HOUSE OF ASSEMBLY

Thursday 16 October 2008

The SPEAKER (Hon. J.J. Snelling) took the chair at 10:30 and read prayers.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (REGISTRATION OF DEATHS) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) (10:31): Obtained leave and introduced a bill for an act to amend the Births, Deaths and Marriages Registrations Act 1996. Read a first time.

The Hon. I.F. EVANS (Davenport) (10:32): I move:

That this bill be now read a second time.

I will not hold the house long on this matter. This is the reintroduction of a bill that I introduced in the last session of parliament. This bill seeks to change the Births, Deaths and Marriages Registration Act 1996 so that the surviving partner of a de facto relationship can have their name registered on the death certificate in the event of the other partner dying.

This was brought to my attention by a woman in my electorate, who had been a partner for 15 years, her partner died, and the current act does not allow her name to go on the death certificate. The former wife's name goes on the death certificate and, as this person goes around to change accounts, and the sorts of things you have to do in the event of a death, it puts her through extra embarrassment and stress having to explain the former wife's name being on the certificate and not hers, having been the de facto partner of some 15 years. I think it is a common-sense change and I cannot understand why the government did not support it in the last session. I am hoping that they will take a position of supporting it in this session.

Debate adjourned on motion of Ms Breuer.

VOLUNTARY EUTHANASIA BILL

The Hon. R.B. SUCH (Fisher) (10:34): Obtained leave and introduced a bill for an act to provide for the administration of medical procedures to assist the death of a limited number of patients who are in the terminal phase of a terminal illness, who are suffering unbearable pain and who have expressed a desire for the procedures subject to appropriate safeguards; and for other purposes. Read a first time.

The Hon. R.B. SUCH (Fisher) (10:35): I move:

That this bill be now read a second time.

Members will recall that I introduced this bill prior to the prorogation of parliament, hence the need for me to reintroduce it. I will not go through all the arguments I have raised before in this house. My bill is not a bill which allows people to end their life without having regard to appropriate safeguards. It is a very tight, strict bill in terms of its application. People who want to avail themselves of this have to be in a terminal phase of a terminal illness, so it is not for people who are depressed or in any other category such as that. It is for those people who are suffering unbearable pain. Contrary to what some people believe, a small percentage of people suffer unbearable pain and do not get adequate pain relief. Most people do, but some people do not. There are some cancers, including bone cancer, and some diseases, including motor neurone disease, where people suffer excruciating pain and often ask those around them to end their life.

This bill recognises that there are people who for various reasons do not support voluntary euthanasia and do not want to be involved in it. There is no compulsion to be involved either as a patient or a professional—neither there should be. There are checks and balances in this bill in regard to being properly assessed. It is not in the category of what some people would see as a licence to end someone's life—it is anything but that.

Surveys show that about 81 per cent of Australians support this type of measure. Naturally, some people have variations. Some want an easier approach and some do not want voluntary euthanasia at all. This is a considered, balanced approach to a very serious issue which confronts a lot of people and which is happening at present behind closed doors. The reality is that many medical professionals bring about the death of a person at present. It can be done under the guise of increased pain relief, but the outcome and the intention is the same; that is, to end a life.

Some members may have been on the Social Development Committee which looked at this issue. Members on that committee are aware that there are people, not only in the Catholic faith but also in the Lutheran faith, who do not agree with this—and I respect their view. I also ask them to allow those for whom it is in accord with their conscience and religious belief to have this option if they are in a terminal phase of a terminal illness.

Many people with strong Christian beliefs support this measure. They are not limited to one particular religious faith or denomination. There are many people, not just in the Uniting Church. I have been contacted by Baptist ministers and people in various denominations who strongly support this measure and believe that it is in accord with their belief in a loving God, not a God who wants to see people experience pain. The Social Development Committee heard evidence from a senior cleric from a particular denomination, who indicated that pain was good because it had a purpose. My view is that if someone is saying that pain is good, they mean pain for someone else, not for their own situation.

I say to members that I hope it never happens to them or any of their loved ones, but at present in South Australia a person must allow a loved one to die in a situation in which we would not allow a dog—and, if they did, they would be prosecuted in court. The RSPCA and the government would prosecute them in court if they did to an animal what we allow to happen to human beings. As I say, it is only a very small number. In South Australia it might be 10 or 12 a year, but those people are just as important as anyone else and they have a right not to endure unbearable pain and suffering in the last stage of their life.

I am a lover of life. I think the privilege of life is fantastic and should be enjoyed to the full, but we have to be realistic. There are people who are in a position where they cannot and are unable to tolerate the pain. Even the modern opiates and so on cannot remove the pain totally—and I have mentioned a couple of illnesses where that can occur.

I put to members: this is a very considered approach. It is a moderate approach. It is not the beginning of a slippery slide. It does not allow people, for example, to claim against an estate if they are involved in this process. The argument that someone wants to get rid of a relative to claim their estate is just not allowed under this bill. You cannot; you are disqualified if you seek to do that. It has safeguards in terms of being checked for being depressed and checks to ensure that you are in that situation of unbearable pain.

I had someone contact my office who said that he was disappointed with my approach because it was too restrictive. My view is that it should be restrictive, it should be tightly controlled and there should be a panel—namely, the monitoring committee—which oversees it, with its members coming from various sections of the community, including—and this is listed on page 9 of the bill—the medical association, the Law Society, the Palliative Care Council, the Voluntary Euthanasia Society, the Council of Churches and Disability Services. There is a monitoring committee, as well as the safeguards that are built into this measure.

This is not in the same category as what is advocated by Philip Nitschke. This is not the same provision as exists, for example, in Switzerland where they have two different approaches. This is a very much more conservative approach, and it should be because we are talking about a life. We are talking about something that is very special and precious, and we should not create a situation where, for the wrong reason, people can take advantage of a law. I ask members to consider this bill seriously. I want to put it to a vote as soon as I possibly can under the standing orders. I think we have had long enough to discuss it.

We have gone from a situation in this house when, I think it was in 1995, the John Quirke bill, members would not even allow it to be discussed. Whether or not I agree with someone about a measure brought forward in the parliament, I believe they should always have the right to have it debated and discussed. A denial of that is a denial of the democratic process. I think we have come a long way. I think there is strong public support for this. Others have sought to introduce measures—the Hon. Sandra Kanck. I think Jennifer Cashmore was one of the original ones to seek to do this and then, ultimately, she supported the palliative care bill. Not as an alternative, I do not believe, but she was a strong supporter of that.

I think people have come to understand that this is something that an overwhelming majority of the community wants. The latest survey was in January of this year, published in the Murdoch press, 81 per cent supporting this measure. This bill is not the same as the Sandra Kanck bill—and that is no criticism of Sandra. This is a different bill. It is a very tight bill and it has all the

necessary safeguards in it. It is not the same as the Dignity in Dying Bill and it is not the same as other measures which have been put up elsewhere.

I ask members for their support. If we can save one person from having an agonising death, then I think we can all be justly proud of that. I commend the bill to the house.

Debate adjourned on motion of Ms Breuer.

LOCAL GOVERNMENT (LITTER) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) (10:45): Obtained leave and introduced a bill for an act to amend the Local Government Act 1999. Read a first time.

The Hon. I.F. EVANS (Davenport) (10:45): I move:

That this bill be now read a second time.

This bill, which is the same bill that I introduced in the last few weeks of the previous parliamentary session, is designed to reform the litter laws in South Australia. I remind the house that in South Australia we issue around 220 litter fines a year; 70 of those relate to hoon driving and laying rubber on the road, and some local council has got creative and called that litter. If you take those 70 fines off the 220 what I would call traditional litter fines—that is, for paper, drink bottles, and those sorts of things—it is about 150 fines a year.

Victoria issues around 22,000 fines a year. Some of that difference, of course, is population base, but some of it is the fact that we have container deposit legislation. However, the reality is that I do not think anyone accepts that 150 litter fines a year in South Australia is anywhere near adequate. I do not intend to go through the bill clause by clause. I simply refer the house to my previous contribution because all the arguments for this bill are there. Hopefully, the house will have the good sense to support it.

Debate adjourned on motion of Ms Breuer.

GAMING MACHINES (HOURS OF OPERATION) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) (10:47): Obtained leave and introduced a bill for an act to amend the Gaming Machines Act 1992. Read a first time.

The Hon. I.F. EVANS (Davenport) (10:47): I move:

That this bill be now read a second time.

It is nearly a year since I first introduced this bill in the house. This bill seeks to makes uniform the close-down period for the operation of gaming machines (outside the casino). Between 3am and 9am they would have to close for that six-hour period. I remind the house that, currently under the gaming machines legislation, gaming venues must not operate for six hours in every 24-hour period, and that can be one six-hour period, two three-hour periods or three two-hour periods.

My view is that having gaming machines operating throughout our suburbs at 4, 5, 6 and 7 o'clock in the morning is not something that we need, nor is it desirable. I think there does need to be a clear break in play. Under the current legislation it is possible for venues in suburbs to ensure that one venue is always open by the way they can stagger their breaks and, therefore, if someone does have a gambling problem they have the opportunity to continue on their merry way 24/7.

The bill is not perfect—I accept that—because the casino can still operate, but I doubt that many people at 3 o'clock in the morning are going to drive from Elizabeth, Christies Beach, or even closer suburbs, to the casino. I think there is a fair chance they might go home or go on to other activities.

It has been a year since I introduced this bill, and the government has not expressed a view about it. It has not even had the courage or courtesy to inform us whether it will be a conscience vote for the Labor Party on this matter. I hope that we will have a vote on this matter this side of Christmas. I think a year is ample time for the government to either accept or reject the principle. It is not a complicated matter. The government has been promising reform to gambling for some time and simply has not delivered. I do not think the reduction in the number of poker machines has delivered the outcomes the Premier promised, and I think this reform goes some way to providing a better balance in the operation of gaming machines. Again, I hope the house might have the good sense to support it.

Debate adjourned on motion of Ms Breuer.

ELECTORAL (VOTING AGE) AMENDMENT BILL

The Hon. R.B. SUCH (Fisher) (10:50): Obtained leave and introduced a bill for an act to amend the Electoral Act 1985 and to make related amendments to the Juries Act 1927 and the Local Government (Elections) Act 1999. Read a first time.

The Hon. R.B. SUCH (Fisher) (10:51): I move:

That this bill be now read a second time.

Once again, this is a reintroduction of a bill that I put to this house on 8 May this year. In simple terms (and I do not need to take the time of the house to go into great detail), it allows for the option of 16 and 17 year olds to enrol to vote in council or state government elections.

The youth sector (if I can say that) and young people have been very supportive, but some unfortunate comments have been made by people who, in my view, should know better. One councillor is on the public record as saying that we should not give young people a vote because their hormones are raging. Well, good luck to them! I do not know whether mine rage: I think mine are more considered now in what they do.

I thought that was a very silly comment, and it was even more outrageous because it came from a female councillor who should know better. That is the sort of nonsense that was put forward years ago to deny women a role in public affairs—women could not fly aircraft, and so on. It is absolute nonsense. I was very disappointed when that councillor came out and said that we cannot let young people participate because they have raging hormones. It is a silly comment.

Other people in local government have made more sensible comments. The Mayor of the City of Norwood Payneham and St Peters said it would be good if it also applied to federal elections. I cannot put forward any legislation in that regard; I can only put forward what is within the ambit of this parliament.

We are talking about, at most, possibly five or 10 per cent of the eligible age group enrolling. The argument that there are young people who are 16 or 17 who are not able to articulate and do not understand what is happening in their local area or at the state level is quite silly. Under our current law, a person can vote if they have dementia—in fact, there are probably quite a few people with dementia who do vote. There are people in their 40s, 50s and 60s who vote and who do not know what they are doing. One has only to look at the so-called donkey vote or informal vote to know that there are lot of people who do not know what they are doing.

To suggest that all young people of the age of 16 or 17 are incapable of making a considered judgment about participating in the democratic system is ridiculous. I cannot understand why you would want to deny someone an opportunity to participate. We are not going below the age of 16; even though I have met 12 year olds who know more about politics than probably most people in the community, we are not going below 16.

Why would you want to deny someone the opportunity to have a say? Council elections are the ideal opportunity for young people to have a say. They do not come around very often, so we are not talking about an election feast where people are voting frequently. Under this proposal, most young people would not get the opportunity to cast a vote for several years, anyway. The world is not going to end. This week I received a letter from some young people in my electorate saying that they would like more consideration in relation to what they call 'jumps', where they can jump with their skateboards, ride their bikes, and so on, which illustrates the point that, at the moment, young people are not effectively heard.

Young people are largely lepers in our society, because a lot of older people ignore them and a lot of shopping centres disregard them and do not want them (unless they are spending money, then they welcome them). Young people often are not valued in our community as young people. We see that when people say, 'What are you going to do when you get older,' as if you are not doing anything worthwhile now; 'What are you going to do when you grow up? What are you going to do when you leave school?' as if at school, university or TAFE you are not doing anything, you are wasting time. It is a silly view. If you are 16 and 17 those years are as important as any other years in your life.

We should not devalue young people. Most of our young people are absolutely fantastic, and we should be trying to bring back the 6 per cent or so who get into trouble with the police onto the straight and narrow and engage them and involve them. One of my hobbyhorses with young

people is that we do not have enough activities and facilities for them. Sure, we have sporting clubs. I notice that one Supreme Court justice (I think that is the level of that judge) said recently that young people should be involved in sport, and I could not agree more. The more they are involved in sport the less likely they are to get into strife.

But if you are a teenager you really do not have any say in the process. Some councils have youth councils, as they call them, or youth committees, but unless you have a vote you have no real clout in political terms, and it is the same at state level. You can use the argument that young people will vote the way their parents do. I think that if people are honest in here they would say that, in the main, they probably vote along similar lines to what their parents probably voted, but that generalisation is fraught with danger. The sort of young person who wants to vote and applies to vote is not likely to be the sort of young person who will simply be a puppet of their parents.

This type of approach I am advocating here works in Germany in its council elections. I do not think that Germany has disappeared. The last I heard, Germany was still there; it had not fallen into ruin. The Isle of Man gives a full voting franchise to 16 and 17 year olds. It is one of the most prosperous areas in Europe; it has the highest standard of living and fantastic facilities.

Mr Hanna: The tax laws help.

The Hon. R.B. SUCH: It is a great place. Yes. The member for Mitchell says that the tax laws help.

Mrs Redmond interjecting:

The Hon. R.B. SUCH: And our biker friend, the member for Heysen—

Mrs Redmond interjecting:

The Hon. R.B. SUCH: —I said 'biker', not 'bikie'—says that the motor race helps. But it is a very progressive province. It would regard itself as independent—and it is—within the general framework of the United Kingdom. It is a very progressive place. I mean, it is so progressive that it has three houses of parliament: it has a lower house and an upper house and then it combines, which is what we do when we have our committee stage, I guess, or when we have a disagreement between houses, that is, the conference of the houses. The Isle of Man is prospering; it is doing fantastically well. You can go through the list. There are other places that allow 16 year olds to vote in council elections: Austria, Brazil, Guernsey and Jersey. I do not know what the affinity is with dairy cattle and young people, but there must be a connection there because they allow young people to have a say.

This is a very simple, reasonable request. It is optional: they are not compelled to enrol; if they enrol they vote. They should be able to have a say at state and council elections. It will provide a sense of engagement. It reflects what the major parties do now, because at that age people can join the Liberal Party or Labor Party anyway, so why say, 'You can join the party and have a say, but you cannot vote at council or state elections'? It does not make sense. We in this state have led on electoral reform. We were a bit slow giving women the vote—about third in the world! We were one of the first, if not the first, to give women the right to stand for parliament. We gave Aboriginal men the right to vote in 1846 and took it off them because of the other states in 1901 or 1902. We gave Aboriginal women the right to vote in 1897, the same as for European women, and we invented the secret ballot, which was pinched by those people across the border who also pinch our water, and they implemented it before us.

We have been a leader in these matters. I want to see young people given the opportunity to enrol and have a say. The world will not end, but it helps make our democracy even stronger and more effective. Let us recognise those young people who want to participate, and let them have a say in an election, which does not happen very often, anyway—usually on a four-year cycle—so we are not talking about some huge burden. A silly comment from someone was that it would use up more paper. We use more paper sending out tickets and expiation notices and other things involving misbehaviour than we would ever use on something like this. Let us get our young people involved in a constructive way and give them the opportunity to have a say. I commend the bill to the house.

Debate adjourned on motion of Mrs Geraghty.

REPRODUCTIVE TECHNOLOGY (CLINICAL PRACTICES) (ARTIFICIAL FERTILISATION) AMENDMENT BILL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:03): Obtained leave and introduced a bill for an act to amend the Reproductive Technology (Clinical Practices) Act 1988. Read a first time.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:03): I move:

That this bill be now read a second time.

It is with some pride that I bring this bill to the parliament, to amend the Reproductive Technology (Clinical Practices) Act of 1988. Those of us who have been around for a reasonable time will recall the heady debates of the 1980s, essentially starting at the beginning of that decade and culminating in this legislation. It was at the time of the plight of young couples, in particular, who planned to have a family but were unable to conceive or carry full-time pregnancies, and who were offered a scientific relief measure for that opportunity to be explored.

It was controversial at the time. The debate raged around the question of having scientists interfering with God, and these were very heated times. I was the parent of two young children at the time, having had the privilege of parenthood without the trauma of experiencing what some other families experience, namely, the deprivation of the opportunity to have naturally conceived children born without assistance, and the despair they face if there is a future without children of their union.

As controversial as it was, I was in a position where I could ask myself, if I had a sister or other close family member who could not conceive, whether I would be generous enough to say, 'Well, this is something where we ought to be able to assist.' The legislators of the time said, 'Yes; we should do that. We should help people in this situation but, if we are going to offer reproductive technology techniques and procedures as a means to assist these families, then we must do it in a highly restricted way.' The process by which they decided to do that was to have the Reproductive Technology Act to regulate the use of the reproductive technology and research involving experimentation with human reproductive material.

It set up a structure that required the licensing of any entity that was to undertake this work. It set up restrictions on the types of procedures and experimentation that could be done, and it restricted access by members of the public to those procedures by those licensed and authorised entities by imposing certain conditions. The most significant prerequisite was that a person had to be infertile—or, in the case of a couple, one of them had to be infertile—to access the technology of the day.

There have been advances in relation to both conception and the carrying of children that have enabled us to use other techniques without using reproductive technology as it is outlined here, that is, fertilisation procedures that involve the harvesting of gametes—ovum or sperm—and all of the things that go to making the embryo in the test tube. There are now other procedures, such as medication and the like, that help and, obviously, where they are more accessible, they are made available, but the strict regime surrounding this procedure has been maintained, and I think it has been maintained for good reason. I commend those who have worked in South Australia in the industry of assisting thousands of couples to be able to fulfil the dream of parenthood that so many others have been able to enjoy.

Recently, a young woman's case came to my attention. I mention Sheree Blake, because her case has been in the public arena. She came to my attention via my son, who was then a journalist for Channel 7. He said, 'Mum, there's a real problem. I've got this case that's come to me and I don't understand why this lady can't use the sperm of her deceased husband which is currently being stored at Flinders.' I investigated the matter and looked at the legal position to try to understand what appeared to be on the face of it this peculiarity where the couple had both been fertile, and one had died. I would have thought that dead was pretty infertile, so I had a look at this to identify the problem.

Currently the situation under the legislation is that the state fertility clinics and the GPs can offer that assisted reproductive technology medicine only to a woman who is infertile and/or whose husband is infertile but, of course in this case, there is another factor. The Reproductive Technology Act, under section 13, requires a licence for the artificial fertilisation procedures, and such licences are subject to, first, conditions defining the kinds of artificial fertilisation procedures authorised by licence—that is the restriction on what procedures can actually be done—and,

secondly, their licence is conditional upon preventing the application of AFPs except for the benefit of married couples in the following circumstances: where either the husband or wife or both appear to be infertile or where there appears to be a risk that a genetic defect would be transmitted to a child conceived naturally. So they are the two very restricted circumstances in which a couple can line up to have access to an artificial fertilisation procedure to assist in the conception in this case.

There are also guidelines that are prepared and that are applicable here in respect of the posthumous harvesting and use of sperm. In particular, they require that if sperm are taken from a male he has to have given consent—and there are regulations that require the consent procedures; notice in writing, etc.—and, secondly, the recipient must meet the criteria for the eligibility of infertility treatment. In other words, we have to go back to the process to say: are one or both of them infertile?

In this case, what happened was that, tragically, Sheree and Lee Blake had to face, some years ago, the fact that Lee had been diagnosed with leukaemia and from which he tragically subsequently passed away. But, in the meantime, he was advised and he undertook a process where his sperm were harvested, with his consent, placed in liquid nitrogen and held secure and safe at the Flinders Reproductive Medicine Unit; and that is where they remain. Indeed, to keep those sperm in security, safely, was to, at least in the first instance, ensure that there would be uncontaminated sperm available for their use together once his chemotherapy treatment had been completed.

Tragically, in this case, he did not survive this illness and he passed away, but we have all the ingredients: we have the desire of a young couple to have a child; we have their action, with the consent of the husband, to have the sperm placed in storage—it cost them $200 a year to keep it stored. I am told anecdotally through the media, of which Elissa Doherty of the *Sunday Mail* has been very conscientious in covering this story and giving life to the plight of this young widow—that their story continues, in that, having placed the sperm in storage, after he passed away she was confronted with the distressing news that because she did not fit into the qualifications of this act—that is, she and her husband had each been fertile—she was not eligible to be able to have access to the sperm to complete the conception and then be able to have the children.

That is the tragedy that she was faced with, as if it was not bad enough, having nursed her husband through this illness and treatment and then to be faced with this horror situation. She had two choices: she could go to New South Wales, where the legislation would enable her to have access to this procedure, to enable that to occur. Presumably the sperm would have to be sent over to New South Wales and she would need to go to New South Wales and undertake treatment for a considerable period of time. It is not just simply a one procedure process, and she would have to spend some months living in New South Wales to facilitate the long and painstaking procedure that needs to be undertaken to secure the conception and obviously to monitor her during the outcome.

It is something that she considered, as I understand it, but at the first instance, she had sought that there be some consideration by those who make the decisions—the government, the reproductive council, which provides an annual report (and its authority and responsibilities are set out in the act) and they provide an annual report to this parliament and to us in opposition—to seek some remedy and some relief from her distressing circumstances. That is the history of the matter. Obviously, it has its genesis in the plight of one case, but when we look at these things we have to make assessments on the basis that, if we change legislation, it will provide for others. Will there be unforeseen outcomes?

One of the reasons I have requested that this bill be drafted in the narrowest of terms—that is, to include the additional provision that the only new circumstance that would comply with the conditions on the licence—is to specifically add the words 'for the benefit of a woman (whether infertile or not) whose husband has died'. We have added that third thing. The fertile and genetic defect clauses are in the act, and we are adding the special circumstance that it would be 'for the benefit of a woman (whether infertile or not) whose husband has died'. That is how narrow the terms of this legislation are.

People have spoken publicly about other significant areas of reform which they think are important in respect of the Reproductive Technology Act. Reverend Dr Andrew Dutney from the School of Theology at Flinders University is a former member of the council. I understand that he has spoken publicly to suggest that the technology and community standards have changed and it would be meritorious to get rid of the act altogether; that is, to repeal it. He says that the new safeguards in relation to this are adequate at the national level in the codes and ethics and national

accrediting body procedures which are now in operation (since the advent of this legislation). He says that they would be adequate to deal with this matter and that we could repeal the whole act.

The Attorney-General has made public statements on this matter inviting caution in opening and amending this legislation. I have read his material. I am very pleased to consider his view, but, in my assessment, in relation to this issue, given the narrowness in which we have drafted this bill, it does not invite the concerns he has raised. I commend the bill for consideration by each member. The opposition's position is that this is a matter of conscious; that is, we do not have a party position on bills of this nature. We have decided that it will be for each member to determine what they see as important in a contemporary assessment of what they understand in order to deal with the humane consideration of families in this situation.

Debate adjourned on motion of Mrs Geraghty.

LOCAL GOVERNMENT (AUDITOR-GENERAL) AMENDMENT BILL

The Hon. R.B. SUCH (Fisher) (11:19): Obtained leave and introduced a bill for an act to amend the Local Government Act 1999. Read a first time.

The Hon. R.B. SUCH (Fisher) (11:19): I move:

That this bill be now read a second time.

This is also a reintroduction of a bill that was put to the parliament on 31 May 2007. It simply provides for the Auditor-General to have oversight of the finances of local government and their business enterprises. It does not mean that the Auditor-General has to do the detailed auditing. That would normally be done by contract. There is no reason why the Auditor-General could not or would not use the existing contractors that the councils employ.

Contrary to what some people may have thought, that it will add to the cost of councils, it should not add anything in terms of cost because they would use existing auditors, but what they would do is produce their report in a format which met the requirement of the Auditor-General. So, it would be standardised across all councils. I am not suggesting that the current auditing is not in accord with Australian accounting standards, but what is happening is that it is not easy to compare one council with another and it is not possible, at the moment, for the Auditor-General to become aware of practices which may be inappropriate.

