LEGISLATIVE COUNCIL

Wednesday 20 October 1999

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

PAPER TABLED

The following paper was laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Motor Accident Commission Report, 1998-99.

LEGISLATIVE REVIEW COMMITTEE

The Hon. A.J. REDFORD: I lay on the table the second report of the committee 1999-2000 and move:

That the report be read.

Motion carried.

The Hon. A.J. REDFORD: I lay on the table the third report of the committee 1999-2000.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. CAROLINE SCHAEFER: I bring up the report of the committee on an inquiry into the Voluntary Euthanasia Bill 1996 and move:

That the report be printed.

Motion carried.

WATER WEEK 1999

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I seek leave to table a ministerial statement on Water Week 1999 made by the Minister for Environment and Heritage in the other place.

Leave granted.

QUESTION TIME

OUTSOURCING

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Attorney-General a question about outsourcing.

Leave granted.

The Hon. CAROLYN PICKLES: When the Federal Court ruled earlier this year on the impact on workers of outsourcing, I asked the Attorney and the Minister for Transport a number of questions regarding the state government's response to this matter: no reply was forthcoming. However, since the Federal Court's initial ruling on the north-western health care network in Victoria, there have been two subsequent court decisions upholding the original decision, one involving Telstra call centres and the second involving regional banking in Queensland. At the same time the now defunct Kennett government indicated its intention to appeal against the decision. My question is: has the Attorney sought advice from the Crown Solicitor about the impact of the Federal Court decision; if so, what is the nature of that advice; and, if not, when will the Attorney seek such advice?

The Hon. K.T. GRIFFIN (Attorney-General): That is one of the many issues that periodically come across my desk. My recollection is that the decision, at least in the initial case, was the subject of an appeal.

The Hon. Carolyn Pickles: That was Jeff Kennett's appeal; it is not likely to proceed.

The Hon. K.T. GRIFFIN: Who knows what might happen. I do not think we ought to presume what may or may not happen, either in Victoria or elsewhere.

The Hon. R.R. Roberts: Do you know more than we know?

The Hon. K.T. GRIFFIN: Sometimes I do know more than the honourable member knows, but not all the time. I am not so bold as to suggest all the time. I recollect having seen some advice on the issue but, because the matter is on appeal, it has not created a great deal of difficulty. Now that the honourable member has raised that question specifically, I will take advice and bring back a reply.

STATE ECONOMY

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Treasurer a question about the South Australian economy.

Leave granted.

The Hon. P. HOLLOWAY: In the Governor's speech prepared by staff of the Premier it was claimed:

Over the last year South Australia has had the second highest level of growth of all the states and territories.

Significantly, the claim was not backed by reference to official Bureau of Statistics data. My questions are:

1. Is the Treasurer aware that, contrary to the government's claims, the latest official Bureau of Statistics trend data for State Final Demand show that South Australia's economy actually contracted by minus 0.2 per cent over the year to June 1999, the second worst performance of any state?

2. Is the Treasurer also aware that the latest Bureau of Statistics data for private new capital investment shows a fall in the year to June 1999 of more than 33 per cent, the second largest fall of any state or territory in Australia?

3. What does the government intend to do to arrest this decline, apart from selling more assets?

The Hon. R.I. LUCAS (Treasurer): The reason for the fall in the investment figures to which the honourable member referred is significantly the conclusion of the $1 billion investment in the expansion of the Roxby Downs uranium mine. Of course, that South Australian development has been strongly supported by the Leader of the Opposition, the Hon. Mike Rann, and members of the Labor Party.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: The honourable member cannot understand why that might have some impact, so perhaps I should explain it to him. If in one year very significant private investment of the order of a billion dollars is made in a major uranium mine and the following year there is no such investment, there is a decline in the amount of investment from the private sector.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: I can assure the honourable member that it did not fall in the year that the Roxby Downs figures were recorded as $1 billion because we did not hear a peep out of him during that period. Those same figures showed increases of 30 per cent, 40 per cent and 50 per cent.

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: No, the figures that the honourable member quoted were total figures in relation to invest-

ment. He talked not about non-mining investment but about total investment. We did not hear a peep for a couple of years because, as the Roxby Downs investment and a range of other investments went through the system, those figures showed increases of the order of over 50 per cent on an annual basis. It was a very big, lumpy investment and that meant a huge increase in the investment figures for the state at that time. The following year saw a significant reduction. It is fine for the shadow minister for finance to seek to make political capital out of that issue, but I will seek some detailed advice and give him an historical perspective of those figures and, if possible, throw some further light on the significance of the very big investment in Roxby Downs.

In relation to the first part of the honourable member's question, I will need to take advice from the Premier and his advisers as to which set of figures reference was made. As members know, in this area there are a variety of different estimates depending on which time period is involved, whether the figures refer to 1998-99 annualised growth figures on a different quarterly basis, whether they were Bureau of Statistics' figures, or whether other source material was used. I will check with the Premier and his advisers and bring back a response.

GENETICALLY MODIFIED FOOD

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Attorney-General, representing the Minister for Primary Industries, a question on future foods.

Leave granted.

The Hon. T.G. ROBERTS: In the *Australian's* features section today is an article headed, 'Green and gold', which states:

> As consumers rebel against genetically modified food, Australia's organic farmers could be best placed to cash in.

The article goes on to describe a small holding in Tasmania and, as clarification of my question, I will read part of it into the record, as follows:

> Tasmania likes to regard itself as the market garden of the nation. Recently, Access Economics, in an assessment of the Tasmanian economy, pointed to its 'clean and green' strength as its lifeline from a poorly performing economy—and a lifeline to the world as GM [genetically modified food] is becoming a dirty word.
>
> One of Britain's most famous supermarket chains, Sainsbury, dropped GM products seven months ago because they were being left on the shelves. Iceland, one of the British biggest food-shop chains, with 760 supermarkets and an annual turnover of $5 billion, leads the retail fight against GM products. 'We are not opposed to biotechnology as a science, it is the way it is being applied; the way it is forced on to the market without consumers being given the choice.'. . .

The article goes on to describe what is being done in Tasmania. I know from personal experience that some farmers in South Australia grow food organically and I know that they are not able to keep up with the demand for organically grown food, even though it carries a 15 per cent to 20 per cent premium, and even higher, on certain products.

An article in *Choice* magazine gave some description of other modifications that have taken place in future foods but suggests that our problem is that demand for organic food is so great and the supply is so small. I was wondering whether this state could get onto the bandwagon, along with Tasmania. Tasmania has certainly grabbed the limelight, and New Zealand grabbed some of the limelight before Tasmania did. It is now time that we were out there promoting these benefits that will come from it. My questions to the minister are:

1. What is the government's policy on food irradiation?

2. What is the government's policy on the promotion of appropriate labelling to indicate genetically modified contents and fat substitutes?

3. What is the government doing about the promotion of organic registration of horticultural, hydroponic and agricultural growing regimes to put South Australia into the forefront—

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: —of the green revolution that is going on in Europe and America?

The Hon. K.T. GRIFFIN (Attorney-General): I will be delighted to refer the questions to my colleague in another place and bring back a reply.

PARTNERSHIPS 21

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Treasurer, representing the Minister for Education, a question about Partnerships 21.

Leave granted.

The Hon. M.J. ELLIOTT: My question relates to a lack of guarantees for schools that are currently involved in training for Partnerships 21. Partnerships 21 is the State Government's plan to further shift public school management to the local level. An information package was sent to schools in July this year and schools were required to opt for further information and training by 27 August.

The Hon. A.J. Redford: Do you oppose that?

The Hon. M.J. ELLIOTT: In its current form, yes, but I am not going to express an opinion in my question—only in response to an interjection! Given the significant incentives offered to schools who opted into the first round, it is not surprising that many school councils took this opportunity to receive further information and training. However, these schools are not bound to the initiative unless they sign a services agreement prior to 19 November this year. As the incentives that have been dangled decline substantially with each round, there is substantial pressure on schools to get in early so they do not miss out. This situation created a rush to make a decision in relation to Partnerships 21 at a time when both the education act and the children's services act are under review and may be rewritten substantially. Effectively the parents and councils of these schools will have had fewer than six months to decide over a scheme that would dramatically change the nature of their school, while all relevant legislation is in flux.

Further, there has been public concern over the way some school principals, councils and staff have not reflected the feelings of the broader parent community in their decision making over Partnerships 21. It has been seen as imperative that, before these schools sign a services agreement, the whole community receives all the information and guarantees necessary to make the best decision for their school. There are two significant areas that remain unclear to school communities. First, should a school sign a services agreement, the minister at this stage has offered no guarantee that they will be able to opt out of Partnerships 21 after the three year agreement. Schools are being given the opportunity to opt in and are being told they will not be forced in, but schools are not being offered the potential to opt out. As the minister will be aware, the circumstances of staff, council

members and demographics of school communities will change and, of course, after a couple of years experience, they may want to re-evaluate.

Secondly, there have been no guarantees in either the short or long term that school councils will be protected from cost cutting measures in the future. I think there is concern that, at the very least, there should be some guarantees for some period of time that income will be secure. With those things in mind, I ask the minister: if the schools currently involved in training sign a services agreement, will the minister guarantee that these schools will also be able to opt out of Partnerships 21 at the end of their initial three year contract? Should these schools sign the services agreement, will the minister guarantee that school councils who make savings on the global budget will not then have their budget cut because they are deemed not to need the additional resources?

The Hon. R.I. LUCAS (Treasurer): I will refer the honourable member's questions to the minister and bring back a reply.

EMERGENCY SERVICES LEVY

The Hon. G. WEATHERILL: I seek leave to make a brief explanation before asking the Treasurer a question that I do not think has been asked today: it is about the emergency services levy.

Leave granted.

Members interjecting:

The PRESIDENT: Order!

The Hon. G. WEATHERILL: In relation to the GST, the Treasurer of the Australian Commonwealth stated on 25 August 1999 that those services which are rendered for a fee are taxable, so that a fire service which is rendered for a fee can be taxable. My questions are:

1. Will the Treasurer confirm that South Australia will be paying another $12 million in tax tacked onto the emergency services levy?

2. How much of the $12 million will be taken from people who were promised that their emergency services contribution would not rise?

3. What is the South Australian goods and services tax bill likely to be worth taken from all government services which are levied or user-pays?

The Hon. R.I. LUCAS (Treasurer): I have to apologise to the Hon. Mr Weatherill; I was most inappropriately interjecting against the Leader of the Opposition about yesterday's proceedings during the first part of his explanation, so I did not pick it all up. I will certainly give his question close attention and bring back a reply as soon as I can.

OLDER PERSONS

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for the Ageing a question about technology and older people.

Leave granted.

The Hon. T.G. CAMERON: The Minister will probably be surprised that he is getting a real question today instead of a dorothy dixer, but here goes. Technology is advancing so quickly into the lives, homes and occupations of elderly people that it is doubtful—

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: I'll start again for those who could not hear me due to the interjection. Technology is advancing so quickly into the lives, homes and occupations of elderly people that it is doubtful that we can avoid a society including people who have little or no understanding of the technology that is encountered—

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: —I have not asked the question yet—in our everyday lives; for example, how many in this Chamber would be confident using a VCR, an ATM, a CD-ROM, smartcards, the internet, a computer, a fax machine or an electronic notice board, and how many do their banking, bill paying or shopping by telephone? There are 215 000 people over the age of 65 years in South Australia, or 14 per cent of the population. It has been estimated that just 5 per cent are conversant with the new technologies. The fears of the elderly in using technologies can easily be seen in the minimal use they make of EFTPOS in supermarkets and ATMs. While there are components of the new technologies that the elderly can get by without, the procurement of money from banks to pay weekly bills often presents a real problem. It would not be going too far to say that people who cannot cope with the present daily living conditions of modern technologies are, in fact, themselves disabled. It is time the elderly and technology in our society were brought together.

My question to the minister is: considering the number of elderly South Australians, has the minister's department considered the impact of technologies on the daily lives of our senior citizens, and what educational programs or literatures are currently available for them if they are seeking to become technologically independent?

The Hon. R.D. LAWSON (Minister for the Ageing): The government has recognised the importance of information technology to older people in our community. Indeed, it is a fact that older people in our community have been surprisingly active in uptaking internet subscriptions. In order to meet the needs of older people in relation to information technology, a number of organisations and groups in the community have been conducting programs. For example, the banks are seeking to encourage use by older people of automatic teller machines. They have found that many older people, according to their surveys, are afraid to use ATMs. My suspicion is that it may be more to do with fear about what might be happening behind the back of the person at the ATM rather than about what is happening on the screen in front of them. I think that the banks are to be commended for seeking to educate their customers about the benefits of using ATM machines.

During this International Year of Older Persons we have made a number of positive ageing grants to groups that are promoting the use of information technology. For example, an organisation called Seniors Online was provided with assistance to enable it to provide computer and internet classes to older people from rural and regional South Australia, particularly in the Riverland, South-East and Wakefield regions.

The South Australian Country Women's Association was also provided with affordable basic computer tuition for a number of older women in isolated rural areas. It is not only the regional areas that have benefited from grants of this kind because the Prospect Neighbourhood Centre was provided with a grant to facilitate a program of basic wordprocessing and internet use for a number of older people. So, it will be seen that in funding grants for community groups we acknowledge the importance to older people of information technology.

We do acknowledge the benefits that many people can receive from it because the computers, and especially the internet, can remove some of the isolation that many older people feel. It does enable many people who have mobility difficulties, for example, to participate more fully in the life of our community. The use by older people of computing equipment, the use of ATMs and also the use of the internet is something that we widely encourage and will continue to encourage through programs across the whole area.

HOME INVASION

The Hon. L.H. DAVIS: I seek leave to make a brief explanation before asking the Attorney-General a question about home invasion.

Leave granted.

The Hon. L.H. DAVIS: This morning on the steps of Parliament House there was a demonstration and a gathering directed towards the subject of home invasion. This gathering had been well publicised and, although I was not present because I had other commitments, I understand it was addressed by a number of politicians. I am wondering whether the Attorney-General—

An honourable member: Just one.

The Hon. L.H. DAVIS: Okay; but certainly a number of people addressed the rally. I am wondering whether the Attorney-General could advise the Council whether he was invited to the rally and whether he had the opportunity to speak.

The Hon. T.G. Cameron: He wouldn't have accepted the invitation anyway.

The Hon. K.T. GRIFFIN: Yes, he would have, because I wrote to Mrs Skowronski last week after we set up a time for her and I to meet. Subsequently she rang back and said that she did not think that she could keep the appointment, and ultimately she indicated that she could not do it until after the rally. I then wrote to her indicating that I was disappointed that she did not feel that we ought to meet. At that time I had not been provided with any information as to whom the petition would be presented to, and I indicated that I would welcome the opportunity and sought an opportunity to at least respond to issues that might be raised or accusations made at that rally. As it turned out, I was not invited to speak. I was there for at least an hour, and—

Members interjecting:

The Hon. K.T. GRIFFIN: I was there watching, of course. I was certainly there and I listened to the speakers and I spoke to a number of the older people who were present but, regrettably, I was not given an opportunity to speak and to correct a number of the unwarranted and unfair accusations made against the government and against me. But since then I have had a press conference and all the media were present and I have been able to put a point of view about the issue. I indicated at the press conference, and if I was at the rally I would have indicated, that the government is always concerned about issues that affect victims of crime. It has had a long standing commitment to provide support to victims of crime, whether of serious crime or not so serious crime, and that we have a program which is quite extensive across government and in the private sector which provides significant support to victims.

The Victims Support Service, for example, gets about $475 000 a year. We increased that in this current budget by $80 000 to meet a need which the Victims Support Service had identified to us. Across government we are endeavouring better to coordinate the services which we provide, whether they be through police, the courts, the DPP's office or through Corrections and other agencies of government. In fact, it is not so long ago that we established the Ministerial Advisory Committee on Victims of Crime, chaired by the Hon. Dr Bruce Eastick, comprising a wide range of representatives of government, in an effort to better coordinate and provide services to victims of crime. Within that framework we also support the Homicide Victim Support Service, more particularly in the production of its recent information booklet about homicide and unscrambling the maze in the justice system which confronts those who might be the families of victims of homicide.

I also would have indicated, as I did at the press conference, that we are going to maintain our focus upon crime prevention. We have a reputation for being the leader in that in Australia, and I have acknowledged on many occasions the work that my predecessor undertook in relation to that, particularly in relation to the Local Crime Prevention Committee Program, and have always pondered aloud why there does not seem to be the same measure of support from the opposition now, and particularly Mr Rann, as there was at the time when Mr Sumner was Attorney-General and Mr Rann was a government minister for dealing with issues relating to crime and crime prevention.

We will continue to provide top grade support for victims. We will continue to attack the causes of crime. I think it is important to recognise, and I think most people in the chamber do recognise, that if you only talk about penalties and we do not talk about and do something about the causes of crime then there is not much light at the end of the tunnel for any of us, and the last thing I want to see within our community is all the emphasis upon the hard line reactions, without giving strong emphasis to dealing with the causes of crime.

I also would have indicated, and did indicate at the press conference, that we will be legislating for a restructure of the law, particularly in relation to burglary. The discussion paper which I published this week was intended to try to get a balanced discussion going in relation to both the facts about home invasion and the possible remedies so that we would end up with a sensible and practical piece of legislation rather than something formulated in haste and in the midst of some hysteria.

However, concern remains for victims and potential victims. Concern also remains that, if as a community we take these issues over the top, that will affect the quality of life of us all and accentuate the level of fear that exists in the community. I do not underestimate the level of concern in the community by both those who have been victims and those who may at some time in the future be victims. The fact remains that those most at risk from this sort of offence in the community are those in the 18 to 24 year age range and that those who are aged 60 years and over are much less likely to be victims. Nevertheless, that does not argue for any underrating of the seriousness of the concern.

National Crime Prevention in conjunction with the states and territories has recently published quite an extensive report on issues of fear and crime, and one would hope that out of that will come some practical programs, such as the repeat victimisation project that we are running as a pilot in the north-eastern suburbs of Norwood and Kensington. So, many positive things are happening. I would not like to think that those positive things were pushed to one side in the consideration of the legislative response to the concerns that have

been expressed about home invasions. Those other areas are important.

Only yesterday I met with a representative of the International Society for the Prevention of Crime, who is based in Montreal, about Australia becoming part of that international movement for the prevention of crime. Our government places significant emphasis upon the prevention of crime, whether it be domestic violence, other acts of violence, housebreaking or any of the many areas of crime that are of concern to the community. That vigorous pursuit of those responses will continue to be made.

PORT PIRIE LAND

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport a question about railway lands at Port Pirie.

Leave granted.

The Hon. R.R. ROBERTS: I have been approached by a resident of Port Pirie who lives on Albert Terrace abutting the railway lines and the old AN headquarters. This saga has been going on with Mr Duel and other residents in this area for some years. The story is quite long and it is also bizarre in fact. For some time after the sale of AN there were about 10 or 12 railway carriages on that land. After about three years of negotiation, we found out that those carriages had been sold to Southern Railways in 1997, but AN does not have any information about who currently owns them.

These carriages have been vandalised and set alight. The whole area is infested with weeds and it is causing concern for parents in the area because the land is not secure. The gates have gaps of about 18 inches which small children are walking through. I understand that it is a meeting place for vandals and graffiti artists whom some people lump together. Also over that period some letting of the buildings has occurred. A plastics recycling operation is also causing concern for constituents in that area. The Hon. Rob Kerin and Barry Wakelin have been involved in this matter for some time and—

The Hon. A.J. Redford: And doing a good job.

The Hon. R.R. ROBERTS: Stay posted. I have been advised that we now know that the land and facilities have been sold to Transport SA. It has been suggested to me that the grass, the trees, the rubbish and the amenity of the area is Transport SA's responsibility. My questions to the minister on behalf of those concerned constituents are:

1. When will Transport SA clear up the Port Pirie railway area, and in particular the derelict and dangerous burnt-out carriages?

2. What is the extent of the land and buildings now owned by Transport SA but leased to other tenants?

3. What are the terms and requirements of those leases in respect of the physical and visual effects of the operations of those tenants on the environment and amenity of this area and on the neighbouring residents?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I would be very surprised if the honourable member was correct in his statement that the land and facilities have been sold to Transport SA. When Australian National was sold by the federal government the land was transferred back to the state. It was because the land had not been titled and a range of complications that the land was transferred back at no cost. In terms of the honourable member's reference to GSR, again, I would be surprised if that were the company involved and not ASR, but I will investigate that.

Certainly—and I say this quite frankly to the honourable member—if it is Transport SA's property and if it is in the condition as described by the honourable member I would, too, as a neighbour, be most unhappy, and certainly as the minister I would not be happy. I will promptly address the broad issues, not necessarily the facts, as presented by the honourable member and bring back a reply. I will see whether I can get the matters resolved. I am sorry for the residents concerned that they have had to experience this ongoing saga and uncertainty.

AIDS COUNCIL OF SOUTH AUSTRALIA

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Transport and Urban Planning, representing the Minister for Human Services, a question about the defunding of the AIDS Council of South Australia.

Leave granted.

The Hon. SANDRA KANCK: The AIDS Council of South Australia has been operating since 1985, providing the community with preventative education programs and supporting those in the community who are HIV positive. The council's Positive Services program is based on an AIDS home care service. The program employs three people who run training courses for volunteer carers who provide home help for people who are HIV positive. According to last week's *Adelaide Gay Times'* front page, the Department of Human Services made an announcement last week to cancel funding for ACSA's Positive Services program and to give the funding instead to the Catholic Church's Adelaide Diocesan AIDS Council (ADAC).

There is obvious concern that HIV positive people who are neither Catholic nor Christian will have to front up to a Catholic Church organisation. The article further states that, at a community meeting in July, HIV positive gay men told the Department of Human Services that they did not want all Positive Services to be provided by ADAC because of the 'homophobic attitudes of the church' and because 'christian pastoral care beliefs and practices should not be forced on to people who do not want it.'

There is now fear in the gay community that this is the first step to closing the AIDS Council of South Australia. The *Gay Times* article states that the third national HIV/AIDS strategy is at an end and that states no longer have to fund community based AIDS councils in order to get funding from the federal government. Community activists are concerned that the Olsen government will use this opportunity to mainstream all AIDS services and do away with the community based AIDS Council. Mr Cousins says that this move:

> . . . flies in the face of best practice. In Australia it is recognised that services for HIV positive people should be cared for by organisations that are representative of and based in the HIV affected communities.

My questions to the minister are:

1. Given that the department originally justified funding to ADAC on the basis that HIV positive people should have choice, why is the government now denying them that choice?

2. Why does the minister believe that HIV positive people will be better cared for by outsiders than by members of their own community?

3. Prior to the funding decision being announced, what research was undertaken to assess the willingness of non-Catholic and non-Christian HIV positive people to seek assistance from a Catholic Church agency?

