LEGISLATIVE COUNCIL

Wednesday 10 March 1999

The PRESIDENT (Hon. J.C. Irwin) took the Chair at 2.15 p.m. and read prayers.

LEGISLATIVE REVIEW COMMITTEE

The Hon. A.J. REDFORD: I lay upon the table the eleventh report 1998-99 of the committee.

QUESTION TIME

ARTS, GOODS AND SERVICES TAX

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the GST.

Leave granted.

The Hon. CAROLYN PICKLES: I refer to the Senate inquiry on the GST and the evidence given last week by the Australia Council and other leading arts organisations, including the Sydney Symphony Orchestra and the Sydney Opera House. Australia Council General Manager Jennifer Bott called on the Federal Government to provide a compensation package for the arts similar to that provided for small business. Evidence given to the inquiry suggested that up to one-third of Australia's 25 major performing arts companies would go bankrupt because of the impact of a goods and services tax if the Federal Government did not compensate the arts industry. My questions are as follows:

1. Does the Minister support the arts industry's calls for compensation, and will she write to the Prime Minister on behalf of the South Australian industry, seeking his support for such a move?

2. Has Arts SA undertaken any research into the impact of a GST on the South Australian arts and cultural sector and, if not, will she do so immediately, making such a report available to the Parliament?

The Hon. DIANA LAIDLAW: This morning I met with representatives of the South Australian Arts Industry Council, and we canvassed this issue in the context of the forthcoming budget discussions, at both the State and Federal levels. The honourable member may not be aware that Arts SA has also recently gathered to Adelaide the directors of all arts departments across Australia to discuss the review, headed by Miss Nugent, that the Federal Government established, into the major performing arts companies.

One of the motivations for that review by the Federal Government is to look at the financial as well as the artistic sustainability of these companies in the future. The GST is certainly a consideration as part of that inquiry. So Arts SA, on behalf of the South Australian Government, is taking a leadership role in terms of arts funding generally in the budget context for this year and beyond, and also with this Federal Government inquiry.

I can reassure the honourable member that in all those discussions the GST is a matter of considerable interest to the arts, and there are certainly some concerns about ticket prices, and so on. However, I am confident that, with the submissions which the South Australian Government is preparing for Miss Nugent's inquiry and also—

The Hon. Carolyn Pickles interjecting:

The Hon. DIANA LAIDLAW: The Federal Government would not have put itself in such a vulnerable position by establishing this inquiry without understanding the issues at stake. My understanding is that the Government as a whole—not necessarily just the Treasurer—has some appreciation of the value to the arts and the creative economy in South Australia and Australia as a whole. They are particularly concerned about the issues which the honourable member, Ms Bott and the South Australian Government have raised and are seeking to address them. The South Australian Government's submission to the major organisations review, when it has been prepared and agreed to by Cabinet, is one that I am prepared to release to the honourable member.

ETSA CORPORATION

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Treasurer questions about ETSA.

Leave granted.

The Hon. P. HOLLOWAY: My questions relate to the decision by Western Mining Corporation not to buy its electricity through ETSA retail. On 26 February last year, the Minister for Government Enterprises directed ETSA and Optima in 10 areas of commercial operation. One of the directions states that ministerial approval must be sought before ETSA can enter into any contract with a total annual value in excess of $300 000. A series of other restrictions was placed on the ability of the electricity corporation's boards to do things normally done by boards of public corporations. There have been claims that the ETSA Corporation was impeded or discouraged from making a fully commercial and competitive bid for this contract. My questions to the Treasurer are:

1. Did ETSA—

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! The Chair has called for order: you do not keep interjecting after that.

The Hon. P. HOLLOWAY: Did ETSA Corporation actually bid for the retail Western Mining contract? Can the Treasurer assure the Parliament unequivocally that ETSA did bid for the contract to supply power to Western Mining Corporation and was not impeded in any way by this Government from making that bid on a fully commercial basis?

2. Did the Minister or the Electricity Sale and Reform Unit give any direction whatsoever to ETSA Corporation on its bid for the Western Mining Contract and, if so, will the Minister table any such direction?

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: The Deputy Leader, with the explanation to his question, states, 'There have been claims'. I would be interested to know where these claims have come from. One can only surmise that they came from the leadership group of the Labor Party, from staff working for the Labor Party or, indeed—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: You're not sure where the claims have come from? Where have the claims come from? 'There have been claims': from where? There is nothing in the papers or the media, so where have these claims come from?

Let the *Hansard* record that there is an embarrassed silence from the Deputy Leader, because there is no source—

Members interjecting:

The PRESIDENT: Order! If the Treasurer is not capable of answering the question, he should resume his seat. I am sure that he is capable, without help from other members.

The Hon. R.I. LUCAS: My colleague the Attorney-General has supplied very good advice: he asks that I seek leave to have the Deputy Leader's silence incorporated into *Hansard*, although I am not sure how *Hansard* might do that. Perhaps, 'I move: That there be a couple of blank lines to denote the silence of the Deputy Leader'!

Members interjecting:

The Hon. R.I. LUCAS: Yes, Leader, I would be very surprised. Let us just say that this is obviously a concoction of the Deputy Leader or of the staff of the Leader of the Opposition's office—not of the Hon. Ms Pickles, let me say, but the Hon. Mr Rann's office from another place. Nevertheless, let me address the questions. The honourable member at least should have the courage to stand up in the Council and make these claims himself rather than—

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: He reserves his right to make those claims himself?

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: Thank you. He should make those claims himself, rather than saying that there have been claims and not being prepared to validate, at least broadly, where they come from. The honourable member has highlighted the dilemma that will confront the Government if it cannot sell ETSA and Optima. He has highlighted absolutely comprehensively and magnificently the dilemma that will confront the Government even better than I could have—

An honourable member interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —because the Government will have to control three competing Government-owned taxpayer funded generators. At the same time, the Government will control and be accountable for the operations of ETSA Power, the retail trading arm of ETSA within South Australia. All of those may well be competing with each other and other interstate retailers and generators for one particular customer or a group of customers. Ultimately, they will all be answerable to me as Treasurer and to the Government in terms of what they will have to do.

If we move out of the sale process, clearly, the Government will have to reach the stage where some of the directions that it has left with them during the sale process will be removed, but big decisions—decisions about capital, in particular, but I hope not in relation to retail contracts—will have to be made. That is the dilemma, the position which the honourable member supports and which we will have to confront.

The Hon. L.H. Davis: How would you deal with that, Paul? More silence for *Hansard*?

The Hon. R.I. LUCAS: The Hon. Mr Holloway will have no answer to that. That is the sort of situation that members opposite are forcing on the Government, the taxpayers and South Australia if they oppose the sale of ETSA or the electricity businesses within South Australia. Comprehensive directions in respect of the sale process have been made public, I think through the *Gazette*, under which all the electricity businesses must operate whilst we move through the sale process. They include contracts, appointment of staff, major capital works, and whether they can make public statements to the media.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: Yes. All those areas have a series of directions.

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: Well, they are all under Government control. Why are you talking about interference? The Hon. Ron Roberts demonstrates his absolute ignorance. It is not a question of interference. The Government is running these Government owned businesses. They are Government run, taxpayer funded businesses, not private enterprise. This is the model that the honourable member wants. He wants the Government and the taxpayers to run these businesses, and now he is asking whether we interfered. This is the model that the Hon. Ron Roberts wants; it is not the model that this Government wants.

There is a comprehensive series of ministerial directions which relates to the operations of the business. Essentially, the question that the honourable member is asking is whether we asked our companies not to act in a commercial fashion. On all the advice provided to me, the answer is: 'Absolutely not'. In fact, we have said to our companies, 'You must endeavour to conduct yourselves in a commercial fashion.'

The Hon. R.R. Roberts interjecting:

The Hon. R.I. LUCAS: Your question was whether they had conducted themselves in a commercial fashion or whether the Government had dictated that, in some way, they not operate in a commercial fashion. I have indicated clearly—

The Hon. P. Holloway: Was ETSA involved?

The Hon. R.I. LUCAS: ETSA was engaged in discussions for quite some time, as I am sure were a number of other companies, with Western Mining. Let us bear in mind at this stage that I am not sure whether anything has been signed formally with another retailer yet. There has been press speculation, and there has been confirmation that they are looking elsewhere. I am not sure yet whether a deal has been signed, so I cannot say whether that is the case or not. Ultimately, that is a decision for Western Mining: it is not something to which we are privy.

The answer to the honourable member's question is, 'No; we have been asking our companies.' They have been having discussions, and they have been active in relation to retaining business in this case rather than bidding for new business. Ultimately, we are saying to them that we will assist them as best we can, but they must act, as best they can, in a commercial fashion. They are operating under a comprehensive series of ministerial arrangements but within a broad parameter or approach. I have indicated to the people advising me that they should operate, as far as they can anyway, in a commercial fashion in terms of their business practices.

Most of the honourable member's questions have been answered in relation to the response to that question. I can only repeat again—and very quickly—that this model is the one the Hon. Mr Holloway wants: it is not the model this Government wants. We believe that it is not the model for the people of South Australia, particularly when they see the results of this system where three Government-owned generators, potentially, cut each other's throats in the marketplace when competing for business. As I said yesterday, this competition will become most intense when that spare capacity is available for that competition to flourish, and that will be when roughly 400 to 500 megawatts of national power come on stream at the end of 2000 or the start

of 2001. That is essential for our competitive marketplace here in South Australia. During that period we will see everybody competing most intensively with each other in terms of retaining and obtaining new business.

MINING PROJECTS TASK FORCE

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Treasurer, representing the Premier, a question about the proposed new Mining Projects Task Force.

Leave granted.

The Hon. T.G. ROBERTS: It is reported that in an address by the Premier to an accountants' conference he made some statements in relation to the formation of a new Mining Projects Task Force. The Premier described the task force as being headed by industry figure Mr Richard Ryan, who will first report to the Government on an inquiry in September. Further, the report states that the Premier, Mr Olsen, 'nominated native title issues as one of the major causes of delays in new mining projects' and that, amongst other things, 'the make up of the task force will be decided by the industry in the near future'. The Premier went on to say:

> We need to find ways to move forward with efficient speed, fewer hurdles, less red tape and simplified legislative process.

It is almost written—

The Hon. Carolyn Pickles interjecting:

The Hon. T.G. ROBERTS: I was about to make that point. One could have been fooled into thinking that the speech writer for the luncheon address was none other than Mr Elliott.

Members interjecting:

The Hon. T.G. ROBERTS: No, the other Mr Elliott—former Liberal Party President Mr John Elliott who, in today's *Advertiser*, is reported as saying:

> Australians were 'very stupid' and Aborigines were a 'forgotten race' who did not deserve an apology.

I think that attacks on Aboriginal groups, their representatives and the standing of the legislation is despicable. A climate is building up which will make it very difficult for both the Government and the Opposition to work their way through very sensitive legislation in relation to dealing with mining projects. The Government, without any consultation at all (and I do not expect any consultation with the Opposition because it has not happened in the past), has made a broad-sweeping statement in relation to the application of the Act and the handling of native title.

Information has been given to me that it is not Aboriginal groups or the legislation that are causing the hold-ups but that it is the lack of anthropologists to assist in detailing some of the very complicated processes of documenting the sensitive areas in the protected regions that Aboriginal people want to separate from development within their claims, and the heritage issues fall into the same category. The questions I have in relation to the statements and the article in the *Advertiser* of Saturday 6 March are:

1. Will the make-up of the task force include representatives from all stakeholders including government—State, perhaps even Commonwealth, and local government—the Aborigines, the environment, pastoralists or farmers, and trade unions?

2. How will the task force dovetail into the current Federal and State native title legislation?

3. Given that we have a Bill before us, how will it dovetail into that if it is passed and becomes an Act?

The Hon. R.I. LUCAS: I am happy to refer the honourable member's questions to the Premier and bring back a reply. I am indebted to my colleague, the Hon. Mr Davis, who informs me that Richard Ryan, the Managing Director of the Henry Walker Group, has a very close and harmonious link with indigenous communities. According to my colleague, ATSIC has a director on the board—

The Hon. L.H. Davis: Two.

The Hon. R.I. LUCAS: —two directors on the board of Henry Walker, and it is also a significant shareholder in the Henry Walker Group. I understand that there has been a very close and harmonious working relationship between Aboriginal communities and Richard Ryan. Therefore, I can imagine why one should place at least some credence, I think, on some of the commentary that Richard Ryan might make in terms of the mining community and its relationship with Aboriginal communities in Australia. Nevertheless, I am very happy to refer the honourable member's questions to the Premier and bring back a reply.

POLICE COMPENSATION CLAIMS

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Police, a question about workers' compensation claims for police officers.

Leave granted.

The Hon. J.F. STEFANI: As members would be aware, the Government is a self-insured employer and Government agencies operate under this scheme. My questions are:

1. How many workers' compensation claims were lodged by employees of South Australia Police for the past 12 months?

2. What has been the total cost of these claims?

3. What was the amount paid by South Australia Police for the past 12 months to independent medical examination centres?

4. What was the total amount paid by South Australia Police during the past 12 months to the various legal firms engaged to handle workers' compensation matters?

The Hon. K.T. GRIFFIN: I will refer the matter to my colleague in another place and bring back a reply.

FIREARMS COLLECTORS CLUBS

In reply to **Hon. IAN GILFILLAN** (9 February).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services provides the following information:

1. The Government has recently made available to the S.A. Police additional funding to provide extra resources for the Police Firearms Section. The National firearms controls agreed to by the Australasian Police Ministers' Council require that the firearms licensing authority in each jurisdiction carries out checks on the suitability of every firearms licence holder upon each application for a firearms licence, each renewal of a firearms licence and each application for a permit to acquire a firearm. These checks, ensuring that only fit and proper persons possess firearms, are resource intensive. The Government, recognising that, has provided the funding for additional resources.

2. All recognised firearms clubs are required by the firearms legislation to provide the registrar with the names and addresses of the members of the controlling body and the office held by each member. The checks concerning the suitability of these office holders are the same as those carried out on licence applicants. An office holder of any recognised firearms club, including collectors clubs, would therefore, unless the registrar was satisfied that the

office holder was not a fit and proper person to hold a licence, be considered suitable to carry out his/her duties with the club.

PRISONER AID

In reply to **Hon. IAN GILFILLAN** (11 February).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the Department for Correctional Services of the following information:

1. The State Government recognises the valuable work performed by OARS, which it funds on an annual basis. Although the funding agreement encourages the targeting of offenders not currently supervised by the Department for Correctional Services, OARS continues to provide 'prisoner aid' services within prisons. A total of $22 784.00 was paid to OARS during the July 1998-December 1998 period for these services. The Government is confident that this work, along with the welfare duties performed by correctional staff, both officers and professionals, ensures that prisoners receive the appropriate level of support they require on entry to the prison system.

2. The State Government agrees that prisoners, some of whom are not convicted, should not be liable to lose their possessions outside prison as an additional penalty. Where the Department for Correctional Services is made aware that a prisoner's personal property may be at risk, appropriate services are available to deal with this issue.

3. The Government recognises the personal, social and financial costs associated with prisoners losing their possessions in such a manner, and is committed to minimising the likelihood of such an outcome.

PATAWALONGA HARBOR

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the Patawalonga harbor.

Leave granted.

The Hon. M.J. ELLIOTT: There has been some ongoing concern about the depth of the Patawalonga harbor, the ongoing cost of dredging and whether major work will have to be undertaken to deepen the harbor. In November 1998 the project adviser, Dean Lambert, prepared a draft report on the Patawalonga harbor depth which stated that it would cost about $4 million to take it to a depth of, I think, 3.3 metres, subject to detailed studies in respect of deepening the harbor.

The draft report says that already about $600 000 was spent as of November last year in a little over 12 months by Transport SA and the Department for Administrative and Information Services to remove seagrass. Although the harbor had been dredged to provide a minimum depth of 3.3 metres, the document says that, with allowances for sediment, sand and seagrass build-up, Transport SA could guarantee a depth of only 1.8 metres, the amount available at lowest tide. The Holdfast Shores Consortium was seeking an effective depth of 3 metres at lowest tide.

The document says that Holdfast Shores Consortium was advised that a depth of 3 metres or 3.5 metres would be available for marine usage and that purchasers of land in the development had been advised that this would be the case. The document also said that the consortium claimed that not to maintain a depth commensurate with harbor use was a serious breach of the Holdfast Shores Development Agreement. I quote from the document, as follows:

> No-one from within Government is aware of any specific undertaking to the consortium of providing 3 metres of water at low tide.

The agreement does not specify a depth. The document continues:

> The consortium has sought unequivocal guarantees that Transport SA will meet the requirements of the agreement. Transport SA should respond as soon as possible to the letter after seeking legal advice restating its position, but in the context of the agreement.

Deepening the harbor has severe limitations, according to the draft report. Not only would any increase be confined to a centre channel because of the risk of undermining breakwaters and the sheet piling but also the breakwaters would probably have to be extended. It might also require blasting, which would be expensive. Within the report—

The Hon. Diana Laidlaw: The draft report.

The Hon. M.J. ELLIOTT: Okay, within the draft report—you can tell me which bits you dispute afterwards. The report says, in talking about seagrass build-up:

> A report, report No.4, dated 3 October 1996, to the Urban Projects Authority prepared by John Chappell Engineers contains a critique of a 1995 Baulderstone report, with particular reference to sand and seagrass management. The report identified that the possible effects of seagrass accumulation in the sand trap or the harbor had not been discussed. The report also noticed a recent accumulation of seagrass against the then existing sheet piling and ventured, 'This area was totally clogged and in our view conditions resulting in this accumulation are not being changed significantly with this new development.'

The report continues:

> No-one has been able to give to me an explanation of why no apparent notice was taken of Chappell's report.

The report also notes that issues in terms of who will have long-term responsibility for costs of maintenance of various parts of the harbor is still somewhat unresolved. There was still some dispute there.

The Hon. Diana Laidlaw: That is comment.

The Hon. M.J. ELLIOTT: That is what it says in the draft report. The questions I ask of the Minister are:

1. Can the Government guarantee that a minimum harbor depth of 3 metres or 3.5 metres would be available for marine usage?

2. Did the Government give the consortium an undertaking about the minimum depth of the harbor, with land and mooring purchasers buying properties based on that commitment?

3. Is the Government concerned about the potential for a class action by Holdfast Shores Consortium if it is unable to guarantee the consortium's preferred depth?

4. Why does the Chappell report appear to have been ignored?

5. What have the maintenance costs for dredging been to this point, and what further expenses are likely in terms of further dredging in the future and/or expansion of the length of the breakwaters and/or further dredging work to increase the overall depth of the harbor, and does the failure to address issues raised in the Chappell report underline the weaknesses in the EIS process, where these sort of issues should be aired publicly and fully resolved before an EIS is completed?

The Hon. DIANA LAIDLAW: There was a lot of comment and speculation in both the explanation and the questions. I highlight to the honourable member, who has always stood up in this place and claimed to be a teacher and would therefore, I expect, understand what 'draft report' means (namely, a working document but not one that has been signed and sealed) he quoted it in this place as 'the report'.

The Hon. M.J. Elliott interjecting:

The Hon. DIANA LAIDLAW: I am merely saying that you said 'the report' and I interjected to say that it was a draft report. Once you corrected yourself and on other occasions you chose not to do so. I wanted to ensure that, in terms of your integrity in asking this question and in my pursuing this

matter, we are talking about a draft report. The Land Management Corporation, Major Projects and others were involved in the early work, as this draft report confirms, and I will have to receive advice from the responsible Minister, the Minister for Government Enterprises. It is true that Transport SA from September last year took responsibility for the harbor and the dredging arrangements, and I will have to seek some further advice—

The Hon. M.J. Elliott: Are you still dredging?

The Hon. DIANA LAIDLAW: I do not know whether we dredged today. Because I suspect that some of the questions have legal overtones, it may be better that I get considered answers for the honourable member in order to address the matters that he has raised.

RAILWAYS, VIDEO SURVEILLANCE

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about rail video surveillance cameras.

Leave granted.

The Hon. J.S.L. DAWKINS: I noted on Triple M radio news this morning that TransAdelaide's entire fleet of metropolitan 3000 class railcars will have 24 hour video surveillance cameras installed.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.S.L. DAWKINS: I also recall a report in the *Advertiser* of 18 February that women do not feel safe on public transport. As someone who uses the TransAdelaide train service quite often, I am aware of a reluctance by some people to use this method of transport after hours. I welcome the video surveillance camera initiative and ask the Minister to advise what other measures have been put in place to encourage more people, especially women, to utilise public transport.

The Hon. DIANA LAIDLAW: It is a very big issue for all our passengers, particularly surveys undertaken by the PTB and TransAdelaide to determine the issues that will help people make a decision in favour of travel by public transport. The issue of personal safety not only on the train but also at the railway stations, from the car park or walking to the stations is a big issue for us, probably more so in Adelaide than in other metropolitan systems because of our lower population base around each railway station. With fewer people using the trains, it is not as easy to provide that sense of personal security or perceived security.

Yet, if there is a perception that it is not secure, it is a vicious circle as fewer people may be inclined to use public transport. I was therefore particularly pleased to be able to advise today that from this week every one of our 73 railcars class 3 000, which are the newest railcars on the system, is equipped with video surveillance cameras.

Members will know that some people have raised civil liberty concerns about the use of video cameras, but our surveys confirm that overriding the issue of any concern of civil liberties is the issue of personal safety, and that is why the Government has invested some $365 000 to complete this program. It is important that we reassure not only our customers of their personal safety but also our parents who have children's issues, as it is coming up to winter and will be darker around rail stations. These cameras will also help with the problem of vandalism. On the overall TransAdelaide system, the cost has decreased to some $500 000 a year (and that is still $500 000 too much) from a base of $1 million a year ago. The railcars are certainly cleaner. We believe strongly that we will get an excellent return from the video surveillance network that we now have in all 3000 series railcars simply through deterring vandals and reducing the cost of cleaning up graffiti.

Finally, I highlight that the police have successfully used these video surveillance cameras in the past to help prosecute people for offences. Rail workers are very angry because they know who causes some of this damage and who scares people—often women—on the rail system. However, gathering evidence in a form that is suitable for police to prosecute has been really difficult. These cameras will help the police catch and then proceed successfully with prosecuting offenders. That will be of overall benefit to the whole of the public transport system. It will also help us in our bid to build up patronage, and I know we have a way to go on that score, particularly with trains.

GAMBLING, INTERNET

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Recreation, Sport and Racing, a question on Teletrack.

Leave granted.

The Hon. CARMEL ZOLLO: I have taken an interest in the Teletrack issue, both as a candidate and now as a member. I am aware of the desire of many people in the Riverland, and indeed many regional centres, to see a new viable industry in their region that will mean jobs and economic prosperity. I understand from a recent article in the *Advertiser* that, having received State Government consent last year for development and, more recently, local government development from the Loxton-Waikerie council, work is expected to start on the track in Waikerie in April, with the first race meeting in December.

The *Advertiser* reported that nightly meetings would be held twice a week, with races run every five to seven minutes, and that they would be beamed via the Internet to an international market. The course would be designed specifically for off-course betting and no spectators would be allowed on course. Whilst I am aware that Government approval is not needed to hold a race meeting, the Government does have to issue a betting licence, and I understand that the merits of doing so are still being discussed.

It is not my desire to pre-empt the outcome of a private member's motion relating to a proposed inquiry into Internet interactive home gambling. However, given the concerns that many of us have in South Australia with problems associated with some forms of gambling, I ask the Minister:

1. What safeguards are proposed, and how would such safeguards be put in place to stop South Australians from accessing and betting on any proposed race meetings which are supposed to be beamed via the Internet to an international market?

2. When is it expected that the Government will make its decision on issuing a licence, and what conditions are likely to be attached to that licence?

The Hon. DIANA LAIDLAW: I do not have an updated position on the matters that the honourable member has raised. I know from the planning portfolio that we have given all the approvals necessary for the development. I will therefore direct the honourable member's questions to the Minister and seek a prompt reply.

EDS CONTRACT

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Treasurer a question about the EDS contract with our electricity utilities.

Leave granted.

The Hon. SANDRA KANCK: On 27 May last year, I asked a question of the Treasurer about the impact of the sale of ETSA and Optima on the Government's contract with EDS. The *Hansard* record shows that the Treasurer undertook to get a reply (in his words) 'as soon as I can'. I waited and I waited for a reply to this question, and the lack of a reply was one of the many factors that led me to distrust the Government regarding the positive benefits of sale.

In the past two weeks, a mere nine months after I asked the question, the Government has finally provided an answer. Unfortunately, however, the information is embedded in a larger document with 'in confidence' stamped on every page. Therefore, without revealing the dollar value associated with the action, I indicate that I was disturbed to find out that the Government has disengaged the electricity utilities from that whole of Government contract at considerable cost to the taxpayer. This action was taken on an assumption that sale of the utilities would go ahead. That has never been guaranteed, and it looks less and less likely. My questions to the Treasurer are:

1. Why was the disengagement of the electricity utilities from the EDS whole of Government contract undertaken without the sale of the utilities being guaranteed?
2. Who provided the advice that this should be done?
3. From which part of the State budget has this money come?
4. Will the Treasurer reveal the exact cost to the taxpayers of South Australia and, if not, why not?

The Hon. R.I. LUCAS: The honourable member is being a bit disingenuous when she indicated that she asked a question on 27 May and that the lack of a reply was one of the reasons why she lost faith in the Government.

The Hon. Sandra Kanck: That's not one of my questions.

The Hon. R.I. LUCAS: That's what you said: that's one of the reasons why you lost faith in the Government and took your decision. I will check the record, but from my recollection it was within three weeks or four weeks of 27 May that the honourable member went public with her announcement that she was opposing the sale of ETSA. It was about 20 or 27 June last year, if my memory does not fail me, and I will check that, as I would not want to mislead the Council.

So, I think the honourable member is being a bit disingenuous when she says that she waited and waited. It was about three or four weeks before the honourable member indicated that she was opposing the sale of ETSA. If she is suggesting that the delay in answering this issue is one of the factors in her losing faith in the Government and leading her to form the conclusion she did some three weeks later, not too many other people in the Chamber would accept that sort of story. I am happy to have checked the detail of the information provided to the honourable member and provide a more detailed response to her question. The Department of Premier and Cabinet—

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: Yes, and let me just refer to that. If I have not already done so in the letter, let me indicate that I apologise to the honourable member. What happened in relation to that question was that at some stage in the establishment of the electricity reform and sales unit, at that stage during April and May of last year, we were moving from one Minister's responsibility and control through the establishment of the reform and sales unit; and responsibility was transferred to me in June of that year. I understand that the honourable member's question was one of a couple of questions that basically did not get responded to. It was only some time over Christmas when the honourable member said that she had not had a response to a question about EDS (it might have been earlier this year; I cannot remember when it was now) that I asked staff, 'What is Sandra talking about? I am not aware of this issue or question.' Nothing had been coming across my desk.

I must admit that we had certainly been discussing EDS with the Premier and Cabinet, because it was an important issue with regard to the ongoing EDS contract and its relationship with various agencies, not only the electricity businesses. As the member would know, we are presently engaged in scoping studies of a number of agencies. If I did not apologise in the letter, I should have done so. I apologise to the honourable member for the fact that her question, and indeed another question that had been put to me, did get lost in the cracks during the transfer of ministerial responsibility, the establishment of the unit and all that was going on in the middle of last year.

As it turns out, we would not have been in a position to answer the question, anyway, until pretty close to the end of last year. The negotiations that were being handled by the Department of Premier and Cabinet substantially (and, again, I will check the exact dates on this) were not concluded until towards the end of last year.

So, it would not have been until early this year, anyway, that we would have been in a position to comprehensively answer the honourable member's question. As I said, I can only apologise again to the honourable member for the delay. I can assure her that it was not deliberate in its intent, and she can choose to accept that or not, I guess.

In relation to some of the detailed questions the honourable member has and the various aspects of the reply that she has been provided with in confidence, I am happy to have another look at that to see what I might be in a position to make available. I will need to discuss that with the Department of Premier and Cabinet, and I undertake to do so as quickly as I can and bring back some sort of formal response to the honourable member.

INFORMATION TECHNOLOGY

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Administrative Services and for Information Services a question about information technology.

Leave granted.

The Hon. R.R. ROBERTS: Last year I asked a series of questions to a number of Ministers about what type of advertising was undertaken by, in this case, the Minister for Government Enterprises and Information Services or any of the officials from 30 June 1997 to 30 September 1998. I received an answer from the Attorney-General on 9 February 1999 providing information that covered the period from 30 June 1997 to 31 December 1997. In that response there was an item from the Office of Government Information and Communication Services about a program called IT Works, a communication program aimed at helping the South Australian community and Government agencies to better

understand the developing role of IT in South Australia, particularly in relation to the impact that information technology is having on the development of an information empowered society.

It is noted in the response that the estimated cost for the 12 month campaign was $521 000, and approximately $205 429 was spent until the end of 11 December 1997. It appears that more was spent on advertising the program IT Works than the total advertising spent on the Attorney-General's Department, the Correctional Services Department, SA Police, the Country Fire Service, the Metropolitan Fire Service, Consumer Affairs, the Public Trustee, Primary Industries, natural resources and regional development put together during the period 30 June 1997 to 30 December 1997. This rather ephemeral aim—helping the South Australian community and Government agencies to better understand the developing role of IT in South Australia, particularly in relation to the impact IT is having on the development of an information empowered society—might be applauded during those increasingly rare moments when Governments are flush with money.

However, in light of the fact that new information technologies are being warmly embraced by so much of the world, I have a number of questions. I will give the Chamber a brief outline of some of the themes that are noted in the answer provided to me. Themes covered in this IT campaign include, 'How you can book your ticket using your PC', or Bass On Line. Another states, 'We first saw South Australia on the computer at home in Arlington, Virginia, USA.' Then there is, 'Our sewing classes can help save someone's life,' by Telemedicine; or, 'We are now driving in the fast lane'. Emergent Software put that one up. Another states, 'It's love at first site for buyers of wine, a virtual gateway to the wine industry,' from Wine Australia com.au, representing a key industry in the marketplace of the future. In the light of the foregoing I ask the following questions:

1. In what format was the advertising?
2. Why was it necessary to spend $521 000 in 1997 and half of 1998 on promoting information technology to the community and who was the target audience? I have cited some of the examples.
3. What were the perceived benefits to the community?
4. Was there any evaluation of the campaign to establish whether those benefits were realised?

The Hon. R.D. LAWSON: We make no apology for the publicity campaign called IT Works, which is consistent with the IT2000 strategy that the Government adopted. It has been a successful strategy. Some 13 000 new jobs have been provided in the information technology and related industries. The Channels to Asia program is already showing benefits to the small and medium enterprises in South Australia pursuing the information industries. The Government believes that it is important to encourage South Australian individuals, businesses, schools, TAFEs and Government agencies to use information technology.

The Hon. R.R. Roberts: 'Love at first sight for wine buyers'?

The Hon. R.D. LAWSON: The honourable member talks about wine buyers. That is actually an example of electronic commerce, an example of how a highly successful South Australian industry, namely, the wine industry, can use information technology to improve its international competitiveness and to improve its sales. The honourable member referred in his explanation to tourism. Once again, information technology provides great opportunities for enhancing our tourist facilities. So, we make no apology at all for the IT Works program.

The Hon. R.R. Roberts interjecting:

The PRESIDENT: Order! The honourable member has asked his question.

The Hon. R.D. LAWSON: It is entirely consistent with the Government's strategy. As for the specific questions asked by the honourable member, including an evaluation of the program, I will seek additional information and bring back a more detailed reply on those specific issues.

GAMBLING

The Hon. NICK XENOPHON: My question to the Treasurer is as follows. Has the Government acted or does it propose to act on recommendation 7 of the Social Development Committee inquiry into gambling, that an independent economic impact study on gambling be conducted to clarify and assess anecdotal evidence relating to the effects that gambling in general and gaming machines in particular are having on retailing and, in particular, small business? If so, what are the terms of reference for that inquiry?

The Hon. R.I. LUCAS: The Government is still considering its position in relation not just to that recommendation but to all the recommendations of the Social Development Committee on that term of reference. I am in the process of coordinating a submission to Cabinet from all the agencies, and one or two agencies are still to provide a final submission to me to enable Cabinet to consider its position. I have written to the Chair of the Social Development Committee apologising for the fact that, given the complexity of the task and the need to coordinate all the agency responses, we have not met with the deadline required by the committee. I have assured the Chair of the committee privately that we are doing all we can to try to expedite this.