As I said, the bill allows for the Auditor-General to look at enterprises of councils and, once again, essentially, that would be contracted out. Within the LGA (Local Government Association) and amongst councils, obviously there are differing views about how to deal with the issue of inappropriate financial management and, at the most extreme end, corruption. I should say that, from my observation and experience, our councils are generally fine in the way they operate. Their staff and the elected members are dedicated—

Mrs Redmond interjecting:

The Hon. R.B. SUCH: The member for Heysen says, 'Am I suggesting there is no corruption?' I do not know. It would be silly to say that there is no corruption because, at the moment, it is not necessarily easy to detect. It can occur because of a misuse and an overuse of the suppression powers that councils have. Some councils have a reputation for secrecy. I think I have said in this place before that, in my own experience, councils have given away cars and suppressed it under confidential staff items. Whether you call that corruption or misuse of funds, I guess, we are playing with words.

The point is, at the moment, the Auditor-General cannot determine and therefore the parliament cannot easily determine whether or not the finances of a council are being inappropriately used. This bill would enable the parliament, through the Economic and Finance Committee, to look at matters arising from those audits. Obviously, that means that members of parliament could question the minister responsible for local government relations. I am aware that the LGA is proposing a governance committee to deal with issues of possible corruption and inappropriate administration. I do not agree with that; I do not think that will achieve anything: it is just another bureaucratic structure.

Let us have a simple arrangement where the Auditor-General, like he or she does in some other states, has general oversight, contracts out the auditing. It is done on the standardised format so that the business operations are also included. I think that should be part of a whole suite of measures to minimise corruption occurring in local government, and other things need to done as well which are not covered by this bill.

I think we need a revamp of the Police Complaints Authority. We need a revamp of other mechanisms and the creation of one (which I have argued before) where a QC from an independent bar can be engaged to investigate alleged corruption and so on. The Ombudsman has very significant powers, as I think we will find out when the Ombudsman reports shortly. The Ombudsman basically has the power of a royal commissioner. I think that what we need, as part of the total focus, if we do not have an ICAC, is the Auditor-General having the powers to investigate councils properly, thoroughly and in a cost-effective way.

Some councils, I think, feel that the Auditor-General might charge them an exorbitant fee. The fee structure can be determined by the government so that councils are not unfairly burdened. But I think my proposal, which I have been arguing for a long time, has merit, and I think it is in accordance with the views of people on the Economic and Finance Committee. I think the sooner we have this provision in place the better off we will all be. I think it also lifts a cloud from local government because they can say, 'With this provision we are in the same category as any other government agency and university and, therefore, are subject to the investigative powers of the Auditor-General.'

So, I commend this bill to the house. I think we should get it in place as soon as possible, and I think the LGA need not worry about setting up yet another committee. I think this bill will do the job.

Debate adjourned on motion of Ms Breuer.

MOTOR VEHICLES (VEHICLE IMMOBILISERS) AMENDMENT BILL

Mr HANNA (Mitchell) (11:26): Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

Mr HANNA (Mitchell) (11:27): I move:

That this bill be now read a second time.

On 11 August 2008, I attended a vehicle theft awareness seminar in Adelaide, and I commend the South Australian Vehicle Theft Reduction Committee for hosting this event. I also commend Mr Allan Bewley of the Department of Transport, Energy and Infrastructure for his role in pulling it together. I learned some startling facts. I learned that 1.5 of all car crashes come from stolen car incidents, and two-thirds of casualties come from stolen car events. There is a cost to each car crash estimated at $52,000 per crash in terms of property loss, health care, police involvement, court involvement and so on. I learned that, where immobilisers are fitted to cars, they are almost never stolen unless the thief has the keys to the car. Western Australia has a scheme whereby purchased vehicles, particularly older used vehicles, need to have an immobiliser fitted before they can be registered. I propose such a scheme for South Australia.

We need to bear in mind that Australia has one of the highest motor vehicle theft rates in the western world. Indeed, three out of four vehicles stolen in Australia are older cars, and that is why we need to introduce a scheme whereby they can be sold and registered only when an immobiliser is fitted. The cost of fitting an immobiliser, of course, would be a concern, but these are readily available for $200 or $300. There is a benefit not only to the purchaser but also the broader society because of the costs of car theft.

What I propose is endorsed by the National Motor Vehicle Theft Reduction Council. That is a body which is a joint initiative of Australian governments and the insurance industry. There are representatives from motor manufacturers, the Motor Trades Association and the Attorney-General's Department of Australia on that committee.

Please note that I have exemptions contained in this proposal for trucks and motor vehicles over 25 years of age. Given that most cars manufactured in the last 10 to 15 years come with immobilisers, it is likely that we are really talking about 1970s and 1980s models that would be covered by this proposal.

I expect support in high places for this proposal because, just after the seminar to which I referred, the honourable Attorney-General of South Australia put out a press release pointing out some of the statistics about car thefts. He was reported in *The Advertiser* as saying, 'Immobilisers made would-be car thieves think twice.' I can do no better than to quote from Mr Ray Carroll, executive director of the National Motor Vehicle Theft Reduction Council. Once I had put this proposal to him he wrote to me, on behalf of the council, saying:

Thank you for your notification of your proposed bill to make fitment of an immobilizer a requirement of transfer of ownership of a used vehicle in South Australia. As a matter of policy the NMVTRC has long supported the concept of retrofitting of immobilizers as a means of more quickly addressing the theft of older vehicles.

Debate adjourned.

AGE PENSIONS

Mrs REDMOND (Heysen) (11:32): I move:

That this house recognises the inadequacy of the age pension and calls on the government to make urgent representations to the Prime Minister to increase payments to age pensioners forthwith.

I am delighted with developments since I gave notice of this motion, because it is obvious that the federal government got wind of my motion and was so concerned about it that it realised it needed to take action forthwith—and I do acknowledge that the government has, indeed, taken some action. However, although I would like to claim the credit, I suggest to the house that perhaps this was not motivated by Kevin Rudd trembling at the thought of my asking for more money for pensions but that maybe it was actually about Kevin Rudd's fear that the whole economy would go into meltdown.

Mr Hanna: Why not claim credit? I am.

Mrs REDMOND: The member for Mitchell says that I should claim credit, and perhaps he is right. I thank the government, on behalf of all the pensioners here and elsewhere, for the one-off payment. As I said, I think it is probably motivated by something other than care about our pensioners, because until a week or two ago the government was clearly not interested in resolving their issues, even though, thanks to a media onslaught, virtually every member of the federal government had to concede that they could not live on the age pension.

The payment of, I think, $1,400 as a one-off payment for a single pensioner and $2,100 as a one-off payment for a married age-pension couple is certainly welcome. Of course, I have long thought that it is a bit odd that we have this distinction between single and married pensioners. It seems to me that the government is, in a way, encouraging immorality. When I first noticed this, as a youngster, it used to be that if you were living in sin you could potentially get more money than if you were living as a married couple, or if you simply chose to stay together some nights of the week you could get more money if you were single and just occasionally sharing a bed.

I notice, Madam Acting Speaker, that you are shaking your head in denial that this can occur, but I can assure you that there are elderly people who choose to live as singles and receive single pensions but have occasional times together. In fact, in August I met a delightful couple on the train. They were relatively recently married; she was 79 and he was 82, and they had each been married to other people for 55 years. They had known each other from university years and, with the passing of their respective spouses, they got back together. They did not need pensions, but they had the delightful arrangement where they spent three nights a week at his place, two nights a week at her place, and the other two nights they spent recovering from each other and stayed apart. I thought that sounded eminently sensible and should probably be adopted by all married couples.

Mr Pederick: I do now.

Mrs REDMOND: The member for Hammond remarks that that is how it is for members of parliament. As I said, I congratulate the federal government on taking notice of this motion before I even got to speak to it and making arrangements to make this one-off payment. Of course, that does not solve the long-term problem, and I look forward to seeing an adjustment in the pension in due course because there needs to be a long-term solution.

If you look at the history of age pensions in this country, it is quite interesting. We, as a country, introduced age pensions in about 1907 or 1908, only six or seven years after we became a country and we were one of the very first places in the world to introduce the age pension. Of course, when we introduced the age pension, it was the case that most people began their working life at 14 or 15, they worked until they were 65, and they were very lucky if they survived beyond the age of 70. Once you had paid tax for all these years, it was not unreasonable to think that you might get the age pension. By way of comparison, by the way, the US did not introduce the age pension until after World War II, so we were well ahead of the rest of the Western world in introducing an age pension.

As I said, it worked well in those days because you lived such a short time, comparatively, after the end of your working life and your working life started at such a young age. I do not know about other members but in my household it appears that my young adults are only likely to start full-time proper work—they have worked while they have been university but I am referring to full-time, permanent employment—at about the age of 25, and that seems to be about when it starts now.

The average retirement age has bottomed out at about 58, so we have reduced the average age of retirement, although the official age remained at 60 for women and 65 for men for a long time. The reality was that, as we became more affluent, more people chose to move into retirement at a younger age and so our retirement age had reduced to 58. People have now recognised the need to work a bit longer and I think in due course we will need to think about that whole issue of retirement because it makes no sense for people to be retiring even at 60 or 65 if we are going to live to 85 or 90.

So, with this extended time as young people where they are not in the full-time paid workforce and paying their taxes, they have to be supported by our taxes, and then we have this extended time after we retire with the average age in Australia for people born today now being into the 80-plus age bracket. We have that extended time, so it became obvious to governments some time ago that we would need to move to the system we now have in place of superannuation where people are putting away towards their retirement for the whole time that they are at work. I remember seeing some years ago that, of 12 OECD countries, Australia was the best placed of the developed countries in terms of planning for our ageing population.

My favourite statistic in relation to the ageing of our population is that people are always surprised when I tell them that already in this country we have some 2,340 people over the age of 100. Everyone thinks that sounds a lot, and the Queen must be getting writer's cramp just signing the cards at the moment, but if we think that 2,340 people—and we cannot always be exact because of problems with birth certificates of people who have migrated here and so on—sounds a lot, as we baby boomers go into that cohort, the fact is that it is anticipated that by the year 2055—and I hope the member for Colton is ready for this because we will be there together—it is anticipated that in this country we will have 78,000 people over the age of 100.

That is an extraordinary cohort, particularly when we baby boomers have over indulged our own children, so they are going to be the first generation that does not outlive their parents as a cohort and, therefore, it is their children who will be left looking after those of us who are still around, and I intend to be among that group. It is going to become an increasing problem. As I said, we have at least thought about this and we do have superannuation in place, but the people who are on the age pension now are that group that we need to take care of because they have not been in that range of people who have been (for a long time; their whole careers) involved in putting away superannuation.

On the issue of superannuation I would just remark that I went on an overseas trip in 2003, and I was primarily looking at ageing issues. As part of that, I did some lecturing at the medical school at the University of Hawaii. I lectured both an undergraduate class and a graduate class at the university.

It was interesting that the graduate class—and we did that lecture more as a seminar with me involved in the tutorial—were studying the same book that I had been studying at the Catholic University of America in Washington DC. I had studied the entire book in one-on-one tuition over a period of nine days, which meant I had to read four and five chapters a night and have this one-on-one tuition where there is nowhere to hide. I did two sections of a certificate on ageing, for which I got distinctions, and on the way home I travelled via Hawaii and stopped to do these lectures.

What was interesting was that they were studying the same text book that I had been studying—but I did it in nine days and they were spending an entire semester doing it—but also, when I started talking about superannuation these Americans—and these people were specialising in aged issues and were graduate students at the university medical school there—said to me, 'What is this superannuation that you Australians keep talking about?'

Mr Hanna: And, 'Where is Australia?'

Mrs REDMOND: The member for Mitchell says, 'Where is Australia?' No; they definitely knew where Australia was and, of course, from Hawaii a number of them had actually gone there. So, they were interested but they were also extremely envious, not only of our age pension system and our superannuation scheme, but our Medicare system and our pharmaceutical benefits

system. When I explained the basis of how we do have the fundamentals in place, they all thought that Australia sounded like paradise and they wished that they could either move here or implement the same sorts of systems in their community.

Another interesting thing I came across over there was Meals on Wheels. They have something called Meals on Wheels but it is only providing one meal a week. When I explained to them what our Meals on Wheels does, and does through volunteers, they were blown away by the amazing statistics that we are able to come up with in terms of the enterprise here.

The point I wanted to make is that Australia has been at the forefront of preparing for this huge cohort of the ageing population going through by putting in place superannuation. I think there is generally a recognition that we are, in fact, going to have to change our views about retirement and maybe do more stepping down. I think companies are beginning to recognise that there is a value in keeping people around who have that corporate knowledge and who have the capacity to mentor the younger group.

Whilst we need to allow people to step down and not have to work the 80 hours a week or whatever, at the high level, it is a nonsense to say that you get to a certain age and suddenly you are no longer capable and interested in working. Indeed, I have met people in a number of professions, doctors, lawyers and so on, who in their mid-sixties have said, 'I feel as though I have hit my straps. I feel as though I am now at the peak of my powers, having practised in this area for 40 years.' It is a nonsense, to me, that we then say, 'Well, these people have to go.'

So, we will be in due course, I think, through superannuation, prepared for the aged cohort but it is necessary, in my view, for the government to take account of the fact that the cohort of age pensioners now are not the people for whom superannuation is going to provide the answer. That will come in a wave that will start to increase over the next few years, but at the moment our ageing population are still heavily reliant on the age pension.

Unlike a generation ago, when people generally expected to pay off their house by about their mid-fifties and therefore could live on an age pension, we have a much higher percentage now who either do not have a home of their own in the sense of owning it with a mortgage, or who are renting. So, once you take that huge component for rent out of a pension, or a huge component for a mortgage out of a pension, there is very little left, and that is what has made it harder over a period of time for people to actually survive with any degree of being able to lead a decent and normal life on an age pension.

My call remains in place. As I said, I thank the federal government for recognising the call I made when I gave notice of motion from this humble chamber a few weeks ago. I thank it for taking notice, and I congratulate it on making the payment it is about to make. However, I say that it does not solve the problem in the long term and that we need to have some fundamental structural reform in the area of age pensions. I believe that they will decrease and that, over the next 20 to 25 years, we will see the need for them go down.

Without wanting to lock in any governments anywhere, looking at the demographics of the situation, I anticipate that gradually we will not abolish age pensions but they will simply become less and less relevant because, more and more, people will be expected to have superannuation as the major component of how they manage their lifestyle in their post retirement years. With those few words, I commend my motion to the house and, once again, thank the government for acknowledging its importance and doing something about it so promptly.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (11:46): I move an amendment to the motion:

> That this house recognises and supports the efforts of the federal Labor government on its actions to financially assist age pensioners.

I think that it is really poor form to hear the opposition move the motion in its original form. In fact, it is appropriate that this house now praise the decisive action taken by the Rudd government, which has started a comprehensive review into the pension system which is due no later than February next year.

We should also note and condemn the previous Liberal government on its actions, or lack of action, in relation to age pensions. I note that the opposition has not been in here over the last six years banging on about what the federal Liberal government should do in relation to supporting age pensioners. The former federal Liberal government had 12 years to fix the pension system.

It is not just about age pensioners or single age pensioners: it is about married age pensioners, people on disability pensions and single mothers. A whole range of people are affected by the pension system. The Howard government just sat on its hands and did nothing to reform the pension system. In fact, last year it voted against raising the base rate for our pensions, so it is just a bit rich to sit in here now and listen to the opposition jumping up and down about the level of age pensions and what the Rudd government should do.

When the Rudd government came to power, it stated that it would be looking for a long-term solutions to pension payments and address the matter as a priority—and that is what it has done. This week's announcement by the Prime Minister is obviously very good news for all pensioners. It comes on top of the $500 bonus that was part of the last federal budget, together with a rise in the utility payments concessions the Rudd government provided, taking it from $107 a year to $500 a year and, effectively, giving a single age pensioner a $900 boost on top of their fortnightly pension.

When we talk about concessions, I think that it is also worth noting that every concession for pensioners in this state has been introduced by state Labor governments. Every rise in concessions has been introduced by state Labor governments, except for two. A $5 rise in water concessions was introduced in an election year by a Liberal government, if my memory serves me correctly. The Liberal government was so gracious as to introduce a concession on a tax it introduced when it was forced into it in this chamber. So, that is basically the Liberal Party's history of looking after our older residents here in South Australia.

The Rudd government has also provided an enormous boost to our home and community care services. Here in South Australia, for example, we have had an increase of $35 million, providing assistance to an additional 14,000 age pensioners here in South Australia so that they can remain in their own homes and remain independent. So, we will have something like 106,000 older South Australians receiving services and support courtesy of the joint funding between a state Labor government and a federal Labor government. I think our record stands, as far as our support for pensioners.

We should be applauding the Rudd Labor government for taking that comprehensive review of pensions to ensure we get it right. We have a leader who is taking the financial crisis seriously, understanding the impact it is having on all people from lower incomes, whether it is age pensioners, single parent pensioners or young families wanting to get into first own home. The government is taking decisive action to ensure that we can all maintain our financial viability here in South Australia and across the nation. So, it is a bit rich for the member for Heysen to come in here and try to claim credit for initiatives introduced by a federal government that clearly has the best interests of older Australians well and truly on its political agenda.

Mr HANNA (Mitchell) (11:52): There was an interesting concatenation of circumstances six to 12 months ago: not only did Prime Minister Rudd succeed Prime Minister Howard about a year ago but, at about the same time, there was a sharp rise in petrol prices and, within a very short time, there was a flow-on effect to grocery prices of all kinds. Towards the end of last year, as I went around the electorate, it became very evident that there was a sharp downturn in the welfare of people on the pension, and I refer to the age pension, the benefits received by sole parents, the disability pension, and people receiving carer payments as well. Right across the board for those people on Centrelink benefits, there was a sharp downturn in their welfare because of these circumstances.

At the same time, with the accession to power of the Labor Party in the national parliament, an expectation arose that this problem would be fixed. There was a perception that the Labor Party was there for the battlers, particularly those at the bottom of the pile, in the financial sense, that is, those receiving Centrelink benefits. So, expectations were high that the Rudd government would act quickly on this important issue of income maintenance for those without employment, at least without full-time employment.

So, as if in a dream, I was inspired to do something about this issue, and I wrote to the federal minister, Jenny Macklin, describing the need for an increase in the pension payment on an ongoing basis—and now we see it. Post hoc ergo propter hoc. Kevin Rudd has announced a bonus payment for pensioners, with a promise to complete a review into pension payments throughout the next few months. I am very pleased that my call has been heeded, and I join with the member for Heysen in highlighting the inadequacy of the age pension in particular.

The Hon. R.B. SUCH (Fisher) (11:55): I want to make a brief contribution. I am not interested in the party politics of this. I applaud the decision by the Rudd government to make some payments to pensioners and carers, and also some of the other measures. Interestingly, I recently wrote to *The Advertiser*—which I am wont to do—suggesting that, given that the review into pensions (which is a sensible initiative by the Rudd government) would take a while to complete, why not make a bonus payment or two.

I do not claim that the Prime Minister reads *The Advertiser* every night—probably every second night—but he should read it. I am delighted that he has made that bonus payment available to pensioners and carers. We all know how much prices have gone up—and I am a dedicated shopper—in supermarkets and elsewhere in recent times, some of it with justification and some without, but the point is that pensioners still have to survive.

In a sense, the reason we have this dilemma—and I have made this point before—is that we do not have an adequate national retirement income scheme. We have never had one, but we should have such a scheme so that, from day one, when a person starts work, they contribute to a proper retirement income related to what they earn during their working life so that they can retire in dignity. That is what happens in many European countries. We should have had it, but what we have is a dog's breakfast of some people on pensions, some people on private super schemes and some people in government protected schemes.

The sooner the federal government looks at a comprehensive retirement scheme, the better. Paul Keating had contributions originally set at about 9 per cent. It should have been increased. The previous government should have increased the contribution to superannuation for workers. Until and unless we get a decent, sensible and comprehensive retirement scheme contributed to by everyone from their first working day, we will always have issues like this, with pensioners trying to survive on a pittance.

Even in regard to pensioners there is considerable variation. Someone told me yesterday that their relative does not need a bonus payment because they will just put it in the bank. That would not apply to most pensioners, but there are variations: some people are on veterans pensions and some are on other sorts of pensions. That is why the Rudd government review of pensions is a good thing. It should have been done before, but at least it is happening now.

I commend the government. I thought that the announcement this week in response to the global situation and the day-to-day impact on people like pensioners and carers was a great announcement. I think it will take a lot of pressure off pensioners in the short term. They will not be living in luxury, but at least they might be able to eat decent, quality meals.

The DEPUTY SPEAKER: If the member for Heysen speaks, she closes the debate.

Mrs REDMOND (Heysen) (11:59): Thank you, Madam Deputy Speaker. I take it that it is simply closing the debate on the motion to amend.

The DEPUTY SPEAKER: No, it closes the debate on the whole motion.

Mrs REDMOND: Madam Deputy Speaker, at what point then do we get to consider the motion to amend? It seems to me that, as a matter of procedure—

The DEPUTY SPEAKER: Debate is allowed on either the original motion or the amendment. When all debate has concluded, you will be invited to have your right of reply, at which time you can address issues arising out of the amendment. The amendment is put and then the original motion is put if the amendment is lost. If the amendment is carried, that becomes the motion.

Mrs REDMOND: Thank you for your assistance, Madam Deputy Speaker. In fact, the motion to amend should have been declared to be out of order because I think it is so contrary to the original motion that it should not be accepted as a motion to amend. However, I will let that one go through to the keeper and simply oppose the motion to amend.

The minister tries to make excuses for the government. I thought I was being quite generous in acknowledging that the government has, indeed, made this arrangement for the one-off payment to pensioners. I am sure that the pensioners are most appreciative of it. The point of the motion, however, is that what we need is long-term structural reform. When I say ' long term' I do not mean for ever and ever. As I said in my comments earlier, in my view the age pension will probably, over the next 25 years, cease to become the major part of most people's income in their retirement. It will gradually fade into a less significant role than it has at the moment. However, it is

clear to me that, at the moment, the pension is the most significant component for the retirement income of a large proportion of our elderly citizens. As pointed out by the member for Mitchell, there have been quite significant increases in day-to-day living expenses, be they transport, food, rental or any of the other normal aspects of maintaining oneself independently.

Independence is the key to most people's happiness in their retirement. There are certain elements like the security of where one lives—be it in one's own home, a rented apartment or flat, in a retirement village or hostel, or wherever—and having security of abode is a most significant indicator. Largely, many other things that are good indicators of a successful and happy retirement are not financial but are to do with relationships, support groups and all that kind of thing. However, finances clearly have to underpin the security of people's place of abode and their ability to support themselves and, thus, remain independent.

I am sure that each of us expects to remain independent as we head into retirement. People expect to remain independent for as long as is humanly possible. Whilst I commend the government for the one-off payment, I make the comment that, whilst it was not made for the right reasons, at least it was probably made to the right people. It was made to prevent the country going into economic meltdown. At least, in targeting the pensioners (because they have been so underpaid for so long), it is likely that most of them—maybe not all, according to the member for Fisher—will clearly need to spend the money to catch up in some of the areas where they have been falling behind and, therefore, it will be spent in the economy and will hopefully stop us from going into a worse economic downturn than we have already seen in the last few weeks.

The government needs to proceed with its longer-term review. Hopefully, that review will show that currently pensions in this country are inadequate, particularly because of a rapid increase in a range of areas over the last 12 months. That needs to be addressed, it needs to be addressed quickly and it needs to be addressed for the longer term, over the next 20 years or so.

The house divided on the amendment:

AYES (27)

Atkinson, M.J.	Bedford, F.E.	Bignell, L.W.
Breuer, L.R.	Caica, P.	Ciccarello, V.
Foley, K.O.	Fox, C.C.	Geraghty, R.K.
Hill, J.D.	Kenyon, T.R.	Key, S.W.
Koutsantonis, T.	Lomax-Smith, J.D.	Maywald, K.A.
McEwen, R.J.	O'Brien, M.F.	Piccolo, T.
Portolesi, G.	Rankine, J.M. (teller)	Rann, M.D.
Rau, J.R.	Simmons, L.A.	Stevens, L.
Thompson, M.G.	Weatherill, J.W.	Wright, M.J.

NOES (14)

Evans, I.F.	Goldsworthy, M.R.	Griffiths, S.P.
Gunn, G.M.	Hanna, K.	Kerin, R.G.
McFetridge, D.	Pederick, A.S.	Penfold, E.M.
Pengilly, M.	Pisoni, D.G.	Redmond, I.M. (teller)
Venning, I.H.	Williams, M.R.	

Majority of 13 for the ayes.

Amendment thus carried; motion as amended passed.

Mr HANNA: I rise on a point of order, Mr Speaker. When she moved her amendment, I distinctly recall that the minister read out words as an amendment but there was no part of what she said which deleted the existing words. I want to ensure that *Hansard* records both the wording of the original motion and those which were added by the minister.

The SPEAKER: That would apparently be the case.

CAT MANAGEMENT

The Hon. R.B. SUCH (Fisher) (12:11): I move:

That this house commends the Rann government for advancing the development and implementation of cat management policies and laws.

Members would be aware that I have been trying to get cat management laws in place in this state for sometime. I introduced a bill but the government did not want to support it, and the opposition did not support it. In fact, I do not think the opposition even spoke on it, which I thought was a little unusual. It was opposed to it but it did not put its position on the record. Anyway, things have moved on since then, and another bill I put in lapsed during prorogation.

That bill was a modified version, which would require councils to put information regarding their cat management plans on the web and to do other things. So, it was a more gentle approach than the original one, which did allow for councils to have identification requirements to make sure that cats were not wandering, and so on.