4. Is the minister prepared to reconsider this funding decision?

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I will refer the honourable member's questions to the minister and bring back a reply.

BOWDEN RAILWAY STATION

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning): I would like to provide an answer to a question asked by the Hon. Sandra Kanck yesterday. The honourable member expressed some concern about what she believed was a public car park on the northern side of the Bowden train station. I would like to read the following advice:

TransAdelaide has never had a public car park at Bowden station. The subject land located on the northern side is comprised of three separate parcels which until 1969-71 was owned by individual private parties. The Commissioner of Highways in the period around 1969-71 acquired these three parcels for road purposes. Around December 1988 these parcels were transferred to the minister of lands as part of the inner western metropolitan program, which was developing the Bowden-Brompton area, as they were no longer required and subsequently sold to Boral Energy Pty Ltd.

The Hon. M.J. Elliott: When was that?

The Hon. DIANA LAIDLAW: In about 1988-89. That is when the former state government sold the MATS plan land, which I would love to have today as corridors for public transport. The advice continues:

In March 1999 Boral sold the land to Gerard Industries Pty Ltd (Clipsal). Mr Kevin Inverarity of Clipsal has advised that they have no immediate plans for the subject land but are likely to utilise the site as car parking for their adjoining operations. Clipsal has fenced off the land as the site is contaminated.

The Hon. Sandra Kanck: Would you consider buying the land back or some of it?

The Hon. DIANA LAIDLAW: It has just been sold to Gerard Industries.

The Hon. Sandra Kanck: Which may or may not want it.

The Hon. DIANA LAIDLAW: I am told that, while it has no immediate plans for the land, it does want it. We might be able to have some discussions with Clipsal about car parking, but there are concerns about contamination of the land. I am certainly happy to take up the honourable member's suggestion and to have some discussions but, whenever the government indicates interest in wanting to buy land, whether it involves Gerard Industries or anyone else, I find that the price skyrockets, so it is not necessarily wise to declare that the government has an interest in such land purchases. We can hold discussions and perhaps in another name we can do something. I certainly do not want to pay an inflated price.

POKER MACHINES

The Hon. NICK XENOPHON: I seek leave to make a brief explanation before asking the Treasurer a question in relation to poker machines.

Leave granted.

The Hon. NICK XENOPHON: On 4 March 1999 I asked the Treasurer a question about a complaint I had received from two people in relation to a poker machine promotion at the Frost Bites venue in the City of Adelaide. At that time I raised the issue of the applicability of the voluntary code of practice for gaming machine advertising promotion launched by the Treasurer in June 1998. My questions are as follows:

1. Can the Treasurer confirm whether an investigation has been launched into the matters raised on 4 March 1999?

2. Further, if an investigation has not been launched, can the Treasurer indicate whether an investigation will be launched and whether he will direct an inquiry into the complaint?

3. If an investigation indicates that there has been a breach of the voluntary code that was launched in June 1998, what sanctions are available against the venue and what remedies are available to any aggrieved consumers?

4. Since the inception of the voluntary code, how widely has it been publicised, how many complaints have been dealt with, including the substance of those complaints, and what have been the results of dealing with such complaints?

The Hon. R.I. LUCAS (Treasurer): I am happy to take the member's questions on notice and bring back a reply.

MARRIAGE EDUCATION

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking a question of the Treasurer, representing the Minister for Education, Children's Services and Training.

Leave granted.

The Hon. CARMEL ZOLLO: A recent article in the *Advertiser* of 17 October mentioned the possibility of including lessons in our state's schools on the importance of marriage. Views from several organisations and people were quoted, expressing various levels of support—

The Hon. R.R. Roberts: From the Catholics, too?

The Hon. CARMEL ZOLLO: —could be—including the comment that marriage would be a difficult subject to teach. I understand that the Australian Family Planning Association plans to lobby the federal government to follow a UK initiative and include marriage education in social science studies in secondary schools. I note that the state's Independent Schools Board said that the fundamental values needed to achieve a good relationship already were being taught in most private schools and the board was happy to discuss the AFA proposal. The state education minister is quoted as saying that he was not prepared to comment on the introduction of marriage lessons in South Australian schools until he had seen the Australian Family Planning Association's proposal. I ask the minister to advise whether this subject is likely to be included in the South Australian school curriculum following the perusal of the AFA proposal.

The Hon. R.I. LUCAS (Treasurer): I am happy to refer the honourable member's question to the Minister for Education and bring back a reply.

DRIVING OFFENCES

The Hon. IAN GILFILLAN: I seek leave to make a brief explanation before asking the Attorney-General a question on the comparative fines for various driving offences.

Leave granted.

The Hon. IAN GILFILLAN: In the *Advertiser* of 12 October, a letter to the editor titled 'Ridiculous fine for minor mistake' from Mrs Nicole Gorton states:

I am angry because on the long weekend my husband received a ridiculous fine of $246 because the registration plate on his car was obscured by the tow ball.

We worked all day on the Sunday in the garden until late, including a run to the dump, and didn't even think about taking the tow ball off the car.

The next day, my husband went out in the car and this was when he was given the ticket.

It wasn't something that we would intentionally do; purely a mistake. We are aware that it is an offence to obstruct the registration plate and wouldn't even consider rorting the system by doing this.

I would have thought that a warning could have been issued, or even be asked immediately to take it off, but obviously the officer concerned hadn't got his quota for the day.

We have never experienced any trouble with the law before and it makes me very upset that something minor like this, which was accidental, could cost so much.

It just so happens that one of the Democrats' staff had a similar experience less than a year or so ago, as a result of which they incurred a fine of $246. In his case, he resented the degree of the fine. I will compare this fine to the fines for quite severe speeding offences, dealt with under schedule 5. The fine for being more than 15 kilometres but less than 30 kilometres over the speed limit is $189. As any member can calculate, the fine is over $50 less than the fine for having a towbar in front of a numberplate. In fact, you have to exceed the speed limit by 30 kilometres or more before the fine rises significantly above $246.

My question to the Attorney—and it does not reflect on the fact that obscuring a numberplate is certainly an offence and it is reasonable that there should be a penalty—simply is: does he agree that, in the light of the seriousness and the consequences of the offence, the penalty for obscuring a numberplate—and often that is inadvertent and innocent—incurs a fine of $246, whereas the penalty for a quite substantial speeding offence is a fine of only $189?

The Hon. K.T. GRIFFIN (Attorney-General): The administration of the Road Traffic Act is not committed to me. But the police, of course, have the responsibility for the enforcement of offences under the Road Traffic Act. I will have to take the question on notice. I did see the letter to the editor to which the honourable member referred. I am not sure what the rationale is for those sorts of distinctions to which he referred. Of course, it may be that the numberplate is the significant identifying feature of any vehicle and, if you do not have the numberplate clear of obstruction, there may well be some difficulties in identifying vehicles that—

The Hon. T.G. Cameron: Didn't you hear the question?

The Hon. K.T. GRIFFIN: Yes.

The Hon. T.G. Cameron: You're commenting on the level of fines; it has nothing to do with it.

The Hon. K.T. GRIFFIN: It has; it has everything to do with it. It is about administration. The honourable member talked about administration and indicated that it involved someone from the Democrats' office and something which could have happened quite innocently—that brings into play issues about the charging practice. They are issues about which I will have to get a response. I will get one, and I will bring back a reply.

The Hon. IAN GILFILLAN: I have a supplementary question. Perhaps the Attorney misinterpreted my question. I asked him whether he would give an opinion as to the justification for the disproportionate difference which has been expressed to me between the fine for the offence of obscuring and the fine for an excessive speeding offence. I wanted the Attorney's opinion on the justification for this.

The Hon. K.T. GRIFFIN: No, I am not prepared to do that. I will bring back a reply.

DRUGS

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Attorney-General a question about drug assessment and treatment.

Leave granted.

The Hon. M.J. ELLIOTT: This question, in part, can be answered by the Attorney and, in part, may need to be responded to by the minister for health. My question refers to recent figures from the Drug Assessment and Aid Panel that showed the number of people charged rising from 400 in June 1996 to 800 in June 1999. Interestingly, of this increase, a more significant number were women and younger people than has been the case before. As the minister will be aware, the issue of drug law reform is something about which I have been concerned for some time. In fact, I have argued for drug use to be considered as a health issue rather than a criminal offence to which punitive response is meted out.

I think that the pre-court drug diversion initiative has had very strong support in the community. One concern that has been expressed in the past is that there has been a long waiting list for the Drug Assessment and Aid Panel, and also that that panel was hampered in its ability to work due to limited resources going into treatment programs to which the panel might refer clients.

I understand that in the recent state budget the government responded to the backlog of cases in the Drug Assessment and Aid Panel by increasing the budget, and that has been generally applauded. However, my understanding is that no significant extra moneys have gone into treatment programs. If that is the case, it could lead to another bottleneck—that people are referred from the Drug Assessment and Aid Panel but treatment places simply are not available. There is also a concern that some people are finding their way to the Drug Assessment and Aid Panel because other programs are full; that some people who might themselves have presented to programs cannot get in; and that the only way they will get in is via the Drug Assessment and Aid Panel.

I ask the Attorney-General to respond to whether or not he feels that there are sufficient resources available for the Drug Assessment and Aid Panel in terms of the services to which it wants to refer people and, if there is a restriction on services, whether that actually increases the number of people who end up coming before it because they cannot access those services directly without, I guess, getting into trouble with the police first.

The Hon. K.T. GRIFFIN (Attorney-General): A comprehensive package for funding and initiatives was announced at the time of the current year's budget. An extra $2.6 million was allocated in the current financial year to a drug strategy package with a lot of the emphasis upon early intervention, drug courts and so on.

The Hon. M.J. Elliott: Drug courts are very expensive without many people going through.

The Hon. K.T. GRIFFIN: Yes. I will have to bring back the precise detail. I know that money went into drug assessment and aid panels; additional money was made available for police diversion programs; and additional money is going into the provision of services, which goes to the support of those programs.

From the information I can quickly pick up, there was $150 000 in 1999-2000 and $140 000, I think, in the subse-

quent year to reduce the waiting list for drug assessment and aid panels dealing essentially with simple drug use offences. The current year's budget also provides for an evaluation of drug assessment and aid panels. An evaluation of those panels and their effectiveness had not been made since their inception, which I think was back in the mid to late 1980s.

The Hon. M.J. Elliott: All reports say they are doing a good job.

The Hon. K.T. GRIFFIN: Yes, but there has been no real evaluation. I am very supportive of appropriate evaluation programs for all of them because, even though there might be a feel-good outcome, it is important to ensure that that is matched by reality. So, that is being evaluated. Obviously, as the honourable member says, the success of referral and diversion is, in part, due to a concomitant availability of assessment, counselling and treatment services. In the current year, $300 000 has been made available for enhancing those services to cater for people who have undergone compulsory assessment. I think that that amount increases to $500 000, but I am not sure whether in the next year or the subsequent year.

Then, as the honourable member indicated, money has been made available for the drug court trial, in respect of which there will be money for support services, because there is not much point having a drug court trial if you cannot provide through the courts the services necessary to ensure that all appropriate support is given.

The Hon. M.J. Elliott: That's not an ideal way to access the services, though.

The Hon. K.T. GRIFFIN: No, I agree. Nevertheless, if there are offenders and if we can deal with them in this way, it is important to try to do so. Then there is money available for dealing with drugs in prisons. I will get the full details of the package for the honourable member and bring back a reply in due course.

HOME INVASION

The Hon. P. HOLLOWAY: Can the Attorney confirm press reports today that home invasion laws will be introduced into parliament next week and, if so, which of the three options, which were apparently canvassed in his discussion paper released earlier this week, has the government chosen?

The Hon. K.T. GRIFFIN (Attorney-General): There has been some discussion about whether it would be possible to introduce some legislation ahead of the due date for responses. It is still certainly intended that the consultation process continue. There has been a discussion about that and that decision is likely to be made over the next week.

The PRESIDENT: Order! The ordinary time set aside for questions has concluded.

AUDITOR-GENERAL'S REPORT

The Hon. R.I. LUCAS (Treasurer): I move:

That standing orders be so far suspended as to enable question time to continue for a period of 60 minutes to enable questions from opposition members in relation to the Auditor-General's Report.

Motion carried.

The PRESIDENT: I point out that I will try to keep to the same sequence in relation to questions as we have in normal time. Honourable members should only ask questions relating to the Auditor-General's Report, and I ask honourable members to preface their questions with a reference from the report, to make it easier for the ministers to find the material.

The Hon. CAROLYN PICKLES (Leader of the Opposition): I refer to the Auditor-General's Report Volume A.1-6. My question is directed to the Treasurer. Given the Auditor-General's comment that present probity arrangements for the ETSA privatisation are inadequate, given the Auditor-General's role in overseeing probity in the awarding of the contract, and given the debacle of the awarding of the water contract, what specific matters did the Auditor raise with the Treasurer, and exactly what is the government doing to address them?

The Hon. R.I. LUCAS: We will have the benefit during this session, which we welcome, of the Auditor-General's further comments in relation to the probity of the electricity sale and lease process. As I indicated when this was raised two or three weeks ago, the two major issues that the Auditor-General had raised with me in the discussion I had with him, and I understand that this has also been relayed by his staff to other officers, were, first, the view that additional resources should be provided to the probity auditor and, as a result of that, an officer on my behalf wrote to the probity auditor and indicated that if at any time he required additional staff or resources he only needed to ask; there was no limit being placed upon the staffing or resources available to the probity auditor. We just wanted to reaffirm that. It was not a new position. The government was always perfectly relaxed in terms of the resource requirements of the probity auditor.

As I indicated at the time, the probity auditor has at least on one occasion—I am not sure how many others—sought additional resourcing for an additional barrister to be appointed at a particular time when he could not be in two positions at the one time for the probity process. He needed someone else to be in another location for him to be in another. Another barrister was appointed under similar terms and conditions as he had been. So the government's response to that has been open, accountable and generous in terms of saying to the probity auditor, 'You tell us what you need and we will do what needs to be done to provide that for you.' To my knowledge, there has been no request from the probity auditor for additional resourcing that has not been agreed to by the government.

The second issue that the Auditor-General raised related generally to the scope of the probity auditor's contract. The government's view and the legal advice outlined to me as the Treasurer is that in this process there is no significant restriction at all on the probity auditor in terms of what he chooses to do or look at.

As I understand it, the Auditor-General believes that, whilst there is a general provision in the contract—and this is a standard provision for probity auditors which evidently has been used in other contracts—it should particularise or be specific about the actions that the probity auditor has to oversight. As I understand it, the alternative legal view is that if you particularise you may well not list everything and leave open the possibility that you missed something. You may list a number of things, but because you have not listed this matter it therefore does not form part of the scope of the contract.

The alternative legal view that has been put to me is that a general statement which refers to overall probity will allow the probity auditor and me as Treasurer to ensure that the probity auditor can look at the various issues that he needs to examine. This issue is still being discussed with varying legal views being put. We hope to resolve this issue within the next week. As I said, it is the view of the government and me that, in relation to these issues, the probity auditor should not feel

that he is restricted and that the Auditor-General should not feel that he is restricted in terms of the sorts of things that he should look at.

Those are the two issues that the Auditor-General has raised with me. As I said, he may well raise other issues with me in terms of the ongoing process. He has not yet raised with me a particular issue such as a bid running late and being opened unfairly or a camera running out of film or a probity auditor not being there when the bids were opened. He has raised with me none of these issues. Those two general issues have comprised the nature of the concerns that he has raised.

As I said, we are endeavouring to reach some sort of common understanding with the Auditor-General, the probity auditor, crown law senior commercial counsel who are working full time, our private legal advisers, and everyone else who is working on this project. The only other thing that I can say is that in terms of probity—

The Hon. T.G. Cameron: You are trying to restrict that question to about five or six, are you?

The Hon. R.I. LUCAS: Well, this issue is important because a lot is being made of the criticism that has been made by the Auditor-General. I think it is important that we respond to this issue because a lot of accusations are being made, I think unfairly, by the opposition in relation to the probity process. The government has given an absolute commitment to try to make this process as fair as it humanly can. It is doing all that it humanly can to ensure that everyone is treated fairly.

One could look at recent examples of major privatisations, such as the airports leasing program by the commonwealth government involving $4 billion worth of assets. I am told that the commonwealth did not even have a probity auditor in relation to that process. We have our own probity auditor and the Auditor-General is involved with our full agreement and concurrence. He has been given approval to use Australian government solicitors who are advising him and providing him with additional assistance. We have senior commercial counsel from crown law permanently seconded to the advisory unit. As I said, we have our own commercial legal advice, I have my principal adviser on probity, and we have a probity committee. The government is endeavouring to do all that it can to ensure that this is a fair bidding process.

The Hon. CAROLYN PICKLES: My question is directed to the Treasurer. I refer to volume III part B—the electricity supply industry. How does the Treasurer justify the cost to consumers, whether or not ETSA is in public or private hands, of the explosion in the number of executives on $100 000 or more? Just as the opposition predicted at the time of the disaggregation of ETSA and Optima and with the plans for privatisation, there has been a blow-out in upper management. This year there are 74 executives earning $100 000 plus compared with 52 in 1997. How can this be justified?

The Hon. R.I. LUCAS: My understanding is that the shadow Treasurer, who has raised this issue in the *Sunday Mail* and elsewhere, says one thing privately—that is, that he understands in relation to commercial businesses the need to pay commercial rates for executives and management—and then either through the *Sunday Mail* or media pressure or the desire for media publicity through questioning in this chamber by the Leader of the Opposition we have the opposition coming up with this sort of criticism. It really—

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: Well, the Labor opposition in South Australia is simply being unrealistic. Commercial business enterprises such as our electricity businesses have to compete with private sector companies in other states and the significant salaries paid by government run enterprises in other states in the electricity arena. One only need look at the salary being paid by the Queensland Labor government to the most senior executive officer in one of its electricity businesses, which is significantly higher than the salary paid to the most senior highly paid person in our electricity businesses.

In my 12 months in the business we have faced continual headhunting where people are being pinched from our government run businesses and attracted by more lucrative salary packages offered by private and government run businesses in the eastern states to run those businesses, and—

The Hon. T.G. Roberts: And better security.

The Hon. R.I. LUCAS: Not necessarily better security, but better salary packages. No-one could ever guarantee in the private sector better security than they might have in a government run—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: No, but in terms of the salary packages that are being offered together with security. What we face in South Australia is that, if we say to these people, 'We will not pay you something that is heading towards the market rate', we lose the key people in our electricity businesses. You have trading enterprises which could potentially lose millions or tens of millions of dollars in a single day or week of trading, and the knowledge of these key people is being lost to these businesses. We have to replace them with inexperienced people with no background or no long-term background within the trading business and say to them, 'Go your hardest and make the decisions which might lose millions of dollars for the taxpayers of South Australia in these businesses, but we won't pay you any more than $100 000 because the Hon. Carolyn Pickles and Kevin Foley will jump up and down and cheerchase in the media the fact that our electricity businesses are trying to run competent businesses with competent managers'.

The Hon. Carolyn Pickles interjecting:

The Hon. R.I. LUCAS: Well, because the national market started in December last year we are now competing in a national market. I do not know whether that has escaped the Leader of the Opposition. This has all occurred within the past year. I cited the example earlier this year of two traders who were being paid about $65 000 a year and who were offered packages of over $100 000 a year if they moved to the same position in an eastern states company. What do we do? I authorised increased packages which I think took their salaries to just under $100 000. That was not as high as the eastern states but, because they wanted to stay in South Australia, they were prepared to accept something less than but not half the value of the package that was being offered in the eastern states. Those are the sorts of examples of the 18 extra fat cat executives that Kevin Foley and the Hon. Carolyn Pickles are talking about within our electricity businesses.

It is offensive, naive and unreal in terms of an understanding of how we, in the public sector in South Australia, should seek to try to minimise the risks of losing potentially tens of millions of dollars in these businesses by running the sort of remuneration strategy to which the honourable member refers. Frankly, as I said, the shadow Treasurer says one thing quietly to business leaders in a number of areas, I might say, about these sorts of things—that is, he has no great criticism of commercially run businesses—but, when he has to use the figures of the electricity businesses to bolster this particular

story about more fat cats in the public sector, he is quite happy to do so.

The Hon. P. HOLLOWAY: My question is directed to the Treasurer and relates to the electricity supply industry. I particularly refer to page 1 003, Part B of the Auditor-General's Report, which refers to 'off-balance sheet derivative financial instruments'. Some information is provided in this report on vesting contracts that apply in this state. Is National Power, the operator at Pelican Point, paid the same price under the vesting contracts as Flinders and Optima, or is it paid a premium above the price that is paid to Flinders or Optima?

The Hon. R.I. LUCAS: The best I can do is substantially to take on notice the honourable member's question in relation to vesting contracts. I know that we have responded previously to questions from either the Hon. Mr Holloway or the Hon. Mr Xenophon in relation to vesting contracts. I think that part of that response (and I will need to clarify this) indicated that the power purchase agreements with National Power were not part of the vesting contracts to which the honourable member is referring (page 1 003): it was actually a purchase agreement. The vesting contracts were different. If the honourable member is referring to page 1 003 and the vesting contract financial instruments, I will need to double check and clarify that. I suspect that, if my recollection is correct, that page may well not refer to National Power at all.

The Hon. M.J. ELLIOTT: I seek an explanation from the Treasurer about major projects and due diligence in relation to major projects. I refer to A.3-1O8, the summary of conclusions, the last two paragraphs of which state:

> Previous reports have commented on inadequacies in relation to major project and contract management. This year's specific commentary indicates that more diligence is required of public sector agencies in this substantive area of government operations to ensure value for money and accountability obligations associated with project developments are achieved.
>
> As communicated last year, agencies have been provided with a comprehensive policy guidance framework to facilitate effective planning and management of projects. It is essential that key personnel within government agencies apply the detailed requirements of that policy framework.

I now refer to A.3-103, which refers to one specific project under the heading 'Audit Review 1998-99' and which states:

> During 1998-99, audit reviewed certain aspects of the contractual and administrative arrangements in relation to the Holdfast Shores development project. The review involved obtaining an understanding of the current status of the project and determination of compliance with the provisions of the Holdfast Shores development agreement.
>
> The review identified that there was scope for improvement with respect to a number of administrative and reporting processes mandated by the development agreement. This included aspects such as monthly reporting on consortium management fees and expenses, establishment of accounting policies, improved maintenance of project committee minutes and papers and reporting on project and precinct overheads.

I want to read into the record two further sentences from that reference prior to my asking questions. The paragraph states:

> The development agreement provides for the consortium to progressively implement the master plan within specified time frames and under specified profit sharing arrangement with the government. The total approximate cost of the project is $180 million.