At this stage there is not a Government position in relation not only to that recommendation but to all the other recommendations of the committee. Of course, some recommendations that the committee made have been and remain conscience votes for members of the Council. I acknowledge the honourable member's question: it may be that that and some others are recommendations that require a Government response, as opposed to any conscience vote of Parliament.

LOW SKILL LABOUR MARKET

The Hon. G. WEATHERILL: I seek leave to make a brief explanation before asking the Treasurer, representing the Premier, a question about the low skill labour market.

Leave granted.

The Hon. G. WEATHERILL: Recent debates, in both Australia and, it appears, varying parts of the globe, have examined the possibility of and the extent to which different sectors of society are competing for the same low skilled job market. It appears that some evidence exists that identifies that young people and mature age women are in direct competition with each other for low skilled work. My question to the Premier is: to what extent does the Government view the goals of increased employment of young people and mature age women to be mutually exclusive?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Premier and bring back a reply.

MATERNITY LEAVE

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Industry and Trade, questions regarding paid maternity leave.

Leave granted.

The Hon. T.G. CAMERON: The media has recently reported the case of female workers at Employment National, Australia's biggest Job Search provider, who have been stripped of their right to paid maternity leave. Under a new award approved by the Industrial Relations Commission, all new staff hired by Employment National will be refused the right to 12 weeks paid leave when they have children. They will be allowed to take that time only as leave without pay.

This change will affect new staff only, not those who transferred from the former Commonwealth Employment Service to Employment National. Employment National employs about 1 050 staff nationally, 60 per cent of whom are women, and I am informed that over 100 are employed in South Australia. My questions are: as the Minister for the Status of Women, do you agree with the move by Employment National to strip women of their right to paid maternity leave, and what is your position on this matter; will you give an absolute assurance to South Australian female employees that the State Government is not considering introducing a similar provision here; and, if not, why not?

The Hon. DIANA LAIDLAW: The honourable member sought leave to direct his questions through me to the Minister for Industry and Trade, but he directed his specific questions to me. I think he was probably correct to seek that the questions be responded to by the Minister responsible—

The Hon. T.G. Cameron interjecting:

The Hon. DIANA LAIDLAW: You didn't direct it to me when you sought leave.

The Hon. T.G. Cameron: I said, 'As Minister for the Status of Women, do you agree'—

The Hon. DIANA LAIDLAW: You said that when you asked the questions, not when you sought leave. I will refer the honourable member's questions to the Minister and bring back a reply.

Members interjecting:

The PRESIDENT: Order!

NEEDLE EXCHANGE PROGRAM

The Hon. T. CROTHERS: I seek leave to make a precied statement before asking the Minister representing the Minister for Human Services a question about the needle exchange program.

Leave granted.

The PRESIDENT: Order! I draw attention to the time.

The Hon. T. CROTHERS: As is my usual wont, I will be brief. I refer to an article in the *Advertiser* of Wednesday 13 January 1999, headed 'Act on syringes before a child gets AIDS'. In that article, the Mayor of Holdfast Bay, Mr Brian Nadilo, stated that far too many syringes were being found on the Glenelg foreshore because many drug users were injecting themselves in places where they could hide, such as parks, schools and stormwater drains. He said that when it rained the syringes were frequently carried by the stormwater flow and deposited on the beach. He said:

> A child should not have to contract AIDS from a needle stick injury before something is done about this. . . Parents let their children play in the shallow puddles at the beach and these are most prevalent around stormwater drains where syringes tend to be found.

The article continues:

> Mr Nadilo said 'urgent reform' of the needle exchange program was needed to stop people disposing of the syringes. . . The needle exchange program should be geared more to the safety of the general community.'

My questions are:

1. Is the State Government aware of this situation; and, if so, how is it monitoring it?

2. How many syringes are distributed weekly through the needle exchange program?

3. Of the total number of syringes distributed weekly, what percentage are returned for proper disposal?

4. What guidelines, if any, are currently in place to ensure that syringes issued through the needle exchange program are returned for proper disposal?

5. How many incidents, if any, have been reported where individuals have been injured/pricked by discarded syringes; and, of these, how many, if any, have contracted the HIV virus or hepatitis?

6. What new initiatives, if any, does the State Government intend to implement to address the problem?

The Hon. DIANA LAIDLAW: I appreciate the honourable member's concerns, and I share many of them. I do not know whether the Hon. Mr Crothers walks barefoot on the Glenelg beach or whether, like me, he now wears sandals or sandshoes.

The Hon. T. Crothers interjecting:

The Hon. DIANA LAIDLAW: I am not sure whether one wears shoes at Maslin Beach.

The Hon. T. Crothers interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: We are running out of time for this verbal exchange. I will refer the honourable member's questions to the Minister and bring back a reply.

MATTERS OF INTEREST

LANDCARE ASSOCIATION OF SOUTH AUSTRALIA

The Hon. J.S.L. DAWKINS: I recently became aware of the activities of the Landcare Association of South Australia (LASA). In its relatively short period of existence, this group has gathered together about 40 Landcare related groups across South Australia as well as a number of individuals. To date, LASA has provided opportunities for regional representatives to be briefed on and have input into: the Landcare Support Program for South Australia; the 1999 State Landcare Conference; the National Heritage Trust (NHT) funding process; and the PIRSA Regional Strategy Program.

In addition, LASA has invited all Landcare groups to join and participate in developing its aims and activities. It has also had considerable contact with the Australian Landcare Council, providing comments on a proposed training program for landcare coordinators, facilitators and community representatives.

Other action taken by LASA includes: writing to the NHT Advisory Council regarding the funding process and seeking advice concerning the future of funding; writing to the Federal Minister for Agriculture, Fisheries and Forestry (Hon. Mark Vaile) urging that the community have meaningful input into the design of programs to follow the Decade of Landcare; and representing community groups on the selection panel for State Landcare Coordinator, Christina Sickert.

LASA has three main goals: to assist in setting the future direction of Landcare as a vehicle for natural resource management in South Australia; to represent the needs and aspirations of Landcare to relevant Government and non-government agencies; and to facilitate the exchange of ideas, skills, information and resources within Landcare networks.

LASA has outlined its goals to the Soil Conservation Council and explored ways in which a database of landcare activities could be established. Discussion relating to these goals has promoted some relevant questions which LASA is considering. First, what is the role of Landcare groups in the light of the establishment of catchment and regional structures, and should Landcare groups evolve into new roles? LASA members are also considering the changes that have occurred in South Australia after the first decade of Landcare and what could be expected in the next two, five or 10 years.

Another area that is being closely considered is the level of cooperation between LASA and National Heritage Trust coordinators. LASA believes that Landcare must have a 'bottom-up' thrust to ensure community involvement but also a 'top-down' influence to ensure agency support and funding. It hopes to play a significant role in fostering both aspects of this sector.

The LASA executive is headed by Chairman, Bruce Munday, representing the Mount Lofty Ranges, and Secretary, Helen Richards, who represents Kangaroo Island. Other members of the executive are: John Chester, representing Aboriginal Lands; Greg Sarre, representing Urban areas; Joe Keynes from the Murraylands region; Ben Pavy from the Northern agricultural area; Neville Bonney from the South-East; Heather Smith from Eyre Peninsula; Darryl Bell, representing the Rangelands region of the State; Tim Scholz from the Australian Landcare council; and Helen Bourne from the Australian Association of Natural Resource Management.

YEAR 2000 COMPLIANCE

The Hon. CARMEL ZOLLO: Today I wish to address a matter I have previously raised on a number of occasions—the Year 2000 date problem, the so-called millennium bug. My interest in this issue is to increase community awareness, particularly on how it may affect South Australia. I want to ensure that the Government fulfils its obligations on this matter and does everything within its power to ensure that the impact on the South Australian community is minimised. The issue has attracted such apprehension in South Australia that a Minister has been dedicated solely to rectify the problem in the State. This is something that has not occurred elsewhere in Australia. Whether this is an overreaction, an action of political expediency or a proportionate response to a potential disaster remains to be seen.

The possible effects of the Y2K problem are surrounded by much speculation, and there are probably as many predictions on its effects as there are experts. The reality is that even the so-called experts and multitudes of consultants cannot give a true indication of the impact of the Year 2000 problem. In the United States and in other places a bunker mentality is emerging, with survivalists moving to the hills and setting themselves up for self sufficiency. It must be at least of a little concern that some of those people are actually IT professionals. Sceptics who wish to debunk the millennium bug as overrated are forced to admit that 1 January 2000 will not be just another day with business as usual. The worldwide business community is likely to be in such a state of anxiety that there will be inevitable consequences for financial markets.

The world manufacturing industries based on 'just in time' manufacturing may face shut down as shortages of components stop production lines. For example, General Motors, as is the case with similar manufacturers, relies on tens of thousands of suppliers worldwide and operates using a limited stored inventory. We have recently experienced the consequences of the Victorian Longford gas crisis which heavily affected industry throughout Australia. This could be an example of what lies ahead. Whilst I am not talking of the apocalyptic fantasies of subscribers to doomsday theories, there is genuine concern over the effects of Y2K.

The most serious area of concern is the issue of embedded chips. Embedded chips are in most modern day appliances: everything from escalators, cars, telephones, intensive care machines, lifts, cash registers and simple home appliances such as VCRs and televisions. They keep our water, electricity, gas and traffic systems flowing. To give an indication of the sheer magnitude of the embedded chip, in 1997 some 7 billion micro controller chips were distributed worldwide. Testing embedded chips will be extremely difficult. Some will be physically impossible to test. To complicate the embedded chip problem further, tests performed on seemingly identical systems purchased from the same supplier have shown that, whilst some may be compliant, others may not. This means testing every embedded chip.

The problem is also compounded in that the effects may not occur on 1 January but at some other interval, because there are several other Y2K-related problem dates. For example, 9 September 1999 is a problem because some computer languages recognise 9999 as a code for 'delete' or 'end of line'. In relation to the South Australian Government's preparation for Year 2000 compliance, the Auditor-General referred to 14 of 39 portfolios or agencies being behind schedule to complete Y2K correction of critical items by December 1998. At that time, at least seven agencies did not feel they would meet the June 1999 testing deadline. This is of great concern, given what the Auditor-General cites as a non-delegable duty of care in the Year 2000 compliance of computer systems and medical facilities in public hospitals.

As indicated by the Auditor last year, the budget estimates of expenditure were inadequate. We have already had a budget blow out of around $30 million and, consistent with the experience in other States, it is likely that the cost will be double the original budget estimate of $79 million. Responses received to questions in this place still leave some questions unanswered, not the least of which is a real indication of the position of all State Government portfolios and agencies. Are all our essential utilities entirely compliant, and who is footing the compliance cost fee for EDS managed IT systems? Will the Federal Government's good samaritan legislation go far enough to help industry on Y2K disclosure, or will we need State-based law also? It may not be Y2K chaos, but it will not be Y2K calm.

COMMUNITY AND PARTNERSHIPS

The Hon. T.G. CAMERON: In today's contribution I will discuss the need for a new approach to Government and policy in this State. The factional politics of the Liberal Government and the Labor Opposition are to blame for the growing mistrust and alienation of South Australians from the political process. The major Parties are flawed in their approach both to Government and the role of Opposition, flaws that become fissures in policy formulation and implementation. The Olsen Government has failed to be honest with the people of South Australia, and many of its political wounds are self inflicted. The most glaring example of this incompetence can be seen in the twists and turns over its attempts to sell off ETSA. The Labor Opposition, to its detriment, has ruthlessly and unconscionably exploited any attempts by the Government to introduce economic change.

Former Federal Labor frontbencher Mark Latham has described this current Labor approach to Opposition as 'scab lifting'. Labor acts to impede economic progress by constantly lifting the scab off the wounds of change by exploiting any problems purely for electoral gain. Change is inevitable. Economic transformation is often painful. Labor knows this. It also knows that such changes are a necessary part of our integration into the global economy. Whenever the Government puts forward a new economic policy, Labor mounts a reactive scare campaign. This is always done with one eye firmly fixed on the next election. Labor knows that if it can get enough people irritated with the Government it will benefit from the backlash and slip back into government. I believe this is a callous, short-sighted and dishonest method of Opposition. It is nothing short of political vandalism. The politics of today is largely driven by popular opinion, through opinion polls and pandering to the lowest common denominator.

South Australians want honest government, but they also want a Government willing to tackle the problems we face as a State—not fudge or duck them. They are calling out for leadership—not electoral populism. SA First will be taking a different approach both to policy and the process of governing. SA First believes that the divisions between labour and capital need to be bridged, that the old politics, premised as they are upon the hegemonic demands of labour versus capital, need to find a common way forward in partnership rather than the blinkered and blind opposition—

The Hon. T.G. Roberts: A new accord!

The Hon. T.G. CAMERON: Well, the Hon. Terry Roberts interjects and talks about a new accord. He ought to read some of the contributions being made to the debate in the Labor Party by Mark Latham and Tanner from Victoria. Even the Left and Right factions of the Labor Party are calling out for change. However, the way forward must be tackled together in order to harness the energies of the people of South Australia. Governments do not hold all the answers, nor do they have the resources. What Governments can do is create an environment to enable and facilitate a variety of partnerships. Partnerships between Government, business, workers and the community is the way forward for South Australia.

One extraordinary and successful example of such a partnership is Trinity College at Gawler. This is an amazing alliance between the Anglican Church of the city, the local Gawler community, the local council, which has put its bureaucratic weight behind these people, and the Education Department. It is a school of 2 716 students from Reception to Year 12. Approximately 800 of the students are on a School Card. It has a policy of unselected entry and has a reputation for high academic achievement plus a capacity to cater for all comers. The people built the school from the ground up. A real working partnership has been developed between the community and the institutions of that community, based upon genuine cooperation in a spirit of goodwill between traditionally unlikely partners, galvanised by Michael Hewitson, the Principal, into something that serves the community well.

Another example of a community partnership is a new Working Proudly employment strategy operating in the Liverpool City Council. Brian Carr, formerly the CEO of the Tea Tree Gully Council, developed the scheme. Previously I have asked the Government to look seriously at the scheme and I would do so again. Some 300 people are now working on this scheme, and they hope to expand it to 1 000 people by the end of the year. It provides an alternative source of employment to the traditional public-private sectors of the economy and endeavours to ensure that unemployed people are offered the opportunity to became employed in and for their local communities. Program funding comes from Federal, State and local governments, with input from local community and business groups.

I conclude by making a single and simple point: partnership is the way forward for this State. The politics of division, scab lifting, factional fighting and holding the Government to ransom in this place is not the way forward. People working together, partnership, cooperation, a joint purpose and common vision for the future is what SA First sees as the way forward for South Australia and its citizens.

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Order! The honourable member's time has expired.

SPRING, Mr G.

The Hon. A.J. REDFORD: I recently had my attention drawn to an article which appeared in the Melbourne *Age* of 24 February regarding Geoff Spring, who has recently been appointed the CEO of DETE in South Australia. Out of an abundance of caution, I must declare an interest: I have three children who are currently being educated through the State system. The author of the article, Professor Hedley Beare, is Professor of Education at the University of Melbourne. The final paragraph of the article states:

> Whatever else might be said about his period in Victoria, it is clear that the State has lost the services of one of the nation's most significant educators of recent decades.

I am pleased to see that South Australia has secured someone who comes with such high praise from an academic expert on the issue of education.

It is interesting to note what Mr Spring—who, incidentally, has never served under a Labor Government, and that has probably assisted him in the major reforms he has managed to achieve—achieved in Victoria over the years. The Victorian education system boasts that over 90 per cent of Victorian public schools have Internet access. When one compares that with the Japanese experience the figure is only 20 per cent. He initiated successfully a series of amalgamations of schools with a view to pooling resources to ensure that curriculum was available to all students no matter where they were being educated.

He oversaw the introduction of self-management for schools—a view that I have held for many years. Indeed, I remember proffering that view some seven or eight years ago

during the preselection rounds. I note that he came up with the view of providing a school with a global budget and allowing schools to manage their own resources in their own way, and that accountability was result oriented rather than input oriented. In that regard, schools are held accountable in Victoria through a charter involving an agreement between both the school council and the Minister about that school's targets for the next triennium.

He speeded up teacher registration procedures. He initiated curriculum reform, an area that has been of some concern to me and I know to other members in this place. One example of that is the President's viewpoint about the curriculum and the education of young people in relation to how our Constitution and systems of Government operate. Anyone who analyses that would know that in this State, and throughout this country, we suffer from an appalling lack of knowledge in relation to how civics operates. Personally, that is a frightening prospect given some of the referenda issues that we are likely to confront over the next 12 months or so.

He set curriculum benchmarks and established a curriculum and standards framework. He successfully pushed for widespread adoption of information technology in schools. It is interesting to note that he followed an approach of small government, an approach of keeping abreast of world's best practice in an internationalised market economy and imposed quality on service. Indeed, it is acknowledged that this work was pioneered by Margaret Thatcher in the United Kingdom and Presidents Regan and Bush in the United States. Not only that, these policies have been continued under President Clinton in the United States and Tony Blair in the United Kingdom. So, we are fortunate to have that.

The end result is that the Victorian education system is much improved for his input. I sincerely look forward to working with Mr Spring in ensuring that similar results can be achieved for the benefit of our children and that it is not simply a merry-go-round for pay increases for the teachers as we have witnessed over the past few years.

The ACTING PRESIDENT: Order! The honourable member's time has expired.

WESTERN MINING CORPORATION

The Hon. R.R. ROBERTS: I make a contribution today on the subject of electricity and major consumers in South Australia. About a fortnight ago we came back to Parliament and the announcement on the front page of the daily newspaper that Western Mining Corporation would sever its ties or renege on its agreements with ETSA South Australia and would do some shopping around interstate for the lowest price.

One has to analyse that to see the effect on South Australia, and I think that some very pertinent questions need to be asked. If Western Mining Corporation severs its ties with ETSA and goes interstate, what will the effect of that be? Clearly, the electricity will be generated in South Australia in South Australian generators and it will be transported to Western Mining Corporation on South Australian transmission systems. The only thing that will happen is that instead of any profits being dispersed in South Australia they will go to the Victorians. That is what Western Mining Corporation appears to be choosing to do, although, given the answer today by the Treasurer, that may not be the true case because I think that there is probably a little bit of grandstanding and a bit of the buddies pushing for the sale of ETSA.

What does all this mean in relation to the cost of electricity and the cost to South Australians? Western Mining Corporation can do this under the new guidelines, but when we look at the history of major electricity consumers in South Australia—and I assume that Western Mining Corporation is no different from BHP and BHAS whereby special deals have always been made to these major consumers of energy, including Holden's—we see that in peak times if they load shed they get a concession for the remainder of their power consumption. We need to ask ourselves this question: how much have South Australians subsidised Western Mining Corporation since it came into South Australia? How many concessions have South Australians provided to Western Mining Corporation by way of infrastructure, water allocations and electricity consumption since it started at Roxby Downs?

It is a very worrying situation when these types of corporate citizens of this State, at the first whiff of gunfire, choose to take the cheap option and cast aside any community responsibility to the people of South Australia and those corporations that have provided them with concessions which are not available to the general community. As a result of this move, John Olsen and the Treasurer have introduced a granny bashing tax whereby every disadvantaged home and pensioner will be hit with a granny tax that they cannot get out of paying. These are the people who have subsidised corporations such as Western Mining Corporation and the other big consumers—BHP, BHAS and Holden's—in South Australia.

We have to start thinking about what concessions are being paid to some of these major corporations. It seems to me that some of these people have been getting a dose of corporate welfare which has been paid for by those most disadvantaged in the community. People living in Port Pirie are on some of the lowest average weekly incomes, and they, along with pensioners, cannot go to Western Australia, and they cannot debate Jeff Kennett in order to obtain some concessions. They have to subsidise the ideological persuasion of this Government despite the fact the Government promised them faithfully before the last election that it would not sell ETSA and that it would not apply further taxes in the next four years.

Unfortunately, time does not allow me to go on, but I will certainly be watching this situation further and making further contributions, especially in relation to the amount of money being spent by ETSA on the national energy market over about four months in 1998. It spent over $21 000 on a subject called 'national energy market', and I have had no further expansion on that. I put on notice that I will be asking the Treasurer what is the importance of that advertising.

The ACTING PRESIDENT: Order! The honourable member's time has expired.

TRAFFIC INFRINGEMENT NOTICES

The Hon. J.F. STEFANI: Today I wish to speak about the issue of a traffic infringement notice for $240 which one of my constituents received on 15 November 1998. The constituent, who is a pensioner and has been a paraplegic for more than 26 years, is wheelchair bound. He recently approached me at the Greek Festival which was held at Semaphore seeking my assistance regarding the expiation notice, which he considered to be issued unfairly. He explained to me that he received an expiation notice whilst driving on Penola Road, Penola, because a tow ball, which was fitted to his car, was obscuring the numberplate.

At the time of the offence the constituent was not speeding and when stopped by the police he and his friends who were travelling in the car offered to remove the tow ball. However, the police officer said that it did not matter and that he could take the ball off when he returned to Adelaide. The tow bar and ball had been fitted to his car at the time of purchase some 22 years ago. My constituent uses the tow bar to regularly pull a small trailer, which he utilises to carry firewood for his wood stove and to heat his home. He explained that because of his disability he finds it difficult to remove and replace the tow ball every time he uses his trailer.

In late January 1999 on his behalf I undertook to write to the Expiation Notice Branch of South Australia Police regarding the circumstances relating to the issue of the expiation notice. At the suggestion of the Expiation Notice Branch, I also obtained from my constituent photographs of the rear of his vehicle showing the numberplate and the tow bar, both with and without the tow ball. Unfortunately, my representations on behalf of the constituent were unsuccessful and the reply which I received from South Australia Police was that the expiation notice stood and in fact was increased from $240 to $270.

I recognise that the legislation and regulations dealing with the blatant abuse by speeding motorists wilfully obscuring their numberplates with tow balls and other obstructions has been in force for some time. However, I believe that the approach by the police in the circumstances under which this expiation notice was issued should have been to explain to the motorist that there had been a change to the law and to issue him with a warning, as well as to allow him to remove the ball at the time when he was stopped.

It appears that the offer made by my constituent to remove the ball was totally ignored by the officer issuing the expiation notice. Therefore, this approach has been viewed as a revenue raising exercise to justify the officer's time and actions, bringing more public odium against those police officers who are endeavouring to enforce the law in a more appropriate manner.

The PRESIDENT: Order! The honourable member's time has expired.

MEDIA, CRIME AND POLITICAL EXPRESSION

The Hon. IAN GILFILLAN: The matter of interest that I wish raise today can be titled 'Media, Crime and Political Expression', taken from an article, 'Telling Stories of Crime in South Australia' by Mark Israel, focusing on events in 1993. The article was published in the *Australian and New Zealand Journal of Criminology* in 1998.

I draw members' attention to distortions about crime in Unley in a column written by Mr C. Hackett, an *Advertiser* journalist, in 1993. The aim of my comments based on the report just released around Hackett's news report is to highlight both the way in which the electronic and print media currently construct crime as news and the way in which this news feeds into local community fears about high levels of crime. What results from this media news is the creation of strong political pressures for a law and order agenda.

My account begins with the way Hackett's report of crime in Unley in the *Advertiser* in 1993 is an example of the media's construction of crime as news and not a reporting of the facts. This becomes clear when it is contrasted with the academic article upon which it was based. That article was written from a survey conducted by Iain Hay, a lecturer in geography at Flinders University of South Australia. This was a geographic survey of levels of fear of violence and the gendered use of space amongst residents in Unley.

Hackett wrote his piece in the *Advertiser* in response to pressure from the Flinders University Public Relations and Information Unit, which said that the rival *Courier Messenger* was running the story. Hackett based his news piece on Hay's article and the news item was headlined, 'Grim nights in a suburb of fear'. The written copy stated that Unley had become a suburb of fear and that dread of violent crime drives people indoors after dark. The political implication of the *Advertiser* article was that crime was ravaging Unley.

It needs to be noted at this stage that the content of the *Advertiser's* news was quite different from what was said in Hay's article, to the point of distorting what Hay had said. There were two distortions: first, the focus of Hay's article was about the levels of fear about crime and not the level of actual crime. Hay had said that a high level of a fear of crime existed in Unley, despite the lack of increase in the actual crime rates. This left open the cause of the high level of a fear of crime in Unley.

Hackett's piece in the *Advertiser*, however, ignored the distinction between the fear of crime and the actual crime since he collapsed the rates of fear of crime into the rates of reported crime. In effect, Hackett's news report said that the level of actual crime was high. As this news is a fiction parading as a truth, the notion of 'grim nights in a suburb of fear' was a myth manufactured by the *Advertiser*. The second way Hackett distorted Hay's article was when he said that the results of his study in Unley could equally apply to any other suburb in Adelaide. Hay in contrast had explicitly said in bold in his article that the results of this study could not be extrapolated to any other place.

The reading of Hay's report as 'grim nights in a suburb of fear' was reinforced by the *Courier Messenger's* headline graphic that accompanied its piece. Its written article was explicitly about levels of fear of crime with the headline graphic that of a shadowy figure wielding a knife lurking over a man in a suit. It signified high levels of actual crime. Its front page article, spilling over to be incorporated in the 'Police Beat' section next to the weekly list of local break-ins, reinforced this reading. So, Unley was constructed as a suburb of fear, where the dread of violent crime drives people indoors after dark.

What is going on here is more than news being influenced by ratings, the need to sell the 'info product' or fear being used as one more commodity to be packaged and sold to a passive audience: what we have is the form of news packaged with the content of a politics of crime, which goes under the name of 'law and order'. The *Advertiser* is using the authority of a news report to intervene in the public discussion about crime in the city to say that crime in the middle-class suburb of Unley was awful and out of control, as it was under siege from criminals. This was how others in the public sphere read the report, such as Unley City Council, Flinders University and the Crime Prevention Unit of the Attorney-General's Department. All these stepped into the political discussion in a damage control mode to prevent a moral panic amongst the little old ladies and men of Unley.

Iain Hay gave interviews to local radio stations in order to distance himself and Flinders University from the newspaper reports, but local police were irritated that they had not been asked to respond to a story about crime in their patch. The Crime Prevention Unit of the Attorney-General's Department issued a press release based on a survey of South

Australians that had been done six months previously. This health omnibus survey showed that South Australians' own fear of crime had risen in the past year and that this increase was seen by those surveyed as being due to the increased coverage of crime in the electronic and print media.

This story is a sorry saga, and unfortunately I cannot fit all the detail into this Matters of Interest contribution, but it reflects how the media in an irresponsible way can distort the facts of situations and leaves quite devastating consequences of unjustified fear on the public.

The PRESIDENT: Order! The honourable member's time has expired.

SOCIAL DEVELOPMENT COMMITTEE: GAMBLING

The Hon. NICK XENOPHON: I move:

That the report of the Social Development Committee on Gambling, tabled on 26 August 1998, be further noted.

I note that this report was tabled at the end of August last year, towards the end of the parliamentary sitting, but I did not have an opportunity towards the end of last year to speak to it. However, before I go to the recommendations of the report, it is important that I reflect on a number of the submissions made to the committee.

Briefly, a number of submissions were made, including submissions from the Adelaide Central Mission, Relationships Australia, Anglican Community Services, the South Australian Council of Social Service Inc., the Australian Medical Association, BreakEven Gambling Services, the Salvation Army, the BreakEven Gambling Services at Port Pirie Central Mission, the Retail Traders Association, the Small Retailers Association and the Crippled Children's Association of South Australia.

In order to reflect appropriately on the report of the Social Development Committee, it is important that we look in detail at some of the reports presented to the Social Development Committee. First, I turn to the Adelaide Central Mission's report, headed, 'Minimising the harm caused by gambling', which was provided to the committee in May last year. It is important that we reflect on a number of the recommendations made and matters raised in that report. The Adelaide Central Mission, Anglicare, the Salvation Army and Relationships Australia are significant organisations that provide counselling and services to individuals in need in this State. The background to the report of Adelaide Central Mission states:

> If we take South Australia as an example, there was no community movement to radically liberalise accessibility to gambling. Just the opposite. There was significant and sustained public demonstrations against the introduction of poker machines. The push for more liberalised gambling and increased growth in gambling has come from the State Government and was supported by those who would be the primary financial beneficiaries.
>
> There is no doubt that a significant number of people are harmed as a result of gambling, particularly the more addictive forms such as poker machines, casino games and, increasingly, sports betting. Anyone that first drops a coin into a poker machine is at risk. They are literally playing Russian roulette with their lives.

Reflecting on that, the report of the Central Mission talks in terms of Government being supported by vested interests or by commercial interests in the gambling industry. I would have thought it was a case of the commercial interests really pushing the agenda on this by Governments increasingly seeking alternative sources of revenue, particularly in the context of worsening Commonwealth-State fiscal relations.

The report of the Adelaide Central Mission goes on to talk about the need to balance the right to entertainment with the need for harm minimisation; balancing the need for the State Government to raise revenue with the cost that the broader community pays; and balancing the demands of the gambling industry to access profit making opportunities with the requirements of other industries and the community. It goes on to say:

> We need to formulate gambling policy but with sound knowledge, both economic and social, gained through robust and credible research.

The report talks about the regressive nature of gambling taxes in this State, anywhere else in Australia and, indeed, internationally. It refers to the paper, 'Gambling taxation in Australia', which was released in April last year and which is a comprehensive report commissioned by the independent think-tank, the Australia Institute and prepared by Dr Julie Smith, an economist at the Australian National University. That report found:

> Overseas studies leave no doubt that gambling taxes are very regressive compared to most other common revenue instruments.

The report of the Adelaide Central Mission goes on to say:

> In reviewing Australian studies from the 1970s and early 1980s, it was found that gambling taxes were regressive and that 'while there are no recent Australian studies of the distribution of gambling taxes, similar patterns and trends are still evident here.'

The Australia Institute goes on to say that it has examined aspects of gambling in relation to household expenditure surveys and found that:

> Gambling expenditure has more than doubled as a share of income for the poorest 40 per cent of households while, at the same time, gambling expenditure fell from already low levels for the most affluent 40 per cent. One of the reasons for this is that gambling has increased as a percentage of recreational expenditure for the bottom two income quartiles.

When the Australian Hotels Association says, as it did most recently yesterday on commercial radio, that it is a myth to say that gambling taxes and poker machines are regressive in their nature, we really need to look at the independent research of the Australia Institute, an independent economic analysis which clearly points out the regressive nature of gambling taxes and, in particular, poker machine taxes. The submission of the Adelaide Central Mission makes the following very clear point:

> There has been no research done in South Australia, and we are not aware of any contemporary research anywhere else in Australia, that attempts to look at the total social cost of gambling within an Australian context.

The submission goes on to refer to some of the costs that need to be considered, as follows: the medical and therapy costs associated with depression; the medical costs associated with associated drug dependencies; the costs associated with attempted suicides; the costs of income benefits associated with the creation of single parent families; and the unemployment benefits paid to people to become unemployed as a result of gambling. It goes on to talk about bad debts, fraud and theft, policing, judicial and detention costs related to criminal activities, and the loss of productivity, the prevention and public education programs that need to be implemented and need to form part of the overall community cost for a liberalised gambling regime.

The submission also refers to the work of Professor Robert Goodman from the University of Massachusetts—a man whom I have had the privilege of meeting, who has lectured on economic development and planning for many years and who has, in his seminal text 'The Luck Business', arrived at a figure that he considers conservative of $US13 200 per annum, being the cost of a compulsive gambler. Professor Goodman arrived at that figure after examining other studies and taking into account lost income, prosecution costs, money borrowed from family and friends, and the like.

The Adelaide Central Mission's submission takes into account that report, and then takes a more conservative figure of $10 000 per annum for the cost of a problem gambler. It makes another conservative assumption that there are 12 000 problem gamblers in this State, with an overall economic cost of $120 million as the impact of gambling machines bites deeper. That needs to be put into context. It seems to be a conservative figure when we consider that our gambling losses in Australia are about double the per capita gambling losses in the United States. The submission goes on to say:

> This figure does not include the thousands of people who will have problem gambling at a lesser level than those with compulsive gambling difficulties, nor does it cover the loss of production at work, the cost of divorce, the criminal acts that are not prosecuted, the stealing from the family and friends that will never end up in court, the costs associated with mental illness and stress related illness, the costs borne by the children in their lives, or the suicides.