Following my lobbying on this issue, the then minister responsible, the Hon. Gail Gago as minister for the environment, required the Dog and Cat Management Board to become active on this issue. I have been critical of the Dog and Cat Management Board because I think the name is a bit of a misnomer. I do not think it has managed much in relation to cats; and in relation to dogs it has done a lot more than it has done in relation to cats.

Cats are wonderful creatures. I do not have anything against cats, but I want to see effective management and control of them. I have spoken to vets who say that when they came under proper management control, the number of dogs being injured on the roads, and so on, dropped dramatically. What we have now is a situation where hundreds of cats are destroyed each year in Adelaide alone, let alone those that are shot outside the metropolitan area by farmers and others because of a significant problem with feral cats. I do not see how anyone could be pleased with the fact that, in total, thousands of cats in this state are destroyed every year. I do not see how anyone could rejoice at that.

I notice that Christine Pierson, who is an activist, I guess, in regard to cat issues, has indicated that, basically, you round up stray cats, desex them and then release them again. That does not deal with the issues I want to focus on now, which include the nuisance factor to people—cats urinating on their property and cars and disturbing people at night—but also cats killing wildlife.

One of the reasons we do not have as much wildlife left is because of cats. For anyone who wants to dispute that, I can provide detailed statistics showing what feral cats do. The Department of Primary Industries of Victoria website gives statistics showing that pet cats kill an average of 16 mammals, eight birds and eight reptiles every year. According to its calculations, 29 million creatures are killed every year by pet cats. Then it adds feral cats and says that a feral cat needs to eat the equivalent of seven native bush rats or 10 native birds each week, so 200,000 feral cats by 10 wild creatures by 52 weeks runs into the millions; the figure given here is 104 million. Stray cats in cities kill on average five creatures each week: 300,000 cats by five creatures by 52 weeks, and so it goes on. If any member wants to challenge what cats do, whether they are feral or stray, I can show them a fairly illustrative photograph of the gut contents of a cat caught in and around Roxby Downs. The photograph shows starkly what is in the intestines of those cats.

As with people who are foolish enough to deny the holocaust or that climate change is occurring, people who deny that cats do not kill wildlife are being foolish. There is the nuisance issue as well. People have a right to keep cats, but there is also an obligation for cats to be properly cared for. I cannot see how anyone can claim that their cat is being looked after if it is wandering the streets and annoying other people. Even in my own street there is a household a few doors up which has a cat that wanders, and they say, 'Just shoo it back.' The cat gets on people's roofs and all sorts of things. Another neighbour, who has since moved on, had a cat that used to tear baby possums to bits and they would just say that it is natural. It is not natural. Cats' instinct is to kill, but it does not mean that you should have them killing whatever they like, whenever they like; that is a silly argument.

The Dog and Cat Management Board has been consulting with councils, and it is taking quite a while. I hope the current minister will swiftly follow in support of what the Hon. Gail Gago did (the current minister is the Hon. Jay Weatherill) to ensure we get action, because the Dog and Cat Management Board, stirred into life and acting on this issue after a lengthy time, is inviting submissions to comment on its draft options paper. It is inviting submissions up to 12 December this year. That is a fairly generous response time. I am pleased that something is happening. I want

to see action, and do not want to see the situation dragged out so that in the lead-up to the next state election we are trying to debate an issue like this in the heated environment close to an election. When the Hon. John Hill was minister for environment he was fantastic in trying to get this measure underway, but it fell on stony ground and not much eventuated. Over many years little has happened.

Some councils such as Norwood, Payneham and St Peters have argued that their cats do not do anything anywhere else, in terms of killing creatures in the Torrens and so on. I do not know how people can believe that sort of argument. Some councils are vulnerable to people who want to put a bit of pressure on them, but the overwhelming majority of the community want sensible, realistic cat management laws. They want cats to be properly controlled, properly identified and preferably desexed so that they are not out there multiplying ad infinitum.

This approach is not difficult. Other states have done it. The City of Sydney Council does these things. I do not know why South Australia always seems to be tail-end Charlie when it comes to a lot of these issues. Why do we lag behind other states and other jurisdictions?

The Hon. M.J. Atkinson: We wait to see what works in other jurisdictions. It is the glory of having a federation.

The Hon. R.B. SUCH: The Attorney says we see what happens elsewhere. Well, that is a very different approach to the Dunstan era when the Dunstan government actually led the country in a lot of things, and we had a lot of people like Hugh Hudson, Don Hopgood and Len King. You had people who were intelligent and capable and who actually led the country. We should be leading, not being the caboose—

The Hon. M.J. Atkinson: Tail-end Charlie was the word you are looking for.

The Hon. R.B. SUCH: No, I didn't want to use the same word—the political caboose that is at the end of the train. So, the government is moving. It has stirred. I was going to say that the lion has roared, but I think it is more that the pussycat is meowing. The Hon. Gail Gago got things going. They are moving slowly. The Dog and Cat Management Board has awoken from its slumbers and is starting to do something. I am sure that the Hon. Jay Weatherill will love to get his hands on this issue and drive it after having to deal with some of the complex issues he had in his former portfolio. This will be an issue that I am sure minister Weatherill will handle with skill.

On the one hand, I congratulate the government on getting things moving. I also request that it gets on even more quickly and gets this issue resolved so that we can have a situation where people who love their cats can have them, keep them and look after them, and those who are irresponsible can no longer disregard other people or the environment. I commend this motion to the house.

Mr PENGILLY (Finniss) (12:23): I indicate that our side of the house will not support the member for Fisher's motion, principally because we feel that the local government sector is trying to drive this and we should give them adequate time to get on top of it and do something about it. It is a pretty interesting day to talk about a cat bill and fur flying after the radio this morning and the stories about what is going on inside the Labor Party with the Hon. Bernie Finnigan—there is plenty of fur flying there, apparently.

Coming back to the member's motion, this whole issue of cats has indeed floated around for a long time. I can tell you here and now—and I have placed it well and truly on the record—that I am no lover of cats, because I have seen regularly what they do, as the member for Fisher indicated, to wildlife. Indeed the cat population in one part of my electorate particularly—Kangaroo Island—is diabolically wiping out the native birds, lizards and anything else that you happen to want to mention.

Indeed, a character by the name of Ronnie Bott, who is a cray fisherman and has a small property, has set about ridding the world of multitudes of feral cats. Ronnie has a very simple solution to the cat problem: he shoots every cat he sees and he places them on a post along the side of the road and, at the last count, I think he had about 18 strung out there. Some of the local cat lovers became a little uptight about that. Another fellow, by the name of Mr Green who resides at American River, turns feral cats into hats; so that is a pretty good outcome for them as well.

In my view, the sensible, common-sense, balanced measures that are taken by Mr Bott, Mr Green and others, both in my electorate on the island and on the mainland around South Australia and probably in the rest of Australia, are a very expeditious way of getting rid of a frustratingly

criminal activity, in my view, of people dumping kittens and letting them turn into feral cats that devastate wildlife and also pass on disease through the sheep population.

The Hon. M.J. Atkinson interjecting:

Mr PENGILLY: I'm going very well. How's Bernie going in the upper house, Mick? Has he had a good week? Returning to these cats: it is important to realise what a smart creature the cat is and how highly intelligent cats are and what an absolute killing machine they are when they are not contained properly. If people want to have domestic cats and will look after them, keep them inside, put bells on them, microchip them, register them and everything else, that is fine. There are a great number of people who have a cat and do look after it in that way, but I can tell you from my own experience in the little place that we have in Adelaide that the next-door neighbour has two cats that prowl all the time.

Despite repeated requests for them to be locked up, they are still prowling. They are constantly going around the backyards, and there is hardly a bird in the immediate neighbourhood; they have taken out all the birds. We have a small goldfish pond there, and they have had two of the goldfish out of the pond. I would seek to do something about them fairly expeditiously if I had my way, but my wife says that I am not allowed to bring the rifle to Adelaide (which is a bit of a pity).

So, it is the irresponsible cat owners who are the major cause of our having to discuss a motion such as that raised by the member for Fisher today. Local government has struggled to come to grips with this matter. I think the former minister did nothing about it, but I am hopeful that the Hon. Jay Weatherill will do something about it now. The issue for us is that we must give local government the opportunity to come up with the answers on it in the first instance and to do something about it. They are still talking about it and they are still debating where they are going to go, but if we allow local government to do it, we have to give them the necessary financial resources. We cannot cost shift and just pass it on to local government again.

No doubt the natural resource management boards will want to have a look at it. The way they operate, they will put in place 55 different committees, they will prepare 127 different reports, use all the experts in the world, spend tens of thousands of dollars and do nothing, because that is where the natural resource boards are failing on issues such as this, I am afraid. They are doing good work in some areas, but they are so bound up in bureaucracy that they are not able to tackle these things properly.

We do not support this motion as it stands. We do, indeed, ask that local government be given the opportunity, through the Local Government Association, to tackle this issue, and we plead that something be done about the cat problem—and it may have to be radical. I go back to what the member for Fisher said regarding Christine Pearson's comments that overseas they are getting these cats in, desexing them and letting them go again: I have never heard anything so stupid in all my life. Just because you desex them and they cannot breed, it does mean that they will not go out—

The Hon. S.W. Key interjecting:

Mr PENGILLY: We desexed the koalas, but they are still eating. It is just ridiculous. What a totally stupid thing was in the paper. I cannot believe that people in the community think that the answer to the cat problem is to neuter them and then let them go. It is just madness. They should get a vet in the country—and probably one in the metropolitan area—to catch a feral cat and slit it open to see what comes out of its stomach—birds, lizards, skinks. That is what comes out. They are devastating the country. The Pengilly option is to blast them away with a .22 at every opportunity—and I do not draw back from that.

Mr Kenyon: Use something bigger!

Mr PENGILLY: I might get the member for Newland to accompany me on cat patrol. We should fix it up very quickly. Although I respect what the member for Fisher is trying to do with this motion, the reality is that it will not achieve what he wants. Once again, we ask that the Local Government Association be given some encouragement. Unfortunately, the former minister for the environment is now the Minister for State/Local Government Relations—so that is probably a bit of a disaster. We should give the Local Government Association an opportunity to get its act into gear and do something about the appalling problem of loose cats in the community, the city of Adelaide, regional areas, the bush of South Australia and the wider Australian community. They should fix it up once and for all. I am a zero cat man and the sooner there are zero cats in the wild, the better.

Mr VENNING (Schubert) (12:32): I want to support the member for Finniss in relation to this motion. I understand the member for Fisher's desire to do this, but, like many others, I am not a cat lover. I love dogs but not cats. They are a killing machine. As a lover of nature and living in a country region, there is nothing worse than feral cats to destroy the beautiful bird life. We have not had a cat on our farm for many years. When we have visiting cats, we always make sure they have a bell around their neck.

Mr Pengilly: A bullet through the head.

Mr VENNING: It is amazing how feral cats can breed quickly. We have a regular campaign to get rid of them because they are an introduced species. There is no such thing as an Australian native cat. Of course, they are a killing machine—they climb, run, smell and hear. They are a lethal machine in relation to native wildlife. I support anything that brings this issue under some scrutiny. I note that the member for Fisher has raised this issue on more than one occasion. As a former member himself of local government, I wonder why he is not pushing this matter through local government avenues.

The Hon. R.B. Such: The Dog and Cat Management Board is working with local councils.

Mr VENNING: I can understand his frustration. I, too, am a former councillor, and having this debate probably cements a position, but I will not support our doing this because I believe it is an area of local government. Issues such as this are their responsibility—absolutely and totally. I support an expansion of this power for local government. Sometimes rules such as this should not be blanket rules because they do vary, particularly in relation to certain animals. What is a cat? A cat is not necessarily a cat. There are big ones, small ones, tabbies and show cats—all sorts of cats. I believe it is up to each council to consider, say, a local government by-law in relation to cat management and then to finetune it for its area. The laws for inner city Adelaide should be different from those for Crystal Brook or Tanunda. They should be quite different.

I understand the frustration and the desire of the member for Fisher in this matter, but I support what the member for Finniss has just said. I appreciate that the paper from which I am reading was prepared by the member for Finniss. I recognise that this issue has been raised before this instance. I also understand the government is opposing it. If I was the member for Fisher, I would not be totally nonchalant and upset with this. I certainly would be supporting local government to address this issue. I do not support the motion.

Debate adjourned on motion of Mrs Geraghty.

DISABILITY SERVICES

Mrs REDMOND (Heysen) (12:36): I move:

That this house notes the failure of the government's reorganisation of disability services and policy to improve services to South Australians with a disability.

Members would be aware that I am no longer the shadow for disability. I was reluctant to give up that portfolio because I really have a great interest in that area. The previous minister (Hon. Jay Weatherill) and I both have a genuine concern about disability, but we have a profound disagreement about the philosophy underlying how we would approach the provision of disability services. It sounds all very good that the previous minister said, 'We will have a single waiting list. That is how we will approach this.' That sounds terrific, except that people with disabilities have multitudes of differing disabilities, and so you cannot really have a single waiting list, in any event.

The fundamental underlying philosophical difference between the former minister and I was that he is very much one who believes that all government services should be centralised into a huge bureaucracy and I believe that you get far better service out in the community by supporting the organisations that provide specific services to specific groups of people with various disabilities. I do not say for a moment that there is not a place for government in the provision of disability services. Indeed, had I been the minister for the past 6½ years, one of the first things I would have done was to ensure that we had some sort of baseline database of the needs of the disability sector in this state. I am sad to say that, after 6½ years in government, that information is still not available.

I would encourage the new minister to set about getting that baseline data because we do need to have real data about just who is in this state and what is the nature of the disabilities of which we are aware. Admittedly, brain injury can be acquired, so we do not know, in all circumstances, the disabilities that people will acquire, but we should at least know the people we

already have with particular disabilities, what their disabilities are and what their likely needs resulting from that disability will be. It is very hard without that baseline information to make arrangements for how we will manage this whole disability area over a long period.

The previous minister and I, as I said, had this underlying philosophical discrepancy with my wanting to put more money into the community sector and the minister wanting to put it all in the central bureaucracy. We now have an even bigger and even less functional central bureaucracy than what we had previously. I think the government pulled apart and ceased to fund 10 or 11 organisations of note in the past 12 or 18 months. The biggest and most notable of those were: the Julia Farr Centre, the Independent Living Centre and the Intellectual Disability Services Council (IDSC). Those have now been basically taken over by the government.

I still strongly criticise the so-called trustees of Julia Farr Services because, in my view, they failed to meet their obligation as trustees. The property at Fullarton was given to the trustees—not those trustees, but the original trustees—to be held in trust for a particular sector of the disability community and, in absolute contravention of their sacred trust in that regard, they agreed to sell off that property to the government. The consequence is that now, instead of being used for the original purpose (it was originally, of course, called the Home for Incurables and, for good reason, that name was changed) of being the Home for Incurables or people with profound disability, what now sits in there is about 500 public servants. There are still about 120 people who manage to live there but that number is dwindling fairly rapidly and the buildings are mostly used for public servants.

In fact, I would be keeping a very close eye on this government in terms of what they are going to do with some of these buildings, because there is no doubt they are in a state of disrepair and falling into an increasing state of disrepair. I have seen governments do this before—they let things fall into disrepair and then say, 'We cannot really manage this appropriately so we had better sell it off'', and it will be sold to someone for some other purpose. I do not blame the government entirely for this because, as I said, I think the trustees of Julia Farr absolutely failed in their obligation as trustees and sold their sacred trust down the drain.

So Julia Farr has gone, the Independent Living Centre has gone and IDSC has gone, all into this giant bureaucracy. I would not be standing here complaining if the outcome of that was that we somehow had seen a dramatic improvement in the nature of disability services provided to people in this state, but there has been an abject failure of this government to provide an improvement in disability services. Indeed, we still lag well behind the national average and, in fact, I think we are still the bottom state in terms of per capita funding for people within the disability sector.

It seems to me that before the last election a lot of attention was paid to the disability sector, because they actually managed to get themselves organised. Unless you have actually spent some time working with people—not necessarily employees, but the parents and the families of people with profound disability—it is hard to realise how difficult it is for them to become politically active. It is not like when the people at a particular workplace decide they are going to march on parliament. Those people just get together, have their time off work and go and march on parliament, and it is all pretty straightforward.

For the disability sector, and a lot of people in that sector, just coming to parliament on a particular day is a major difficulty, because many of them operate with sleep deprivation and huge behavioural difficulties in the person they are caring for. They operate with the difficulty of wheelchairs or other impediments that make it difficult for them to access public transport or get Access Cabs, and so on. Every aspect of getting here is a trial, not to mention the lack of money to spend on doing those sorts of things.

So, it was, indeed, remarkable in the lead-up to the last election that the disability sector had, not just once but on a number of occasions, managed to get organised and get in here and to Elder Park—get involved in political activism in a way that had never been seen in this state before. I welcome it, because I think that the disability sector is important and the people in that sector are undervalued—both the paid workforce and the volunteers and carers. They are all undervalued. We as a community owe the families of the disabled people a huge debt.

I have said before in this place that, if you look at the way our society treated people with a disability, until about 50 years ago people who had a profoundly disabled baby were encouraged to leave that baby in an institution.

I remember reading a book by Roger Climpson (a news reader for some years) entitled *Elinda*. It was about a young girl, who, from memory, had nothing more than Down syndrome, or something with which we would normally expect nowadays that people would obviously take their child home. Yet, they were not allowed to take her home; indeed, they were discouraged from even visiting. That was a very sad thing.

I welcome the fact that over 50 years we have completely reversed that, so that now, when people have a child, no matter how profoundly disabled that child might be, they are encouraged to take that baby home and to love it and care for it. I welcome that, and I think that, largely, that is an excellent thing. It is an excellent thing for the child, and it is an excellent thing for families and for the community at large. That said, I believe that there is an obligation created on us as a society that, when that occurs, to owe it to those families who are saving us, after all, millions of dollars by not imposing the care of that child on the state. They are saving us millions of dollars over that child's life.

If you talk to any one of those parents, they will tell you that from the moment that child is brought home they are thinking, 'What's going to happen to my child when I am no longer able to care for my child; when we become too old, or frail, or we die?' I believe that, as a society, we will be judged on how we treat our most vulnerable. Unless we treat our most vulnerable with the dignity that they deserve and give them the helping hand that they deserve, then I think we have failed as a society.

My view is that we need to do everything we can, and I am sure that members on the opposite side also think that. The question is how we best achieve that outcome. My view is that it was a profound mistake by this government to say, 'We are going to manage it better by putting it all into a central bureaucracy.' That has not proved effective.

When I was the shadow minister, one of the arguments that the previous minister and I used to have was that he regarded a lot of these organisations as parent support groups. Whilst it is true that a number of them did start out as parent support groups, the reality was, first, they had become highly knowledgeable about the area of disability with which they were engaged. They had a far deeper knowledge of that area of disability than, mostly, even doctors and specialists. The other thing about them was that they ran on the smell of an oily rag. They did not really need very much money from the government to be functional.

I maintain the view that we would have been much better off as a community if we had continued to put money into those organisations. The sad thing is that, having dismantled them, having put all the money into this central bureaucracy, which is great for the bureaucrats because it gives them more reason to get bigger pay packets, the reality is that, not only did they not provide the same level of service, but, in fact, when you ring up people to this day they still want to contact the organisation that this government has now dismantled and stopped funding for its specialist knowledge.

I have been told time and again that people with a child with a disability have rung the department to say, 'Well, you know, my child's got this problem; I need to talk to someone about it.' And what do they do? They refer them back to the very organisation that they have said is not worth funding, because they are the people with the specialist knowledge. I do not blame the case workers within the department. They cannot possibly be expected to have the depth of knowledge of the issues and how to manage them, particularly from a parenting and carer's perspective, that the organisations that we used to have would have been able to provide.

It seems to me self-evident that there has been a failure; that this reorganisation undertaken by this government has been an abject failure. I hope that it is not too late to reverse what has happened. I suspect that it will be too late for various organisations in a number of cases. Of course, the other benefit it has is that, once you have bureaucratised everything and brought it into your department, who is left to complain? Who are the people who will be making the complaints? There is no organisation through which people can advocate system-wide improvement. They can certainly contact the department and complain as individuals, but they are left without a political voice—and that is the other sad thing about what has happened in the disability sector.

I am sure I speak for all of us in this chamber when I say that I want to see an improvement in disability services, but I profoundly disagree with the government on the manner in which it has approached this issue. I strongly believe that we should have given more support to the community organisations and to the parents, carers and families—not bureaucratised the system.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Northern Suburbs, Minister for Housing, Minister for Ageing, Minister for Disability) (12:51): I move to amend the motion so that it reads:

That this house notes the government's reorganisation of disability services and policy to improve services to South Australians with a disability.

Mrs REDMOND: Mr Speaker, I ask for a ruling on that amendment, because it seems to be completely contrary to the essence of my motion, and thus out of order.

The SPEAKER: I uphold the point of order. The amended motion does negate the intent. I suggest that the way to proceed is for the minister simply to oppose the motion.

The Hon. J.M. RANKINE: Thank you, sir. Prior to the formation of Disability SA, here in South Australia we had three sets of policies, different procedures and very different outcomes for people with disabilities in this state. With the formation of Disability SA, those policies and procedures have been amalgamated into a single set, resulting in significant improvements for service delivery in this state.

We have heard the member for Heysen assert a range of things in this house that have not been validated by any facts. I am told that in its first year of operation the service provision by Disability SA in fact increased by nearly 10 per cent. This motion actually gives me the opportunity to correct some other inaccuracies that are being peddled not by the former shadow minister but by the current shadow minister, who has been banging on in the media and putting out a whole range of things that are simply factually incorrect. In a media release dated 25 September he asserted that 'Disability SA is haemorrhaging staff'. He said:

There are consistent reports of an exodus of experienced and skilled professionals from Disability SA, leaving fewer people in a position to train those who remain.

My understanding is that we currently have a full-time equivalent vacancy of 3.7 people in occupational therapy and physical therapy. A couple of weeks ago I attended a ceremony to recognise people who had achieved the Certificate III in Disability Work qualification, and 261 Disability SA staff were recognised for their qualifications. The shadow minister went on to say:

The lack of therapists is leading to assessments being outsourced at up to five times the cost.

That is totally untrue. If we do assessments in-house, I understand it costs about $50 an hour. The outsourcing cost is between $65 and $85 an hour, not five times the cost. Yes, it is more expensive but when we have had the one-off injections that we have had over numerous budget cycles for equipment for people with disabilities, we are very keen on getting the equipment out there as quickly as possible. So, that is the aim of that but, again, the shadow minister got it wrong.

He also went on to say that independent research suggested that the department, Disability SA, has more than twice the number of executives per capita than Victoria and Western Australia, but that is simply not true. In fact, I have the figures here: South Australia has a ratio of 118.3 staff to executives; Western Australia has 158; and Victoria has 104. So, it is simply not true but that does not seem to stop the opposition banging on and peddling untruths, trawling out in the community for examples of situations that are not optimal but situations that might validate the assertions they are making.

The management of funding budgets has changed, and that means that there is much more local control about decision making and funding allocation. It has allowed regional managers unprecedented flexibility and delegation in response to clients' needs. Internal silos have been removed making it easier to work with clients with dual or multiple diagnosis. Prior to the reform, rather than a single point of access, there were three separate intake systems each with their own eligibility criteria. As part of the reform, a single entry process has been established for Disability SA services which includes a call centre for inquiries and referrals.

If a person contacts Disability SA with a need that can be addressed with the provision of information or brief assistance, this is provided immediately without the person having to be placed on a waiting list or having to meet eligibility criteria. If the presenting issues require more than brief assistance, intake and eligibility assessments are undertaken. Eligibility is now determined more on the basis of the person's functioning, and fewer people are falling through the service gaps.

Improvements to the procurement, repair and maintenance of equipment provided for people with a disability are under way, and this is about improving independence and access to the community. The Statewide Equipment Scheme establishes one administrative system for clients of

both Disability SA and Domiciliary Care SA and aims to increase efficiency and purchasing power. Since June this year, equipment worth in excess of $1 million has been purchased. Again, the shadow minister said that Domiciliary Equipment Services was not capable of making the assessments. They are not required to do that; Disability SA does that.

The repair volumes have reduced significantly due to system changes. There has been a significant decrease in the number of repairs being outsourced, saving money which can be used to purchase further equipment and reduce waiting times. Prior to the formation of Disability SA and the Accommodation Placement Panel, there were multiple waiting lists, contact points and criteria for assessing supported accommodation. People with the highest needs often did not receive the next available vacancy. In addition, agencies could at times be tardy in notification of their vacancies.

The formation of Disability SA has seen the development of a single waiting list for accommodation, a single vacancy notification process and the allocation of accommodation places to those in greatest need through the Accommodation Placement Panel.

Debate adjourned.

[Sitting suspended from 13:00 to 14:00]

COUNTRY HEALTH CARE PLAN

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 74 residents of South Australia requesting the house to urge the government to withdraw the Country Health Care Plan and to continue funding of Country Health SA services at existing hospitals and health facilities in rural South Australia.

GLENSIDE HOSPITAL REDEVELOPMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition): Presented a petition signed by 13 residents of South Australia requesting the house to urge the government to retain the areas known as precincts 3, 4 and 5 of Glenside Hospital to ensure they continue to be available as open space and recreational, together with mental health services.

ANSWERS TO QUESTIONS

The SPEAKER: I direct that the following written answer to a question as detailed in the schedule I now table be distributed and printed in *Hansard*.

LYELL McEWIN HOSPITAL UROLOGIST

2 **Ms CHAPMAN (Bragg)** (16 September 2008).

