

It is very important for the planning that relates to people's daily lives, and the abandonment of this survey is telling the community that we really do not care about their daily life, that we care only about big picture things, not about the details that they face every day and whether we are developing our planning on the basis of real lives—real lives lived by real people in Morphett Vale, Christie Downs, Salisbury, North Adelaide, Torrensville or wherever. Those real lives change between those suburbs because they encounter different barriers and challenges each day in terms of whether the child-care services they need are available and in terms of how difficult it is for a community to provide the voluntary services to keep the community functioning as a pleasant and supportive place to be.

We know that a lot of work that used to be undertaken in the household and in the family is now undertaken by paid and voluntary work in the community. The time use survey helps us come to grips with how that is happening. It tells us that we need to support aged people in different ways. It gives us an idea of the difficulties that some aged people have in getting to the shop, because it is there in the time use survey. It tells us that it has taken them two hours to get from Morphett Vale to Marion in order to get their hearing aid repaired. That detail does not come out exactly as that in the time use survey, but the extrapolation that is undertaken from that important work will tell us about the length of time that elderly citizens have to undertake in their journeys to go about their community life when they can no longer drive.

As I have said, although the deputy leader has spoken very eloquently about the important aspect of voluntary work that comes out through the time use survey, and the household work particularly undertaken by women, the time use survey

has other benefits as well. It helps employers look at the way that they should be arranging their working time. One of the aims of the survey when it was established was to provide a planning tool for employers as well as for government. It gives employers a better idea of some of the obligations of the work force so that good employers, who are committed to working with their workers to enable them to have full rounded lives as well as profitable lives within their companies, can look at working hours arrangements, shift schedules, and the benefits packages that will help people to live their lives in a more efficient and comfortable manner. It is no good for employees to have finishing times that make it really difficult for them to undertake their household work, to pick up the children from school, etc. This is just some of the information that comes out from the time use surveys.

I am very pleased to support the deputy leader in this motion, because it really puts on the agenda in this House some of the issues that people face every day in their homes. As I have said, the abandonment of this survey tells people, 'We do not care about what you do every day, day in and day out; it is not relevant to us. We will make our decisions based on the way we think the world should be run. Bother what you have to say and what your life is; we do not care; we will go planning without having the benefit of the information about how you live your lives.'

Mr HAMILTON-SMITH (Waite): I support the motion, and I do so without having heard the ABS's explanation as to why they have changed the system. I find some sympathy with the points raised by my honourable colleagues opposite in regard to valuing the role of unpaid work by mothers in the family environment. I certainly would agree with them that the old perception that women at home looking after families were not at work has been shown by all of us to be a very flawed perception. Women at home at work are indeed providing a most valued contribution to our economic and social growth. I would agree with them in most of the points they raised. At face value, this seems to be a reasonable notion.

However, I do express some surprise at the opposition's sudden interest in volunteerism. I express some surprise in the sudden commitment that they seem to have for unpaid work. When one looks at the motion, one sees that it actually talks about recognising volunteerism and the contribution that volunteers make to the community. I am surprised, because the Labor Party comes from a sort of cloistered network of relationships with the union movement that, from my observation, has said a lot against voluntary work.

In fact, at times they seem to take the stand that voluntary work might interfere with paid jobs by unionists. They say, 'Let us tax the world and put everyone on the payroll.' At times, one could almost be forgiven for getting the impression from the Australian Labor Party that they want everyone to be remunerated. The other point I make—

Members interjecting:

The SPEAKER: Order! The member for Reynell is out of her seat.

Mr HAMILTON-SMITH: Thank you for your protection, Mr Speaker. I have listened quietly while members opposite have spoken. Our government has been extraordinarily vocal in supporting volunteerism and recognising the effort and contribution that they make.

Members interjecting:

Mr HAMILTON-SMITH: You might like to know that South Australia has one of the highest levels of volunteerism in the country: 38 per cent—almost 420 000—South Australians volunteer over 80 million hours of their time every year. These volunteers contribute an incalculable economic benefit through more than 5 000 organisations. I am very disappointed that members opposite, whilst making very worthwhile points about women at home in the role in the workplace, with which I fully agree, have not mentioned all these other people who volunteer.

Debate adjourned.

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

STANDING ORDERS SUSPENSION

Mr FOLEY (Hart): I move:

That standing orders be so far suspended as to enable me to move forthwith a motion without notice regarding a censure of the member for Coles and of confidence in the Auditor-General.

The SPEAKER: I have counted the House and, as there is an absolute majority of the whole number of the members of the House present, I accept the motion. Is the motion seconded?

Mr LEWIS: Yes.

The Hon. DEAN BROWN (Deputy Premier): In keeping with the protocol put down in this House 20 years ago, the opposition wrote to the government at 12 o'clock today and asked for suspension of standing orders to debate a specific motion. I sent back a letter to the Deputy Leader of the Opposition by 12.30 p.m. today indicating the support of the government in the suspension of standing orders within that tradition to allow this motion to be debated.

Motion carried.

COLES, MEMBER FOR

Mr FOLEY (Hart): I move:

That this House censures the member for Coles for misleading the House in her remarks about the Hindmarsh Soccer Stadium and associated matters, and again expresses its full confidence in the Auditor-General and the work of his office.

The member for Coles on 4 October in this chamber brought disgrace upon herself and disgrace upon her government; and damage to the office of the Auditor-General and to the reputation and standing of the state's independent financial watchdog, Mr Ken MacPherson. Today, this parliament must rise above that disgrace and the indignity of the remarks of the member for Coles and send a clear message to this community, to the state of the South Australia, that we will not as a parliament tolerate such attacks; and that we must act to restore total confidence in the office of the Auditor-General and in the Auditor-General himself, Mr Ken MacPherson.

Of course, we should not be here today as an opposition moving this motion; we should not be here today having to rely upon the support of the four Independent members of this parliament. The government itself should have taken this initiative on Tuesday, the first day of sitting this week. Tragically, and unfortunately, the new Premier of this state has demonstrated that he is not capable of providing strong, firm leadership of this government. It has relied upon the opposition and the Independents to put into this place a motion that should have been so obvious to the new Premier that he should have been pulling his members into line only two days ago. Unfortunately, it has demonstrated that the new

Premier simply does not have the strength of leadership of his office to handle the tough issues of government.

Let us look briefly at the allegations brought against the Auditor-General by an angry minister minutes before she was about to lose her job three weeks ago. Let us not forget that this is the first time that these allegations were ever raised by the member for Coles—the first time. She had not raised them with the Auditor-General in the two years that the soccer stadium fiasco was under investigation. It is apparent that she had not raised them with the taxpayer-funded lawyers, either. Five months of inquiry, five months of natural justice, 130 pages of submissions and not once did the member for Coles raise these allegations with the Auditor-General. All this information she kept to herself until 4 October. That, in itself, is telling us of the truthfulness of her allegations.

The member for Coles told this parliament that the Auditor-General telephoned her in late 1997 to discuss issues in his annual report. Let us remember her words. The member for Coles said:

> We discussed my appointment as Minister for Employment and Youth and how that would be a different role and workload from that of a parliamentary secretary. I asked him if I should resign as ambassador for soccer. He said, 'No, that would not be necessary.' The Auditor-General misled me.

The big problem for the member for Coles was that she was not made a minister until three months after this alleged telephone call took place. That is untruth number one. In other words, the member for Coles simply made that up to give her the basis of her false allegation.

Let us continue to look at the facts because they clearly speak for themselves. The member for Coles accused the Auditor-General of his ignorance and wilful disregard for the relevant standing orders of parliaments of Australia and the parliament of Westminster. The honourable member went on to quote standing order 321 relating to pecuniary interests. In that regard, I am afraid that the member for Coles is way out of Ken MacPherson's league. In his report to the parliament yesterday, the Auditor-General correctly stated:

> Regrettably, this claim by Mrs Hall demonstrates her continuing misunderstanding of her duties as a member of parliament. It is this very kind of misunderstanding which causes Mrs Hall's blindness to the problems associated with her role as ambassador for soccer in the context of the Hindmarsh Soccer Stadium redevelopment project.

The member for Coles went on to make extraordinary allegations. She talked about a political vendetta; she talked about incompetent nonsense; and she talked about, at worst, being guilty of both. But not one skerrick of evidence could she produce to this parliament of political bias by the Auditor-General—not one skerrick of evidence. I lay down this challenge today to the member for Coles: stand in this House today, contribute to this debate and produce the evidence on which you relied to make those allegations. I bet that the member for Coles will not rise today. She will not speak; she cannot answer; and she cannot respond in any meaningful way.

One allegation made by the member for Coles needs to be addressed. The honourable member said that the Auditor-General somehow had a secret informant. Let us hear the facts. Let us know about whom she was talking and let us see today the basis on which she made that allegation. The Auditor-General, in an extraordinary report to this House yesterday, said that her claims about him are false and that they were made maliciously. Never has this parliament had before it a report from an Auditor-General that is so damning, so specific and so critical of the role of a member of this parliament.

The member for Coles stood in this place on 4 October and knowingly lied to this House; knowingly told untruths; and knowingly misled this parliament, because she could not cope with the fact that, after nearly two years of inquiries, she was found to have had a conflict of interest. She was shown to have a misunderstanding of her role as a member of parliament. She was shown to have been negligent in her duty.

Much criticism was levelled at the member for Bragg, but the member for Bragg had the good grace and the political sense to cop it. He may not have liked it but, to a large extent, he copped it. The member for Coles, however, rose and she had decided that she would set upon one of the most outrageous attacks, vilification, of a high office holder of this state. She did so knowingly and with absolute intent. She prepared that speech. She wrote it overnight. She consulted, drafted it, redrafted it, thought about it, slept on it and came in here and repeated lie after lie after lie, and we find yesterday—

The SPEAKER: Order! That is totally unparliamentary, and I suggest that, whilst this may be the type of debate it is today for a matter of urgency and a censure, that is unparliamentary language and I would ask the member to desist.

Mr FOLEY: Mr Speaker, massive misrepresentations occurred in this parliament on 4 October. We know the member for Coles did all she could to stop this report from being tabled. We are yet to have a satisfactory answer to the incident at the Feathers Hotel when her car was allegedly broken into and documents were allegedly stolen relating to the Hindmarsh Soccer Stadium inquiry. We have never had adequate answers to the events surrounding that incident. We saw in this parliament that the member for Coles attempted to gag the Auditor-General—taxpayer-funded legal advice used by the member for Coles to delay and frustrate this report. And just at a time when the Auditor-General was ready to produce this report, what did the member for Coles do in another disgraceful abuse of taxpayers' money? She threatened to sue the Auditor-General over his report. We all remember the most extraordinary scene of the Auditor-General's rushing into this parliament a specific request that we indemnify him from taxpayer-funded legal attacks by the member for Coles.

Time and again she did all she could to stop that report coming, because she knew it would end her career. In one of the greatest pieces of self-indulgence, with no regard for her colleagues, this parliament or the Liberal Party of South Australia, the member for Coles put her own interests first. Every single member opposite knows that. Every single member knows that the member for Coles was prepared to put her future ahead of each and every one of them. Here we are three days into parliament with a new Premier trying to make a fist of it, and what do we find? The member for Coles self-indulgence is harming and hurting him, and is massively affecting his government and his standing as a new Premier. Thank you, member for Coles, I am sure that every single member of the parliamentary Liberal Party is indebted to the fact that you will always put yourself before your party.

If Rob Kerin the new Premier of this state had any strength of leadership, he would today direct the party office, the administration of the state Liberal Party, to disendorse the member for Coles and kick her out of the Liberal Party. If he was a strong leader, there would be no room in his party for the likes of the member for Coles who was so prepared to tear down the fabric of our administration in this state, to attack

the office of the Auditor-General and to use taxpayers' money to save her own bacon. If the new Premier had any strength of leadership, he would dismiss today the member for Coles from the Liberal Party.

In conclusion, never before in politics in this state have we seen a member kick such a political own goal as what we saw from the member for Coles. It is a sad day, and the opposition and the Independents are here today, dragging this government, screaming, to support a censure, because the reality is that the Premier said in this House yesterday that he stood by the member for Coles. Let us see whether the new Premier still stands by the member for Coles in 50 minutes' time when we vote on this, or do we have a Premier who vacillates, who is weak and changes his position within 24 hours? This is a test of the leadership of Rob Kerin and of the strength of this government today. It is put on the line. Member for Coles, you have brought this parliament into disrepute, and you have brought the office of the Auditor-General into question. You are a disgrace to your profession, and you are a disgrace to this parliament, and, tragically, member, you are a disgrace to your own party.

The Hon. R.G. KERIN (Premier): It is fundamental to the function of this House that members have the right to express opinions, and we should defend that right, a right which the member for Hart seems to want to remove from this House. The member for Coles and the Auditor-General have exercised their rights of parliamentary privilege and reply. Those two statements can be seen individually by all MPs in this House, and they can make their own judgments, if they are willing, on what they have seen. However, much of the difference is subjective, and members must be careful of playing judge and jury.

Both people involved have had their say. A minister has lost her Executive position, and the matter should be left at that. The standards of this government in these matters is far higher than those opposite—and that seems to have been forgotten in the last couple of days. We do not have to go back very far at all to recall the case of the Bannon government Minister Barbara Wiese. She was found to have a conflict of interest as minister, yet Barbara Wiese kept her place in cabinet. Minister Hall (as she was) resigned—a stark difference between standards on this side and the standard on that side. Barbara Wiese was also censured by the parliament but still kept her cabinet post. Clearly, our standards are higher than those opposite.

South Australians want us to get on with the job. We are focussing on jobs, the economy and a future for families, and that is what we have been doing. The broader issue of parliamentary privilege, to some extent, has been questioned over the last couple of days. The right to freedom of speech in relation to parliamentary debates is recognised as a fundamental protection in the public interest. It is crucial to the effective functioning of a parliament in a democracy that its members should have absolute freedom of speech and should not be subject to any undue influences when voting. The right allows members to speak freely in the House without fear of being sued or prosecuted in the courts for what they say. The right prevails over the rights of an individual to protect his or her reputation. For example, a member cannot be sued in defamation for statements made in parliament.