Linked to this, on 17 February this year, I asked the Treasurer several questions about the public cost of the Holdfast Shores and West Beach developments, to which to this day I have received no reply. My questions related specifically to the cost of the state government's role in the developments, the value of public land made available for the developments and the value of any other contributions made by the state government to the development. At that time I also asked who was responsible for the cost of ongoing liabilities associated with the developments. Certainly, I was not aware at the time of asking those questions that there was supposed to be a profit sharing arrangement, as alluded to in the Auditor-General's Report.

In fact, that is the first time of which I am aware that that has been made public knowledge, and it does raise some questions about conflict of interest with the government's being a developer, sharing in the profit in addition to being the planning agent, particularly as it was declared a major project and did not go through the same processes that many other projects might have to go through.

The Hon. T.G. Cameron: What share has it got?

The Hon. M.J. ELLIOTT: One question we will be asking the Treasurer is: what are the profit sharing arrangements? First, will the Treasurer provide details in terms of costs and so on in relation to the questions I asked in February; and, secondly, and as importantly, will the government also put on the record in this place what is being done about the concerns of the Auditor-General? Clearly, according to his previous report, the Auditor-General felt that they were not being addressed. Also, could the Treasurer tell this place why this contract, which is essentially an exclusive contract—no other company can be in it, so commercial in confidence does not seem to be appropriate—and the reporting processes should not be put on the public record so that we do have full accountability in terms of this and similar projects?

The Hon. R.I. LUCAS: If the government has not provided a reply to the honourable member's questions from February, I apologise on behalf of the government. The questions would have been referred to the appropriate minister, whom I assume is the Minister for Government Enterprises. I will have my officers—

The Hon. M.J. Elliott: That explains it. He is the slowest minister to answer in this place.

The Hon. R.I. LUCAS: I am not sure; I am just saying that I assume that that is the case. I will have my officers take it up with the appropriate minister and see whether we can expedite a reply from February. In relation to the honourable member's references to profit sharing arrangements, again, I do not have the detail with me in relation to that. I would say that the Auditor-General is using the term 'profit sharing' advisedly. When one sees the answer to the honourable member's first question in terms of cost to the government, I cannot imagine that the profit sharing will be profit in the truest sense of the word: there will be costs on one side and revenue coming in on the other, which is probably being described as profit sharing within the agreement. Nevertheless, costs will be separately incurred by the government in relation to, I presume, aspects of the development.

In relation to the Auditor-General's references at A.3-108, again, the government's general view would be that they are entirely reasonable comments by the Auditor-General. The government might want to take issue with some aspects, but what the Auditor-General is doing, as I read it, is cautioning governments—all governments, but this present government—that significant public funds are being applied to project developments which do need significant accountability and which also demand high standards of management. Again, the government would not be disagreeing with that.

As I have said previously, no government is ever perfect. Those governments that delude themselves that they are do so at their own cost. Governments need to acknowledge that, in relation to particular issues and projects, there may well be matters on which they ought to admit that they could have done things better and will endeavour to do so in the future. The Auditor-General's comments in relation to inadequacies in some projects are a salutary lesson to the government. As I have said on a number of occasions, we value the contribution from the Auditor-General. While we do not always agree with it, we nevertheless value his input and I am sure that, more often than not, we would find common ground with the Auditor-General. There is certainly common ground on the need for proper accountability and, if there are inadequacies in major project management, we must endeavour to ensure that they are recognised and that we do not repeat the mistake in the next project.

In our six years in government I have seen the evolution of our own decision making. We now make rigorous use of the prudential management group, which was established as a result of the criticisms in the Auditor-General's Report about project management. That prudential management group is in place to ensure that the financial and legal processes are handled and that the government processes with respect to Premier and Cabinet are ticked off by a senior prudential management group before the government proceeds. That committee resulted in recognition of some of the criticisms of inadequacies in the past and the recognition that we need to improve processes, and that is part of an overall series of processes that the government has instituted to try to ensure more efficient management of major projects in South Australia. I will refer other aspects of the honourable member's question about Holdfast Shores to the appropriate minister and bring back a reply.

The Hon. CARMEL ZOLLO: My question is directed to the Minister for Administrative Services and Minister for Information Services and relates to electronic commerce (Volume A.4-56 and A.4-64). The audit discusses information and electronic commerce implementation by this government. It recognises that this is an emergent development for this government, which carries certain legal and commercial risks, particularly because of the lack of familiarity with this technology. In the concluding comments, the audit identifies 'a diverse and non-cohesive approach to electronic commerce initiatives' by agencies. Because the use and implementation of e-commerce will only increase, the auditor comments further that:

> It is important that DAIS formally promulgates key matters from the Learnings Report and formulates and communicates minimum standards to agencies implementing electronic commerce solution initiatives. The standards should incorporate consideration of security and control for an electronic commerce environment.

My questions are:

1. Will the minister instruct DAIS to design and implement basic minimum standards, such as suggested by the auditor, that might be applied on a government-wide basis?

2. If so, when will the minister seek to apply these standards?

The Hon. R.D. LAWSON (Minister for Administrative Services): I advise the chamber that the matter of e-commerce and electronic use of payment systems is something that DAIS is actively pursuing, as the audit commented, and we certainly value the Auditor-General's comments in relation to this particular matter. I was reasonably heartened by the auditor's report in relation to this subject. The auditor referred to the DAIS Learnings Report, which is a significant advance. It was issued in October last year and the report of the Transport SA Registration Renewal Pilot Project has been sent to agencies, and I believe that it will have a significant impact upon them. Excerpts in the report have been presented at forums and I believe that it was recently reported to the Internet Reference Group of South Australia.

It contains advice on the technical solution that was adopted in that pilot project. It covers areas such as security, risks, liability and legal issues, and I am delighted to inform the council that that information is now on the web site and I am very happy to provide the URL reference to that web site, which I am sure the honourable member will find of use. The process of promulgating the Learnings Report is under way. It is not a report that has been buried, and nor does the Auditor-General suggest that it has been.

The Web Works web site was established in February of this year. It specifically provides advice of a formal nature to agencies as to how to develop an internet presence either for information dissemination or electronic commerce. Although the Web Works site is only eight months old, it is in the process of being redeveloped to reflect more recent technology developments and, as the honourable member would understand, the rate of change and the developments in this area are constant. One of the recommendations for the redevelopment of the Web Works site is for it to include the Learnings Reports that DAIS receives and other reports that will be received in consequence of the current round of seed funding for IT projects. Those projects are very exciting and are providing opportunities and encouragement to agencies to use electronic commerce and to ensure that we in government remain at the forefront of that new development.

I am advised that the department is in the course of establishing a formal education awareness program, in addition to those that I have mentioned, to advise agencies on the benefits of conducting business on-line, and those issues that I mentioned earlier such as risk, security, privacy, etc. The introduction of minimum standards will evolve from that process. It is fair to say that the present mechanisms describe minimum standards and the remarks of the Auditor-General are really to the effect that there has not been sufficient communication of them. The communication has been effected by the means that I have mentioned, and I am happy to take on board the auditor's reports about a more formal promulgation of key matters.

The honourable member also asked when minimum standards will be imposed by DAIS. As I said, subject to my checking the matter, it is my understanding that those standards have been established and promulgated, although perhaps not as widely as might be hoped. However, it is our intention to develop e-commerce solutions and on-line business mechanisms and, if in order to encourage agencies to do that it is necessary to have minimum standards, we will certainly embrace those standards because, as I have said, we are committed to developing these solutions.

The Hon. T.G. CAMERON: My question is directed to the Treasurer. The Auditor-General spent $446 000 preparing a report about the Port Adelaide flower farm. I guess that, if anyone else had spent that amount of money on that report, they would have been charged with a gross misuse of taxpayers' funds. In his answer, the Auditor-General states:

> It is not possible to quantify the considerable time spent by the Auditor-General and his senior officers after hours and at weekends with respect to their involvement with this examination.

Clearly the $446 000 does not include this considerable time spent by the Auditor-General and his senior staff. First, can the Treasurer have the figure of $446 000, which is the cost he gave for preparing this report, independently checked? That is, I would like to know whether this report can be checked by somebody independent, other than the Auditor-General or any one of his staff. Secondly, can the Auditor-General (and if he cannot do it, an independent person) place a dollar estimate on the considerable time that was spent by him and his senior officers after hours and on weekends in the preparation of this report, so we can get a much clearer idea of exactly how much this report cost?

The Hon. R.I. LUCAS: I am happy to have that discussion with the Auditor-General to see what additional information the Auditor-General can provide to the honourable member and to the parliament. I am not sure what the powers of anybody are in relation to independently auditing the Auditor-General's figures. I can say on the public record that I do not intend to enter into public disputation with the Auditor-General in relation to the cost of his undertaking a necessary task on behalf of the parliament. I am sure that he personally would be mindful of the need to undertake his audit tasks efficiently, expeditiously and cost effectively. I am not sure what the legal possibilities are in relation to the honourable member's question about an independent audit or verification of the Auditor-General's fees.

I am happy to take the question on notice and also to have a discussion with the Auditor-General. It may well be that the Auditor-General is able to provide greater detail on the $446 000 in terms of a breakdown. It may well be that he is able to provide some further information in relation to the so far uncosted aspects of his inquiry. I suspect nobody else could do so in relation to that. All I can do is undertake to the Hon. Mr Cameron that I will take up his issue and see what information I can provide.

The Hon. P. HOLLOWAY: At page 36 of part A2 of the Auditor-General's Report, he criticises the fact that the SAAMC (the Asset Management Corporation) dividends are not treated as abnormal items in the present budget. This helped the Treasurer to present this year's budget as balanced, and he is using the same thing next year, even though the SAAMC dividends are proceeds from asset sales and audit says it is most useful to exclude these transactions. How does the Treasurer justify presenting proceeds from the sale of public assets as part of the budget balance?

The Hon. R.I. LUCAS: The honourable member might indicate to me what sentence, on page 36, that he is referring to when he says that the Auditor-General has criticised the government for accounting for it in this way. It is possibly paragraph 3, where the Auditor-General states:

> It is of interest to note that the SAFA repayment was classified as an abnormal item while the SAAMC amount was not. In fact in 1999-2000 the SAAMC dividends are recorded as other revenue and not an abnormal item. An amount of this size, discretionary in application and nature, would seem to warrant abnormal item disclosure. It is, nonetheless, well disclosed in the text of the budget papers.
>
> Audit considers that net advance transactions are different from other outlays in that they represent 'switches' in the level and location of financial assets and liabilities within the public sector as distinct from expenditure on goods or services or transfers out of the public sector.

Further on he says:

> It should be noted that the Department of Treasury and Finance does not favour adjustment in this manner because net advances are more than sales of businesses, which are a significant cause of variation between one year and another and between states. The department already excludes the effects of sales of businesses in the budget presentation.

I think this is one of the issues where there has been an interesting exchange of views between the Department of Treasury and Finance and the Auditor-General over the years. Having looked at this comment, I am prepared to take some further advice from the department and provide the honourable member with a further reply.

The Hon. NICK XENOPHON: My question is directed to the Attorney-General, representing the Minister for Government Enterprises, in relation to part A.2, pages 74 to 75. The Auditor-General's Report refers to initial scoping reports for the sale of the Lotteries Commission of South Australia and for the South Australian TAB setting out the terms of the consultancies for Bankers Trust corporate finance in respect of the Lotteries Commission and for Macquarie corporate finance in respect of the South Australian TAB. The report further states in respect of the Lotteries Commission:

> At the time of preparing last year's report, Cabinet approved that further work be undertaken, including a more detailed analysis of a range of commercial and other issues. These issues will need to be satisfactorily resolved before a sale could proceed.

In relation to the South Australian TAB, the Auditor-General reports as follows:

> As at mid-September 1999, Cabinet had not approved a course of action in relation to the sale of the SA TAB.

My questions flowing from that are as follows:

1. In the context of the sale of the Lotteries Commission of South Australia, can the minister advise whether a detailed analysis of a range of commercial and other issues also includes social issues with respect to the impact of Lotteries Commission products, particularly keno, in terms of levels of problem gambling, particularly in the context of the Productivity Commission's draft report on Australia's gambling industries?

2. In relation to the South Australian TAB, can the minister confirm whether there has been any further consideration by the government and/or the TAB in respect of measures to increase the revenue of the TAB in the context of the proposed privatisation including, for instance, the installation of ATMs at TAB venues?

3. In respect of both the SA TAB and the Lotteries Commission of South Australia, what specific considerations have there been on the part of the minister to consider the social impact of those industries? Once they are privatised, there will no longer be the same degree of government control, particularly in the context of levels of problem gambling and gambling addiction?

The Hon. K.T. GRIFFIN (Attorney-General): I will refer the questions to my colleague in another place and bring back a reply.

The Hon. CAROLYN PICKLES: My question is directed to the Attorney-General, and I refer him to part A.3-93, and part A.1-39. The Auditor-General refers to the important role of parliamentary committees in scrutinising the activities of executive government, particularly in the context of the expenditure of public money. He drew specific attention to the role of the Public Works Committee. On page A.1-39, the Auditor-General also goes on to say:

> By virtue of the Parliamentary Committees Act, the role of the Public Works Committee is elevated beyond that of mere deliberation and review to the exercise of powers of inquiry and recommen-

dation as an integral component of the carrying out of public works by the South Australian government.

Any ambiguity in the legislation which provides loopholes for projects to escape the scrutiny of the Public Works Committee should be removed.

He also notes:

The Parks urban renewal project and the Pelican Point Power Station were not referred to the Public Works Committee for review.

The decision not to refer these projects to the committee was based upon the Crown solicitor's interpretation of the requirements of the Parliamentary Committees Act 1991.

Audit has a different opinion to that of the Crown Solicitor.

So clearly, given the public importance of the role of the Public Works Committee and the integral role it discharges in providing a control mechanism for the expenditure of public money, it is suggested that parliament give consideration to removing what has been identified as an ambiguity with respect to the definition of a public work in the Parliamentary Committees Act. My question to the Attorney is: will the government consider that recommendation by the Auditor-General and remove that ambiguity so that there is no more fudging of issues that should come before the Public Works Committee?

The Hon. K.T. GRIFFIN: It is all a matter of judgment and interpretation as to what is an ambiguity. The line has to be drawn somewhere as to what is or is not a public work. It was this government that re-established the Public Works Committee. It was this government that amended the Parliamentary Committees Act and brought in the Public Works Committee in the last Parliament. So, we were the ones who were prepared to expose ourselves and our projects to a fairly high level of parliamentary scrutiny. Going on past experience with the old Public Works Committee, we had not expected, of course, that there would be the sorts of delays which presently occur and which have a significant impact upon the capital works program of the government. On that basis alone, I wonder why members opposite, who will one day be in government, would want to—

An honourable member interjecting:

The Hon. K.T. GRIFFIN: Well, they may not be. I know that the Leader of the Opposition will not be, but others—

The Hon. Carolyn Pickles: Don't get too cocky. Remember Jeff Kennett.

The Hon. K.T. GRIFFIN: No, if I was cocky, I would say, 'You will never be in government.' But I am not cocky, because I realise the vagaries of politics. Forget about Jeff Kennett: we are worried about South Australia. One day, members of the opposition will become the government, and they will have to live with the Parliamentary Committees Act and other legislation. So, I suggest to them that they should not be too hasty to extend the ambit of this sort of legislation. But, putting the political issue to one side, the government has no plans to broaden the scope of the Parliamentary Committees Act. There will always be arguments about the scope of that sort of legislation.

The line has to be drawn somewhere. The government believes that it is drawn at an appropriate point so that those projects which should be the subject of that scrutiny are so subject. I do not agree with the Auditor-General with respect to his judgment about the Crown Solicitor's advice. I agree with the Crown Solicitor's advice. The government has acted on the Crown Solicitor's advice, so nothing is being done as far as the government is concerned in accordance with its advice contrary to the Parliamentary Committees Act. We see no basis upon which so-called ambiguities should be so-called removed. The other point is that it is unfortunate that the Auditor-General talks about loopholes.

The Hon. A.J. Redford: He's got a whole chapter on food regulation in there. What's that got to do with his audit responsibility?

The Hon. K.T. GRIFFIN: I am dealing only with what I see as the law. We can debate the issues of food legislation. Under the Public Finance Act, the Auditor-General does have very wide-ranging responsibilities and powers. Efficiency audits, as well as financial—

The Hon. A.J. Redford interjecting:

The Hon. K.T. GRIFFIN: The fact is that there are areas of disagreement, and it is healthy that we are able to have those disagreements without, again, going over the top. It is important to have the debate. However, at the end of the day, we each respect the other's views, even if we disagree. As I was saying before the Hon. Mr Redford interjected, it is unfortunate to describe—

The Hon. A.J. Redford: Perhaps we could get his views on euthanasia.

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: —the limits on the coverage of this act to which he refers as being loopholes, because that has a connotation which suggests something unintended, something perhaps more sinister and does not, with respect to the Auditor-General, address the facts of life and the facts of statutory interpretation.

The Hon. SANDRA KANCK: I want to address a question to the Treasurer. In Audit Overview, part A4 (page 22), the Auditor-General raises the question of metering. He talks about the use of smart meters in order for bidders to be able to check in on a half hour time period within the national electricity market. However, he notes that smart meters are expensive, and they could exceed $600 per year for a customer. He then goes on to suggest that an alternative could be load profiling but then refers to a study undertaken by IPART which suggests that load profiling is not necessarily a low cost option, either.

Interestingly, he makes an observation, one which the Democrats have been stating for the past 18 months, that the benefits from competition are likely to be unevenly shared amongst consumers with lower consumption consumers bearing the costs but gaining little from competition. Can the Treasurer guarantee that all electricity consumers will benefit from the use of smart meters when the NEM becomes fully contestable and, if not, what metering system does the Treasurer believe is appropriate for small electricity consumers?

The Hon. R.I. LUCAS: The comment which relates to the benefits of competition likely to be unevenly shared, on my reading, was a reference to the findings of the study by the New South Wales government's Independent Pricing Regulatory Tribunal (IPART) rather than—

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: I can certainly clarify that with the Auditor-General. However, the whole section refers to the fact that in December 1998 a study was conducted by the New South Wales government's tribunal. In one paragraph, it is stated:

Further, the study revealed that an initial cost benefit assessment indicated there may be no significant net benefit to the average residential consumer from competition. In addition, the benefits from competition are likely to be unevenly shared. . .

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: No, that is not the point. I will read the *Hansard* again, but my understanding of the honourable member's question was that the Auditor-General agreed with the Democrats that the benefits from competition are likely to be unevenly shared. The Auditor-General would be horrified—and I would not want to put words into his mouth—to hear that he was being associated with any party, not necessarily just the Democrats. He would pride himself on his independence. Nevertheless, putting that to the side, on my reading—and I will have this confirmed—he is referring not to his comments at all but to the New South Wales government's tribunal study. I will just highlight that issue rather than attributing views to the Auditor-General at this stage.

In relation to metering, it is a critical issue and it is one of the reasons why the government, as it looked at its competition timetable, decided not to rush into ensuring contestability of households until the start of 2003. New South Wales and Victoria during the next 12 months or so will have to resolve the issue of whether they will provide or require smart meters or low profile (or deem low profile, as the Auditor-General refers to in his report) consumption patterns for small residential customers.

After our initial assessment of this last year we believed that if we followed the timetable that had been recommended to us it would be very problematic, because these issues are so significant in terms of small customers that it was probably advisable—and that is why we took the decision—to have a more transitional move through to contestability, and full contestability for all customers. We are discussing this issue with the ACCC at the moment, in terms of both our vesting contracts and contestability timetable.

We are taking a very strong view that we believe we need time to prepare for this bold new world of the national market. We would like to see what New South Wales and Victoria do so that we can learn from their successes or mistakes (and I say that advisedly). My understanding is that some of these meters could cost not $600 but as much as $1 000. However, one would assume that the cost will come down over time, as occurs with any technology.

We have been looking at the situation throughout the world. We understand that some states in America use from-a-distance metering and, I think, radio technology—something along those lines. So a number of different examples of technology are being attempted throughout the world to try to provide the sort of information that is required for the national electricity market's full contestability for all customers. The simple answer to the honourable member's question is that, at this stage, there is no black and white answer in any of the states of Australia as to how they will tackle this issue. I know in Victoria—

The Hon. Sandra Kanck interjecting:

The Hon. R.I. LUCAS: The ACCC I think in New South Wales has expressed a view in relation to this issue. I do not want to place on the record at this stage too much of our discussions with the ACCC until we have concluded those discussions, but it is an issue that we are discussing with the ACCC. It is our very strong view, because there is no simple answer to this, that we should stick to the contestability timetable that we are talking about, to give us at least a couple of years after New South Wales and Victoria have had a go at this to see how they have succeeded or failed and what we can learn from their experiences.

It will not be a situation where residential customers, in my judgment, will be provided by either governments or businesses with $600 to $1 000 smart meters because, if one considers that we have 770 000 retail customers, at a cost of $1 000 a pop that is $770 million. Even if it is half that, you are talking about $380 million worth of up-front costs for smart metering. I can assure members that if the government were to continue in this business we would not be doing it, and therefore I would be very surprised if private sector operators will do it. As they move to contestability, I would be very surprised if the New South Wales or Queensland governments would do it, either.

So, it will either have to be a quantum development in technology—and that is being trialled around the world at the moment—or it will have to be some version of low profiling, or maybe some third solution that no-one has even contemplated yet. We have until the start of 2003 to see whether we can find something that is efficient and effective that we might be able to use here in South Australia.

The Hon. R.R. ROBERTS: I refer to matters contained in A.3-97 headed 'Government Review of Capital Works Processes'. The reason for this question is that I have had a concern with the capital works area for a number of years and, in particular, slippage and overruns. It states:

> In late April 1992 Cabinet agreed to certain initiatives to implement improved procedures relating to capital works projects and the capital works program. . . The initiatives followed from an independent consultant's review of a range of projects within the Department for Administrative and Information Services (DAIS)/Agency capital works program. Although the review indicated that many projects are managed efficiently, certain actions were recommended to reduce instances of project slippage within the works program and project overruns and certain recommendations and actions including those underlined.

I am conscious of the time, so I ask the Treasurer: if we have other questions that we do not reach today, will they be put on notice, as occurred last year?

The Hon. R.I. Lucas: Ask the question.

The Hon. R.R. ROBERTS: There are a number of aspects. I do not think it is possible to answer them. My questions are:

1. Can the Treasurer tell the Council who undertook the consultancy, how much did it cost, and will he table a copy of that consultant's report?

2. In respect of the budget last year, of the total capital budget for 1998 of $1 150 million, how was this broken up between works in progress and new works for each department?