1. Why has an overseas trained urologist been employed at the Lyell McEwin Hospital without being vetted by the Board of Neurology or the Royal Australasian College of Surgeons?

2. Why was this position not advertised or made available to new graduates and what action was taken to secure the services of this person?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I have been advised:

1. and 2. This appointee is a suitably qualified and highly credentialled medical officer.

The appointee has limited registration with the Medical Board of South Australia. His registration requires him to practise under the supervision of the director of surgery at LMH. This has occurred.

The appointee is not appointed as, nor does he practise autonomously as, a specialist and therefore does not require review by the Royal College of Surgeons.

MEDVET

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Until 1 July of this year, the IMVS was a statutory authority that was responsible to its own independent board and had its own chief executive, who reported, in turn, to that board. It operated with a high degree of autonomy, as was required by the Institute of Medical and Veterinary Science Act 1982.

On 1 July 2008, the IMVS Act was repealed by parliament and the IMVS was thereby dissolved as a separate statutory authority. The new Health Care Act 2008 enabled the merging of the IMVS with other government pathology services to form one pathology service called SA Pathology. SA Pathology is now part of the Central Northern Adelaide Health Service. A major change is that SA Pathology is now responsible to the chief executive of SA Health and through him, to me as minister.

In the 1980s, the IMVS incorporated a company called Medvet Science Proprietary Limited under corporation law, to commercialise the intellectual property of IMVS. Since the repeal of the IMVS Act, the Central Northern Adelaide Health Service has become the shareholder of Medvet Science Proprietary Limited. Today I inform parliament that changes have been made to the constitution of Medvet to make governance, accountability and reporting obligations consistent with the new direction flowing from the repeal of the IMVS Act.

I can also advise that new directors will be appointed to the board this week, with the former deputy chief executive of the Department of Justice, Mr Terry Evans, as chair. The other members of the board will be Mr Alan Bolaffi, Mr Paul Gardiner and Professor Ruth Salom, the new chief executive of SA Pathology. This new board will reflect a mix of legal, financial, governance and health experience.

In the long term, the government will be reviewing the financial and operational affairs of Medvet and consider further reforms to its structure and relationship to government. As parliament is aware, the government's pathology reform process has brought to light some issues. In October last year, I became aware of allegations regarding IRIS 2 software. The Department of Health and the Crown Solicitor instigated the preliminary investigation by the Government Investigations Unit.

After the government investigator's report was received, the matter was referred promptly to the Anti-Corruption Branch of SA Police for it to conduct an investigation. I also wrote to the Auditor-General about this matter in February 2008, as I have previously informed the house. I am informed that the Anti-Corruption Branch has sought advice from the Office of the Director of Public Prosecutions. It is expected that the DPP will be in a position to advise in the near future whether the allegations should be further investigated.

Recently, SA Pathology has become aware of information that raises questions about the conduct of several former employees of Medvet. I was informed on 17 September 2008 of these new allegations. These were referred immediately to South Australia Police, who are currently investigating. These allegations have also been reported to the Auditor-General.

The Crown Solicitor's advice is that further comment on the allegations at this stage could prejudice the investigations. It is not appropriate to comment any further at this stage while a police investigation is under way. Such comment could make the job of the police or the DPP more difficult. However, as soon as I am able to provide further information I will do so.

Without commenting on the allegations before the police and the DPP, I am confident that the governance changes to pathology services and Medvet will lead to a more robust governance and financial management system. Unfortunately, the opposition has opposed the government's legislative changes to governance. I remind the house of the deputy leader's comments in April, when opposing the reforms, that the IMVS is a 'stunning little entity' with a 'stunning financial record' and that Medvet is a 'little gem' that is 'steaming along beautifully'.

ECONOMIC AND FINANCE COMMITTEE

Mr KOUTSANTONIS (West Torrens) (14:06): I bring up the 68th report of the committee on Ethical Public Sector Superannuation Schemes.

Report received and ordered to be published.

VISITORS

The SPEAKER: I draw to honourable members' attention the presence in the gallery today of students from Our Lady of the Sacred Heart College (guests of the member for Enfield), students

from Highgate Primary School (guests of the member for Unley) and participants of the South Australian Regional Community Leadership Program (guests of the member for Giles).

QUESTION TIME

SHARED SERVICES

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:07): My question is to the Treasurer. Why has his shared services program failed to deliver the savings he promised? The Auditor-General has revealed that there will be a savings shortfall of $17 million this financial year and a shortfall of $103 million over three years.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:08): This is hardly new news. I think that, at the time of the estimates committee—

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: Sorry?

Mrs Redmond interjecting:

The Hon. K.O. FOLEY: How about you just listen to the answer and then make a judgment?

Members interjecting:

The SPEAKER: Order! The Treasurer has the call.

The Hon. K.O. FOLEY: Thank you, Mr Speaker. We made commentary at the time of the estimates committee that the shared services program will deliver substantial savings to the budget but that it was likely to take a longer period of time to bed those savings down and we would see some slippage in the time it would take to lock those savings down.

What we have already locked down is about $30 million a year, and there is a further $30 million plus we need to achieve. What we are doing is locking in a long-term permanent stream of savings efficiencies in perpetuity. I have said quite openly that if it takes a year or two longer to get it right, so be it. These are long-term savings.

So, when the leader makes some silly comment like we have blown $100 million, what does that mean? It means that we are not getting the savings as soon as we had hoped. They are savings, not costs. They are savings. I say again that the Leader of the Opposition fails to understand the basic concepts of public finance. These are savings, so if the savings take a little longer, they are—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: We are talking about savings. We cannot win with this lot opposite; we either spend too much or we do not spend enough, or we do not spend money in the right places, like a $1.2 billion football stadium, or give teachers 6 or 7 per cent wage outcomes. As a government, we have had the courage to make cuts—something members opposite failed to do through their period in government.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The member for Davenport seems to have been quite vocal over the past few sitting days—sort of 'Come back Iain' time.

Mr Williams: He has a better memory than you, Kev.

The Hon. K.O. FOLEY: He just can't count, though, can he? Good memory, can't count.

Members interjecting:

The SPEAKER: Order!

Mr Venning interjecting:

The Hon. K.O. FOLEY: Gee, I am the Deputy Premier and Treasurer. How long have you been in parliament, Ivan—and you are still on the back bench—

Members interjecting:

The Hon. K.O. FOLEY: And you will be what, 70 at the next election, Ivan?

Members interjecting:

The SPEAKER: Order! The Treasurer will get on with his answer.

The Hon. K.O. FOLEY: Notwithstanding the interjections, sir, I will.

The SPEAKER: Order!

The Hon. K.O. FOLEY: We have embarked upon a program of savings that will lock in the efficiencies that we need to lock in if we are to continue to find the money necessary to fund our health, education and law and order platforms. Shared services is a process that is undertaken by most major corporations. Most major corporations globally now have shared services.

Ms Chapman: The PSA say it's failed.

The Hon. K.O. FOLEY: Apparently, the PSA has said it's failed and somehow that is supposed to be a badge of honour or something; they are the authority. Since we came into office, the PSA has opposed every initiative of this government to save money, so that does not surprise me. BHP has a shared services facility here in Adelaide. It is a common business practice, and it should be common for government. It is not an easy reform. It is not without the potential for error but, in the long run, it is a very good efficiency saving, and sometimes governments have to be courageous and make hard decisions—something members opposite failed to do in eight years of government.

GOVERNMENT BUILDINGS, ACCESS

Mrs GERAGHTY (Torrens) (14:13): Can the Minister for Infrastructure advise whether the opposition was refused entry by him to a government building today?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:13): It is a good question.

Mr Hamilton-Smith: Who's Andrew from your staff?

The Hon. P.F. CONLON: You've got a track record of picking on public servants. I would just leave them alone if I were you, because—

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Order, member for MacKillop!

The Hon. P.F. CONLON: The opposition has been out in the public today agitating the story that they were first given entry to a public building and then I, personally, intervened to make sure that was refused. This is a good story but, unfortunately, it is not slightly true; but it has not stopped their tricky dirty tricks department running around trying to sell it to people. Can I explain to members of the opposition something that I would have thought they all knew? The protocol of going to a minister's office to gain access to a government site is not one established by this government but is the one that you operated, that we adopted. It is for a very good reason: because we do not put public servants on the spot politically. It is not their judgment.

Mr Williams: There are no public servants there; it is an empty building.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Of course, what we are—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: What we are seeing in this chamber is bad behaviour trying to cover their tricky behaviour. Let me make it clear—

Members interjecting:

The Hon. P.F. CONLON: Let me make this clear: the protocol of going through there is to protect public servants—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Of course, their claim that they were given entry is not true because the public servant there was put on the spot, did not have authority to allow them in and so, contacted a public servant in my office—because they knew, if they wanted to go I was sitting right here, 10 feet away yesterday. They had the foresight to tell all the media to come but, no, 10 feet away they did not ask me. When did they seek to go? When they knew I was paired at an infrastructure conference; when they knew they would be refused entry; when they knew their dirty little stunt would work. Then, what has he done in this place? He has come in and, further, he has named the public servant—not a staffer, a public servant. He has come in and named the public servant in my office who was put on the spot by him for his cheap stunt.

In a week where governments around the country are grappling with some of the most difficult economic situations this nation and the world has ever faced, what do we have from the opposition? Cheap, dirty stunts. Cheap stunts; they are nothing but stuntsters. In a week when Malcolm Turnbull confined the qualities of leadership to operate in a bipartisan way with the commonwealth in a rescue package, what do we get from this opposition? A cheap, sneaky stunt. Make no mistake, not only is it a stunt, but they did it when they knew I was somewhere else.

What have they told the media? That they were going to be allowed in by a public servant but, apparently, I was sitting in my office watching the closed-circuit television to make sure I could ring up and stop them. Nothing speaks more volumes about the quality of this opposition than the fact that, at a time when the nation and the state faces these challenges, what is their proposal? What is their solution? A cheap stunt putting public servants on the spot, and then a lie to the media afterwards.

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: I am sure the very small little men over there in the dirty tricks department are very proud. Look, he is grinning again. He is very proud of his dirty trick. However, make sure the media understand what I am saying to them: that you have been lied to by the opposition. They are sneaky liars and nothing ever changes.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

SHARED SERVICES

Mr HAMILTON-SMITH (Waite—Leader of the Opposition) (14:18): I am just pulling myself back together after that oratory; putting the pieces back together. My questions to the Treasurer—

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: Sorry?

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

Mr HAMILTON-SMITH: Is he finished? Can I—

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Infrastructure will come to order.

Ms Fox interjecting:

The SPEAKER: The member for Bright will come to order. The Leader of the Opposition.

Mr HAMILTON-SMITH: My question is to the Treasurer: is he the minister responsible for a series of decisions regarding accommodation for his failed shared services program which has resulted in the payment of $6.7 million—

The Hon. P.F. CONLON: I take a point of order, Mr Speaker.

The SPEAKER: There is a point of order.

The Hon. P.F. CONLON: To put the statement 'failed shared services' in there is making a statement. If he wants to make a statement he can seek leave of the house. When it suits them they are sticklers for the standing orders but they ignore them completely on other occasions.

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: I will leave it to others to decide whether it has failed. Is the Treasurer the minister responsible for a series of decisions regarding accommodation for his shared services program which have resulted in the payment of $6.7 million in rent for empty office space to which the Minister for Transport, Infrastructure and Energy referred a moment ago?

Members interjecting:

The SPEAKER: Order!

Mr HAMILTON-SMITH: The Auditor-General has raised concerns about $4.1 million paid for dead rent up to 30 June 2008. Subsequent evidence given by the Under Treasurer to the Budget and Finance Committee has revealed that this amount has now blown out to $6.7 million. The empty office space is at 77 Grenfell St (Westpac House) and 91 King William St (Wakefield House) and involves well over 500 empty desks and multiple floors of empty space.

Members interjecting:

The SPEAKER: Order! The Treasurer.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:20): The government, as I said, has already locked in $30 million of savings and we are working on further savings of the order of $30-plus million. We are centralising the back-office operations of most, if not all, government agencies. We are centralising those services into one accommodation.

Mr Williams interjecting:

The SPEAKER: Order! The member for MacKillop is warned. The Treasurer.

The Hon. K.O. FOLEY: We are consolidating the back-office operations of all or, if not all, most government agencies into a central location to gain substantial efficiencies primarily initially in the areas of payroll, human resources and purchasing, and there will be further consolidation of core functions that are shared by all agencies. The agencies will then purchase those services from the central shared services entity.

To do that, we will be shifting public servants from where they may be currently housed into the central facility. We are doing that in tranches. We are doing it in a manner where there is not severe dislocation of government operations. To do that, we have to secure premises, and in this case we have secured premises earlier than we would necessarily have wanted for these reasons: that there is a severe shortage of good quality office accommodation in South Australia, in Adelaide.

Ms Chapman: The market has collapsed.

The SPEAKER: Order!

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Mr Speaker, any chance we could ask Vickie to hold it lower?

The SPEAKER: The Treasurer has the call.

The Hon. K.O. FOLEY: The shortage of good quality accommodation stock and an even greater shortage of good large floor plates for this type of operation meant that we had to secure

premises a little earlier than we may otherwise have liked, but it is imperative that we actually fit out these offices. We have the desks in place. We have the configuration so that you can move people in.

The Hon. P.F. Conlon: But shouldn't we get the people before we get the offices?

The Hon. K.O. FOLEY: Well, that's the alternative. We either lease a building and say 'Look, can you bring a desk with you; can you bring chairs with you, and we are going to—'

Mr Pisoni interjecting:

The SPEAKER: The member for Unley will come to order.

The Hon. K.O. FOLEY: That's coming from a bloke who went bankrupt in his business.

Mr Pisoni: Make those claims outside this house.

The Hon. K.O. FOLEY: What, you didn't go bankrupt or put it in receivership?

Mr Pisoni: Make the claim outside the house! Gutless, aren't you?

The SPEAKER: Order! I have called the member for Unley to order.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: A bit sensitive there, mate!

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The suggestion that we would have people move into an office before having the office fitted out, given the nature of the business that we will be undertaking, is a silly suggestion. We are fitting out those offices, and we will lock in a stream of ongoing savings that will deliver hundreds upon hundreds of millions of dollars of efficiency savings over the years to come. The teething problems and the issues with which you are confronted upfront in these exercises will be but a dim memory when the Treasurer (hopefully me) and future treasurers see significant budget benefits from this process in the decades to come.

COMMUNITY VOICES PROGRAM

Mr KOUTSANTONIS (West Torrens) (14:25): My question is to the Minister for Volunteers. What benefits does the Community Voices initiative deliver to the South Australian volunteer sector?

The Hon. P. CAICA (Colton—Minister for Industrial Relations, Minister for Employment, Training and Further Education, Minister for Science and Information Economy, Minister for Youth, Minister for Volunteers) (14:25): I thank the member for West Torrens for his question and acknowledge his support of and advocacy for volunteer organisations within his electorate. The community—

The Hon. I.F. Evans interjecting:

The Hon. P. CAICA: Well, the majority of members in this place, for sure. The Community Voices program is an initiative that offers practical—

The Hon. I.F. Evans interjecting:

The Hon. P. CAICA: Certainly everyone on this side. Don't try to bait me, all right, please.

Members interjecting:

The Hon. P. CAICA: Do you want to hear about this fantastic program?

Members interjecting:

The Hon. P. CAICA: Okay. It is an initiative that offers practical support to the volunteer sector in our state. With the help of a $50,000 grant, Flinders University works with not-for-profit volunteer organisations to develop local community documentaries or television community service announcements. These productions can be used by volunteer organisations to publicise their endeavours or, indeed, to use as an induction tool for new volunteers. It really is an excellent initiative. It was developed by the Office for Volunteers in partnership with the Screen Studies

Department at Flinders University in 2006. This program is a two-way exchange between the organisations and Screen Studies students from the university.

Successful applicant organisations are assigned students who work with them to develop concepts to promote and market the organisations' objectives and activities. These students have access to supervised technical skills training, development support and course processes within the university to produce materials such as DVDs and television commercials. I know that people in this place would have seen these documentaries, and they are absolutely first class.

In turn, the organisations can use these materials to increase their viability within the community. Giving these students valuable hands-on experience is not only beneficial to our community organisations (and, indeed, an ongoing link is created between these students and those particular volunteer organisations) but also it creates potential pathways to employment for these students.

The Office for Volunteers has also facilitated access to purchasing television air time at a discounted rate for community service announcements in metropolitan and regional areas, and this is partly subsidised through this Community Voices program.

A diverse range of community groups have participated in this collaborative program. These include the Community Accommodation and Respite Agency, Drug Arm Australasia, the Hutt Community Centre and Technical Aid to the Disabled; and there are many more successful outcomes from this program. South Australia's volunteers make a tremendous contribution to the wellbeing of our communities across our state.

The Community Voices program offers a valuable opportunity for our volunteer organisations by increasing public awareness of the excellent and outstanding services that these organisations continue to provide. Applications for the Community Voices program are now open and they close on Friday 28 November. Further information can be obtained by contacting the Office for Volunteers or by visiting its website. I know that every member of this chamber supports the outstanding contribution that volunteers make to our state.

SA WATER

Mr WILLIAMS (MacKillop) (14:29): Did the Treasurer approve the $46 million to fit-out the SA Water head offices at Victoria Square, and given that SA Water, according to the Auditor-General, is having to borrow to pay dividends to the government and to fund capital investments, such as a desalination plant and other water security infrastructure—

The SPEAKER: Order! The honourable member should ask the question and then seek leave to explain.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order! I do not need the assistance of the Attorney-General. Is the member for MacKillop seeking leave to explain?

Mr WILLIAMS: Yes; thank you, sir. Does he stand by the $46 million fit-out as money well spent under his direction of the Treasury bench?

The Hon. K.A. MAYWALD (Chaffey—Minister for the River Murray, Minister for Water Security) (14:30): I thank the honourable member for his question because it gives me an opportunity to correct the record in the house. One of the things I find quite outstanding about the opposition is the number of times it is prepared to bend the truth and say outright misleading statements publicly in relation to a range of issues. I want to refer to a particular interview that the Leader of the Opposition gave on regional radio a week or so ago, where he told the public that SA Water was using the Save the Murray levy to fit out this building. He actually told the public that SA Water was using the River Murray levy! That is an outright lie. In fact, the Leader of the Opposition stands at such an angle to the truth on this one that he would not deflect it.

The Leader of the Opposition knows very well that the Save the Murray levy is a hypothecated fund. A report comes into this chamber every single month. It is a hypothecated fund, and the Leader of the Opposition knows it, but he went out there and misled the public again—as he does again and again. What I would like to say—

Mrs REDMOND: I have a point of order, sir. The member just accused the Leader of the Opposition of having misled—

The Hon. K.A. Maywald: Not the house.

The SPEAKER: Order! Member for Heysen, it is disorderly to accuse a member of misleading the house. To my knowledge the minister was not accusing a member of having misled the house but, rather, making misleading statements.

Mr PISONI: Standing order 127 states that a member may not impute improper motives to any other member. I ask you to uphold that point of order, sir.

Members interjecting:

The SPEAKER: Order! I do not uphold the point of order.

Members interjecting:

The SPEAKER: Order! What the minister has said is not a personal reflection within the meaning of standing order 127.

The Hon. P.F. CONLON: I have a further point of order, sir. I make the point that it sits ill in the mouth of the opposition to complain about standing orders when they are shrieking abuse.

Members interjecting:

The SPEAKER: Order! The minister does not assist me in keeping the house in order by misusing points of order in that way. The Minister for Water Security.

The Hon. K.A. MAYWALD: Thank you, sir. In relation to the fit-out of the SA Water building which is currently under construction, it is a decision of cabinet to support the $46 million fit-out of the building. It is a very large building and it needs to be fitted out. We cannot move people into a building with no furniture and furnishings. It is important to fit out buildings before moving people into them. Moving them into an empty building would be highly irresponsible. In fact, the cabinet decision was based on the fact that relocating SA Water staff and personnel from three different sites into the one central site will have long-term savings for the government.

HOSPITAL DEMAND

Mr RAU (Enfield) (14:35): My question is to the Minister for Health. What is the government doing to reduce demand on our hospital system?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (14:35): I thank the member for Enfield for this probing question. He should be a proctologist; he is very good. South Australia is faced, as we all know, with an increasing burden of providing health care to our ageing population. As the proportion of the population aged over 65 increases, they will require more services and there are relatively fewer working age people to support the system. This is occurring right across the developed world. In broad terms, SA Health projections show that, if we were to continue on a business as usual approach to health care, the entirety of the state's budget would be need to be spent on health by 2032 in order to simply maintain services. Clearly, this is untenable; it is unsustainable; and the government is undertaking the major task of reforming our health service to ensure that it is sustainable for the future.

We started in 2003 with the Generational Health Review, and last year we released South Australia's Health Care Plan. Our strategy is twofold. Firstly, we are increasing capacity within the system through a major investment in redeveloping our infrastructure. I note that we have increased the number of beds in the metro area by about 250 since we have been in government and we are also committing $2.2 billion worth of expenditure to create new infrastructure, particularly the Marjorie Jackson-Nelson Hospital. Secondly, we are also reducing further growth in demand for our hospital service. We will achieve this by building our primary health care capacity and increasing prevention measures right across our state. Every step of the way, I have to say, we have been opposed by the opposition.

This year, the government ran a major television campaign urging people not to go to EDs in winter if they had minor ailments. I have already gone through the figures, but there has been a reduction in the number of people who attended ED presentations—something like 95 fewer patients a day in the lower categories. We have also implemented a number of other strategies aimed at reducing the burden on South Australia's metropolitan hospitals. For example, we provided 9,822 hospital avoidance packages in 2007-08 and 10,637 supported home discharges. We have increased these programs again this year by providing 462 more hospital avoidance packages this August compared with last year (a 61.8 per cent increase) and an additional 445 supported home discharges (a 63.2 per cent increase).

It is important that we invest in these strategies, because it is by doing these things that we keep people out of hospital beds, and that helps the emergency departments, intensive care units, elective surgery and so. More flu vaccine has also been distributed by GPs in the most recent years to people aged over the age of 65. We have gone from 225,000-plus inoculations in 2007 to 229,000-plus in 2008. Our GP Plus health care centres are being established, of course, to provide chronic disease management programs, in addition to other primary health care services in our communities. Centres are already operational at Aldinga and Woodville, at an investment cost of $5.2 million, and a further $26 million is being committed to building GP Plus centres at Marion, Elizabeth and Port Pirie.

We know that, 10 months after the opening of the Aldinga GP Plus centre, for example, 156 fewer people from the Aldinga area presented to the Noarlunga emergency department than in the 10 months prior. There was less demand at the service as a result of fewer people attending compared with the prior 10 months. That is a 16 per cent reduction, while all ED attendances for all other areas that feed into the Noarlunga Hospital actually grew by 16.8 per cent. These are stark figures. A 16 per cent reduction from the area where the GP Plus centre is in place: a 16.8 per cent growth from all the other centres which provide patients to that hospital.

The Hon. P.F. Conlon: Excellent indications.

The Hon. J.D. HILL: It is a great indicator. We have also introduced programs aimed at keeping people out of hospital in the longer term by promoting healthier lifestyles. The effect of these measures has been to address the growth in hospital demand.

For the 2007-08 financial year, emergency department attendances at metro public hospitals totalled 362,901, which is an increase of 2.1 per cent in comparison to the previous year. This compares very favourably to the average increase over the previous three years of 4.7 per cent. So, we have seen a tapering off in the growth in demand in terms of attendances at emergency departments. That is not to say it is all fixed, by a long shot, but we have seen that reduction in demand. We have reduced the growth in demand but have not yet achieved a reduction in demand in gross terms.

Yesterday the Deputy Leader of the Opposition referred to figures in the Auditor-General's Report that showed that there were fewer same day patients to South Australian metropolitan hospitals during 2007-08. This reduction is, in part, explained by a policy decision to fund chemotherapy and selected scopes as outpatients instead of same day activity from 1 July 2007.

Periodically, of course, it is necessary to change how we code procedures to reflect improved clinical practices and improved technology. For example, many years ago to have relatively minor eye surgery a patient would have to spend two weeks in hospital with their head in sandbags kept absolutely still while they recovered.

Mr Hamilton-Smith interjecting:

The Hon. J.D. HILL: Your wit is profound, Leader of the Opposition. Now, of course, those same procedures (cataract removals) can be done in relatively few minutes in an outpatient clinic, so the nature of the services do change. Over the past year we have rescheduled the way some of these things happen, so some procedures previously provided as inpatient settings can now be provided in non-inpatient settings.

In the future we would expect some of these procedures to occur in GP Plus-type facilities. So, we have a broad range of strategies in place and I am pleased the inform the house, in more detail than I was able to do yesterday, that these strategies are beginning to bite.

SCHOOLCHILDREN, INAPPROPRIATE BEHAVIOUR

Mr PISONI (Unley) (14:42): My question is for the Minister for Education. What evidence does she have to support her statement that it is not uncommon for boys from single parent families to need specific learning about the appropriate use of a urinal, and what does this statement have to do with concerns—

Members interjecting:

Mr PISONI: This is serious.

The SPEAKER: Order!

Members interjecting:

Mr PISONI: Just listen, Tom. This is very serious. What does this statement have to do with the concerns raised by a parent about bullying incidents, including one student allegedly urinating on another? My colleague, the member for Hammond, wrote—

The Hon. M.J. Atkinson interjecting:

Mr PISONI: This is serious, Attorney-General. You might think it is amusing, but it is serious.