Without this freedom, parliamentary scrutiny of the Executive arm of government would be hampered and the ability of members to defend the interests of constituents would be affected. While no legal action can be taken against a member for anything said in the course of parliamentary proceedings, this does not mean that members in the House are free to say what they like and when they like. The houses have the right to regulate their own proceedings. The House can restrict the content of speech in debate and other proceedings through standing orders. But in the regulation of its proceedings a house has to use its powers with caution and sensitivity, because, ultimately, if a house uses its numbers to deny a member the right of free speech, it has some potential to move to 'a dictatorship of the elected majority'. There is a delicate balance which, in a house where numbers determine the political outcome of an issue, may be difficult to find or achieve.

Today's motion before us really has two sections. I personally cannot make judgment to support the first part of the motion. It is unfortunate that the second part of the motion expressing confidence in the Auditor-General and the work of his office is connected to the first part, and I feel it should not be confused. If a motion has two components, then I cannot support that motion unless I support both components. I stress to those opposite that any opposition to this motion is not associated with the second part of the motion. This House has already passed a vote of confidence in the Auditor-General, and that was passed without opposition.

My concerns lay purely with the fact that the first component of the motion asks members to be judge and jury, and make a subjective judgment on various recollections of events over a number of years—and that is quite an ask of members. I just plead with the House to allow this to be the final chapter in this issue. The minister has resigned: she has paid an enormous price. Please, let us get on with the issues that matter most to the state. Let us work together to do such things as to get Ansett flying again, to get those jobs and other jobs in South Australia back, and to get on with building a prosperous South Australia, which is something we have done very well over the last five, six, seven, eight years, and on which we need to continue to focus. Let us get back to playing the ball instead of the man.

The Hon. M.D. RANN (Leader of the Opposition): There have been so many scandals, so many independent inquiries, so many reports and so many resignations that the political fall-out from the events of the last month should give none of us any comfort. The problem for this parliament is that the scandals that led to the resignation of Dale Baker, Graham Ingerson, Joan Hall, Graham Ingerson again and John Olsen are undermining public confidence in the state's institutions as well as in its office holders.

Good, decent Liberals have said that this would not have happened under Tom Playford and David Tonkin—and they are right. Decent, good citizens are wondering why the new Premier is not joining them saying, 'Enough is enough.' They want the Premier to castigate colleagues who are found to have been dishonest, to have acted improperly or to have had a conflict of interest. Instead, they see the new Premier defending the indefensible. It seems that, whenever an independent inquiry finds that the minister has done the wrong thing and acted dishonestly or improperly, all that happens is that the eminent person conducting the inquiry is blamed, intimidated and besmirched, even if that eminent person has been hand-picked by the government.

On none of these occasions have we heard those found to have acted improperly come out and say sorry; they simply say that they would do it again. On none of these occasions

have we heard the Premier come out and say that what happened was intolerable or that he would not tolerate this kind of behaviour again. That is because what has gone wrong with the government is not isolated cases but part of a system that is polluted from the top down. Those involved can see nothing wrong with their actions. Their anger is never directed at their dishonesty; it is always directed at those who caught them out.

The Auditor-General has been attacked. He was invited to reply and then stopped from speaking. There have been extraordinary attempts to stop the Auditor-General from speaking to a committee, from being given the ability to speak out and be questioned about his report. Why? If the people concerned have nothing to hide why would they want to gag the Auditor-General of this state? Of course, on day one, we saw the new Premier's efforts to gag the Auditor-General. However, he did not need to speak, his report spoke for him. I think that is the point.

Yesterday, when he came to parliament, albeit he was gagged from speaking, the Auditor-General was stopped on the front steps of parliament and asked whether he was angry. He said that he was not angry, that he was simply doing his job. This government does not like the Auditor-General doing his job, because he speaks out without fear or favour. So, the Auditor-General has been gagged; it will be interesting to see whether the former Minister for Tourism will be gagged today.

I think it is important that this House formally recognises the outstanding service provided to the taxpayers of this state by the Auditor-General and that the parliament reaffirms its confidence in him and his office. We have passed a motion of confidence in him before—the Premier is right—but that was before he was attacked and before the Premier backed his minister.

Ken MacPherson is a man of the highest integrity. He is a person in this state who stands above politics and independently ensures that the finances of the taxpayers of this state are not used improperly, not abused, and not illegally squandered. It is absolutely essential that the Auditor-General's reputation, reliability and authority are above reproach and beyond question. Every report and determination ever made by this Auditor-General has done nothing to convince me that he is anything other than of the highest integrity and that the standard of his service is of the highest order.

The state has been extremely fortunate to have a man of the qualifications, reputation and experience of this Auditor-General. In the past, other states (including New South Wales) have attempted to poach him from us, but it has been our good fortune that Ken MacPherson has chosen not to leave.

Let me remind the Premier and his ministry about Ken MacPherson. The Auditor-General has a law degree from the University of Queensland and is a corporate lawyer of national reputation. Between 1974 and 1981, he was the Corporate Affairs Commissioner of Queensland. He came to South Australia in 1981 to become the South Australian Corporate Affairs Commissioner, a position which he held until 1987. At that point, Ken MacPherson was unanimously approved by each and every government in Australia to be appointed as one of three statutory members to the then National Companies and Securities Commission. As one of those statutory members, he was one of two members who presided over the hearings of major corporate collapses, the most notable being the affairs of Alan Bond and the collapse of the Bond Corporation. With that experience, Ken MacPherson came back to South Australia to take up the position in June 1990 as our state's Auditor-General.

There is no question that Ken MacPherson understands corporate law, understands issues of financial management and mismanagement, understands conflict of interest, understands honesty and integrity and understands his responsibilities to the people of South Australia as the independent buffer against corruption. That is why it is vitally important that this chamber, and every member in this chamber, backs the Auditor-General today.

There have been attempts to gag him, attempts to undermine him, attempts to attack his reputation and integrity. We saw the same thing happen in Victoria under Jeff Kennett—total assaults on the Auditor-General in that state for doing his job in uncovering graft and corruption. Eventually the people of Victoria stood up and backed the Auditor-General and tossed out the Kennett government. It is vitally important that today the Premier show leadership. He cannot have it both ways. Part of his job as Premier is to set the standard and back the Auditor-General.

Mr LEWIS (Hammond): It seems to me that too many members of the Liberal Party in this place do not know what parliament is supposed to be about. I guess the word comes to us from a few centuries ago and has its origins in the word 'parlance'. It was taken to mean the resolution of differences through argument. That is relevant in the context of this debate because what it has come to mean to many members of the Liberal Party is that, if you can win the argument and the vote that follows it, you are right. Nothing could be further from the truth and in that statement there is no regard whatever for the public interest. Yet that is what parliament is supposed to be about—doing things that are in the public interest. What the member for Coles has done most certainly is not.

Let me say, too, that during much of its term the Labor Party was no different. It had the numbers and that meant it could simply fend off any such inquiries and prevent its sins from being exposed. I always tried to argue no less vehemently, no less concerned, that what was happening during those years was detrimental, indeed destructive, of public trust in this institution to which all of us have been elected with the delegated authority of the people who put us here, although that is another matter. We cannot debate that today because it is not the substance of this motion and to return precisely to the substance of this motion is what I must now do.

To ensure that nobody misunderstands me or what has happened in this or any other instance of its type in recent times, I say that nobody has tipped a bucket on the Liberal Party or any of its members: they jumped in it themselves. Nobody compelled any member to do as they did knowing that what they were doing was wrong. They did it, and in particular the member for Coles in this instance did it and then sought to cover it up. If that was not the case, why was it that the information about the decisions that were made relevant to the Hindmarsh Soccer Stadium was not made available—as it should have been—to the appropriate inquiries that were conducted into the proposals as they came to none other than the Public Works Committee, or any other forum of the parliament, including the House itself?

I well remember the occasion upon which the Public Works Committee tried to draw attention, in all fairness, to the grave problems associated with that project by giving an interim report to this House warning of the problems that lay

ahead. The Liberal government immediately forced the issue and demanded that the committee shut up and give it a final report, and to hell with the consequences.

Well, today we have the consequences. Why was it that the then Premier could not do something to stop what he knew must be going wrong? That is another matter about which there has been some debate in recent times—and there will probably be more before we get much older. That is what has cost the Liberal government every shred of credibility it had as a party in the public's eyes outside this place. That is sad, because it means that public trust in political parties is about zero. They lie, and you do not know when they are telling the truth; so, if you have any brains, you assume that they always lie unless you can find incontrovertible evidence to the contrary. Their advocates in this place were not elected here to do the bidding of political parties. They were not elected to this place by political parties: they were elected by people, and their duty is to represent people and not the goals of organisations.

Mr McEwen: That's a novel idea.

Mr LEWIS: Well, maybe. I agree with the member for Gordon that it may be novel to some members in this place. I trust that in the next parliament there will be fewer such members and a greater number who do understand that they are here to represent people and not the goals of organisations, institutions and corporations. The way in which politics has evolved leaves us as a society with, if you like, a mendicant role through the organisations we need to ensure that government can be provided sensibly—a mendicant necessity to beg funds to finance the campaign for those of us who have a collectively similar point of view to be elected to this place. That is sad, because then we owe somebody. Well, I do not and never have.

I will not go into the kinds of stuff that has been circulated around the chamber over the last couple of days. Everyone in this place and everyone outside now knows who the principal donors to the Liberal Party have been over the last several years. What that has to do with this is fairly significant in that it means that some members of the Liberal Party who seek power within that organisation seek to get it by being considered competent in pursuing the goals of the organisation of the principal donors to the Liberals. That is part of getting the power.

The SPEAKER: Order! The chair is now having some difficulty in tying up the honourable member's remarks with the motion before the chair.

Mr LEWIS: Then let me make the connection quite clear. Had it not been for the temptation of ensuring that the member for Coles could achieve what she set out to achieve within the Liberal Party, she might not have been tempted to do what she did. I will leave it at that.

I must go on with another matter relevant to this motion, and in rebuttal of what the Premier has just said, namely, that he wishes to place on record that the government—the Liberal Party in this place—does not accept the first part of the motion, namely, that the House censures the member for Coles for misleading the House in her remarks about the Hindmarsh Soccer Stadium and associated matters. It does not support that.

Well, if the government has any guts it will get up and move an amendment to delete it from the motion. It cannot have it both ways. What it means, if it wants it both ways, is simply that, if the member for Coles is not to be censured for misleading the House, the Auditor-General must be, because what they say is absolutely mutually exclusive each to the other. If you cannot have one, then you are advocating the other. If the Liberals are advocating support for the member for Coles, it makes a nonsense for the Government to say that they support the last part of the statement. If those of you who are members of the Liberal Party in this place support the member for Coles, then amend the motion and state that you do and state that you also then do not accept the Auditor-General's proposition. The proposition is that, indeed, as he said in his last sentence in his report to us:

> Mrs Hall does not provide any details regarding this matter to enable her claim [that she did not do anything wrong] to be tested.

The only conclusion open is that her claim is false and that it was made maliciously. Do members of the government support the Auditor-General? Do they understand the truth of that, or do they deny that it is true? Have they any guts? Have they got any integrity? Where are their abilities to argue logically? Forget about your principles if you must: I think you did that a long time ago. At least stick with logic. There are other parts of the report that ought to be put into the record. The Auditor-General states:

> In this inquiry, in my opinion, and after seeking the views of senior counsel, there has been no trespass into matters that are not relevant to the statutory mandate for the inquiry. Clearly, the discharge of that mandate might have the potential for political consequences in certain circumstances. However, the fact that there are potential political consequences cannot prevent the discharge of the legislatively required obligations of an Auditor-General.

He does not say 'my obligations' but 'the obligations of my office as parliament defined those obligations'. The report continues:

> The failure to discharge the audit responsibility would be inimical.

For those members who do not understand what that word means, it means harmful and hostile. So the failure to discharge the audit responsibility would be harmful and hostile to the statutory responsibility of an incumbent Auditor-General. It would corrode, then, public trust in his office; that is what he is telling us. It continues:

> Mrs Hall provides no details of her allegations in this regard. Should Mrs Hall have believed there is any substance in her allegations it would be expected that she would have provided full details to enable her claims to be properly investigated. She has failed to do so. Suffice it to say, if there had been any substance in Mrs Hall's allegations on either count she would have had grounds to have a court make appropriate orders quashing my report.

Those grounds are still open to her. The motions passed by this House do not deny Mrs Hall the opportunity to do that. It is sad, if she believes she can do it and has the evidence to do it, that she withheld that evidence from the Auditor-General, because none of this would have happened. It is sad, if she has the evidence, that she withheld it from the Public Works Committee at the outset of the problem. And it is sad that at any point along the way, including the ill-advised and irresponsible remarks that she made in this chamber, attacking me after I innocently drew attention to the fact that I thought things had gone far enough, she did not reveal any of that information which would enable any one of us logically to come to any other conclusion.

So, why would any one of us expect that this motion is unworthy of our support? There is no reason at all why we cannot and must not support it, because each of us is here as an individual and it is our responsibility, honourable members, to protect the trust the public have in this institution. Forget about your ruddy parties and remember that it is the institution that is at stake and on trial if you do not support the totality of this motion, and your belief that this institution

is in any way relevant to the public interest. Mr MacPherson also said:

> Mrs Hall said in her statement that the comment in my report that she did not recognise the potential for conflict is fatuous.
>
> I have this to say about this statement.
>
> The ministerial statement made by her on 4 October 2001 demonstrates that she still does not understand or recognise the relevant conflict of interest associated with her conduct relating to the Hindmarsh Stadium redevelopment.

And she does not. I suspect that many other members in this place do not understand that, and I suspect and therefore suggest to any such members that they seek the advice of the Auditor-General to have that spelled out to them now, before they get any older, or otherwise go and read Erskine May and some of the other journals which explain such matters. The easier course of action would be to seek the Auditor-General's advice.