3. What was the total paid out in 1998-99, and how much is being carried over on projects in progress?

4. How many scheduled projects were commenced?

5. Will the government revise the way capital budgets are presented to give full information in the budget papers about all works in progress and programmed for all departments? I ask that because some of those projects which are below the threshold are never recorded.

The Hon. R.I. LUCAS: I will take the honourable member's questions on notice and see what information I can bring back.

The PRESIDENT: Does the Treasurer wish to give an indication about further questions?

The Hon. R.I. LUCAS: I do not think that a series of questions were placed on notice at the end of Question Time last year. Opportunities are available to members. It has been agreed that later this afternoon I will move that, every Wednesday until the end of the session (which will be some time next year), any member can rise and speak on the

Auditor-General's Report. So there is that opportunity. Members can also place questions on the Notice Paper.

The Hon. T.G. Cameron: We can do that, anyway.

The Hon. R.I. LUCAS: Exactly, and members can also ask questions about the report in question time. So I think there are three or four opportunities for members to raise issues in respect of the report.

MATTERS OF INTEREST

REPUBLIC

The Hon. L.H. DAVIS: In 1899 a referendum was held in each colony, except Western Australia, which overwhelmingly supported establishing the Commonwealth of Australia. In South Australia the vote was 65 990 'yes' and 17 053 'no'. In 1901 the Commonwealth of Australia was formed. However, the British parliament insisted that there should be amendments to the proposed Australian Constitution and demanded that there should be a right of appeal from Australian courts to the Privy Council in London. That right of appeal was only abolished in 1986. Until 1949 there was no such thing as an Australian citizen: Australians were British citizens. Until 1974 our national anthem was God Save the Queen. A referendum of the people in that year favoured Advance Australia Fair as our new national anthem.

Abandoning the right of appeal to the Privy Council, introducing Australian citizenship and adopting our own national anthem were natural steps in developing a national identity. We are Australians, a nation of 19 million people. More than 8 million Australians have been born overseas or have one or more parents who were born overseas. Migrants from more than 100 countries now live in Australia. But if Australia is to confirm its national maturity there is one link with our past which should be severed.

Our head of state is Queen Elizabeth II. She has not visited Australia for eight years. She cannot and does not barrack for Australia in a test cricket match against England. She cannot represent Australia at conferences of heads of state where, embarrassingly, Australia has sometimes been unrepresented because protocol determines that the Queen and not the Governor General is our head of state. Australians are aliens when they pass through the airports of England. United States' President Clinton and Chinese President Jiang in recent visits to Australia have not been mistaken in proposing a toast to the Queen of Australia.

For Australians to vote yes for a republic is not to reject the British Commonwealth. We will remain within the commonwealth. Of the 54 members of the commonwealth, 33 are republics.

One hundred years ago when the colonies each held a referendum on the question of federation there was a fear campaign by vested interests. This was a fear campaign not unlike the advertisements now appearing for the no case in the lead up to the referendum on 6 November. But commonsense prevailed.

The new Australian Constitution was inevitably a compromise. It did not satisfy everybody. However, the fears of those opposing federation have not borne fruit. The proposal for a republic is also a compromise. That does not make the model defective.

The vote no case claims the republican model gives more power to politicians. At present the prime minister can select the governor-general without talking to anybody, but under the republican model 32 representatives from the community and all parliaments in Australia will nominate a short list of names for the office of president. The prime minister and the leader of the opposition will agree on one nominee and that person will need the support of two-thirds of the 224 members of both houses of the federal parliament. The president cannot be a member of a political party.

The advertisements for the no case dishonestly suggest that monarchists would favour a direct election of the president by the voters. Think for a moment what would happen if a president had to be chosen by the 13 million voters of Australia. Any serious candidate would need an enormous amount of money to campaign across the nation. It would mean that the only serious candidates would be wealthy people or persons backed by a political party. In a direct election the media would be entitled to closely question candidates for the office of president. Their views on economic, political and social issues would be tested. It is more than likely that the outstanding recent governors-general such as Sir Ninian Stephen, Sir Zelman Cowan and Sir William Deane would refuse to stand for election. The election of the president could well divide rather than unite the nation. It has been forgotten that the constitutional conventions debated this very point over 100 years ago and rejected that model.

The no case claims that there are not sufficient safeguards against the prime minister dismissing the president. Under the present system the prime minister must advise the Queen to dismiss the governor-general and it is argued that she may reject the prime minister's advice. What a fanciful notion. The Queen saving Australia from itself! Do we not have enough confidence in our nation, in our institutions and in ourselves to recognise that no prime minister would move to sack a president except in extraordinary circumstances, such as insanity. If the president is removed, the prime minister must seek the approval the House of Representatives within 30 days and is then required to find a successor which would need the support of two-thirds of the members of both houses.

Realpolitik would strongly suggest that no prime minister would sack a president without the very best of reasons. No governor-general has been sacked in the first 100 years. If the prime minister had gone barking mad his party would obviously remove him from office.

The no case creates fear by pointing out that the change to a republic will result in 69 amendments to the Australian Constitution. Twenty-two of those changes are replacing 'governor-general' with 'president'; seven are removing 'Queen' or 'crown'; eleven are transitional provisions; five provide for a distinction between the president and the president of the Senate; four provide for the selection and other details about the president; three delete governor-general; two deal with oaths and affirmations; four deal with royal assent; and the remainder are necessary and unremarkable.

We are Australians and on 6 November we should just say yes. We should say yes with hope and pride and confidence rather than voting no through fear and uncertainty. That will mean the Queen will no longer be our head of state. It will mean that an Australian will no longer be described as 'a subject of the Queen' in the Australian Constitution. It will

mean that ministers and members of parliament and judges and magistrates will no longer have to swear an oath or affirmation that they 'will be faithful and bear true allegiance to the Queen, her heirs and successors according to law'. It will mean we will have an Australian head of state elected more democratically than is now the case but with the same powers and role as the Governor General. And most importantly of all it will mean that we can as Australians at last spell the word nation with a capital N.

The Hon. A.J. REDFORD: Yesterday I witnessed an extraordinarily rare event, an ALP member of parliament putting his principles and the interests of his constituents ahead of the ALP caucus line, ahead of his short-term political future, by telling South Australia that he intends to vote no at the forthcoming referendum on the Keating republic. The member for Playford stepped forward yesterday as the voice of reason from within the Labor Party and explained cogently why he will be voting no at the referendum, the reasons being that instant dismissibility undermines existing checks and balances; the difficulty in finding an eminent Australian who would be prepared to go through an electoral and, ultimately, a political process; and the real prospect of a Mexican standoff between the prime minister and the president, when the issue of dismissal either of a government or of a president arises. They are just three. However, in true Demtel tradition, there is more.

I might say that if the McGarvie model had been put forward I believe I probably would have come to the conclusion of supporting a republic. However, I will not support this model, nor, in the absence of a better informed electorate and clear and unambiguous checks and balances on presidential power, would I support a direct election model at a referendum.

The question before the Australian people is whether we should have a president with unstated and undefined powers elected by a two-thirds majority of parliament on the nomination of the prime minister and dismissible without cause and without notice by that same prime minister. Put that way, the vote can go only one way. This system proposes that a president, who needs support of two-thirds of both houses of parliament, can be dismissed at a whim by a prime minister who only needs a majority support by the House of Representatives. Quite clearly, the president can claim a bigger mandate than the prime minister, and don't think that fact will escape the notice of a president trying to leave his or her mark on the country. It is a recipe for constitutional disaster at worst, and constitutional instability and tension at best.

Let me give an example, one that the Hon. Trevor Crothers would follow, and that is the dispute back in 1995 between President Mary Robinson, a directly elected president in Ireland, and the Deputy Prime Minister of Ireland, Mr Spring. The dispute arose over the conduct of foreign affairs, where the president chose to be critical of the elected government's approach to the Irish issue. Putting aside the rights or wrongs of the debate, Ireland was completely distracted by that dispute. Indeed, the media was full of opinion polls about who was more popular, the president or the prime minister. What gain did Ireland get out of that? Absolutely nothing. We have a situation where a president who has a greater mandate than a prime minister will be the subject of assessments on their popularity. Let me give another example.

What happens if we have a political hiatus—and this one is a beauty—and you have a situation where one state happens to not go down the path of republicanism—in all probability, South Australia. Let us say that the prime minister sacks the new president. Who then under this model is in the role of umpire or president or governor-general? It would be the longest serving governor, who happens to have been the Queen's representative. So Malcolm Turnbull's model, the Paul Keating model, at the very extreme, at the greatest potential point of conflict that this country might see, will have to rely upon the Queen's representative.

I have to say that if the republicans want a republic then they ought to go away and think about it carefully and succinctly and actually come up with something that (a) is workable and (b) is saleable. The point at issue in relation to this debate is: how would the system work under a crisis? And not one person on the yes side has given any clear answer on how this new model would work at a point of crisis, because we all know it will work when there is no crisis. All I can say is that the other night I had the honour and the opportunity of meeting with Mr Rick Newland of the MUA, and I had the honour and the opportunity of placing a small bet, about $100, on the monarchy, and I look forward to seeing Rick under friendly circumstances and collecting the money the week after next.

Time expired.

GENETICALLY MODIFIED FOOD

The Hon. T.G. ROBERTS: I rise to speak on a matter that I raised during Question Time in relation to the future of food. It has been subject to some discussions in this chamber of a brief nature but I would like to raise it in relation to government assistance that can be provided and support given by the state and federal governments to give South Australia a leg up, particularly in the South-East, which is quickly becoming the food bowl of the state, and to some extent the nation, and in the Adelaide Hills. The registration of organic food for sale I think offers a lot of alternatives, particularly to land owners who have small holdings, and in some cases medium sized holdings, that can sell their produce into eastern states markets and overseas at premium prices and provide certainty of sale and employment for themselves and for people working in the agricultural/horticultural industry.

The current debate about genetically modified food could be turned into a plus for South Australia if we handled it properly. The debate on food irradiation, which is on the agenda for discussion at a federal level, needs to be ended by this state making its position quite clear that food irradiation does not solve all the problems espoused by the people who promote it. It does not make food safer to eat. Irradiation may extend the life of foods that are treated in other countries, but it certainly does not take away the risk of food poisoning because irradiation does not kill e-coli which causes food poisoning.

If we are quick off the mark, we can market South Australia as being in favour of developing and extending organic farming. We can market South Australia as being in the forefront of the rejection of genetically modified food without proper labelling so that in the hiatus between genetically modified food appearing on supermarket shelves and long-term scientific research into any of the problems with growing and consuming such foods, once the verdict is in, we can go back to either removing those foods from

growth and distribution or labelling them adequately so that consumers have a choice.

In European and other overseas countries where choice is advertised, in most cases, consumers go for foods that are not genetically modified. If irradiated foods were labelled, I am sure that people would take the same option: that is, they would go for fresh food over food that has been scientifically modified.

I think the South Australian government needs to start a campaign to put us on an equal footing with Tasmania, which seems to have stolen the march a little by promoting itself as a centre for healthy organic food. We need to start putting our arguments into the community as to why South Australia should lead the march in relation to food distribution in Australia and overseas. We should come out with a strong voice opposing any alterations to genes or the preservation of food by irradiation.

There is one other alteration to food that is taking place without much debate and that is fat modification or substitution where olestra is being put into foods to try to increase taste and remove fats. In many cases, that is not an advertised addition to the food cycle either.

Time expired.

OLDER CITIZENS

The Hon. CARMEL ZOLLO: The month of October is abuzz with many activities to celebrate and honour our important older citizens. In the Italo-Australian community alone, I am pleased to have received, in particular, invitations from the Coordinating Italian Committee in the Eastern Suburbs which had its Festa Dell-Anziano today and ANFE from the western suburbs held its senior's week lunch last Thursday. Both these community based organisations rely heavily on the help of volunteers who not only cook on a regular basis but are always there to help in many other ways from transport to organising excursions and activities.

I was also pleased to be present at the official launch of a new service for the Italo-Australian community last week, Meals on Wheels. The service is well organised, it has proved timely and a great success, and once again it is staffed mainly by volunteers. The community is deeply indebted to such people who are always willing to give of their time and talents.

As a member of the Labor caucus subcommittee on health, family and community services, I try to keep abreast of aged services and whilst overseas recently I took the opportunity of having some discussions in Japan with government officers and I also visited a private nursing home. Japan has an even more rapidly ageing population than Australia. It has an incredible number of people over 100 years of age—11 000 people in a population of approximately 126 million. The ageing population was dramatically illustrated to me by officers of the Okayama prefectural government with whom we have a sister state relationship. In 1973 in Okayama only 10 people were over 100, in 1992 this had climbed to 100 and the figure for 1999 is 288. They rank eighth with the number of centenarians out of the 47 Japanese prefectures. Approximately 90 per cent of the centenarians are women: this is one area of gender imbalance definitely in favour of women.

I tried to discover the Japanese secret of longevity and, whilst there are many factors, no doubt a high fish diet and green tea must play a major part. Regrettably, Japan does not have a social security system like Australia's, but it does have a culture of respect for its aged. Japan even has a public holiday each year on 15 September—respect for the aged day.

Visiting a nursing home in Tokyo was a wonderful experience. I admit that it was a fairly new one with some excellent equipment. It was well run and full of surprisingly young staff all of whom were from the first group of graduates from a new community care course. Their enthusiasm and dedication was very obvious.

With such an ageing population, Japan has put a great deal of effort into developing policies to help solve the costs associated with delivering services to its aged. Japanese society is obviously different from Australia's and so are its health and welfare services. They have had a long tradition of home care for the elderly which is now decreasing.

Hospital stays are lengthy and costly. Delivering home and community care services as we know them are difficult, particularly in the cities. There are no general practitioner surgeries: people use hospitals. Austrade is actively trying to promote Australia's delivery of individually tailored packages of home care, and certainly people are willing to listen with input from South Australia's Aged Care and Homes Organisation.

From April next year the Japanese government will be implementing a new long-term care insurance plan involving a levy on citizens over 40 years of age. The funding will be shared between the various levels of government with an average contribution from each citizen expected to be about 3 000 yen per month or about A$45. In this year of celebration for our older Australians and indeed for all older people in the world, it is important for us not to forget that older age is not a disease—except that we would all like to catch it.

The Hon. Caroline Schaefer interjecting:

The Hon. CARMEL ZOLLO: That's right. It is something we all aspire to but not everybody achieves. Care for the aged is not just an economic problem: it is a community challenge with many solutions. The aged should not be seen as a burden on the community but as a wonderful asset for the whole community. We should be celebrating the many advantages of being an older person—wisdom, enormous talent and, thankfully, as many associations and clubs will attest, a bit of extra time to give to others who may be in need of help.

DRYLAND SALINITY

The Hon. CAROLINE SCHAEFER: For some time, I have had the pleasure of chairing occasional briefing sessions by the CSIRO and others on matters of environmental and agricultural interest throughout Australia. On 29 September I chaired such a session on the salinity crisis in Australia, and I must say I was alarmed by the figures that were put forward on that day. We were addressed by Dr Tom Hatton of the CSIRO Land and Water Management Group; Alex Campbell, Chairman of the National Dryland Salinity Program; and Wolford Parsons, the IBIS award winner from South Australia.

Some of the statistics that were offered to us were that Australia currently has 2.5 million hectares of salt affected land and that this is likely to increase to 15 million hectares in the coming decades. We were told that Western Australia alone loses the equivalent of a football oval in area of land per hour.

Stream salinity is generally rising and will continue to rise in affected areas. In South Australia at least 20 per cent of surface water resources are above desirable salinity limits for

human consumption. In Western Australia, which seems to be the worst hit, 1.8 million hectares are affected at present, and this is expected to double within the next 20 years. We are not talking about ordinary salt pans: we are talking about one-third of the state's prime wheat belt. Half of Western Australia's divertible water is saline already. Victoria has extensive impacts in its western regions which are likely to increase substantially. New South Wales has 7.5 million hectares which could be affected as ground water rises, and Queensland already has severe salting over 10 000 hectares.

The loss to agricultural production in Australia exceeds $130 million annually. The loss to capital value of affected land is estimated in Western Australia to exceed $500 million. Costs to infrastructure exceed $100 million per year, and 40 rural towns in Western Australia have been identified as being at risk, with salt damp and all the impacts that are suggested by that. The loss to our water resources is valued at $100 million each in some local supply catchments and much more for the Murray River. There appeared to be very little good news to emerge from this session. In fact, the summary of the briefing notes states:

> Australia is facing massive economic, environmental and social challenges due to the widespread and growing phenomenon of dry land salinity. . . The costs associated with adequately meeting this challenge are very high. The costs of doing nothing are incalculable.

However, Wolford Parsons told us of his successes on his farm 'The Springs' on southern Yorke Peninsula. His family has 1 550 acres (620 hectares). Their property is on the end of two catchment areas which range up to 14 kilometres away. By the end of 1983 they had lost about 300 acres of their best land. They decided to fence it off and disregard it. They decided to replant, as much to make it look effective as anything else. They received 50 per cent of the cost of fencing and 75 per cent of earthworks through a pilot project funded by state and federal governments.

As I said, their main aim at that stage was to make the area look better. After 10 years they have planted trees, salt tolerant grasses and old man saltbush. They have 150 000 old man saltbush and 110 000 trees, along with salt tolerant grasses, medics, clovers and lucerne. I believe that that family is an example of what can be done if we have the goodwill to do it. I wish them well, and I wish them success.

Time expired.

POLICE, FIREARMS

The Hon. IAN GILFILLAN: I want to discuss briefly a matter which profoundly concerns me, and that is the killing by police officers in the past few months of two young men in South Australia and some of the relevant circumstances surrounding those incidents. I refer, first, to Luke Donaghey, who was killed just recently. It is relevant from the wide reportage to quote from an article that appeared in the *Advertiser* of 2 October, as follows:

> Luke's doctor at the Adelaide Clinic, who did not want to be named, describes Luke's illness as 'not terribly severe'. 'But he was a bloke who would react if he felt threatened,' he says. The doctor says people like Luke should be given space and reassured about their safety and security. 'Luke was a nice bloke, he was intelligent and held his views pretty strongly,'

The second victim, Grant MacLeod, was shot and killed by a police bullet in the Marion Hotel car park this month after behaving strangely and brandishing a knife. A newspaper article describes how much he was loved by his family and states that there appeared to be no reason why he was behaving in that manner other than a temporary mental derangement. While dwelling on that, I think it is essential that we sheet home the fact that the AMA is very concerned that the resources are inadequate for dealing with mentally deranged people. A recent *Messenger* press article states:

> . . . some AMA members have had difficulty admitting patients chronically ill with mental health problems to acute care.

The stark and dramatic fact is that, in this case, two young men suffered a death penalty for committing nothing more than a minor public disturbance as a result of some mild mental disturbance. I do not believe that, as a society, we can tolerate that.

I was opposed to the carrying of exposed hand guns by police officers when it was introduced. Police now are seen carrying the massive Smith and Wesson .357 revolver, which emphasises the firearm aspect of our policing. I was most impressed to hear Fred Broughton, the President of the UK Police Federation, saying clearly on Philip Satchell's program this morning that police in the UK are not armed, they do not intend to be armed and they do not want to be armed, and they believe that their policing is much better.

Not only have we inflicted capital punishment on two innocent men in the past 12 months but, as a result, the police officers involved have been exposed to trauma. Peter Alexander, the President of the South Australia Police Association, told me that 90 per cent of police officers involved in these incidents do not return to active service. We are paying an enormous penalty, not only in terms of the tragedy of the loss of human life but in the human tragedy of police officers suffering trauma. Police officers are not properly prepared. I said earlier in this chamber that lieutenant colonel, now Professor, David Grossman in a book called *Killology* pointed out that the human needs artificial conditioning to be prepared to kill, to point a firearm and deliberately wound one of his or her own kith and kin.

These police officers are being dramatically and abruptly exposed to situations which, it is scientifically realised, will cause them enormous trauma and they have virtually no preparation for it. There are other means. We have capsicum spray. There are other ways in which people in these circumstances should be treated. After the first death my colleague the Hon. Sandra Kanck asked why the Assessment and Crisis Intervention Service was not involved. That organisation has been shown to be very effective in talking down these dangerous incidents as they occur.

I feel that, similar to previous times when we have needed a trigger to prompt revision in the way we do things in our community, the time has come to revise the arming of our police officers with these massive hand guns and with the expectation that, under certain circumstances, they will be used. If we do not do that we will continue to see a death penalty imposed on non-offenders—people who have not offended—and we will have serving police officers who are no longer fit and able to do their job.

Time expired.

DRUGS

The Hon. T.G. CAMERON: Yesterday, I was invited to speak at the Western Adelaide Nunga Health Association forum into drugs and rehabilitation. Drugs are part of the common fabric of our daily lives. It is a problem that in some way touches all of our hearts and it has found its way into all of our families. Paradoxically, drugs are a problem that affect most of us in the community, even though the debate that rages around the ways to deal with the problem are so

divisive. Drug use, misuse and abuse is a widespread and endemic feature of the Australian community. It is not exclusive to the Aboriginal community or any other community.

It is dangerous to assume that the impact of drug use is the same across all communities and groups in Australia. Drug use and abuse is no respecter of age, class, creed or colour, even though the outcome may well be very different depending upon where you come from. Drug use and abuse constitutes a problem of major proportions: 80 per cent of property crime is drug related; 66 per cent of all prisoners were under the influence of alcohol or illicit drugs at the time of the offence; 25 per cent of all prisoners have a major drug problem; and, since 1987, there has been a 300 per cent increase in opiate related deaths.

The negative social impact of drug use appears at the intersection of economic, justice and employment issues. The truth is that the drug user is part of a much larger social malaise. The law and order solution to drug use does absolutely nothing to solve this widespread problem. We need to look at the reasons why more and more people are turning to drugs. For many of us the truth about drugs is uncomfortable, contradictory, paradoxical and not open to any easy, simple solutions. The truth is that drugs are a health issue, they are a law and order issue and they are an employment issue. Drugs are an issue of colour, class and poverty.

We need to tackle this with a comprehensive approach that deals with the health, welfare, race, employment and poverty dimensions of the problem. We need a legal system and process that is specifically designed to address the issues as they relate to each individual case and offender and actively work within the health system and not separate from it. The face of drug use in the Aboriginal and Torres Strait Islander communities is even more complex and problematic and must be addressed in its full historical, social and political context. As legislators, we have a responsibility to create a state and city in which the youth of all cultures have an opportunity to engage in meaningful activity and education.

The drug problem in our state is borne out of distress and despair. It is very rare to come across a happy, contented and well-adjusted drug addict. However, the solution does not lie in creating more distress, despair and alienation. The solution does not lie with draconian 'one strike and you are out' law and order approaches. Drugs must be defined as a social and health problem, not simply a correctional problem. The solutions must be in establishing a clear social and health approach to the entire drugs question.