Members interjecting:

The SPEAKER: Order!

Mr PISONI: My colleague the member for Hammond wrote to the minister in December of last year relating the concerns of a constituent, which she replied to seven months later, I must say. The constituent was concerned with the lack of response by a school to her complaints that a five year old boy had an unusual sexual interest in other children. The constituent said that the five year old had been asking other boys for sex and had asked other children to touch his penis. This boy—

Members interjecting:

Mr PISONI: This is very serious and—

Members interjecting:

The SPEAKER: Order!

Mr PISONI: —if you were a parent you would be—

The Hon. P.F. CONLON: Point of order.

The SPEAKER: Order! Point of order.

The Hon. P.F. CONLON: The chance to explain a question isn't a chance to lecture us.

Members interjecting:

The SPEAKER: Order! I am following what the member is saying. I will—

Mr PISONI: The constituent said that the five year old had been asking boys for sex and had asked another child to touch his penis. This boy, it was alleged, had urinated on the constituent's son. In the minister's initial response to the member for Hammond she stated:

> This child needed specific learning about the appropriate use of a urinal, which is not uncommon for boys from single parent families.

The complaint was not about the use of the urinal; the complaint was about the inappropriate sexual behaviour towards other children.

The SPEAKER: Order! Now the member has gone beyond the explanation. The Minister for Education.

The Hon. J.D. LOMAX-SMITH (Adelaide—Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism, Minister for the City of Adelaide) (14:44): I will not engage in a discussion about private information that has come to me as minister. What I will say is that the member for Unley is picking up and is endorsing some really bad behaviour by backbenchers, or other members of his party, who make a complaint about a school and then when they are offered the opportunity to have a briefing do not take it up. Clearly, where there are serious allegations about a school or an individual—

Mr Pisoni interjecting:

The SPEAKER: Order! The member for Unley has asked his question.

The Hon. J.D. LOMAX-SMITH: I think the member for Hammond might well think this is funny, but I take every letter and complaint—

Members interjecting:

The SPEAKER: Order!

Mr PEDERICK: Point of order—127. I do not think this is funny. This is a very serious point, and the government obviously is not taking notice.

The SPEAKER: Order! There is no point of order.

The Hon. J.D. LOMAX-SMITH: I apologise, sir. I took the sniggering facial configuration to mean a smile.

The SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH: The reality is that, if a letter is received from a parent who is worried, it is important that it is taken very seriously.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH: The letters often come from concerned parents and do not include one issue, one allegation or one problem. My observation—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. LOMAX-SMITH: —is that it is important that every matter is looked into in a very—

Ms Chapman interjecting:

The SPEAKER: Order! I warn the Deputy Leader of the Opposition.

The Hon. J.D. LOMAX-SMITH: In fact, issues to do with sexuality between children in schools are taken very seriously, and every matter requires investigation. I will not comment publicly about the matters involving the specific children in this case because I think that is quite inappropriate. What we have said in relation to this matter, and other matters the member for Hammond has wished to make public and discuss in the media, is that we have offered briefings so that he can understand the particular matters in place. Did he take them up? Did he make approaches to the district director? No.

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned.

The Hon. J.D. LOMAX-SMITH: Where there are complex and worrying issues, it is relevant that they be properly investigated, that proper actions take place and that due respect be given to those people who made the complaint. I think it is appropriate that, where these matters occur, we take them seriously. But actually to try to humiliate the families and drag it out publicly—

Members interjecting:

The SPEAKER: Order!

Mr PISONI: Standing order 128, sir—irrelevant. This is entirely irrelevant. My question was quite clear.

The SPEAKER: Order! The member for Unley will take his seat.

Mr PISONI: I am interested in the evidence.

The SPEAKER: Order! The member for Unley will take his seat.

Members interjecting:

The SPEAKER: Order! The minister must not debate in her answer.

The Hon. J.D. LOMAX-SMITH: When matters of a serious nature are raised with any minister, they want to assure themselves that they have been dealt with properly by the department. Clearly, that has occurred in this case because there was information that was sought. Indeed, in relation to the school, the member for Hammond was offered a briefing to have the specific details described. Did he turn up? Did he make the phone call? Did he care enough? No; he released the data to the media. That is how much the member for Hammond cares about the children and the schools in his electorate.

TRANSPORT REGULATION USER MANAGEMENT SYSTEM

Dr McFETRIDGE (Morphett) (14:49): My question is to the Minister for Transport. Why has the cost of implementing the transport regulation user management system (TRUMPS) almost doubled in cost? Does this cost overrun reflect systemic problems in the government's ICT

procurement program? The Auditor-General has confirmed that the original cost of TRUMPS was $9.5 million but has blown out to $17.4 million.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:49): I am not quite sure that I understood all the question. The question was: has there been an increase in the cost of the TRUMPS system?

An honourable member: Why is it double?

The Hon. P.F. CONLON: I am not quite sure that that is the case, but I will take the matter on notice and get back to you.

RISTEC PROGRAM

Mr GRIFFITHS (Goyder) (14:50): My question is to the Treasurer. Why has the cost and time line of implementing his revenue management system (RISTEC) blown out from the $22.6 million approved by cabinet in July 2002 to $68.1 million, requiring a bailout of $45.5 million and a delay of five years? Does this failure reflect systemic problems in the governments ICT procurement program?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:50): It is true to say that the RISTEC program has taken longer and has cost more than one had initially hoped.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I have often made the point that sometimes in government we do not always get it right. That is the nature of government.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: The implementation of RISTEC will have a payback to taxpayers of enormous quantity. RISTEC—

Mr Griffiths: It will need to.

The Hon. K.O. FOLEY: Correct; it will need to, given the investment that we are putting into it. That is why we are putting it in. RISTEC will enable us now to collect lawfully-owed taxes from a number of people who have otherwise been avoiding paying tax or have otherwise avoided proper assessment by government. There are factors of leakage under the old technology, where a number of taxpayers were leaking from the system by not being properly monitored and accounted for in government. That was a legacy issue from the last government; it was not something that the last government had put in place. My guess is, if I go back and look at the files, that the idea of RISTEC probably started under treasurer Lucas; if not, it certainly started in the very early part of my career.

I am happy to get for the house just how much extra money we expect to get from RISTEC once it is operating. I think it will be useful information. I would only be guessing, but I think it would be at least $10 million-plus, probably $20 million a year of extra revenue—probably even more than that. I will try to get that information for the house before question time ends. A substantial improvement in the quantity of lawfully-owed taxation revenue will be coming into the state Treasury—into consolidated revenue—for us to then spend on important government services.

RISTEC is a good initiative. It has taken longer and it is more expensive, but that is IT, unfortunately. It has been a very complicated process of procurement and design. I am sure that anyone who has been involved in IT—and I am sure in your career you too, Mr Speaker—would have had IT glitches from time to time. I know that under the last government there were many examples of IT programs costing much more than what was originally budgeted for.

The Hon. P.F. Conlon: The government radio network.

The Hon. K.O. FOLEY: The government radio network, for example. There are plenty of examples under the last government. One of the unfortunate realities of business is that IT costs are difficult for any entity—the government or the private sector—to contain at times. I will get those figures for the house as soon as I can.

GOVERNMENT BUILDINGS, ACCOMMODATION

Mr O'BRIEN (Napier) (14:53): Will the Minister for Infrastructure advise whether the government is losing money on any accommodation?

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure, Minister for Energy) (14:54): Apparently, the Auditor-General has already told us. The allegation that has been made today by members of the opposition is that we are wasting money by getting a building before we put people in it. Of course, we should have got the people first and then built the building around them. That would have been the way they would have done it. The opposition has also said that SA Water is wasting money because it is moving into a building. Of course, it should sit in Victoria Square; that would be a good way to do its business. The truth is that, as the minister responsible, I can advise—

Members interjecting:

The Hon. P.F. CONLON: Listen—I have news for you; you will like this. I can disclose that the government has made a big mistake and that it has lost very badly on a non-commercial deal. But can I say that the ordinary practice of this government, under the relevant department, is to pay commercial rates for rental. That is what we do; that is what we seek to do; and that is what we do on every occasion that we make a decision.

However, because of the questioning today I think I should indicate to the house that we do have one head lease that was written by the government completely uncommercially, and I am advised by the department that, despite the fact that the building is fully let at commercial rates, it will lead to a loss to the government over the lifetime of that lease of $15.7 million. That is $15.7 million that might have been spent on useful accommodation, that might have been spent on our hospitals and schools. I do apologise to the house for this. I refer, of course, to the EDS building. The head lease on the EDS building was taken nine years ago by that glorious former government of which, for a twinkle, the Leader of the Opposition was a minister.

An honourable member: A twinkle?

The Hon. P.F. CONLON: For a twinkle. $15.7 million was poured down the drain—and why? Because when they were in government the economy was so moribund that they had to go out—

Members interjecting:

The Hon. P.F. CONLON: Here we go: 'Why was that?' 'It wasn't our fault.' It was completely moribund, so they went out—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: —and underwrote an entirely uncommercial lease, with taxpayers' money so that they would look a little bit better and get a building up. So that they would look politically a little bit better they poured taxpayers' money down the drain.

Members interjecting:

The Hon. P.F. CONLON: Now what happens? Apparently—

Members interjecting:

The SPEAKER: Order!

The Hon. P.F. CONLON: Their incompetence does hurt them, doesn't it? It stings when they are reminded of it. Of course, the $15.7 million on the EDS building pales by comparison to their wine centre; the wine centre that has never made a dollar from day one. We had to give it away. They built it for $30 million and we had to give it away. They poured taxpayers' money down the drain but criticise this Treasurer for saving $30 million on shared services. I have said it before and I will say it again: these people are whited sepulchres.

ICT PROCUREMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:57): My question is also to the Treasurer. Why did the South Australian Housing Trust ICT program, known as Maintenance

Works Systems, fail and, according to the Auditor-General, has cost us to date $4.7 million? Does this failure reflect systemic problems in the government's ICT procurement program?

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (14:57): I am not familiar with that. As my colleague reminds me, we are actually saving $30 million a year on ICT procurement as against—

Members interjecting:

The SPEAKER: Order!

Mr Williams interjecting:

The SPEAKER: Order, member for MacKillop!

Mr Venning interjecting:

The SPEAKER: Order, member for Schubert! The Treasurer has the call.

The Hon. K.O. FOLEY: There is $30 million in ICT savings locked in from the benchmark or the baseline of the former EDS contract. We are substantially delivering a cost-saving benefit to the taxpayer on the new procurement we are doing with ICT projects.

I also come back to the earlier question about RISTEC. I have had it confirmed by my office. About $19 million a year of extra revenue will be taken in once RISTEC is fully operational, so its payback is very quick. That is a good investment, albeit a little more expensive than one might have hoped initially. However, its payback is very rapid indeed.

ICT PROCUREMENT

Mr WILLIAMS (MacKillop) (14:59): My question is to the Treasurer. Will the government commission either an independent review, or a special audit into problems with the ICT procurement program, as recommended by the Auditor-General, to determine whether the program has been competently implemented by the minister?

Mr Koutsantonis interjecting:

The SPEAKER: Order! The member for West Torrens will come to order.

Mr WILLIAMS: The Auditor-General—

The Hon. M.J. Atkinson interjecting:

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

Mr Williams: The Auditor-General raises concerns in his report about whether the minister is being properly briefed on major ICT developments and raises concerns about major project delays, inadequate risks and project management, inadequate recording, monitoring of project costs and benefits, and a lack of proper advice and of periodic status reports to the minister and cabinet.

Mr Hamilton-Smith: The 30 million is a mirage.

The SPEAKER: Order! The Leader of the Opposition will come to order.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:00): The $30 million is not a mirage because the Treasury, in quite a blunt fashion, took the money off every agency. We took it from the agencies. We booked the saving upfront.

Members interjecting:

The SPEAKER: The Leader of the Opposition and the Deputy Leader of the Opposition will come to order! The Treasurer.

The Hon. K.O. FOLEY: We will look closely as we always do at recommendations and advice of the Auditor-General. We actually respect the office of Auditor-General and the person in the office of Auditor-General, unlike members opposite who—and the member for Davenport was one I think from memory, who challenged the Auditor-General's authority.

The Hon. M.J. Atkinson: And Mitch refused to cooperate with his inquiry.

The Hon. K.O. FOLEY: And Mitch would not cooperate.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: I remember Rob Lucas in another place severely criticising—quite personal criticism from memory—the former Auditor-General, Ken McPherson. He attacked him quite viciously.

Mr WILLIAMS: I rise on a point of order. I am confused about the relevance of this commentary and debate on the question that I asked the Treasurer.

The SPEAKER: I think the Treasurer is now somewhat straying from the substance of the question. The Treasurer.

The Hon. K.O. FOLEY: The opposition, when in government, made an art form of constant attacks on the Auditor-General. I have actually been rather delighted this week. I have got lots and lots of questions. I wonder if that has anything to do with Liberal Party polling that apparently shows that the Labor government is much higher—

The SPEAKER: Order! The Treasurer must answer the substance of the question.

The Hon. K.O. FOLEY: —is highly regarded in the broader community in terms of our ability to manage the finances and the economy.

Mr Hamilton-Smith: Says you two, the most poorly regarded politicians in the state.

The Hon. K.O. FOLEY: Your chief of staff has got to be careful what he's telling people—that's what I've heard. But, anyway, I wear it as a badge of honour. The reality is, as I said earlier, we will take on board all comments and recommendations and consider them as we always do when the Auditor-General reports.

ICT PROCUREMENT

Mr WILLIAMS (MacKillop) (15:03): Again, my question is to the Treasurer. By how much has his $1 billion information and communications technology deal known as Future ICT, scheduled to roll out between 2003 and 2008, run over budget and by how much will it run over time? In December 2002, the Treasurer told this house that the whole of government computer and information technology contract would be split up and a total value of $1 billion in contracts would be offered to the marketplace between 2003 and 2008. In doing so, the Treasurer acknowledged the previous Liberal government's work as having been 'an important factor in positioning South Australia as a recognised centre for world-class ICT services'.

But the first tranche of the new contracts scheduled for 2005 was signed off two years later than expected. The Auditor-General has again made special mention in his annual report that many Future ICT programs have blown out in costs or simply been axed. The entire program according to the government's own website on the procurements timetable has never been completed. The ICT industry has now been advised that the new minister responsible for this ongoing procurement will, on 12 December this year, outline 'the ICT industry blueprint for South Australia'. We hope it is an improvement on the old one.

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:05): We have fond memories of the EDS sagas in this place, don't we Iain, and others? The EDS contract was a whole-of-government contract signed by the former premier, Dean Brown. It was the first government in the world to—

Ms Portolesi interjecting:

The Hon. K.O. FOLEY: Yes, that is right; my colleague is absolutely correct. Contractual arrangements were entered into before they agreed on a price for all government ICT services.

The Hon. P.F. Conlon: Weren't there side deals for Motorola?

The Hon. K.O. FOLEY: There were side deals in there. Buildings were built.

An honourable member: What went wrong?

The Hon. K.O. FOLEY: What went wrong? A lot went wrong; we will get to that.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: And do you know what? One thing that one does learn with ICT is how quickly the ICT world changes in terms of technology—how rapidly—

Ms Chapman interjecting:

The Hon. K.O. FOLEY: No. Members would be interested to know that in that contract—and that is not the contract I had leaked; I had the water contract leaked that went to 700 pages. We did not get the EDS contract leaked. A lot about EDS leaked, I might add.

The Hon. P.F. Conlon: There was a lot to sort through.

The Hon. K.O. FOLEY: There was a lot to sort through. It helped bring down Dean Brown.

The Hon. P.F. Conlon: And then John Olsen.

The Hon. K.O. FOLEY: Yes; and then they got their own back on him. Nowhere in that contract is the word 'internet' mentioned, I am advised. Now, that is not a criticism of the government of the day: it just shows how much the world changes in seven, eight and 10 years. The internet was not mentioned in that contract, so I am advised. When we entered government and it was time to renegotiate that project, we had the option of rolling it over in one slab to EDS. However, the strong advice was—and that was the advice I was given at the time when I was in opposition—that you take a lot of risk putting ICT into the hands of one provider. You need internal competition.

Mrs Redmond interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: You broke my train of thought.

The Hon. M.J. Atkinson: Start again.

The Hon. K.O. FOLEY: I will only go back to 1995. I was following the sequence. In fact, it started earlier than 1995, of course.

The Hon. P.F. Conlon: It was signed in 1995.

The Hon. K.O. FOLEY: Yes, it was signed in 1995. It goes back to before the 1993 state election, because Dean Brown and the then head of IBM announced either the day before or a couple of days before the election that they were going to do a deal. Thanks for that. I should have gone back earlier. Then they got into office and EDS said, 'Hey, hang on; you can't just give a contract to someone without a tender process.' That is how good Deano was at that time. Then, of course, they had a tender process and IBM lost. I think the IBM bloke lost his job, too. It was considered not good business practice to sign a deal with an opposition before it goes into government. They talked to me about whether or not we would get our act together on ICT. Anyway, that is 1993.

Mr WILLIAMS: I rise on point of order, Mr Speaker. The Treasurer, obviously, has no idea what he is talking about. I remind him that the question was about the Future ICT project that he announced in 2002, and the cost blow-outs and time overruns between 2002 and 2008.

The SPEAKER: Order! I do not uphold the point of order. The Treasurer.

The Hon. K.O. FOLEY: It is all coming back to me. The good old days. So, where were we—1994? No; I will skip forward a few years. There are a lot of secrets I would like to disclose to the house about those years, but I won't.

The Hon. M.J. Atkinson: Not today.

The Hon. K.O. FOLEY: Not today.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Coming back to—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: As I said earlier, we have locked in $30 million a year of savings out of that process. That ICT saving got us $30 million, because we have taken it in a blunt instrument that my colleagues begrudgingly had to agree to.

The Hon. P.F. Conlon: Well, they didn't actually.

The Hon. K.O. FOLEY: Well, they didn't, they hated it, but they got it—we just did it. We take the money off the agencies and we apply those savings across government.

The Hon. P.F. Conlon interjecting:

The Hon. K.O. FOLEY: Of course, there are volume increases, as my colleague has advised me.

The Hon. P.F. Conlon: Price reductions per volume increase.

The Hon. K.O. FOLEY: Price reductions per unit price—

The Hon. P.F. Conlon: A dramatic reduction.

The Hon. K.O. FOLEY: A dramatic reduction, but, of course, there is volume increase because governments churn out information.

The Hon. P.F. Conlon: And they certainly churn out emails.

The Hon. K.O. FOLEY: Did the email exist in 1995?

The Hon. P.F. Conlon: No.

The Hon. K.O. FOLEY: Al Gore had not invented it by 1995.

Ms Portolesi: I was 15.

The Hon. K.O. FOLEY: You were 15. Really? I think I have finished the answer.

STATE BUDGET

Mr GRIFFITHS (Goyder) (15:11): My question is to the Treasurer. How much of the $335 million in contingency funds remains unspent in 2008-09, and will he reveal how much of these underspent funds will be used to cover up revenue losses and beef up the budget balance? Contingency funds are unallocated funds which help the Treasurer to pay for things such as blow-outs in capital works projects and blow-outs in public servants and ministerial staff. The Auditor-General reveals in his report that the Treasurer has three separate contingency lines—employee entitlements, investing contingencies and other payments—which can be allocated to any purpose the government chooses.

An honourable member interjecting:

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:12): If we agreed with the member for Unley there would be no contingencies left for wages. He would give it all to the teachers—and a lot more.

An honourable member interjecting:

The Hon. K.O. FOLEY: That's fine; I don't care. I am not in this business for popularity. As long as 50.1 per cent of people in Port Adelaide, Parafield Gardens, Mawson Lakes, Rosewater, Ottoway, Gillman, Wingfield, Dry Creek and St Kilda like me, that's good enough for me.

Ms Portolesi: Is that near Andamooka?

The Hon. K.O. FOLEY: No, it's not: it's in the Coorong.

The SPEAKER: Order! The Treasurer will answer the question.

The Hon. K.O. FOLEY: Thank you, sir. We answered this question in estimates. We keep a large contingency for appropriate wage outcomes in any given year. That was a practice that the

former treasurer adopted. We do not put in there 'contingency for wage increases'. You actually try—

Mr Griffiths interjecting:

The Hon. K.O. FOLEY: I do not know what you did in the council, whether you just put on a notice board, 'We have $20 million put aside for wage increases so come and get it.'

The Hon. P.F. Conlon: Just put it in a jar.

The Hon. K.O. FOLEY: Yes, just put it in a jar. 'It's all yours, stick in your hand and have what you like.' We try to keep secret exactly how much money we think we will have to pay for wages. It is a good negotiating tool. Minister for Industrial Relations, do you think that is a good negotiating tool?

The Hon. P. Caica: Yes.

Mr Pisoni interjecting:

The SPEAKER: Order! The member for Unley will come to order.

The Hon. K.O. FOLEY: The member for Unley has said, 'Go out there and pay them what they want.'

The Hon. M.J. Atkinson: How about paying your creditors?

The SPEAKER: Order!

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order, the Attorney-General!

The Hon. K.O. FOLEY: We try to keep that information confidential. The honourable member suggests that the money is somehow used to fatten up the bottom line. The budget is transparent. We have an open book.

Members interjecting:

The Hon. K.O. FOLEY: I give up; they are talking amongst themselves.

SERIOUS AND ORGANISED CRIME

Ms CICCARELLO (Norwood) (15:14): Will the Attorney-General inform the house about comments made in other Australian states about South Australia's tough anti-bikie gang laws?

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:15): Well, I can, as a matter of fact. There have been media reports of criminal motorcycle gang related shootings in Western Australia. I understand from those reports that it is alleged a bikie gang member, or members, who used to reside in South Australia—

Mr WILLIAMS: Mr Speaker, I rise on a point of order. I thought it was out of order to ask a minister to comment on media reports.

The SPEAKER: I do not think the question was asking for a comment on a media report.

Mr WILLIAMS: The question was: could he comment on the reports that have been made interstate? I waited until the Attorney started his answer and he went directly to starting to talk about reports, I think in the Western Australian newspaper.

The SPEAKER: Order!

Mr WILLIAMS: If it was a question without notice, rather than a question written by the Attorney, he might get away with it.

The SPEAKER: Order! My recollection of the question was that it did not ask the Attorney to make a comment on a media report. I am certain that that was the case.

The Hon. M.J. ATKINSON: The standing order, by the way, is whether media reports are true. The member for MacKillop has been here 11 years, you would think he would have developed some familiarity—

Mr Williams interjecting:

The SPEAKER: Order!

An honourable member interjecting:

The Hon. M.J. ATKINSON: No, what is out of order is asking a minister whether a media report is true. Read Erskine May for the first time would be a good idea. It seems that criminal bikies are now looking to other jurisdictions to conduct their criminal activity because it is getting tougher and tougher in South Australia. Little wonder the criminal bikie gang members are abandoning South Australia—

Members interjecting:

The SPEAKER: Order!

The Hon. M.J. ATKINSON: We have made sure that this state is not open for business for criminal bikie activity. Why would they not consider relocating their illicit enterprise to a more gentle jurisdiction? The Serious and Organised Crime (Control) Act and new laws establishing three types of public order offences were passed by parliament earlier this year and are now in effect. I echo the call of the Police Commissioner, Mr Hyde, in seeking a national approach to blotting out serious and organised bikie crime across the nation. There can be no doubt that legislative gaps or inconsistencies across Australia stand to benefit organised crime gangs and allow them to flout the law in various states.

There is no doubt that bikie gangs have broadened their activity to become involved in crime on a syndicated national or international scale. The government has been criticised by some—the Democrats, the Greens, the member for Mitchell and the shadow attorney-general, the member for Heysen—for cracking down on crime and trying to bring respect for the rule of law and maintain order. And we know that if the member for Heysen were the—

Mr HANNA: Mr Speaker, I rise on a point of order. The Attorney-General is debating in his answer.

The SPEAKER: No, I do not think he is debating.

The Hon. M.J. ATKINSON: The member for Bragg asserts that not one bikie has left the state—not one. Let us test that proposition. But if the member for Heysen were the Attorney-General, she has ruled out in her electorate newsletter and in this house appealing against manifestly inadequate sentences. She will never direct the DPP to appeal against a sentence. Moreover, the member for Heysen says that it is wrong to refuse parole to convicted murderers when those parole applications come before—

Ms CHAPMAN: Mr Speaker, I rise on a point of order. The question is: what comments were made interstate in relation to the bikie legislation in South Australia? It has nothing to do with the issue which the Attorney-General is raising.

The SPEAKER: I uphold the point of order.

The Hon. M.J. ATKINSON: Thank you for your guidance, Mr Speaker. We said on day one that any jurisdiction that does not follow us in the toughest laws in the nation on bikies risks becoming home to displaced South Australian bikies. I have not yet been asked to consider any declarations under the new act, which commenced only weeks ago, but I would expect the Police Commissioner to forward a request in the near future. Certainly, I am not going to be turned by the criticisms of the member for Heysen and the probing of Matthew Abraham on ABC Radio 891, that we should somehow bring on a declaration as quickly as possible to satisfy the news cycle. We are about enforcing the Serious and Organised Crime (Control) Act, not responding to the news cycle.

The Statutes Amendment (Public Order Offences) Act is now in force, and people appeared before the resident magistrate in Berri last week charged with these offences. The act creates the offences of riot, affray and violent disorder, and better enables convictions for this illegal behaviour, even in circumstances where witnesses and victims may not be able or, indeed, may be unwilling, to cooperate with the police.