Under a heading 'Claim that I Ignorantly or Wilfully Disregarded Relevant Standing Orders' (made by Mrs Hall), the Auditor-General states:

> Regrettably, this claim by Mrs Hall demonstrates her continuing misunderstanding of her duties as a member of parliament. It is this very kind of misunderstanding which caused Mrs Hall's blindness to the problems associated with her role as ambassador for soccer in the context of the Hindmarsh Soccer Stadium redevelopment project.

To my mind, what the Auditor-General has done is a very unpleasant but necessary duty for him to have to do; and it is equally—maybe for any and all of us—a necessary, albeit unpleasant, duty to now, today, to censure her for misleading us—not just the other day, not just a month ago, not just a year ago but consistently throughout the entire process related to this issue, to this matter, to this project and to her role in it.

I am amazed that members of the Liberal Party have yet to understand that no-one—least of all me as a person who was involved in the redrafting of the constitution over 25 years ago (1972-73)—wishes the organisation ill-will, if only it will live by its constitution. If only the members of the Liberal Party in this place will remember the sworn statement they make and sign every time they seek re-endorsement by that party to be re-elected to this place. If only they will do that, I am sure that the prospects of recovery in their political fortunes will be much greater than they are at the present time. To that extent, however unfortunate they may think it, they have no choice but to honestly and honourably accept the validity of every word in this proposition, and not wimp out by saying, 'Oh, we only want half,' because you cannot have one half without the other: they are mutually exclusive and contradictory. If the member for Coles did not mislead this parliament, then the Auditor-General did. It is my proposition and that of the member for Hart that the Auditor-General has produced the evidence which ensures that we must accept his proposition, which means that we have no choice but to pass this motion in all parts.

Mr WRIGHT (Lee): This is a sorry day for democracy, for the parliament and for the taxpayers of South Australia. As has already been said, we should not be debating a motion of this nature: it should never have had to be brought before the parliament. Of course, it had to be because of the actions and words of the member for Coles. In the Auditor-General's supplementary report, there are numerous examples—very strong and strident language—that the Auditor-General has had to use to defend himself, and more the pity for it. At the commencement of his report, he states:

> The matters Mrs Hall has raised have brought into question the integrity of the statutory office of the Auditor-General and my personal reputation and integrity.

More the pity that that is the case, that we have been forced into this situation and that the Auditor-General has been forced to provide a supplementary report because of the lack of discipline of the member for Coles.

I would like to highlight a couple of passages in the report, the first of which involves the issue raised by the member for Coles with regard to her role as ambassador for soccer and whether it was a conflict of interest. The Auditor-General says this:

> In returning her corrected transcript and presenting further material, Mrs Hall made no claim that her position as ambassador for soccer had been discussed and/or endorsed by me as not giving rise to a problem of a conflict of interest.

Further, he states:

> Over a five month period Mrs Hall's legal advisers made submissions of 130 pages of detailed legal and factual analysis of the text of my report. In addition, they made further representations by way of correspondence. However, this fundamental issue was not mentioned, and this in itself is telling.

So, during five months, during legal representation on behalf of the member for Coles and during evidence given by the member for Coles over a five month period, this was never raised on behalf of or by the member for Coles. Is it not astounding that, after the findings come out, all of a sudden the member for Coles raises this issue? The Auditor-General goes on to say:

> I emphatically deny that any such evidence was ever proffered to her by me.

He also goes on to say:

> On the factual evidence, the inference is irrefutable that this claim by Mrs Hall is a recent invention by her. I believe that she is not speaking from her own recollection of events but is reconstructing a story.

Never before has the Auditor-General, whether it be in South Australia or Australia-wide, had to use colourful language of that nature. He further goes on to say, in respect of whether Mrs Hall's claims about misleading were true:

> Mrs Hall claims that I misled her. She does not provide any details of how she was misled and how she relied on what she alleges I said, or what she would have done if I had not said what I am alleged to have said.

This is extremely colourful language. However, it gets even stronger, because further into the document the Auditor-General says:

> She still does not understand or recognise the relevant conflict of interest.

After all this, the Auditor-General has to report in a supplementary document that still the former disgraced minister does not understand or recognise the relevant conflict of interest. The Premier should be providing some training for the member for Coles so that she does understand what the Auditor-General is talking about. Further, the Auditor-General goes on to say, in regard to a claim about concealing a real conflict of interest:

> In substance, Mrs Hall has alleged that I have conspired—

that the Auditor-General has conspired—

> with a person or persons unnamed in deliberate breach of my public duty.

What an accusation to make about the Auditor-General, the independent financial watchdog of South Australia. No evidence whatsoever was ever presented during this five month procedure that gave her the right to raise these issues,

but suddenly, out of the blue, accusations with no supporting evidence are being put forward. The Auditor-General goes on to say:

> Mrs Hall does not provide any details regarding this matter to enable her claim to be tested. The only conclusion open is that her claim is false and that it was made maliciously.

Never has so much been said about a member of parliament in so few words. What has brought this about are the findings of the Auditor-General into the Hindmarsh Soccer Stadium.

It is no secret: everyone has known for some time that this government acted dishonestly with regard to the Hindmarsh Soccer Stadium. Everyone has known about a range of conflicts of interest. Everyone has known about the impropriety of this government doing business, and all the Auditor-General—the independent financial watchdog—did was simply confirm all of what we knew. What he has done is to crystallise the obvious.

How does the member for Coles react? The member for Coles puts forward no evidence and shows no discipline, but what she highlights is that sometimes in politics you need to know when to keep your mouth shut. Just as there is a need in politics to talk, at times there is a need to show a little discipline, and the member for Coles showed no discipline. And, if she could not show it, that discipline should have been imposed on her by the former Premier. However, the former Premier failed to do so. He did not have the guts or the character to do it. But, more to the point, the current Premier refuses to show any leadership as well when some discipline is required in this place—and we saw it again today. I will return to that in a moment.

This is a charade of the greatest magnitude. There has to be a time when you cut your losses, a time when you cop it on the chin and a time when you cop it sweet. That time arrived for the member for Coles, the member for Bragg and the government when the Auditor-General delivered his fulsome report on the way in which this government conducted its shoddy business with regard to the Hindmarsh Soccer Stadium. The member for Bragg copped it on the chin—mind you he has had plenty of experience and he knew how to behave himself. However, the member for Coles has refused to do so.

The Premier should show some leadership when it comes to this matter. The Premier should have walked in here today and shown some leadership. He should have done the same two days ago, but he failed to do so. Today was his opportunity for the first time since being made Premier to show some leadership, but he failed again because he came in here today, played with words relating to the first and second part of the motion. Well, it earns him no respect whatsoever. It does his leadership, his premiership, no good whatsoever. But, worse than that, it earns this government no respect as well.

What it highlights is the fact that this government has learnt nothing. What we should see today after this motion is carried is the member for Coles apologising to the Auditor-General. I want to see the Premier be a man, show some leadership and apologise to the Auditor-General. This is his chance to do a Peter Beattie and disendorse the member for Coles, because (and I say this more in sorrow than in anger) the member for Coles has neither the capability nor the responsibility to be in this institution.

Mr CONLON (Elder): In the last two days we have seen that the new Premier of this state fundamentally misunderstands the seriousness of this issue. He fundamentally misunderstands both his responsibility and the responsibility of this House. The Premier said today that it was the right of the member for Coles to express opinions. He is only partly correct: it is the right of every member of this House to express opinions which are honestly held. We have very severe doubts about that.

He speaks about the absolute privilege of this House, that it has existed for centuries. He is correct about that, but he fails to mention the corollary (the other side of that) which has also existed for centuries, and that is the obligation to tell the truth in this House. Along with that absolute privilege is the obligation to tell the truth. The Premier speaks of the absolute privilege of this House and again leaves out the corollary: that is, the responsibility and duty of this House to correct any abuse of that privilege. He points out that that absolute privilege protects Ms Hall from any court in the land.

The SPEAKER: Order! The member has a title.

Mr CONLON: I will correct that. He points out that that absolute privilege protects the member for Coles from any court in this land. That is why it is so important that that privilege not be abused. The Auditor-General argues his case, and his case is overwhelming: had she not had that protection, he would certainly be suing her for defamation. However, she does have that protection. That is why the Premier is fundamentally mistaken. He fundamentally misunderstands when he says that we cannot act as judge in this place.

The member for Coles is protected from every court in the land except this one. That is why we not only can be judge but have a responsibility to be judge, because no-one else can judge her. We have that responsibility, and it is a responsibility which, today, the Premier has shirked. The price of shirking that responsibility is to leave hanging over the head of the Auditor-General in this state the most serious allegations that I would say have ever been raised anywhere in Australia against a person holding that office.

It is our responsibility and our duty to judge the truth of the member for Coles' remarks, because, uncorrected, the abuse of privilege in this place will bring into disrepute not only the member for Coles but, at a time when people have lost faith in these institutions to a great degree, it will unfortunately also lower the repute of the honest members on the other side—and I know there are some—and the honest members on this side—and I know we all are.

The simple truth is this: on 4 October the member for Coles walked into this place fully aware of her absolute privilege. What she completely forgot was her duty not to abuse that privilege. The only defence that I can offer for her is that she has participated in a government whose culture is to remember only the benefit of the privilege and not its obligations. We have seen evidence of that in this House during the past few days. We must make a judgment. The Premier cannot shirk this responsibility, because he is responsible for members on the other side and he has a duty to make sure that those members do not abuse their privilege and do tell the truth.

His duty goes beyond that on this occasion. He has a duty to make a judgment, to face up to his responsibility to make a judgment. Did the member for Coles mislead this House or is the Auditor-General the incompetent conspirator she said he is? Is he the dishonest man she said he is when he misled her, or was it the member for Coles who misled this House? That is the responsibility of the new Premier, that is the responsibility of this chamber, and it cannot be shirked. It cannot be hidden behind saying, 'I agree with one part but not

with the other part.' The fundamental responsibility of this Premier is to decide whether he wants to continue to support a disgraced former minister or whether he wants to clear the good name of the Auditor-General.

Motion carried.

McKAY, Mr R.

The Hon. M.K. BRINDAL (Minister for Employment and Training): I seek leave to make a brief ministerial statement.

Leave granted.

The Hon. M.K. BRINDAL: Yesterday the member for Hanson asked me about a particular person, Mr Richard McKay. I said that I was not aware whether a person in two instances was the same person. I have now found that the Richard McKay I know is connected to the Adelaide Bank and I wish to correct the record to that extent.

GRIEVANCE DEBATE

Ms BEDFORD (Florey): Today's front page of the *Advertiser* brought welcome, long-awaited, and not a lot of good news to Ansett Airlines and its workers. Ansett Airlines will again take to the skies of Adelaide and South Australia. So many people—around 1 100 dedicated, loyal Ansett staff and their families who have suffered with the employees since 13 September, as well as the many workers in associated industries—are hoping that this announcement will be the start of a bigger and better commitment, not only to these workers and their families but to the travelling residents of South Australia, the people who rely on air travel to complete their business or employment commitments, not to mention those who need to travel for family commitments like celebrations or reunions or, sadly, visits to sick relatives or, worse, to attend funerals. So many members of the travelling public have been inconvenienced and feel let down, not by the workers who would have worked for nothing to keep their airline serving the Australian people, but by the governments that managed to get planes flying just about everywhere else except Adelaide.

What do we know about today's announcement? Not a lot, I am afraid, and I quote from the article as follows:

> Senator Hill said he did not know the maximum amount of the government's financial commitment but it was in the millions of dollars. It is believed there will be a time limit on the government's financial guarantee but it will continue until January at least.

That in itself is a relief. At least we can be assured that travellers will not be stranded as they were last year at Christmas time. Several of Ansett's Adelaide family are here today in the gallery. They are a few of the men and women who have maintained a presence at the terminal since the day they were told they no longer had jobs or the entitlements they had worked so hard for and had earned. This ultimatum led to unprecedented scenes of solidarity, and their struggle was joined by many workers who understood that, as things stand, while it is happening to Ansett workers today, it could be the job of any other South Australian worker next.

The collapse of Ansett, which in pure business terms could be explained away as poor management, is not about a market that fell away or no longer existed. As we all know, travellers scrambled to get seats for weeks after and, in the confusion, many were cast aside while corporate manoeuvring took control of their lives. It is this confusion that the workers and travelling public cannot accept. Both feel that better management by governments could have seen the chaos and the financial, marriage and health stresses avoided. Banks are foreclosing on people, and one-income families, especially, are finding it very hard to play the waiting game that they are being asked to do.

Someone must have known what was coming, and someone must have been able to draw together all the pieces of the destroyed Ansett heritage much faster and without leaving out Adelaide. I am told that the Adelaide route is profitable, and Adelaide and South Australia rely on tourism and the sale of our produce. There are many unanswered questions. For instance, who will be responsible for the lobster trade when the season opens on 1 November, when Adelaide's access to Sydney will be vital and the freight for that industry will be worth approximately $130 million? What will be done to maintain the Adelaide-Alice Springs-Darwin route? What will be done about tapping into that lucrative tourism route for us?

What did the task force do? What did it try to achieve and what did it actually achieve? Was it able to offer inducements similar to those given to Motorola? Workers have asked me to tell this government that they feel totally alienated; that it looks like the government sat on its hands while over 1 000 jobs were directly affected, not to mention the hundreds jeopardised in industries that relied on Ansett. We need to consider the plight of the Gate Gourmet workers who were completely left out to dry. Spare a thought, too, for the taxi industry that derives so much of its income from ferrying passengers to and from the airport.

We also see today that Virgin will be given assistance to increase its services. What inducements has it already enjoyed over and above Ansett? How can Kendell Airlines now service regional South Australia? What does this say about the government's concern for people in the bush? Why did Garuda get preferential treatment to fly domestic passengers when Ansett had the staff and fleet to move as many people as were already booked and stranded? Why has it taken seven weeks to guarantee so few seats?

This whole sorry saga is principally about the jobs that South Australia has lost and the inconvenience to the travelling public. South Australia has been cut off. We are not a regional centre; we are a state full of workers busting their guts to bring prosperity to their families and this state. We want to see this same sort of commitment matched by the people with the power.