The PRESIDENT: Order! The time set aside for the debate has concluded. I call on the business of the day.

TAXIS AND HIRE CARS

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

That the regulations under the Passenger Transport Act 1994 concerning vehicle accreditation, made on 17 June 1999 and laid on the table of this Council on 6 July 1999, be disallowed.

I refer members to my original reasons for this motion in *Hansard* of 28 July 1999 and I thank the Minister for Transport for her reply last August to questions that were asked in June. I eagerly await the answers to questions specifically regarding the state government Transport Subsidy Scheme for taxis asked earlier this month, a matter which the minister indicated is currently being examined. Furthermore, I look forward with anticipation to the outcome of the National Competition Policy Review Report into the Passenger Transport Act. I am led to believe that that document, completed in April 1999, is currently with the Department of the Premier and Cabinet and is due for imminent release.

The Hon. Diana Laidlaw: It is with Premier and Cabinet.

The Hon. T.G. CAMERON: I thank the minister for confirming that the report is currently with Premier and Cabinet and I will draw my own conclusion that that means that it is due for imminent release. Until then, I reiterate my sentiments regarding any changes in regulation and emphasise the urgent need to revise portions of the existing regulations with the consumers' interest first and foremost. It seems inappropriate that new regulations such as section 119 of 1999 be passed at a time when the passenger transport industry is still awaiting the results of an important study such as the National Competition Policy Review, which is sure to focus on accessible transport issues. For these and other reasons the new regulations should be disallowed and all the regulations under the Passenger Transport Act should be reviewed, with the consumer in mind as stipulated in the objects of the act.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

MEMBERS' TRAVEL

The Hon. NICK XENOPHON: I move:

That this Council agrees to the following:

1. That travel reports of members of parliament be tabled in parliament and be made available on the parliamentary internet site within 14 days of any such reports being provided to the Presiding Officers as required under the members of parliament travel entitlement rules.

2. That this resolution be transmitted to the House of Assembly for its concurrence.

From time to time there has been controversy on the issue of members' travel and I place my belief on the record, to make it absolutely clear, that there are significant benefits to members travelling. If the parliamentary travel allowance is properly used, it can be of significant benefit not simply to members but to the state as a whole in terms of the information and fresh ideas that we can bring back to this state from overseas trips.

I understand that a number of years ago the Hon. Legh Davis travelled to the United States and brought back some ideas about an international rose festival, which ideas are now being implemented, and I congratulate the honourable member on his initiative in that regard. There was some criticism in the media about the expense involved, and I believe that was not justified, particularly in the context of the benefits to the state and the ideas that the Hon. Legh Davis brought back with him. The purpose of this motion is very simple. It seeks to ensure that travel reports of members of parliament are tabled and made available on the parliamentary internet site within 14 days of any such reports being provided to the Presiding Officers. Under the current rules, I understand that we have 60 days from the time a trip has been concluded—

The Hon. P. Holloway: It might be a year before they get the internet site working.

The Hon. NICK XENOPHON: The Hon. Paul Holloway says that there are some problems currently with the parliamentary internet site but, as I am always an optimist, I would like to think that those problems can be ironed out in the very near future. The purpose of this motion is simply to ensure that there is a greater degree of accountability of parliamentary travel reports. My understanding of the present rules is that travel reports of members of parliament are available in the Parliamentary Library, which does not provide easy access to members of the public. Under the current system, a member of parliament can look at a report but not photocopy it, and a journalist can look at a report but their details have to be logged into a journal to indicate that a particular report has been looked at and by whom. Many members of the community would say that that system is not satisfactory in the context of accountability, and this proposal simply opens it up.

Members may be aware that Rex Jory, the deputy editor and daily columnist in the Adelaide *Advertiser*, wrote a powerful column a number of months ago headed, 'Go on, MP, take that trip'. I sent a copy of that article to all members of parliament together with a covering letter urging them to consider the publication of travel reports on the internet. I also propose that, if this motion is passed, it be transmitted to the House of Assembly for its concurrence. I like to think that the Legislative Council can be at the cutting edge of any changes or reforms in the question of accountability and travel reports. In many respects, this will demystify the issue of MPs' travel and the quite unfair criticism that we have often seen.

The Hon. Ian Gilfillan interjecting:

The Hon. NICK XENOPHON: The Hon. Ian Gilfillan raises a very interesting point on the question of ministerial travel. This motion does not touch on that.

The Hon. T.G. Roberts interjecting:

The Hon. NICK XENOPHON: The Hon. Terry Roberts says that ministers will probably move an amendment. I can only live in hope in that regard. At this stage it deals only with the current rules relating to members' travel.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: Yes, the Hon. Terry Cameron makes the point that, if a minister uses the parliamentary travel allowance, a report must be provided under the travel allowance rules.

Members interjecting:

The PRESIDENT: Order! I do not think the Hon. Mr Xenophon needs all this help with his short speech.

The Hon. NICK XENOPHON: I am always grateful for all the help I can get, Mr President, from such esteemed members. The Hon. Legh Davis, as always, with his gratuitous advice, is very helpful, and I am sure that he will give me some help on this particular motion.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: Yes, I know.

The PRESIDENT: Order! The Hon. Mr Xenophon is being distracted. He will return to the debate.

The Hon. NICK XENOPHON: I will simply conclude by urging honourable members to consider this motion. There may be variations of this motion they wish to consider. Some members have approached me in the context of having a precis of a member's report on the internet so there is a short, sharp summary of reports on the net, and that may well be an option to follow. I am not suggesting that this motion apply retrospectively: it can apply prospectively if it is passed. I urge honourable members to consider this in the context of accountability and to restore some degree of public confidence in the whole concept of members' travel and that there really are potential significant benefits to the state from members travelling overseas.

The Hon. T.G. CAMERON: I did not intend to speak today, but the Hon. Nick Xenophon has me fired up with his speech. I just want to place a few things on the record in relation to parliamentary travel. I read Rex Jory's article as well, and I am certainly not going to be one of those politicians who will use the travel allowance and go out and run a populist argument that 'I use the allowance only because, if I do not, it will be wasted', etc. I support a position where MPs are provided with a travel allowance. The travel allowance is used by MPs not only to broaden their knowledge and add to their experiences by utilising overseas travel. Members of parliament use it for travelling intrastate. I have used my travel allowance on many occasions to do country trips to Mount Gambier, the Upper Spencer Gulf and various other parts of the state. I was particularly pleased when the JPSC supported my proposal to allow members of parliament to take their immediate staff with them and claim for that out of their parliamentary travel allowance. I think I have done that on two or three occasions already.

The Hon. Caroline Schaefer interjecting:

The Hon. T.G. CAMERON: Yes, you are allowed to take your staff. For some strange reason that I cannot quite work out, they are not allowed to be paid the same as we are for their per diem. I am not quite sure what that is all about. But, yes, you are allowed to take your staff with you, and I have done that on a number of occasions with respect to country trips. On one previous occasion when I was shadow transport minister, I was running around Sydney with one of my staff members chasing down a bit of information on transport issues. Nothing much came of it, but they did sell me on electric rail when I was over there. I do accept that there is a need for members of parliament to travel, not only within the state but interstate and overseas. Unlike our federal counterparts, we are not able to avail ourselves of first class air travel all over Australia an unlimited number of times and be paid a quite generous per diem when we do it. South Australian MPs have a fixed limit and I think it is currently $8 400 per year.

I would urge MPs not to be too precious about having travel details placed on the internet. I have never bothered to read anybody's overseas travel arrangements, and I am sure most members have not bothered to. If members of the public could just come in and access the travel reports when they wished to, I doubt that people would be queuing up at the front doors to read them.

The Hon. Carmel Zollo: They are probably not queuing on the internet either.

The Hon. T.G. CAMERON: I do not expect that, if our travel reports are placed on the internet, they will get hundreds of hits per day. That is not the issue we have to look at. It is a question of transparency and accountability. One only has to look at the recent Victorian result to see that the electorate does have views about issues such as transparency and accountability. One could only speculate as to what reasons any member of parliament could have for opposing this resolution. All it seeks to do is to have information which is available and which, if there is something wrong with it, will soon find its way into the *Advertiser*. They seem to love perusing our travel reports, so what would anybody have to hide here?

I note that the Hon. Nick Xenophon referred to the fact that we have ended up with a rose garden here in Adelaide as a result of one of the Hon. Legh Davis's overseas excursions. I know that some people would argue that the rose garden next to the Botanic Gardens will be a monstrosity and, if we have ended up with the rose garden as a result of Legh Davis's travelling overseas, we should abolish all travel immediately. I do not subscribe to that view. I did interject briefly at one point and yelled out, 'Roses are lovely flowers.' They are. Like many other people, I love roses, and I look forward to going there and having a good look at the rose garden when it is eventually completed.

I understand that the resolution before the chamber would require the President and the Speaker to ensure that, if a parliamentary report has been lodged, it must be placed on the internet within 14 days. I do wonder whether we could come up with a more organised or structured system for having the reports put onto the internet. For people who are interested in finding out where we go and what we do, that system would mean you would have to keep hitting the page to find out whether anybody else has actually placed a new report. I would just ask the Hon. Nick Xenophon to consider another system which would allow all reports to be placed on the internet perhaps on a quarterly basis or something along those lines. I think it would be administratively easier for the Speaker and the President, and may remove one of the objections I have heard around the place that it would be ridiculous to have these things placed on the net every 14 days.

The Hon. Nick Xenophon referred to a suggestion that we ought to put in a precise of the report. I do not support that suggestion, but I would be more than happy to support the Hon. Nick Xenophon's motion, with or without my suggestion regarding the timing of lodgement of those reports. I indicate to the Hon. Mr Nick Xenophon that, if he is contemplating accepting an amendment involving a precise of the report, I will not accept such an amendment. My reasons for not accepting such an amendment are: who will prepare the precise, and how will we know that the precise has not left out some specific information that is in the full report?

The Hon. Carmel Zollo interjecting:

The Hon. T.G. CAMERON: The Hon. Carmel Zollo interjects and says, 'The precise would be prepared by you.' That would then create other problems. Someone might say, 'This was in the full report and you decided to leave it out of the precise. Why did you do that?' Perhaps if members were more sensible with the length of their reports, they could keep their—

The Hon. Carmel Zollo: You could invite people to come in and view the full report, with a contact number.

The Hon. T.G. CAMERON: Yes, you could, but then that raises all sorts of other problems; for example, what do you do if you are in Port Augusta? Do you drive to Adelaide to look at the full report? I thank the Hon. Carmel Zollo for her interjection, because it emphasises the very need for the kind of legislation that the Hon. Nick Xenophon proposes. One of the real problems with the current system is that it denies country people access to our travel reports. Notwithstanding the fact that country internet users probably pay long distance rates rather than the cost of a single local call to access the internet, I hope that every country member will support the proposal for this very reason—it enables country people to access our travel reports in exactly the same way as city people. I am pleased that the Hon. Nick Xenophon stated that he has no intention of making the lodging of these reports retrospective, because I would not have supported that.

I am not sure whether I share the honourable member's view that, by allowing people to have complete access to and read these reports, it will demystify the process. However, notwithstanding that, I support the motion, because it improves transparency and accountability. They are two terms that people from both the major parties—I will leave the Democrats out of that, because they are always arguing about transparency and accountability, particularly the Hon. Ian Gilfillan—should have a good look at. They preach transparency and accountability whilst in opposition and then do exactly the opposite when they assume the government benches. I support this proposition on the simple basis that it will provide transparency and accountability, and it is worth supporting for those two reasons alone.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

EAST TIMOR

The Hon. T.G. ROBERTS: I seek leave to amend my proposed motion as follows:

6(d) After 'World War II' delete 'and to make an official apology for the 25 years of betrayal' and insert 'and welcome the decision of the Indonesian government in recognising the referendum outcome which granted autonomy and independence to East Timor'

Leave granted; proposed motion amended.

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

That this Council:

1. Calls on the Federal Government to take those steps required to counter the destabilisation of the ungoverned province of East Timor in the lead up to independence.
2. Commends the United Nations for the establishment of an international inquiry into gross human rights violations and atrocities in East Timor.
3. Calls on the United Nations to—
   (a) organise an immediate United Nations supervised repatriation of East Timorese refugees from West Timor and other parts of Indonesia; and
   (b) demand the immediate withdrawal of all Indonesian military and militia personnel from East Timor.
4. Calls on the United Nations and the Australian Government to—
   (a) urgently increase the emergency release of food and other humanitarian supplies to refugees in remote areas of East Timor to prevent starvation; and
   (b) urge all governments, the World Bank and the IMF to ensure that economic assistance to Indonesia supports democratic and economic reform.
5. Commends the Australian Government for providing sanctuary to East Timorese refugees.
6. Calls on the Australian Government to—
   (a) expand that sanctuary to East Timorese refugees who are being targeted by the Indonesian military and militias;
   (b) suspend military cooperation with Indonesia;
   (c) immediately cease its de jure recognition of Indonesia's occupation of East Timor;
   (d) thank the East Timorese people for their great sacrifice and support during World War II and welcome the decision of the Indonesian government in recognising the referendum outcome which granted autonomy and independence to East Timor; and
   (e) make a commitment to assisting reconstruction in East Timor.

I move this motion on behalf of the Labor Party in this Chamber to indicate to the public generally that, although foreign affairs and foreign policy is not developed at a state level, we as individuals on behalf of our constituents recognise the difficulty that faces the people of East Timor

in their current struggle. Since the motion was foreshadowed and I sought leave to move it, events have altered the circumstances somewhat, and that is one of the reasons why I have moved my motion in an amended form. As times goes on, other events will probably require the motion to be altered yet again. However, as it stands now, the motion covers most of the sentiments that have been expressed to me by party members and by members of the public in relation to the problems that East Timor faces as a newly emerging nation that has been granted independence via the democratic process of having a local plebiscite.

Yesterday, the Indonesian government moved to validate the referendum that was held in East Timor, and I have included that congratulatory remark to the Indonesian government on the basis that I suspect that there are changes in attitudes and intentions within the Indonesian government at this time. There is a vacuum of power in Indonesia at this time. However, in the next week, events will shape—I hope in a peaceful way—a restructured attitude, and there will be a rebirth of democracy within Indonesia. Let us hope that the attitude of the Indonesian government to the Australian government in trying to defend and get the respect of the East Timorese people over the past four to six weeks is recognised for what it is, that is, to defend human rights from the gangs and the army pressures that were put on the East Timorese people. In my time as a practising politician and as an adult, I do not think I have seen a more tragic situation, where defenceless people have been put in such a position due to the inactivity of the international community.

I commend the federal government for the decision it made after the referendum to defend the Indonesian people from the acts of brutality that were occurring. I am not one of those supporters of Paul Keating who denounced the federal government for its intervention. After the referendum had taken place there was no alternative other than to take the course of action that the federal government took. I support the Beasley-Howard position to defend the defenceless East Timorese who were slaughtered so shamelessly by the militia and the Indonesian army.

Had the federal government moved more quickly—perhaps with the assistance of the United Nation—prior to the referendum being called, it could have at least announced that a peace keeping force would be made available at short notice if there was trouble at the time of the referendum or shortly before the referendum. Of course, I know that 20-20 vision is helpful politically. I wrote a letter, on behalf of constituents, to the federal government, urging some form of intervention to disarm the militia in the lead up to the referendum to prevent any bloodshed that might take place if the militia were to be used by rogue elements of the Indonesian army to terrorise the population.

Unfortunately, different messages were sent to the East Timorese people. One message by the Foreign Minister I think on the Saturday prior to the ballot was that the United Nations would be able to defend their interests and that we would not let them down if a ballot was successful in determining an outcome that was in favour of independence. Unfortunately, within 24 hours, the United Nation's position had changed, because the position that was required to secure that program for defending the East Timorese people was not agreed to by the Indonesian government, and that intervening time frame was critical in putting a United Nation's based defence force into Indonesia to prevent the atrocities that occurred after the success of the referendum.

I think that the East Timorese people need to be congratulated as well (and I have not included that in the motion because one cannot put everything in it). For a divided island nation to turn out some 98 per cent of the population in a referendum, with the intimidation that had occurred in the lead-up to the referendum, was almost a political miracle. They did it: the old, the young and the infirm made sure that they got to the ballot boxes to express their view of how they thought democracy should proceed in supporting the move towards independence. Even though they knew that it would endanger their physical well-being, they were still prepared to vote for independence.

As I have said before, the next wave of terror that was brought down upon the East Timorese people was to some extent avoidable had people recognised the reports that were being given to Australian and overseas security organisations—that there was a build-up of hatred, destabilisation and an arming of gangs to take vengeance on the East Timorese people if the outcome went against maintaining an integrated policy of Indonesian control.

I hope that this Council supports the motion in its complete form. It will send a message particularly to those East Timorese people living in South Australia at the moment who have, over the last 23 years, taken refuge in Australia. There are now East Timorese children born of East Timorese parents living in Adelaide and Australia who are 22 or 23 years old. I have been addressing the East Timorese gatherings for the past 14 to 15 years. This gathering has, each year, noted the expulsion of their leaders and, in a lot of cases, themselves, from the island of Timor some 23 years ago. Each year I have hoped that either the United Nations or Australia, or a combination of the United Nations and Australia, would be able to secure a peaceful transition from Indonesian governance to an independent island nation, but that has not been possible. Certainly, the price that has been paid has been very high in terms of human misery.

At the moment there are some 400 000 refugees on the western side of the East Timorese border who need to be repatriated. There appears to be some 300 000 displaced East Timorese in East Timor whose lives need to be rebuilt. That is where the final e.clause commitment to assisting reconstruction in East Timor must take into account these problems. Of course, a lot of East Timorese exiles still living in Portugal, Australia and other countries may or may not need to be repatriated.

I think the motion covers it all. It expresses regret that the atrocities have occurred. It expresses an opinion that, hopefully, the democratic processes in Indonesia will put together a more humane, caring government, because they have problems that need to be addressed not only in East Timor but in Irian Jaya and other parts of Indonesia. Hopefully, the United Nations and Australia, and the Indonesian government working together, can overcome some of the problems that we will face in the next decade.

Being an optimist, as I am, and with people of goodwill around the world trying to provide that support and assistance, East Timor can perhaps get off to a financial footing that will allow it the autonomy it requires to make its citizens safe and secure to develop its economy over the next struggling period of time. Let us hope that Indonesia and Australia can work together in the interests of those citizens to assist them to secure a democratic country where people are prepared to live together and where expressions of religion and political differences are worked out through the ballot box, not what we have seen unfold in the past few

months through intimidation and fear, and the gun and the bullet. I commend the motion to the Council and hope that it gets support.

The Hon. IAN GILFILLAN secured the adjournment of the debate.

The Hon. L.H. DAVIS: Mr President, I draw your attention to the state of the Council.

A quorum having been formed:

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: RAIL LINKS WITH EASTERN STATES

The Hon. J.S.L. DAWKINS: I move:

That the 35th report of the committee on rail links with the eastern states be noted.

The committee became interested in South Australia's rail links with the eastern states as a result of discussions surrounding the impending development of the Adelaide to Darwin railway link. The committee felt that it was timely to determine the adequacy and usage of the railway links that Adelaide has with other states, especially in relation to freight movement. It is fitting that the Hon. Mr Elliott has just walked into the chamber, because I am certain that he was the one who moved that the committee inquire into this matter.

The inquiry took place over a period of three months, and included seven submissions, and 14 witnesses appeared before the committee during that period. The committee heard evidence from key railway stakeholders who outlined the changes that had occurred within the industry over recent years and, as most members of this Council would realise, those changes have been significant in all aspects of the rail industry, in the transition from just about total government ownership to a large focus on private involvement, and they also outlined proposed reforms for the future.

The committee heard evidence about a lack of funding for rail infrastructure improvements, as compared to road, over the last 20 years. In combination with the excise on fuel this has made it difficult for rail to compete with road. However, rail has tremendous advantages for freight movement, including greater safety, lower fuel use and lower greenhouse gas production.

The committee believes that these safety and environmental advantages will become increasingly important in the future. Therefore, the committee believes that it is desirable that funding for maintenance and improvement of rail infrastructure should be increased and, in particular, further improvements on the Adelaide to Melbourne line are of a high priority, and emphasis should be placed on reducing cross-looping, minimising curves and increasing the height of the tunnels in the Adelaide Hills. This would reduce the time taken to move stock along this line, making it more competitive with road transport.

It is also fitting to mention that, as well as the restrictions caused by the height of tunnels in the Adelaide Hills, I think the Adelaide-Melbourne line also has a restriction because of the Footscray bridge and, of course, that is something that is not within the realm of this state to have anything to affect that, but certainly we have some concerns in that regard.

The committee investigated the pursuit of an alternative rail route around the Adelaide Hills but there was no evidence to support this suggestion. Standardisation of the railway lines linking Mount Gambier to Wolseley and to Heywood and Millicent would have economic benefits for South Australia and, again, offer an alternative to road freight movement, ensuring lower transport rates. Obviously, the possibility of that happening would depend upon the necessary usage of such lines.

The committee welcomes the extension of the Ghan rail service to Melbourne and to Sydney. The committee believes that the availability of passenger train services is important from an ecotourism perspective. It also believes that intrastate tourist trains such as the Bluebird service to the Barossa are essential for the expansion of tourism in this state and link in very closely with those connections to other states. The committee has recommended that all existing railway lines in South Australia be assessed for tourism and recreation opportunities. Until this has been done the committee feels that no decision should be made on removing any further existing lines.

The development of an Adelaide intermodal terminal is essential, according to witnesses that we heard, almost unanimously. There has been considerable discussion about its location but the committee believes that it should be within the vicinity of Dry Creek.

The committee does see value in developing a rail link between Melbourne and Brisbane, because the development of an intermodal terminal at Parkes has been done with the specific aim of being a centre for gathering materials that are being freighted from those cities and then sending them west to the Adelaide-Darwin line. The committee took evidence that emphasised the fact that such opportunities would further enhance the viability of the line via Alice Springs.

There was one other matter that the committee uncovered some evidence about, but felt that further investigation may need to be made, because it did not fit under our terms of reference, and that was about the possibility of future passenger services to northern cities of South Australia, namely, Port Pirie, Port Augusta and Whyalla.

As a result of the inquiry the committee has made nine recommendations and looks forward to a positive response to them. I would like to take the opportunity on behalf of the chairman, the member for Schubert in another place, to thank all those people who have contributed to the inquiry. I would like to thank the members of the committee, including my colleagues in this place the Hon. Terry Roberts and the Hon. Mike Elliott, as well as our staff, who have worked diligently to ensure the completion of this report.