Laws restricting the use of equipment closely linked with drug making and cultivation will soon come into force, along with tighter firearms prohibitions for people with histories of criminal violence. Members will recall that the member for Mitchell was vocal in his opposition to the first of those changes.

Phase 1 of the fight against criminal motorcycle gangs is now complete, and phase 2 is in train. We are working on new laws targeting unexplained wealth and giving power to declare

persons drug traffickers. I am confident that the member for Mitchell will oppose us on those as well.

At the SCAG conference held in Tanunda earlier this year, a detailed presentation was made to all attorneys-general. When that presentation was complete, I again warned my colleagues to watch out for the infiltration of criminal bikie members. I told them that their states ignore these people at their peril.

I support Commissioner Hyde's call, made last year, to develop a comprehensive national strategy. It seems we now have the attention of Western Australia, and I welcome any moves by Western Australia to join the Rann Labor government in curtailing the criminal activities of outlaw bikie gangs.

It is time other states and territories followed South Australia's lead to deliver the result that most voters want, that is, a diminution in the criminal operations of bikie gangs. This government would be pleased to help Western Australia with its endeavour, and I extend that offer of help to all states and territories.

PLANNING SA

The Hon. K.O. FOLEY (Port Adelaide—Deputy Premier, Treasurer, Minister for Industry and Trade, Minister for Federal/State Relations) (15:23): I table a copy of a ministerial statement relating to planning reforms made earlier today in another place by my colleague the Minister for Police.

GRIEVANCE DEBATE

AUDITOR-GENERAL'S REPORT

Mr GRIFFITHS (Goyder) (15:23): In the few minutes I have available to make a contribution, I wish to speak about the Auditor-General's Report. Since its presentation at little after 2 o'clock on Tuesday, it has indeed been an interesting time, trying to review the volumes of information that are contained here. I know members on this side of the house, especially within their interest areas and their portfolio areas, have been doing a lot of reading, trying to identify issues.

The Auditor-General's Report does raise a lot of concerns about the future of this state government's budget. It is important that we discuss this, and I am looking forward to the coming weeks when individual shadow ministers have the opportunity to quiz ministers on issues that have arisen within the report, because there is a lot of information to come out.

As a member of the Economic and Finance Committee, I am also looking forward to when the Auditor-General will be appearing before that committee in about five weeks' time, or so; we are a bit unsure of the date. I wish to highlight a few issues that come out of the majority of Part A, the Audit Overview report.

I will just talk about a few things in relation to shared services. There is no doubt that it has been feature in today's question time because it needs to be. It was announced by the government with great fanfare, and it is used in other states where they have had financial problems in meeting their estimates on savings. It was intended here to have savings of $25 million in 2007-08, progressively increasing to $45 million this year, through to $60 million for each financial year thereafter. There a lot of concerns out there about this program actually meeting those savings.

The Treasurer and the Minister for Transport, Energy and Infrastructure will stand up and talk about Future ICT savings of $30 million, although the Auditor-General's Report identifies it as more like $25 million, progressing through to $26 million of savings. Where is the rest of it to come from? There are interesting gaps here that need to be identified. This financial year, there is a gap of $16.6 million; next financial year, $30.1 million; then $28.6 million; and then $27.8 million. So, across the forward estimate period of 2011-12, there are $103 million that really need explanation.

Directly under those figures, the Auditor goes on to state that the 'balance of savings is a current target against which shortfalls are expected'. In response to a question today, the Treasurer talked about the fact that savings do not impact on the budget. Of course they do, because savings are figured into the bottom-line figures.

On this side of house, we certainly understand that across the forward estimates savings are identified that each department must meet. Before we have had efficiency dividends, and I

think that was a quarter of a per cent for each department within the budget; now we have identified dollars within each department that is required to do it, but it really does need to happen.

There are a lot of concerns out there about the much-trumpeted shared services reforms, initially involving 2,500 people, but I understand that figure is now down 1,800 employees. Not only will they seriously affect them and the communities in which they live, because now they have to work somewhere else, but also there is the financial effect upon future budgets. The Treasurer has used the shared services reforms and the savings from that as a component of the efforts to retain the AAA credit rating. So, there is much to do.

The Auditor-General's Report also identifies some real concerns with public-private partnership programs. South Australia announced the $1.7 billion Marjorie Jackson-Nelson Hospital which, I understand, is the largest PPP infrastructure project within Australia. With the credit crunch occurring across the world, and the financial uncertainty that exists in all markets, in his report the Auditor expresses the concern about whether this will work. He states:

> In such extraordinary circumstances, progress on these transactions should be done with a high degree of caution and may indeed need review of assumptions and information used to date. This may be a significant risk to the fundamental premise of whether a PPP provides a net benefit to the public compared to the conventional public sector procurement option.

We have asked questions about this. We have asked the Treasurer to give us information in regard to the public sector comparator (another term he uses quite often when answering questions in the house) because South Australians want to know that a PPP option, involving private enterprise and private capital, is indeed a better long-term option financially for South Australia.

If the government intends to build this hospital, let us ensure that, first, the design needs meet South Australia's future needs and, secondly, that we get it in the most cost-effective manner. You would have to say that we know that the AAA credit rating is at risk, and we know that because the net liabilities as a percentage of revenue (according to the Treasurer's answer only a couple of days ago) are in the 80 per cent range, and 75 per cent was the trigger point, but now we are at 80 per cent. There are numerous concerns about this, and I commend the Auditor-General's Report.

Time expired.

ITALIAN COMMUNITY EXPO

Ms CICCARELLO (Norwood) (15:29): I have often spoken in this place about the many great groups and organisations in our community that strive to make life a little more enjoyable and easy for those who need that extra helping hand. Today, I wish to speak about a group of people who certainly need that extra hand, and a group that is very dear to my heart: the ageing Italian community. Last week, I was very disappointed that I was not able to attend the first Italian Community Expo, held at the Fogolar Furlan—

Ms Fox interjecting:

Ms CICCARELLO: —because, as the member for Bright says, I was in hospital. Even with my best efforts, I was denied the possibility of going. However, I am reliably informed that the expo was a great success. I was delighted that, for the first time, the Italian community had come together as one to showcase the services they all have to offer.

As an MP I am very aware that too often many people are simply not aware of the services which exist to assist them in their everyday lives. It is therefore good to see that many Italian organisations have realised this and are working together to make their message heard. In this respect, I must give my heartfelt congratulations to COASIT which, along with its member organisations—ANFE, the Italo-Australian Welfare Organisation, the Italian Benevolent Fund (IBF), the Coordinating Italian Committee (CIC) and St Hilarion Aged Care—made the Italian Community Expo such a great success.

While the expo is important for all Italians, it is vitally so for those of more advanced years who obviously will need greater information about, and access to, government and community resources and services. To this end, I specifically acknowledge COASIT which, in December this year, will be celebrating five years of service to the aged Italian community.

COASIT was specifically set up for the community to support the rapid growth in aged Italian Australians—in fact, twice the growth of any other community. COASIT has been an

exceptional advocate for these people over the last five years, and this is more than ably represented by two of its more outstanding achievements.

The success of COASIT's Community Partners program and WELL project are just two examples of what can be achieved through commitment, hard work and a fervent desire to increase access to aged care services for older Italians. The Community Partners program includes:

- the Italian Connection project, which aims to assist older Italians to gain access to residential and other aged care services, and which was responsible for the expo;
- the development of an Italian-specific training manual; and
- the development and monitoring of an overall arching strategic plan.

The WELL project assists workers to obtain a Certificate III in aged care by supporting Italian speaking workers and improving their skills. This also has been a great success, with a new course beginning in July this year.

The mission statement of COASIT says it all—to promote a collaborative approach whereby Italian agencies can work together for the benefit of their ageing communities. As I mentioned earlier, at no other time is this more needed than now.

According to the 2006 census, 22,463 Italians resided in South Australia, of whom 7 per cent resided in my electorate. However, what must cause concern is the finding that over 55 per cent of that number—or almost 12,500—are over the age of 65. This is up 12 per cent from the 2001 census—a significant increase in only five years.

When the 2011 census comes around, it is inevitable that this number will be even greater, but these figures do not need to be a cause for alarm; rather, they should serve as an opportunity for us to do the right thing and to remind us all of our responsibility. What we must do, and what COASIT and all its member organisations are currently doing, is to ensure that services match this growing number and consequent need. We cannot sit back and expect that things will take care of themselves. We have a responsibility to ensure that members of our community are not only aware of, but are also to access, the services that they need.

While the many great organisations catering for the Italian community already strive to do this, it is important that they also all come together, share their knowledge, pool their expertise, identify systemic shortcomings and come up with strategies and partnerships that will more than match service with need in the future. The expo was a fantastic step in the right direction. I would like to extend congratulations to COASIT, the President, Franca Antonello, and to her board and to all the participating agencies for a job well done.

GLENTHORNE FARM

Mr HANNA (Mitchell) (15:34): I have five minutes today to inform the house of matters concerning the beautiful Glenthorne Farm. It is a beautiful piece of open space at O'Halloran Hill and a joy to residents of Sheidow Park, Trott Park, Reynella and surrounding districts.

I do not have time to go into the whole history of it, but members may recall that the CSIRO held the land in the 1990s and sought to dispose of it. The South Australian government entered into a memorandum of understanding with the CSIRO. It was an integral part of that understanding that there would be no housing on the site. It was agreed that the University of Adelaide would legally take on the land and that it would be on trust. That trust is signified by a deed to which the state government and the university are signatories. The deed contains a number of important obligations of the university. I will read out part of the deed. It states:

> The university covenants with the minister that it will, subject to obtaining all necessary statutory approvals, do all reasonably necessary things to ensure that the land is preserved, conserved and used for agriculture, horticulture, oenology, viticulture, buffer zones and as community recreation areas, and is available for project research activities, university research activities, education activities and operating a wine-making facility.
>
> The university covenants with the minister that it will not, at any time hereafter, use or permit the land to be used other than as provided for in subclause 4.1 [which I read out] unless such other use is approved in writing by a minister acting as agent of the crown; undertake or permit development or seek to undertake development of the land for uses other than those specified in subclause 4.1 unless such other use or development (excluding urban development which will not be approved) is approved in writing by a minister acting as agent of the crown.

The point that I highlight is that the university has bound itself by a deed not to seek to develop Glenthorne Farm for purposes which will not be approved and, at the moment, the university has

declared that it wishes to develop 950 houses on Glenthorne Farm or, alternatively, a lesser number of houses but, in addition, a commercial precinct.

This is clearly a breach of trust. It is a very serious matter and it reflects very poorly on the university. This is not the first time that it has been in breach of its obligations. The original 2001 deed specified that the university had to come up with a business plan for the for the site within six months and, if not, then the site had to be offered to the state government for a dollar. After all, the state government had spent $7 million of South Australian taxpayers' money to obtain the land from the commonwealth for the university. Instead of resuming the title to the land, the state government kept on giving the university the benefit of the doubt and let the deed be amended so that the time frame has strung out to this point.

Associate Professor David Paton of the university has a vision called the Woodland Recovery Initiative. It refers to addressing the issue of species loss across the Mount Lofty Ranges. This, of course, is a state government policy where the state government has totally failed to live up to its own stated objectives. The state government has a no species loss strategy; it is failing miserably and the state government is doing nothing about it. Associate Professor Paton seeks to sell land for housing on Glenthorne so that that state government objective can be fulfilled.

The university has not played fair in relation to Glenthorne. It has not provided information as requested. It has desperately fought the freedom of information applications that I have made for relevant documents. It has not lived up to the values of the university as stated on its website. it is behaving like a corporate rascal. Where else in South Australia would someone get $7 million from the government and then seek to turn that $7 into $200 million so that the institution itself would make some benefit for its own bottom line? That is not fair. That is an activity of corporate rascals. I strongly urge the government to rule out housing development on Glenthorne immediately. I strongly urge the Vice-chancellor of the University of Adelaide, Professor James McWha, to quash this immediately.

Time expired.

LOCAL GOVERNMENT

Mr PICCOLO (Light) (15:39): The Acting Ombudsman, Mr Ken McPherson, raised a number of concerns in a recent Economic and Finance Committee hearing regarding the operations of local government in South Australia. On previous occasions I have raised issues in this place which I believed needed to be addressed through the reform of the Local Government Act. Only a few weeks ago I spoke about the way local government was interpreting the existing community consultation provisions of the Local Government Act in relation to the annual budget process in a manner that made consultation meaningless because of the minimal time period allowed and the poor quality of information made available to the local residents.

It is my view that my concerns can only be addressed through changes to the Local Government Act. Accordingly, I conveyed my concerns to the Minister for Local/State Government Relations. In addition, I am concerned about the transparency and accountability of some decision-making by local government given the very limited rights of review by aggrieved persons.

Not only are rights of review limited, but they often lack any independent oversight, with many local councils lacking the capacity to provide meaningful and effective review procedures or processes to deal with these grievances. While the current act requires councils to adopt and publish grievance resolution procedures, many of the policies lack rigour, with some councils lacking in their organisational capacity to provide processes that would meet generally accepted standards in complaints resolution.

In many cases, the person reviewing the decision is in fact the original decision maker. In those cases where the reviewer is a different person, it is often the decision maker's superior officer who is often unwilling to overturn a subordinate's decision because they want to be seen to be supporting their staff. In short, many councils do not have a culture whereby they seek complaints processes or grievance resolution procedures as an input into reform or improving decision-making in the organisation. Rather, they see review processes as a negative rather than a positive.

Furthermore, any external review processes are voluntary unless a resident seeks judicial review. Such action in most cases is beyond the financial reach of aggrieved persons. Many local councils lack the understanding of basic administrative law principles. Their actions are often governed by a range of extraneous matters and many do not follow basic natural justice

principles—a view supported by the Acting Ombudsman. These problems arise in some cases because of lack of training while, in others, poor examples provided by the council leadership.

I have, on previous occasions, brought to the attention of this house the previous appalling state of affairs at the Light Regional Council—and I say 'previous state of affairs' because things have improved there. In evidence to the Economic and Finance Committee, the Acting Ombudsman highlighted the difficulties his office has encountered in resolving complaints lodged by ratepayers and residents because of the intransigence of local government officials including some council CEOs.

What hope has the ordinary ratepayer/resident in having their issue or complaint resolved when the Ombudsman experiences difficulties as well. While this state of affairs may not be across the board, varying degrees of ignorance in relation to administrative justice is quite widespread throughout local government. I receive numerous complaints about the processes council officers follow in the administration of the Development Act.

Some of the complaints could be avoided by council officers taking more care in explaining their reasons or decisions. In other cases, I am satisfied that some actions border on maladministration. About 50 per cent of complaints handled by my office would be related to local government decision-making. Some issues and complaints are compounded by the poor and unhealthy relationships which exist between some officers and elected members in some councils.

Conflicting advice given to residents by council officers and elected members generates distrust in the community. These problems require practical, cost-effective solutions and must be owned by local government themselves. For this to occur, I strongly believe that the Local Government Act needs to be amended to:

- strengthen the rights of residents in relation to complaints and grievance resolution;
- improve accountability and transparency of decision making;
- strengthen the codes of conduct which facilitate better and more respectful relationships between council officers and elected members;
- improve the organisational capacity of council to effectively address resident complaints; and
- strengthen the community consultation, participation and engagement process of local government.

I intend to refer the concerns that I have raised in this house today to the minister for her consideration.

DRIVER REVIVER CAMPAIGN

Mr VENNING (Schubert) (15:44): I was contacted in July this year by the secretary of the Lions Club of Angaston and District regarding a service they give to the community through the Driver Reviver campaign. I declare that I am a proud member of the neighbouring Barossa Lions Club. The Angaston District Lions club has participated in this vital road safety initiative—the Driver Reviver—in the past 12 years. On nominated long weekends, Lions volunteers give of their time freely to serve tea and coffee to motorists travelling along the Sturt Highway at Nuriootpa.

The Lions Club provides the tea, coffee, milk and sugar free of charge, but there is a jar on the counter to collect donations. Biscuits are donated by Bushells and Arnott's. On the Queen's Birthday long weekend the Lions' volunteers served approximately 110 patrons, with $28 being deposited into the donation jar. Despite having alleged support from politicians, government agencies and other bodies to maintain this road safety initiative, such support is not always forthcoming. The Angaston and District Lions Club recently telephoned AGL to inquire how it could claim exemption from the power cost of running its Driver Reviver station, which costs the service club $170 per annum.

However, in the words of the club secretary, this phone call 'brought no joy'. The Lions Club of Angaston already supplies the products for this station and to ask it to foot the bill for the electricity as well is a bit much. Community groups, such as the Lions Club of Angaston, which is doing something proactive to lower the nation's road toll, should be able to receive exemption from such an account. Following the club's contact with me, I wrote to the Minister for Road Safety inquiring about avenues for funding either to cover or to subsidise the electricity costs incurred as a result of running the Driver Reviver stop. The minister's response states:

> I have been advised that funding may be available to the Lions Club via the local Barossa Regional Road Safety Group, which is a community and road safety group that supports such road safety projects as the Driver Reviver rest stops.

The Lions Club contacted the group indicated by the minister which referred him to yet another group, SPOKE, which then referred him to Families SA. They are getting the run around. No-one wants to take responsibility. Everyone is passing the buck for the sake of $170 for all those hundreds of hours of volunteer work. The shadow minister for road safety in another place has kindly pledged a personal donation to the Angaston Lions Club in order for it to pay its electricity bill—an MP in another place!

Two other people from the Barossa Valley have also offered personal donations to the Lions Club in order to help cover its future electricity accounts. That is generosity which can only be applauded and supported by me, and if there is any shortfall I will fill it myself. Earlier this year on radio, the Minister for Road Safety said:

> Our community road safety groups...a lot of them are based in country South Australia, and these are the people at the coalface that work incredibly hard. They're volunteers...we are in debt to these people.

If that is the case, then why does this Rann Labor government not show support for initiatives such as Driver Reviver? I commend them most heartily, because I know that, particularly on the Sturt Highway where they have it at Nuriootpa, it is near the road toll danger area. It is certainly a black spot along that part of the highway with several dangerous intersections. People have been driving on the roads either over an hour from Adelaide or two hours from the Riverland. It is a great spot to have a Driver Reviver station.

It is a great service by the Lions Club. It has been well supported and respected by the community. I cannot believe that, for the sake of $170, the minister, the electricity providers or anyone else cannot say, 'Well done. We will provide this free of charge.' I commend the member in the other place, the Hon. Stephen Wade, and others who have donated their money. Long may they do this service, and I hope this cost does not stop them from providing the service.

Time expired.

CONFUCIUS INSTITUTE, ADELAIDE UNIVERSITY

The Hon. L. STEVENS (Little Para) (15:49): I would like to add to the remarks I made yesterday about the delegation of South Australian school principals through the Confucius Institute of the University of Adelaide, which I led last week to Shandong province in China. As I said yesterday, the visit had three main purposes: first, its overarching purpose of providing a cultural and economic brief to school leaders; and, secondly, to enable them to visit, in an extended way, local schools in Jinan (which is the capital of Shandong province) in order for them to establish contacts that could be of benefit to them in the future in relation to education programs and cross-cultural communication.

I mentioned yesterday the work done with Shandong University as part of the visit—Shandong University being a partner university with Adelaide University. I want to talk in more detail about the visits to the primary school and middle school in Jinan. The primary school was the Hongjialou No. 2 Primary School. It had about 1,300 students and the delegation visited that school for about four to five hours one day. The visit took up time in an English language class. English language is a compulsory subject in all Chinese schools and the delegation was able to sit in on the class. It was a very interesting experience in a classroom with about 36 or 37 students at very rudimentary desks and stools—quite a different situation from most of the carpeted classrooms we have here in Australia.

As I mentioned yesterday, because of the large number of students in the class, the methodology was quite constrained to a very rote teaching method. We found this the next day, also, when we visited the middle school, Licheng No. 5 Middle School, which had 3,000 students. The classroom we visited had 64 students seated on little stools at rows of desks. It was an interesting and different experience from what we would see in our classrooms.

We saw other classes as well, and the most important outcome was that following these observations there was a general discussion between our teachers and principals and the principals and language teachers of the schools. It was a great pleasure to see how enthusiastic the Chinese school administration, the district administration in education and the teachers were about setting up ongoing relationships between the schools and other schools in South Australia.

The teachers broke into small groups with our principals and engaged in in-depth conversations about methodology and the way in which they do things.

As I said yesterday, I think this augurs well for a good future, not only for these schools—because they will start with developing relationships over the next year—but also other schools that tour China. I look forward to being involved and encouraging more schools in relation to the uptake of Chinese language and the understanding of Chinese culture through these sorts of ongoing exchanges between principals and, hopefully in the future, teachers and students.

PARTNERSHIPS (VENTURE CAPITAL) AMENDMENT BILL

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:14): Obtained leave and introduced a bill for an act to amend the Partnership Act 1891. Read a first time.

The Hon. M.J. ATKINSON (Croydon—Attorney-General, Minister for Justice, Minister for Multicultural Affairs, Minister for Veterans' Affairs) (15:55): I move:

That this bill be now read a second time.

In 2002, the commonwealth parliament enacted the Venture Capital Act 2002, which was aimed at attracting venture capital to Australia. The Income Tax Assessment Act 1936 of the commonwealth was also amended to allow these entities to be taxed as flow-through vehicles (that is, tax exempt) in accordance with internationally recognised best practice for the treatment of venture capital. There are three examples of that: a venture capital limited partnership (VCLP), an Australian fund of funds (AFOF) and a venture capital management partnership (VCMP) The states then amended their various partnership acts to take advantage of these changes. In May 2005, the Governor assented to the Partnership (Venture Capital Funds) Amendment Act 2005 (which, in my remarks, I will refer to as the 2005 amendment act), which came into operation on 2 February 2006.

The commonwealth has recently granted tax relief for another form of venture capital fund that invests in small businesses—the early stage venture capital limited partnership (ESVCLP). If South Australian small businesses are to take advantage of attracting investment from these sources, the Partnership Act 1891 should be amended to provide also for their incorporation upon registration. In deference to the demands of the member for Schubert, I seek leave to have the balance of my second reading explanation incorporated in *Hansard* without my reading it.

Leave granted.

To recognise ESVCLPs and allow them to take advantage of the Commonwealth's tax relief, the Government proposes that section 51D(3) of the *Partnership Act 1891* be amended to include them. The other amendments proposed are consequential on that inclusion.

This measure is aimed specifically at encouraging investment in start-up enterprises with a view to commercialisation of their activities. The goal is that small and medium businesses seeking capital injections to finance future, high risk or expansionist activities or both should find it easier to obtain that capital. The ESVCLP. regime will complement the VCLP rules, and encourage additional funding at the smaller end of the market.

There may be significant benefits for small businesses by making it easier and potentially cheaper for them to raise finance to fund high risk projects or expand or both. If other States introduce changes to partnership laws to enable registration of an ESVCLP and South Australia fails to do so, it would put the establishment of locally based early stage funds, which (according to the Venture Capital Board) is already difficult because of the size of our investment market, at a further competitive disadvantage. The Government has been informed by the former Commonwealth Minister, the Hon. Ian Macfarlane, that one other State is well advanced in its deliberations on the need to amend its partnership law to accommodate the ESVCLP vehicle.

The amendment is necessary because only the States can provide for the incorporation of partnerships. Incorporation is necessary because that gives the partnership the legal capacity of an individual both inside and outside the State, including the power to acquire, hold and dispose of real and personal property, and the ability to sue and be sued.

The 2005 Amendment Act provided for a new form of corporate entity—the incorporated limited partnership—and followed similar legislation in other States. Any of the above entities (indeed, any partnership) can apply for registration under the *Partnership Act 1891* and automatically be granted corporate status by doing so. The register of incorporated limited partnerships is maintained by the Corporate Affairs Commission.

The incorporated limited partnership is the business structure preferred by international venture capital investors (particularly United States funds) and these vehicles are recognised by the new Commonwealth taxation regime. Under South Australian law, they must have at least one general partner and one limited partner. Limited partners are not allowed to take part in the management of any limited partnership, incorporated or otherwise.

ESVCLPs are limited partnerships that will be treated as flow-through vehicles for tax purposes. Partners, whether resident or foreign, will be exempt from income tax and capital gains tax on all income and gains derived

from eligible investments and disposals of eligible investments made through the ESVCLP The aim of providing a tax concession for ESVCLPs is to encourage venture capital investment in the early stages of start-up to assist expanding businesses with high growth potential.

This new business structure effectively replaces the Pooled Development Funds scheme. It will offer tax free returns to both overseas and resident investors where the ESVCLP makes eligible early stage investments; that is, investments in eligible entities with total assets of not more than $50 million before the investment is made.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Partnership Act 1891*

4—Amendment of section 51D—Who may apply for registration?

The proposed amendment to this section is to include Early Stage Venture Capital Limited Partnerships (ESVCLPs) as limited partnerships to which the Act applies.

5—Amendment of section 52—Application for registration

6—Amendment of section 65A—Limited partner not to take part in management of incorporated limited partnership

7—Amendment of section 71E—Lodgment of certain documents with Commission

8—Amendment of Schedule 1—Savings, transitional and other provisions

Each of the amendments proposed to clauses 5 to 8 is consequential on the inclusion of ESVCLPs as limited partnerships to which the Act applies.