The government has made an announcement, but it is not clear. We need that certainty to make sure that people book seats on Ansett flights and to make it the vibrant and viable airline that is part of Australia's history. Ansett and its workers do not want to be history; they want to create history by working through the problems and being successful once again.

Time expired.

The Hon. D.C. WOTTON (Heysen): I want to speak about the inaugural Adelaide Hills Regional Development Board Business and Tourism Awards which will take place in the Adelaide Hills tomorrow night. I am delighted to be able to make members of the House aware of these awards. It promises to be a very good night for all those who have an interest in business and tourism in the Adelaide Hills.

We were advised in September that the Adelaide Hills top businessmen and tourism operators were to be recognised at this inaugural Business and Tourism Awards presentation. A range of awards will be presented, including new and established business, food business, and innovation and/or E-

business awards, as well as various tourism categories. It will be an interesting night. An art gallery, a refrigeration oil manufacturer, a blacksmith and micro brewery are among some 83 businesses that have registered their intention to enter these awards. It is an initiative of the Adelaide Hills Regional Development Board and is designed to foster excellence within the Adelaide Hills business community, and also to provide an opportunity to showcase the diverse range of businesses in the Adelaide Hills region.

The board's Business Development Manager, Annabel Mugford, has indicated her delight with the number of registrations for the awards, particularly as many businesses have indicated that they plan to enter two categories. I am certainly looking forward to the evening, and I know that the member for Kavel will be there as well. I take this opportunity to commend the Adelaide Hills Regional Development Board and its Chief Executive Officer, Michael Edgecombe, for this presentation which will, I am sure, considerably boost business in the Adelaide Hills.

As chair of Adelaide Hills Tourism Management, I am delighted that our committee will also be involved with this special occasion. The Adelaide Hills, I am sure, can look forward to a significant amount of business that will attract additional people into the hills, that will provide jobs for people who live in the hills, and that will make people aware of the tourism potential in the Adelaide Hills. There has been a good response to the awards being presented, and I refer to some comments that have been made—for example:

> Entering an award is beneficial as it makes you look at every aspect of your business and assess its worth. It is extra work but it is worth all the effort. Winning an award is a bonus as it gives your business credibility and an edge over other businesses.

Those comments were made by Gai Adcock of the Adelaide Hills Country Cottages, winner of the Australian Tourism Award for Accommodation in 1998 and a member of the South Australian Tourism Awards Hall of Fame. There are many others to whom I could refer who have indicated the benefits they have received in their own business from entering and winning such awards.

I commend the Adelaide Hills Regional Development Board and all those involved in the presentations tomorrow night. I know that the venue is packed out and I am looking forward to being involved with the presentation of awards to the many participants who, I am sure, are all worthy of winning the various awards that will be made available tomorrow evening.

Mr CONLON (Elder): Yesterday in this House a ministerial statement of the Attorney-General was tabled. In it he used the cloak of parliamentary privilege to accuse me of making defamatory statements for words I spoke outside the House. I wish to address that but I do note, as a first point, that the Attorney-General was not prepared to say outside the House what he said inside. He alleged that when I, in speaking to the Clayton report to the media, said there had been 'an abuse of the office of the Crown Solicitor and the Solicitor-General' that I had been defamatory, and he implied that I had been defamatory of those people.

This was surprising to me because no-one else understood those words to mean that. I think the primary reason no-one else understood those words to mean that is because they do not mean that. What I said was that there had been an abuse of the office of the Crown Solicitor and the Solicitor-General—and there had been. There had been an abuse by the government of those offices as detailed in the Clayton report. Let me make it absolutely plain what was said. It was said that both the Crown Solicitor and the Solicitor-General had been asked to give an opinion. They had been given inaccurate or insufficient information and had been asked to give an opinion that was then used, not to test the substantive legal rights of parties to a legal dispute but for political purposes, that being the protection of the now resigned Premier.

I stand by what I said. That was an abuse of the office of the Crown Solicitor and the Solicitor-General by the government. I must say that, no-one else having understood the words to mean anything but that, I did take the trouble of ringing Mr Selway. I did not want him to misunderstand what I had said—I did not think he would because he is a person who is able to understand words better than the Attorney-General—so I rang him and, while he appreciated the call, he had no problem with the words either. I will make it plain today, as I am, that my criticism was not of those offices but, as the Clayton report showed, a government prepared to do or say anything to protect some sorry jobs. They were prepared to misuse the offices of the Solicitor-General and the Crown Solicitor.

It is so sad that the Attorney-General, notionally the highest legal officer in the state, faced with these findings, had the option of going into the Council and making a ministerial statement deploring what had occurred and apologising on behalf of his government. What did he choose to do instead? He chose to come into the Council and, once again, play politics with the offices of the Solicitor-General and Crown Solicitor, to use the offices of the Crown Solicitor and the Solicitor-General to further his grubby little political game. I think the Attorney-General stands condemned on this issue. My conscience is clear. I am happy to repeat the comments I made outside the parliament because I do believe this government abused those two offices. I will say it again and I wait to see whether the Attorney-General will repeat his comments outside the House.

The Hon. G.M. GUNN (Stuart): We have heard a great deal today about honesty and members of parliament being factual and respecting the institution.

Mr Atkinson: Kero has been here eight years and he is the Premier: you have been here 31 years and you are still on the back bench.

The Hon. G.M. GUNN: That shows what a despicable person the member is. He cannot say anything nice about anyone. But he should just wait until we finish with him and the member for Florey for their conduct at the last election in Florey. If ever a person, who aspires to be the Attorney-General, engaged in dishonesty and in misrepresentation it was him, and Peter Duncan, and their cohorts. Now he cannot take it. He can hand it out. He is like a little girl—

Mr ATKINSON: I rise on a point of order, sir. I ask the member to withdraw those unparliamentary and offensive remarks. In fact, I was not involved in the Florey campaign after the issuing of the writs and did not enter the electorate during the period.

The SPEAKER: The member has made his point that it is unparliamentary. The member for Stuart.

The Hon. G.M. GUNN: Thank you, Mr Speaker. If the honourable member reads the transcript of the court, he will find out whether or not he is mentioned. But I want to say to the Leader of the Opposition that on two occasions he has implied that there was a deliberate attempt to prevent the Auditor-General from appearing before the Economic and Finance Committee. That is not true. It is misrepresentation.

It is an attempt to misinform the people of South Australia. Standing order 385 clearly indicates the situation as follows:

> Committee not to entertain charges against Members
>
> If any allegations are made before any committee against any member of the House, the committee may direct that the House be informed of allegations but may not itself proceed further with the matter.

When independent advice was sought from officers of this parliament and that advice was tendered to the committee, the member for Hart accepted it and was quite happy, and indicated they would pursue the matter in other areas. It is absolutely wrong for the leader to continue to infer. If the leader believes in telling the facts and the truth to the public of South Australia he ought to come in and correct his statement and not continue to try to make political points by using inaccurate information.

The leader has also been making all sorts of statements. I ask the leader now: does he agree with the campaign methods used at the last state election in the electorate of Florey? Does he agree with the material that was circulated? Does he believe it was fair, reasonable and accurate? Does he agree that this is the way to run election campaigns? I challenge the leader to tell the people of South Australia where he stands on these issues and whether the Labor Party is going to use the same sorts of tactics at the next election, bearing in mind that certain people were convicted under the Electoral Act. Will that be the hallmark of the Labor Party's campaign? If the honourable member stands, as he said today, for honesty and truth, we are entitled to raise these issues, because there was at the last election a scurrilous and misleading campaign directed towards the then member—

Mr Atkinson: Did that work?

The Hon. G.M. GUNN: So, the honourable member is quite happy. By his interjection the honourable member indicates that it is right and that that is the way politics should be played. If that is how you want it—

Mr Atkinson: Sam's trip to Nehru was a bit of payola.

The Hon. G.M. GUNN: The honourable member has again imputed improper motives to me. I ask for an unqualified withdrawal and apology of any imputation against my character which the honourable member has now made.

The SPEAKER: It was a direct reflection on the member for Stuart's character and I think that the honourable member should withdraw.

Mr Atkinson: Sir, I withdraw, of course.

The Hon. G.M. GUNN: It is very easy for people. We now know the character of the person who aspires to the position of Attorney-General of the state.

Time expired.

Mr Atkinson interjecting:

The Hon. G.M. GUNN: Make no mistake.

The SPEAKER: Is this a point of order?

The Hon. M.K. BRINDAL: No, it is a matter of privilege. I would ask, sir, that you consider very carefully whether the remarks which were made and which have now been withdrawn by the member for Spence were in fact a reflection on the honourable member here present, or were in fact a reflection on that honourable member in his capacity as Speaker of the House of Assembly; and, if they were, I think it touches on the privileges of this House and I ask you to take the matter on notice.

The SPEAKER: The honourable member did withdraw, but I will examine the *Hansard* report and, if I think it necessary, report back to the House, but only on that last condition—after having examined *Hansard*.

Ms STEVENS (Elizabeth): A week or so ago the leader of the federal Labor Party, the Hon. Kim Beazley, announced Labor's federal health policy in the federal election campaign. I want to bring the attention of the House to some very important aspects of that policy which will make a huge difference to the level of health care in this state and across the country. The policy is underpinned by the Medicare Alliance signed by all Labor leaders in July last year. The linchpin of that agreement is a commitment to 10 years of real growth in hospital funding—a commitment that all members, I am sure, would agree is probably the most significant commitment since the establishment of Medicare.

That funding increase and the policy covers eight key areas, and an extra funding of $545 million was announced to back up the policy. It covered areas including emergency departments, elective surgery, convalescent care for older Australians waiting in hospitals, and the re-equipping of rural and regional hospitals with vital equipment. It was backed up also with $100 million for a dental program to replace the program which was cut in 1996 by the Howard government and which has caused such hardship across the country. It also includes $52 million for a strategy to increase nursing numbers in the workplace.

So far, as part of that package, South Australia has received $15 million towards the money required to implement the stage 2 and stage 3 upgrade of the Queen Elizabeth Hospital. Members may not be aware that, although this government has funded in its forward capital program stage 1 of the Queen Elizabeth Hospital redevelopment, it has not funded the following two stages. Federal Labor has promised $15 million towards that upgrade. It has also committed $8 million to the Royal Adelaide Hospital for two new radiotherapy machines and associated additional staff to run those machines in the fight against cancer. Federal Labor will also institute an inquiry to investigate the level of access and care in hospitals around the country that have been privatised; and this inquiry will, of course, encapsulate Modbury Hospital in this state.

Labor's announcement is very timely if we put it together with very concerning allegations that have been made in recent days in relation to Mayne Nicholas, a very big player in the provision of private health care in this country. Mayne Nicholas also runs the Port Macquarie Public Hospital in New South Wales. This contract was let to Port Macquarie Hospital under the Liberal government that preceded the Carr Labor Government in New South Wales. Very serious allegations have been raised by the AMA about Mayne Nicholas, accusing it of cherry picking profitable patients for its private hospitals and for turning away the elderly and chronically ill. In fact, anyone who watched the *7.30 Report* last night would have seen a very concerning example of that behaviour which occurred at Port Macquarie Public Hospital.

Briefly, we had an example of an elderly woman sent home after suffering a broken arm. She was told that she had to go home. Her condition worsened. When she returned to the hospital she was told that the hospital only wanted patients who could get well. It was a horrifying example of profit before patient care and, I guess, that is something of which we all need to be aware when we try to mix privatising profit-making hospitals with a need to provide decent health care for all people. I was very interested to see that the federal Minister for Health (the Hon. Michael Wooldridge) refused to comment on that situation at Port Macquarie Hospital, but I am certain that that situation, and any other like it, will be uncovered by Labor's inquiry.

Time expired.

Mr SCALZI (Hartley): Today I wish to report some good news to this House with regard to my electorate. Members would be aware that last year an independent review was undertaken of the Hectorville Primary School and the Newton Primary School. I commend Alan Young, the superintendent of the area, as well as the independent review, the community and the teachers who looked into the future of the two schools. It was decided that the schools should merge. That has occurred, and I am pleased to say that the East Torrens Primary School is thriving with a surge in student numbers and improvements in student learning since the successful amalgamation of Newton and Hectorville Primary Schools.

I would like to commend the principal, Frank Mittiga, the teachers, the community and especially the school council, under the chairmanship of Karen Young, who are working hard to ensure that the school community and the area are well served. Members might be aware that $550 000 was allocated to the new East Torrens Primary School to ensure that the amalgamation went well and that the facilities for the school were provided. It was found that the $550 000 was not sufficient as a result of the increase in student numbers at the school and a projected increase in the number of students to 330 by 2005. I therefore met with representatives of the school community and it was put to me that $550 000 was not sufficient.

I met with the minister to represent the community. I am pleased to say that the minister has approved a further $270 000 for the East Torrens Primary School. Members opposite can say that this government is not delivering in the areas of health and education. Well, here is an example of what has been done as a result of a successful merger of two schools. This is a good example of how the community's education needs are serviced in the area. I read from part of a press release made by the minister today, as follows:

Education Minister Malcolm Buckby has provided an extra $270 000 to assist in the amalgamation program for East Torrens Primary School.

Mr Buckby approved the increase to $820 000 to cover a range of work, including a new fire hydrant system and access for disabled students.

'The school community was concerned that the initial $550 000 for the amalgamation would not cover all the work required to bring the school up to a high standard for staff and students,' Mr Buckby says.

He states that they have worked together with the community to ensure that those facilities will be of a very high standard. The works that are to take place include: earthquake bracing, electrical transformer, upgrade of consumer mains, switchboards, fire hydrant system, disabled access ramp; and disabled access to toilets, all costed at $270 000. This will enable the school to put funds towards a gymnasium and a hall, which is very much required, as well. This is important, because since the merger of the two schools students have been lacking those facilities. This has occurred because the two former schools came together and, because of the increase in numbers, there is not a place where they can have assemblies, and so on. I am pleased that the school has been given that opportunity to increase its facilities to the standard that is required.