The Hon. M.J. ELLIOTT: I rise to also support this motion. I think the Hon. John Dawkins has covered the issues quickly and has covered them well, but I will quickly go over them myself. In moving for this inquiry to be carried out, I suppose I had a personal concern that we had put such an emphasis on the Adelaide-Darwin line, which the Democrats have always been very strong supporters of, that perhaps we had not given enough thought about the links to the east, and there is no doubt that historically the rail links to the east have been substandard, and I think just how substandard they were became quite apparent as our inquiry continued. But I must say also that I was heartened by the amount of progress that does appear to have been made. For instance, I think the time taken between Adelaide and Melbourne over just the last couple of years has been decreased by some two hours, and I believe that about another two hours can be cut off that trip, still using conventional equipment but just by improving the quality of the line itself.

In moving for the inquiry I had also noted that there had been some suggestion that there may be some value in

pursuing an eastern route around the Adelaide Hills, rather than the current route, but I note that one of the recommendations did not come out in support of that and, indeed, I do not recall a single witness suggesting that such an alternative route should be adopted. It does not mean, I suppose, that at a future time we may not want to reassess that for some reason, but certainly the ERD Committee had no recommendation made along that line at all.

The Hon. T.G. Roberts: The mayor of Sedan.

The Hon. M.J. ELLIOTT: The mayor of Sedan did not appear. In terms of the route between Adelaide and Melbourne, clearly, the greatest problems have been over the border. In fact, the South Australian line, by comparison, has been good, particularly once you go over the Adelaide Hills. Between the Adelaide Hills and the border it has been extremely good, but the line between the border and Melbourne was appalling, and indeed the most important work that needs to happen even today is probably still east of the boarder, in terms of getting maximum benefit for travel time and therefore competitiveness and cost of the overall route.

However, within South Australia and the Adelaide Hills clearly work needs to be done in relation to reducing cross-looping, minimising curves and, if there is to be double stacking, the height of the tunnels needs to be increased. I rather suspect, from what the evidence was saying, the depth needs to be increased. I do not think they were suggesting that they would actually dig up but that they would dig down. Under the current system, even with single stacking the load is carried much lower. I suspect that double stacking would not be as high as it was a couple of years ago because the configuration of trains has changed.

There is work to be done in the Adelaide hills—significant amounts of money need to be spent. In the long term that will save both time and money and make the route more competitive. This work will need to be done, but the greater urgency appears to be in the Victorian section of the Adelaide-Melbourne route.

Regarding routes to the eastern states, for a long time there were railway lines running to Mount Gambier and Millicent which also went to Heywood and on to the Victorian system. Unfortunately, the lines from Wolseley to Mount Gambier, Millicent and Heywood are the wrong gauge and have been isolated from the rest of the system. No trains can now run on the main system through Australia and onto those lines. The committee formed the view that standardisation of those lines needs to happen.

Today, the minister in charge of water resources delivered a ministerial statement on the availability of water in this state, stressing that half the available water, most of which is unused, is still in the South-East. If we are serious about the further growth of South Australia as a food state, I think much of that activity will have to happen in the South-East, and I suggest that not having a railway line will be a major impediment. Whilst a certain amount of fresh produce might be sent out by air freight, not many 747s are landing in Mount Gambier now.

With the advent of the Adelaide to Darwin railway line, if the people of the South-East can load a container at Mount Gambier and it can go all the way to Darwin, that will give them a significant competitive advantage. Conversely, if they cannot do that, I think a competitive disadvantage for the South-East would be created despite the obvious advantages of the South-East in terms of available water and climate.

I think it is very short sighted of the government not to put money into the South-East. The state government is making a significant contribution to the Adelaide-Darwin railway line, but its commitment to the South-East is piffling in comparison. I strongly urge the government to reassess whether it should make a commitment to upgrading infrastructure to make the line useable. In the first instance, it does not have to be a fast line but it needs to be useable. I understand that to make the line useable would not involve major expenditure. It would involve replacing not all of the sleepers but a certain percentage of them, and the gap between the rails would need to be altered. This investment should be made; it is long overdue.

The committee also recommends further investigation of the standardisation of the Pinnaroo to Ouyen line. I think it was felt that that would provide an option for some exports to come out of western Victoria to the port of Adelaide. For instance, grain might travel in that direction.

I might add that I think there could be another benefit. If, for instance, there was a derailment on the Adelaide-Melbourne line before the line to Pinnaroo departs, an alternative route would be available. Sometimes derailments put a track out of commission for a couple of days, and that creates a competitive disadvantage for rail. If you have duplication of line, which effectively the standardisation of the Pinnaroo to Ouyen line would achieve, that would create a significant insurance policy as well as the more direct benefits that we might hope to extract.

The committee thinks that the arrangements for grain transfer at Port Adelaide need to be improved as soon as possible. There is still not a level playing field between rail and road. For decades, governments have tended to tax rail heavily, particularly through fuel tax, without putting money back in. In comparison, freight movement on public roads has been heavily subsidised by government and cross-subsidised by other road users. There has not been a level playing field. If governments want to talk about competition, that level playing field should be established.

My understanding of the GST arrangements as they have finally emerged from the parliament is that there has been some improvement in the position of rail relative to road, particularly as a consequence of the intervention by the Democrats. However, I do not believe that a level playing field has been established. That issue should be pursued with vigour. At the end of the day, it is in South Australia's best interests as an export state to have the cheapest possible transport out of Adelaide and the rest of the state, and that will happen only if we have genuine competition. At this stage, we do not have genuine competition between rail and road.

There was some concern that National Rail has a significant surplus of rolling stock in storage. Some members of the committee more than others were extremely concerned about that. A big issue which the Minister for Transport needs to tackle as a matter of urgency is the question of an intermodal terminal. Highly successful rail transport relies upon an intermodal terminal.

There is no question that we will end up with one, but the question is where it will be situated. The further it is situated away from the centre of the city the greater the truck transport costs that we will be left with, the greater the inconvenience, and the less freight that will then go on to rail. If we are to have a competitive rail system, we will need an intermodal terminal located as centrally as possible.

I must say that the vicinity—and I stress 'the vicinity'—of Dry Creek is the closest area that is likely to be suitable. Some parts of Dry Creek appear to have been precluded by

some agreement with the developers of Mawson Lakes, but I find it hard to believe that in the general vicinity of Dry Creek there is no land that can be used. If that is so, the government may have to reassess what is happening in that area. It is unacceptable that we do not have a proper intermodal terminal sufficiently centrally located to make rail as competitive as possible.

One of the more surprising recommendations of the committee relates to a Melbourne to Brisbane rail link. The committee recommends that South Australia offers support, even if it is just lobbying at a national level, because it believes that a Melbourne to Brisbane rail link is in our best interests. A number of witnesses suggested strongly that a Melbourne to Brisbane rail link should run through Parkes where an intermodal terminal is already being established to handle road traffic emanating from Sydney. It would then go on to rail from that point.

That intermodal terminal at Parkes would become significant with the Melbourne-Brisbane rail link operating as well, and it is likely that, as a consequence, it will lead to a significant increase in the amount of traffic that is likely to emanate from the eastern states towards South Australia. We would then have a link from Parkes to South Australia which would link into the Adelaide to Darwin line.

Several witnesses believe that that would be of significant benefit to South Australia and that it would boost traffic on the Adelaide-Darwin line and therefore make it more competitive. We are not offering support for a line from Melbourne all the way to Darwin. I would have to doubt the economics of that given that a line already exists as far as Alice Springs. Much of the distance has already been covered. There is already a line between Parkes and the Adelaide-Alice Springs line. The amount of additional line necessary—

The Hon. J.S.L. Dawkins: It's straight lines, too.

The Hon. M.J. ELLIOTT: Yes—would be much less. I think the eastern states eventually should see the benefit of the Adelaide to Darwin line, that they stand to benefit from that line; and we should also see that a line between Melbourne and Brisbane will not only enhance rail generally but actually enhance rail within South Australia and from South Australia to Darwin.

The final recommendation is to look at the tourism opportunities for rail. There have already been a couple of interesting operations, the most obvious in South Australia at this stage being the rail line to the Barossa Valley. It is unfortunate that we lost the line to Clare. Frankly, I think that we will rue the day. Clare now has a nice walking and riding trail. I suspect that the loss of a rail link to the Clare Valley will be greatly regretted even if it is to take another decade or two before the regret is fully expressed. Let us not repeat that mistake elsewhere in South Australia. Once a line is ripped up, replacement is very expensive. Any line that reasonably and not necessarily in the next year or two but in the foreseeable future might have tourism potential really should be given a chance to remain in place for the time being. I support the motion.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

[Sitting suspended from 5.56 to 7.45 p.m.]

SOCIAL DEVELOPMENT COMMITTEE: VOLUNTARY EUTHANASIA BILL

The Hon. CAROLINE SCHAEFER: I move:

That the report of the committee on an inquiry into the Voluntary Euthanasia Bill 1996 be noted.

Many of the Social Development Committee's references deal with contentious issues and it is not always easy to find common ground among committee members or witnesses. The subjects of our inquiries tend to relate to ethical, moral and religious principles which are always matters of conscience. This latest inquiry on voluntary euthanasia is no exception. However, despite ideological differences on this issue among members of the committee, I consider that we collaborated well and were sensitive to and had respect for each other's views and beliefs. In effect, the committee tends to be a microcosm of the South Australian public, and the disparity of our views is probably representative of those of the wider community.

Unfortunately, it was not possible for committee members to agree on all the findings and recommendations tabled in this report. However, as a committee, we collaborated as much as possible so that we were able to agree on the body of the report. I would like to acknowledge the work and cooperation of all my colleagues: the Hon. Dr Bob Such, Mr Joe Scalzi, Mr Michael Atkinson, the Hon. Terry Cameron and the Hon. Sandra Kanck. I would also like to thank the secretary to the committee, Ms Robyn Shutte, and the research officer, Ms Mary Covernton, and acknowledge their hard work in preparing and writing this report.

It is my task to speak on the majority report and I do not propose to dwell on the views of the minority: I am sure that those members will do that very adequately themselves. I would like to say, however, that those whom I represent are Mr Joe Scalzi, Mr Michael Atkinson, the Hon. Terry Cameron and I. Suffice to say that there are fundamental differences of views between the majority and the minority which reflect equivalent differences in the public. Those in favour of legalised voluntary euthanasia believe in the right of the individual to choose when they wish to die if they are of sound mind at the time of that choice. However, they have divergent views on how stringent legislative safeguards should be. The majority of committee members believe that the greater good of the community must outweigh the wishes of the individual and, as such, we recommend:

1. That active voluntary euthanasia and physician-assisted suicide remain criminal offences.

2. That the lapsed Voluntary Euthanasia Bill 1996 not be reintroduced.

Our decision not to support legal voluntary euthanasia is in line with other western nations, and our report spent some time looking at similar inquiries in other nations as well as the other states of Australia. It is also in agreement with the International Covenant of Civil and Political Rights, Article 6(1), which states:

Every human being has an inherent right to life. That right shall be protected by law. No-one shall arbitrarily be deprived of his life.

Proponents of voluntary euthanasia will no doubt criticise the committee and make claims that it is biased by religious points of view. It would be equally easy for me to allege that the pro-voluntary euthanasia case centres on a small group of active members of the voluntary euthanasia movement. However, such allegations on either side would only belittle what is a genuine attempt at an analytical report on such an

emotional subject. In an effort to produce a fair and unbiased report, we have included the arguments both for and against in every chapter. In fact, at a personal level, I believe that we have given too much weight to the pro-voluntary euthanasia argument. However, my colleague the Hon. Sandra Kanck has said that she believes the report is too heavily weighted the other way. So, it is probably an indication that it is quite fair.

Committee members were unanimous in their support of palliative care, both in the work that is done and the great advances which have been made in the care of the dying in recent years. However, we were concerned at recurrent evidence suggesting a lack of knowledge of or training in modern palliative care methods. This seems to apply to older medical practitioners and to some of those in isolated areas in particular. We were therefore able to agree on the following recommendations:

1. Funding for palliative care take into account the ageing of the South Australian population.
2. Existing palliative care programs be expanded.
3. The development and implementation of national guidelines and standards on palliative care be encouraged by state, territory and federal governments.
4. Research into palliative care, pain control, symptom relief and human suffering be expanded and improved.
5. General practitioners be encouraged to attend postgraduate education courses on palliative care by awarding them continuing medical education points.

We also agreed:

6. The public education and awareness programs on the Consent to Medical Treatment and Palliative Care Act 1995 be continued and expanded with particular emphasis on the section relating to withholding and withdrawal of treatment and what it means.
7. The media education campaign on the Consent to Medical Treatment and Palliative Care Act be continued and expanded to raise public awareness about it.
8. The education and awareness program for general practitioners on the Consent to Medical Treatment and Palliative Care Act be expanded to ensure that they are knowledgeable about the existing law.
9. Education and training on pain control and suffering experienced by people with a terminal illness be expanded and improved for all health care professionals.

We also recommended that the states and territories should establish a protocol to recognise advance requests, such as those allowed under the Consent to Medical Treatment and Palliative Care Act, from other states and territories. As members would be aware, this inquiry emanated from a private member's bill introduced into this Council by the Hon. Anne Levy in 1996. We have spent some time in our report looking at the specifics of that bill. However, we felt that we could not do justice to the topic without looking at the broader issue. The Levy bill attracted a great deal of criticism for its lack of safeguards and only a very small minority agreed with it in its entirety.

Some witnesses, including the Law Society of South Australia, represented by Mr Christopher Kourakis QC and Judge Robyn Layton QC, believed the bill could be improved by amendments if we chose to go down the voluntary euthanasia path. Others believed it to be irretrievably flawed. The depth of public feeling about voluntary euthanasia is apparent in the number of submissions and letters received by this committee and the select committee which was originally given the reference.

Between them, the two committees received 4 352 responses. In our inquiry, we took into account 3 946 of these responses. The remaining 406 letters or submissions were excluded because they arrived after the cut-off date for acceptance or were from organisations or individuals whose signatures were illegible. Of those who responded, 52.7 per cent were opposed to the Voluntary Euthanasia Bill 1996 and/or the legalisation of voluntary euthanasia. In contrast, 46.8 per cent were in favour of the bill and/or voluntary euthanasia and 0.4 per cent did not specify or clarify where their allegiances lay.

The committee began its hearings on 23 October 1998 and, in the course of the year, listened to and questioned 72 people who gave evidence as individuals. The remaining 31 witnesses were the chosen representatives of 19 organisations and agencies that had a particular interest in the subject. We were very impressed by the calibre of witnesses, both for and against. We were further impressed by their professionalism, their clarity of presentation and their commitment to their position. Committee members also visited the Mary Potter Hospice at Calvary Hospital and the Helping Hand Centre in North Adelaide to observe the day-to-day operations of two institutions that deal with death, dying and dementia on a daily basis.

Members believed that to fulfil their obligations to the parliament and South Australian citizens, we needed to look at how other democratic countries with similar legal systems had approached active voluntary euthanasia. We chose to consider the United Kingdom, the United States and Canada because there had been numerous attempts at changing the law in all three countries. However, none of these countries elected to legalise voluntary euthanasia. We also looked at the Netherlands and Switzerland because each had a form of active voluntary euthanasia which, although not strictly legal, has become common practice. The only jurisdiction which has legalised physician assisted suicide is Oregon in the United States.

As I am sure members know, in Australia there is no state and territory in which active voluntary euthanasia or physician assisted suicide is legal. The Northern Territory's brief experiment with active voluntary euthanasia under its Rights of the Terminally Ill Act 1995 was overturned by the federal government's Euthanasia Laws Act 1997. South Australia has been and still is at the vanguard in relation to laws on death and dying to the extent that we have been upheld as a model by many jurisdictions.

In 1983, the Natural Death Act made it legal for South Australians to make an advance directive against the artificial prolongation of life. This act enabled people of sound mind of 18 years or older to refuse any extraordinary measures or treatments that might extend their life in the event of a terminal illness. The act specified that a medical practitioner had a duty to follow the directions of his or her patient. However, it stopped short of authorising any act that causes or accelerates death as distinct from an act that permits the dying process to follow a natural course.

The Natural Death Act was superseded by the modified Consent to Medical Treatment and Dental Treatment Act 1985 and, later, the Consent to Medical Treatment and Palliative Care Act 1995, which is the current law and considered by many to be one of the most advanced of its kind. This act allows people of 16 years or older to decide on an informed basis whether or not they wish to undergo medical treatment. It enables people of 18 years or older to make advance directives about medical treatment and it provides for the administration of emergency medical treatment without consent in certain circumstances. It also provides for medical powers of attorney. This provision

allows people to appoint medical agents who can make decisions for them if they are no longer able to make those decisions for themselves.

The Consent to Medical Treatment and Palliative Care Act not only fosters a palliative care approach that ensures that the dying receive the highest possible standards of medical care and service but also that they and their family and friends receive pastoral and emotional support. It protects people who are dying from intrusive, burdensome and futile medical treatment. It also permits competent adults to make advance directives about the kind of medical treatment that they would like to receive if they are terminally ill. Under division 2 of the act, medical practitioners are protected from civil or criminal liability. In effect, it ensures that they cannot be prosecuted for hastening the death of a terminally ill patient as a result of medical treatment, provided that the intention of the treatment was the relief of pain, not the cause of death. However, it prevents direct intervention or assisted suicide in sections 18(1) and (2).

This act is one of the reasons that the majority of the committee and many witnesses believe that it would be inappropriate to move any further towards voluntary euthanasia. It can be said without contradiction that the law of South Australia relating to medical treatment and death and dying covers a wide range of circumstances and gives South Australians more options than many other places, not only in Australia but the rest of the world. I therefore have some sympathy with members who believe that we have had much of this debate before and in depth. I particularly have sympathy with those who were on the Select Committee on Death and Dying in 1992 and who framed our current legislation, believing that it would serve for some time as adequate for this state.

Nonetheless, there have been two attempts to legalise active voluntary euthanasia in this state. The first of these was in March 1995 when a private member's bill to assist terminally ill patients who requested assistance to die was introduced into the House of Assembly by the now Senator John Quirke. It was defeated at the second reading by a convincing majority, 30 votes to 12. The second was initiated as a private member's bill a year later in the Legislative Council. That bill, the Voluntary Euthanasia Bill 1996, is what the Social Development Committee has spent the past 12 months inquiring into. Introduced by the Hon. Anne Levy MLC, it is similar to the previous bill, the most significant difference being the inclusion of advance requests for assistance to die.

Under the Levy bill, it was proposed that active voluntary euthanasia be legal and accessible to people who want it. However, after assessing the evidence accumulated throughout the inquiry, the majority of committee members agreed with the large number of witnesses that South Australia already has a progressive act which covers the needs of most terminally ill patients. Decisions about end-of-life medical treatment have become increasingly complex because advances in medical research, practices and technologies have made it possible for people to live far longer than in previous generations. Diseases and illnesses which would have meant a quick and early death only a few decades ago are now curable. Others which still have no cure can be treated to enable people to live well for some time.

Sadly, the committee heard evidence that a small percentage of people will suffer from intractable pain in the process of dying. We are all deeply sympathetic to their plight and conscious of the rights of the individuals, but the majority of committee members remain convinced that the best protection for society as a whole is to continue to pursue the course of the common good. Most people have had the experience of observing someone they love die. Many find it harrowing and traumatic, but some witnesses spoke to us of closeness and a special bonding with their loved ones during that time. Obviously these experiences have an effect on the way we approach death and dying. For some they are enough to make them support voluntary euthanasia. For others they are not. The House of Lords report of the Select Committee on Medical Ethics said on this issue:

> In the end, the reason for the difference is that, whereas the law considers the discontinuance of life support may be consistent with the doctor's duty of care for his patient, it does not, for reasons of policy, consider that it forms any part of his duty to give his patient a lethal injection to put him out of his agony.

We strongly endorse the right of a competent individual to refuse consent to any medical treatment but see this as far removed from voluntary euthanasia and physician assisted suicide.

We are conscious that the final phases of life often arouse complexities of emotion, unbearable tensions in the family and profound suffering for all. In the light of this, we believe that the system and society must provide those who are dying and their families with as much comfort and compassion on as many levels as possible—medical, emotional and spiritual. Like the members of the House of Lords committee, many of whom were in favour of voluntary euthanasia and physician assisted suicide at the start of their inquiry, we believe that '. . . the special worth of human life is at the heart of civilised society.' Like them, we are very conscious of our responsibility to help safeguard the vulnerable, the sick, the frail aged, the poor, the disabled and the mentally ill.

In this instance, the majority of the committee members agreed with a ruling from the House of Lords report of 1994, as follows:

> . . . that prohibition [of killing] is the cornerstone of law and of social relationships. It protects each one of us impartially, embodying the belief that all are equal. We do not wish that protection to be diminished and we therefore recommend that there should be no change in the law to permit euthanasia.

As Father John Fleming of Southern Cross BioEthics Institute said in his evidence:

> If fundamental human rights are not inalienable, if citizens are permitted to give up their fundamental human rights, then it undermines the ability of the government or the state to protect the fundamental rights of others, especially the weak and the vulnerable.

Public interest has been increased by a number of high profile cases in the United Kingdom, the United States of America, Canada and the Netherlands that have come in for intense media scrutiny. In America, Oregon endorsed physician assisted suicide in 1994. This has been watched carefully by other governments and jurisdictions around the world, as well as doctors and academics. However, in most states of the USA, euthanasia is still illegal. This year, the well known American activist in this area, Dr Jack Kervorkian, also known as Doctor Death, was found guilty of murder and given a 10 year gaol sentence for the televised death of a patient.

In Australia, several doctors have been very outspoken in their support of active voluntary euthanasia. Dr Philip Nitschke, an ardent campaigner for active voluntary euthanasia, has received much publicity for the clinics he is conducting for the dying. Nitschke was intimately involved in assisting a number of people to die when the Northern

Territory Rights of the Terminally Ill Act was in force. It should be emphasised, however, that medical bodies such as the Australian Medical Association are firmly opposed to legalising voluntary euthanasia.

The quasi legal status of active voluntary euthanasia in the Netherlands has also ensured that the issue would continue to be closely watched by various interest groups, including the media. Although euthanasia is still technically illegal, doctors in the Netherlands have been able to perform euthanasia in accordance with specific guidelines for some years. In August this year, the Dutch health minister introduced a private member's bill which would formalise existing practices and legalise active voluntary euthanasia under certain conditions. The bill has not yet been ratified.

As with many of the other reports on this subject, the committee was aware that debate about euthanasia is often clouded by the language used by both opponents and proponents of legalising voluntary euthanasia. Even the committee had difficulty, first in defining the key terms and then agreeing on those definitions. However, we did agree on a list of definitions which are included in the report, and we have endeavoured to adhere to those definitions throughout. Key to those are our accepted definitions, as follows: the word 'euthanasia' comes from the Greek and originally meant nothing more than gentle and easy death and, in the context of this inquiry, it is used to mean a deliberate intervention undertaken with the express intention of ending a life to relieve intractable suffering; and 'voluntary euthanasia' is the intentional causing of death of a mentally competent person in response to a request from the patient.