Debate adjourned on motion of Mrs Redmond.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (CLASSIFICATION PROCESS) AMENDMENT BILL

Consideration in committee of the Legislative Council's amendments.

(Continued from 15 October 2008. Page 441.)

The Hon. M.J. ATKINSON: I move:

That the Legislative Council's amendments be agreed to.

The amendments contained in the bill are consequential upon reforms contained in two commonwealth bills. The first commonwealth bill assented to on the ides of March 2007 contained amendments that allowed the integration of the Office of Film and Literature Classification into the commonwealth government Attorney-General's Department and introduced the additional content assessment scheme. Consequential amendments were necessary to recognise the new commonwealth administrative arrangements and to allow the South Australia Classification Council to receive and consider assessments under the new commonwealth additional content assessment service. Those amendments were contained in the bill introduced into parliament on 6 December last year.

The second commonwealth bill, which contained amendments to allow the advertising of some unclassified films and computer games and to change the classification procedures for television series films, passed the Senate on 24 June 2008 and was assented to on 1 July 2008. The amendments made to this bill in another place were consequential upon the amendments contained in the second set of commonwealth changes. The bill makes minor consequential amendments to the act that will ensure that the cooperative nature of the censorship scheme is preserved. The amendments introduced by the commonwealth are aimed at improving the operation of the scheme, responding to changing technology in the entertainment media, reducing cost to industry and reducing processing time for classification.

I am satisfied that the commonwealth amendments, which are the result of extensive public consultation through 2007, and the consequential amendments in the bill contain sufficient safeguards to ensure the integrity of the scheme and the safety of the viewing public.

Mrs REDMOND: As I indicated at the commencement of this discussion, the opposition will be supporting the proposed amendments in their entirety. The bill has a familiar-sounding title because, in fact, what we are doing now is catching up some amendments that were passed by the commonwealth parliament that were not put through quite in time for the earlier bill that we have already dealt with in this house.

Members probably recall that we have, not very long ago, dealt with the original bill dealing with classification, publications, films and computer games. I know that the Attorney loves computer games. It is because of computer games and their classification that the Attorney has recently made it to No. 6 on the most hated people in Australia list, in fact I think he was the highest ranked South Australian on the list by a long way. So, it is good that he likes being so hated by the people who like computer games.

No doubt the Attorney will be pleased to know that at least one of the games for which there was no classification available in South Australia, largely because the use of the substance of morphine as a painkiller was referred to in the game, so the game makers changed the name to a fictitious name. They did not change the game at all, but having changed the term 'morphine' to a fictitious name they were able to get the game classified and, in fact, they have had that name changed all around the world. But back to the point of the discussion.

The earlier bill that we dealt with, according to my recollection, did three things. First of all, it allowed for an easier classification for films that come out as DVDs. Members would be familiar with the situation where films which are shown in movie theatres are, obviously, classified, and frequently those films are (not very long afterwards) released as DVDs.

The problem which the earlier bill sought to address was that that film then had to go back through the whole classification process, if the DVD being released contained—as they frequently do—any extra or different information or film from what was in the original film released in movie theatres. Frequently one would have, for instance, a movie that might have some outtakes, interviews with cast, director's comments on the film, and sometimes they will even have alternative endings and all that sort of stuff, but the problem was that, when you wanted to release the DVD, you had to go right back through the whole classification process.

The first thing that the earlier bill did was address that by saying, 'Well, although there is still going to be the classification process in the background, we will authorise some specially trained people to assess whether the new stuff on this DVD package actually makes any difference to the classification, and that will streamline that.'

The second thing it did was allow certain organisations to gain exemption from classification for specific events. I think, from memory, that the Attorney's comments on the second reading of the earlier bill dealt with the fact that most of the exemptions that he grants are for specific ethnic groups holding ethnic festivals and so on. So, although it can be for film festivals, and so on, at large, a lot of the exemptions granted by the Attorney are to do with Indian groups and so on.

The Hon. M.J. Atkinson: Tamil films.

Mrs REDMOND: Tamil films, and so on, coming into the country, where they want to show those for people to see films in their own language about their own culture and, quite properly, they do not need to go through this vast classification experience.

The original bill dealt with trying to make clear that the Classification Board and the Classification Review Board are, in fact, two separate entities that have two separate jobs. In this house, we dealt with that bill. It went to the Legislative Council, and the second reading debate occurred. At the end of that debate, the minister introduced amendments which, as I said, were necessitated by the fact that the bill we had already dealt with and the new amendments were really just keeping us in step with the commonwealth classifications process so that we and the other states all had the same classification guidelines.

Between when we started dealing with the original bill and its reaching the end of the second reading in the Legislative Council, the commonwealth government (which, of course, had changed and no-one knew what would happen for a while) finally passed these further amendments. As I read them, they do two main things.

I place on record my appreciation for the staff who were made available to provide a briefing. I apologise to them that it was a somewhat difficult briefing in that I simply could not get

my head around it, and it took me a while to go away and read it in detail so that I could be confident that what I thought it was saying was what it was saying.

The further set of amendments does two things, and it is covered by the eight amendments in the items now put before the committee. First, it replaces what is probably a prohibition on advertising an unclassified film with a scheme that will allow advertising, subject to some conditions laid down by the commonwealth.

I do not go the movies very often, but I have a suspicion that, in fact, some of this is already in operation, even though it has not been happening formally. I am sure that, when I went with my staff to see *Mama Mia*, the musical, there were things advertised that bore a little sign stating, 'This film is yet to be classified.' These amendments authorise the advertising of a film that has not yet been classified.

Indeed, what it will do is allow an industry-based group of people to provide a sort of tentative classification. It is still subject to review by the appropriate board, but it will be able to advertise those films provided that the tentative classification is no higher than the film it will be shown with as an advertisement in a film theatre (that is, more 'adult only'). That is the first amendment in this further set of amendments.

The second relates largely to the problem we have already dealt with in the case of films becoming DVDs. What about the case of television series that become boxed sets of television series? I know that some of my kids have extensive boxed sets of their favourite television series. Again, like DVDs, they often incorporate extra information, interviews with people, explanations and all sorts of extra stuff.

This set of amendments provides that we will have a regime whereby that boxed set can be classified without going through the whole formal classification process again, provided that at least one episode of the series has already been on television here and therefore, in its format for television, been through the original classification process. That is very similar to the streamlining that was done for films that become DVDs. A streamlining process is put in place for television series being issued as a boxed set. That is not to say that they will avoid any scrutiny. There will still be scrutiny of the system.

I have no doubt that the Attorney, or myself—if I am ever attorney—will take great note of anyone who actually seeks to subvert the intent of this by providing an approval and a classification for something that clearly is very different and does not reflect accurately what our intention is. In other words, it will not be appropriate for someone to hide behind this sort of self-classification system to put into the market DVDs, or boxed sets of DVDs, of television series which are not truly reflective of the classification already granted to the original television program.

They are the issues covered by these further amendments and, as I said, it is really a matter of catch-up. Had we known about them, no doubt the amendments would have been introduced while the bill was in this house; however, because of the timing, the original further amendments got caught up in a change of government at the federal level and did not catch up to us until the latter part of this year. The amendments were introduced by the minister in another place only on the last day of sitting and, hence, have come back from the Legislative Council for our consideration. They are amendments with which we are happy to agree.

The Hon. M.J. ATKINSON: I should respond to the member for Heysen's mentioning to the committee that *Zoo Weekly* voted me the sixth most unpopular person in the world. I am more unpopular, for instance, than Radovan Karadzic, who is alleged to have killed 8,000 people at Potocari and Srebrenica. *Zoo Weekly*, of course, is an erotic magazine, and I am happy to be voted an unpopular or annoying person by readers of an erotic magazine. For the benefit of the member for Heysen, I am also unpopular with my three sons for maintaining a ban on R18-plus computer games.

I now offer the opportunity before the public gaze for the member for Heysen to tell the public what she would do on the question of R18-plus computer games if she were Attorney-General. Is she in favour of allowing them or will she maintain the ban?

The CHAIR: Order! The member for Heysen has no need whatsoever to comment on that.

Motion carried.

PLASTIC SHOPPING BAGS (WASTE AVOIDANCE) BILL

Adjourned debate on second reading.

(Continued from 24 September 2008. Page 246.)

Mr WILLIAMS (MacKillop) (16:14): I am the lead speaker for the opposition on this matter. I think some of my colleagues expressed an interest in speaking on it, although I am not sure whether or not they will take their opportunity to do so. However, there are a few things that I want to say about this. Might I say, at the outset, that the opposition is not convinced by the argument that this is a good piece of legislation, it is not convinced that this is the way that we should be going and is not convinced that South Australia should be going down this path on its own. I know the government's response to that will be to look at the example of the container deposit legislation. The opposition has always been a supporter of that particular piece of legislation. I do not even know which party was in power when it was introduced—

An honourable member interjecting:

Mr WILLIAMS: Labor. I accept that that is possibly correct. It has been a very successful piece of legislation. However, might I point out that putting a deposit of 5¢ (and now 10¢) on certain drink containers is somewhat different from managing so-called single-use lightweight plastic bags. The reason is that by sheer numbers there are far fewer drink containers and they are much easier to handle and manage, and it has been much easier to create a return and recycling system based on them. I do not think it is fair to argue that, because that legislation has worked and has been effective in removing those particular containers from the litter stream, we can achieve the same with regard to so-called single-use lightweight plastic bags.

One of the reasons I say that is because my memory (going back to when I was much younger and before the container deposit legislation was introduced in South Australia) is that drink containers formed quite a significant part of the litter stream. The evidence seems to suggest (and I will be quoting some of the evidence as I go through my remarks) that the bags we are talking about now make up a relatively small portion of the litter stream. Some reports suggest 2 per cent and others suggest 3 per cent. In either case, there is plenty of evidence that there are more important environmental issues on which we could spend the dollars that it is going to cost the community by introducing this piece of legislation.

There has been a campaign of misinformation over plastic bags. The opposition is not saying that plastic bags do not form part of the litter problem. We are not saying that we should not be looking at ways to reduce both the number of plastic bags that are being used and looking at ways to reduce how they get into the litter stream. We do not have a problem with that. We have a problem with this unilateral approach and whether the substantial cost to the community is warranted when there are other more important environmental issues which we, as a community, do not seem to be able to find the funds to address.

One of the concerns I have is what I can only describe as the hyperbole that the government has been using to back up its support for this legislation. When introducing the bill, the minister said the estimated national consumption of plastic bags for 2007 was 3.93 billion, of which 40 million were estimated to have ended up as unsightly litter on our beaches and in our parks and streets. My understanding is that one of the problems with these bags is that they have a life in the environment of many years.

Some people have suggested hundreds of years, but I think many commentators suggest that they do have a life of many years. If, within Australia, 40 million per year were ending up on our beaches, in our parks and on our streets, I think we could assume that a significant number of those would be there after the first year, after the second year and after the third year. It suggests to me that the minister is arguing that, in fact, if you walk down to the beach or a street or a park in Australia, you will encounter hundreds of millions of plastic bags. That just simply is not the case.

I am not arguing that there are no plastic bags in the litter stream, but I am arguing that the government has somewhat exaggerated the case. Another point that the minister has made is that they also kill marine life and damage waterways on land. That is an interesting remark, because it has been made in a number of different ways and, obviously, it has been part of the reasoning around the cabinet table. I would have to assume this because of the sort of evidence that has been coming forth. In question time on 4 March, the Premier told the house, 'according to Planet Ark, [plastic bags] kill at least 100,000 birds, whales, seals and turtles each year'.

This bill was previously introduced by the previous environment minister in the other place before the winter break and before the parliament was prorogued, and that is why it has been reintroduced here. This is the second time that it has been introduced. In answer to a question in the other place on Tuesday, 6 May, the minister said:

> As one person has said to me, some of the work done by Planet Ark reveals that around 100,000 marine animals are killed or injured each year because of these plastic bags.

So, we have the Premier telling this chamber that, according to Planet Ark, 100,000 animals and birds are killed because of plastic bags, and we have the former minister of the environment telling the other place that 100,000 animals a year are being killed by plastic bags. It is a claim that indeed warrants some investigation.

The National Association of Retail Grocers of Australia has investigated this, and it found out some revealing facts of which, I am sure, the organisations and the politicians who are responsible for arguing the case, are aware. Yet, I think various organisations, including Zero Waste SA, have chosen to ignore the facts. Apparently, the federal Department for Environment and Heritage had listed this story about the 100,000 birds and animals on its website and, when the truth of the matter was pointed out, instead of removing the claim, it simply said that the deaths had been caused by plastic debris.

The reality is that the information—and this has obviously turned into at least an urban myth—has come from a study conducted in Newfoundland, Canada in the late 1980s. The association I have just referred to, NARGA, tracked down a copy of the study in the New South Wales State Library—as it points out, less than a hundred metres from the state Parliament House in Macquarie Street, Sydney.

It said that the study had estimated that up to 100,000 marine birds and animals might have been killed over a four-year period by plastic fishing lines and nets—nothing to do with light weight, so-called single-use plastic bags. The numbers, it appears, even by Planet Ark, were its estimation of the death of marine animals and birds over a four-year period. Here we have the taking of a study, which has been gilded somewhat to try to make a case so that the Premier of South Australia can go before the people of this state in an endeavour to enhance his green credentials.

The study has been proved to have not referred to plastic bags. It has been proved to be talking about plastics used in the fishing industry—ropes, nets and things, which have been abandoned or lost within the fishing industry. To try to make a case for banning light weight, single-use plastic bags in South Australia on the basis of that study is a nonsense. Let me repeat: I am not making a case that it is not something that we should be looking at.

Let me just talk about what some of the stakeholders here in South Australia have been saying. Business SA is concerned about this legislation. It is concerned about South Australia going it alone, because it believes that it may well cause a competitive disadvantage for this state. That is what Business SA believes.

Maybe I should be referring to these as HDPE, high density polyethylene bags. The number of these bags used in Australia has decreased from around six billion in 2002 to 3.92 billion in 2005, a reduction of some 35 per cent. I do not know why Peter Vaughan from Business SA used the 2005 figures, but I understand that by 2006, I think it was, the reduction was more like 45 per cent. I do understand that, having met that initial significant reduction in the use, there is now a bit of an increase in the use of those bags, and I might come to that in a moment. The Independent Supermarkets Council of South Australia has raised with the government a number of issues over this.

It is important to note that I think that organisation was quite happy to support such a ban, or another initiative that has been discussed which I will come to, that is, introducing some sort of levy. I do not think that the Independent Supermarkets Council of South Australia would be as opposed if this was done in the other states as a national approach to the problem. This letter, written to the previous minister in May this year, states:

> We have not sighted any analysis of the true benefits of the banning of the bags in question other than the Irish experience about which there is contradictory evidence.

Apparently a study was done in Ireland. My understanding is that the Irish experience was not a banning exercise but a levy exercise where, I think, shoppers were charged €15¢ on plastic bags and, apparently, there was a significant reduction in the number of bags used. I understand that that reduction was relatively short lived, but I will come back to that.

They do raise a number of issues in relation to health and hygiene—which the government seems to be ignoring— and the fact that these bags do provide a clean, healthy receptacle in which to place food items to take from the place of purchase to home. They provide a barrier between the

different classes of food, such as fresh meat, vegetables and household cleaning products. They do point out that the reusable bags—the cloth bags which are made of polypropylene—do have a use-by date and there is no guarantee of the cleanliness of them. They point out some of the OH&S issues which the unions' representing shop workers have raised about OH&S.

The state retailers association wrote to the minister—also in May this year—and this is an acknowledgment of the work that needs to be done because it points out that the public's acceptance of the use of reusable bags seems to have peaked and, in fact, has started to decline. That is an interesting thing. It is also points out that this debate has been going on for at least six years, probably a little longer, in a serious way in this country.

I understand that the ministerial council of environment ministers has been working towards this and there was an agreement in 2005 that across Australia we would ban these bags or find an alternative way of ameliorating their impact by 2008. We know that the ministers met on 17 April this year and, as a result of the press reports from that meeting, that the South Australian minister (Hon. Gail Gago from the other place) put a very strong case to try to get her colleagues from the other states across the line on taking action. It is interesting that all the other jurisdictions in Australia chose not to go down that path—chose not to do what we are doing here in South Australia.

The Victorians said that they were running a trial on a levy on plastic bags at a couple of sites. I am sure Warrnambool in the western part of the state was one of the areas where they ran the trial. Some results from that trial were released a week ago and they are quite dramatic. They were talking about a 10-cent levy on the bags and my understanding is that there was a 79 per cent reduction in the number of bags used during the trial.

Ministers—other than the South Australian minister—agreed to await the results of that trial. The results have been quite dramatic. I would like to think that South Australia may well have taken different action from that which is proposed or to which the government has committed itself in the early part of this year—in fact, straight after the April.

Interestingly, the Productivity Commission has prepared a report on the foreshadowed ban on high density polyethylene shopping bags. The report makes interesting reading. The recommendation in the report states:

> Governments and retailers should not proceed with their foreshadowed plan to eliminate plastic shopping bags by the end of 2008 unless it is supported by transparent cost-benefit analysis. The analysis should clarify the problems that the ban would seek to address, the response of the community to a ban and whether or not alternatives such as tougher anti-litter laws and means for encouraging greater community participation in controlling litter would achieve better outcomes for the community.

I think that is a pretty fine recommendation. I cannot see in the minister's comments when introducing the bill any evidence whatsoever that any of that work has been done; that is, any transparent cost-benefit analysis—in fact, I do not even think any non-transparent cost-benefit analysis has been done.

I have already argued and evidenced the fact that the government supposedly identified a problem from a false premise, a false interpretation, of the Planet Ark study. The reason for instituting this is flawed, in my opinion. So weak is the government's argument for the introduction of this measure that the former minister's remarks in the other place seemed to signal to the house that one of the reasons why they should proceed with this matter is that the previous Governor (opening this parliament post the 2006 election) identified that this was an important issue. For goodness sake, the Governor's speech is written by the Premier. This is the same Premier who told this house the nonsense about the Planet Ark study.

It is interesting to note that that nonsense is also on the website of Zero Waste South Australia. It is also included in the information that Zero Waste South Australia put out when it was calling for tenders for a media campaign to support the ban. The now discredited Planet Ark story, that urban myth, seems to be the only piece of half decent evidence that the government has to support its wont to put this ban in place. It is recognised that these bags are very convenient, they have positive health benefits and they are very cheap to produce.

I talked about the Productivity Commission's report. That report goes through all the benefits of these bags such as those to which I have just referred. The report says:

> The current plastic shopping bag is well suited to its task. It is cheap, light weight, resource efficient, functional, moisture resistant, allows for quick packing at the supermarket and is remarkably strong for its weight.

It does have a significant number of benefits. It is interesting that the Zero Waste website also says that, before these bags were handed out at supermarkets, people obviously did not use them as bin liners. What they did was wrap their rubbish in newspaper and/or they washed their bins as they emptied them. We now know that one of the scarcest resources we have in this city, in this state, is water. So, are we saying we are going to have a positive impact on the environment in South Australia by not having so-called single-use shopping bags available for people to use as bin liners and that they should, instead, wash their bins? I am sure that there would be a water cost to that.

I know that my wife recycles all the newspaper that goes through our household, but if we go back to using that same newspaper to line our rubbish bins and to wrap our rubbish up in, we are going to create another problem. No study has been done and there has been no evidence presented to this house to compare the benefits or non-benefits of using so-called single-use plastic shopping bags as bin liners or going back and using newspaper and/or washing your bin on a regular basis, at least daily. None of that work has been done; none of the evidence has been presented.

The opposition recognises the issue. It recognises that it is an issue which we should have on our radar. It recognises that there are considerable benefits in a national approach. It recognises that instituting a ban in this jurisdiction alone will have significant cost disbenefit to the state. The jury is still out on the question of whether the big stick approach, vis-a-vis a ban, or the carrot approach, vis-a-vis some sort of levy or cost penalty, would be more appropriate and more effective.

That is the position the opposition takes. I indicate that I will have some questions on the clauses of the bill in committee.

Mr GRIFFITHS (Goyder) (16:42): I congratulate the member for MacKillop on his very thorough—as is his practice—review of the bill. It does not surprise me, even though he has only held the shadow portfolio for a relatively short time, that he has prepared himself so well and is so aware of all the issues raised by the numerous bodies involved in this serious matter.

However, I wish to focus a bit more on local issues as they relate to me and comments I have received relating to this bill. I would first like to focus on comments which have come from a storekeeper within my electorate. He is an aggressive businessperson and he has just spent millions of dollars on building a new facility, which is making a real difference to his retail trade figures in the community of Ardrossan.

As is his wont regarding many issues that come across his desk that concern him, he has contacted me and wants me, on his behalf, to express the concerns that he has about the introduction of this legislation and what the impact upon his business will be. He understands the fact that there is a need for environmental responsibility around South Australia and the nation, there is no doubt about that, but he is primarily concerned about his ability to compete within the region that he serves, and he draws people from other communities to his shop. He is also really concerned about the issues for his staff.

He is aware that transition periods were proposed and that there was going to be a gradual introduction of this, but he is fearful that, because there are so many people out there who will not necessarily be aware of the introduction of this and the fact that the so-called single-use shopping bags will no longer be available when purchasing products and goods from his store, people will just say, 'Well, what are we going to do? How are we going to take things home?' Boxes are available in some numbers, there is no doubt about that.

Will this force people to buy numerous quantities of the green bags, which you can get from lots of different stores and use for a certain period of time? You have to be concerned about how clean they are and the transfer of germs, especially if they have held fresh foodstuffs, such as a meat-based product that has bled into the bag.

He really wants to make sure that his staff will not be in a situation where they could potentially be criticised by and subject to the aggressive nature of some people in the store. On this side of the house, we want to make sure that legislation that passes the house is always appropriate.

In reading the briefing paper, I know that four billion of these bags are produced each year and that 400 million of those are in South Australia. In reading other documents, we are certainly aware that, where efforts have been made to reduce the consumption of these bags, it has worked

fairly well. A target of 50 per cent was set and, from what I have read, 45 per cent has been achieved, so that is a significant move downwards.

The green bags certainly filled a big void in reducing that target, but we all have stories of people with very good intentions who buy the green bags, intending to have them with them when they go to the supermarket but, when it comes to the crunch, they have forgotten them and had to buy another one. There is a lot of worry out there.

The shadow minister has gone through the issues as they relate to legislation very well, but it comes down to competitiveness within South Australia as a marketplace for Australia. The business people I have spoken to are worried about the local effect, as they know that the roll-on could be how South Australia is seen.

It is interesting that this legislation leads the nation. The previous minister for environment could not get agreement between all the ministers for environment around the nation, and she decided to proceed with this. When the Attorney-General is in the chamber, he quite often makes comments, and one was about a piece of legislation earlier today when he deliberately said that South Australia tends to follow along behind other states that show initiative and bring in legislation and that, therefore, by the time we get to it, it is in an improved version. However, here we have legislation that is the reverse of that, where South Australia is seen in some areas as leading the nation.

Will we really get the best benefit? It is obvious to me that the so-called single-use bags are not single-use bags. Like many here, people probably collect them at home and use them as bin liners and so on. I know that my wife and I have done that forever, in addition to using the other green bags and such that we use. However, they are not overflowing and the pantry is not full of them. They are reused for household scraps and waste, they keep the bin clean and they then go into the wheelie bin. In his contribution, the member for MacKillop mentioned the water that is used to keep those things clean, too.

So, you might win in some areas, but it costs you in others. That is why we on this side of the chamber really ask the question: have all the issues associated with this decision been contemplated? The Victorian experience of a trial levy appears to have worked, and the shadow minister quoted a 75 per cent reduction in one community where the levy had been trialled. Obviously, in relation to a direct cost, people really think about it. So, there has to be some compromise.

I find it rather bizarre that the bags that are available on a roll within a supermarket for fruit and vegetables are not covered by this measure. However, these bags are defined as 35 microns or less, have handles and are covered as part of it. There appears to be some inequality there. Let us make sure that we get it right. It is a good thing that South Australia is showing some initiative but, again, I question whether, in this case, this initiative is targeted in the right direction.

[Sitting extended beyond 17:00 on motion of Hon. J.W. Weatherill]

Ms SIMMONS (Morialta) (16:49): I rise today to speak briefly on the bill. Despite the fact that, as we have heard, last year Australians used almost 40 per cent fewer single-use plastic bags—that is, the thin supermarket shopping bags—in 2007, 4.2 billion of them were distributed across Australia. We still use over 10 million plastic bags a day. To answer the member for MacKillop's question, these bags take between 15 to 1,000 years to break down in the environment. I think the member for MacKillop really is nitpicking about the information that can be found on the Planet Ark website. In my latest newsletter I have a photo of a turtle dying from eating a plastic bag, which can clearly be seen in its mouth. I think the danger to our birds, whales, seals and turtles every year is significant, and I believe that bringing that fantastic organisation into discredit does the honourable member no good at all.

Many will argue that these bags are recyclable and are used for many different purposes within the household, as we have heard from the member for Goyder. Yet Australians throw away about 7,150 of these recyclable plastic bags a minute, with 429,000 recyclable plastic supermarket bags dumped in landfill every hour. Our local councils tell us that they are the single main contaminant of kerbside recycling—which is probably why you do not see them when you walk down the street, because our local governments do such a good job.