It goes on to quote Nobel prize winning economist Paul Samuelson, who points out that 'gambling subtracts from the national income.' The community health and welfare policy aspects of gambling are also detailed in this submission, which refers to gambling as 'the silent epidemic'. The report states:

> The gambling affliction, whether we call it problem gambling, compulsive gambling, addictive gambling is an indiscriminate epidemic that strikes without warning and without regard to gender, race, social class or income.

In terms of the number of people affected by problem gambling there is a distinct lack of research, and that is reflected in a number of the submissions made to the Social Development Committee. The figures vary. Professor Mark Dickerson talks in terms of about 1 per cent, in a report that he prepared in 1984, bearing in mind that gambling then was nowhere near as prevalent as it is now. Other studies refer to figures of 4 per cent, and a study in the UK states that 7 per cent of patrons were either problem or severe problem gamblers. Studies in Australia that the Hotels Association quotes talk in terms of 1.5 to 2 per cent of individuals having a problem gambling from poker machines and from other forms of gambling.

However, the Hotels Association also refers to studies carried out by researchers at the National Centre for Education and Training in Addiction, where one-third of regular TAB players are referred to as being problem gamblers. Even with these conservative figures we are still looking at a figure of some 12 000 to 15 000 people in this State with extreme problems with gambling. If you accept what the Adelaide Central Mission and other agencies say—that for every problem gambler there are at least five times the number of individuals affected through family, friends and local businesses—we are looking conservatively at a figure of 75 000 South Australians whose lives are in some way worse off because of the gambling bug. In fact, the submission from the Adelaide Central Mission talks in terms of 100 000 people in this State negatively affected by gambling.

In terms of the personal cost, the Adelaide Central Mission states that back in May of 1998 it was aware of six people who had suicided as a result of gambling related problems. It goes on to say that the number of people who talk about suicide as an option to their circumstance is approaching one in three. Professor Alex Blaszczynski, in a 1999 report, has suggested that up to 14 per cent of compulsive gamblers have attempted suicide. This tends to confirm the studies carried out by the Adelaide Central Mission. At the end of 1996, at a presentation at a national gambling conference by Stephen Richards, the CEO of the Adelaide Central Mission (a conference that I attended), the point is made that:

> Given that all the services in South Australia probably see less than 5 per cent of compulsive gamblers it is possible that the suicide rate in South Australia associated with gambling could be in excess of 50 per year [within five years].

That is a staggering statistic, which sounds an alarm bell for concern and action as a result of problem gambling. The submission goes on to say that this is not a record to be proud of, and makes the very pressing point:

> If any other product or service had this sort of social cost, it would be banned or highly regulated and there would be a high investment in health and welfare services—e.g. cars, alcohol, cigarettes.

There is a particular concern that runs through a number of the reports, on the impact of problem gambling on children. The submission of the Adelaide Central Mission talks of the added stress to marital relationships caused by problem gambling being enormous, and that the loss of income, the loss of family property, the rising debt, dealing with a person struggling with the shame, the lying and the destruction of trust for many is too much. Professor Dickerson again, an academic whom the Australian Hotels Association is very pleased to quote as someone it regards as not being unduly critical of its industry, states in a 1991 report that up to 45 per cent of problem gamblers have had a breakdown in a relationship due to gambling. It refers to United States reports that the children of problem gamblers have reported a number of significant problems, including poorer school and work performance and that there have been acknowledged suicide attempts at twice the rate of their class mates.

This work was carried out by Dr Durand Jacobs, a man whom I had the pleasure of meeting last year and who has written at length and in depth on the issue of problem gambling and its impact on children. In the submission, Dr Jacobs warns:

> . . . without early intervention these children will experience serious difficulties, not only in solving present but also future living problems and they were at a high risk of developing some form of addictive behaviour.

I think it important that we bear in mind the impact on children of problem gambling in our community. These really are the forgotten victims in many respects. They are the victims that we do not often hear about; they are the victims that are increasing in number as the rate of problem gambling in our community increases; and they are very much the innocent victims. In terms of services, the Adelaide Central Mission talks about existing services being stretched beyond a reasonable capacity, dealing with those presenting with problem gambling, yet this still represents only a small part of those impacted on by problem gambling. The Adelaide Central Mission talks about the complexity and number of

cases that are arising almost on a daily basis, meaning that its limited staff has difficulty coping.

I have spoken to welfare agencies that deal with problem gambling, and they tell me that their funding does not allow them to take on temporary staff if a staff member goes on leave, on holiday, is ill or whatever. That is clearly an unacceptable situation. I acknowledge, as I ought to, that the Australian Hotels Association and the clubs do fund the current level of BreakEven Gambling Services. The method of funding and the path of funding is something that I do not think is satisfactory. But clearly there is a case, as the Social Development Committee has pointed out, for other gambling codes to contribute to problem gambling. The manner of that and the mode of delivery of that funding is something deserving of further debate and something that ought to be handled by a conduit that is much more independent than the current very direct funding from the hotels and clubs to service providers, with the potential that has—as has been acknowledged in reports commissioned by the Department for Human Services—for an inherent conflict of interest.

The submission of the Adelaide Central Mission refers to the provision of a 24 hour telephone counselling service not being in place at the time but that it is a definite need, being 'absolutely essential as part of the configuration of services'. Towards the end of last year, that 24 hour telephone service was put in place, but I recently asked the Minister for Human Services why we now find that all calls—rather than simply after hours calls—are being directed to Victoria, to the G-line there. That is something that concerns me. It is disappointing that service providers all acknowledge the need for a 24 hour service but the manner in which the service has been implemented is lacking. I hope that the Minister and his department will be able to attend to that anomaly sooner rather than later, because it means that South Australian counsellors are missing a hands-on ability to deal with problems immediately rather than their being filtered through from a Victorian service provider.

The submission makes a number of very sensible submissions about public education, as to the expansion of services, the better funding of services and that there should be some extensive South Australian-based research in terms of the actual impact of problem gambling in the community. The Adelaide Central Mission submission also looks in considerable length at issues of consumer protection and fair trading policy. In the section headed 'Dangerous product' the submission states:

> Imagine if you would a product that is released into the South Australian market and that as a result of using the product: many people commit suicide each year; scores of people steal from their families, employers and others; there is a significant rise in divorce; there are increasing numbers of bankruptcies; and the children of many of the users are placed at risk. Would the Government be moving quickly to identify this product as a dangerous product and be looking for ways to reduce the harm it was causing to its community members.

That question has been posed by the Adelaide Central Mission and is worth considering. I think it is inevitable that action will be taken in respect of consumer protection laws in this State and federally, including the Trade Practices Act and fair trading laws in South Australia, to test the effectiveness of those laws in the context of gambling products.

If we put into context the issue of poker machines, for instance, I do not see this as primarily a moral issue: the issue involves a product that can and does confer a significant degree of harm to a significant number of its users. If you accept the Hotels Association's estimate of 1.5 per cent, 10 000 to 12 000 individuals have been affected. If you accept what a number of gambling counsellors, researchers and psychologists tell me, that the figure is 5 per cent and above, that tends to indicate a fair degree of product risk and, arguably, potential product liability on the part of manufacturers and those who provide that product.

In criticising the bid to freeze the number of gaming machines in this State, the Treasurer made the point that there is no evidence that freezing the number of machines would make any difference. With respect to the Treasurer, I suggest that he examine in detail the submissions made to the Social Development Committee and the recommendations of that committee that say that increased access does make a difference in the level of problem gambling. I will refer to that in more detail when I refer to the Fair Game report of Anglicare, which discusses the issue of accessibility and some of the problems that individuals have faced as a result of increased levels of accessibility. The Adelaide Central Mission states:

> It is our view that the number of gambling outlets is excessive and has been driven by economic demands with little regard for broader social costs. This situation needs to be reviewed and action taken to reduce the number of outlets.

The submission goes on to state:

> Our major concern regarding accessibility is the development of mini casinos in hundreds of hotels across the State. With the availability of up to 40 poker machines, betting on horses and dogs across many jurisdictions, betting on football, Keno, scratchies and other lottery products and chook raffles within hotels—these have become mini casinos—further adding to a gambling culture. Should sports betting be added to this suite of products, the only thing missing are some tabled based gambling products. The most popular and most harmful of these gambling products now so readily available are the poker machines. It is now beyond dispute that the more people who gamble on these machines the more that will be harmed. It is also beyond dispute that the more readily accessible such machines are the more people will play them.
>
> The issues surrounding gambling have a significant effect on local communities. Given this, it is worth noting that even though the introduction into a local area of a 'mini casino' may not have local citizen support, we do not believe that there is any effective mechanism for effective local decision making. In addition to the Licensing Commission requirements, approval processes should also include the local council. The councils are in the best position to make decisions reflecting the best interests of their communities. Given our earlier comments regarding Keno, lottery products, etc., there should be an appropriate licensing mechanism for these outlets that incorporates local council approval processes.

That is something for which I have a great deal of sympathy, but it does not appear to have found its way into the recommendations of the committee other than perhaps in a very broad sense.

Regarding gambling machines and their environment, the submission states:

> The use of light, sound, speed of play, subliminal messages of winning, movement, absence of time references, delaying the pay-out of winnings, interior design, and spatial architecture are all used to key into the subconscious behaviour of gamblers.

Clearly, that reflects on product design and the very nature of the gambling product that is offered and on whether the gambling product that is offered is safe or could be made much safer in the context of not only its design but the practices of venues which offer free drinks, happy hours, free food and the like to participants. One instance that has been brought to my attention involves a woman who was offered numerous free drinks during the course of an afternoon and lost several thousand dollars. Clearly, these sorts of practices are unconscionable. They are practices that the industry

should not countenance in any way, and they ought to be stamped out.

Professor Dickerson's reports indicate that with two or three standard drinks the level of gambling losses at a venue can increase significantly and that, in some cases, it can double. That is something on which the AMA has reflected. I think we need to put into context the link between gambling and alcohol: that problem gambling can be exacerbated as a result of the provision of alcohol, particularly if it is provided free or at a discounted rate by venues. Clearly, that is something the committee should have considered in its recommendations.

The Adelaide Central Mission suggests that access should be restricted. Again, this goes to the very heart of having something more than a bandaid solution. We have the BreakEven Gambling Service, which I think it would be fair to say is world class in terms of its quality of service but, if we want to do something about reducing the number of people who end up on the doorstep of welfare agencies, we need to do something about restricting access to and changing the nature of the product. Again, that matter does not appear to have been directly dealt with in the committee's recommendations.

The recommendations of the Adelaide Central Mission include restricting credit and not having ATM and EFTPOS outlets at venues. I understand that there are practical difficulties with that because some venues say that it is important that people have access to ATM and EFTPOS facilities for the purpose of purchasing a meal or drinks or any other service or product within a hotel. I accept that, but I also believe that something ought to be done about restricting the provision of ATM and EFTPOS facilities for the purpose of gambling within the confines of a venue.

The Adelaide Central Mission also makes recommendations about marketing, advertising and promotions—again, these are basic consumer protection matters—such as advertising material that promotes any gambling product including a statement in plain English providing the statistical chance of winning a major prize and should be prohibited from portraying misleading or unrealistic information or images.

I think it is fair to say that the Hotels Association is not the worst offender in this regard. The Lotteries Commission and the TAB have behaved simply outrageously in terms of some of their messages. For instance, at the end of 1997 during the lead-up to Christmas, the Lotteries Commission screened an advertisement on television as part of the 'It happens' series of instant scratchies. It involved a young woman telling the camera about her friend who was walking past a lotteries outlet. She was down to her last $2, which was her bus fare. Because she felt lucky she decided to spend her last $2, her bus fare money, and she won $25 000.

I find that sort of advertising to be quite irresponsible: it encourages people to spend their last $2, their bus fare money, on a gambling product. Advertisements such as the TAB's 'Everyone's a winner' and the Lotteries Commission's advertisement of people running through outlets after having won on the keno go beyond the pale in terms of representing fairly what are the odds and the risks involved in the product being sold.

In terms of gambling machines, there are recommendations that electronic gambling machines be modified. These modifications, as I understand it, are based on a committee's report to the Netherlands Parliament (I have spoken at length to one of the authors of that report), the recommendations of which include: that there be delays between games slightly longer than existing games; that the machine pays out in a tray once it reaches $10; that the machine automatically shuts down for five minutes after the jackpot exceeds $50; that there be no light or sound shows associated with any win on the machine; that the highest monetary coin or note accepted by the machines be restricted to $1; and that multiple bet machines be limited to three times the single bet value of the machine. These are all recommendations that in my view ought to have been incorporated in the committee's report.

I am pleased to see that the committee has indicated that a moratorium be placed on all gaming machines with the capacity to accept denominations of money notes, particularly given New South Wales research which indicates that once you install note-taking machines or machines that have the capacity to take notes, particularly large denomination notes, gambling losses increase substantially. I have heard at conferences that the amount lost can increase by something like 60 per cent, and that is something that needs to be taken into account. In terms of industry policy, the Adelaide Central Mission says the following:

> The rapid diversion of significant consumer spending could have been predicted to have had consequences to other commercial activities in allied activities and in other industries competing for the consumer dollar. This has indeed happened.

As I recollect my reading of the parliamentary debates in 1992, it was estimated that poker machine losses in this State would be in the vicinity of only $35 million to $40 million per annum. I think that may have been an estimate that the Hon. Frank Blevins gave in the context of the debate. But, of course, we now know that poker machine losses are 10 times the amount that we were initially told. I wonder whether gaming machines would have been allowed into hotels and clubs in this State if members at the time realised what sorts of machines, what sort of product, we would get and that the losses would have been as significant—

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: In response—

Members interjecting:

The PRESIDENT: Order! The honourable member has the call.

The Hon. NICK XENOPHON: The Hon. Terry Cameron asks why we were not aware of that. I accept that members obviously relied on estimates or guesstimates as to the impact of gaming machines in this State and that those estimates were way out. In response to the Hon. Caroline Schaefer's assertion that our machines here are slower, I point out that our machines are still pretty sophisticated. As I understand it, if they are slow it is so marginal as not to make much of a difference in terms of the level of problem gambling. I would be interested to hear from the Hon. Caroline Schaefer, either in this Chamber or elsewhere, as to whether she considers there is a difference in terms of problem gambling levels in this State given any differences in the design of the machines.

In terms of the Adelaide Central Mission, the Centre for Economic Studies in South Australia completed a study of six regional cities in the State and found as follows:

> In 1996-97 the losses on gambling in these regions amounted to $40 million, of which only $15 million stayed in the region. The remainder of the losses were removed from the regional economies by way of 'out of town' owners and taxes. This is a net loss of $25 million to the regions and, given the multiplier effect, or in this case the deflator effect of money—it is a massive loss.

I have spoken to people in regional centres, including Port Augusta, Port Pirie and Port Lincoln, and there is a very real

concern about the impact of gaming machines on local communities and economies. The Adelaide Central Mission also says that the impact on productivity is something that is often overlooked. It continues:

> Problem gamblers work at 50 per cent efficiency, 9 per cent lose time from work to gamble, 4 per cent changed jobs as a result of gambling and 20 per cent have been sacked with gambling as a prime cause.

Again, reference is made to research carried out by Professor Mark Dickerson in 1991. It refers to researchers in Quebec who found similar results. The Adelaide Central Mission's recommendation in terms of industry policy is that the Government should commission independent research to establish the impact of gambling on the economy in South Australia, including businesses, non-profit and community activities in suburban and regional areas. It goes on to say:

> That the Government immediately develop an industry-wide policy to guide the further introduction or expansion of gambling activities that takes into account the likely impact on the broader economy.

I note that the Social Development Committee, to its credit, has recommended that an independent economic impact study on gambling be conducted in the context of the impact of gambling in general and gaming machines in particular and the effect on retailing, in particular small business. I argue that such an economic impact study should also take into account the matters raised by the Adelaide Central Mission, that is, non-profit and community activities in suburban and regional areas. That is an important part of any research that needs to be carried out.

The committee should have looked at research that takes into account social and economic factors and the true cost of gambling in the community. We see increasingly in the media individuals who never had problems with the criminal justice system before but who are now appearing before the courts for armed robbery, embezzlement, theft and fraud. These are all matters that ought to be considered in the context of any independent economic impact study. The Adelaide Central Mission report talks about the justice policy, about the link between crime and gambling. I have already spoken in this Council on a number of occasions about the link between compulsive gambling and crime and about studies carried out by Professor Alex Blaszezynski which indicate that about 58 per cent of a group of 115 compulsive gamblers admitted committing criminal offence to fuel their gambling addiction, with 22 per cent of those appearing before the courts as a result of their gambling addiction.

A study carried out in Western Australia indicates that at least 10 per cent of prisoners were gaoled as a result of committing a crime associated with their gambling affliction. Maintaining a prisoner in gaol is a very expensive exercise—$40 000 per annum, according to the Adelaide Central Mission. I understand that other studies have been conducted and that some thesis work has been carried out which indicates that the proportion of prisoners in gaol who have a gambling-related problem with respect to their criminal activity is even higher than that. It will continue to be higher in terms of the number of people appearing before the courts with respect to gambling-related fraud and other crimes.

The enforcement of gambling regulations is something that comes in for some sharp comment by the Adelaide Central Mission. That relates to the fact that there does not appear to be adequate teeth, resources or commitment to ensure their enforcement in terms of gambling laws in this State. I am aware of many instances, from talking to gambling counsellors and from personal experience, of individuals who have been given credit by hotels in this State, which is an offence that carries a two year gaol term. I have been given a fair bit of information on that.

I do not propose to name any of the individuals involved, because I understand that some of those matters will go before the courts in due course. As there is yet to be a prosecution in this State for an instance of credit betting, it indicates that there are not problems with the integrity of the Office of the Liquor and Gaming Commissioner or the police—and I am not suggesting that in any way whatsoever—but that there are some legislative problems, a problem of lack of enforcement and a problem in terms of the difficulty in obtaining a conviction in the context of the current law. Again, that is something that I think the Social Development Committee ought to have considered in the context of its findings and recommendations.

The Adelaide Central Mission recommends that there be Government policy, responsibility, accountability and funding to deal with these problems. It states:

> That the development of gambling policy be based on the following principles:
>
> that the net impact of policy initiatives, after taking into account all benefits and all costs, both social and economic, across all sectors should be positive;
>
> that the principle of harm minimisation should be prioritised;
>
> that the regressive nature of gambling revenues be minimised and compensated;
>
> that policy be informed by ongoing independent research;
>
> that in the absence of any South Australian based research, research findings from other States and appropriate countries be used to inform policy development in this State; and
>
> that in the absence of any relevant research, policies should not be implemented if there is a reasonable expectation that the above principles cannot be satisfied.

Despite the fact that this is a multibillion dollar a year industry in the State in terms of all gambling codes with the turnover of poker machines being several billion dollars a year, there is very little that we know about our gambling industries. Nationally, gambling industries turn over $80 billion a year, which amounts to some 15 per cent of GDP, and yet we know so little about this industry and the impact that it has on individuals, families and small business in Australia.

In the context of the recommendations made by the Social Development Committee, I am disappointed that there was not a closer focus on many of the comprehensive findings, research and submissions made by the Adelaide Central Mission. I will refer to two other reports. I could refer to more but I would not dream of breaking the Hon. Terry Cameron's and the Hon. Legh Davis's record with respect to the Port Adelaide flower farm: I could if I am goaded, but I do not propose to do so.

Relationships Australia also provided a comprehensive report to the committee. It is one of the largest service providers in terms of relationship breakdowns in this State and the emphasis is somewhat different. The Adelaide Central Mission, through the leadership of Vin Glenn, takes a proactive financial counselling approach, whereas Relationships Australia, as the name of the organisation indicates, looks at different factors in terms of the interpersonal relationships involved in the impact of problem gambling for the individuals that it sees.

The report indicates that '6 per cent of the adult population is likely, to a significant extent, to contain the group at greatest risk of becoming problem gamblers,' and that refers to the Hill inquiry report of 1995. It also refers to gamblers

and their families, and it states that there is a significant proportion, with reference to their numbers in the community, of Aboriginal and Torres Strait Islanders, people from non-English speaking backgrounds and first generation migrants who have been impacted by problem gambling in terms of the clients that Relationships Australia sees.

In relation to gambling codes, it is interesting to note that Relationships Australia, in terms of the clients that it sees, refers to 73 per cent being affected by gaming machines, 19 per cent by the TAB, 6 per cent by Casino games and 2 per cent by Keno and lotteries. I am not sure whether there would be a greater or lesser proportion of individuals affected by poker machines if other codes were funding the Break-Even Gambling Services or a similar organisation, because I think that that is something that needs to be taken into account.

The Hotels Association says that it gets most of its clients because of the nature of the funding and where the information is provided, but that remains to be seen. I think that the evidence of psychologists and psychiatrists and those who work in the gambling rehabilitation fields is that poker machines do tend to attract a disproportionately high number of problem gamblers because of the nature of the design of the machines.

Relationships Australia makes a very important point in terms of the sorts of individuals who have been affected by problem gambling. I think it attempts to destigmatise the whole issue of problem gambling—and I think it is appropriate that it does so. I believe that, if it was destigmatised, if there was less of a feeling of shame for those who have been caught with a gambling problem, that would encourage more people to come forward, to seek help and to deal with the problem constructively. Relationships Australia states:

> While the majority of media focus implies that gamblers are impulsive, irresponsible and potentially criminal, in our professional opinion our clients are generally responsible citizens who have experienced and managed a normal range of personal problems. The vast majority of the people we see are not fools, and they have previously been able to live within their budgets.

The report of Relationships Australia also makes specific reference to children, as did the Adelaide Central Mission. It states:

> Forty per cent of our clients have an average of 1.5 dependent children. It is perhaps not unreasonable to assume that, if our client group represents a random sample, a minimum of 4 400 South Australian children under the age of 16 are directly affected by the problem gambling of a parent and the distress and problems this creates for the other parent.

That is something that we cannot ignore—the impact of problem gambling on children. Some 4 400 children affected by problem gambling in this State, based on a fairly conservative methodology by Relationships Australia, is a shameful statistic. The Hon. Ian Gilfillan is not in the Chamber, but it is equivalent to something in excess of the population of Kangaroo Island; it is equivalent to a fair sized country town. I do not think we can ignore the impact of problem gambling on children, and again it goes back to issues of accessibility and the type of gambling product offered.

Relationships Australia recommends that there ought to be a more comprehensive level of staffing for BreakEven Gambling Services. Going on what the Adelaide Central Mission has said, these are matters that cannot be ignored. It is a $700 million a year industry in terms of actual gambling losses in this State when you take into account all gambling codes. I think that it is important that there be adequate levels of funding. An amount of $1.5 million for problem gambling assistance in terms of rehabilitation and counselling is a pittance when one considers the extent of the difficulties.

I understand that today's *Australian* addresses a submission that was made by the gambling industry to the Productivity Commission—and I do not have it in front of me—where reference was made to the effect that people who are problem gamblers have some sort of psychological or mental condition and that it would have become manifest in some other way. That is an outrageous statement which I think points to the fact that this is an industry that will say or do almost anything to minimise the level of impact that it can have.

Aboriginal problem gambling is referred to in depth by Relationships Australia, and that is relevant in the context of the current debate about the Nundroo Roadhouse and the impact it is having on Aboriginal communities. I have spoken to representatives of ATSIC on an informal basis, and I would like to think that ATSIC and other organisations providing services to indigenous Australians will get involved in this debate in a substantial way.

In Port Augusta, where I have had meetings to discuss this issue with the Aboriginal community, the information I have been given is very disturbing. I think that we need to look very much at the social, economic and community impact of indigenous gambling. Although I will not refer specifically to them, other submissions were made to the committee in terms of indigenous gambling. A recommendation was made that there ought to be a specialised service for indigenous Australians affected by gambling, and that is something I would like to think the committee should have made a recommendation on.

Recommendation No. 12 of Relationships Australia with respect to children is as follows:

> That gaming rooms have doors which are kept closed at all times and that licensees be required to remove children from gaming rooms.

In my discussions with problem gamblers, that is something about which there appears to be a great degree of unanimity: that children ought to be protected from the sounds, lights and activities of the gaming room. That is something that ought to be taken into account.

Relationships Australia also recommended that the Gamblers Rehabilitation Fund be reconstituted with its membership drawn other than from industry, Government and providers. At the moment Government and industry make up a majority of the committee, and clearly that is not a satisfactory state of affairs and is something that needs reform. I have made submissions, as have others, to the Department for Human Services to reform this. The conclusions of Relationships Australia are worth mentioning, as follows:

> The expansion of legal gambling opportunities in South Australia has occurred with little apparent thought for the social and economic consequences. This report presents evidence of the personal and social costs borne by problem gamblers and their families who are clients of our BreakEven Gambling Rehabilitation Service.

It calls for national and State research to quantify the social and economic costs of the gambling boom. It also talks about having a 24-hour hotline, which is something that has been facilitated but again not facilitated in a way that adequately deals with the problem; the implementation of that leaves much to be desired.

The final report to which I will refer, unless honourable members want me to refer to all reports made to the committee, is the Fair Game Report, which was prepared by Anglican Community Services in May 1997 and which refers

to slowing the tempo of the gambling, of creating an environment for informed consent. It states in its executive summary:

> We are concerned about advertising which is misleading and an environment which blurs the reality of the gambling experience. These and other aspects make it impossible for the pokie player in particular to make a truly informed decision to play. Fair gambling needs fair information. We believe changes need to occur—more industry education, environmental alterations, community education.

The report of Anglicare makes reference to the fact that we are famous (as it says) with respect to gambling, how we have a reputation as being the most zealous gambling country in the Western World, being referred to as a nation of gamblers with gambling losses being much higher—some 60 per cent greater than the US (or I understand greater than that on the figures I have seen), 647 per cent greater than the UK and an extraordinary 716 per cent greater than in Canada.

Clearly, the level of gambling losses has to be taken into consideration when we consider the level of problem gambling. You cannot have an industry going from $350 million a year in gambling losses in 1993-94, before the introduction of poker machines into hotel and clubs, to virtually double that amount in this financial year without there being an exponential increase in the number of problem gamblers, particularly with a new form of gambling product, namely, poker machines.

The Anglicare report talks in terms of the profile of individuals who have been caught up with problem gambling. It talks about the feminisation of gambling bringing a dilemma. To put that in context, I know the AHA's spokespersons have been critical of reference being made to the fact that there is now basically a massive increase in the number of women who are problem gamblers. To put it in context, the Anglicare report says:

> Whilst celebrating the increased access to financial and social independence which women are enjoying, it is clear that associated with this independence come challenges such as the vulnerability to gambling problems, which at present are correlated with being male. Will women be more vulnerable as they develop a greater familiarity with and skill level in technology such as the Internet?

Recommendations are made that there be increased funding to look at the impact specifically on women with respect to problem gambling. The report of Anglicare makes a point, as have other reports, that regressive taxes are cause for concern, and states:

> The revenue paid to the South Australian Government by all codes of gambling is based on the volume of the community expenditure on the gambling activity. Each individual punter's contribution to State revenue reflects the extent to which they participate. The direct relationship between amounts spent and amounts contributed in tax, regardless of the individual consumer's income or capacity to pay, means that low income gamblers are paying a higher percentage of their income in tax than higher income gamblers. For a low income earner, the tax paid on a $5 session represents a bigger proportion of their personal income than the tax on an identical $5 session indulged in by the wealthy punter sitting on the adjacent bar stool.

It then goes on to state in a footnote at page 11 of its report that, in terms of its clients at the Anglicare BreakEven Gamblers Rehabilitation Service, 65 per cent of its clients have a gross personal income of less than $20 000 per annum and 81 per cent earn less than $30 000, that is, less than Australia's average adult wage. Again, it clearly debunks the view of the Hotels Association that poker machines are not regressive in their impact.

In terms of the demographic making the biggest contribution, the Anglicare report has done some very useful research using research carried out by Delfabbro and Winefield in terms of the income distribution of those who play. In terms of gambling expenditure by suburb, it is of the view that low income suburbs are over represented in terms of gambling losses, but I have requested of the Government on a number of occasions, and most recently in a number of questions on notice, details of pokies losses by postcode so that we can begin to understand the impact of poker machines on a suburb by suburb basis.

Anglicare makes a very clear call 'for an immediate moratorium to be placed on expansion of all gambling in South Australia until an in-depth social and economic impact statement is completed'. Again, it does not appear that this important recommendation has been dealt with in the committee's recommendations. It is something that ought to be taken into account if we are to be serious about looking at the level of problem gambling and the impact and cost it has to the community.

I will not quote too extensively from Anglicare's report before I conclude, but it is interesting to reflect on what some clients of Anglicare are saying about the whole concept of accessibility of gambling products, particularly poker machines in hotels. This is what some of the problem gamblers whom they see are saying:

> It began in the Casino and now it's so easy to go to a hotel—you can't avoid them anywhere.

Another quote was:

> You cannot go anywhere now without pokies being in your face.

It continues:

> I know what's happened to me and I've seen so many other people in the same situation—it's terrible. They should be banned.

It goes on to refer to the issue of secrecy and how many people are ashamed to admit that they have a problem. It then states:

> If my partner finds out, I know the relationship will be over. It must be avoided at all costs.

Another client states:

> I feel sick to the stomach—I can't sleep and my work performance is suffering.

There is all the cost of that, and that cost needs to be reflected in the recommendations of the Social Development Committee report. With the greatest respect to that committee, I believe that the report's recommendations ought to have been much tougher in terms of looking at the impact of problem gambling and making some recommendations way beyond those made in the report for gaming machines. It simply says that link jackpots should remain illegal and that they do not accept notes. However, they do not in South Australia now, anyway. It refers to having some sort of time lapse between a major payout and the resumption of play on that machine. They have simply scratched the surface of potential recommendations that could be made to deal with the problem.

The Anglicare report also makes specific reference to domestic violence and refers to a racecourse or TAB punter, as follows:

> My children don't have food to eat, but his wallet is full of racing tickets.

It goes on to say:

> I have noticed him constantly watching the results on TV but I did not know what it was. He would always be so angry later, shouting at the children and shouting at me, but he would never say why.

In terms of loss of control, it refers to gamblers who have simply lost control and have lost their savings and are deeply

in debt because of gambling related problems. It refers to how the television was traded in at the pawn shop in order to pay gambling debts, as well as to the rationalisation that people go through with their suicidal thoughts. All these issues ought to be taken into account.

The Anglicare report also refers to children as vicarious clients and states how significant numbers of them are now facing missing out on basic things such as getting treats in their lunch box and being denied presents on their birthdays. I have also spoken to welfare workers who tell me that, since the advent of poker machines, some schools are putting on breakfast for children, and it appears that poker machines have been the direct cause of that service being provided in schools. The report also refers to the impact of gambling on youth and recommends that bingo tickets not be sold to 18 year olds.

The Anglicare report also makes reference to restraints in terms of access to cash and venues, the consumption of alcohol and the links between problem gambling and the fact that the number of pawnbrokers has expanded exponentially in this State since the introduction of poker machines, and it also recommends a number of specific warnings to be placed on machines at venues and having clocks inserted in the top right-hand corner of the screen so that people do not lose sight of time. It also recommends an immediate moratorium on the expansion of all forms of gambling in this State.

I could go on and break the Hon. Terry Cameron's record for speaking in this place, but I do not intend to do so on this occasion. I am not saying that the Social Development Committee's recommendations are inappropriate. Indeed, I commend the committee for making them.

The Hon. T.G. Cameron: I am pleased to hear that.

The Hon. NICK XENOPHON: You haven't heard what else I have to say. I am concerned (and I accept that the committee acted in good conscience and in good faith in terms of its deliberations and its recommendations) and deeply disappointed that the recommendations do not go far enough. As the member for Spence, Mr Atkinson, told me as recently as today, he considers that he has dissented from the report, and I understand that he sent out a media release on the day that the report was released saying that he considered the report to be a whitewash. My concern—

The Hon. T.G. Cameron: He supported all the recommendations.

The Hon. NICK XENOPHON: The member for Spence is a man of strong opinion, and clearly this is no exception.