Many of the issues raised a decade ago in the Select Committee on the Law and Practice Relating to Death and Dying were raised again in this inquiry. They include—

- the fundamental importance of effective, accessible palliative care;
- the ignorance of some professional health care workers and the public about palliative care practices, and the need to raise public and professional awareness of palliative care;
- the effectiveness of palliative care when it is used in a holistic way in conjunction with other treatments to support patients, their families, friends and carers, and that even the best of palliative care is ineffective on some occasions;
- that the public still know little about what active voluntary euthanasia entails, and that there is a misconception that active voluntary euthanasia can involve the turning off of machines or other currently legal practices;
- that the progression of terminal illness is what causes death, not the use of drugs such as morphine for pain control;
- that the majority of dying patients' pain can be relieved with therapy and drugs—about 10 per cent of patients need more concentrated drug treatment for pain relief and a small percentage of patients suffer from intractable pain;
- that good medical practice may comprise not starting treatment;
- it may also involve the withdrawal of treatment in certain circumstances;
- the potential damage the legalisation of active voluntary euthanasia might have on doctor/patient relationships;
- that dying is never strictly private because the death of one individual has an effect on other people;
- the law envisaged would not just control the practice of active voluntary euthanasia but was likely to confirm and encourage it.

The main argument presented by people opposing active voluntary euthanasia related to the concept of common good versus individual autonomy and the sanctity of life principle. Many were also concerned about the effect that legalising active voluntary euthanasia could have on the relationship between medical practitioners and their patients. A significant number of witnesses argued that active voluntary euthanasia would result in more harm than good. They believed it was imperative that the interests of the minority must not override the common good. This view was summed up by Dr Ian Olver, Clinical Director of the Royal Adelaide Hospital Cancer Centre. He said:

> The right to die does not equate with the right to be killed, because the right to be killed or euthanased brings a second morally independent human being into the whole issue. It is not as though you can make a decision that affects only yourself. The idea of having rights that are absolutely paramount can apply only if we live on a desert island and our actions affect no-one. If we live in society, we voluntarily give up some of our rights for the good of society.

Many were also concerned that its practice might extend to include people who did not want active voluntary euthanasia or even know that they were in that situation, such as the demented. Related to this was the concern that, if citizens were able to give up fundamental human rights, it would undermine the duty and ability of the government or the state to protect the fundamental rights of others, especially the weak and the vulnerable. Some witnesses suggested that active voluntary euthanasia legislation would also contribute a threat to vulnerable individuals because we live in times when economic rationalism prevails and an easy death could all too easily become an easy economic solution.

Many witnesses were opposed to ratifying active voluntary euthanasia because of their belief in the sanctity of life and their fear that respect for life would be eroded. A number of witnesses pointed out that the sanctity of life principle was given explicit recognition in common law in western countries. They cited authorities from other countries to lend weight to their argument. One early English case which drew attention to the sanctity of life was where Lord Devlin stated:

> No doctor, nor any man, no more in the case of the dying than of the healthy, has the right deliberately to cut the thread of life.

Opponents of active voluntary euthanasia argued that significant legislative research confirmed this belief and high ranking judges in many jurisdictions had all rejected legalising active voluntary euthanasia. Many believed that the South Australian parliament should not put our state law out of step with the prevailing laws of countries with similar cultures.

One of the recurring concerns was that doctors with a licence to kill may abuse their power and that the existing trust between patients and their doctors might be eroded. Some witnesses raised the possibility of doctors' exercising their own initiatives about whom they would assist to die should active voluntary euthanasia be legalised. Several witnesses suggested that medical practitioners might be pressured to kill people whom they believed to be a burden to the system. Medical practitioners and other witnesses stated that it would contravene the codes of medical ethics of both the Australian Medical Association and the World Medical Association. The World Medical Association declared euthanasia to be unethical in 1987 and has made no ruling since. Some medical practitioners and others claimed it would place an unfair burden on general practitioners who

do not have specialised psychiatric training or even enough experience in diagnosing clinical depression, and this lack of knowledge would be exacerbated by the fact that it would be likely that the dying would already be suffering from depression because of the imminence of death.

A cross-section of witnesses, including lawyers, ethicists, etc., looked at the South Australian Voluntary Euthanasia Bill in detail, pinpointing defects. In general, they argued:

- legislation was too blunt an instrument to protect others from the consequences of changing society's formal view of killing;
- common practice was not a good enough reason to legislate and, because it is alleged that the present law is being abused, this did not mean that a law for voluntary euthanasia would not also be abused;
- it would be inconsistent with Australia's obligations under international law to legalise active voluntary euthanasia in South Australia;
- it would be difficult, if not impossible, to ensure that all acts of euthanasia were truly voluntary;
- it would be impossible to protect the vulnerable, specifically the frail old, the young, the mentally and physically disabled, the poor and members of minority groups without good access to medical services under the terms of this bill because of a lack of safeguards in the bill;
- it would be likely that people would become resigned to deliberate interventions in hastening death and that this would have harmful effects on the whole of society;
- it would create a category of people whose lives were excluded from being safeguarded because the current protection for life would be removed;
- South Australia already has a progressive act, the Consent to Medical Treatment and Palliative Care Act 1995, which covers the care of patients who are terminally ill. A number of witnesses contended that compassionate support for family and patients must continue;
- it would be ill advised to overturn the current criminal law principle that consent of the victim was no defence to a criminal act because of its effects on society;
- advance requests would put at risk people who had specified assistance to die under prescribed circumstances years earlier should they wish to change their minds if those circumstances ever arose; and
- the interests of the individual should not take precedence over those of society.

With regard to language, many witnesses had specific objections to the definitions and language of the bill. Among these were:

- concern about the lack of definition of 'euthanasia';
- the looseness of the definition of 'hopelessly ill' was considered to be dangerously broad and a cause of great concern to many witnesses;
- the looseness of the phrase 'seriously and irreversibly ill', which many witnesses argued could be interpreted to include people with conditions such as multiple sclerosis, rheumatoid arthritis, diabetes and so on;
- the broadness of the term 'injury or illness', which several witnesses argued could include any psychological illness other than clinical depression;
- the use of the word 'irreversibly' because of the difficulty medical practitioners have in determining whether a physical state, such as a persistent vegetative state, is irreversible in certain circumstances;
- the difficulty in determining permanency in deprivation of consciousness, even by specialists in this field of medicine;
- the ambiguity of the phrase 'impairs the quality of life' because it involves both objectivity in relation to harm and subjectivity in relation to not only the individual's assessment of quality of life but also his or her trustee's assessment and that of the medical practitioner involved;
- the subjectivity and lack of standards relating to the interpretation of the phrase 'so that life has become intolerable to that person'; and
- the subjectivity and lack of standards relating to the interpretation of the word 'serious'.

In conclusion, I would like to repeat that the majority of committee members are opposed to the legalisation of voluntary euthanasia and physician assisted suicide because we do not believe that individual autonomy should have precedence over the greater good. We also believe, in the words of one of our witnesses, Dr Ian Olver, Clinical Director, Royal Adelaide Hospital Cancer Centre, who has a PhD from Monash University on end of life decisions, that:

> The idea of having rights that are absolutely paramount can apply only if we live on a desert island and our actions affect no-one. If we live in society, we voluntarily give up some of our rights for the good of society.

Another explanation that summarised the majority view was that of Dr Bernadette Tobin of the Plunkett Centre who, paraphrased, said:

> We recognise that in our justice system: guilty people go free, but we tolerate that because we think it would be worse for one innocent person to be incarcerated. I think you have the same kind of thing with legalising euthanasia. I believe it should not be legalised, but I accept that there will be people who want their lives ended who will not have their lives ended. That is the moral cost of keeping it illegal. I recognise that and we should acknowledge it more than we do and try to respond to those people's needs better but in the end I think it would be worse if we legalised it, because we would have the corollary moral cost, which is that. . . some people will have their lives ended who should not have their lives ended.

In my view—and it is that of the majority—that cost is just too great.

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

RACING (TAB) AMENDMENT BILL

The Hon. NICK XENOPHON obtained leave and introduced a bill for an act to amend the Racing Act 1976. Read a first time.

The Hon. NICK XENOPHON: I move:

That this bill be now read a second time.

This bill at its heart aims to do two things. First, it aims to prevent the installation of EFTPOS or ATM facilities within a TAB outlet or the TAB facilitating an ATM outlet near a TAB. Under clause 4, it also amends section 62 of the current act relating to the transfer of funds, particularly in the context of credit card betting, which I will deal with shortly. This bill is very much about providing and ensuring some very basic consumer protection measures for patrons of the TAB and for the community at large.

I draw parliament's attention to the findings of the Productivity Commission in its draft report and the discussions that have ensued with respect to consumer protection. The Productivity Commission makes it very clear that Australia's gambling industries are not an ordinary product, that we are not dealing with an ordinary industry—and even the gam-

bling industries acknowledge that. These are industries that can and do cause and confer a significant amount of community harm.

According to the very extensive survey carried out by the Productivity Commission, some 330 000 Australians have a significant gambling problem measured by a number of factors, with an average loss of some $11 800 per annum, and with each problem gambler impacting on the lives of between five to 10 others. The commission goes on to say that the most significant source of problem gambling is with respect to poker machines—of the order of 60 per cent to 85 per cent—but that the TAB, the racing industry, is also a source of problem gambling in the community.

This measure does not in any way impede upon the ability of a punter to continue to place a bet, but it can and will, if passed, ensure that EFTPOS and ATM facilities are not installed at TAB venues or that the TAB is not involved in making an arrangement for the provision of a cash facility at any other place—in other words, the TAB cannot be directly involved.

There is considerable discussion in the Productivity Commission's draft report as to the link between accessibility of cash outlets and the level of problem gambling, particularly in the context of poker machines because, as most members know, ATM and EFTPOS facilities appear to be in virtually every poker machine outlet, at least in this state. The Productivity Commission at chapter 15.1 in its key messages section states:

> There are grounds for restrictions on multiple withdrawals and on withdrawal amounts from ATMs in gambling venues, and potentially an outright ban.

The commission goes on to discuss the access to credit and ATMs and discusses the various jurisdictional approaches. The commission has also quoted the views of the Adelaide Central Mission in its submission (15.49 of the commission's draft report) where it states:

> In the gambling industry the introduction of another form of credit facility or mode of transferring cash just adds to the risk of harm for problem gamblers.

At table 15.6 (at 15.50) of the commission's draft report, in answer to the question 'How often do you withdraw money from an ATM at a venue when you play the poker machines', of non-problem gamblers 78.2 per cent said 'never', 11.8 per cent said 'rarely', 5 per cent said 'sometimes', 1.4 per cent said 'often', 3.2 per cent said 'always', and 0.4 per cent could not say; of problem gamblers, based on the South Oaks gambling screen score of five plus, 34.6 per cent said that they never withdrew money at an ATM, 12.4 per cent said 'rarely', 15.1 per cent said 'sometimes', 16.5 per cent said 'often', 21.3 per cent said 'always', and zero per cent said that they could not say.

In that context, based on ATMs at poker machine venues, the closest analogy in terms of the research and surveys carried out by the Productivity Commission was that there is a very clear nexus between the easy accessibility of cash and levels of problem gambling. The gambling counsellors that I speak to at various welfare agencies and the BreakEven services that do a very good job dealing with people who have problems arising from gambling in this state, consistently tell me, time and again, that there is a very clear link between EFTPOS withdrawals and levels of problem gambling. The easy access to cash is an accelerant in terms of problem gambling.

This Bill has been prepared as a result of community concern and information that I have received with respect to possible plans by the TAB to go down the path of putting in ATMs. I think it is appropriate, given the discussion in the community, that we look at this issue now and that we deal with it expeditiously before Christmas, given that there appears to be an impending sale of the TAB, that it is on the market. I think it is important that we grapple with this issue prior to the TAB's being sold, because, if any sale agreement on the part of the TAB allows, as part of a contractual agreement, for the TAB to have ATM facilities or allows for the provision of ATM facilities, there could be some legal, contractual and compensation issues for any new buyer. I think it is important that we deal with this matter now, given the concern that the provision of ATMs at TAB outlets could well cause increased levels of problem gambling.

There is I think a distinction for those members who support the access to ATMs at hotels where there are poker machines. There is an argument put by those advocates that you will restrict the choice of people to have access to funds for the purpose of buying drinks, food and other non-gambling services at the hotel. That is something that no doubt can be discussed in the context of another Bill that I have introduced in this place. But that argument by the proponents or the defenders of ATMs at poker machine venues in this state simply cannot apply in the context of a TAB where the only service provided is effectively the ability to have a punt or a flutter. There is no other argument for the provision of ATMs other than to allow people to have easy access to cash to be able to bet.

I draw members' attention to evidence provided to the Social Development Committee. John O'Connor from the National Council of Education and Training and Addiction gave quite cogent evidence on problem gambling generally. He has researched the material extensively: I think he is in the final stages of completing his thesis on problem gambling. He made the claim that, of regular TAB players, some one-third would be defined as having some form of gambling problem.

I should add that, according to the Productivity Commission, and depending on the number of visits by a poker machine player, for instance, there are similar percentages there. But it does indicate that there is a potential problem with the racing industry in the context of having easy access to cash at a TAB. I urge members to consider this, in that context and to allow this measure to go through, at the very least if they should have significant doubts as to the potential impact this will have on levels of problem gambling in the community. That is the consistent theme, not on the basis of what I say but on the basis of what numerous gambling counsellors say—and I am sure a number of them will contact members in the context of this debate—that is, that ATM access can lead to increased levels of problem gambling. For that reason, I urge members to consider this matter.

Earlier this evening I spoke to Mr Stephen Richards, the CEO of the Adelaide Central Mission and the spokesman for the Heads of Churches Gambling Task Force, and his view is that it is clearly inappropriate to have ATMs at TABs because of the potential to increase levels of problem gambling. He considers that it would be an absolute breach of the duty of care for the government to allow this to proceed. His view—and a view that I endorse—is that the government has a responsibility to the broader community, not simply to the profit levels of the TAB.

The TAB is not an ordinary business: it is selling a product that is not without some measure of risk. I hasten to add that it seems that, generally, levels of problem gambling with the TAB, on the basis of the number of people present-

ing to BreakEven gambling services with a TAB problem, is significantly less than poker machines, of the order of 15 per cent, according to one gambling counsellor, although there is some argument that perhaps that is because the TAB does not participate to the same extent as the hotels and clubs who, to their credit, make a contribution to the BreakEven service, who fund it and who provide material to varying extents at their venues. I acknowledge that that is clearly a step in the right direction.

The Hon. T.G. Cameron: Why does the government want to put these EFTPOS facilities and ATMs in TABs?

The Hon. NICK XENOPHON: The Hon. Terry Cameron, as usual, has made a helpful interjection—I will not say 'always', because that would only encourage him too much. I can only presume that this is about maximising profits for the TAB in the lead-up to privatisation. But I am glad the Hon. Terry Cameron asked me that question.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: It may well put up the sale price, because it will increase the turnover, but that should not be the consideration. The consideration should be the impact on the broader community and the effect it will have on a number of South Australians who will either develop a gambling problem or have a deeper gambling problem as a result of ATMs—

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: I can only wish the Treasurer well in terms of a good sale price for ETSA. But in the context of an interview given by the minister responsible for the TAB, the Hon. Dr Michael Armitage, in terms of his view I was astounded to read a transcript of an interview which took place with Alison Rogers on Radio 5AN on 14 October in relation to this proposal. If I may quote some salient parts of that interview. The minister appears to be saying that this is a push on the part of the banks to put ATMs in TABs. Well, my view is so what? The government, the TAB indeed, has a responsibility not to do something which can so blatantly, in the view of many who deal with problem gamblers, who research in this field, lead to an appreciable increase in the level of problem gambling in the community.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: The Hon. Terry Cameron asks whether they are getting a rental from these machines, and my understanding is that that is how they work, and the banks, of course, not only—

The Hon. R.R. Roberts interjecting:

The Hon. NICK XENOPHON: No. I wish. The situation is that the banks would get a rental in respect of these machines and it will be a nice little earner. The banks will be paying a rental and it will be a nice little earner. I am not sure of any arrangement between the banks and the TABs in terms of the number of transactions. I imagine it would simply be a straight out rental. The question was asked by Ms Rogers—and I will not read out the entire question:

> . . . wouldn't this be a bit of a sweetener, wouldn't this make it more. . . a more lucrative proposition, if the TABs can have Automatic Teller Machines on their premises?

She asked the question in the context of a proposed privatisation. The minister's response, according to the transcript, is this, and I quote:

> Well, if you were to say that, if the contention were to be proven, and I'm not sure that it is necessarily true. . . but even if the contention were to be proven, what you're saying is that the taxpayer of South Australia will get a greater sale price for the TAB if the government were to sell it.

Rogers asked the question:

> Yeah, but we might have to pick up the cost with more problem gamblers.

The minister's response was:

> Well, I would have thought that there would be a large number of people in South Australia that would say if you are making a decision to sell something or other, and you maximise the value you are getting for that asset, that's a sensible thing to do.

With all due respect to the minister, that entirely misses the point. We have all sorts of laws in place in this state, for instance in relation to the use of motor vehicles. You cannot drive a vehicle at any speed that you want to. There are laws in relation to that. You need to wear seat belts. There are all sorts of laws in terms of not speeding at school crossings, and the like, because we acknowledge that there is a considerable level of harm if, for example, motor vehicles are used irresponsibly. This approach by the minister entirely misses the point. It misses the point of the Productivity Commission's approach to this issue that gambling is not simply another industry, and his approach is extraordinary.

In the transcript of the Channel 2 television news of 14 October 1999, in relation to the potential for ATMs going into TABs, the minister was quoted as saying:

> It's to increase their profit, that's what this is about. It's not about any of the other issues; it's about the TAB increasing its profit so that the taxpayer and the racing industry can be better off.

The Hon. T.G. Cameron interjecting:

The Hon. NICK XENOPHON: That misses the point entirely. Again, I draw the honourable member's attention to the Productivity Commission's report which says that over one third of gambling losses come off the backs of problem gamblers. So, effectively, a significant proportion of gambling taxes in this state, some 35 per cent, according to the Productivity Commission's analysis for Australia's gambling industries, is coming off the backs of vulnerable and addicted gamblers. This is very much a community issue, a social justice issue, and I would have thought that any government of any political persuasion ought to feel uneasy over raising such a significant proportion of its gambling taxes off the backs of the vulnerable and the addicted. This is very much a social issue that will not go away. It is not simply my view but the view of many others, and the fact that the heads of churches have now formed a gambling taskforce I think represents a significant shift that the churches, representing their broad communities, are now getting involved in this issue.

So in relation to the EFTPOS facility provision I urge honourable members to support that in the context of this being a commonsense move, a sensible move, to ensure that there will not be ATMs going into a government owned TAB or a privately owned TAB.

In relation to clause 4 of the Bill, which strikes out paragraph (d) of section 62(1), this relates to the electronic transfer of the amount of the bet to the TAB. I have asked the Minister for Government Enterprises questions on a number of occasions in relation to the TABs PhoneBet credit card facility, a facility that was roundly condemned by Mr Dale West from Centre Care, the Catholic church's welfare provider, and he is also, of course, the chair of the Gamblers' Rehabilitation Fund. Mr West was critical last year of this new facility, and the potential it could have for increasing levels of problem gambling. The proposal is to strike out that

clause and to strike out subsection (1)(a) which facilitates the electronic transfer of funds in terms of the TAB, and this proposal ensures that if you want to make a bet with your phone account you need to actually transfer cash into it, so there is no question of actually using your credit card to put the money in.

As to gaming machines venues and the voluntary code of practice that the Treasurer launched the other day, in their voluntary code of practice—and it can be discussed on another occasion whether it ought to be voluntary or legislated for—even the hotels and clubs have acknowledged that it is desirable that there ought not to be transfer of credit card amounts for the purpose of betting, and, in fact, I have put to the Treasurer, and I think I have previously confirmed to the Treasurer, that on a couple of occasions people have approached me who have been willing to make a formal complaint. There are many people who have issues with various gambling venues where arguably the law has been broken, and in some cases quite clearly has been broken, but they are not willing because of the stigma or the shame of their gambling problem to come forward.

As I understand it, there are at least two cases involving credit card transfers which are currently being investigated, in the context of two poker machine venues. What comes out of those investigations remains to be seen, and obviously I do not know what the outcome is. But at least with the gaming machine industry they have acknowledged that it is not appropriate to use credit card transfers for the purpose of betting. They have obviously acknowledged, as I understand it, that there is a potential to increase levels of problem gambling. But in the context of the TAB the minister has been asked on a number of occasions by me as to what the position is with the TAB's PhoneBet credit card facilities, what research has been carried out in terms of increasing levels of problem gambling in the community, and I have yet to receive a response.

Clearly, that is unsatisfactory given that the first occasion on which I asked a question of the minister was 21 July 1998. A subsequent question was asked on 26 May 1999, and on 29 September 1999 a further question was asked of the minister in an attempt to elicit a response from him. At the very least, this indicates a tardy response and some might say a contemptuous response to the issues raised. These are issues on which the community ought to get answers.

The TAB should not simply be about maximising its profits. It plays an important role in the South Australian community. I acknowledge the contribution of the racing industry in this State and the TAB's role in that regard, but to provide services such as TAB credit card betting facilities is I consider predatory. To go down the path of installing Eftpos facilities is a blatant and predatory move.

I urge members to do something constructive and support a consumer protection measure which will not impinge on the liberty of TAB punters but which could do a lot to send a message to the community indicating that this parliament is serious about tackling the levels of problem gambling in the community. Those of us who have a more libertarian approach to gambling—I think the Treasurer will not object to being put into that category—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: I would like to think that the Treasurer—

The Hon. R.I. Lucas interjecting:

The Hon. NICK XENOPHON: —rather than making that sort of snide comment is genuinely concerned about doing something about the level of problem gambling, but he is busy chuckling away, so obviously my plea to him has been wasted. The community will judge him on his approach to problem gambling and dealing in a serious and constructive manner with the devastation that problem gambling can cause in the community.

I urge members, whatever their view may be on the approach to gambling, not to see this measure as a restrictive move but rather as a sensible consumer protection approach to one potential area of the TAB's operations. I am not sure whether members of the Liberal Party or the Labor Party will have a conscience vote on this issue. I presume that SA First and the Democrats will have a conscience vote on this issue, but we will wait and see.

I urge members to support this bill. I understand that an approach will be made to a number of members by heads of churches on the gambling task force, and there may well be other approaches from gambling counsellors to provide further information to members. I urge members to support the second reading of the bill.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

AUDITOR-GENERAL'S REPORT

The Hon. R.I. LUCAS (Treasurer): I move:

That the report of the Auditor-General 1998-99 be noted.