Time expired.

JOINT COMMITTEE ON IMPACT OF DAIRY DEREGULATION ON THE INDUSTRY IN SOUTH AUSTRALIA

The SPEAKER: Order! I have received a communication from the member for Waite advising me with regret that he must resign from the Joint Committee on Impact of Dairy Deregulation on the Industry in South Australia due to other parliamentary duties.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That Mr Meier be appointed to the joint committee in place of Mr Hamilton-Smith, resigned.

Motion carried.

TRAINING AND SKILLS DEVELOPMENT BILL

The Hon. M.K. BRINDAL (Minister for Employment and Training) obtained leave and introduced a bill for an act to make provision for post-compulsory education, training and skills development; to establish the Training and Skills Commission; to repeal the Vocational Education, Employment and Training Act 1994; and for other purposes. Read a first time.

The Hon. M.K. BRINDAL: 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.

Introduction

A highly skilled workforce is a prerequisite for achieving a prosperous and sustainable economy, and a training and education system that is responsive to the skill development needs of industry and commerce is essential if businesses are to survive and grow.

For this reason, skills development is regarded by governments, employers and employees worldwide as an investment in the future, not a cost.

In the same way, adult community education is seen as an investment in the health of local communities and society at large, by improving the life skills, social engagement and employment prospects of individuals of all ages and circumstances.

It is chiefly through vocational education and training, adult community education and the State's 3 universities and other providers of higher education, that the skills and qualifications valued by employers, prospective investors and the community at large are developed. This Bill aims to support the development of a post secondary training and education sector in South Australia that is forward looking, flexible, responsive to the needs of the community and with a national reputation for high quality.

The name of the Bill reflects these objectives—it is the *Training and Skills Development Bill*. The Bill is about the promotion and development of training and education and also about the development of skills.

The Bill is not, however, just about narrow skills training. Instead, it calls for a larger vision. It is about establishing a learning culture in the State that permeates the workplace and the neighbourhood, where businesses see the advantages of investing in training and where every citizen comes to value and continue in learning wherever, whenever, and in whatever circumstances, the learning occurs.

Training and Skills Commission

The Bill will do this by establishing a new authority to be known as the Training and Skills Commission (the Commission). The Commission will be the primary reference point for the community on matters of policy, planning, funding and quality in vocational education and training, including the apprenticeship and traineeship system, adult community education, and non university higher education.

Specifically, the Bill will bring together in one peak advisory body, responsibilities for—

- planning and funding for vocational education and training and adult community education;

- quality assurance in vocational education and training and higher education, including education offered to post secondary overseas students in Australia;
- advocacy and promotion of training and education; and
- the development of pathways between the 4 sectors of education and training—schools, vocational education and training, adult community education and higher education.

Members of the Commission will be appointed on the basis of their expertise and ability to contribute to the Commission's functions. It is a critical role.

The Bill provides for the establishment of expert reference groups to assist the Commission in the performance of its functions and it enables the Commission to delegate its functions with the Minister's approval. These provisions will enable the Commission to focus on matters of policy and strategic importance while acquitting its more 'operational' responsibilities, for example, in the regulatory area.

Commission's planning role

The Commission will be responsible for preparing an annual plan for vocational education and training that will be the basis for negotiations between the State and the Australian National Training Authority over funding for vocational education and training in the State. More broadly, the Commission will advise the Government on strategies and priorities for increasing the State's skills base so that South Australia is able to capitalise on opportunities for investment and employment growth as they arise. This advice will complement the Government's *Smart Growth Strategy*.

In developing the annual plan and in its other advice to the Government on training needs and strategies, the Commission will consider not only the need for existing skills at the enterprise (or micro) level and the broader industry, regional, and whole of State, levels, but also the need to anticipate the demand for emerging skills that may not be generally apparent.

Commission's advisory role

The Commission will have responsibilities for advising on strategies and priorities for the recognition of skills gained by people outside of Australia who have an important contribution to make to the growth of the State.

The Commission's role in advising on funding will extend beyond the funds provided to the State through the Australian National Training Authority to include other public funds that are directed to vocational training and education and adult community education. The Commission will have a key role in developing a whole-of-government understanding of the scope of publicly funded vocational education and training and adult community education activity in the State and will report on those matters to the Parliament through the Minister.

Commission's role of promotion and advancement of training and education

The development of a learning culture will be a key role of the Commission and the name of the Bill signifies that—it is a Bill for the Training and Skills Development Act. The Commission will provide leadership for business and the community generally on training matters. It will recognise the significant contribution currently made by industry and by individual enterprises to the skilling and up-skilling of the workforce and will encourage still greater involvement and investment.

The Commission will listen. It is required to consult with industry stakeholders, and relevant government and community bodies in the performance of its functions and to consult with the State's universities in matters involving degree courses and qualifications.

The Commission's ability to comprehend and take account of community views and concerns will be increased through the establishment of expert reference groups to assist and advise on particular matters. The Bill provides for the establishment of 2 such reference groups in the first instance. These are to advise the Commission in relation to its functions under Part 3 (Registration and Accreditation) and Part 4 (Contracts of Training) of the Bill and in relation to its functions relating to adult community education.

The Bill builds on the foundation laid by the *Vocational Education, Employment and Training Act 1994* (the current Act) which it will replace. That Act is now 7 years old and there have been a number of significant developments in the training and education arena that call for the Act to be updated. The Bill does that.

Introduction of national standards for registration and accreditation

Chief among those changes is the introduction of new national standards for vocational education and training and higher education in Australia. The new standards aim to improve the quality of training and education in Australia and to implement a nationally consistent approach to the regulation of post secondary training and education. All of the States and Territories are committed to legislating the new standards in 2002 but South Australia will be the first to do so through this Bill.

The Bill will contribute to the development of a national training market in Australia and ensure South Australia's participation in that market. In particular, the Bill will ensure that competencies and qualifications gained by South Australians through training organisations registered under proposed Part 3 will be recognised throughout Australia. It will also reduce red tape for training organisations registered in South Australia that want to compete in the national training market by offering their services in other States and Territories.

The Bill creates greater flexibility in the apprenticeship and traineeship area. It continues to recognise trades and declared vocations that have, for many years, been at the heart of structured employment based training in this country. But the Bill also heeds the call for the expansion of the contract of training system into new industry areas that have not had ready access to that form of training, and accommodates the increased diversity in industrial arrangements under which apprentices and trainees are employed. The Bill embraces these challenges while enhancing the protection available to apprentices, trainees and employers under the current Act.

The Bill will provide protection for consumers of education and training services. It will enable the community to distinguish between training and education that meets national quality standards and training and education that do not. This will be achieved by requiring organisations that would claim to have authority to issue nationally recognised qualifications, or to call themselves universities, to be registered under Part 3, or to be declared to be a university under Part 1. This will protect both the integrity of the national qualifications system, and consumers of education and training services.

Finally, the Bill establishes the Grievances and Disputes Mediation Committee to receive and deal with complaints from consumers of education and training services, and disputes between employers and their apprentices.

Conclusion

In these several ways, it will be clear to Members that the Bill is about the development of a high quality, user focussed, responsive, training and education sector that will equip the State to move forward with confidence into the twenty first century.

I commend the bill to the House.

Explanation of clauses

PART 1: PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause contains definitions of words and phrases used in the measure. In particular, post-compulsory education is defined as education (not being primary or secondary education) directed wholly or primarily at persons who have completed their primary and secondary education or are above the age of compulsory school attendance, and includes adult community education.

Clause 4: Declarations for purposes of Act

The Minister may make a declaration by publishing a notice in the *Government Gazette* declaring—

- an institution to be a university; or
- declaring an occupation to be a trade or a declared vocation,

for the purposes of this measure. The Minister must, when declaring an institution to be a university, apply the *National Protocols for Higher Education Approval Processes* (the National Protocols) relating to quality assurance for the higher education sector in Australia, endorsed by the Ministerial Council on Education, Employment, Training and Youth Affairs in March 2000.

PART 2: ADMINISTRATION

DIVISION 1—STATE TRAINING AGENCY

Clause 5: Minister to be Agency

The Minister is the State Training Agency contemplated by the *Australian National Training Authority Act 1992* of the Commonwealth (the Commonwealth Act).

Clause 6: Functions of Minister as Agency

The functions of the Minister as the State Training Agency relate to providing advice to, and developing plans in conjunction with, the Australian National Training Authority established under the Commonwealth Act (ANTA) in respect of vocational education and training and adult community education needs and the funding implications of those needs and the management of the State's

system of vocational education and training and adult community education.

Clause 7: Delegation by Minister

The Minister may delegate to the Commission, or any other person or body, or to the person for the time being occupying a particular office or position, a function of the Minister as the State Training Agency or any other function or matter that the Minister considers appropriate.

DIVISION 2—TRAINING AND SKILLS COMMISSION

Clause 8: Establishment of Training and Skills Commission

The *Training and Skills Commission* (the Commission) will be established by this measure and will consist of not more than 9 members appointed by the Governor on the nomination of the Minister.

The Commission will include persons who together have the abilities and experience required for the effective performance of the Commission's functions, of whom at least 2 will be nominated, after consultation with State employer associations, to represent the interests of employers and at least 2 will be nominated, after consultation with the United Trades and Labor Council, to represent the interests of employees.

Clause 9: Commission's functions

The Commission's general functions will be—

1. to assist, advise and make recommendations to the Minister on the Minister's functions as the State Training Agency and other matters relating to the development, funding, quality and performance of post-compulsory education, training and skills development; and
2. to regulate vocational education and training and higher education.

The Commission's functions will include—

- promoting and encouraging the development of, investment, equity and participation in, and access to, vocational education and training and adult community education; and
- advising and making recommendations to the Minister about various matters under the measure; and
- registering training organisations and accrediting courses under Part 3; and
- performing the functions assigned to the Commission under Part 4; and
- monitoring vocational education and training and adult community education in the State; and
- reporting annually to the Minister on vocational education and training and adult community education in this State, including the expenditure of public money in these areas; and
- developing guidelines required for the purposes of the measure; and
- promoting pathways between the secondary school, vocational education and training, adult and community education and university sectors; and
- entering into reciprocal arrangements with appropriate bodies with respect to the recognition of education and training; and
- monitoring, and making recommendations to the Minister on, the administration and operation of this measure; and
- performing any other function assigned to the Commission by the Minister or by or under this measure or any other Act.

The Commission must, when carrying out its function of registering training organisations and accrediting courses under Part 3, have regard to the standards for State and Territory registering/course accrediting bodies (*see clause 3*).

For the purpose, or in the course, of performing its functions, the Commission may establish committees (which may but need not consist of members of the Commission).

Clause 10: Ministerial control

Except in relation to the formulation of advice and reports to the Minister, the Commission is, in the performance of its functions, subject to control and direction by the Minister.

Clause 11: Conditions of membership

A member of the Commission will be appointed for a term of up to 2 years and on conditions specified in the instrument of appointment, and will, at the expiration of a term, be eligible for reappointment.

Clause 12: Commission's proceedings

This clause sets out the proceedings for meetings of the Commission.

Clause 13: Disclosure of interest

It is an offence if a member of the Commission who has a direct or indirect pecuniary interest in a matter under consideration by the Commission does not disclose the nature of the interest to the Commission and takes part in any deliberations or decision of the Commission in relation to that matter, the penalty for which is $10 000 or imprisonment for 2 years.

It is a defence to a charge of such an offence to prove that the defendant was not, at the time of the alleged offence, aware of his or her interest in the matter.

Clause 14: Validity of acts

An act or proceeding of the Commission or a committee of the Commission is not invalid by reason only of a vacancy in its membership.

Clause 15: Immunity

A member of the Commission or a committee of the Commission incurs no liability for anything done honestly in the performance or exercise, or purported performance or exercise, of functions or powers under this measure. A liability that would, but for this clause, attach to a member attaches instead to the Crown.

Clause 16: Minister to provide facilities, staff, etc.

The Minister must provide the Commission with facilities and assistance by staff and consultants as reasonably required for the proper performance of the Commission's functions.

Clause 17: Report

The Commission must, on or before 31 March in each year, present to the Minister a report on its operations for the preceding calendar year and the Minister must, within 6 sitting days after receipt of the report, cause copies of it to be laid before each House of Parliament.

DIVISION 3—REFERENCE GROUPS

Clause 18: Establishment of reference groups

The Minister must establish—

- a reference group to advise the Commission in relation to the performance of the functions assigned to the Commission under Parts 3 and 4; and
- a reference group to advise the Commission in relation to the performance of its functions relating to adult community education.

The Minister may establish other reference groups as the Minister considers necessary to advise the Commission in relation to the carrying out of its functions or particular matters relating to its functions.

DIVISION 4—GRIEVANCES AND DISPUTES MEDIATION COMMITTEE

Clause 19: Establishment of Grievances and Disputes Mediation Committee

The *Grievances and Disputes Mediation Committee* will be established as a committee of the Commission with the functions assigned to the Committee under Parts 3 and 4.

The Commission must appoint a member of the Commission with appropriate expertise in mediation to chair proceedings of the Committee and the Committee will be constituted of the member appointed to chair proceedings and at least 2 but not more than 4 other persons selected in accordance with Schedule 1.

The Committee is not subject to control or direction by the Commission and, subject to proposed subsection (7), the Commission has no power to overrule or otherwise interfere with a decision or order of the Committee under Part 4.

Proposed subsection (7) provides that if the Commission, acting at the direction of the Minister, requests the Committee to review a decision or order of the Committee under Part 4, the Committee must review the decision or order and may, on the review—

- confirm, vary or revoke the decision or order subject to the review; or
- make any other decision or order in substitution for the decision or order.

The Committee may, at any one time, be separately constituted in accordance with this clause and Schedule 1 for the performance of its functions in relation to a number of separate matters.