The Hon. T.G. Cameron: I wouldn't want him to come to see me about that part of it, because I sat on the committee and he supported all the recommendations. He's headline hunting; that's what he's doing.

The Hon. NICK XENOPHON: In response to the Hon. Terry Cameron, I wouldn't know about headline hunting.

Members interjecting:

The ACTING PRESIDENT (Hon. T. Crothers): Order! I am sure members want to listen to the Hon. Mr Xenophon.

The Hon. NICK XENOPHON: As I have said, the recommendations simply do not go far enough. There ought to be a more comprehensive set of recommendations, taking into account not only the matters raised by the Adelaide Central Mission, Anglicare and Relationships Australia but also those made by the National Centre for Education and Training on Addiction's John O'Connor, who gave a very erudite presentation. Indeed, he impressed all members of the committee—at least when I sat in as observer. I refer also to the report of Nick Weetman from the Port Pirie Central Mission, where the impact of gambling in a regional community was very much taken into account, as well as to the report of the Small Retailers Association, which I will refer to briefly—

Members interjecting:

The Hon. NICK XENOPHON: I was, but I've been enthused by the Hon. Terry Cameron's interjection.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: I am sure the Hon. Terry Cameron will always have something to say. The report of the Small Retailers Association refers to the impact of poker machines on its turnover and on employment in the small retailing sector. It is fair to note that the Hon. Terry Cameron, as far back as December 1997, in one of the first speeches I heard by the honourable member, referred to the impact that poker machines had on small retailing, as reported by the Small Retailers Association. That is why we urgently need an independent economic and social impact statement on the cost of gambling in the community.

I do not believe that the recommendations go far enough. I am not saying that intrinsically there is something wrong with the committee's recommendations, but they need to go much further if we are to make a significant impact on the level of problem gambling in the community and on the numbers of children who have been directly affected by problem gambling. According to Relationships Australia, that number stands at 4 400. These are matters that ought to be taken into account.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: I don't think that will happen in my lifetime, somehow.

Members interjecting:

The ACTING PRESIDENT: Order!

The Hon. NICK XENOPHON: The recommendations ought to have gone much further. I note that the Hon. Carolyn Schaefer criticised me for not speaking last year on the report. I am happy to elaborate on the report on another occasion.

An honourable member interjecting:

The Hon. NICK XENOPHON: You can have another two or three hours if you want to. In any event, this was an important report. I am disappointed with the findings and the recommendations, but we ought at least to ensure that those recommendations are implemented and go further, by looking at the comprehensive submissions made by some of the State's leading welfare agencies on this issue.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

WORKING HOLIDAYS

Adjourned debate on motion of Hon. Carmel Zollo:

That this Council—

1. Notes that Australia has formal arrangements with Canada, Japan, the Republic of Ireland, the Republic of Korea, Malta, the Netherlands and the United Kingdom which allow young citizens of those countries to apply for working holidays in Australia.

2. Calls on the Federal Government to initiate discussion with a view to entering into formal arrangements with Italy and Greece which allow young citizens of those countries to apply for working holidays in Australia and young citizens of Australia to apply for working holidays in Italy and Greece; and

3. Requests the President to convey this resolution to the Federal Minister for Immigration and Multicultural Affairs.

(Continued from 17 February. Page 699.)

The Hon. NICK XENOPHON: I support the motion of the Hon. Carmel Zollo that there be formal arrangements with Italy and Greece to allow young citizens of those countries to apply for working holidays in Australia and to allow young citizens of Australia to apply for working holidays in Italy and Greece. I move the following amendment to that motion:

Paragraph II—Leave out 'Italy and Greece' and insert 'Italy, Greece and Cyprus'.

As that Greece is included, it is appropriate that Cyprus also be included, given the very close ties between those countries and the fact that there is also a significant Cypriot community in South Australia. I do not propose to elaborate on the reasons set out for this motion by the Hon. Carmel Zollo, other than to say that I think it is appropriate that I congratulate her for yet again being on the ball in terms of issues that are of concern to South Australia's multicultural community as a whole. This is a very good initiative. I hope it comes to fruition. I hope, too, that all members will support this motion so that the Federal Government can take heed and that the formal arrangements with other countries be expanded to Greece, Italy and Cyprus.

The Hon. A.J. REDFORD secured the adjournment of the debate.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: RURAL ROADS

Adjourned debate on motion of Hon. J.S.L. Dawkins:

That the report of the committee on South Australian Rural Road Safety Strategy be noted.

(Continued from 9 December 1998. Page 433.)

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): On 9 December last year I made some preliminary comments on this motion. Members will recall that on 18 March 1998 the committee referred this matter to the ERD Committee to investigate. Today I will provide the Government's response to the committee's report. In doing so, I wish to thank again all members of the committee for the time and care that they devoted to their task. Since the committee reported, the rural road death toll in South Australia has continued to be of concern. So far this year, the State has recorded 31 road deaths, 22 (or 71 per cent) of which have been in the country. Sadly, again this year the profile of deaths confirms the committee's findings on the myths and fallacies that country people are involved in the majority of rural crashes, injuries and deaths.

This year the road deaths alone have involved 13 country people and 11 city dwellers (plus seven from interstate and overseas). I acknowledge that, overall, South Australia's road toll today is well down on 1974 levels, when 50 824 crashes were recorded and 382 people died on our roads. By comparison, in 1997 there were 38 873 crashes and 149 fatalities. Last year the number of fatalities rose to 168. We do not yet have the figures compiled for crashes in 1998. However, an examination of road fatalities over the past 16 years clearly shows that the biggest factor contributing to this decrease has been the fall in deaths in the metropolitan area. I seek leave to incorporate a table highlighting that fall in deaths since 1982.

Leave granted.

Adelaide and Country Road Fatalities, 1982 to 1998

	Area				Total	
	Metropolitan		Country			
	Count	Row %	Count	Row %	Count	Row %
1982	133	49.3	137	50.7	270	100
1983	120	45.3	145	54.7	265	100
1984	100	43.1	132	56.9	232	100
1985	132	49.1	137	50.9	269	100
1986	135	46.9	153	53.1	288	100
1987	108	42.2	148	57.8	256	100
1988	105	47.1	118	52.9	223	100
1989	95	42.8	127	57.2	222	100
1991	84	45.7	100	54.3	184	100
1992	72	43.9	92	56.1	164	100
1993	99	45.4	119	54.6	218	100
1994	75	46.0	88	54.0	163	100
1995	77	42.3	105	57.7	182	100
1996	73	40.3	108	59.7	181	100
1997	55	36.9	94	63.1	149	100
1998	71	42.3	97	57.7	168	100

The Hon. DIANA LAIDLAW: In 1982, approximately an equal number of people died on metropolitan and country roads. However, since that time the proportion of deaths in country areas has been consistently higher, peaking in 1997, when 63.1 per cent of fatalities were on country roads. These facts confirm that a much greater proportion of our road safety effort must be devoted to country areas of the State in the future. In this effort, however, we will not be starting from scratch. During the 1997-98 financial year, $64.48 million was spent statewide through Transport SA's budget on road safety related programs and initiatives. The estimated expenditure this financial year is $66.103 million. Projects that have been advanced include:

1. Safety improvements such as shoulder sealing and junction improvements at key locations on parts of the Barossa Valley Way, the Barrier Highway, Lincoln Highway and Princes Highway.

2. Construction of passing lanes on National Highway One between Port Augusta and Port Wakefield Road (10 have been completed and seven more are planned); Dukes Highway, between Tailem Bend and Keith (19 completed and three currently being constructed); plus the Noarlunga to Cape Jervis and Noarlunga to Victor Harbor roads.

3. Construction and sealing of rural arterial roads in incorporated areas with Spalding to Burra, Burra to Morgan, Port Wakefield to Auburn and Morgan to Blanchetown (north 10 kilometres) roads already being completed as part of a 10 year program to the year 2004 to seal all rural arterial roads in incorporated areas.

4. Installation of an emergency Royal Flying Doctor Service airstrip on the Stuart Highway, with a further four planned in total on both the Stuart and Eyre Highways. These potentially save several hours in terms of retrieval for crash victims.

5. Installation of outback road condition and closure signs.

6. Upgrading of rail crossings through Pichi Richi Pass, which will be completed in August 1999.

In addition to the national highway funding initiatives, the current Federal Government has reinstated Black Spot Funding Programs, allocating $3 million each financial year up to 2000-01 to address the worst road safety hazards in South Australia. Under this program a minimum of 50 per cent must be spent in rural locations.

I am pleased to advise that a new position of Community Road Safety Coordinator at Transport SA has been created

and that Ms Mercedes Haralam will commence in this position this month. Her role will be to promote and encourage the formation of community road safety groups throughout South Australia, and new funding of $100 000 has been provided for this purpose. Ms Haralam will work with road safety groups and report directly to the Road Safety Executive Group, a group that includes senior representatives of Transport SA, the South Australia Police, the Motor Accident Commission and other relevant Government departments. This group will also receive considered input from the Road Safety Consultative Group, which comprises representatives from a wide range of relevant organisations, such as the RAA, the South Australian Road Transport Association, the Motor Cycle Riders Association, the South Australian Farmers Federation, the Office for the Ageing and the health sector.

In relation to road audits, the ERD Committee recommended that all major arterial roads should be audited as a matter of priority. Transport SA has been engaged in a road audit program for the past three years. In 1996 a national document entitled *Australia's Rural Road Safety Action Plan* set a target for the auditing of 50 per cent of national highways and State rural arterial roads by December 1997. Until now, however, no State or Territory has been able to meet this target because no nationally agreed audit process had been developed. This was recognised in the draft 1997 *Rural Road Safety Action Plan for South Australia*, which noted that an appropriate audit process needed to be developed which was consistent with Austroads principles but appropriate for the type of road. This problem has now been addressed.

This year, Transport SA finalised the Road Network Safety Audits process, based on the principles established by Austroads. The audits will examine the design and physical conditions of the road, existing traffic controls such as signs and pavement markings, adjacent land use and roadside hazards. They will also take into account vehicle and road use types and provide a basis for examination of the current speed limits. Overall, the audit process will identify and prioritise necessary safety improvements. To date, Transport SA has audited 602 kilometres of road. The safety audit process was also used during the planning phase for new roads such as the Southern Expressway and the Adelaide to Crafers freeway.

Today, I am pleased to announce that Transport SA's audit program will now be accelerated with an injection of $880 000 of new funding package. All 11 000 kilometres of major arterial roads and national highways across the State will be audited over the next two financial years. This commitment also ensures that South Australia leads all other Australian States in auditing all our major roads for safety purposes.

The Hon. T.G. Roberts: Is there a priority with these roads?

The Hon. DIANA LAIDLAW: Yes, there is. It is rural arterial roads and the national highways system, and then we are going to look at the roads with the greatest volumes and also use police reports on roads with higher risk, and I will detail that now. To ensure that the audit process is as efficient as possible, Transport SA looks forward to receiving the results of the 20 road audits that have been compiled by South Australia Police, which focus on roads that accident records indicate as higher risk areas. Transport SA will supplement these audits with engineering and technical input and then implement key short-term, quickly achievable recommendations from the audits. Meanwhile, Transport SA's own accelerated audit program will initially concentrate on busy arterial roads which generally are zoned at 110 km/h and where traffic volumes indicate a potentially high accident risk.

Across the State, there are also over 7 000 kilometres of sealed rural local roads, the majority of which have a speed limit of 100 km/h. Transport SA will liaise with local government authorities to explain the criteria that the agency (Transport SA) is now applying to arterial roads and to request immediate assessment from local councils of any sealed local roads currently zoned at 110 km/h.

I am advised that this will not be a major undertaking for councils because whilst they have 7 000 kilometres of roads zoned at 100 km/h there is not a great length of road zoned at 110 km/h. Meanwhile, the RAA has indicated its intention to encompass road audits as part of its safety focus, and I have asked Transport SA to work with the RAA to ensure that the road audit process is advanced in an effective fashion.

The ERD report recommends that audio tactile marking be used on major country roads. Audio tactile edge marking (ATEM) is installed on 40 kilometres of roads where the crash history justifies the high cost, such as the Stuart Highway, National Highway One between Port Wakefield and Port Augusta, and the Dukes Highway. The currently available form of ATEM is expensive to install and maintain, and is largely lost when a road is resealed.

Transport SA is investigating an alternative method of providing audio and tactile warning to drivers who drift towards the edge of a road. The method involves the placement of additional pavement markers at close spacings between the reflective markers normally installed on the edge line. Already, a trial of this process is underway on a 16 kilometre section of the Dukes Highway near Keith.

Transport SA will monitor the effectiveness of this measure before any further installations are undertaken elsewhere in the State. If this process is effective, it will enable audio tactile marking to be installed more quickly on more roads. For every 100 kilometres using the more expensive ATEM system, 500 kilometres can be covered using the alternative process.

The ERD Committee recommends that careful consideration be given to the implementation of mobile random breath testing, taking note of the concerns by members of the public regarding the potential infringement of civil liberties. I can advise that discussions are ongoing between Transport SA, SA Police and Crown Law in an attempt to address the issues involving civil liberties. No move will be made to prepare a draft Bill for the consideration of Parliament until these matters are addressed to the satisfaction of everyone.

The ERD Committee has made a number of recommendations relating to fatigue and traveller rest stops. Fatigue is acknowledged as a significant contributor to road crashes in rural areas, and a number of initiatives have been implemented. In the lead-up to the 1998 Road Safety Week and Easter, Transport SA produced and distributed a *Country Driving Hints* brochure, which included sections on fatigue management. An accompanying Smart Card with the slogan 'Drowsy drivers die!' was directed solely at fatigue issues.

As part of the National Road Safety Strategy, Transport SA is producing new guidelines for rest areas, which will be used to plan for the upgrading of rest areas on National Highways and major rural arterial roads. The guidelines will address issues such as the spacing of rest stops and facilities such as lighting. Upgrading of a number of the State's strategic rest stops will begin in the 1999-2000 financial year.

During the next three months, Transport SA, in association with SA Police, will erect new road signs along the Dukes Highway to provide rest stop and fatigue warning information. Works will commence this year to upgrade 24 car and truck parking bays between Port Augusta and the Northern Territory border, and a major upgrade of facilities at the border crossing will be completed. This project has been termed the Explorer Highway Program and is a joint initiative of the South Australian Government and the Northern Territory Government.

The ERD Committee stresses the importance of public education programs as a key component of the rural road safety strategy and nominates some specific issues relating to the timing and nature of these campaigns. It is acknowledged that public education campaigns are an important tool in trying to combat the road toll and promote a change in driver attitude and behaviour. This is important because, as the draft 1997 Rural Road Safety Action Plan for South Australia states, a higher proportion of rural crashes are related to alcohol, excessive speed, not wearing seat belts and fatigue than is the case with metropolitan crashes.

The Government is committed to public education campaigns, and Transport SA, in association with the police, has established an ongoing program of integrated public education and enforcement campaigns that are run at high risk travel periods such as Easter, Christmas and other school and public holidays. In terms of the nature of these campaigns, I have asked Transport SA to consider the recommendation of the ERD Committee which seeks the placing of a greater emphasis on the cost, both financial and in terms of trauma, of road accident injuries to the community and families.

In November 1998 I launched a major road safety campaign aimed at encouraging all vehicle occupants to wear seat belts. The launch took place in Whyalla, and the results have been extremely positive. The trial, based on market research findings, included integrated public education, enforcement and community components. This campaign was implemented in collaboration with the police and local community stakeholders. Today, I am pleased to announce that the seat belt campaign will be extended into the Riverland and the South-East in the next three months.

The ERD Committee recommends an investigation of the need for driving tests and driving impairment tests. The Joint Committee on Transport Safety, which I chair, is currently examining the full range of driver training and testing needs in South Australia. I advise that the recommendations of the ERD Committee regarding driver training have been referred to the Transport Safety Committee for consideration and investigation.

The ERD Committee recommends that information relating to crash statistics be shared between insurance companies and Transport SA to enhance Transport SA's database. South Australia's database of all road crashes reported to the police is currently being upgraded by Transport SA in association with the South Australian Police. This redevelopment, which includes an upgrading of software and more efficient transfer of data between the police and Transport SA, is scheduled for completion next year.

However, to investigate the potential for further enhancement of the road crash database through the sharing of information, Transport SA will liaise with the insurance industry, including the Motor Accident Commission which operates the Compulsory Third Party Insurance Scheme. Transport SA will also initiate discussions with the insurance industry to explore the potential value and feasibility of electronic data linking.

The ERD Committee encourages the investigation of the effectiveness of animal deterrent devices on vehicles. Drivers in country areas of South Australia often encounter a variety of animals ranging from native animals such as kangaroos, emus and wombats to domestic animals such as sheep and cattle that create a hazard along roads. This is a particular problem in the pastoral areas of the State where road reserves are generally unfenced. However, domestic and native animals are also encountered at times along roads quite close to the metropolitan area. The problem can be worse at night from dusk to dawn and during seasonal conditions when animals such as kangaroos and emus concentrate in certain areas to, for instance, look for water.

Fortunately, less than 1 per cent of all crashes in South Australia each year involve animals. Devices for scaring animals from roads are available on the market. The devices, which attach to vehicles, emit a range of frequencies that are claimed by the manufacturers to alert animals to oncoming vehicles and frighten them from the roadway. Various claims are made about the devices but there appears to be no scientific documentation of their effectiveness. As part of its annual road safety research program Transport SA will investigate the effectiveness of the devices in regard to crash reduction.

The Hon. T.G. Roberts interjecting:

The Hon. DIANA LAIDLAW: So could you. In conclusion, I repeat my personal concern and the Government's concern for rural road safety and the Government's commitment to initiatives outlined in this statement in order to reduce the incidence of road deaths, crashes and injuries in rural South Australia.

The Hon. A.J. REDFORD: I know that I am not listed to speak on this, but I will make one comment. As Chair of another committee, I think that the precedent the Minister has set in responding to a report openly and in this Parliament is excellent. Too often we get responses from Ministers which are in writing and which seem to get buried in the future work of the committee. I would hope that this sets a precedent, because the Minister's response is open and is out for comment. Indeed, at some stage the mover of the motion will have an opportunity to respond on behalf of the committee in an open sense. I would hope that we adopt this as a matter of practice rather than as a matter of exception.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

CITIZENS' RIGHT OF REPLY BILL

Adjourned debate on second reading.

(Continued from 25 November. Page 332.)

The Hon. K.T. GRIFFIN (Attorney-General): The Hon. Terry Cameron introduced the Citizens' Right of Reply Bill 1998 on 18 November last year. The Hon. Michael Elliott and the Hon. Nick Xenophon have supported it, and the Hon. Angus Redford has spoken on the Bill in relation to possible amendments if it gets past the second reading. Anything said in Parliament, whether true or false and whether fair or malicious, is protected by parliamentary privilege. This means that citizens who are defamed in Parliament have no remedy through the courts in respect of defamatory state-

ments made about them in Parliament. The historical origin of this is Article 9 of the Bill of Rights 1689 which provides:

> The freedom of speech in debates or proceedings of Parliament ought not to be impeached or questioned in any court or place out of Parliament.

The rationale usually given for this is that it is essential that members of Parliament should be able to speak freely without threat or fear of legal action or other repercussions except through the processes of Parliament and the ballot box. The aim of the Cameron Bill, if I may call it such, is to give citizens who feel that they have been wronged by statements made under the protection of parliamentary privilege a procedure by which they can request the House in which the statement was made to publish their response in *Hansard*. Despite the title of the Bill, it does not purport to give citizens an enforceable right to have their replies tabled, read in Parliament or incorporated into *Hansard*. Rather, it purports to give a right to pursue the procedures laid down in the Bill with a view to having a reply incorporated in *Hansard*.

The procedures would be as follows. The member of the public who believes that he or she has been adversely affected by anything said in proceedings of Parliament (and I will call that person the 'complainant') makes a written submission to the Presiding Member of the House requesting that a response be included in the parliamentary record (clause 3). The Presiding Member decides whether or not to refer the submission of the complainant to the Standing Orders Committee of this House. The Presiding Member may refuse to refer the submission if it appears to him that, first, the subject matter of the submission is trivial, frivolous, vexatious or offensive in character or, secondly, that the submission is not made in good faith or, thirdly, that there is some other good reason not to proceed with the matter under the Act (clause 4).

If the Presiding Member refers the submission to the Standing Orders Committee, the committee repeats the same process for the purpose of deciding whether to consider the submission further. If it decides not to proceed, it reports that decision to the House (clause 5(1) and (2)). If the Standing Orders Committee decides to proceed, it does so in private. It may confer with the complainant but may not take any evidence from any person. It must not consider the truth of either the statement made in the House or the complainant's submission. The committee then reports to its House and recommends either that no action be taken or that a response in terms agreed between the committee and the complainant and specified in the report be incorporated into *Hansard* (clause 5). Some rules as to the content of the response are set out in clause 5(6) of the Bill.

The House then votes on whether or not a response should be incorporated into *Hansard*. If the vote is in favour, the response is incorporated (clause 6). Clause 7 of the Bill is an attempt to make things done under the Act immune from challenge in courts and tribunals. I want for a moment just to indicate the position in other jurisdictions. The Bill is similar but not identical in content to the resolutions passed by the Commonwealth Senate in February 1988 and by the House of Representatives in 1997. Some other jurisdictions have passed resolutions that are similar to the Senate resolutions—the ACT, Queensland and both Houses in New South Wales. In 1998 both Houses of Parliament in Victoria passed resolutions for the present session that create a procedure, but the decision whether to incorporate the response is made solely by the Presiding Member of the House.

On the other hand, in 1989 the West Australian Parliamentary Standards Committee examined the matter at length and rejected the proposal, as did the House of Commons Select Committee on Procedure. The Northern Territory Parliament considered the proposal about four years ago and decided not to proceed. Neither House in Tasmania has such a procedure. Thus, in Australia no Australian jurisdiction has established a statutory right. Four jurisdictions have passed resolutions setting a formal procedure for a citizen to request a reply. One jurisdiction recently passed a resolution on a trial basis but for a simpler procedure. Four jurisdictions, including South Australia, have no formal procedure.

The Citizens' Right of Reply Bill 1998 should be opposed, and that is the Government's position on the Bill. It should be opposed on the basis of the concept, on the basis of the method by which the right is given and on the basis of the detail of the Bill. I will deal first with the method by which the right is given. If the legislation passes, South Australia will be out of step with all other Australian Parliaments and the House of Commons. At least seven other Australian jurisdictions have considered the topic of a citizen's right of reply and none have seen fit to pass an Act. A significant disadvantage of an Act is that it would create a risk of exposing what is done or not done in Parliament to examination by the courts, and hence there is the potential to erode the privilege conferred on Parliament by Article 9 of the Bill of Rights.

Although clause 7 of the Bill may deter dissatisfied complainants from issuing proceedings in a court, it could not be relied upon to oust completely the jurisdiction of the Supreme Court or the appellate jurisdiction of the High Court. It may be possible to draft clause 7 of the Bill in a way that would protect the Parliament from court processes better than the present clause, but I think it is impossible to completely eliminate the risk.

I will now outline the nature of the risks. If the right is given by resolution or Standing Orders there would be no risk. If a dissatisfied claimant or member of Parliament issued proceedings in a court, that court would have to make at least a preliminary examination of whether there was a decision, act or omission under the Act. On the advice that I have received, the Bill would impose statutory duties on presiding members and Standing Orders Committees and, therefore, it would attract, *prima facie*, the Supreme Court's supervisory jurisdiction of judicial review.

The courts will not examine matters affecting internal administration of a House of Parliament. That was most recently referred to in the High Court by Justice McHugh in the decision of *Egan v Willis* in 1998, and that affects the New South Wales Legislative Council. If this Bill were passed it would give the courts an opportunity to rule that the citizen's right of reply is not a matter of internal administration of a House but, rather, an act regulating relations between the House and the citizen.

By contrast, if the matter is dealt with by resolution of the House or Standing Orders it would undoubtedly be a matter of internal administration of the House. A court that felt that a plaintiff had been particularly badly treated might decide that what was done or not done by the presiding member or committee was so wide of the procedure laid down by the Act and that their behaviour was so unjust that it was not done under the Act and was therefore subject to determination by a court.

If formal procedures are to be established to allow members of the public to have their replies published in

Hansard then it would be preferable, I submit, to establish those procedures either by a sessional order, Standing Order or resolution of each House. A sessional order would be a convenient means of testing the procedure. A sessional order would have to be passed for each session of Parliament, thereby giving a convenient opportunity to review whether the procedure should be continued. This is what Victoria did in October 1998, and it forms the basis of the Notice of Motion which I gave earlier today for consideration tomorrow.

Alternatively, a resolution that would stand until varied or rescinded by vote of the House could be passed, as has been done in some other Australian jurisdictions. Standing Orders would be preferable to an Act but would be less convenient for a trial of the procedure because of the processes required to amend Standing Orders. As I have indicated, my preference is for a sessional order of which notice has been given.

Let me now deal with the concept. There are four main arguments as to why it is not appropriate to allow citizens to have their replies made in Parliament other than through a statement of a member of Parliament: it is an indirect inroad into parliamentary privilege; it is not appropriate to afford a citizen the protection of parliamentary privilege in respect of his or her own unsolicited reply; it is not necessary; and, it is not effective. They are the four main arguments. For the sake of the record it would be good sense if I were to make some observations about each.

I will deal first with the inroad into parliamentary privilege. It has been argued that the procedure is an indirect inroad into parliamentary privilege because it allows a person who is not a member of Parliament to contradict in the official record of the House a statement made by a member and thus to reflect adversely on the accuracy, veracity or wisdom of the member in connection with proceedings in Parliament.

The second argument is the extension of parliamentary privilege. As the response would be subject to a motion in the House and published in *Hansard* it would attract parliamentary privilege. The rationale for this privilege cannot apply to the citizen who is not subject to the discipline of the House or answerable to the people through the ballot box. Despite examination of the response by the presiding member and perhaps the Standing Orders Committee, it may be defamatory of another person who would have no redress in the courts because the response would be subject to parliamentary privilege.

I now address the necessity. There are already some means by which citizens can have their version of the truth published. Citizens may seek to have members of Parliament make statements in the House on their behalf; and citizens may also seek to have their responses published by the media. The media, in fact, has an incentive to publish a citizen's response because section 7 of the Wrongs Act 1936 denies the media, which has published the report of the statement made in Parliament to which the citizen objects, the protection of the privilege conferred by section 7 if it has been requested to publish a reasonable letter or statement by way of contradiction or explanation and has refused or neglected to do so.

A recent example was the *Moriarty and Wortley v The Advertiser Newspaper Limited* case in 1998 where the *Advertiser* was held liable for damages for defamation in respect of a report it published of defamatory statements made about them in the House by the Hon. Angus Redford MLC. The *Advertiser* had been requested by Moriarty and Wortley to publish their letter of refutation and explanation but it had refused to do so and had instead offered to have its journalist write an article after speaking to them. This offer was rejected by Moriarty and Wortley because they would have no control over the content of the article.

The *Advertiser* pleaded that it was protected by the statutory privilege accorded by section 7 of the Wrongs Act. The court held that it was not protected by that privilege because it had refused to publish the letter of Moriarty and Wortley. Due to other circumstances in the case, the court ruled that the *Advertiser* was not protected by common law privilege. In the Commonwealth Senate it was argued, in opposition to the resolution, that giving the citizen this procedure amounts to an admission of failure by Parliament as it suggests, by implication, that there are a significant number of people who have been aggrieved by members of Parliament in Parliament and who cannot obtain redress through the normal procedures of Parliament.

I turn to the issue of effectiveness. Some weeks or months are likely to elapse between the time the citizen requests publication of the response and the publication. The timing of the response will be beyond the control of the citizen. As the House may accept or reject the committee's recommendation that the response be incorporated into *Hansard*, there would be an opportunity in the debate on the motion that the recommendation of the committee be accepted for a repetition or renewal, perhaps on a larger scale or in a more damaging manner, of the matter about which the citizen complained in the first place.

If a response is not read in Parliament but merely incorporated into *Hansard*, the audience for the response is less than the audience for the original statement as it will be seen only by those who read *Hansard* or those to whom an interested party shows *Hansard*. Incorporation of the response in *Hansard* may not get the same publicity in the media as the original statement, although in some cases this may be an advantage rather than a disadvantage to the citizen.

The procedure would increase the workload of the presiding officer and members of the Standing Orders Committee for a result that may be of minimal benefit to the citizen and of no benefit to the Parliament. It has been argued that, if the procedure comes to be used frequently, a failure to seek a remedy under this procedure would be seen as an acknowledgment of the truth of what was said in Parliament.

I turn now to the detail of the Bill. Even if it were to be decided that citizens should be able to have their replies incorporated into *Hansard*, the current Bill has several ambiguities or deficiencies and contains some clauses which are of questionable wisdom. Clause 3, for example, sets out the circumstances which give rise to a right to make a submission, and that appears to extend beyond the fact that the citizen has been defamed in that it goes beyond damage to reputation. The wisdom of that needs to be considered. Clause 3 may give a citizen who feels aggrieved by the reply of another citizen published under the Act a right to seek to have his or her reply to the reply incorporated in *Hansard*, thus allowing for ongoing requests.

Clause 7, as I have already indicated, would not prevent a person from issuing proceedings in a court. If the citizen is to be given the right to seek to have a reply incorporated into *Hansard*, there are alternatives. As I have indicated already, in Victoria the Legislative Council passed a resolution in October 1998 for a much simpler procedure. That procedure vests in the President the sole responsibility for deciding whether a citizen's reply should be incorporated into

Hansard. That would have several advantages over the Cameron Bill.

It is likely, for example, that a decision will be made more quickly, which would be more satisfactory for the complainant; politics are less likely to influence the decision; it avoids the necessity of a vote in the House and thus the possibility of reopening the matter in debate in a way which may cause additional damage to the complainant; and it would consume fewer public resources.

Of course, there is the possibility that it may overburden the Presiding Member, who would not have only to screen the requests, as under the Cameron Bill, but also confer with the relevant parties and make the final decision. And, I suppose it may be thought to repose too much power in the Presiding Member.

With respect to the latter point, I do not agree. The way in which the Sessional Order has been drafted, of which notice has been given, the President is entitled to speak to any member as well as to the member who alleges a prejudice or defamation. It seems to me—

The Hon. T.G. Cameron: Why are you supporting it up here and not downstairs?

The Hon. K.T. GRIFFIN: I and the Legislative Council take the view that this is a matter for each House and, if you look at the debate on the Standing Orders in the House of Assembly in November, you will see that the shadow Attorney-General moved about a six line amendment to the Standing Orders to provide a right for an aggrieved person to have a statement made in the Assembly. It took everybody by surprise. All the comments on it, certainly from the Government side, were that members would like to give more thought to it. They were not opposing it.

The Hon. Carolyn Pickles interjecting:

The Hon. K.T. GRIFFIN: I have no idea and I am not worried about them. They can make their own decision.

The Hon. T.G. Cameron: We could end up with two different Standing Orders.

The Hon. K.T. GRIFFIN: Well, you can, and we do now.

The Hon. T.G. Cameron interjecting:

The Hon. K.T. GRIFFIN: We do. It does not matter if the procedures are different. If we look at what happened in the Federal Parliament, we see that the Senate enacted something in 1988. The House of Representatives enacted it in 1997. In Victoria, the Legislative Council has passed a Sessional Order, but the House of Assembly has not done so, as far as I recollect. We have to recognise—

The Hon. T. Crothers: The Houses are both separate.

The Hon. K.T. GRIFFIN: They are both separate and distinct.

Members interjecting:

The PRESIDENT: Order! This is not a debate across the Chamber.

The Hon. K.T. GRIFFIN: It is a fair question, but if one has been in the Parliament and understands the separateness of the Houses, which is very much protected on many occasions (in fact, a Bill introduced by a member of the Opposition does that to some extent in relation to joint services), one realises that there is a whole range of differences. With respect to the Hon. Mr Cameron, we are doing this here and I hope it will gain support. What happens in the House of Assembly is a matter for it.

In conclusion, I will provide some information to the Council as to what has happened in the Federal Parliament. I am informed that between the end of February 1988 and 30 June 1996 the Senate received 27 requests to have a reply incorporated into *Hansard*. Of these, 22 replies were incorporated and five did not proceed because the persons concerned chose not to pursue the matter further after the Committee of Privileges had made contact with them. In no case did the committee refuse the request. Since then, there have been very few requests. Some editing or amending of submissions is almost invariably involved.