As has already been said, most of us use these bags to line our kitchen bins rather than washing out the bins after emptying. The major supermarkets, such as Coles and Woolworths, also tell us that they are doing their bit by providing recycling facilities in their stores, but only about 5 per cent of bags issued end up back there. We are too disorganised, forgetful or lazy to return the bags after we use them. Many Australians consider these single-use plastic bags as their right; they see them as a free commodity which saves them from buying bin liners or remembering their reusable bags. In fact, it is estimated that there is a cost to every household in Australia of between $10 to $15 per year added to the price of goods purchased. Just because it is an invisible cost does not mean that it does not exist.

In passing this bill South Australia will be leading the nation with an outright ban on plastic bags, in the same way as we pioneered the environmentally responsible deposit on containers 31 years ago. It is a pity that all the states, territories and commonwealth could not come to a single approach agreement after six years of discussions, but I am proud that there will be 400 million fewer of these bags entering South Australian waste and litter streams every year. There will be 1,600 tonnes less of plastic contributing to greenhouse gases, clogging up landfill, and littering our streets and streams, as well as killing sea life.

An important part of this historic ban will be working with large and small retailers and union representatives to address any potential health and safety implications for both shop assistants and the public. As I discussed in my recent electoral newsletter to Morialta residents, I have some serious concerns about the use of what have been called environmental bags for groceries. I believe there are occupational health, safety and welfare implications, especially for our check-out operators. The bags currently in use are large and strong, and there is a temptation to fill them to capacity simply because they are strong enough to bear the weight.

They actually hold about 10 kilograms, and I want you to imagine what it would be like for a check-out operator lugging hundreds of these bags every day from a waist-height register to a knee-high pick up point. I am also concerned about older customers being tempted to lug them into their trolley, then their car, and then into their homes. I worry that the risk of back and neck injury could be high if precautions are not taken by everyone using them. I have asked my constituents—and I suggest to the house today—that people be very careful as to how they pack these larger bags, and even consider buying smaller bags to spread the load. Indeed, I have actually ordered some smaller bags to give away so that people can judge the difference for themselves.

Notwithstanding all this information about reusable bags, I am delighted to support the bill, as I believe that plastic shopping bags are an environmental menace. I note that the community has an increasing desire to protect the environment, and banning these lightweight one-use bags is a tangible way for people to make a difference.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (16:55): I thank honourable members for their contribution. I will briefly respond to some of the points that were made by both the member for MacKillop and the member for Goyder. I understand that the member for MacKillop has some questions that he would like to raise during the committee stage.

I also foreshadow that there are, in fact, some government amendments that we will be promoting as part of this proposition. I understand that they have been tabled, but I will check that. They are amendments that arose out of consultations with industry.

Mr Williams interjecting:

The Hon. J.W. WEATHERILL: Sorry; they are incorporated in the bill. They are already in the bill, so you should be aware of them. This differs from the bill that was in the upper house in a number of respects, and they are responsive to the concerns of industry, as was mentioned earlier.

The essential point that the member for MacKillop raises is that there is some concern about the evidence base for this, and that South Australia should not go it alone but should actually be part of a national response. I think the two things are related. If there is a case to be made for doing this, the case really does not exist for us not to pursue the matter on our own. We have a fine tradition in South Australia of pursuing groundbreaking environmental legislation. We should not be unnecessarily slowed up by a national approach which refuses to participate or adopt these proposals. Of course, it is important to try to reach national agreement, and we have done that, but the failure to achieve that should not prevent us from moving forward if there is a proper case.

The case is compelling. The life-cycle costs associated with these lightweight plastic bags going to landfill—leaving aside the environmental effects in terms of amenity, litter and damage to other life forms—is compelling. The work is being done, and it indicates that the banning of these bags will have a very substantial benefit for the environment. An extraordinary number of these bags are used over the course of a year. In 2007, a comparison of existing life-cycle analysis reveals that, over a two-year period, replacing all lightweight single-use shopping bags consumed nationally on an annual basis with reusable non-woven polypropylene green bags will deliver the following environmental gains:

- 48,200 tonnes waste avoided, equivalent to diverting 4,400 garbage trucks full of waste bags from landfill;
- greenhouse—84,000 tonnes of greenhouse gas emissions abated, the equivalent of taking 19,600 cars off the road for a year;
- energy—2.8 million gigajoules of energy saved, the equivalent of powering for 152,000 homes for a year;
- water—100,000 kilolitres of water saved.

A life-cycle benefit is associated with the banning of these plastic bags and it stands independently of the amenity issues and the damage to wildlife which are more difficult to quantify. The rest of the member for MacKillop's argument amounts to the conservative proposition that it is not a big problem and there are more important issues. That is just a question of philosophical stance. The case is made and we should act.

The member for Goyder talked about the cleanliness of the reusable bags and he raised that concern from a retailer. Of course, we are not saying that the single-use barrier plastic bags cannot be used for meat and other products that are likely to soil a bag, so that should be attended to. He raised the question of criticism by angry consumers and staff, and we are concerned about that. That is why we, along with the SDA, commissioned a study about the effects of these changes on the workforce and there were two particular issues: the criticism that some workers may receive at the hands of consumers, and the occupational health and safety issues.

One of the amendments we propose is a two-year review of this proposition and, during that period, we believe it would also be proper for there to be a suitable audit of the study recommendations that were developed concerning occupational health and safety, and they ought to be incorporated into that review process. It has been suggested that plastic shopping bags are used for bin liners and other things, and that will cause a difficulty. Since the announcement of the ban, the government has received comments of that sort. The Irish experience is often cited. We have found that the reduction in the use of plastic shopping bags significantly outweighs the increase in kitchen tidy bag sales when that has been analysed in the jurisdictions that have gone down this path.

While bin liners are convenient, they are a recent creation and, prior to only a few decades ago, people had other ways of keeping their bin clean such as wrapping rubbish in newspaper, composting it, and putting rubbish in the bin and washing their bin regularly. Using plastic bin liners is convenient but not environmentally ideal and, as we move to the process of recycling even more waste from our household waste stream, we want to discourage the use of that form of waste disposal.

We also note the suggestion that Victorian levy trials seem to suggest that the levy is a more appropriate approach. The difficulty with the levy is that it does not achieve the objective of removing the lightweight plastic bags from the litter stream: it simply retains them and it does not discourage all of the use of the plastic bags. It may reduce the use, but certainly it does not achieve the objective of a complete reduction. Those are my general remarks in respect of the responses and I thank the member for Morialta for her contribution in support of the bill. I commend the second reading to the house.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3.

Mr WILLIAMS: This bill introduces some changes to the measure that was introduced in the upper house, as the minister pointed out, a few moments ago. From my reading of the two bills it seems that you have somewhat changed the emphasis from just a straight-out ban to emphasise the replacement of a bag with a biodegradable bag; a bag not dissimilar to the lightweight bag but one that is biodegradable. I have some samples of these sorts of bags, which were shown to me by your officers when they briefed me on the bill.

My question is: if we are going to see the use of a bag, which is not dissimilar to the lightweight polyethylene bag that we have been using for many years, and the only change is going to be that it is biodegradable, how is that going to have an impact, such as you describe in your summing up, and how is it going to reduce other impacts?

In your answer you might inform the committee of how long it takes for these biodegradable bags to break down. My understanding of the Australian standard is that they have to break down in a compost situation within 120 days. I do not know to what extent they have to break down and I do not know how much they would be broken down after 120 days in a non-composting situation—that is, blowing down the street or on the beach or, indeed, floating around in a marine environment and endangering marine species. Could you give the committee some understanding of the advantages of a biodegradable bag under those circumstances?

Also, you indicated that the weight was the measure used and that the weight of material would be less if we banned the bags. However, they are going to be replaced by another not dissimilar bag which will probably weigh the same and have the same volume, and it will probably end up in our bins, so we will get very little advantage there.

You mentioned that there was going to be a water saving. I am not sure what the water saving will be, particularly if we are going to be washing our bins every day. I would have thought that would be a water cost, but I presume that there may be some water saving in the manufacturing process. Can you expand on the savings that you highlighted in your summing up a minute ago and what impact the use of a biodegradable bag may have on that.

The Hon. J.W. WEATHERILL: I think the amendments do not really have the bias that is being suggested. There always was provision in the original bill in respect of biodegradable bags. What has occurred is that there has been some greater clarification around the definition of biodegradable bags in order to ensure clarity about precisely what we are talking about. It was also about the way the Australian standards operate to ensure that we know when we have a biodegradable bag and to get the clarification that was necessary for retailers.

The first proposition here is to really try to avoid single-use bags where we can. The most desirable course is to use green bags, and people are taking to them in large numbers. We are also finding that, at the checkout level, people are refusing bags. People may absentmindedly put one item in a bag when they could just simply carry that item out of the shop. People are now being offered a choice about whether they want a bag at all and a lot of them are saying no, and that is causing a reduction.

The ultimate goal was to reduce single-use plastic bags; the next best proposition is to have no bag at all; and the next best proposition, I suppose, is to have a reusable bag. However, if you are caught out and you need to do some shopping and you need a bag to carry it home, then the compostable bags provide that convenience. It is not our desired course, but it is made available as a convenience.

The single-use plastic bags are a petroleum-based product, which itself is a less desirable product from the point of view of the environment and, of course, a biodegradable bag breaks down in compost within a maximum of 120 days. So, it is a much more environmentally-friendly product.

Mr HANNA: I ask the minister about the definition of 'plastic shopping bag'. It seems that, if a carry bag does not have handles, it will be exempt. I wonder whether that provides an easy way out for supermarket chains. Instead of having bags at the check-out, with which we are currently familiar, they could have the same sorts of bags without handles. Is that not going to leave it open to circumvention?

The Hon. J.W. WEATHERILL: The reason we have left that in there is for hygiene reasons; it is there for meat. It is the bags that are on the roll in the vegetable shops and the like and also the butcher shops. I can see what you are saying, that is, that they could be used as a backdoor way of doing it. We do not think that that will happen, because they will be a bit

inconvenient to use in that fashion. Without the handles, they will be a bit hard to gather up shopping and use in that fashion.

Mr WILLIAMS: Minister, in asking this question, I advise that I have been given the answer by your departmental officers. I think the committee deserves to have an explanation about the definition of 'relevant [Australian] standard'. Later on in the bill an offence is created by purporting to be offering a biodegradable bag which is not a biodegradable bag. Can you explain to the committee how the standard is upheld and how we physically determine that the bags that are being supplied are indeed biodegradable as an alternative?

I understand that a lot of these bags are made in China, and we have seen an interesting substitution racket occur in China in recent times. To the lay person, the only way of distinguishing between a biodegradable bag and a non-biodegradable bag is the fact that the biodegradable bag might have printed on it that it is indeed a biodegradable bag. Can you explain to the committee how that will be policed?

The Hon. J.W. WEATHERILL: There is a process where I think Flinders University provides the regime to test whether a bag meets the Australian standards. I am advised that, physically, the difference between the biodegradable bag and the bag we are used to seeing in the supermarket will be quite apparent. I suppose the balance of that really gets down to a question of our checking to make sure that people are not passing off bogus plastic bags. Obviously, the offence is there to provide a pretty serious disincentive for someone to do such a thing.

Mr HANNA: In my 2003 legislation, I defined the forbidden shopping bags in the following way:

plastic shopping bag means a plastic bag used, or intended for use, as a means of carrying goods purchased, or to be purchased, by retail from a shop but does not include—

(a) a plastic bag that—

(i) is provided for the purpose of containing goods—

(A) that are not otherwise contained in any packaging; or

(B) that are priced according to the weight purchased (where the weight is measured at the shop); and

(ii) complies with any other requirements prescribed by regulation; or

(b) a bag that is made of paper or other cellulose-based material and that is coated with polyethylene plastic on only one side; or

(c) a plastic bag of a class that the authority is satisfied is designed to be suitable for repeated use and that has been exempted from this definition by regulation;

I know that is a lot to take in in one breath, but I presume that the minister has had a look at my earlier legislation. I just wonder why the minister found that definition deficient.

The Hon. J.W. WEATHERILL: I think there are a couple of explanations. I do not think that the honourable member's definition dealt with the thickness of the plastic bag, because lots of bags that are capable of being reused are plastic. It is those very small, thin plastic bags we are seeking to target in this. That was one issue. Also, quite a lot of technological developments have occurred with respect to alternatives, so our definition is framed in terms of alternatives. I suppose it is really the developments that have occurred since the honourable member's definition was drafted.

Clause passed.

Clause 4.

Mr WILLIAMS: This clause provides that the retailer must provide an alternative shopping bag, and there are two alternatives. One is a biodegradable bag. Notwithstanding the minister's comments that they are easily distinguishable (and I accept that; they may well be), the one or two I have had a look at and actually handled are not dissimilar to the so-called single-use lightweight bag that we have become accustomed to. The other alternative, obviously, is the reusable bag which, again, we have become accustomed to. The fact is that the retailer must provide one of these, and I assume that most retailers will provide the choice of both.

Knowing how competitive the retail industry is, I suspect that, in some instances, at least in the early stages of the operation of this act, the reusable bags may well be supplied free of charge. Subclause (2) provides:

This section does not prevent a retailer from requiring a customer to pay a fee for the provision of an alternative shopping bag.

I would argue that there is probably a fair bit of commercial pressure on retailers not to charge a fee, notwithstanding that I have been informed that the cost of the reusable bag is probably at least 8¢, whereas the single-use (so-called) bag we have become used to is costed probably more at around 1¢. I suspect that the commercial reality is that a number of retailers will wear that cost, at least in the short term, to maintain market share. As I mentioned in my second reading contribution, the move away from the lightweight plastic bag to the reusable bag—people call it a cloth bag, but, again, it is another plastic product—seems to have peaked. In fact, there has been a bit of a swing back to using the other bag because of its convenience.

I wonder how much we expect to gain through this measure without having the fee, and why has the government not waited to get a full report on the study the Victorian government instituted on the impact of the fee in that state?

The Hon. J.W. WEATHERILL: I think that from 2002 to 2005 what we saw was voluntary efforts, where green bags were promoted. That led to a reduction in the use of the single-use plastic bags. However, that has gradually drifted back up again. So, that is the experience. I suppose that really underscores why we are taking this approach because, in the absence of that stronger regulatory response that we are proposing, it is unlikely in itself to be effective in achieving the outcome that we are seeking.

Mr WILLIAMS: My only comment to the minister is that I wish him luck. I think members of the community have demonstrated that they enjoy the convenience of that lightweight plastic bag. So, I wish the minister luck.

Clause passed.

Remaining clauses (5 to 9) and title passed.

Bill reported without amendment.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Environment and Conservation, Minister for Early Childhood Development, Minister for Aboriginal Affairs and Reconciliation, Minister Assisting the Premier in Cabinet Business and Public Sector Management) (17:22): I move:

That this bill be now read a third time.

I thank all members for their contribution to the debate.

Mr HANNA (Mitchell) (17:23): It was interesting to discuss the definition, in particular, during the committee stage. Members will recall that, although in March 2003 I had put forward a levy proposal in legislation in this place to create an impost on plastic shopping bags to discourage their use, in October of that year I put forward similar legislation to ban plastic shopping bags.

I am grateful to Aimee Travers of parliamentary counsel for that definition that we came up with together for that 2004 legislation. I still think it holds up pretty well today, notwithstanding advances in technology.

As a final note to this legislation, I refer to the survey I conducted in the electorate of Mitchell earlier this year when I found that, although a majority would oppose legislation such as this, there was a substantial minority who were happy with a ban on plastic bags. Interestingly, a lot more people favoured the idea of a ban than a levy. That surprised me in a way, because I would have thought that consumers would want to have retained a choice, even at a cost, in terms of plastic bags at supermarkets. However, it is not the case. The government has gone down the path of a ban on plastic bags. I believe that after an initial period of inconvenience and annoyance we will adapt and, on the whole, that will be for the benefit of the environment.

Bill read a third time and passed.

ADJOURNMENT DEBATE

The Hon. J.W. WEATHERILL: I move:

That the house do now adjourn.

EASLING, MR T.

The Hon. I.F. EVANS (Davenport) (17:24): I will take the opportunity to speak on the adjournment and, in doing so, I wish to speak about Tom Easling. Today, I wish to concentrate on just one aspect of this particular case. Those in the house who are following this matter would know that I have spoken on a different aspect each time I have addressed the matter.

Today, I want to concentrate on the aspect of the media tip-off of Tom Easling's arrest and, for those who are unfamiliar with the case, I will give some details. Mr Easling was arrested on 31 July 2004, a Saturday morning at 6.30, and when the police rolled up, the media (that is, TV cameras) were in tow, so someone had obviously told them. If Mr Easling had got up earlier than 6.30 and read *The Advertiser*, he would have read of his own arrest.

This matter, we know, is of concern to the government because the Attorney-General has stated publicly that one of his great concerns about this case is the media tip-off. During the process of his defence, Mr Easling, or his lawyers on his behalf, made inquiries of the government in regard to the media tip-off and received a letter back from the then minister for police, Kevin Foley, and the letter states:

> The South Australia Police (SAPOL) have reiterated to me that:
>
> - no media release was issued by SAPOL in relation to the imminent arrest of Mr Easling;
> - no member of the Premier's Department was informed of the date and time of Mr Easling's arrest prior to the event;
> - no media representatives were given prior notice of the apprehension of Mr Easling.
>
> However, the Acting Commissioner informs me that members of the Department for Families and Communities were advised of the intended arrest date and time to facilitate a necessary response within their department.
>
> SAPOL is not prepared to supply the name and title of South Australia Police personnel or the particulars of those persons within the Department for Families and Communities who were aware of the date and time of Mr Easling's arrest.

The reason I raise this particular aspect is that it is actually an offence under the act for anyone to reveal the name of those who have been accused or abused—that is, accused of the abuse or alleged to have been abused. So, the release of Mr Easling's details is actually an offence under the act. Given that the media were there and given that it was referred to in *The Advertiser*, it is clear that someone has breached that provision of the act. The question I put to members of the government is: when they woke up on that Saturday morning and when they thought about it on the Sunday morning, what action did they take to discover the source of the leak?

Interestingly enough, about two weeks after Mr Easling's arrest, on 13 August 2004, Grant Stevens from SAPOL gave a media interview on ABC Radio, and it is an interesting read. He was talking to Matthew Abraham and David Bevan and they discussed the paedophile task force of which Mr Stevens is one of the senior officers. Matthew Abraham is talking about the paedophile issue in South Australia becoming a bit of a show trial, and he says:

> What about the element of this as a show trial, however? We, the media, have been well tipped off by the police in advance, both of the arrest of the senior public servant a couple of weeks ago flagged the day before in the 'Tiser, and these arrests all done en masse. What's the strategy there?

And Stevens, in his defence, says:

> Well, I need to clarify something here. There is certainly no tip-off from the police to the media. *The Advertiser* article concerning the arrest of the public servant was something that was discovered by *The Advertiser* themselves.

Abraham says:

> Well, where would they have got that information? I mean, something must be—the operation must be leaking somewhere.

Mr Stevens stated:

> My understanding is that the information that was reported by *The Advertiser* actually came from people who had an involvement with the investigation from outside of the police—people associated with victims, family members of the victims.

Abraham, in another quote on the same interview, says:

> Like this mass arrest, a six o'clock raid in the morning, again the media was well aware of that. I had an email in my box letting us know about it.

So, two weeks after the arrest we know that Matthew Abraham claims to have had an email. We know that Grant Stevens from the Paedophile Task Force has information to the effect that the leak, he believed, came from people associated with the victims, family members of the victims. There is obviously a bit of discussion among the police about how *The Advertiser* found out. Who in government said to the police, 'Hang on, where did you get that information? Who told you the victims or family members of the victims leaked this information?' Who followed that up? It is a breach of the act. I say to the government that I bet my bottom dollar that no-one followed up that line of inquiry.

We then go to the question of the police in their letter, as I quoted from Foley's letter, saying they would not reveal who they told in the Department for Families and Communities. They would not reveal that to Mr Easling. That is interesting, because clearly there is a list within government of who knew of the arrest. The Department for Families and Communities itself could have asked those people who they told about knowledge of the arrest, or was it that the information was leaked and therefore the judgment was made by some in the department that, because it was to the department's benefit, it did not warrant an investigation? The police can also investigate the breach of that act.

Given that the police had already been told that it was people associated with the victims or family members of victims, what action did the police take to investigate that particular matter? I know this is of great concern to the government because the Attorney-General has said so publicly about the leaking of the information on Mr Easling.

The other issue I raise is the one answer I have from the minister in relation to the Easling matter. Although she did not go anywhere near the question I asked her on the day, in giving a response on the Easling matter on 24 September the Minister for Families and Communities, Jennifer Rankine, I having raised the issue of the diary note, talked of a media strategy for Tom Easling's arrest and said:

> The investigation diary dated 30 July 2004 states: Discussion with Steve Edgington. He stated he had received a phone call from Grant Stevens who informed him the arrest would occur tomorrow morning and that a media release had been prepared.

Kevin Foley wrote to us saying that there was no media release issue. The minister told the house that a media release had been prepared by the police. This is another group of reasons why we need an investigation. If the police knew or were told that victims or family members of victims were involved in the leak, what investigation did they conduct? When officers of the Department for Family and Communities heard it on radio, what investigation did they do?

Indeed, when the Attorney-General's government investigators heard it, what investigation did they do? The reality is that it does not matter which way you look at the issue—it is a distasteful topic, I know—at the end of the day there is so much doubt about it that there has to be an inquiry to justify or clarify what happened to Mr Easling. The investigation in my view warrants an investigation, and this whole issue of the media tip-off is another reason why it needs to be investigated.

UNSIGHTLY PREMISES

Mr PICCOLO (Light) (17:35): Earlier today I spoke in this place about my concerns in relation to local government. I wish to raise a matter which relates to local government, but on this occasion I would like to talk about some problems experienced by local government in the administration of some acts, in particular when dealing with nuisance complaints. I am sure all MPs get complaints relating to unsightly premises and neighbourhood noise.

Based on my experience, councils trying to deal with unsightly premises have to juggle the operation of three acts, namely, the Environment Protection Act, the Local Government Act and the Development Act. The process to resolve a complaint about unsightly premises is complex, time-consuming, costly and, at times, quite ineffective. Councils receive flak—which they do not deserve—because often the process is time-consuming and requires court action before councils can take meaningful action.

As a result of the way in which the acts interrelate and the way in which the process works, the process protects those people who do offend in terms of having unsightly premises. In my experience, in many cases a lot of reoffending occurs, as well. My experience has been that some

people who maintain unsightly places tend to hoard beyond what is considered to be reasonable—and I am sure every suburb has them. Some people have a health problem which needs to be acknowledged and addressed. When dealing with people who maintain unsightly premises, we must also ensure appeal rights to make sure they are not unjustly treated.

Putting that category of residents aside, I believe that those people who cannot be bothered maintaining a property cause a problem for their neighbours. It is often a complaint heard down many streets. I am aware that the member for Fisher has raised in this place a proposal to introduce a neighbourhood ombudsman. I do not support a process which sets up another bureaucracy to deal with neighbourhood disputes because I do not think that would be helpful. It is important that these disputes and issues are addressed, and my view is that the legislation which deals with the matter of unsightly premises does need to be reviewed and streamlined.

Often it is difficult for councils to get people to clean up unsightly premises. The process can take years. I recall when I was mayor often it would involve disused cars. They would move them around the property so, once there was a court order, they cleaned up one site and put them somewhere else and then they would come back again. It is a real issue. I notice that my colleagues are indicating that they are aware of these sorts of complaints. The law must be changed to make it easier for councils to deal with people who are doing the wrong thing.

As I said, subject to safeguards to ensure that people are not in any way penalised by over-zealous neighbours, it is important we deal with those sorts of issues, particularly in working-class areas where the problem is heightened. I get numerous complaints from the Peachey Belt area about unsightly premises. Those people who maintain their properties to a very high standard get annoyed that the whole tone of the suburb can be dragged down by a couple of unsightly properties.

The other issue about which I get a lot of complaints in terms of neighbourhood disputes concerns noise. The enforcement of complaints against noise can be administered by three different agencies—local government, EPA or SAPOL. In my experience as an MP, SAPOL has dealt with it most effectively and addressed the problem head-on.

In my electorate I have received enormous support from SAPOL in dealing with noise complaints and they have been able to deal with a number of issues. Again, it is a situation where I think that the legislation perhaps needs to be clarified to ensure that it is clear who does or does not have authority to deal with these issues. Also some changes were made to the act some time ago to give local government more involvement and, on my understanding, it has not been undertaken by local government who tend to wash their hands of it.

This is particularly so in what you might call rural living areas. A classic example is where people in my electorate have bought a few acres outside the township area to be quiet and to have some space and often they find that their neighbours have teenage kids—predominantly teenage boys—who love their off-road motorcycles. I can assure you that older people who would like some quiet and off-road motorcycles are not compatible. I receive numerous complaints about those sorts of things.

Fortunately, in some cases the police have been able to mediate between the parties, so they are used sometimes, but sometimes some people can be quite indifferent to the needs of other people in the community by riding their bikes day and night, over weekends, etc., which causes a lot of problems.

When looking at this legislation I think we also need to perhaps improve the mediation processes so that communities and neighbours can work together to resolve these issues. As I said, the reason I do not support the proposal to have a neighbourhood Ombudsman is because I think it is just a bureaucratic thing and because it also takes away from people the responsibility of dealing with community problems. I think it is effective when neighbours can be made to talk to each other and to resolve these issues.

I hope that these comments may engender some interest at a government level to look at this legislation and hopefully bring some peace to our neighbourhoods.

Motion carried.

At 17:42 the house adjourned until Tuesday 28 October 2008 at 11:00.