PART 3: REGISTRATION AND ACCREDITATION

Clause 20: Application for registration

The Commission may, on application or of its own motion, register a person as a training organisation—

- to deliver education and training and provide assessment services, and issue qualifications and statements of attainment under the policy framework that defines all qualifications recognised nationally in post-compulsory education and training within Australia entitled *Australian Qualifications Framework* (the AQF), in relation to higher education or vocational education and training, or both; or
- to provide assessment services, and issue qualifications and statements of attainment under the AQF, in relation to higher education or vocational education and training, or both.

The Commission may, on application or of its own motion, register a person as a training organisation for the delivery of education and training to overseas students.

An application for registration or renewal of registration must be made to the Commission in the manner and form approved by the Commission and be accompanied by the fee fixed by regulation.

An applicant must provide the Commission with any information required by the Commission for the purposes of determining the application.

Clause 21: Determination of applications for registration and conditions

The Commission must, in determining an application for registration or renewal of registration, apply—

- the standards for registered training organisations; and
- any applicable guidelines developed by the Commission and approved by the Minister.

The standards for registered training organisations are—

- in relation to a training organisation for higher education—the criteria for registration of training organisations under the National Protocols;
- in relation to a training organisation for vocational education and training—the standards for registration of training organisations under the policy framework entitled *Australian Quality Training Framework* (the AQTF);
- in relation to a training organisation for education services for overseas students—the standards determined from time to time by the Minister.

Registration of a training organisation is subject to—

- the condition that the organisation will comply with the standards for registered training organisations; and
- if guidelines have been developed by the Commission and approved by the Minister—the condition that the organisation will comply with the guidelines; and
- the conditions determined by the Commission as to what is authorised by the registration (the scope of the registration); and
- any other conditions determined by the Commission.

Without limiting the grounds on which the Commission may refuse an application, the Commission may refuse an application for registration or renewal of registration of a training organisation if the organisation, or an associate of the organisation, has previously been registered, either in this State or in some other State or Territory, and had its registration cancelled or suspended for non-compliance with the requirements under this measure, a previous enactment, or legislation relating to vocational education and training of the State or Territory where the organisation was registered.

Clause 22: Application for accreditation

The Commission may, on application or of its own motion, accredit a course or proposed course, or renew the accreditation of a course, as a course in higher education or vocational education and training.

An application for accreditation must be made to the Commission in the manner and form approved by the Commission and be accompanied by the fee fixed by regulation.

An applicant must provide the Commission with any information required by the Commission for the purposes of determining the application.

A course of vocational education and training that is accredited in some other State or Territory is not required also to be accredited as a course of vocational education and training in this State.

Clause 23: Determination of applications for accreditation

The Commission must, in determining an application for accreditation or renewal of accreditation, apply—

- the standards for accreditation of courses; and
- any applicable guidelines developed by the Commission and approved by the Minister.

The standards for accreditation of courses are—

- in relation to higher education—the criteria for accreditation of courses under the National Protocols;
- in relation to vocational education and training—the standards for accreditation of courses under the AQTF;
- in relation to education services for overseas students—the standards determined from time to time by the Minister.

Accreditation of a course is subject to—

- the condition that the course will comply with the standards for accreditation of courses; and
- if guidelines have been developed by the Commission and approved by the Minister—the condition that the course will comply with the guidelines; and
- any other conditions determined by the Commission.

The Commission must consult with the State universities before determining an application for accreditation of a course in relation to which a degree is to be conferred.

Clause 24: Duration and renewal

Subject to this measure, registration or accreditation is for a maximum period of 5 years and may be renewed by the Commission, on application or of its own motion, for further maximum periods of 5 years.

Clause 25: Grievances may be referred to Committee

A person with a grievance relating to—

- the delivery of education and training, provision of assessment services, or issue of qualifications and statements of attainment under the AQF, in relation to higher education or vocational education and training; or
- the provision of education and training to overseas students,

by a registered training organisation, may refer the grievance to the Grievances and Disputes Mediation Committee for consideration.

The person and the registered training organisation must provide the Committee with such information as the Committee may reasonably require.

The Committee must inquire into a matter referred to it under this clause and may, if it thinks fit, make a recommendation to the Commission about what action (if any) the Commission should take as a result of the inquiry.

Clause 26: Review

The Commission—

- may, at any time; and
- must, at the request of the Grievances and Disputes Mediation Committee,

review the accreditation of a course or the registration of a training organisation.

The Commission may review the operation in this State of—

- a training organisation registered in some other State or Territory; or
- a course accredited in some other State or Territory,

after consultation with the registering body, or course accrediting body, of the State or Territory in which the training organisation is registered, or the course accredited (as the case requires).

For the purposes of such a review, the holder of the registration or accreditation must provide the Commission with such information as the Commission may reasonably require.

Clause 27: Cancellation, suspension, etc.

The Commission may, on contravention of or failure to comply with this measure or a condition of the registration or accreditation—

- impose or vary a condition of the registration or accreditation; or
- cancel or suspend registration or accreditation.

The imposition or variation of a condition, or cancellation or suspension, of registration or accreditation must be imposed by written notice to the holder of the registration or accreditation and may have effect at a future time or for a period specified in the notice.

The Commission must not cancel or suspend registration or accreditation unless the Commission first—

- gives the holder of the registration or accreditation 28 days written notice of its intention to do so; and
- takes into account any representations made by the holder within that period; and
- notifies the registering body and the course accrediting body in each State and Territory of the intention to do so.

Clause 28: Cancellation of qualification or statement of attainment

The Commission may cancel a qualification or statement of attainment issued by a registered training organisation (the issuing registered training organisation) if the Commission is satisfied that the qualification or statement of attainment was issued by mistake or on the basis of false or misleading information.

Cancellation must be imposed by written notice to the holder of the qualification or statement of attainment and the issuing registered training organisation.

The Commission must not cancel a qualification or statement of attainment unless the Commission first—

- gives the holder of the qualification or statement of attainment and the issuing registered training organisation 28 days written notice of its intention to do so; and
- takes into account any representations made within that period by the holder of the qualification or statement of attainment and the issuing registered training organisation.

Clause 29: Appeal to District Court

An appeal to the Administrative and Disciplinary Division of the District Court (the Court) may be made (by a person within 1 month of the making of the decision appealed against) against a decision of the Commission—

- refusing an application for the grant or renewal of registration or accreditation; or
- imposing or varying conditions of registration or accreditation; or
- suspending or cancelling registration or accreditation; or
- cancelling a qualification or statement of attainment.

Clause 30: Offences relating to registration

A person must not claim or purport to be a registered training organisation in relation to higher education unless registered as a training organisation under Part 3.

A person must not issue, or claim or purport to issue, qualifications or statements of attainment under the AQF in relation to a course in higher education unless

- the person is a State university; or
- the person is registered as a training organisation under Part 3 and is operating within the scope of the registration of the organisation.

Subject to subclause (4), a person must not—

- claim or purport to be a registered training organisation in relation to vocational education and training unless registered as a training organisation under Part 3; or
- issue, or claim or purport to issue, qualifications or statements of attainment under the AQF in relation to a course in vocational education and training unless the person is registered as a training organisation under Part 3 and is operating within the scope of the registration of the organisation.

A training organisation that is registered in relation to vocational education and training in some other State or Territory is not required to be registered under this Part in relation to vocational education and training unless it operates in this State outside of the scope of its registration.

The penalty for an offence against this clause is a fine of $2 500.

Clause 31: Offences relating to universities, degrees, etc.

A person must not claim or purport to be a university unless the person is a State university, an institution declared to be a university under clause 4, an institution or institution of a class prescribed by regulation or the person has been exempted from the operation of this subclause by the Minister.

A person must not offer or provide a course of education and training in relation to which a degree is to be conferred unless the person is registered as a training organisation, and the course is accredited as a degree course, under Part 3.

A person must not offer or confer a degree unless the person is registered as a training organisation under Part 3 and the degree is in relation to successful completion of a degree course accredited under Part 3.

The penalty for an offence against any of the provisions of this clause is a fine of $2 500.

Subclauses (3) and (4) do not apply to—

- a State university; or
- an institution declared to be a university under clause 4 that is authorised by the Commission to provide such a course or confer such a degree; or
- an institution or institution of a class prescribed by regulation.

PART 4: CONTRACTS OF TRAINING

Clause 32: Interpretation

This clause contains definitions for the purposes of Part 4 and for certain notices in the *Gazette*.

Clause 33: Training under contracts of training

An employer must not undertake to train a person in a trade except under a contract of training (maximum penalty: $2 500). However, that does not apply in relation to the further training or re-training of a person who has already completed the training required under a contract of training, or who has an equivalent qualification.

An employer may undertake to train a person in any other occupation under a contract of training.

An employer must not enter into a contract of training unless the employer is an approved employer (*see clause 35*) or the contract is subject to the employer becoming an approved employer. (Maximum penalty: $2 500.)

A contract of training—

- must be in the form of the approved contract (*see clause 32(2)*); and
- must provide for the employment of the apprentice/trainee under an award or industrial agreement specified in the contract; and
- must specify the probationary period for the contract; and
- is subject to the obligations specified in the approved contract; and
- must require the apprentice/trainee to be trained and assessed in accordance with a training plan to be agreed between the employer, the apprentice/trainee and a registered training organisation chosen jointly by the employer and the apprentice/trainee; and
- is subject to the obligations specified in the approved contract; and
- is subject—
  - (1) in the case of a contract in respect of a trade or declared vocation—to the conditions stated by the Commission for the trade or declared vocation;
  - (2) in any other case—to the conditions specified in the contract that have been agreed between the employer and the apprentice/trainee after consultation with the relevant registered training organisation.

An employer under a contract of training must comply with the employer's obligations specified in the contract (maximum penalty: $2 500).

An apprentice/trainee under a contract of training must comply with the apprentice's/trainee's obligations specified in the contract.

An employer must permit an apprentice/trainee employed under a contract of training to carry out his or her obligations under the contract (maximum penalty: $2 500).

No person is disqualified from entering into a contract of training by reason of his or her age.

Clause 34: Minister may enter contracts of training

The Minister may enter into a contract of training, assuming the rights and obligations of an employer under the contract, but only on a temporary basis or where it is not reasonably practicable for some other employer to enter into the contract of training.

Clause 35: Approval of employers in relation to employment of apprentices/trainees

The Commission may, on application or of its own motion, grant approval of an employer as an employer who may undertake the training of an apprentice/trainee under a contract of training.

An approval—

- may be granted to an employer in relation to the employment of a particular apprentice/trainee or apprentices/trainees generally; and
- may be subject to conditions determined by the Commission.

The Commission may, by notice served on an employer, withdraw an approval if—

- there has been a contravention of, or failure to comply with, a condition of the Commission's approval; or
- the circumstances are such that it is, in the Commission's opinion, no longer appropriate that the employer be so approved.

Clause 36: Conditions for contracts of training—trades and declared vocations

The Commission may, by notice in the *Gazette*, state the conditions that must be included in a contract of training for a specified trade or declared vocation, including—

- the term of the contract; and
- the qualifications available for a person in the trade or declared vocation; and
- any other condition considered necessary by the Commission.

Clause 37: Registration of contracts of training

An employer must, within 4 weeks after the employment of a person under a contract of training, apply to the Commission for registration of the contract (maximum penalty: $2 500).

The employer must provide the Commission with any information required by the Commission for the purposes of determining an application for registration of a contract of training.

The Commission may decline to register a contract of training if—

- the contract is not in the form of an approved contract; or
- the employer is not an approved employer; or
- the contract is not accompanied by the training plan for the contract; or
- the employer will be unable, in the opinion of the Commission, to fulfil the employer's obligations under the contract; or
- a term of the contract is, in the opinion of the Commission, prejudicial to the interests of the employer or the apprentice/trainee; or

· for any other proper reason, the Commission is of the opinion that the contract should not be registered.

The Commission must notify the employer and apprentice/trainee in writing of the date of registration of the contract of training.

Clause 38: Alteration of training under contract of training to part-time or full-time

The Commission may, on the application of all parties to a contract of training, alter a contract of training so that it provides for part-time training instead of full-time training, or full-time training instead of part-time training, if to do so is consistent with the award or industrial agreement under which the apprentice/trainee is employed.

Clause 39: Termination of contract of training

A contract of training may not be terminated or suspended without the approval of the Commission. However, a party to a contract of training may, after the commencement of the term of the contract and within the probationary period specified in the contract, terminate the contract by written notice to the other party or parties to the contract.

If a contract of training is terminated during the probationary period, the employer under the contract must, within 7 days of the termination, notify the Commission in writing of the termination (maximum penalty: $2 500).

Clause 40: Transfer of contract of training to new employer

A change in the ownership of a business does not result in the termination of a contract of training entered into by the former owner but, where a change of ownership occurs, the rights, obligations and liabilities of the former owner under the contract are transferred to the new owner. If a contract of training is transferred or assigned from one employer to another, the employer to whom the contract is transferred or assigned must, within 7 days of the transfer or assignment, notify the Commission, in writing, of the transfer or assignment (maximum penalty: $2 500).

Clause 41: Termination/expiry of contract of training and pre-existing employment

If a contract of training is entered into between an employer and a person who is already in the employment of the employer, the termination, or expiry of the term, of the contract of training does not of itself terminate the person's employment with the employer.

Clause 42: Issuing statements of competency

The Commission may, for the purposes of Part 4, assess by such means as the Commission thinks fit the competency of persons in relation to a trade or declared vocation and, in appropriate cases, grant, or arrange for or approve the granting of, statements certifying that competency.

Clause 43: Disputes and discipline

If a dispute arises between parties to a contract of training, or a party to a contract of training is aggrieved by the conduct of another party, a party to the contract may refer the matter to the Grievances and Disputes Mediation Committee.

If the Commission suspects on reasonable grounds that a party to a contract of training has breached, or failed to comply with, a provision of the contract or this Act, it may refer the matter to the Grievances and Disputes Mediation Committee.