In the Senate it is a Committee of Privileges. It is a larger Senate and you have the capacity for that to occur. The committee usually confers initially with the submitter by telephone or facsimile. Requests have come from a wide range of people (and these are on the public record), including a former Premier, the Chairman of Australian Airlines, the President of the RSL, the Chairman of the Advertising Standards Council, representatives of refugee organisations, the Director of the Queensland Government Superannuation Office, public servants, a city councillor, a former town clerk, spouses and staff of senators, and private citizens, including an academic scientist. Between the inception of the procedure and 30 June 1996, the average time taken for right of reply reports was 40 days. The Senate Committee of Privileges has reported that the procedure has not been misused.

In the House of Representatives, remembering that its resolution was passed on 27 August 1997, and it is identical in substance with the Senate resolution of February 1988, there have been three requests for a reply to be incorporated in *Hansard* that have been considered by the Committee of Privileges, and all three have been refused. I am not able to indicate why they were refused because I do not have such information, except that one was refused because the statement about which the citizen complained was made in the House before the date of the resolution, and it was decided that the resolution did not have retrospective effect.

I thought it was important to give that detail in relation to this issue. I would hope that, notwithstanding that I am indicating that I and members of the Government in the Council do not support the honourable member's Citizens' Right of Reply Bill, he will understand that at least on the information which I have there are good policy reasons for moving to a Sessional Order rather than to an Act of the Parliament. In that context I indicate opposition to the second reading of the Bill but support for the principle.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

[Sitting suspended from 5.55 to 7.45 p.m.]

GAMBLING, ELECTRONIC

Adjourned debate on motion of Hon. Nick Xenophon:

I. That a select committee of the Legislative Council be appointed to inquire into and report on the feasibility of prohibiting Internet and interactive home gambling and gambling by any other means of telecommunication in the State of South Australia and the likely enforcement regime to effect such a prohibition;

II. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that Standing Order 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only;

III. That this Council permits the select committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the Council; and

IV. That Standing Order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses

unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating—

to which the Hon. C. Zollo had moved the following amendments:

Paragraph I:

1. Leave out the words 'the feasibility of prohibiting'.

2. Leave out all words after 'the State of South Australia' and insert 'and the desirability and feasibility of regulating or prohibiting such activities'.

(Continued from 25 November. Page 317.)

The Hon. P. HOLLOWAY: I support the amendment to this motion that has been moved by the Hon. Carmel Zollo. I move a further amendment, as follows:

Paragraph 2—Leave out the words 'that the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and'.

The purpose of that amendment is simply to reduce the size of the committee to five members in order to be consistent with other select committees under Standing Orders. It is my understanding that the Hon. Nick Xenophon will be a member of this committee and that the Australian Democrats will not have a representative on it. I also point out that, because the subject matter of the committee relates to gambling, it is a conscience issue for Labor Party members.

I will now deal with the crux of the motion. It is timely that we should look at the use of the Internet and its implications for the gambling industry. There is no doubt that use of the Internet has been growing very rapidly; in fact, it has been projected that its use is increasing from anything up to 50 per cent per year. Members in this Parliament are now being connected to the Internet, and I am sure that many members will for the first time understand the implications that the Internet will have on many aspects of our future, not the least of them being gambling.

Internet gambling is a particularly important issue, because of its social consequences and its financial implications. The Hon. Nick Xenophon is obviously concerned about the social implications of Internet gambling, as we all are. However, we also need to look at some of the financial implications that may be associated with it, given that a large part of our State revenue is based on taxes raised from gambling. So, we need to look at both issues as they relate to Internet gambling.

The second part of the motion deals with telephone gambling. We may have to be a little more careful in that area. Some established forms of gambling arguably come under that definition, particularly the use of the TAB and telephone accounts. We will have to see exactly what implications the establishment of a committee might have for that. I would not see those matters being changed, but the committee can form its view on that.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: They are some of the things we will have look at.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: It has been established. That sort of gambling has been permitted under existing laws. While one can look at the merits of it, we may wish to look at that in a different light than gambling under the Internet. They are obviously matters for the committee.

There are a number of issues regarding what one can do about the question of Internet gambling should we so decide. Certainly, the telecommunication powers under the Australian Constitution reside with the Commonwealth Government. However, it may well be possible to regulate Internet gambling in an indirect manner if that is considered desirable; for example, the States have the power over certain credit arrangements. It may well that the State can exert some influence in those areas.

I suspect that, if there is to be an approach towards effective regulation and/or prohibition of Internet gambling, it may well need some coordinated State and Federal response, but that is something the committee will discover. Either way, the matter of whether the States can do something effectively in their own right or whether they need to act in concert with other levels of Government would be a very useful exercise for this Parliament to look at and better inform ourselves on those issues.

I support the Hon. Carmel Zollo's amendments, because they place this motion in a neutral context. Given that this is a conscience issue, members will approach this issue with different points of view. In setting up this committee, we should not predict the outcome. We should set the objectives in a neutral way, and that is why I support the amendments which have been moved by the Hon. Carmel Zollo and which indicate that we should look at either the regulation and/or prohibition of Internet gambling.

With those brief comments, I support the establishment of this select committee, with the amendments that I have just endorsed. I hope this committee will be able to make a worthwhile contribution towards this subject, because it is one of those issues where we in Parliament have probably allowed ourselves to stray a little behind developments. The sooner a substantial number of members in this Parliament are better acquainted on these issues, the better we can form good law in those areas. I support the motion.

The Hon. R.I. LUCAS (Treasurer): The Government does not oppose this motion. It has already been indicated that the numbers are sufficient to ensure the passage of the motion and the establishment of the select committee, so we will not oppose the establishment of the select committee. I guess one needs first to look at the breadth of the motion of the Hon. Mr Xenophon; it is important to look at what it is he is seeking to prohibit. If one looks at the first part of his motion, he talks about prohibiting Internet and interactive home gambling and gambling by any other means of telecommunication in the State of South Australia, and the likely enforcement regime to effect such a prohibition. That is an extraordinarily wide prohibition that the honourable member is seeking to implement, although a number of members have already indicated their support for it.

By way of interjection, I asked the Hon. Mr Holloway how he was seemingly distinguishing telephone betting with the TAB or with the bookmaker. There are many South Australians who, through telecommunication—that is, a telephone line—have for many years been interactive home gambling, gambling with gambling service providers in South Australia. If we are talking about interactive gambling in its literal sense, as in people who gamble from home, we already have many hundreds if not thousands of working class South Australians who do not mind having a punt from home and who have done so for many a year. What the Hon. Mr Xenophon is seeking to do is prohibit—

The Hon. Nick Xenophon interjecting:

The Hon. R.I. LUCAS: We know where your feasibilities end up, Mr Xenophon. It is the thin end of the wedge; the foot in the door; the toe in the water.

The Hon. Diana Laidlaw interjecting:

The Hon. R.I. LUCAS: Exactly. Others in this Chamber might be taken with the honourable member's suggestion that this is just a feasibility, but it is quite clear what the Hon. Mr Xenophon is intent on doing; it is made quite clear by his motion to establish the select committee. I support the amendment from the Hon. Carmel Zollo that tries to make this a bit more neutral and does not pre-suppose an end product from this select committee investigation. Certainly, the committee will need to look at the many existing forms of home gambling or interactive gambling that already exist in South Australia, where ordinary working class South Australians have for many years quite happily been able to engage in a form of entertainment; for some of them it is an investment, and for others it has meant losses. The Hon. Mr Xenophon's motion clearly is intent on prohibiting, on making criminals of them potentially, depending on—

The Hon. Nick Xenophon: That is nonsense!

The Hon. L.H. Davis: If you pass a law against it, you make them criminals. It's not nonsense.

The Hon. R.I. LUCAS: Yes. The Hon. Mr Xenophon quoted widely and with much favour the work of Senator Grant Chapman, a colleague of a conservative political persuasion in the Federal arena who, amongst his five points, says that it should be made illegal for consumers to engage in gambling through these services. The select committee will need to look most intently at the impact of a prohibition as broadly defined as that of the Hon. Mr Xenophon, as it might impact on existing forms of gambling which, as I said, have been enjoyed for many years, certainly from my viewpoint, without a sign of too many problems of the nature the Hon. Mr Xenophon fears.

Let us move on from that and talk about the real world of home gambling, Internet or interactive gambling today. Within the space of 12 months, emanating I believe from the Australian Capital Territory, sanctioned by the Territory Government and with the endorsement of the Australian Football League, anyone with their MAPICS home computer (provided by the Government or otherwise) or any home computer that they have will be able to participate in a national AFL-endorsed footy pools gambling competition. For all of us—although I am sure that does not include the Hon. Mr Xenophon—who engage with some joy in the footy pools—

The Hon. L.H. Davis: They don't have a footy pools competition in the No Pokies Party?

The Hon. R.I. LUCAS: Certainly not. But for those of us who have engaged for many years in a footy tipping competition, which is organised in virtually every office throughout the nation, there will be a nationally promoted competition available over the Internet from your home, where you will punch in your tips every Friday or whenever and, instead of winning the $20 in the local office pool, you will potentially be up for considerably greater benefits provided through a Government endorsed licence in another Territory, endorsed by the Australian Football League. I will be in there with my ears back, trying to raise a bit of money to help balance the budget. I will use my own money, but—

The Hon. T.G. Roberts interjecting:

The Hon. R.I. LUCAS: No, this is the AFL. West Adelaide is not there yet.

The Hon. L.H. Davis: The Government will have six to one on the Crows winning the premiership to balance the budget.

The Hon. R.I. LUCAS: We will put $1 billion on it and see how we go. Many thousands of South Australians already engage in a footy pools competition either in their office environment or from home. Shock, horror: they might even ring someone from home using a telecommunications device to put in their footy pools tips if they are home sick, or through the computer—as our office pool in Treasury is done, through e-mail.

The Hon. Diana Laidlaw: You'll do anything to balance the budget!

The Hon. R.I. LUCAS: We will do anything. So, every Friday I have to get my tips in. Instead of sending one to Treasury I will be able to send one off to the AFL, the ACT or anything else.

The Hon. Diana Laidlaw: Are you winning?

The Hon. R.I. LUCAS: No, I am not winning. I am always one short.

The PRESIDENT: Order! I think there has been enough mirth for a while.

The Hon. R.I. LUCAS: We can't have mirth in this Chamber, Mr President! I must say that I have been told that the only joy I have brought to Treasury officers in the past six months was when every Monday morning they would hop in the lift and have a smile on their face if they knew they were ahead of me in the footy pools. I used to please a lot of people within the Treasury building, because at least they knew they were ahead of the Treasurer in the footy tipping. But there are literally hundreds of thousands of ordinary South Australians and Australians who enjoy footy tipping and footy pools, and I am positive that, when the AFL endorsed and sanctioned interactive home gambling footy pool competition is provided, you will see hundreds of thousands of ordinary Australians engaging in a punt from home. Is any great trauma to be created by ordinary Australians enjoying a little bit of a punt?

The Hon. P. Holloway: Will you get some tax out of it?

The Hon. R.I. LUCAS: That is an important point. Under the current arrangements, the ACT will get it all.

The Hon. P. Holloway: That's the important issue.

The Hon. R.I. LUCAS: The Government is not driven solely by money, but I understand the Hon. Mr Holloway's point of view: he believes that is the important issue. I will agree with him at least in part: the Government is interested in broader social issues as well as the revenue implications for this State, because the revenue base of the State is obviously how the Government is able to implement its social and economic programs. If we do not raise money and if all our money goes to the ACT footy pools rather than being bet in South Australia, the ACT Government and Kate Carnell—God bless her little cotton socks—will be delighted, because they will be getting all that money from South Australian punters.

The Hon. L.H. Davis: If you live in Canberra, you wear more than cotton socks.

The Hon. R.I. LUCAS: My colleague tells me that you wear woollen socks if you live in Canberra. Most members would be aware of how many members have had any association at all with Centrebet. I am not sure what they are called now since Jupiter's casino took them over. I think they might still be called Centrebet, based in the Northern Territory. The Northern Territory Government has not been much interested in this proposal for a nationwide regulatory regime. Why is the Northern Territory Government not interested? It is because literally tens if not hundreds of

thousands of Australians are placing bets on the Internet or over the telephone with Centrebet.

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: Well, overseas—that's fine. A lot of people from South Australia are betting on sports and a variety of other options with Centrebet. The reason the Northern Territory does not want to get involved in the national regulatory regime which is being discussed is because it is ripping the money out of States such as South Australia and other States as people continue to gamble with an authorised and licensed provider, as they used to, through a telecommunications device which the Hon. Mr Xenophon seeks to prohibit. I suppose we will talk about how telephone betting might be prohibited. We could have phone taps to see who is ringing Centrebet or betting on the Internet or engaging in interactive gaming with Centrebet as well.

The third area that I highlight is the Tasmanian Government, which as I think the Hon. Mr Xenophon and one other speaker has mentioned, has sanctioned the Wrest Point Casino and Federal Hotels providing casino gambling in Federal Hotels via the Internet. However, in an interesting twist—and we are still waiting to see how this will be done—the new Government has said that it is fine for everyone else in Australia to punt on Tasmanian Federal Hotels casino gambling, but they will ban Tasmanians from using the Internet to do that.

An honourable member interjecting:

The Hon. R.I. LUCAS: It has not been implemented at the moment because I understand that the Tasmanian Government is still trying to work out how it can ban Tasmanians from participating in this gambling opportunity.

Let me be the first to say—and let us not be glib about this—that there are significant social issues related to gambling. As Treasurer, let me be the first to acknowledge that. I do not treat this issue lightly. Secondly, if you go to your local lottery, TAB or gaming machine outlet or if you stay at home, you can lose a lot of money quickly. There is no doubt about that: you can lose a lot of money quickly with telephone betting at the moment either through a bookmaker—

The Hon. G. Weatherill: You could lose a lot of money on when we're going to finish today.

The Hon. R.I. LUCAS: Yes, George, you could lose a lot of money. You could lose a lot of money on whatever form of gambling you wish to engage in. Interactive gambling or gambling via the Internet will have exactly the same challenges.

I attended a conference in Tasmania last year. A number of us were able to sit down and, without putting in our own money, try out some of this gambling product offered by the Federal Hotels: playing casino games via the Internet. Clearly, people can, as they can with other forms of gambling, lose a good amount of money pretty quickly with that particular gambling product that is being provided.

The Hon. T.G. Roberts: Did Jim Bacon play?

The Hon. R.I. LUCAS: No. This was pre-Jim Bacon days; it was back in the Liberal Government days. Let us look at what is already available on the Internet. There are a number of providers of casino gambling products from, in particular, Caribbean jurisdictions. All you have to do is buy a search engine for your home computer—there are plenty of those—and I am told that it will not take more than 60 seconds to find a list of overseas registered and licensed gambling sites. I am also told that, at the moment, there are approximately 280 overseas sites available with 25 separate international jurisdictions and licensing companies to set up Internet gambling. All of that is currently available to the Hon. Terry Roberts sitting in front of his home computer in his lounge room in Adelaide or the South-East. He can dial up to any of those 280 sites.

The Hon. T.G. Roberts: I wouldn't be allowed.

The Hon. R.I. LUCAS: If your partner in life won't allow it, you can do it in the privacy of your office in Parliament House—we won't tell her. So, 280 sites are already available. Ultimately, there is nothing that you can do to prevent—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: The Hon. Mr Redford and I have a difference of opinion on this matter. That is very rare, but on this particular issue we do have a—

The Hon. A.J. Redford: You know what a computer junkie I am.

The Hon. R.I. LUCAS: Exactly. I know that. The Hon. Mr Redford and I are anxious to explore all the computer detail that this select committee will uncover. One of the propositions from the opponents is to make it illegal to set up gambling sites, preferably through the passage of Federal legislation. If anything was to be done in Australia—and I will even argue the case as to whether Australia can do anything because I am sure the United States will have problems with implementing the Kyl legislation if it passes both Houses of the United States Congress—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: Well, he must prove that he can do the first one before he can move on to the second one. He might not be the first politician to be unable to do what he said he could do. If you are going to try to do something, the opponents and supporters of this select committee would obviously agree that Federal rather than State legislation is a more amenable way of tackling this issue. Nevertheless, as I understand the Hon. Mr Xenophon's view and his draft legislation, he is intent on the State of South Australia leading the way, perhaps even leading the world, in the prohibition of interactive home gambling by any other means of telecommunication in South Australia. So, we then—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: If you are going to go down that particular burrow, we will have a very interesting select committee.

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: We will look forward to that. The Hon. Mr Xenophon said this would take only a few weeks. If this is completed within a matter of weeks, I'll go he for hidey.

An honourable member interjecting:

The Hon. R.I. LUCAS: If this committee is completed within a year, I will indeed be very surprised.

The Hon. A.J. Redford: You'll buy a round of drinks!

The Hon. R.I. LUCAS: The Hon. Mr Redford has challenged me: I will buy a round of drinks. He has challenged me; he has dared me; I will buy a round of drinks. I will even buy a drink for the Hon. Mr Xenophon in the parliamentary bar if this is completed inside a year. This is an enormous issue that the Hon. Mr Xenophon is talking about prohibiting. As I said, it relates not just to computer gambling but to any means of telecommunication out of the home. How do you prohibit that and run to the ground people who might be betting illegally?

When we refer to making it illegal to establish gambling sites, I am told that it is technically possible to endeavour to do that. But one of the big issues which the CSIRO has noted

and which it reports is that, whilst technically possible, it would be very expensive to block overseas Internet sites. At the end of day, those people determined to gamble on-line will do so anyway by directly dialling overseas Internet service providers. So, presumably we will need another law controlling who you can telephone overseas—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: I noted the interesting argument from the Hon. Mr Redford in his contribution. I am sure that we can explore the murder laws as well, if he likes, in this select committee. As the CSIRO reports, if you make it illegal to establish gambling sites here you can, via the telephone out of your home, link yourself into an Internet service provider located outside Australia and access particular gambling jurisdictions. For example, I am told that there is nothing to stop the Hon. Mr Xenophon, if he wanted, from paying an Internet service provider in the Caribbean for space on its server to establish an Internet and interactive gambling site.

The Hon. Mr Xenophon would obviously have to pay a licence fee to the Caribbean Government for a gambling providers licence. I understand that they are quite happy to hand out these licences to providers. Some jurisdictions are less rigorous than others in terms of to whom they hand out these licences. In terms of the regulatory regime, at least if there is some level of consumer regulation and protection where only people who jump the high bar in terms of the quality of their product, and whether they have the money to cough up the winnings rather than some Caribbean jurisdiction—

The Hon. A.J. Redford: Why would somebody come here for the high bar if they can go to the low bar in the Caribbean?

The Hon. R.I. LUCAS: Because if you are a punter who bets with a registered, reputable, Australian-based gambling provider whom someone stands beside and says they will pay you when you win, that will count for a bit more than if you make a bet with a Caribbean provider where you think you are going to win but where, of course, they close up shop, close down the web site and go somewhere else. Those of us who are punters in this place and who want to protect some of the interests of punters want to make sure that, if people want to take a punt and take a risk, they get the money they are meant to get if they win. We do not want a situation where some fly-by-nighter registered in the Caribbean, when it happens to get too hot and they make too many losses, closes down the web site and the punters in South Australia—

The Hon. T.G. Roberts: Send the boys around!

The Hon. R.I. LUCAS: Well, it's a long way from Adelaide to the Caribbean. You think you have won, but you have lost your money. There are some important issues in terms of the regulation of this product. Let us continue with this Caribbean experience. As I said, some of the less rigorous jurisdictions do not care what the operators do with their sites once the site has been licensed: they are just concerned about the fee. Once the Hon. Mr Xenophon has his service base and Government permission, he can access that site and make changes to the web pages any time, from anywhere in the world, from his laptop computer. The Hon. Mr Xenophon does not need an office: all he needs is—

The Hon. A.J. Redford: How will you to stop that if the licence is here?

The Hon. R.I. LUCAS: Because they will have to be registered and they will have to pass a high bar in terms of having the financial resources behind them to offer a gambling product. This is what we do in terms of licensing, whether it be the Lotteries Commission, gaming providers, TABs, casinos or whatever else it is in Australia. At least they are here and you can make some judgments about who is providing the gambling product to you.

The Hon. A.J. Redford: So, do you reckon they are more inherently honest than overseas people?

The Hon. R.I. LUCAS: No, it is just that they are a lot closer and you can get at them. It is not necessarily that they are inherently more honest than anyone else; it is just that the regulatory authorities can get to them because they exist within Australian jurisdictions and have to operate under Australian law. They do not operate under Caribbean law, so—

The Hon. A.J. Redford: I will bet on a high volume American provider who wants a lower market.

The Hon. R.I. LUCAS: If the Hon. Mr Redford wants to bet on the American providers, that is his entitlement. If you want to make it illegal to establish gambling sites, how—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: I am happy to accept that acknowledgment. The example I have just given highlights—if you make it illegal to establish a gambling site—how easy it is with a mobile telephone, a laptop and a compliant Caribbean jurisdiction to establish a gambling site in such a jurisdiction that is then available for anyone in South Australia or Australia to punt on. So, you get around the notion of making it illegal to establish a gambling site in Australia or South Australia in terms of this legislation. The Hon. Mr Xenophon will be able to establish it from here in an international jurisdiction just by using the mobile computer and the mobile telephone which have been provided to the honourable member. Under that arrangement no-one in Australia needs to know, especially the authorities, that the Hon. Mr Xenophon owns that site and that all proceeds were being transferred to him here in Adelaide via electronic funds transfers—despite the fact that running a site in Australia would be illegal.

The other suggestion from Senator Chapman and others is to make it illegal for Internet service providers to host gambling sites and to allow access to gambling sites. Again, some of the work of the CSIRO indicates that certainly the first part of that is a little more manageable than the second part, that is, the notion of Internet service providers hosting gambling sites as opposed to how you prohibit allowing access to gambling sites. The comment from the CSIRO and others is that it is very difficult and expensive to monitor who gets access from the Internet through their server. Most ISPs can have more than 1 000 people on-line at any one time, accessing a series of very fast computers linked up to the Internet. To keep an eye on what people are up to whilst they are on-line would be very time consuming and complex. It means that the ISP will have to be a big brother and have someone monitoring on a daily basis what has been accessed and by whom.

It will be a daily task and a very expensive one, not to mention the issue of the invasion of privacy. I note that in the past two weeks the Hon. Carmel Zollo asked a question in this Council about who has access to the Internet log files and also raised some concerns about privacy issues. If that is an issue of concern for her, I highlight to the Hon. Carmel Zollo that, if a member wants to make it illegal for ISPs to allow access to gambling sites, someone will need access to the Internet log files of all South Australians. Certainly, the ISPs will need access—continued access, daily access and

reporting—in some way to some authority in respect of identifying which consumers have been accessing which particular illegal gaming sites.

The Hon. Carmel Zollo interjecting:

The Hon. R.I. LUCAS: They have access, but they do not report to some authority as to who has access to those gaming sites. Those who want to support the prohibition—and in particular this notion of making it illegal to have access to gambling sites—will need to wrestle with the privacy issues that the Hon. Carmel Zollo raised just in relation to members of Parliament and the issue she raised earlier in Question Time about MAPICS.

Senator Chapman and others have argued that it should be made illegal for consumers to engage in gambling through these services. The important issue in relation to that is how any jurisdiction, particularly the State of South Australia, would be able to police the use of the Internet by ordinary consumers in their home on any of the existing—

The Hon. T.G. Cameron: The Federal police could do it.

The Hon. R.I. LUCAS: The Hon. Mr Cameron suggests that the Federal police could do it. The same ones who spoke to your former Federal colleagues, perhaps? If they have nothing to do but intercept Federal Labor members of Parliament at Canberra airport they could be retrained.

The Hon. T.G. Roberts: They got Cheech and Chong!

The Hon. R.I. LUCAS: I won't call those Federal members Cheech and Chong. The Hon. Mr Roberts might call them Cheech and Chong, but I will not. I would have thought that at least one of them is the most unlikely person ever to be suspected.

The Hon. Carmel Zollo: Both of them.

The Hon. R.I. LUCAS: I can only speak about one. One of them, I would have thought, is the most unlikely person ever to be suspected. I could nominate a few more likely types, but I will not go down that path. Maybe they could be retrained to zip in and out of the bedrooms, lounge rooms and offices in the homes of South Australians who are illegally punting on computers or illegally betting on the telephone with bookmakers and with the TAB, if they have telephones credit accounts—

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: That's true; they could come to Parliament House to catch up with the Hon. Terry Roberts because he is not allowed to do it at home and can only do it in the privacy of his office here in Parliament House. There is an enormous issue in terms of how this might be policed, if it is to be policed.

The Hon. A.J. Redford: You wouldn't be Treasurer, would you?

The Hon. R.I. LUCAS: I am certainly Treasurer. The fourth plank of the prohibitionist model—and I will not go through all the others—is, I am told, that it should be illegal for financial institutions to facilitate payment by users of this form of gambling. I look forward with relish to hearing representatives of the Australian Bankers' Association present evidence to the select committee on that.

I am not sure whether the Hon. Mr Holloway and the Hon. Mr Weatherill are to be members of the select committee. I will look forward with much interest to this novel suggestion from the prohibitionists that it will be made illegal for banks and other financial institutions to facilitate payment by users of this form of gambling, whether it be an Australian or an overseas product. How will that be done? This is the suggestion from the prohibitionists that this is the bold, new vision of how we would stop this form of gambling. Talk to your bankers about this.

The Hon. J.F. Stefani interjecting:

The Hon. R.I. LUCAS: That is one option. The proposal will mean that banks and other financial institutions will have to monitor all their customers' expenditure on credit cards and withdrawals from savings accounts. They will have to sort through the telephone numbers, the account provider or where they are located to see whether a customer is betting with Centrebet in the Northern Territory or betting with—shock, horror—the ACT Government's licensed footy pools provider over the computer. The banks in South Australia will have to go through the Hon. Mr Holloway's credit card accounts and savings accounts and, if they find that he has drawn something to the credit of the ACT Government or Centrebet in the Northern Territory, they will have to make that transaction, or those transactions if he is an inveterate gambler—

The Hon. L.H. Davis: We know that he bought some privatised Telstra shares.

The Hon. R.I. LUCAS: He did that. That is probably not as much a gamble as what we are talking about. That was a very reasonable investment from a man who is an inveterate opponent of privatisation. We acknowledge the flexibility of his principles. Nevertheless, it is probably a good investment. Those people who are great supporters of civil liberties and privacy should look at the practicality of what has been suggested. What has been suggested is that banks and financial institutions should trawl through every credit card purchase, every savings account withdrawal or whatever else to find the ones which are illegal—

The Hon. A.J. Redford: And report it to the police.

The Hon. R.I. LUCAS: I presume they are then required to report it to the police. So the banks will then get these retrained Federal police officers that the Hon. Mr Cameron has suggested to follow this issue through, and the Hon. Mr Holloway would then get a visit because a bank has identified that he made an illegal payment to Centrebet or an illegal payment to an ACT licensed—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: That's an interesting point. How does the South Australian Government get the money back from Centrebet?

The Hon. A.J. Redford: No, Paul gets it back.

The Hon. R.I. LUCAS: But how does Paul get it back?

The Hon. A.J. Redford: You're speaking like a Treasurer again.

The Hon. R.I. LUCAS: No, I am asking the question here. The Hon. Mr Holloway has transferred the money through his bank, Centrebet or the ACT have got it, the bank trawls through his account—

The Hon. A.J. Redford: No, he's rung them already by now because the horse hasn't come through.

The Hon. R.I. LUCAS: So he wants his money back; I see. So he rings the bank, which then dobs him into the police. The police visit him and I presume charge him with illegal gambling and illegal betting, but the question for the Hon. Mr Redford is: how does he get his money back? The South Australian Government does not have jurisdiction to—

The Hon. A.J. Redford: The bank gets it back.

The Hon. R.I. LUCAS: Why would the bank give it back to him?

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: The Hon. Mr Redford says the bank would give it back. So that means that, before the Hon. Mr Holloway does any credit card purchase, the bank will first want to vet the transaction and clear it. We are saying that, every time the Hon. Mr Holloway wants to bet from home or wherever, before it is allowed by, say, the ANZ Bank, it will check the transaction and then say, 'No, we are not going to let you bet, Mr Holloway'. In other words, it will check every credit card purchase before each transaction because he might slip in this particular type of transaction once out of every thousand credit card transaction. So, the bank will check every transaction to keep track of what is happening, given that there are 280 already registered gambling jurisdictions throughout the world. We have registered and licensed jurisdictions in other States and Territories, so you have to know every one of these account numbers, and Heaven forbid if—

The Hon. Carmel Zollo: It's not that hard.

The Hon. R.I. LUCAS: I hope the Hon. Carmel Zollo listens to the evidence of the Bankers' Association or the representatives of the banks before the select committee when those members who support the prohibitionist model suggest that it will be their responsibility to make sure that the Hon. Mr Holloway does not bet on interstate providers because, if he does, and he gets through the net, as the Hon. Mr Redford suggests, the banks will have to pay.

The Hon. A.J. Redford: You have to be very careful.

The Hon. R.I. LUCAS: They'll be very careful. I have much more to say, but time is get getting away and we have lots of other interesting things to do this evening. They are only four or five of the—

The Hon. Diana Laidlaw: And you're going into this with an open mind?

The Hon. R.I. LUCAS: I am going into this with a very open mind. It is as open as all the other members of the select committee. It is as open as the mover of the motion, who wants to ban anything that moves in relation to gambling. I go into this select committee with as much of an open mind as the Hon. Mr Xenophon. I am saying, 'Let's get into the real world in relation to this debate and let's ask some practical and real questions.' Everyone would like to do certain things but, in the end, you have to make judgments as to whether it is practically possible, because this Council will be asked by the Hon. Mr Xenophon in his big Bill, which will be tabled next week, after his little Bill is defeated, if that is the case, to ban and prohibit all of this form of gambling.

So, before members vote on these sorts of issues they must be properly informed. For those who have not been following this debate closely over the past 12 or 18 months, a number of reports and inquires—national and international—have looked at this issue, most recently the Social Development Committee with the Hon. Caroline Schaefer as Chairperson. There have been many inquires, and I am delighted to be part of one further inquiry in relation to this issue. But, as I said at the outset, if the Hon. Mr Xenophon thinks this will be over in a matter of weeks, he has a big surprise coming, because in my judgment, sadly, it will take a long time. I have served on some longstanding select committees in my time and I hope this does not go as long as some of those did.

The Hon. Carolyn Pickles: Some of them go all over the world.

The Hon. R.I. LUCAS: I do not know whether the Hon. Mr Xenophon wants to go all over the world as a result of this. This may be a clever strategy for him.

The Hon. Nick Xenophon: No, I will surf the net.

The Hon. R.I. LUCAS: He will surf the net, will he? So, it is not a clever strategy to visit all these Caribbean jurisdictions and gambling service provider sites. The Government does not oppose the establishment of the committee, but I suspect that it will be a long time in reporting.

The Hon. NICK XENOPHON: I thank honourable members, some more than others, for their contributions. This is not a trivial issue. I welcome the fact that the Treasurer will obviously be on this committee and engage in a robust debate, and I think an adversarial approach would be welcome, as we need to get to the bottom of this.

There are some important issues to be investigated, and for the Treasurer to talk about this being a case of stopping people playing the footy pools or making criminals out of people using TAB phone betting facilities is really not the point at all. If the Treasurer took the time to read what I said in my remarks on this motion on 4 November 1998, he would realise that this is very much about Internet and interactive home gambling in terms of the new technology that is available, the challenges presented by digital television and the fact that our living rooms can be turned into virtual casinos in years to come.

This is a serious issue, which involves access of gambling facilities to children in a direct sense and which deserves serious consideration to protect at least children in the context of having access to another highly addictive form of gambling in people's homes. I consider it to be a worthwhile committee to be on.

I am not a betting man, but I would like to think that this will be over and done with well before the time frame suggested by the Treasurer. I have put a reporting date of 7 July 1999 on it. I am sure that, if the committee met on a regular basis, as I know the Treasurer would want in order to dispose of the matter, we could make considerable headway.