The Grievances and Disputes Mediation Committee must inquire into a matter referred to it under this clause and may, if it thinks fit, by order, exercise one or more of the following powers:

· it may refer the matter for consideration by some other body that is, in the opinion of the Committee, more appropriate to deal with the matter;
· it may make recommendations about various matters to the Commission;
· it may reprimand a party in default;
· it may suspend a person from his or her employment under a contract of training for a period not exceeding 4 weeks commencing on a date specified in the order;
· it may confirm or revoke a suspension imposed under this clause and, in the event of revocation, order the employer to pay any wages that would, but for the suspension, have been payable under the contract;
· it may extend or reduce the term of a contract of training;
· it may cancel a contract of training as at the date specified in the order;
· it may order a party to the contract to pay wages or take other action that, in the opinion of the Committee, he or she is required to pay or take under the contract or under Part 4;
· it may excuse a party to the contract from performing one or more of his or her obligations under the contract;
· it may order that, for the purpose of computing the period of training that has been served by an apprentice/trainee, a specified period or periods be excluded;
· it may withdraw the approval granted by the Commission to an approved employer under Part 4; or
· it may order an employer not to employ any apprentices/trainees in addition to those named in the order without the approval of the Committee;
· it may make any consequential orders that the Committee thinks necessary or expedient.

The withdrawal of approval of an employer by the Grievances and Disputes Mediation Committee may relate to a particular apprentice/trainee or to all apprentices/trainees employed by the employer.

If the Grievances and Disputes Mediation Committee orders one party to a contract of training to pay a sum of money to another party to the contract, that sum may be recovered by the other party as a debt.

If an employer has reasonable grounds to believe that an apprentice/trainee employed by the employer under a contract of training is guilty of wilful and serious misconduct, the employer may (without first obtaining the approval of the Commission) suspend the apprentice/trainee from employment under the contract and must, in that event—

· immediately refer the matter to the Grievances and Disputes Mediation Committee; and
· within 3 days of the suspension—confirm the reference in writing.

(Maximum penalty: $2 500.)

A suspension under this clause must, unless confirmed by the Grievances and Disputes Mediation Committee, not operate for more than 7 working days.

Notice must be given by the Grievances and Disputes Mediation Committee to the Commission of the termination of a contract of training under this clause.

The Grievances and Disputes Mediation Committee may consult with industry training advisory bodies before exercising its powers under this section and may, at any time, vary or revoke an order made by it.

It is an offence for a person to contravene, or fail to comply with, an order of the Grievances and Disputes Mediation Committee under this clause, the penalty for which is $2 500.

Clause 44: Relation to other Acts and awards, etc.

This measure prevails to the extent of any inconsistency over the *Industrial and Employee Relations Act 1994* and any regulation, award or other determination, enterprise agreement or industrial agreement made under that Act or an Act repealed by that Act.

Despite subclause (1), a provision of an award or other determination, enterprise agreement or industrial agreement made under the *Industrial and Employee Relations Act 1994* or an Act repealed by that Act requiring employers to employ apprentices/trainees under contracts of training in preference to junior employees remains in full force.

Clause 45: Making and retention of records

An employer who employs a person under a contract of training must keep records as required by the Commission by notice in the *Gazette* (maximum penalty: $2 500).

An employer must retain a record kept under subclause (1) for at least 2 years after the expiry or termination of the contract of training to which the record relates (maximum penalty: $2 500).

PART 5: MISCELLANEOUS

Clause 46: Register

The Commission must maintain a public register containing the following information:

· the training organisations registered under Part 3 and the scope of the registration of the organisations;
· the courses accredited under Part 3;
· the institutions declared to be universities under clause 4;
· the State universities;
· the occupations declared by the Minister to be trades or declared vocations;
· the qualifications under the AQF in respect of which the Commission will not register a contract of training under Part 4;
· any other information (other than commercially sensitive information) the Commission considers appropriate to the public register.

The public register—

· may be kept in the form of a computer record; and

- is to be available for inspection, without fee, during ordinary office hours at a public office, or public offices, determined by the Commission.

The Commission must ensure that copies of material on the public register can be purchased for a reasonable fee at the public office, or public offices, at which the register is kept available for inspection.

The Commission may determine that the public register can be inspected at a website determined by the Commission.

Clause 47: Provision of information to other State and Territory registering/course accrediting bodies

The Commission may, from time to time, provide a registering body and the course accrediting body in a State or Territory with a copy of the whole, or a part, of the register maintained by the Commission under this Part.

The Commission may provide the registering body and the course accrediting body of each State and Territory with any information about a training organisation obtained by the Commission in the course of carrying out its functions under this measure.

The provision of information under this clause may be subject to such conditions as the Commission thinks fit.

Clause 48: Powers of entry and inspection

For the purposes of Part 3 or 4, a member of the Commission, or a person authorised by the Commission to exercise the powers conferred by this section, may—

- enter at any reasonable time any place or premises in which education and training is provided; and
- inspect the place or premises or anything in the place or premises; and
- question any person involved in education and training; and
- require the production of any record or document required to be kept by or under this measure and inspect, examine or copy it.

A person exercising a power under this section must—

- carry an identity card in a form approved by the Commission; and
- produce the identity card at the request of a person in relation to whom the power is being exercised.

It is an offence for a person to hinder or obstruct a person in the exercise of a power conferred by this clause, refuse or fail to answer a question put under this clause or, without lawful excuse, fail to comply with a requirement made under this clause for which there is a penalty of $2 500.

A person is not obliged to answer a question under this section if the answer would tend to incriminate the person or make the person liable to a penalty.

Clause 49: False or misleading information

A person who makes a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under this measure is guilty of an offence and liable to a penalty of $2 500.

Clause 50: Evidentiary provision relating to registration

In proceedings for an offence against Part 3, an allegation in the complaint that—

- a training organisation was or was not at a specified time registered; or
- the registration of a training organisation was at a specified time subject to specified conditions; or
- a registered training organisation was at a specified time acting outside the scope of the registration of the organisation,

will be accepted as proved in the absence of proof to the contrary.

Clause 51: Gazette notices may be varied or revoked

A notice published in the *Gazette* by the Commission under this measure may be varied or revoked by the Commission by subsequent notice in the *Gazette*.

Clause 52: Service

A notice or other document required or authorised to be given to or served on a person under this measure may be given or served personally or by post.

Clause 53: Regulations

The Governor may make such regulations as are contemplated by, or necessary or expedient for the purposes of, this measure.

SCHEDULE 1: Grievances and Disputes Mediation Committee

This Schedule provides for the constitution of the Grievances and Disputes Mediation Committee for the purposes of Part 3 or 4 of the measure.

SCHEDULE 2: Repeal and Transitional Provisions

This Schedule provides for the repeal of the *Vocational Education, Employment and Training Act 1994* and for various transitional matters consequent on the repeal of that Act and the passage of this measure.

Mrs GERAGHTY secured the adjournment of the debate.

GOVERNMENT ADVERTISING (OBJECTIVITY, FAIRNESS AND ACCOUNTABILITY) BILL

The Hon. M.K. BRINDAL (Minister for Water Resources): I lay on the table a ministerial statement made by the Hon. K.T. Griffin MLC, Attorney-General, in another place.

STATUTES AMENDMENT (STALKING) BILL

Adjourned debate on second reading.

(Continued from 4 October. Page 2414.)

Mr ATKINSON (Spence): In 1994, the parliament passed a law against stalking, and we made it section 19AA of the Criminal Law Consolidation Act. To refresh members' memories, that provision states:

(1) A person stalks another if—

(a) on at least two separate occasions, the person—

(i) follows the other person; or

(ii) loiters outside the place of residence of the other person or some other place frequented by the other person; or

(iii) enters or interferes with property in the possession of the other person; or

(iv) gives offensive material to the other person, or leaves offensive material where it will be found by, given to or brought to the attention of, the other person; or

(v) keeps the other person under surveillance; or

(vi) acts in any other way that could reasonably be expected to arouse the other person's apprehension or fear; and

(b) the person—

(i) intends to cause serious physical or mental harm to the other person or a third person; or

(ii) intends to cause serious apprehension or fear.

The House should note that the South Australian requirement is quite strict in that it requires two separate occasions of stalking, as well as an intention to cause serious physical or mental harm, or a serious apprehension of fear. Other states followed, and their requirements are not quite as strict as those in South Australia.

This bill proposes the addition or incorporation into the stalking offence of the notion of cyberstalking, namely, using information technology to stalk a person. The government says that this will include sending emails, contacting a person through chat rooms, posting notices on the internet, and directing the other person to offensive or threatening web sites in such a way that it might cause physical or mental harm to the victim or cause the victim to feel serious apprehension or fear.

These changes are not just to the Criminal Law Consolidation Act but to the Domestic Violence Act and the Summary Procedure Act so that cyberstalking could be grounds for a restraining order. The opposition supports these changes. We were cautious in 1994 when the stalking offence came in because, of course, it could have been used as a very serious restriction on people's liberties. It is an offence that the police, or a maliciously disposed person, could use against an otherwise blameless individual, but I think the seven years' experience we have had with the stalking offence would indicate that it has not been misused and therefore the opposition will go along with the addition of the

cyberstalking offence. The cyberstalking offence is as follows:

> That a person commits an offence if he or she
> (iva) publishes or transmits offensive material by means of the internet or some other form of electronic communication in such a way that the offensive material will be found by, or brought to the attention of, the other person; or
> (ivb) communicates with the other person, or to others about the other person, by way of mail, telephone. . . facsimile transmission or the internet or some other form of electronic communication in a manner that could reasonably be expected to arouse apprehension or fear in the other person.

To go back to an interjection the minister made earlier, the opposition's anxiety in 1994 was about the misuse of the criminal offence—

The Hon. M.K. Brindal interjecting:

Mr ATKINSON: I am not sure that the government did say that it would be misused. Actually responsible people in the government shared the opposition's concern. If there has been a difficulty with the 1994 innovation, it is probably in the area of restraining orders. I think there are problems with vexatious applications for restraining orders, which are heard ex parte; that is, without the alleged offender present. Serious allegations can be made under absolute privilege by applying for an apprehended violence order, but we have not found a better way of dealing with those orders, and some of them are discharged because they are frivolous and vexatious, but I do not think there is any—

The Hon. M.K. Brindal interjecting:

Mr ATKINSON: No, it is part of this. Again, I know it is the first day of parliament that the minister has had responsibility for the Attorney-General's portfolio, but he should know that indeed the question of restraining orders is part of the bill, because we are amending not just the Criminal Law Consolidation Act but clause 5 of the Domestic Violence Act and clause 6 of the Summary Procedure Act. I think the minister now stands corrected by both me and his adviser.

Just recently the Office of Crime Statistics published a useful paper called 'Stalking in South Australia: The Criminal Justice Response'. I will mention some of the things contained in that paper to the House, because I think they are useful in understanding the bill and the parent section of the Criminal Law Consolidation Act. The author, Jane Marshall, points out that the range of behaviours which constitute stalking must occur twice in South Australia and there must be an intention to cause harm, which, of course, is difficult for the police to prove. The maximum penalty for stalking is three years imprisonment.

It is the police policy in South Australia to caution or warn offenders the first time they come to police attention. This is the principal way of dealing with stalking in South Australia. The author suspects that there is a very low reporting rate for stalking offences, and states:

> Community surveys indicate that reporting rates for personal crime are generally low, particularly when compared with rates for property crime.

In the latest crime and safety survey conducted in South Australia in October 2000, only 27 per cent of assault victims and 55 per cent of robbery victims reported the offence. That is interesting, because under this Attorney-General we have all time high rates for crime in most categories in South Australia.

The author of the paper says that between 1 January 1995 and 31 December 1999, 1 267 police incident reports were completed involving at least one stalking offence. There were 12 reports that included two stalking offences, and three that recorded three, six and seven stalking offences respectively. The majority—87 per cent of the stalking offences recorded—had a female victim, and of those offences where there was a female victim 43.7 per cent involved an ex-partner.

Just under half of all the stalking offences were cleared, according to the police definition of cleared. The principal way of clearing the offence was by a caution. There were 452 cautions but only 73 arrests. Of the remaining offences, 41.7 per cent were not cleared. It seems to me that that is a sensible way for the police to proceed. Not all stalking justifies an arrest or court action, and I would think that cautioning by the police would be quite sufficient to stop the offensive conduct in the great majority of cases.

There were 69 finalised court cases involving at least one charge of stalking in the reporting period, but it is interesting to note that, in the majority of those cases, that is 46 cases (being two thirds of the cases), the defendant was found not guilty of any offence, and there was a finding of guilt in only 21 cases. I refer again to the report which states:

> Of these 21 cases—

that is, if I may interpolate, where there was a finding of guilty—

> 13 involved a finding of guilt for at least one stalking charge, while in the remaining eight cases the defendant was found guilty of a non-stalking charge. In summary then, of the 69 cases, only 13 resulted in a guilty outcome for the charge of stalking.

The Hon. M.K. Brindal interjecting:

Mr ATKINSON: As the minister interjects, yes, it is difficult to prove both the two occasions of stalking, but the greater difficulty is proving an intention to cause serious physical or mental harm. The accused, of course, will plead that the intention, the behaviour, was innocent and with no ill-intention. The author of the report goes on to write:

> The low number of convictions is possibly the result of the practice of withdrawing a case in favour of issuing a restraining order against the defendant. In fact, stalking charges were withdrawn by the prosecution in 43 of the 46 cases where the defendant was found not guilty of any offence.

She goes on to say:

> A restraining order is also more likely to be obtained than a guilty verdict because a charge for stalking must be proved beyond reasonable doubt—

I hope the minister is paying attention to what I am saying in light of his earlier interjection that restraining orders were not relevant to the bill—

> whereas an application for a restraining order is dealt with on the balance of probability.

She states further:

> Even if a defendant is found guilty, the likelihood of imprisonment is low. While some guilty defendants will receive a suspended sentence, there is a defined end date to that penalty in contrast to the continuous coverage of a restraining order.

This report, which is issued by the Office of Crime Statistics, is a most valuable document. I was interested in what the outcomes have been over the past seven years since the passing of this innovative defence in 1994. The opposition supports the extension of the offence to cyberstalking.