Hon. C. Zollo's amendment carried; Hon. P. Holloway's amendment carried; motion as amended carried.

The Council appointed a select committee consisting of the Hons R.I. Lucas, P. Holloway, A.J. Redford, G. Weatherill and Nick Xenophon; the committee to have power to send for persons, papers and records, and to adjourn from place to place; and the committee to report on 7 July 1999.

GAMING MACHINES (FREEZE ON GAMING MACHINES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 9 December. Page 442.)

The Hon. K.T. GRIFFIN (Attorney-General): My heart tells me that I should support the second reading of this Bill for a variety of reasons, not the least of which is that when the principal Act was before the Parliament in 1993 I was a vigorous opponent of the introduction of gaming machines, and I have considerable concerns about the effect which gaming machines have on some individuals in our society, an effect which perhaps is unparalleled but which also follows to a more limited extent from other forms of gambling and gambling addiction. On the other hand, my head tells me that to follow my heart will be a course which potentially causes even greater difficulties. So, I have a dilemma, and I want to explore some aspects of the issue in resolving that dilemma.

When the Liberal Government came to office in 1993 the Gaming Machines Act had not been proclaimed to come into

effect. We were faced with the difficulty as a Government that it was Parliament's will that it be enacted and, if we had not taken some steps to bring it into operation and to satisfy the will of the Parliament, it would have come into operation automatically after two years by virtue of the operation of the Acts Interpretation Act. In those circumstances the Government, having just come to office, felt that it really had no option but to implement the will of the Parliament.

The Hon. Nick Xenophon interjecting:

The Hon. K.T. GRIFFIN: We didn't have the numbers to repeal it—not necessarily. No-one tested the numbers to determine whether or not the numbers would allow a repeal. It is all very well for the Hon. Mr Xenophon to say, 'You had the numbers to repeal it.' That was not tested. However, from my point of view, it was a matter of some concern.

The Hon. T.G. Roberts: He's assuming that you have the numbers on that.

The Hon. K.T. GRIFFIN: No, he is assuming beyond that. He is assuming that, regardless of whether or not I am a numbers man, the numbers were there. Maybe he has a crystal ball that others do not have, or perhaps he knows something that I do not know. Those who were involved in the debate would know that it was a very vigorous debate which depended ultimately on the vote of one person in the Legislative Council in the early hours of the morning. We came out of the parliamentary debate with something of a dog's breakfast in terms of the regulatory controls over gaming machine licences.

However, we now have to live with the situation that it is the law which is currently being applied, and it is a question of how we deal with some of the consequences of the legalisation of gaming machines. One of the difficulties is that very limited public input is permitted in relation to whether or not a gaming machine licence should be issued.

Members who participated in the debate on the Liquor Licensing Act of 1997 will remember that the Government made a special effort to ensure that the role of local communities was enhanced in dealing with a variety of licences, particularly those that might cause community disruption. My information is that that works particularly well, but it is not mirrored by the Gaming Machines Act. That is one area that does need to be looked at, and I would certainly want to ensure that that is done. I understand the Hon. Mr Xenophon, when he introduces his substantive Bill, will address that issue. Whether he addresses it in a way that I would regard as consistent with the Licensing Act remains to be seen.

Let me return to the main issue. The law has been in effect now for five years. In that period of time, persons have made decisions—both business and personal decisions—based upon that law being properly implemented. Whilst I have had concerns about the spread of the availability of poker machines, we have no option but to honour the provisions of the law.

The Liquor and Gaming Commissioner has informed me that a number of applications are being made at present for a gaming machine licence and that there are a number of applications for an increase in the number of machines that might be available in premises which currently have gaming machine licences.

If there is a freeze on the grant of gaming machine licences, including those where an application has already been lodged, it would likely result in existing contracts for the purchase of perhaps hotels terminating, with some operators who have invested a large amount of money in anticipation of being able to obtain a licence losing substantially. If it applies to future applications, there may be a lot of small hotels and clubs, particularly in rural South Australia, which are either now applying or are likely to apply for licences or an increase in the number of machines.

In particular, it would disadvantage those licensees who played the game and have not lodged an application, because they are not yet ready to make their investment decisions, whereas others, even though they have no present plans for investment decisions, have actually lodged applications and, in a sense, had them in the pipeline.

Any freeze which is enacted will necessarily have adverse personal and potentially adverse business consequences, and that is really the dilemma. I do not think the Parliament ought to be legislating to create circumstances in which those who might currently be in the midst of development or other work who have made business decisions based on the law as it is should be disadvantaged.

In respect of the Bill itself, I understand that some amendments are proposed if it gets through the second reading stage. However, if the Bill were to be passed by the Legislative Council, it would go to the House of Assembly. It would not be passed for at least three or four months, because it would be dealt with in the House of Assembly as private members' business. So, the freeze would not become effective, anyway, for at least another three or four months.

In that period of time, it would hopefully be possible to deal effectively with the substantive issues which the honourable member intends to raise in his legislation. It may well be that he gains some support from not just members in this House but members in the House of Assembly for some of the constraints which might be proposed, including those on advertising, the attractiveness of machines, some of the practices which are engaged in, as well as, as I have indicated earlier, the level of community involvement in the determination of whether or not a licence should be granted, either to establish gaming facilities or to extend them.

If there was an easy way in which we could deal with this issue, then I would certainly be much more receptive to doing it. The difficulty with a freeze is not only the matters to which I have already referred but also the fact that, if one imposes a freeze, even if it is a temporary freeze, does that then enhance the value of those licences which have already been issued? If it is a permanent freeze, quite obviously it would. The last thing I would like to do is—

The Hon. T.G. Cameron: Not necessarily.

The Hon. K.T. GRIFFIN: I think it probably would.

The Hon. T.G. Cameron: It probably would, but you can't say it for certain.

The Hon. K.T. GRIFFIN: The probability is that it would. If it was a permanent freeze, it would enhance the value of those existing licences, because they remain—

The Hon. T.G. Cameron: Only if everything else stayed static would that occur.

The Hon. K.T. GRIFFIN: That's right. But one presumes that the rights which are currently being created and vested will not be withdrawn. If there is another problem—

The Hon. T.G. Cameron: The Government could increase the tax, which would lower the value of the machines. You've done that once already.

The Hon. K.T. GRIFFIN: It could do that. It won't necessarily follow that the value of the licences will be reduced as a result of an increase in tax. It depends on so many variables, and I acknowledge that it does. However, the probability is that the values of licences would increase.

I have concerns with gaming machines. I would very much like to see substantive issues addressed rather than just a temporary freeze, because I do not think a temporary freeze will achieve the sorts of outcomes for which the honourable member is hoping. I do not think that they are going to be achieved in a way that is in the best interests of the wider community. In any event, even if it were to pass, the freeze is not going to occur for another three or four months at least. In that time I think we can do something more substantive and creative than what is proposed. What is being proposed is a very blunt instrument, and I suggest that it is an ineffective instrument in dealing with this issue.

The Hon. T.G. CAMERON: I support the proposition in this Bill. At the outset, I would like to say that I am not anti-gambling, nor am I anti-poker machines.

The Hon. Nick Xenophon: Neither am I.

The Hon. T.G. CAMERON: I did not say you were; I was talking about myself. I was not in Parliament when this legislation was introduced, so I will not speculate about what I may or may not have done with it had I been here, although I do concede that an enormous amount of pressure would have been placed on me by my Labor colleagues to support the proposition to introduce poker machines into South Australia. I would also like to put on the record that I am not a gambler. In fact, I rarely gamble—

The Hon. R.I. Lucas: You buy shares.

The Hon. T.G. CAMERON: If you will just be patient—preferring instead the slower, surer method of investing in the stock market or in property. I learnt at an early age in life that you cannot win in the long run; there are too many fingers in the pie, particularly those of the Government. There is no doubt that when poker machines were introduced here in South Australia the hotel industry was on its knees. Employment was down, hotels were being sold for a song, the State was in recession, drink driving laws were keeping people away from hotels, and the hotel industry, prior to the introduction of poker machines, was in a sorry state. I do not think that anyone in this Chamber would deny that poker machines have been the salvation of the hotel industry in South Australia.

I have spent many a long hour discussing the issue of poker machines with the Hon. Trevor Crothers, a former longstanding official, and former Secretary, of the Liquor Trades Union. I do not believe that anyone in this Chamber knows the liquor and hospitality industry with the degree of intimacy that he does. I am sure that he would agree that poker machines restored the fortunes of the hotel industry here in South Australia. We can debate whether the correct decision was made to put them in hotels and not in clubs, and we can debate whether or not the correct decision was made to introduce poker machines here in South Australia. But my experience with politics is that hindsight is a wonderful thing. I never cease to be amazed by people in politics who, years after having supported a piece of legislation, turn out to be its strongest critics.

The reality is that poker machines are here and we have to deal with that. I put to the Council and to the Hon. Nick Xenophon that, had we introduced poker machines into clubs and not into hotels, we would probably still be having the same debate that we are having here today. New South Wales went down the path of introducing poker machines into clubs, and New South Wales has the highest market penetration of poker machines of any State or any country in the world. One thing we can be fairly certain of is that, at the time poker machines were introduced into South Australia, had they been introduced into the club industry and not into the hotel industry I suspect that over half the hotels in Adelaide would have closed. In my opinion, in one fell swoop it would have completely decimated the hotel industry. Again, I think the Hon. Trevor Crothers would agree with that statement.

I said before that we have to look at the political reality. We have poker machines here in South Australia—over 12 000 of them, I understand—and I am sure that the Hon. Nick Xenophon will ensure that the debate on poker machines continues until his last day in this Chamber, whenever that might be. The reality is that we have introduced poker machines into South Australia. In almost every hotel you go into you will see them sitting in a corner, buzzing, flashing, ringing and spitting out tokens. One of the main problems I have with poker machines is that you never get out as much as you put in. I have said that I am not anti-gambling: I have gambled before in my life, and I could not think of a quicker, surer way of losing your money in any form of gambling with any more certainty than with poker machines.

I do not think that, at the time poker machines were introduced, people in South Australia realised that they were going to be taken up with such gusto. In a way, we should have known: we only had to look at experience interstate, which would have given some indication of what we were letting ourselves in for. I understand that licences have been issued for over 700 machines but that these machines have not been placed in the hotels, and I raise a question mark about why we are giving hotels licences for poker machines if they do not introduce them. I suspect that people are buying them because they are fearful that there may be some freeze put on, and also buying them so that they can then place their hotel on the market already licensed for poker machines.

I am not sure whether there is any time limit on the issuing of these licences. If there is not, then I suggest to the Hon. Nick Xenophon that, when he is drafting his Bill, a time limit should be put on the issuing of licences. I suggest an absolute maximum of six months. If you apply for a licence and you are granted one and you cannot get the machines up and running in your hotel within six months, then you do not deserve to have a licence, and I believe that practice should stop. I do not believe that winding the clock back is a feasible proposition. Tens of millions of dollars, if not a figure over $100 million, has been invested in hotel facilities. New hotels have been built, and the hotel expansions and new hotels that have been built have factored in that they will be operating within poker machines.

One would assume that, when they did their feasibility study, they looked at the likely revenue flow from 40 poker machines and that all became part of the feasibility study as to whether or not that renovation would be done or that new hotel would be built. I am no lawyer, but one can imagine that if an immediate move was made by the Government to remove poker machines from hotels, to ban them altogether or to transfer them to clubs or somewhere else, I do not think there is any doubt—and I stand to be corrected on this if the lawyers want to have a crack at me—that we would be looking at probably the largest class action suit against the State Government that we have ever seen.

Despite some of the figures that had been bandied about regarding the potential liability that the State would face, I believe that it would be in excess of $100 million and that it could even run into a figure much greater than that. So, I think that talk of closing down the industry, getting rid of poker machines completely—unless it was an extremely

long-term proposition which allowed the public purse to absorb the liability claims that might be laid against the Government—or phasing them out in the short term is somewhat fanciful.

Poker machines were blamed by all and sundry, particularly small business, for their economic woes. The Hon. Nick Xenophon referred to the fact that I have spoken before about the impact that poker machines might have had on small business in South Australia, particularly the retail sector. Whilst I have not been particularly impressed with any of the studies that I have seen relating to precisely what impact poker machines had on small business and the retail industry when they were introduced into South Australia, I do not think that anyone can deny the proposition that poker machines had a negative impact on small business, particularly retailers, in South Australia.

However, that needs to be balanced against the fact that poker machines were introduced during a recession. In my opinion, South Australia has been mired in a recession for about eight or nine years. I know that the economists might not classify it technically as a recession because we have not had negative growth for two quarters, but if you go out into the real world you will realise that people are doing it tough in South Australia.

In my opinion, the precise impact that poker machines had on industry in South Australia is difficult to assess. Frankly, it is not conceivable that you can suck out hundreds of millions of dollars from a State's economy. We must remember that the money which many people—I suggest the majority—use to play poker machines is disposable income. If this disposable income is being soaked up to the tune of hundreds of millions of dollars by poker machines, there is no doubt that there will be a severe impact on the economy.

The Australian Hotels Association claims that investment in the industry increased and jobs were created. I do not think that anyone can deny that when poker machines were introduced into South Australia jobs were created; they were created in the construction industry and some of those jobs continue today. There is also no doubt that employment levels increased substantially in the hotel industry.

I suggest that the majority of them were part time and casual jobs. However, employment has increased substantially—there is no denying that—but I cannot help but think that these claims by the AHA about additional jobs being created in South Australia are exaggerated. I have never seen any serious attempt to quantify accurately just how many jobs have been created. You get glib figures thrown around by the AHA that 3 000, 4 000 or 5 000 jobs have been created, but that is a bit like Peter Reith's claim about creating jobs in small business with unfair dismissal laws. I simply do not think they can be justified.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. CAMERON: The Hon. Robert Lucas interjects that the claims about job losses were exaggerated. I suspect he was not listening to the earlier part of my contribution when I acknowledged that fact. There have also been claims about a whole range of problems that have been created in small business or the retail industry of jobs being lost and people blaming poker machines for bankruptcies, etc.

The Hon. T.G. Roberts interjecting:

The Hon. T.G. CAMERON: Well, just like I believe that the AHA has been exaggerating its claims about employment created in the industry, I suspect there has been a little bit of gilding of the lily on the other side. If we searched for the truth we would find it somewhere between the two. There is no doubt that the introduction of poker machines in South Australia had an impact on small business.

Where do we go with poker machines? To use a term that the Hon. Legh Davis throws around quite often: what is the political reality of where we are at the moment? First, Governments, whether they be Labor or Liberal, have become addicted to the revenue stream from poker machines. I have no doubt that they will oppose any measure that threatens that revenue base. So, winding back the clock would be extremely difficult if not impossible or totally impractical as both major Parties in South Australia would move heaven and earth to protect their revenue base.

However, what is clear is that the level of concern about the proliferation of poker machines and continuing increases in the number of people playing and the money being put through these machines is a cause for real concern in the community. Interestingly enough, this level of concern is greatest amongst those groups that provide support for what people have often referred to as pathological, compulsive or addicted poker machine players.

For us to sit back and do nothing would be to abdicate political leadership on this issue. I think every member of this Council—I include the Treasurer—knows in their heart that poker machines are causing real problems in the South Australian community. One of the insidious aspects of poker machines is that not just the individual gets hurt; often it is the family as well.

At this stage, I should thank the Hon. Nick Xenophon for his one hour contribution on poker machines. I am sure that members will applaud him for this, because it had the result of reducing my speech by about 20 minutes. I am nowhere near finished, but I have no intention of traversing all the material that the Hon. Nick Xenophon went through. It was probably the most informative summary that I have heard on the reality of the problems that are occurring in the community.

I do not think it will do anyone any good in this debate if we lock ourselves into a fixed position and start political point scoring on this issue. This issue is too important, as is the issue of interactive home gambling. I am disappointed with the Treasurer for the way in which he trivialised this issue—I believe that it does his standing with the public no good at all. I suspect that many of his supporters in the real world would be a little disappointed if they had the opportunity to read his contribution.

The Hon. R.I. Lucas interjecting:

The Hon. T.G. CAMERON: The Treasurer said that they all hate him. I think there were about 500 people down Semaphore way last night who certainly gave him the rounds of the kitchen. The Treasurer cannot glibly dismiss this question of poker machines by saying, 'Look, I really do not care; everyone out there hates me, anyway.'

The Hon. Diana Laidlaw interjecting:

The Hon. T.G. CAMERON: Well, he does not create that impression, and I do not think it does his reputation any good to trivialise this matter and flippantly joke about it. It is a serious matter, and it does not matter to whom you talk out there. Even if you talk to people who play poker machines, there is a real level of concern about how it impacts on families, particularly if people gamble compulsively. I propose an amendment to make the operative date as and from the day this legislation is passed. The Bill in its current form has an operative date on or after 28 August 1998, but that would be impractical because it would be retrospective,

brought about because the Bill has been in this place for some time.

I have been persuaded to move an amendment by the Hon. Caroline Schaefer, who in her contribution to this Council stated, 'I believe this would be unfair legislation.' In her contribution, the honourable member outlined her thinking to the Council. The Hon. Caroline Schaefer also queried whether the licences would become 'very rare and expensive'. I accept the probability that there may be some increase in these licences, but to gild the lily as we in this place do so often and claim that they would become rare and expensive is really going over the top—

The Hon. R.I. Lucas: What about taxis?

The Hon. T.G. CAMERON: I have had a bit to say before about the direction in which taxi licences are going. I seem to be a bit of a lone voice as I argue for more deregulation in the taxi industry. Over the past 10 years, the only two people who have been arguing for that, as far as I can tell, have been Frank Blevins and me. Who knows—Mr Blevins may well have been right all along. The Hon. Caroline Schaefer also expressed concern when she said, 'I believe it will have an effect upon the employment opportunities of a large number of people in this State, especially young people.' In the absence of reasons or evidence to support the honourable member's claim, one can assume only that the honourable member is referring to the retrospective nature of the legislation and that if it were passed in its current form a lot of poker machines would have to be removed from hotels, with a likely loss of employment.

If this Council were to endorse a freeze without a retrospective date, I fail to see how there would be any loss of employment in the hotel industry. I suppose one could argue that down the track there would be a loss of employment, because new hotels were not built or that hotels were not prepared to proceed with renovations unless they could get licences for poker machines. I do not have a crystal ball and I do not intend to start predicting what the future might hold for us, but to argue that by merely supporting a freeze you will cost jobs in the industry, quite frankly, is a nonsense. I invite the honourable member, having convinced me that we need this amendment, to convince me that there is any veracity in the claim that employment will be lost.

I hope that the amendment standing in my name, with an operative date as and from when this legislation is passed, satisfies the Hon. Caroline Schaefer's concern about the Bill. Consistent with her position as Chair of the Social Development Committee, I hope that the honourable member will support a freeze on poker machines. After all, the Social Development Committee proposed something very similar when it handed down its recommendations. This stance also appears to be consistent with the Premier's position. The Premier has expressed concern about the growing number of machines, he has hinted that it is about time we had a look at this matter and he has even suggested that we may need to consider a cap.

The Premier of Queensland, Peter Beattie, has also expressed concerns about poker machines. Queensland is now looking at a cap on its number of poker machines. In the *Age* of 1 March 1999 the Queensland Premier stated:

> You get to the stage where you have to say enough is enough (even though) gambling has become, tragically, a significant part of Government.

So, the Premier of Queensland is saying that enough is enough. The South Australian Premier, John Olsen, said:

> It is a fact that easy access to the machines has led to a level of compulsive gambling that was not and could not have been foreseen.

The Queensland State Treasurer, David Hamill, has said, 'the Government was likely to halt new poker machines and future casinos'. If members of the Council would like any indication of what the future holds for us in this area of poker machines, they need only look at the New South Wales experience. I know that some people will point out that New South Wales clubs have poker machines. You have only to visit New South Wales to see that they may well have introduced them into the clubs initially but it is pretty hard to walk into too many hotels in Sydney these days and not find poker machines.

Let us look at where we are today in New South Wales. There are 76 474 gaming machines in New South Wales, compared to about 600 000 worldwide. That means that in New South Wales alone there is over 10 per cent of the world's poker machines. New South Wales operates the majority of poker machines in Australia. We should take on board that, because that is where poker machines have been in operation the longest, it does provide a model for us to consider. Whilst I am not suggesting that what happened in New South Wales will automatically happen here, one does consider experience elsewhere, particularly interstate, if one wants to gauge some idea about what is likely to happen in one's own State. I put it to the Council that the probability quite clearly is that, unless something is done here, we will continue to travel down the same path as New South Wales.

New South Wales operates the majority of poker machines in Australia and holds a 10.4 per cent share of the worldwide market. Whilst I appreciate that 84 per cent of gaming machines in New South Wales are in the clubs (whereas in South Australia they are predominantly in hotels), one can see easily that South Australia, unless the Government takes interventionist action, is likely to travel down the same path or follow the lead of New South Wales, that is, a move towards higher and higher market penetration and, quite simply, more machines per head of population.

Not only is the Hon. Nick Xenophon concerned about siting machines in hotels and clubs but the primary concern of his Bills echoes the sentiments of both Liberal and Labor Premiers in this country. Yet, whilst this debate has been raging, the Australian Hotels Association has demonised the honourable member as some kind of devil incarnate. I know that members of the Government have almost reached the point where they think he is the devil incarnate; however, I will say more later about the AHA if time permits.

I would like to place on the record—and I am only expressing my opinion—that the AHA has run a shabby campaign of personal vilification, bordering on personal abuse, of the Hon. Nick Xenophon, and I do not think that the Australian Hotels Association has done itself any good. In particular, I cite John Lewis and Peter Hurley who, in my opinion, have made a number of intemperate attacks on the Hon. Nick Xenophon. I once had to ring the AHA and protest at the campaign that it was waging against me. Dozens, if not—

The Hon. L.H. Davis: Don't you get invited to its lunches anymore?

The Hon. T.G. CAMERON: I have never been invited to its lunches. Perhaps if I did get an invitation I could sit next to you! I hope that the AHA, the hotel industry and the Government acknowledge and recognise the fact that the Hon. Nick Xenophon was elected on a mandate. Whether you

like what he stands for, whether you like his position on ETSA or whatever, he has a right to stand up and speak out on any issue that he wants to without being subject to the kind of personal vilification and personal abuse that was heaped upon him by members of the AHA, and in particular John Lewis.

I admire his patience in resisting that and coming out with a few statements of his own: I do not know whether I would have had the patience. Whether or not you like what Nick Xenophon stands for, he has a legitimate right, as an elected representative, to stand in this place and argue for whatever he believes in irrespective of whether you want to argue that he has a mandate for this or that. What I hear bandied around, that because the Hon. Nick Xenophon was elected on a 'no pokies' campaign somehow or other that does not give him the right to have an opinion on any other issue, is a nonsense. That is just silly politicians playing silly politics, and a few of you ought to grow up. Seriously, a few of you ought to grow up. I do not think that you are doing your cause to get ETSA through much good.

The Hon. Nick Xenophon knows my position on the sale of ETSA and he knows that I think he is dead wrong with his call for a referendum. But does anybody in this Council or the AHA doubt his sincerity on the issue of poker machines and the sincerity of the opponents of poker machines? Interestingly enough, most of the people who are vocal in their criticism of poker machines are the very same people who are working in the various welfare groups to try to help these pathological and compulsive gamblers. Their sincerity can be contrasted with the supporters of poker machines. Most of the supporters of poker machines seem to be in the AHA or are politicians protecting existing or future State revenue.

I acknowledge that the hotel industry contributes towards the Gambler's Rehabilitation Fund. I also acknowledge that it is the only gambling code that contributes towards a fund for affected gamblers and their families, and it is to be commended for that. I will not take anything away from my commendation, but I think that that fund is a little bit more about public relations than anything else. Notwithstanding the moneys that go into the Gambler's Rehabilitation Fund and that which is provided elsewhere in this State, if anybody in this Council realistically thinks that that is ameliorating the suffering of families affected by family members who have a difficulty controlling playing poker machines then, quite frankly, I feel sorry for them.

I will not go into detail about the problems facing compulsive gamblers—it was at this point that I removed four or five pages from my speech—because the subject was handled well by the Hon. Nick Xenophon. I refer people to the Social Development Committee's report. If anybody needs any convincing on how the resources of the support agencies have been stretched beyond breaking point, I suggest that they not only read the report but take the time to speak directly with people who are working in what is quickly becoming another industry—it is almost a spin-off industry from the poker machine industry—and that is the people who are working in the industry to try to make the money go round.

I make it quite clear that I am not anti-gambling and not anti-poker machines. In fact, I think I was at the Lakes Hotel having lunch on Sunday with my girlfriend, my mother and my brother.

The Hon. Ian Gilfillan: What do you mean 'I think I was'?

The Hon. T.G. CAMERON: I was. I said 'think' because I was not quite sure whether it was Saturday or Sunday. Following that interjection from the Hon. Ian Gilfillan, I can indicate that it was Sunday. I often go to the Lakes Hotel on a Sunday. I enjoy going to a hotel for a meal and a drink. What is wrong with that? I am afraid to admit that those poker machines got me again, but all they get me for is $5 at a time. As I sat there and watched people playing the poker machines, it was obvious that the majority of those who play them derive enjoyment from them.

Let us not use that fact to hide another fact, and that is that a certain percentage of the population are addicted to them—and the figures bandied around range from 1.5 per cent up to 10 per cent. I think it is higher than 1.5 per cent, but I certainly do not think it is as high as 10 per cent. That is just a simple fact of life. Just like some people have a problem with alcohol, it is a fact of life that some people, albeit a small percentage of the population, have a problem with poker machines.

I have always been a bit of a civil libertarian and believe that adults are capable of making up their own mind on these issues. However, I think the time has come when something needs to be done about poker machines. From all the evidence that I listened to for the months that I sat on the Social Development Committee it is quite clear that some people have a problem. One listens in wonderment at some of the stories that the Hon. Nick Xenophon relates about the tens of thousands who are addicted. I have had a chap in my office who, the last time he spoke to me, had losses up to $135 000. That defies description.

It is beyond my thinking how anybody could be silly enough to lose $135 000 on poker machines. However, that is just my opinion. The fact is that some people have great difficulty controlling their love of gambling. I think the repetitive nature of poker machines and the environment that they sit in—it is often a pleasurable environment to relax in—means that, unfortunately, some people cannot control their gambling habit or their gambling addiction, if you want to call it that.

Just as some people end up as alcoholics and some people go out and crash a car into the nearest telegraph pole, I would not use that as an argument to suggest that we should experiment by banning alcohol, as the Americans attempted to do back in the prohibition era. Clearly the majority of our population should not be placed in a position where they are denied access to something which for many of them is a simple pleasure.

I suspect (and cannot rely on the figures) that 80 per cent or 90 per cent of the people who play poker machines either learn quickly that you cannot win on them and give them away or they gamble modestly. But that does not take away from a situation that some people have an addictive behavioural problem with poker machines. Without going into too much detail, as I would be here for another half a hour, I fully support the passionate plea made by the Hon. Nick Xenophon that hoteliers, publicans and their staff are the ones who can play the most significant role in controlling the behaviour of compulsive gamblers.

Too often we hear stories of where the hotel knows that people are losing a small fortune, yet they are encouraged to continue gambling. The real problem I believe we have here with poker machines in South Australia is not to be walking down a path where we will ban them completely or try to shift them over into some other arena. The horse has well and truly bolted and, unless we are prepared to pay a substantial

liability damages claim, we cannot walk down that path. However, there are areas that need to be examined quickly.

If the AHA is serious about its attempts to try to moderate addictive gambling behaviour, one of the things it should do as a matter of urgency is start running training programs for publicans and their staff on how to recognise problem gamblers so that the intervention that takes place with pathological gamblers occurs much earlier than when they have just lost their last dollar.

I believe the time has come for a halt to the spread of poker machines and we need a ceiling or moratorium. If we do not do that, we will only end up with a market penetration, whether in two, five or 10 years time, similar to what they have in New South Wales. I have no doubt that someone in Treasury has already dusted off the calculator and worked out how much more money would flow to the Government if they were to build poker machines up to 15 000 or 20 000.

John Olsen, a Liberal Premier, believes that we have reached a point where something needs to be done about poker machines. Peter Beattie, a Labor Premier of Queensland, is saying that enough is enough. The SDC called for a ceiling on the number of poker machines. During the last election campaign the Labor Party shadow Cabinet had its one and only meeting, and to my memory it carried only one resolution, which I moved. If my memory serves me correctly, that was unanimously supported by the shadow Cabinet, although there was a degree of uneasiness from the Leader of the Opposition about my call that we place a moratorium on the number of poker machines in South Australia until the Social Development Committee released its report. That campaign promise was supposed to be released during the campaign by the Leader of the Opposition. However, it never saw the light of day. I have my suspicions about why this occurred. One wonders: had the ALP—

The Hon. R.I. Lucas: Do you think the candidate for Unley had any connection?

The Hon. T.G. CAMERON: The Treasurer is interjecting and saying that it had something to do with the candidate in Unley. I would have to think for a moment. Who was the candidate in Unley?

The Hon. R.I. Lucas: Ann Drohan.

The Hon. T.G. CAMERON: That is right, it was Ann Drohan, the Secretary of the Liquor Trades Division. Actually, I went out campaigning one day with Ann Drohan. I am not sure what the Treasurer is referring to. He may be referring to fundraising dinners that were organised for the candidate by the AHA with the Leader of the Opposition. That is a pretty shabby thing for the Treasurer to be suggesting, and I am disappointed in him for raising that. It would almost seem—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. CAMERON: Various figures have been bandied about, but I understand that one had to fork out $500 to get a seat at the table. If that was going on and it was an odd time to be doing it, particularly seeing that the shadow Cabinet had just carried a resolution saying that we would place a moratorium on these machines. Anyway, the policy was never released and one wonders whether, had the policy been released, the election outcome would or could have been any different.

The Hon. R.I. Lucas: Nick Xenophon might not have been elected and you would have got all those votes.

The Hon. T.G. CAMERON: You are almost saying that in joyous anticipation, Treasurer. I suppose it is possible that had that policy been released, instead of people voting for the Hon. Nick Xenephon, some people might have voted for the Labor Party.

The Hon. R.I. Lucas: Why didn't Rann follow your strategy?

The Hon. T.G. CAMERON: I don't know, Treasurer. If he starts speaking to me, he may care to tell me one day. On a more serious note—

The Hon. R.I. Lucas interjecting:

The Hon. T.G. CAMERON: I will not comment on that. The master strategist at the last State election campaign was John Della Bosca who, in my opinion, is the best political strategist that the Labor Party has got anywhere in Australia. If he is still having input into the New South Wales campaign, Chikarovski has the job ahead of her. One of the most hopeless campaigns I have ever seen come out of the Liberal Party, and an extremely strategic campaign run by John Della Bosca, contributed to the result that we got at the last election. I do not share Terry Plane's opinion that it was Mike Rann's electioneering and campaigning brilliance, but then I do not agree with a lot that Terry Plane says.

The time has come for a moratorium or a cap to be placed on poker machines. I am not suggesting that it should be an indefinite cap, but we in the Legislative Council have an excellent opportunity to demonstrate political leadership here, and we can do that. The time to act on this issue is now and not keep deferring it or putting it off. A resolution to place a cap or moratorium on poker machines would receive widespread community support.

The Hon. G. WEATHERILL: I have been listening closely to what the Hon. Terry Cameron has said, and I must say that in the first instance I agree with what he is saying in reference to people being—

The Hon. R.I. Lucas: Mike Rann.

The Hon. G. WEATHERILL: Pardon?

The Hon. R.I. Lucas: Do you agree with what he said about Mike Rann?

The Hon. G. WEATHERILL: Cut it out! I agree with what he said in reference to seeing people who are overspending in some of these hotel and clubs, but I honestly believe that Nick Xenephon is a very honourable person. He is very sincere in his thoughts in reference to poker machines and the damage that they do to some people. However, you could say the same about the racing, trotting and dog racing industries. All of a sudden this seems to be the flavour of the day. I do not agree about the Executive Officer of the AHA, Ian Horne, because I spoke to Ian on several occasions in reference to—

The Hon. T.G. Cameron: I never mentioned Ian Horne; John Lewis I mentioned.