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank the opposition and other members of this House who have not spoken—by their silence I presume that they intend to support the bill. I acknowledge what the shadow attorney-general has said. To correct my earlier

interjection, what I meant to say was perhaps that they were not wrong but that it was worth going through with the experiment and that, thus far, that experiment has worked, although the shadow attorney points out that it will always be a difficult area of law. I thank the opposition, and the shadow attorney for his constructive comments, and I look forward to the committee stage of the bill.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT DEBATE

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That the House do now adjourn.

Mr HILL (Kaurna): I want to raise a number of environmental issues today in the 10 minutes that I have had thrust upon me, grateful though I am for that. The former Minister for the Environment, the member for Heysen, in his contribution today during private members' time, moved a vote of confidence in, or a motion of praise for, the federal Minister for the Environment, Senator Robert Hill, and said what a great chap he is and how he is the best environment minister that this country has ever seen. I was a bit disappointed that the member for Heysen was not even-handed in his commentary about Senator Hill. He did not mention his refusal to sign off on the Kyoto Agreement or his refusal to have anything to do with the reduction of greenhouse gases. However, I will not be churlish today.

I also note that yesterday the Minister for Water Resources said in answer to a question that he and Senator Hill were as one when it came to water resources.

An honourable member: Peas in a pod.

Mr HILL: Peas in a pod; they were brothers. Given the bad blood between those two on other issues, this is perhaps one time when water is thicker than blood.

Members interjecting:

Mr HILL: I thought you might like that. Today, I want to refer to Senator Hill's failure to handle the recent NHT applications for South Australia. I have been advised—

Mr Scalzi: Hill on Hill.

Mr HILL: That's right—that Natural Heritage Trust applications for South Australia go through a community assessment process and then go on to state ministers, particularly those ministers responsible for primary industries, environment and heritage and water resources, and then they go off to the commonwealth. I understand that the word from the commonwealth, after lots of hassling about the announcements of which grants had been funded for South Australia, was that Senator Hill was to make a big announcement on 1 September—I guess as part of the election campaign—about the groups and programs that will be funded.

These programs are for 12 months. Advice needs to be given because the programs have to be completed by September 2002. We are already near the end of October—and that is the nominated end of Natural Heritage Trust Mark I. No-one seems to know what happened. Apparently Senator Hill, while he was in South Australia, forgot to make the announcement. He did not tell the media who was to get the NHT funds. Meanwhile, his office in Canberra thought that he had made the announcement, so they sent out congratulatory letters to the Bushcare funded projects on 2 October, the day after he was supposed to have made the announcement.

Senator Hill made a mistake in not making the announcement and his office made a further mistake in sending out the congratulatory letters. Those mistakes were compounded because, when they found out that he had forgotten, his office was instructed to ring everyone to whom letters were sent and tell them not to open those letters. As the person who passed this information on to me said: 'Doesn't this make you worry about the current management of this country?'

So, formally, to date, the South Australian community, local government and government people who have applied for 2001-02 Natural Heritage Trust funding have not heard a thing and we do not know when Senator Hill will correct this. Maybe when he passes through South Australia on one of his infrequent visits to this state he might be good enough to let people know how NHT funding is to be applied in South Australia. This is this competent minister, the best minister for the environment, according to the member for Heysen. Apparently, the NHT secretariat in South Australia, as I have been told, is going crazy with telephone calls from people who are trying to find out whether or not their projects have been funded.

Mrs Geraghty interjecting:

Mr HILL: I am not sure. Obviously, some did open their letters. The word is that other states, except Western Australia, have had the NHT announcement made. I understand that South Australia has asked for $22 926 603 for the 2001-02 year. So, it is not a small sum of money. We are talking about almost $23 million, which is for funding most of South Australia's natural resource management. When the NHT secretariat here rang Canberra, they got this response:

Officially, the minister's office knows nothing about a big announcement.

The whole thing is a complete an absolute shambles; $23 million worth of projects has been held up because this great minister for the environment forgot to make an announcement when he was in South Australia. Then his office sent out letters that congratulated people, and then the office rang those people and said, 'Don't open your letters.' I hope that the Minister for Water Resources, who is in the chamber, can talk to his friend Senator Hill and see whether he can sort out this disaster.

Mr Scalzi interjecting:

Mr HILL: I'm glad that he lives here. That's good. The other issue that I wanted to relate to the House concerns the current government's marine protection strategy. Members may recall that in 1999 then Premier Olsen made a commitment in what was called the 'Marine and Estuarine Strategy—Our Coasts and Seas' that a system of marine protected areas would be in place by 2003, and that included areas that would be no-take areas. It was controversial, difficult to get through and opposed by some elements of the fishing industry. Nonetheless, the commitment was made, and that matched the commitment that was made by the Labor Party prior to the last election. I understand that the strategy about the MPAs has gone through cabinet but no announcement has yet been made.

The focus has shifted from driving a system of MPAs to subsuming it within the marine plan process. That is a totally different process, which would not establish marine protected areas but a general planning process would be in place. That was going to happen without a moratorium on the roll-out of other extractive marine industries such as aquaculture,

offshore mining, etc. This is a government that has made a clear commitment, and now it is in the process of rolling back that commitment, trying to have two bob each way.

As I understand it, the government is doing very little to advance the project, and there is no way in the world that a system can be in place by 2003. It seems that the MPA is now on the back agenda, and that is what the Minister for Primary Industries, now our Premier, Premier Kerin, wants to happen. His department is opposed to MPAs, it is under pressure from industry and it wants to slow it down. Now the Premier is in the key position to achieve that. It appears that the whole commitment is on the back burner, and it is almost as if it is going backwards.

I want to raise one final point in the time that I have available to me. Yesterday in question time, I think, the Minister for Police, in a very wound-up kind of reply, excelled himself in his emotional behaviour, and in his response to a question he made the extraordinary claim that the Labor member for Kingston, Mr David Cox, was in receipt of something like $150 000 from the trade union movement. He said it in the context of making some claim about it being important for members of parliament to be honest.

I also point out that, the day before, the member for Mawson had to apologise to Mr Elliott in the other place for making extraordinary, unfounded and dishonest claims about him. Yesterday he claimed that David Cox was in receipt of $150 000 from the unions. That is totally and absolutely untrue. The Minister for Police, the great advocate of truth-telling in this place, told an absolute untruth. If he has evidence that David Cox has $150 000 from unions for funding, I am sure David Cox would be very impressed because his campaign will be even better funded. The member for Mawson, the Minister for Police, should table that evidence in this place and be fair dinkum about what he says, not just make outrageous claims trying to slur a good member of federal parliament in a desperate attempt to try to shore up the opportunities for his own candidate in that seat.

Mrs PENFOLD (Flinders): The road story under the Liberal state government is exciting. One of our first tasks as a government was to put in place a 10-year commitment to seal all rural arterial roads by 2004. The progressive sealing of these roads is providing an impetus for all manner of associated works, particularly in the area of tourism. I am personally excited to see the Kimba-Cleve road completed and $1.75 million to seal a further 15 kilometres of the Elliston-Lock road. The latter road is one that many claimed would never be sealed.

While talking about roads on Eyre Peninsula, it is timely for me to commend the Streaky Bay District Council for the funds it has allocated to tourism roads in its region. The council district contains many significant attractions, such as the only mainland sea lion colony at Point Labatt. Better roads attract more tourists who spend money locally, and this improves the local economy and employment situations.

My electorate is, I believe, the most stimulating in the state because of the diversity, complexity and number of issues that affect it. For instance, the Eyre Highway, the principal road linking east and west Australia, passes across the peninsula and carries an enormous volume of traffic that includes a large proportion of heavy transports and passenger buses. The Liberal federal government has put $30 million into widening this road between Lincoln Gap and Ceduna to improve safety.

In addition, two emergency airstrips were approved on Eyre Highway between the Nullarbor roadhouse and the South Australia-Western Australia border. The airstrips were funded by the federal government and developed by Transport SA to provide emergency landing places, principally for the Royal Flying Doctor planes. The Chadwick road airstrip is completed and the Florey Dowling road strip near the border is scheduled for completion in this financial year. It is projects like these that provide protection and safety for all who travel the Eyre Highway and for fishermen in the Great Australian Bight and cave divers on the Nullarbor Plain.

A total of $1.3 million will be spent this financial year on continuing the widening of the Lincoln Highway between Cowell and Tumby Bay. At present, the narrow width of sealed road provides a potentially dangerous situation when transports travelling in the opposite direction pass oncoming traffic. An eight kilometre section of the highway south of Cowell is also being redeveloped. I was delighted that work was being undertaken in three different locations on the road when I went up to Cowell recently.

Half a million dollars has been allocated to continue work on the Kulpara to Port Wakefield road, providing a bonus for tourism on Yorke Peninsula and enhancing the upgrade of the Wallaroo-Kadina road. The total upgrade over a three-year period will cost an estimated $3.8 million. The lift that this government's road sealing program has given to rural residents has to be experienced to be believed. It is positive proof that the government cares and, furthermore, that it puts in place practical assistance for country people.

Projects to be undertaken this year include $1 million each to the Burra-Eudunda and Booleroo-Jamestown roads, $4.1 million for the Hawker-Orroroo road, and $200 000 each to begin preconstruction works on the Lucindale-Mount Burr and Morgan-Blanchetown roads. A further section of the Murray Bridge road between Bow Hill and Walkers Flat is scheduled for sealing this financial year, and there is $1.75 million to complete the final 15 kilometre sealing of the Swan Reach to Purnong road. The final 26 kilometre section of the Morgan-Blanchetown road is being designed, and preconstruction for completion of sealing is scheduled for 2002-03.

By July next year, the state government's investment in road sealing projects in that region of the state will complete a sealed link along the eastern side of the Murray River between the South-Eastern Freeway near Murray Bridge and the Sturt Highway at Blanchetown. Sections of the Farrell Flat road between Clare and Hanson have been upgraded at a cost of $350 000. The state government has accelerated its strategy to build new overtaking lanes across the state's regional arterial road network, thus improving safety and reducing the risk of road crashes, serious injury and death.

Two overtaking lanes, one in each direction, will be built on the Riddoch Highway between Mount Gambier and Tarpeena, on the Princes Highway north of Tantanoola Caves, on the Princes Highway between Kingston and Meningie, on the Berri-Loxton road, and between Myponga and Normanville. A commitment of $6 million annually over the next four years is in addition to the federal government's $18.5 million to progressively build 17 overtaking lanes on the Sturt Highway between Gawler and the Victorian border.

The Rural Arterial Roads Program has provided a framework for the orderly development of transport infrastructure in rural and regional South Australia. The 2001-02 state budget provides another $10 million for this $75 million, 10-year project—double last year's allocation.

The program has been such a success that the concept is being continued on regional roads of economic significance. The Regional Roads Program, which was launched in June last year, acknowledges the need to assist councils in regional South Australia to seal local roads which attract increased heavy vehicle use due to increased economic activity and which are beyond the resources of local councils alone to maintain at a serviceable safe standard.

The state government investment of $8.8 million over four years will attract about $5 million from local councils, ensuring that $13.8 million is invested in local regional roads by the end of the 2004-05 financial year. Last month, the Minister for Transport and Urban Planning, the Hon. Diana Laidlaw, opened a newly sealed 15 kilometre section of the Purnong-Murray Bridge road that is a key transport and tourism link in the region. The $1.1 million project was undertaken in conjunction with the City of Murray Bridge, Mid Murray Council and the District Council of Karoonda East Murray. The road provides a secondary link to the Riverland from the Fleurieu and Murray Mallee regions, servicing produce packing sheds and tourist traffic heading to holiday shacks along the river. It is the type of regional development that has been neglected in the past by the previous government. The direct effect, and the number of people who are touched positively, expand exponentially.

The eight successful projects for 2001-02 in this program are: Wallaroo heavy vehicle bypass, $500 000; Koolunga to Brinkworth Road, $357 000; Bratten Way (that is, the Cummins to Mount Hope road in my electorate), $700 000; Meatworks Road, Bordertown, $110 000; Tollner Road 1 and Tollner Road 2, South-East, $128 000; Saltwell Road, Cape Jaffa, $100 000; and Dublin to Mallala Road (saleyards), $305 000.

All the state government funds are sourced from South Australia's share of the national increases in heavy vehicle registration charges that came into effect on 1 July 2000. Governments are often accused of not spending on the road system money that is collected from motorists and transport operators through taxes and charges. The South Australian state government is the only state government that has 'quarantined' the increases in heavy vehicle charges into a dedicated fund for re-investment in the sealing of local roads that will return immediate and long-term benefits to the heavy vehicle industry.

The $7.7 million upgrade and seal of Gomersal Road will be completed this financial year. Funds are made up of $5.925 million from the state government, $430 000 from the Barossa and Light Regional Council, and $1.370 million from the federal government through the special local roads and safety and minor urgent works programs. This project will deliver considerable benefits to the Barossa region by providing an alternative freight route to and from the Barossa Valley, removing significant heavy vehicle flow from the Barossa Valley Way. The provision of a safer, more efficient and direct transport link will assist commercial development within the Barossa area and will underpin the region's substantial contribution to the state's economy.

In the Outback of South Australia, the $14.4 million road budget includes $2.2 million to complete the Balcanoona-Arkaroola tourist road, and $1.9 million for the Oodnadatta Track between William Creek and Coward Springs. Fifteen kilometres of the Birdsville Track between Clifton Hills and Mount Gason and 50 kilometres between Mount Gason Bore and Mitta Mitta Bore will cost $1.9 million, and $2 million will be spent on the Strzelecki Track between Popes Bore, Strzelecki Crossing and the Cobbler Sandhills, a distance of 62 kilometres.

The state government is continually monitoring the road network for safety reasons and where a problem is identified action is then instituted. The installation of a roundabout at one of Waikerie's busiest and most hazardous intersections is just one instance. The government is jointly funding the $160 000 project with the District Council of Loxton Waikerie. The complex five-way intersection has failed to qualify for the federal government's 'black spot' funding, because the reported vehicle crash level is lower than at other sites across the state.

Motion carried.

At 4.16 p.m. the House adjourned until Tuesday 30 October at 2 p.m.

Corrigendum:

Page 2299—Column 1—Line 1—Delete 'not'.