The Hon. G. WEATHERILL: I'm sorry.

The Hon. T.G. Cameron: No, I've got a lot of time for Ian Horne; he's an honourable bloke.

The Hon. G. WEATHERILL: Ian Horne said to me on several occasions that he really respected—

An honourable member interjecting:

The Hon. G. WEATHERILL: Well, I'm wrong then—he really respected the Hon. Nick Xenophon. I made a mistake; I am sorry. I did not pick that up. I thought the honourable member was talking about Ian Horne, because he most certainly respected the honourable member. Five Liberal members, five Labor members and two Democrats were involved in the marathon debate on poker machines in this Parliament. It was raised in the House of Assembly by the honourable—

An honourable member: Kris Hanna.

The Hon. G. WEATHERILL: Kris Hanna? He wasn't even in the Parliament. I am talking about Frank Blevins. At the time, the debate involved unlimited machines, although I might be wrong about that. Eventually, 100 machines were given to the South Australian hoteliers. People should remember, although we seem to have short memories of these sorts of matters, that hotels were closing down rapidly in South Australia at the time, because they were losing about 35 per cent of their trade. This was one of the matters that were taken into consideration at that time.

The other matter that was taken into consideration quite widely in South Australia was the bus loads of people who were travelling from South Australia to Wentworth. I remember going to Wentworth when poker machines were first introduced there in what was virtually a tin shed. However, South Australians were going there, taking all their money out of the State and spending it at Wentworth in New South Wales.

As I said, South Australia was losing much trade. As a result of that, we had a marathon debate in Parliament on poker machines. At that time, I argued that the number of machines a hotel could be allowed should be limited to 40 machines instead of 100 machines. The major argument for that limit is that a person could open a mini casino with 100 poker machines.

The major argument of the Hons Barbara Wiese, Anne Levy and others was that it should be 100 machines. Then they started talking about Victoria's experience with poker machines and how you were allowed 105 machines, and that was true. However, the legislation allowed some pubs 105 machines but not others. The Victorian legislation was discriminatory. In South Australia we decided—and we made it very clear at the time—that every person who applied in the hotel and club industry would be allowed 40 machines. We made no discrimination against anyone. That was the main reason why it was carried in this Council. I do not see now that we should come back here and change that to discriminate against people who probably could not have afforded to put in these machines at the time.

Why are we discriminating against them? The Hon. Nick Xenophon was elected on a policy regarding gambling, and that is fair enough. Under no circumstances should we change that. It is all right for people to say that people become addicted to this and that. Of course they do. But why should we now change that decision which we made some time ago?

In my area there are units in which people have lived for years and years, watching television, day in and day out. Before poker machines were introduced here, they did not get out other than to take a walk in the morning, after which they returned to their unit. However, since the introduction of poker machines they may spend $5 or $10 on the poker machines, and they make many friends—something they would never have done if it was not for the poker machines.

The Hon. J.S.L. DAWKINS: I rise to make a brief contribution on this Bill, and I am pleased to follow the contributions of three other members of this Chamber this evening. I share something in common with both the Hon. Trevor Griffin and the Hon. Terry Cameron: with the Attorney-General I share the head and heart dilemma; and with the Hon. Terry Cameron I share the fact that neither of us were here when the legislation was debated some years ago. I am also grateful to the Hon. George Weatherill for giving another insight into the history of that protracted debate.

If I had been in this place in 1993 when the legislation enabling the introduction of gaming machines was debated, I probably would have voted against it. At the very least, at that stage, it would have been my preference that they be allowed only in community clubs. We have heard a number of arguments this evening, particularly from the Hon. Terry Cameron, about the effect that that would have had on many hotels, and he estimated that perhaps half the hotels would have closed down. Whether or not that is accurate, I am no judge. However, that is the position that I would have held at that time.

Despite my heart telling me that I am not keen on poker machines, I understand that many South Australian businesses have legitimately invested significant sums of money based on the existing legislation. As such, it would be unreasonable for many local clubs suppliers, small business operators and the hundreds of employees involved in the industry if the removal of gaming machines within five years had to come into effect as specified in the Bill which Mr Xenophon initially promoted and which I understand is to be introduced into this place very soon.

In considering my position on the legislation we are debating this evening, I have examined the likely results of its implementation, including an artificial boost in the value of individual gaming machine licences. Here again the Hon. Terry Cameron raised some speculation about whether that would actually happen but, if there was a longstanding pause or freeze, it would have that effect.

I am aware of and concerned about those people who become addicted to this most recent form of gambling in South Australia. However, there are many responsible people who enjoy playing poker machines and utilising other gambling opportunities while knowing their limit.

The Hon. Terry Cameron, again, remarked that his limit is $5. Recently I attended a dinner in a hotel in the town of Gawler, where I live. Towards the end of that evening the main bar closed, with drinks being available only in the gaming lounge. I do not often go into gaming lounges, so it was an unusual experience. On entering that area I encountered several very reputable members of the Gawler community enjoying playing the pokies—and they obviously know their limit. I do not walk away from the concerns and responsibilities directed to those who have an addiction to gaming machines. However, I am not convinced that a freeze on gaming machines is the appropriate way to express those concerns and responsibilities on behalf of the community. For that reason, I will not be supporting this legislation.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

COLLECTIONS FOR CHARITABLE PURPOSES (DEFINITION OF CHARITABLE PURPOSE) AMENDMENT BILL

Second reading.

The Hon. T.G. ROBERTS: I move:

That this Bill be now read a second time.

In doing so, I indicate that the mover of the Bill in another place and I as a supporter of it would be expecting the immediate support of all members on this clause, which will be included in the definition of 'a charitable purpose'. The

reason for the definition being included is to bring into line those charities or charitable institutions and those individuals collecting on behalf of charities or charitable institutions, to include animals as part of the definition, as the Act as it stands provides for the collection of moneys for charitable purposes for people but does not include the collection of moneys for charitable purposes for animals. This amendment, which is prescriptive, does just that. The member for Torrens in another place (Ms Robyn Geraghty) has taken a strong interest in some of those—

The PRESIDENT: Order! There are four members standing out of their places. Would they please lobby somewhere else: the Hon. Mr Roberts is suffering under a huge disability here.

The Hon. T.G. ROBERTS: I am sure that they will all read *Hansard* word for word tomorrow and the dockets will take second place to the Minister's priority of reading clause by clause the amendment that is going to go into this Act.

The member for Torrens has taken a strong interest in the exploitation that has occurred of young people in relation to the collection for charities and the sale of goods and services door to door, and has made a discovery in relation to the Collections for Charitable Purposes Act that has brought about this amendment that we see before us. It seeks to amend section 4 of the Act to include the words 'the provision of welfare services for animals'. As I said earlier, the Act requires that any person or charity collecting for the benefit of people in our society be licensed and subject to regulations under the Act and there is a code that has to be complied with, but there is no concern in the Act in terms of the collection of charity for animals.

All those kind people who make donations to collectors in the streets and sometimes door to door need to know that there is a code of conduct to which the collectors are adhering in relation to the moneys that people contribute to these charities. We find that in relation to the collection of moneys for animals, as opposed to the collection of moneys for people, many people give very small donations, and many of those people have very little money at all. In many cases the amounts are below the $2 for which receipts have to be given for taxation purposes, and there needs to be a definition to cover those people collecting on behalf of organisations that collect for animal welfare programs.

There is a code of practice, and I will read into *Hansard* some of the relevant areas that need to be complied with in relation to collections, which might make it easier for people to understand part of the dilemma with the Act as it stands now. 'Code of practice 1, Collection agents' reads:

Charitable organisations should accept responsibility for:

- ensuring that any collection agent which they employ holds a current licence under the Collections for Charitable Purposes Act;
- ensuring that a collection agent observes the code of practice standards with respect to charitable collections;
- the integrity of collection procedures and the security of donations;
- the resolution of any complaints which may arise from collection campaigns conducted by the agent;
- ensuring that fundraising costs are commensurate with the type of fundraising program used and do not erode donations unreasonably.

  - desirably, the employment of a collection agent should be subject to a written agreement which details the fee for service arrangement;

  - remuneration arrangements should not link the fee to the amount raised. This is considered to be unethical.

- ensuring that fundraising activities conducted through a collection agent do not involve the use of pressure, harassment, intimidation or coercion.

So, within the code of practice there are procedures that make a collection agency responsible to the organisation that is sponsoring the collectors, but the code of practice should give people who are donating their moneys to collectors reassurance that the money will indeed go to the organisation that has been registered and is shown on the licence number or the name of the individual who is collecting.

I think this amendment will provide more security. It will provide the same protection for charitable organisations which collect for the welfare of animals and, hopefully, it will give the public the same security when organised charities collect from door to door in the city or the suburbs for animal welfare organisations. I hope that members will see the goodwill that would be brought about by the inclusion of the welfare of animals in the Act.

Transparency of the provisions would give people more confidence when donating to organisations. It would ensure that the code of conduct is adhered to, that the money that is collected goes to the organisations that are registered under the Act, and that there would not be a myriad of organisations with no audit responsibilities or anyone to answer to for their charitable collections. That discrepancy would be remedied by this amendment. I hope members will support it.

The Hon. J.S.L. DAWKINS secured the adjournment of the debate.

GROUP 65 MEDICAL PRODUCTS

Adjourned debate on motion of Hon. Sandra Kanck:

That this Council notes, in relation to Group 65 medical products—

I. That Supply SA is not observing the eight point Procurement Reform Strategy released by the Department of Information and Administrative Services released in May 1998;

II . That, at a time of cut-backs to the health budget, public hospitals and health services in South Australia are paying more as a consequence of Supply SA practices; and

III. That quality South Australian products are being ignored by Supply SA with resultant impact on employment in this State,

and this Council therefore calls on the Minister for Administrative Services and the Minister for Human Services to urgently intervene to ensure that the public health system is getting best value for money in the supply of Group 65 medical products.

(Continued from 9 December. Page 437.)

The Hon. R.D. LAWSON (Minister for Disability Services): When the Hon. Sandra Kanck moved this motion in December 1998, she made a number of serious allegations about procurement practices within the South Australian Government, particularly in the health and human services areas. The honourable member raised a number of issues, which she said were brought to light by her research or that of her office.

These allegations are serious, and they were certainly taken seriously by my department and the Department of Human Services. I have closely examined the allegations. It has not been possible to examine the evidence, documentary or otherwise, because firm evidence has not been forthcoming. However, the allegations have been inquired into and, as I have said, they have been treated seriously.

The honourable member launched into an attack on our observance of the Procurement Reform Strategy which was

released in May 1998. I do not propose to examine that strategy in detail. It was embodied in a detailed document which set out a blueprint for future procurement in this State, a most innovative, detailed and exciting program which will deliver benefits of about $72 million a year, amounting to slightly less than 3 per cent of the Government's commercial expenditure on goods and services.

One thing that the Procurement Reform Strategy mentioned was the change imperative behind the proposals. It was noted that in the old days procurement within Government was not on the top of management's agenda: it had low relevance. The strategy is designed to bring procurement to a matter of high relevance; to change the staff profile for those engaged from what might be termed a clerical level to a professional level; to alter the culture of procurement from something that was reactive to a proactive approach; to alter the buying processes from a bureaucratic paper driven exercise to a streamlined IT enabled basis; to change supplier relations from the old adversarial principles to cooperative long-term arrangements; and to change the performance criteria from the old notion of what is the best unit price to a concept of what is the best value for money.

Far from the honourable member's allegations that Supply SA is not observing this procurement strategy, I assure her and the Council that the procurement strategy is being assiduously pursued. I suppose, therefore, that I should thank the honourable member for providing the opportunity to comment on the successful implementation of this major procurement reform and the positive impact that it is having and will continue to have on the purchase of supplies, especially medical supplies.

On 10 December, following the introduction of this motion, I made a brief statement in answer to a question relating to the fact that we were on track with our procurement reforms. I refer to the observations that I made on that occasion—I will not repeat them now. The importance of the reforms has been recognised from the very beginning with the establishment of a Government purchasing task force which was headed by the Under Treasurer and especially established for that purpose. The task force reports progress on the reforms to Government.

I can assure the Council that, if anyone is aware of the need to make savings and secure value for money in the expenditure of taxpayers' funds, it is the Under Treasurer, who very capably chairs that task force. The sole purpose and sole function of the task force is to promote and monitor the reform process, and I can assure the Council that task force members are well aware that it is their agencies' budgets—for members of the task force are members of the public sector—that derive benefits from the reforms.

The contribution made by the Hon. Sandra Kanck suggests that she does not fully understand or she certainly did not demonstrate a complete understanding of the nature of our procurement processes or of the procurement reform proposals, and I would like to place on the record some of those misunderstandings. Procurement reform is more than merely saving money on product costs. Strategic procurement seeks also to reduce costs in other ways. It is about reducing the back office costs; it is about removing unnecessary clerical processing; it is about reducing the transaction costs to both the agency and the suppliers; and it is about being strategic in the way in which the supply market is approached for the purchase of products and services.

By concentrating mainly on prices—and I believe that was the concentration of many of the honourable member's remarks—she has, in my view, missed the point. For example, the Hon. Sandra Kanck on several occasions raised the issue of accountability, without demonstrating an understanding of the structure of accountabilities in the new system. Under the procurement reform, the Chief Executive Officer of each agency is accountable for purchasing activity and outcomes—that is, each of the Chief Executives of the 10 key Government agencies. In that task, they are supported by panels of senior executives. The senior executives also make up the accredited purchasing units mentioned by the honourable member, and each of those are individually accredited by the State Supply Board.

The accredited purchasing units do not undertake the purchasing activity themselves—a point that was not clear at all from the honourable member's contribution. They are charged with the responsibility of ensuring that no agency maladministers procurement activity in the way in which the Hon. Sandra Kanck has suggested is occurring. The honourable member was clearly mistaken when she stated:

> The accredited purchasing unit and the strategic procurement unit were not originally part of the new framework for procurement.

The Government's purchasing policy of May 1998, referred to by the honourable member, not only makes reference to 'accredited purchasing unit' but has an entire section on them. In addition, the Treasurer's instructions also refer to accredited purchasing units. The Treasurer's Instruction is another extremely important document in procurement and is incorporated in the documents supporting the reform strategy. In addition, the Chief Executives, to whom this responsibility has been delegated, are obliged to establish appropriate operational structures within their agencies, and the Strategic Purchasing Unit within the Human Services Department is that department's response to this particular obligation.

I should mention a few points by way of background before coming to the particular allegations raised by the honourable member—and I trust that this description will assist anyone who has read the honourable member's contribution in understanding the purpose of the reforms. The former process was centralised and focused on what the State purchased rather than on how we could buy better. Supply SA was the State Supply Board's and the Government's contract manager. The State Supply Board monitored activity and considered and signed off on major contracts and the operations of Supply SA. It was quite clearly not a case, as the Hon. Miss Kanck suggests, of the Director of Supply SA having almost complete control over medical contracts in this particular instance. Not only was this not the case but it is even less so now, with the Chief Executive Officer for the Human Services Department taking over the management of many of the contracts previously held by the State Supply Board. Incidentally, I should say that I am surprised by the fact that the honourable member barely mentioned the State Supply Board at all, yet the board is central to the entire issue of accountability and monitoring.

Another example of the honourable member's apparent misunderstanding of the accountabilities is her statement that the Chief Executive Officer of Human Services has had her delegation halved from $400 000 to $200 000, while the Director of Supply SA has a $10 million delegation. Neither the Chief Executive of Human Services nor the Chief Executives of the hospitals previously held a $400 000 delegation for medical supplies. The delegations were significantly lower and varied between individual hospital Chief Executives dependent on the skills within their units.

The new $200 000 delegation to the Chief Executive represents a significant increase and not a decrease. As for the alleged $10 million delegation for the Director of Supply SA, there is no basis for that suggestion, and I have not been able to determine from where the honourable member could have obtained that figure.

The Director of Supply SA has been delegated by the State Supply Board with the role of considering and approving relatively low value contracts on behalf of the State Supply Board. This delegation can be exercised only on proposals already approved by agency accredited purchasing units. Any decision made by the Director of Supply SA is recorded and tabled at each meeting of the State Supply Board. It is difficult to understand how the honourable member would have made such an egregious error in relation to the alleged responsibilities of the Director of Supply SA.

I will admit that the changes brought about by the procurement reform strategy are reasonably complex. Modern procurement is a reasonably complex and sophisticated affair, certainly being far more sophisticated than that which previously prevailed when, as I said, the principal preoccupation of procurement officers was simply getting the best price, not being so concerned about value for money or about the particular aspirations of end users of products. The transfer of contract responsibility to Chief Executives does, however, represent a simplification of the process which does allow suppliers to deal directly with the agency rather than through Supply SA.

That transfer has the benefit of enabling agencies to manage their own contract procurements strategically as part of their overall operations. Supply SA now acts as an adviser to agencies as well as to the State Supply Board. I should also mention the relationship between Supply SA and the Hospitals and Health Services Association (HHSA). The honourable member said:

> . . . HHSA was to do [all] the legwork. . . State Supply would still have to rubber stamp the recommendation, but this would basically be a formality.

This quotation shows a deep misunderstanding by the honourable member of the processes. I am concerned that anyone could think that the State Supply Board would allow the Hospitals and Health Services Association to commit the Government to hundreds of thousands of dollars of expenditure with nothing more than a rubber stamp, 'rubber stamp' being the expression used by the honourable member. The actual situation is that the HHSA, on the recommendation of the Department of Human Services, has a significant delegation. It is, appropriately, subject to State Supply Board policies and the State Supply Act, but HHSA is not answerable to Supply SA. The lines of accountability are to the Chief Executive of the Department of Human Services and the State Supply Board. I suggest that, if there was any delay in acting upon HHSA recommendations, it was due to close scrutiny and the responsible consideration of the work of HHSA. I can assure members that no agency—certainly not the State Supply Board—acted like a rubber stamp, contrary to the allegations of the honourable member.

I will deal individually with the issues raised by the honourable member. I should say at the very outset that it is regrettable that individual officers were mentioned by name and that entire business units were unfairly, in my view, denigrated. These individuals are experienced and skilled officers dedicated to achieving procurement reform. They deserve the tabling of the facts of these matters. By incorrectly describing the process and the situation, there is a potential to create significant confusion and concern within health units and in the supply market, if not to damage the reputation of individuals. So, I do regret the fact that the honourable member has made these allegations and has not produced evidence.

Dealing with each of the allegations, I begin with the process that the honourable member referred to as the Group 65 tender process. This was not a tender call in the traditional sense, as was suggested by the Hon. Sandra Kanck. The history is as follows. In April 1997, the State Supply Board through Supply SA called for a request for proposals over 70 or so product lines. Of those product lines about 40 were already under contract. The intention was to build a better understanding of the market and to look for opportunities to achieve better value for money by introducing new products, new technologies and new purchasing methodologies. I am advised that it was made clear in the documentation that supported the request for proposals that no contract would necessarily be forthcoming in any product group.

This process was overtaken by the implementation of procurement reform where the intention was to devolve medical contracts to the Department of Human Services. To allow this to happen in an orderly manner, most product groups already on contract were extended. However, where new products, technologies or better pricing of current products was offered they were pursued. The results of the request for proposals showed that there was little to be gained by a significant change and that effort was best directed at establishing the Department of Human Services Accredited Purchasing Unit to review and oversee the procurement of health products under the Group 65 contract. Procurement reform was supported by the restructuring of the public sector, which has delivered many positive gains and benefits. The restructure supported the reform process by aggregating responsibilities into larger agency groups.

I confess that there were some delays, which were created by the handing over of the management of medical contracts to the Department of Human Services, but such delays will be offset by the greater procurement discipline that will now be brought to bear in the human services and health areas. One of the headline seeking allegations made by the honourable member was that 'up to $20 million is being wasted each year within our public health system'. I have not found any evidence that poor procurement practice has led to a situation where anything of that order might be capable of being saved—quite the reverse. Where savings are available they are being pursued with an expectation that significant savings will be delivered without reducing the standard of care being delivered.

The Hon. Sandra Kanck interjecting:

The Hon. R.D. LAWSON: The honourable member interjects, 'Did you personally look?' If the honourable member makes the allegation that $20 million is being wasted, why does she not produce one skerrick of evidence to support the proposition? It would appear—and I assume this—that the honourable member derived the $20 million by arbitrarily applying a 25 per cent savings factor to the entire $80 million annual spend on these medical supplies. The 25 per cent figure, if that was used, seems to have been derived by very cursory assessment of the potential savings of a small number of products referred to by the honourable member in her motion.

A closer review suggests that these potential savings are illusory. They fall into two categories, which I will deal with separately: first, products in which those savings have already

been made, for example, orthopaedic products; and, secondly, products in which the estimated savings cannot be made because the alternative might reduce the standard of patient welfare such as sutures and urinary bags. Experience demonstrates that where contracts are being put in place most products are being bought appropriately. Opportunities for 25 per cent savings are rare indeed. However, where significant savings are available, they have been pursued.

In 1998, the average savings achieved across newly negotiated medical consumables and capital equipment contracts was 10 per cent, and I believe that is an admirable achievement in itself. It shows that the processes are working. Savings through the application of strategic planning, for example, the procurement of orthopaedic supplies, was criticised by the honourable member.

These supplies represent one of the rare opportunities where substantial savings of 25 per cent might be obtained—about $500 000. Other examples where savings of substantial amounts can be made and have been pursued are: the sharps containers contract—another area criticised by the honourable member—which is expected to achieve savings of 12 per cent or $90 000; ultrasound units delivered $235 000 in savings, which represents 21 per cent; lasers, a 15 per cent saving, as with ECG recording and analysis systems; a 13 per cent saving on coagulation analysers and mobile x-ray equipment; a chromatography system and autoclaves have been acquired at a saving of 11 per cent; and, operating theatre lights were obtaining a 10 per cent saving. These are significant savings, illustrating the effectiveness of the procurement reform strategy. They are but a very few items in a substantial contract and amongst a substantial number. Over the totality it is simply not possible to achieve savings of the order of 25 per cent.

I can report that at this point some 24 health product contracts have been negotiated for both consumable and capital goods, and the average saving across that area was 10 per cent on a spend of $24.7 million. There are some contracts under negotiation, and they should deliver savings slightly above that. But the extravagant claims about savings of 25 per cent are illusory.

The success of the reform process has not been confined to health related procurement. I am informed that during 1998, as a result of negotiations covering 36 contracts worth over $36 million, savings of 13 per cent were made. That is almost $4.8 million in savings on those contracts alone. In 1999 so far a number of major initiatives have been pursued with the potential to deliver significant further gains to Government. Given that negotiations are still under way, at the moment I am not in a position to give significant details on all of these projects, but one that was recently concluded was the panel contract to provide temporary administrative staff to Government. Not only are the savings expected to be $4.5 million—over 20 per cent per annum—but this contract has provided an excellent vehicle to expand the Government's youth employment and training initiatives, and I was delighted to be present when the companies that have been appointed to that panel were recognised, because the commitment we have obtained from those companies for training opportunities for our young people are significant and very worthwhile.

The next allegation made by the honourable member—once again an unsupported claim—is that officers within Supply SA sought bribes or benefits for their organisation. This is a most serious allegation. The suggestion made by the honourable member was that a tenderer cannot succeed unless it distributes its products through the Supply SA warehouse. This again is wrong. Supply SA Distribution is being scaled down and it has withdrawn from handling many product lines. Once it handled around 6 500 product lines, but it is now down to about 2 500 lines and rationalisation is continuing.

The honourable member suggests that Supply SA distribution has used its position to force suppliers to give it monopoly distribution rights so that it can add a 10 to 20 per cent mark-up on products. This in my view demonstrates a lack of research by the honourable member. I believe it also demonstrates a misunderstanding of how procurement within Government operates to ensure that this type of maladministration does not occur. For a start, Supply SA Distribution is not a monopoly supplier for health products. In those few contracts where it is a distributor it is only one of the available distributors that hospitals are able to choose between. Secondly, the price is set in the contract for most of the products. Supply SA Distribution has no opportunity to add a margin to the suppliers' price. Supply SA Distribution covers its costs, as do the private distributors, from the distribution margin built into the price quoted by the supplier. There is absolutely no credibility in the claim that Supply SA Distribution is to feather its own nest.

I give as an example a small country hospital. If each supplier delivered individually, that hospital would need to invest in materials handling and storage facilities to cope with deliveries. It would have the added costs associated with those support activities and with the freight of a large number of small deliveries. Central consolidation and distribution is highly valued as it provides convenience while reducing costs to those units. Independent studies have shown that the savings to the regional health units can be as much as 14 per cent. This is not a saving by forcing prices down, but by not having the right range of distribution options available across the State.

The honourable member next deals with complaints from suppliers, and she cites the case of a local sharps disposal container supplier who was unsuccessful in a tender. I take it that this is the case which the honourable member uses to support her allegation that at the time of cutbacks to the health budget public hospitals and health services in South Australia are paying more and also quality South Australian products are being ignored with resultant impact on employment in this State—a serious allegation. In this case, the local sharps disposal container supplier was evaluated and found to be technically compliant and the company was short listed for further negotiation. However, the proposal submitted by the company did not provide the best value to health units; that was their decision. I am a strong supporter of using local suppliers; so is the Government, and we place emphasis on the requirement for local sourcing where a local company is competitive and capable. The fact is that in this case the company was not the most competitive. In this case the honourable member is at odds with her own stated position that funds in the health sector should be used as efficiently as possible.

The honourable member suggests that five years is too long a period for the sharps disposal contract. I am sure she will be glad to know that it is actually a three year contract, not a five year contract as she alleges. As already stated, the processes that led to the development of some recent contracts, such as the sharps disposal containers, were the result of the 1997 request for proposals. As part of the management of those processes, a contract management

committee of health unit representatives, medical professionals and supply managers was established. This committee evaluated the proposals and made recommendations on products where appropriate. When the request for proposal was withdrawn, this committee was disbanded. However, the committee's findings were used in the negotiation processes that followed.

For your information, Mr Acting President, and for the information of members, the State Supply Board has recently received independent reports from the Crown Solicitor's Office and the probity auditor on the methodology that was used by Supply SA in establishing a contract that resulted from the negotiations that followed the request for proposal. The report found that the methodology used by Supply SA was both fair and appropriate.

The honourable member claims that the responding suppliers were not informed of the outcome, and she names a specific company. I am informed by Supply SA that the records show that letters dated 28 August 1998 were sent to all unsuccessful bidders, and the files show that the named company was not only sent a letter but was also given feedback in a meeting with Supply SA officers after the letter.

It was claimed that a company involved in wound care management has had no correspondence since June 1997. However, as I am advised, the records show that the company was sent correspondence in December 1997, June 1998 and in November of that year. Moreover, the company attended an industry briefing on the subject in July 1998. The honourable member referred to a situation in which a potential supplier was advised part way through a conversation that a third party had been listening to the conversation for 20 minutes. I have made inquiries about that, but I have not been able to find any record of that occurring, and certainly no complaint could be located to support the allegation. Obviously, I would accept, as anybody would, that it is inappropriate practice to allow third parties to be present in a discussion with suppliers without advising the supplier of that fact, and discussions should not be conducted in the manner suggested by the honourable member. However, once again, I urge her: if she has any material—any factual material—to support her allegations, I would be delighted to receive them and pursue the matter further. But to date the allegation is entirely unsubstantiated.

The honourable member criticises what she described as the Group 65 tender process from 1997. This was not a tender call in the sense used by the honourable member. There is a significant difference between a tender call in which specific products are sought against a detailed specification on the one hand and a request for proposals that invites new and alternative products and technologies where suppliers are asked to suggest solutions for defined outcomes. It was clearly stated that the process was a request for proposals and that it would not necessarily lead to a tender or a negotiation of contracts in any of the product ranges that were included. The outcome of this request for proposals was used as a basis to negotiate new contracts where savings potential existed, for example, in sharps containers. That only a small number of contracts have been put in place by Supply SA as a result of this process does not indicate that Supply SA has failed; rather it suggests that the process has worked and is working.

Bandages were one of the product lines included in the request for proposal. The specifications were deliberately left open to enable potential suppliers to nominate alternative products and technologies that could deliver a greater level of value where these existed. It was not simply the case of going out with a list of products and asking for prices; it was a request for proposal. The honourable member raised the issue of urinary bags, a market that she estimated was worth $200 000 and in which she claimed an Australian product that costs half as much as the imported product is not being used. I am informed that there are four main types of urinary bags. These serve different clinical needs. I am advised that it would appear that the Australian product meets one of these needs, whilst the more expensive imported products serve other, more complex needs.

Apparently, these products are not interchangeable—at least not if you want the best outcome for the patients. Hospitals are free to select the local product if it provides the best value and it meets their clinical needs. Urinary bags are a product line that HHSA was examining for potential contract negotiation, but no recommendation has been made to the State Supply Board at this time.

The honourable member also referred to sutures, and she stated that hospitals could save $900 000 a year if they were allowed to buy best value sutures. However, there is currently no contract for sutures, and hospitals are free to purchase the suture that provides the best value in each individual circumstance. In other words, if a better value product exists than those hospitals are using today, they are not prevented by any contract from moving to that product.

I am informed that there is a brand of suture that is significantly cheaper than the most commonly used brand. Its use was considered and evaluations are continuing, but I am informed that some concerns have been raised by medical staff as to its suitability. Given that patient welfare is of prime importance, we are not yet ready to commit to a cheaper price without evidence that can be measured by best patient welfare. There is no point in procurement, going out and buying sutures, on the basis that they are the cheapest sutures if the medical staff will not use them and prefer, in the interests of patient health and safety, to use some other product.

A similar situation exists with underpants. There is no existing contract and hospitals are free to move between products to achieve the best value and the best patient outcomes as they determine. Another product range mentioned was incontinence products. The honourable member suggested that we could save $540 000 on these products, using an estimate of a total $6 million aggregate cost. HHSA has estimated that the market in South Australia for incontinence pads is worth $2 million, not $6 million. How it could be suggested that a saving of $540 000 could be made out of a purchase of $2 million defies belief.

The honourable member claimed that savings of $400 000 were missed because Supply SA negotiated an orthopaedic products contract that delivered no change and no savings to the Queen Elizabeth Hospital. Contrary to her allegations, the reality is that negotiations sought agreement to rationalise the number of different brands used and greater training to promote high volume brands. This will achieve savings through purchase volumes without reducing patient welfare. It is anticipated, as I am advised, that implementation of these strategies will deliver savings of up to $500 000, a significant improvement on the original savings forecast by the honourable member.

The honourable member also questioned the extension of many of the existing contracts beyond their original three year terms. The decision to extend these contracts was made to allow resources to be focused on the implementation of the procurement reform. Put simply, the decision was made that,

given the supply market responses to the request for a proposal, the greatest potential for significant savings would come through the roll-out of the procurement reform.

The accredited purchasing unit within the Department of Human Services is positioned to take over the day-to-day management of the medical contracts, and it is developing a strategy to manage the review of all medical contracts. When referring to the existing contracts, the honourable member stated that they have been continually rolled over and that suppliers have been allowed to increase their prices without negotiation. I am advised that this is not correct. The existing contracts, the original tender process and the request for proposals all clearly stated that contracts would be extended where they continue to provide value for money.

The contract conditions allow for suppliers to apply for a price increase. Each application is considered by Supply SA and the grounds validated. To the end of 1998, only 12 applications to increase prices were received; only six of these were approved, two were rejected, two resulted in price reductions and two are still under negotiation.

I suppose the honourable member should be thanked for raising these issues because it provides the Government with an opportunity to explain the processes of the procurer reform movement and the benefits that it is delivering. But, the fact is that the honourable member has made extreme allegations which, as I say, are unsubstantiated. She charges Supply SA with not observing its own procurement reform strategy; she alleges that public hospitals and health services are paying more in consequence of Supply SA's practice; and she claims that quality South Australian products are being ignored with a resultant impact on employment.

The honourable member also called on the Minister for Human Services and the Minister for Administrative Services to urgently intervene to ensure that the public health system is getting best value for money. On the information that I have received, I believe that we are getting best value for money. No doubt, there is always room for improvement in any procurement practices, especially when one is undergoing a process of reform. But the extreme and wild allegations that we are not observing the reform strategy, that we are paying more and that South Australian companies are being ignored are simply alarmist and without foundation.

I repeat that it is a matter for regret that the honourable member has chosen to name specific officers and to identify units in a way that unfairly jeopardises their position. I accept that integrity in public procurement is vitally important, and I, as Minister, and the Government would always be prepared to look at any evidence of impropriety. But evidence must be produced, not merely assertions. I have looked into all the allegations made. I invite the honourable member—indeed any member—to produce evidence of any Government impropriety: it will be examined. But I urge the Council to reject this motion. The basis for it is simply not supported by the evidence.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

ROAD TRAFFIC (DRIVING HOURS) AMENDMENT BILL

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act 1961 and to repeal the Commercial Motor Vehicles (Hours of Driving) Act 1973. Read a first time.

The Hon. DIANA LAIDLAW: I move:

That this Bill be now read a second time.

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

Leave granted.

The purpose of the Bill is to amend the *Road Traffic Act 1961* in order to allow for the making of regulations to introduce nationally consistent legislation to regulate the hours of driving for commercial vehicles.

Governments across Australia have agreed to develop and implement national road transport reforms which promote safety and efficiency, both within and across State borders, and which reduce the environmental impact and the costs of administration of road transport, for the benefit of road users and others in the community. The reforms proposed in this Bill are an important contribution to the development of a system of nationally uniform and consistent road transport regulation.

The passage of this Bill will contribute to meeting the obligations undertaken by the South Australian Government as a signatory to the Intergovernmental Agreement to Implement the National Competition Policy and Related Reforms, signed on 11 April 1995 by the Council of Australian Governments (COAG). The Intergovernmental Agreement makes substantial Commonwealth payments (in excess of $1 billion over 10 years) dependent upon the State meeting its obligations under the Conditions of Payment, which include an obligation to implement the agreed national road transport reforms. The amendments in this Bill form part of those reforms.

Progress in implementing these reforms will be considered by the National Competition Council in its assessment of South Australia's eligibility for competition payments, which will occur before 30 June 1999.

National Hours of Driving legislation was approved by Transport Ministers in January 1999. With the introduction of this Bill to Parliament, the Government is pleased to be promoting South Australia as being at the forefront of national reforms in this area. This is the first jurisdiction to introduce the complete provisions in the form approved by Transport Ministers earlier this year.

The new Hours of Driving Regulations will promote a safer driving hours regime. For example, working hours are not taken into account under the current *Commercial Motor Vehicles (Hours of Driving) Act*; however, under the new national Regulations, both working and driving, as well as rest times will be recorded by drivers. A limit of 14 hours in a day is set for aggregated driving and working time. Some operators may complain that this will affect profitability, but the tightening of the permissible working hours is a step forward in road safety that will benefit the community and contribute to occupational health and safety for the drivers of commercial motor vehicles.

There is a minor loss of flexibility in the new regulated hours compared with current SA regulated hours (one day's rest in seven compared with the currently available 2 days' rest in 14). However drivers and employers may become members of a Transitional Fatigue Management Scheme to gain greater flexibility of driving hours. A Transitional Fatigue Management Scheme is an alternative compliance scheme whereby up to 14 hours driving in a day is possible, and a driver may take two days' rest in fourteen rather than the prescribed one day's rest in seven, if driver health checks, fatigue training and other requirements are undertaken. It is anticipated there will be considerable demand for membership of a TFMS scheme.

Drivers participating in TFMS will have to pass health checks to the published Federal Office Of Road Safety standards and undergo fatigue management training to a national curriculum standard. Employers are required to manage fatigue in driver scheduling and follow up employee credentials at prescribed intervals. The health checks required are consistent with those required from 1 September 1998 as a condition of road train operation south of Port Augusta.

There may be pressures from lobby groups to carry over into the new Regulations the exemptions from regulated hours currently available in SA law for the transport of livestock or bees. There is no such specific provision in the national law, but a general exemption power will be inserted in the South Australian Regulations to allow the Minister to cater for such special situations.

The new Regulations will apply to heavy trucks over 12 tonnes Gross Vehicle Mass (GVM). This is a change from the current South Australian Act which applies to vehicles with an unladen mass of over 4.5 tonnes. Similarly, the new Regulations will apply to a bus

defined as a motor vehicle with the capacity to seat more than 12 persons (this cut off point aligns with the national driver licence classes). This will result in fewer SA vehicles being required to carry a log book.

When the new Regulations are made, the repeal of the *Commercial Motor Vehicles (Hours of Driving) Act* will be proclaimed.

A log book will not be required to be carried by a driver operating solely within a 100 kilometre radius of base, as is the case under current SA law. A new national log book has been developed and printed and it is now available in South Australia in anticipation of the implementation of the new national driving hours. The introduction of the new book has been well received by industry as a step toward national consistency. Upgraded and new computer systems are being designed to manage and exchange data with other jurisdictions relating to data on both membership of the Transitional Fatigue Management Scheme and the issue of log books to drivers with valid licences.

Looking toward the not too distant future, a driver specific monitoring device (DSMD), including electronic or some other such driving hours recording device, will be able to be used as an alternative to a log book, providing it meets the specifications of the National Road Transport Commission.

Under the current SA law, no responsibility attaches to employers. Under the proposed Regulations, consignors and employers will be penalised if they knowingly cause a driver to commit a core driving hours offence.

There is also an urgent need for an increase in penalties relating to driving hours and log book offences. Drivers and operators are aware of the low penalties in South Australia and, in many cases, prefer to be the recipient of an expiation notice ($50) and continue to drive excessive hours and avoid rest breaks. The low level of penalty can be seen as contributing to road safety concerns.

The proposed Regulations will have higher monetary penalties for breaches ranging from a fine of up to $1 250 ($160 expiation fee) to a maximum for a second or subsequent offence of a $2 500 fine. In addition, there will be a corporate multiplier of 5 times the individual penalty applied if a body corporate is found guilty of an offence.

Consultation has occurred with affected parties. The National Road Transport Commission has consulted widely with industry, enforcement agencies and other affected parties, prior to obtaining the approval of the Ministerial Council on Road Transport for the content of the Regulations this Bill is designed to authorise.

It is anticipated more consultation will occur before the proposed Regulations are made and laid before Parliament.

I commend this Bill to the House.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Insertion of Part 3AA

PART 3AA

DRIVING HOURS

New section 110AA.—Interpretation

This proposed new section defines the terms 'commercial bus' and 'heavy truck'.

'Commercial bus' is defined as a bus that is used to carry people for reward or in a business.

In another Bill before Parliament, the *Road Traffic (Miscellaneous No.2) Amendment Bill 1998*, 'bus' is redefined as a motor vehicle built mainly to carry people that seats over 12 adults (including the driver). The previous definition included vehicles designed to carry over 8 persons (including the driver).

'Heavy truck' is defined as a motor vehicle of a class declared by the regulations to be heavy trucks.

New section 110AAB.—Driving hours

This proposed new section empowers the Governor to make regulations to establish a scheme for the management of the fatigue of drivers of heavy trucks and commercial buses.

Specific matters that may be dealt with under the regulations include—

- periods spent by drivers driving, working and resting
- record keeping
- medical examination of drivers
- attendance at fatigue management driving courses
- obligations of employers and supervisors
- inspector and police powers.

Penalties of up to a maximum of $12 500 may be fixed for breaches of the regulations.

New section 110AAC.—Power to direct drivers to stop and to rest

This proposed new section allows a member of the police force or inspector to stop the driver of a heavy truck or commercial bus on the road for the purpose of requiring the driver to produce his or her driving records for inspection.

A member of the police force or inspector may, to avoid an unacceptable risk to public safety, direct a heavy truck or commercial bus driver to cease driving and rest from driving for a specified period, either with immediate effect or after the driver has moved his or her vehicle to a place where it will be secure and not constitute a traffic hazard. Such a direction may be given where—

- the driver has failed to produce the driver's records required to be kept under the regulations; or
- a member of the police force or inspector has reason to believe that the driver's records do not comply with the regulations; or
- a member of the police force or inspector has reason to believe that the driver has contravened a requirement of the regulations relating to periods of driving, work or rest.

Clause 4: Repeal of Commercial Motor Vehicles (Hours of Driving) Act 1973

The *Commercial Motor Vehicles (Hours of Driving) Act 1973* is repealed.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

LIVESTOCK (COMMENCEMENT) AMENDMENT BILL

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

The Hon. K.T. GRIFFIN (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

Current provisions within the *Livestock Act 1997* provide for the commencement of provisions dealing with apiaries and brands as of the 20th March 1999.

The proposed amendment will ensure that the *Apiaries Act 1931*, *Brands Act 1933* and the *Branding of Pigs Act 1964* will continue to regulate apiaries and brands beyond that date.

This is seen to be necessary for the following reasons. The Government, through ARMCANZ, has recently committed to the introduction of a National Livestock Identification Scheme for the livestock industries of this State. This initiative substantially changes the perspective and context of the regulations necessary to underpin the provisions in the *Livestock Act 1997* relating to branding of livestock. Extensive industry consultation will therefore be necessary for these regulations. The identification of pigs, an essential component of disease control, will also be brought within the scope of any new regulations.

The apiary industry in this State is currently considering recommendations on a future disease control strategy developed in 1998 by a Ministerial Apiary Industry Task Force. New regulations will be developed after this consultative process has been completed.

The new regulations will be made under the *Livestock Act 1997* and, at the time that the regulations are made, Parts 6 and 7 of that Act and the provisions for repeal of the relevant Act will be brought into operation.

I commend the Bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 2—Commencement

This clause ensures that Part 6 relating to apiaries, Part 7 relating to brands and Schedule 2 providing for repeal of the relevant Acts governing those matters will not be subject to the provisions for automatic commencement in section 7(5) of the *Acts Interpretation Act 1915*.

Clause 3: Amendment of Sched. 2—Repeal and Transitional Provisions

This clause removes clause 3 of Schedule 2 which excludes the

Schedule from the application of section 7(5) of the *Acts Interpretation Act 1915*. Under the measure the matter is dealt with in the new section 2(2) in a comprehensive manner that extends to the substantive provisions of the *Livestock Act* that will be used to replace the Acts repealed by Schedule 2.

The Hon. T. CROTHERS secured the adjournment of the debate.

WINGFIELD WASTE DEPOT CLOSURE BILL

Adjourned debate on second reading.
(Continued from 9 March. Page 857.)

The Hon. J.S.L. DAWKINS: In January this year the Government released a long-term integrated strategy for the minimisation and management of waste in the Adelaide metropolitan area. The strategy provides for improved collection systems from the kerbside, resource recovery and initiatives in the area of recycling, better environmental practices in terms of landfill operations, more competitive pricing for landfills and an enhanced assessment of future waste operations. To realise the strategy and the expectations of the community, the Government has determined that it is necessary to legislate to close the Wingfield landfill run by the Adelaide City Council by the year 2004, and that no further landfills will be approved in this north-western area of Adelaide.

Part of the strategy, of course, includes approvals for the higher technologically based waste sites at Dublin, Inkerman in the Lower to Mid North and at Medlow Road near One Tree Hill. Overriding all operational issues in relation to Wingfield is the fact that, as long as the Wingfield style of operation continues, supported by a price structure which is, I understand, one of the cheapest in any mainland capital in Australia, it will not be economically or environmentally feasible to establish waste minimisation and management systems in Adelaide, not only in the short term but also, obviously, for the next millennium.

There has been considerable debate about the various closing and settling heights for the Wingfield Waste Centre, as it is properly known. These have been put forward by the Adelaide City Council and the Port Adelaide Enfield Council in whose territory the Wingfield Waste Centre is located. That has only been the case in recent times because, I understand, for many years it was located within the former District Council of Salisbury. The debate has also taken into account the actual shape and number of peaks that have been incorporated into the final position of the dump.

I am grateful to representatives of both the Adelaide City Council and the Port Adelaide Enfield Council for the presentations they have made to members of my Party. I was also pleased to visit the facility at Wingfield as a member of the Environment, Resources and Development Standing Committee of the Parliament.

To return to the Bill, it is designed to provide some certainty to the Adelaide City Council, the Port Adelaide Enfield Council, the other councils that use the site as well as the community and industry in the area regarding the closure date and the final maximum post settlement height for the landfill operations at Wingfield. This certainty will lead to an orderly and environmentally sound closure of operations at Wingfield. It removes the cloud that exists at the moment because there is that distinct possibility of the matter being settled in court, but that would be at some unknown date in the future. The Bill also provides the lead times necessary to bring on stream in the near future the new environmentally sound resource recovery and landfill operations that have been proposed for the sites that I mentioned earlier.

The Bill sets out in good detail all the steps that the Adelaide City Council, as the operator, must undertake in terms of the preparation of a landfill environmental management plan, the responsibilities of the Environment Protection Authority in both assessing the plan and reporting to the Minister and, ultimately, the responsibility of the Minister in adopting, amending or refusing the plan is highlighted in the Bill.

It is no secret that legislation has not been the Government's preferred position in seeking to resolve the closure of Wingfield. However, given the significantly different and long-held positions of both the Adelaide City Council and the Port Adelaide Enfield Council it has been considered necessary to bring legislation in to ensure that the fate of Wingfield, as I said earlier, is not left to the courts to resolve, and of course that would include expensive and lengthy legal argument. The Government, industry, local government and the community at large require much greater levels of certainty in order to minimise and manage future waste demands and also demands that we do it in a much better way than we have done it in previous times.

I was pleased to note last evening the contribution of the Hon. Terry Roberts. I welcome his support and that of the Labor Party for the Bill and I am pleased to support the legislation.

The Hon. J.F. STEFANI secured the adjournment of the debate.

TOBACCO PRODUCTS REGULATION (SMOKING IN UNLICENSED PREMISES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 March. Page 858.)

The Hon. SANDRA KANCK: This Bill has come up as a result of an accident, as we all know. The Treasurer will recall that when we dealt with this Bill two years ago I was concerned about the impact that the legislation in its original form would have on some of our restaurants in the city. They did not lobby me other than via a letter, but the position I took at the time was that the Bill we were dealing with then was not a smoking in public places Bill but that the effect of the Bill would make it into that.

As I said at the time, I would very much welcome legislation that bans smoking in public places. However, as that was not the intention of that legislation, it should not have that effect. The Treasurer at the time organised a meeting for me with the then Health Minister so that we could deal with these issues. Consequently, we were able to get some amendments through that allowed some licensed premises to continue to have areas where people could smoke. As a result of the application of the Act, unlicensed premises cannot be treated in the same way. This was brought to my attention initially by the manager of the Coffee Pot, which is a first floor coffee lounge just off Rundle Mall. He was finding that he was losing a lot of customers who preferred to go down the lane to a nearby hotel so that they could smoke at the same time as they had a drink.

I wrote to the Minister for Human Services at that time, being very much aware of competition policy and, knowing that I had strongly supported what we did in 1997, I asked

him whether he had taken Crown Law advice on the discriminatory nature of the legislation in its effect. I have not received a reply from the Minister but, instead, this legislation has been introduced. It was an unintended consequence. I would very much welcome a complete ban on cigarette smoking in any public place and I am sorry that as a Parliament we are not able to grasp that. Nevertheless, in the spirit of the legislation that we dealt with in 1997, I support this amendment, assuming in line with the guarantee that I was given in 1997 that the number of exemptions granted will be reasonably small. The Democrats will support this Bill.

The Hon. J.S.L. DAWKINS secured the adjournment of the debate.

SUPPLY BILL

Adjourned debate on second reading.

(Continued from 4 March. Page 823.)

The Hon. DIANA LAIDLAW (Minister for the Status of Women): I address the Supply Bill as Minister for the Status of Women and I will focus initially on the issue of domestic violence. This Government regards domestic violence as the ultimate betrayal of trust. Accordingly, the Government has devoted great energy and resources to the prevention—

An honourable member interjecting:

The Hon. DIANA LAIDLAW: A lot of money, thought, care, time and effort have been expended to further our goal of the prevention of domestic violence. That is on top of measures to help victims deal with the horror after the event, but our focus is on the longer term and prevention, so the Government has undertaken a variety of measures to assist in the prevention of domestic violence and to help victims. The Domestic Violence Act, which was passed some years ago, is the first such legislation in the country. Stalking legislation has also been advanced. The issue from a Government perspective is being coordinated by the Attorney-General as a crime prevention issue. When we got to Government, it was being treated more in the health and community welfare areas.

As I said, the Government considers that domestic violence is such a serious issue in the community that it is being treated as one of the crime prevention strategies within the Attorney-General's Department. The Government has also established a Ministerial Council on Domestic Violence, which is chaired by the Attorney-General and comprised of, I think, six Ministers including the Attorney-General, the Minister for Correctional Services, the Minister for health and me as the Minister for the Status of Women.

A major domestic violence conference, an initiative of the Ministerial Council on Domestic Violence, will be held next week. It is timely that the issue of domestic violence be discussed at this moment. Many people are troubled about how the Government and the Parliament as a whole view the subject of domestic violence. I believe that, collectively, we have a great responsibility to address these community concerns. I am not arguing that all these concerns are sound, valid or right, but I do argue strongly that the community is confused about the messages that the Parliament and the legal system are sending.

I refer to an article by Ms Deborah McCulloch in the latest edition of the Women's Electoral Lobby magazine entitled *WEL Read*. The article, which is headed 'Domestic Violence in South Australian Court Proceedings' states, in part:

> For two days, Tuesday 9 and Wednesday 10 February, Edith Pringle was treated as if she were on trial. She was examined and cross-examined about the charges she had laid with SA Police, that her de facto, Ralph Clarke MP, member for Ross Smith, had assaulted her, on two occasions.
>
> You should have been there. I was. For years I have said that we should be monitoring the courts—if only we had women to do it! You learn in the courtroom what women all round the world have been saying: women who have been raped and/or assaulted have almost no chance at all of getting any punishment of their assailants from the courts.
>
> The physical difference between the accused and chief witness was even more telling than usual. Ralph Clarke MP is a big fellow—a bit fat, about six feet, long arms and legs. Edith Pringle is maybe a size 10; and in high heels she looks up into my face and I am 5 ft 7 in. This disparity was not remarked upon as the defence lawyer accused the witness of 'hitting Mr Clarke on the chest, trying to kick his groin'. Is this what they mean by 'equals before the law'?
>
> Yet they are not treated equally in other ways. He is the one accused of the offence, yet he was not on trial—she was. First, over two hours, she told of an affair lasting about three years with two incidents of physical abuse bad enough for her to seek help.
>
> The defence tries to build an alternative story to the first story, that put forward in a matter-of-fact way in response to the Prosecutor's questions. Yes, there was an affair, yes, it changed from meetings to dates to living together.
>
> The first incident of assault was about six months before the second. The first was not reported to the police; the second was. As well as these incidents there were remarks which seemed significant, like 'The trouble with you is you haven't been broken in yet.'

The article goes on to talk about the witnesses to these assaults, as follows:

> . . . the doctor at the hospital for the first, the police to the results of the second, friends, confidants, even casual passersby. These witnesses are not called. First, the chief witness is cross-examined.

Ms McCulloch then goes into the cross-examination. She ends up reflecting on all of these proceedings and the nature of domestic violence and then—and this is the telling point, I believe, for all of us in this place—Ms McCulloch claims that 'there is no point in her (that is, any victim of domestic violence) complaining because the law won't support her at all'.

I am very troubled by a statement like that by any person from any perspective. I am certainly troubled by the statement of Ms McCulloch, who was a women's adviser to the former Premier, Don Dunstan, who fought for women's rights, as we all know, and whose life we celebrated in this place just a couple of weeks ago following his death. But for Ms McCulloch to be making such a statement, having witnessed two days of proceedings, means, in my view, that in terms of the crime prevention efforts through the Attorney's department, through the—

The Hon. Carolyn Pickles interjecting:

The Hon. DIANA LAIDLAW: It may be that she does not understand the system.

The Hon. Carolyn Pickles: Is the judge wrong?

The Hon. DIANA LAIDLAW: I am not arguing that, and I said that I wasn't reflecting on the comments.

An honourable member interjecting:

The Hon. DIANA LAIDLAW: I wasn't saying that. I said that this is a very senior person within the State in terms of representing the views of women, and I believe very strongly that in terms of the resources—

Members interjecting:

The PRESIDENT: Order! I remind the Minister that this is not the debate in which to bring up an issue if it is not related to supply.

The Hon. DIANA LAIDLAW: It is. I am relating it to the resources of Government in respect of crime prevention. I argued that from the start and I believe very strongly that, in the context of the domestic violence conference that is to be held next week, we must seriously address concerns that this—

The Hon. R.R. Roberts interjecting:

The Hon. DIANA LAIDLAW: I just think it is very interesting for Mr Ron Roberts, having been absent from this place for most of the night, to not be concerned that any person of the standing of Ms McCulloch—or any person, indeed—would be arguing, and in print, that there is no point for a victim of domestic violence complaining—

The Hon. R.R. Roberts interjecting:

The Hon. DIANA LAIDLAW: And what do you think of this statement of Ms McCulloch—

The Hon. R.R. Roberts interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: —saying that there is now no point for a victim of domestic violence complaining because the law will not support her at all? I would have thought that Mr Ron Roberts would be very troubled by a person saying that.

The Hon. Carolyn Pickles interjecting:

The Hon. DIANA LAIDLAW: I don't agree with that statement.

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: But the fact that it has been said by a former—

The Hon. R.R. Roberts interjecting:

The Hon. DIANA LAIDLAW: I am not being naughty. I believe that there is major concern—and I am not surprised that the Hon. Mr Roberts is upset but I believe, as do women generally, that something must be done to reassure women in this State that, if they are victims of domestic violence, the system through health, community welfare, the Office of the Status of Women and the legal system will, in fact, support them. And, in terms of the effort of this Government and the resources of this Government, it is very important that we address this major concern. I ask members opposite, particularly the Hon. Ron Roberts, to attend the domestic violence seminars next week. I am sure that the honourable member, together with his contribution, would be most welcome. I also refer to the International Women's Day luncheon held today—

The Hon. Carolyn Pickles interjecting:

The Hon. DIANA LAIDLAW: Well, you were not there. There was an excellent address by Dr Nyree Brown. I refer to that in terms of resources and Government and the challenge that she presented to all people—

The Hon. Carolyn Pickles: Mr Howard.

The Hon. DIANA LAIDLAW: Yes. To all members of Parliament and to Mr Howard, and that is true in terms of reconciliation. It was superb when she made a contribution honouring a number of women who had made such a difference to her life and who had ensured that it was possible for women such as Dr Brown to be where they are today. Today, Dr Brown is an indigenous health adviser to the Federal office of the AMA. In particular, Dr Brown honoured Ms Lorna Fejo, an Aboriginal woman from the Northern Territory. She honoured Aunty Jean, an Aboriginal woman from her father's own turf who had lived for nearly 20 years on the Block at Redfern. She honoured Dr Sandra Eades (another indigenous doctor), one of the first Aboriginal graduates from Newcastle Medical School. She honoured Ms Barbara Flick, a fabulous Aboriginal woman whose experience, knowledge and insight broaches the length and breadth of the country.

Dr Brown also referred to Evelyn Scott, Chairperson of the Council of Aboriginal Reconciliation, and to Lowitja O'Donoghue. She talked about these women being her role models and said:

> Firstly, I hope for healing—healing for my brothers and sisters who continue to suffer indignity, shame and loss as a legacy of this country's colonisation; healing that will come from within when the injustices of the past are acknowledged. It will not come from a word, nor from carefully crafted, hollow rhetoric; shiny lip service! Dress it up they may, make it poetic, lilting, pleasing to the ear; easy on the mind, a soothing balm to the guilty wound of a nation whose haunting past cannot be undone. But without truth, and if it comes from a dispassionate heart devoid of understanding, then how can it draw us closer to together? We all know that a word will not stop us dying 20 years younger than the rest of the community, a word will not prevent our children taking their own lives before their tenth birthdays, a word will not put food in the mouths of a LBW baby and her young mother.

I make those comments, Mr President, because you will remember in this place some time ago that both Houses of Parliament made an apology after the report on the stolen generation was delivered. Dr Brown goes on to say:

> I want respect—not just on the humanitarian grounds of our right to be respected as individuals, but to be acknowledged as the custodians of this sun kissed island. Every Australian should be proud of their home; their homeland should be exhilarated by the taste of salt spray on their skin or to feel the rich red soil on their hands and under their nails. Who more so than the ATSI [Aboriginal and Torres Strait Islander] people of this country—the oldest living culture on the planet.
>
> I have waded in the crystal waters of the east and west coasts, I have stood at the foot of Uluru, the billabongs of Gagaju, and felt the prickling of the hairs at the base of my neck, not just from awe at the sheer beauty of such a rugged landscape, but because I am part of it, that my ancestors, the spirits, were born of the earth and continue to live in me now. I hope for success and the opportunity to succeed, to perform, to learn, to achieve. It doesn't have to be on a grand scale, for many it will be something that the rest of [us] take for granted, the ability to read and write, a roof over their heads, an education for their children, to meet their families for the first time.
>
> And for others it may be to represent their school, their community, their country in debating, or sport, as a cultural ambassador or a politician, perhaps one day as the leader of this country. Ngi Brown, President of the Republic of Australia, has a ring to it, would look good on a business card. I hope for the self-esteem and identity of my people. I want to raise their expectations, show them that there is more for them than ill-health, poor education and limited employment opportunities.
>
> We shouldn't have to live down to the expectations of others within the limitations of cultural stereotypes. We must be brave enough to reach beyond the boundaries of our own experiences and live our lives as equal partners in Australian society. I want people to know that it is not just okay to dream: it is compulsory, because if we live without imagination then we live without hope.
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> It is a big wish list I know, but not impossible, because I am optimistic enough to believe that most Australians wish for the same things for themselves and for others.

Dr Brown goes on to talk a little more, but today I want to say, in terms of my contribution to the Supply debate, that I share so strongly her views that we have to work hard in this country in terms of our budgets, our projects, our programs and our collective will generally to ensure that all people, but particularly our indigenous people—the Aboriginal and Torres Strait Islanders—can raise their expectations and can show themselves and the wider community that there is more for them than ill-health, poor education and limited employment opportunities.

It is very important that this Government and others work strongly not only with the Aboriginal senior men and women

who have given opportunities to Dr Brown and others but that we work strongly (and we certainly are through the portfolios in which I am involved—transport, arts and urban planning and women) to advance the interests of our Aboriginal communities overall.

In terms of the arts, very briefly I mention that work will soon begin on the Aboriginal Cultures Gallery. We have the strongest collection of Aboriginal artefacts in the country, I suspect the world. The Aboriginal Cultures Gallery is not only an important development for international tourism and the revitalisation of North Terrace but, in my view, broadening the education and understanding of all Australians to the rich culture of the Aboriginal indigenous people of this country. I believe very strongly that, in terms of reconciliation and developing those understandings, the Government effort to provide funds—and there will be a total of funds of some $13 million this year—will do a lot for reconciliation and hopefully for addressing the issues that Dr Brown presented today at the International Women's Day luncheon.

The PRESIDENT: Before calling the Hon. John Dawkins, I point out to the Minister that, no matter the importance of the subjects chosen by the Minister, the Council has been very indulgent of the Minister. I remind honourable members that the Supply Bill is about funding the Public Service; it is not about Appropriation. It is not an Appropriation Bill for the departments to do their work. There were not points of order called, but I remind members to stick as closely as they can to relating their remarks to the Supply Bill, which is to fund Public Service salaries.

The Hon. J.S.L. DAWKINS: I rise to briefly speak to the Supply Bill at this late hour. I will endeavour to be as brief as I can. I will speak in regard to some matters relating to transport portfolios in relation to the Supply Bill and I will be speaking to some extent about salaries of public servants. The first area I raise this evening is in relation to the service provided to many rural communities in this State by the ferries, otherwise known as punts, provided by Transport SA.

The total cost of providing ferry services across the River Murray at 12 locations with 13 ferries in the 1998-99 financial year is $6.9 million. The figure includes the maintenance, refitting and upgrading of the ferry vessels as well as the costs of the operators of the ferries who run them across the Murray and, in one case, between Lakes Albert and Alexandrina on a 24 hour basis. Those ferries that link local roads include Narrung (which I have just mentioned), Penong, Morgan, Lyrup and Goolwa, linking Hindmarsh Island. Ferries linking arterial roads are situated at Waikerie, Swan Reach, Walker Flat, Mannum, Tailem Bend, Wellington and Cadell.

These ferries are seen as an extension of the road network in South Australia. They are very valuable to the rural communities they serve, those that are split by the river or where there are many farming people on one side of the river who rely on the town on the other bank as their service centre. The network of ferries is unique to South Australia in this country, particularly because our smaller population base and the wider river in this part of the country prohibits the provision of bridges to the level we would like.

I move on to other matters relating to the transport portfolio. A number of members of this Chamber would be aware of my interest in public transport and the fact that I am quite happy to use the train service from Gawler on a regular basis. In fact, in some years gone by when I was commuting from Gawler River to Stirling there were times when I did not drive but caught a train to Adelaide and then a very good bus service to Stirling. It was a very cheap way of doing it, but a very good way to commute.

That takes me to some news about the long awaited upgrade of the Elizabeth railway station, which I understand will be finished by the end of this year. The State Government has budgeted more than $400 000 for the project. The condition of this station has long been considered poor compared with other major stations, including Noarlunga and Salisbury.

Plans to relocate the station and create a transport interchange with buses were dropped by the Federal Government in 1996 due to a lack of funding. However, I understand that the Playford Council, in which area the Elizabeth station is located, has issued a report which describes the new plans as more modest. They include removing existing structures at the station, raising the platform and installing new seating and a ticket office.

The unsafe underpass, which I can well remember being constructed when I was a student, will be closed permanently and transparent panels used to divide the platforms, creating wind breaks. I understand that talks are continuing between the council and the bus company, Serco, on improving the bus interchange adjacent to the Elizabeth station. I also understand that work at the railway station should start around the middle of this year and take about six months to complete.

Another area in the transport portfolio, and one which I think has been very successful, given the Government's wish to get more people to use public transport and reduce the car traffic load on roads, has been the TransAdelaide Footy Express services. They have been very successful and are well patronised in most areas. I have had personal experience of using the Crows Express from Gawler, and I have recently had some input by advising the department on ways in which the route that the bus service takes can be improved in order to reduce the time taken for the people who use that to traverse from Gawler to West Lakes. I compliment TransAdelaide on the work it has done to help not only the people who use this service but also the staff, who find the provision of that service one of the aspects of their employment to which they receive a very good response.

I will conclude by referring to a letter to the Editor which I saw in the *Advertiser* of 5 March and which I think gives due accolades to those who organise public transport in this State. In this letter, entitled 'Give it a go,' Mr John Lamprell of Marino states:

> Yes, TransAdelaide has done it again. After enjoying the fabulous Adelaide Symphony Orchestra at Elder Park last Saturday night we followed the crowds to the Adelaide Railway Station to catch the train home and sure enough TransAdelaide had anticipated the extra passengers. It had put extra cars on the 11.02 p.m. train to Noarlunga Centre and we all travelled home in airconditioned comfort. Interestingly, as we passed under the Morphett Street bridge all you could see was traffic banked up. Yuk! We were home in 30 minutes while many motorists were still walking to their cars or were in the traffic jams. If you have not tried train travel for a while, give it a go. It's safe, fast, efficient, economical and easier on the environment day or night.

With those words, I would just like to—

The Hon. Ian Gilfillan: What about the Beeline bus?

The Hon. J.S.L. DAWKINS: I will extend my contribution a little, because the Hon. Ian Gilfillan reminds me that only a couple of days ago, at his encouragement, I joined him in giving blood—in my case for the first time—at the Red Cross Society, and we travelled to that facility on the City

Loop free bus which, while it is a somewhat circuitous route, certainly is an excellent service which provides people with—

The Hon. Ian Gilfillan: It's just as well we had Michael Atkinson with us, or we could have got on the wrong bus.

The Hon. J.S.L. DAWKINS: That's true, but we still would have got there. It is an excellent service, certainly one that visitors to this city would enjoy. I would recommend that if members have a small amount of free time they travel on that service and others, because it would be worthwhile for those members to see exactly what is on offer. I thank the Hon. Mr Gilfillan for his prompting. With those words, I support the Bill.

The Hon. R.R. ROBERTS secured the adjournment of the debate.

ADJOURNMENT

At 11.42 p.m. the Council adjourned until Thursday 11 March at 2.15 p.m.