I think I have moved this motion for the past two years, and this will be the third year. The government continues to provide this opportunity to members to comment on the report of the Auditor-General, which is voluminous. In the two or three weeks since the report has been brought down, I am sure that members will not have had the opportunity to read through all its volumes. This motion is designed to allow members for the remainder of this session as we move into next year, should they so choose, to comment on the Auditor-General's Report at their leisure on each Wednesday afternoon of the session.

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

STATUTORY AUTHORITIES REVIEW COMMITTEE: ANNUAL REPORT

Adjourned debate on motion of Hon. L.H. Davis:

That the report of the committee 1998-99 be noted.

(Continued from 29 September. Page 40.)

The Hon. J.S.L. DAWKINS: As a member of the Statutory Authorities Review Committee and on behalf of the presiding member I thank all members who have contributed to the debate and ask that the motion be supported.

Motion carried.

STATUTORY AUTHORITIES REVIEW COMMITTEE: BOARDS OF STATUTORY AUTHORITIES

Adjourned debate on motion of Hon. L.H. Davis:

That the report of the committee inquiry into boards of statutory authorities: remuneration levels, selection processes, gender and ethnic composition be noted.

(Continued from 29 September. Page 42.)

The Hon. CARMEL ZOLLO: As a member of the Statutory Authorities Review Committee, I am pleased to see the continuance of the inquiry into various aspects of statutory bodies in South Australia. Whilst the findings of the inquiry were unanimous and the inquiry did not report on this particular aspect, I would like to place on record my disappointment that the state government is unable in this day and age, apparently because of funding, to dedicate an online definitive database which would give an up-to-date listing of all boards and committees and their composition and bands of remuneration.

I believe that such an initiative would lead to better accountability and transparency, and I am certain that the Auditor-General would approve. A comprehensive register of statutory authorities and committees is not an impossibility and it would certainly make it easier to access information, such as that requested by my colleague, the shadow minister for the office of the status of women, in her contribution, namely: what percentage of women are on boards that are at the highest remuneration?

To put it kindly, the present BCIS system does not make it easy to extract such information. Perhaps the government could have a look at Queensland, which has put such a database in place. Because of the more than obvious interest in the community, there was a particular focus on gender and ethnic composition, as well as selection processes, remuneration levels for board and committee members, and the classification criteria used to categorise statutory bodies and so determine remuneration levels.

The presiding officer has already spoken at some length in relation to the issues which the committee looked at but, as both the two issues of gender and ethnic composition have been raised with me on a number of occasions in the wider community, I will try to concentrate my remarks on those two areas. In relation to gender composition, I am pleased to place on record the commitment of this government to continue with the good work started by the Labor Government.

We have a target of achieving a 50 per cent representation of women on all government boards and committees by the year 2000. Whilst regrettably it appears this target will not be met—and I note that the level has now plateaued—I acknowledge that South Australia as a state is well up in the statistics with about 32 per cent representation, second only to the ACT with 41 per cent. The committee noted that in the private sector the statistics are not good at about 10 per cent. I have absolutely no doubt that the practice of male mateship and networking through various means is alive and well and often means membership of more than one board for many men.

The number of members on boards and committees from culturally and linguistically diverse backgrounds is apparently difficult to measure. Only 0.2 per cent of all board and committee members registered on the BCIS system as at 30 June 1998 voluntarily indicated their origin. As was pointed out in evidence, this information is not being collected in a systematic or useful manner. Such statistics or lack of statistics certainly do not support the government's declaration of principles for a multicultural South Australia in which the government gives a commitment to 'encourage all South Australians to contribute to, and participate in, all levels of public life and decision making'. I am certain that the Premier will agree with the committee's recommendation number eight, which states:

> The government should strengthen its commitment to increase the number of board members from culturally and linguistically diverse backgrounds and consider further measures to achieve this goal.

As I see it, this issue involves two aspects: first, the importance of making certain that our system of governance delivers a service that takes into consideration the views and cultural sensitivity of all its citizens. One quarter of the South Australian population was born overseas, and one half of those were born in a country where English is not the mother tongue. Therefore, I believe that we need to include people who will bring cultural sensitivity to boards and committees. The other issue is that of equity. It is important that people of culturally diverse backgrounds as a whole have the opportunity to be part of the decision making and governance system of our state, not just for the reason of cultural sensitivity but for empowerment.

The statistics do not bear this out. There still seems to be a glass ceiling for such people in the senior levels of the Public Service and boards and committees. People from a culturally diverse background are just as talented and interested in as many issues in our community as the general community. We should not make the mistake that they would be interested in only the welfare, education and health sectors, though none of us would deny the importance of these sectors. Recommendations nine, 10 and 11 add further strength to recommendation eight by suggesting means by which such commitment can be achieved. I think that those recommendations are important enough for me to repeat them. Recommendation 9 states:

> (a) The multicultural skills register maintained by the Office of Multicultural and International Affairs should be regularly updated.
>
> (b) Ministers should consult the multicultural skills register when making appointments to boards.

Recommendation 10 states:

> Knowledge of languages other than English and experience of diverse cultures should be considered an additional fact of merit for potential members of the full range of government boards and committees.

Recommendation 11 states:

> The government's guidelines for agencies and board directors should be amended to provide for a mentor system that would offer support for new members to government boards and committees.

In relation to registers to which ministers can refer when making appointments, two registers are held in the Office of the Status of Women: the general register and an executive search register. The Office of Multicultural and International Affairs also maintains a register of people from diverse cultural and linguistic backgrounds interested in serving on government boards and committees. The Department of Primary Industries and Resources SA has a register of rural women interested in serving on government boards and committees. The committee also learnt that we have had a youth register since 1996 to assist government and non-government agencies when appointing young people to boards.

I am pleased to see that it certainly has been possible to provide incentives for rural women to become more involved in our system of governance by both leadership and mentor training, and I congratulate the Department of Primary Industries and Resources in its proactive approach. I wholeheartedly agree that increased opportunity for training and development, which in turn engenders confidence, are the key to securing a natural progression to board membership. I have no doubt that the initiatives of the Department of Primary Industries have led to more involvement by rural women.

Apart from training and development, the department has established an internet site which allows women to work on their CVs, as well as putting their names forward. I am pleased to have been present at several rural women's meetings and a rural women's gathering, and I congratulate in particular Ms Lib McClure and Ms Meg Partridge of Primary Industries and Resources SA for their obvious commitment and enterprise to raise the profile and involvement of rural women in South Australia. This has assisted in the appointment of rural women to government boards and committees.

I probably should not say 'committees' because I was at the launch of the Rural Women's Award for the Year 2000 last week and I heard a former ABC Rural Woman of the Year say that in 1995 men served on boards and women on committees. I guess that we understand the subtle difference to which she was referring at that time. It was also very pleasing to hear that, when the South Australian Farmers Federation was seeking women for its appointment and it was found that women were reluctant to come forward, the department swung into the action I have just mentioned with excellent results.

Governments of both persuasions have previously largely ignored half of country South Australia's constituency when it came to empowering women. I would like to see the same commitment as demonstrated by the Department of Primary Industries to rural women adopted by other government departments for women of culturally diverse backgrounds. I have certainly heard great cynicism by some women when it comes to the appointment of women of diverse cultural backgrounds to boards and committees. Many question whether in fact we prescribe to the inclusiveness we all talk about.

It is possible to empower all peoples of diverse cultural backgrounds: it takes commitment in the form of funding and staffing, not just the right words on charters. The committee's recommendations are not exactly earth- shattering. It may be easier to say that the client base in terms of rural women was easier to identify but, even in that instance, there needs to be commitment to start with. I know that people, and in particular women of culturally diverse backgrounds, would like to see a similar commitment. The committee's recommendations in that respect range from using the ethnic media to make the ethnic communities more aware of such opportunities to serve on boards, to maintenance of registers, better consultation regarding those registers and the provision of a mentor system.

As a separate recommendation, number 12, the committee recommends:

> All ministers should be provided with an outline of the initiatives of the Department of Primary Industries, Natural Resources and Regional Development which seek to increase female participation on boards and committees.

Such commitment is certainly in step with the government's policy to encourage all South Australians to contribute to and participate in all levels of public life and decision making. I look forward to the Premier's response to all of the committee's recommendations, many of which I have not covered in my contribution. I would now like to make a few quick comments in relation to classification and remuneration.

The committee found inconsistencies in remuneration levels of some boards and the classification of some whose roles have obviously changed. The process of filling vacancies was also not always working as well as it should and the committee's recommendation seven in relation to that problem states:

> The current monthly notification process pending board and committee vacancies should also include advice on board committee positions that have not been filled by the due date.

I reiterate that I believe that many of these issues would be solved by a definitive database of all bodies and committees as it would allow for far more transparency and accountability, and I hope that, in the not too distant future, we will see such a database. I also place on record my thanks to the committee's staff: the secretary, Ms Kristina Willis-Arnold, and the research officer, Ms Helen Hele.

The Hon. J.S.L. DAWKINS: In speaking to this motion I hope not to duplicate many of the areas covered by my colleague on that committee, the Hon. Carmel Zollo. I would like to commence by giving a little history to the debate. The committee in May 1997—before either the Hon. Carmel Zollo or I were members—released its thirteenth report entitled 'Boards of Statutory Authorities Recruitment Gender Composition Remuneration and Performance'. The report was quite wide ranging, and the committee received a response from the Premier late that year endorsing 14 of the committee's 15 recommendations.

As a follow up, the committee last year decided that it should do further work in this area and also decided that the terms of reference would include the classification criteria currently used to categorise statutory authorities, the selection process and criteria for appointment of members to boards, current trends in the gender composition of boards, current trends in the ethnic composition of boards, the responsibility for determining remuneration levels, the criteria for establishing and reviewing remuneration levels and, of course, any other relevant matters.

I will not go through all of the 13 recommendations, some of which have up to three parts, but I will highlight those that I consider to be very important. The committee has deliberated on this issue, having taken a considerable amount of evidence over some time. It is one of the better reports with which I have been associated as a member of the two standing committees on which I have served in my two years in parliament.

The Hon. Diana Laidlaw interjecting:

The Hon. J.S.L. DAWKINS: Yes, it has been that long, minister. First in relation to the levels of remuneration paid to members of government boards and committees, the committee has recommended that these be disclosed on the boards and committees information system in bands of $2 500 between $0 and $10 000 remuneration; in bands of $5 000 between $10 000 and $20 000 remuneration; and thereafter in $10 000 bands. To date, the levels have been indicated only in bands of $10 000. Many people on boards and committees get paid far less than $10 000, so to list them all in one large band is fairly meaningless. I support that recommendation very strongly.

The committee also believes that ministers should review unclassified boards and committees in their portfolios at least annually and that ministers should determine whether unclassified boards and committees should be referred to the commissioner for classification or be dissolved if they no longer perform a useful function.

Another part of the remuneration aspect of this inquiry was that the committee found that some boards which have considerable responsibilities receive no remuneration whereas other boards whose responsibilities are seemingly less are

paid. One example of that is the board of the Botanic Gardens and State Herbarium. Considering its increasing responsibilities, it seems ludicrous that the people who serve on that board do not receive any remuneration, and the committee has recommended that that be reviewed.

I make mention also of the recruitment of people from multicultural backgrounds, and the Hon. Carmel Zollo, as always, covered that area very well. As one who enjoys going to functions and other occasions that are sponsored by various multicultural groups and as one who has grown up in an area with people from many and varied backgrounds, I am well aware of the skills, expertise and energy that many of those people have to offer community service. I appreciate and support the recommendation that the multicultural skills register maintained by the Office of Multicultural and International Affairs should be regularly updated, that ministers should consult the multicultural skills register when making appointments to boards, and that knowledge of languages other than English and experience of diverse cultures should be considered an additional factor of merit for potential members of the full range of government boards and committees.

The Hon. Carmel Zollo also mentioned the recommendation that all ministers should be provided with an outline of the initiatives of the Department of Primary Industries, Natural Resources and Regional Development which seek to increase female participation on boards and committees. I endorse that recommendation. The work that has been done in that portfolio is to be strongly supported because it is one area where the ability to attain more female representation on some of those committees has been limited by what might be seen as the old boy network. Having served on some of those rural committees, I know how difficult it has been for women to be represented. Changes have been made and I applaud what the department is doing to reduce the barriers or hurdles to women playing very important roles in those boards and committees.

Some time ago the government set a policy of achieving 50 per cent female representation across all government boards and committees by the year 2000. It is clear that, with only 2½ months to the end of 1999, that ambitious target will not be achieved. However, less than two months ago the committee was told that women accounted for 31.35 per cent of all government board and committee positions, and I understand that the percentage of female appointments to government boards and committees in South Australia is higher than in all other states and the commonwealth.

The committee has recognised the effort made to increase female representation on boards and committees and, although it acknowledges that that figure is a long way short of where it ought to be given that the female population is more numerous than the male population, we should acknowledge the efforts that have resulted in that figure being achieved and we should do all we can to make that figure climb steadily further.

I believe that this is a very worthwhile report and I recommend that all members of the Council read it and take in much of what the committee has suggested. I thank the other members of the committee, including my colleague the Hon. Julian Stefani, for the work they put in. I also endorse the comments of the Hon. Carmel Zollo in relation to the very good work that Kristina Willis-Arnold and Helen Hele do for our committee.

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

ROCK LOBSTERS

Adjourned debate on motion of Hon. P. Holloway:

I. That the Legislative Council notes—
   (a) the complete failure of Primary Industries and Resources SA to fairly and equitably manage the allocation of rock lobster pot licences; and
   (b) the subsequent investigation by the South Australian Ombudsman into alleged anomalies in the allocation process.

II. That this Legislative Council therefore calls on the Legislative Review Committee to investigate and report upon all aspects of the process of allocation of rock lobster pot licences.

(Continued from 29 September. Page 45.)

The Hon. P. HOLLOWAY: I wish to complete the remarks I commenced when last this matter was debated. At that time I described the utter shambles that befell the allocation of recreational rock lobster pot licences. I moved this motion to refer the issue to the Legislative Review Committee.

I indicated at that time that doubts had been raised as to the validity of the Legislative Review Committee's receiving such a reference. I sought leave to continue my remarks to consider amendments to my motion to ensure that the Legislative Review Committee could proceed with such a review. My colleague the Hon. Carmel Zollo will move an amendment shortly which I trust will put beyond doubt the ability of the Council to refer this matter to the Legislative Review Committee. That amendment will refer to the general fisheries regulations under which the allocation of rock lobster licences takes place.

The Legislative Review Committee is in my view a suitable body to investigate this particular matter because, as I indicated on the last occasion I spoke, it has previously considered this matter and took evidence in July 1998 from the director of fisheries, and I referred to that previously. It is interesting that, since I moved this motion in this chamber on 29 September, I note that the government has gazetted regulations which relate to recreational rock lobster licences. I refer in particular to regulation 202 of 1999, which is dated 7 October. One of the provisions of this regulation is to ensure that an application made for a rock lobster pot cannot be in the name of a person under the age of 15 years. I referred to this matter last week.

It is rather interesting that this whole process has been and gone. We know what a fiasco it was, how it was widely criticised and how it was subsequently investigated by the Ombudsman. But one of the key issues has only just been gazetted, retrospectively, after the process is over. There is another reason why the Legislative Review Committee should look at this matter and it has arisen since I spoke last on 29 September. On checking through the fisheries general regulations, I note that part 4, section 8(5), provides:

> The director may register the device. . .
> (c) in the case of a rock lobster pot for a period not exceeding 12 months.

The existing regulations, which have not been altered, provide that a rock lobster pot licence can be registered for only 12 months. It is interesting that when this process took place, in the advertisement which appeared in a number of newspapers—in some cases with the wrong telephone

number, to which I referred last week—it was certainly indicated that people applying for such a licence would be applying for a period of two years. The relevant part of the advertisement states:

> The following arrangements will apply for the recreational rock lobster fishery for the period 1999-2001. . .
> · pots will be available for a two year period, 1999-2001.

It is my understanding that, on being granted a licence, the applicants were required to pay $45 per pot per licence year. In other words, they had to pay up front. If they got two pots for this period, they had to pay $180 to cover the two pots for the two years. It raises the question: how compatible is this whole process with the existing regulations under the fisheries act and general regulations? Those two examples are an adequate extra reason why the Legislative Review Committee should look at this matter.

Since these new regulations relating to the age limit were released on 7 October, from my understanding of how the Legislative Review Committee operates—and I was a member previously—the committee would be able to examine those regulations anyway. However, given the importance of this issue and the public interest in this matter, I believe that a reference from the parliament to the Legislative Review Committee is still warranted.

In my contribution on 29 September and in the additional matters I have raised today, I believe there are sufficient grounds for the Legislative Review Committee to investigate this matter. It is my hope that the investigation and report that, I hope, the Legislative Review Committee will make on this matter will be sufficiently broad to provide recommendations that will ensure that the fiasco we have seen is not repeated. I commend the motion to the Council.

The Hon. CARMEL ZOLLO: I move the following amendment:

> Leave out paragraph II and insert:
> II. That this Legislative Council therefore calls on the Legislative Review Committee to investigate and report upon the Fisheries (General) Regulations 1984 and their application to the allocation of recreational rock lobster pot licences.

The amendment seeks to ensure that the Legislative Review Committee's investigation and report on the allocation of recreational rock lobster licences is carried out in the context of the relevant fisheries regulations and the way they are applied. My colleague the Hon. Paul Holloway in moving this motion has already spoken at some length on the manner in which rock lobster licences are allocated. I do not profess to be very close to the issue but, following the publicity that the 1999 allocation received, like everybody else I was somewhat surprised at the manner in which the allocation was made. It appeared to be an absolute fiasco.

It had been assumed that after the 1997 allocation such an occurrence would not occur again. In the 1997 allocation, applicants personally attended offices of PISA to lodge their application. It resulted, in some cases, with more than one and even up to five or six being granted a licence. It apparently even included the case of a child under the age of one year being granted a licence.

In recognition of the problems that came to light under that system, the minister appointed a committee, with Mr Martin Cameron as chair, to look at the manner in which the process of allocating licences could be improved. As I understand it, neither the report nor its costs have ever been made public. Assurances were also given to the Legislative Review Committee by the director of fisheries when it was looking at regulations that came before the parliament that the allocation of licences in 1997 would be corrected and addressed by the ministerial committee. As such, the matter was not pursued by the opposition. As it turned out, the 1999 method of allocation of licences proved to be certainly no better and, in some ways, it was much worse than the 1997 method. I am not sure who dreamt up outsourcing the allocation of licences to Venue-Tix, because the report was never made public. We do not know whether it was something the committee thought up and the minister went along with it, or perhaps it was the minister's own idea.

The Hon. Diana Laidlaw: It was the committee's.

The Hon. CARMEL ZOLLO: Whatever was the case, it does not really matter—the minister has to accept full responsibility for what certainly turned out to be a total disaster. Allocating licences on a first come first served basis is pretty unfair if you have the misfortune of continuously getting the engaged signal, let alone, as I understand it, in one country area, as the Hon. Paul Holloway has already mentioned, having the wrong telephone number printed for applicants to ring. Of course, overloading and disrupting the phone system has consequences for other phone users.

In many ways the system reminds me of some telephone competitions conducted by radio stations which give away prizes to the first, fourth, tenth or whatever caller to get through. It is pure luck if you are the person to get through and, invariably, in some of the bigger competitions, that can also overload the telephone system. I agree with my colleague the Hon. Paul Holloway that the only fair way of allocating what is obviously a most desirable recreational pursuit is by some sort of lottery. Once all written applications which meet the criteria have been accepted (which would stop such nonsense as a child under one applying), they then all have an equal chance of their name being drawn out of a barrel (or whatever other random means).

I also agree with my colleague that we should err on the side of caution when it comes to increasing the number of licences for the recreational fishery. It is critical that we manage this fishery in a sustainable way. There certainly appears to sufficient grounds for investigation and, given its history and expertise, as already indicated, the Legislative Review Committee certainly seems to be the proper vehicle to examine the matters that have arisen in relation to the allocation of recreational rock lobster pot licences. I am pleased to support the motion as amended.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

TAIWAN EARTHQUAKE

Adjourned debate on motion of Hon. A.J. Redford:

1. That the Legislative Council notes—
   (a) the terrible and devastating earthquakes which struck Taiwan on 20 September and 26 September 1999;
   (b) the enormous loss of life which is still rising;
   (c) the horrendous number of injured persons who will need medical and other services for many years to come; and
   (d) the extensive property damage that has occurred because of these natural disasters.
2. That this Council calls on the state and federal governments to—
   (a) do whatever they can to assist the Taiwanese people in their hour of need; and
   (b) send official messages of condolence to the Taiwanese people expressing regret and sympathy for the effects of this terrible tragedy.

3. That this Council expresses its own sorrow at the terrible loss of Taiwanese people.

4. That this resolution be forwarded to the Taipei Economic and Cultural Office in Melbourne.

(Continued from 29 September. Page 46.)

The Hon. CARMEL ZOLLO: I rise on behalf of the opposition to support this motion. No matter where you live in the world, natural disasters are something that can befall any community without warning, with loss of life and destruction of property that can vary from zero to hundreds of thousands of deaths, and property damage in the billions of dollars. Earthquakes are still one of the most terrifying disasters, particularly as we have made virtually no advances in predicting their location, time and severity, although we have made many advances in making property more earthquake resistant. Whilst Australia has had its share of natural disasters, mostly as a result of floods, fires and cyclones, major earthquakes are fortunately relatively few and far between. Despite regular enormous damage and economic loss from droughts and floods, loss of life is thankfully on a relatively small scale.

At times, it is therefore difficult for many of us to fully appreciate the enormity and scale of some of the major natural disasters around the world. We get a fleeting glimpse of some vivid television footage for a few days and then it is forgotten, perhaps until the next one. However, in many ways these vivid images from today's modern communications, the fact that we all travel a lot more and that we are a nation of immigrants from all parts of the world means that we all share in these tragedies. In Australia, we have a long tradition of helping each other in times of great stress arising from our all too regular bushfires and floods. We all share in the sense of loss of either property or life and reach out to help whenever we can.

I note that the Hon. Angus Redford indicated in his contribution that, on this occasion, our government's response has not been as good as it should have been, and this is, indeed, regrettable. It is always distressing to see such a large loss of life, injury and devastation. Our thoughts are with the families who have lost their loved ones and to all the Taiwanese people. Whenever such devastation occurs, it is imperative that nations unite to help relieve suffering and rebuild shattered lives and property wherever disasters occur. The reports I have heard have all been positive and full of praise for the manner in which the Taiwanese government responded to the emergency. The assistance has been both urgent and well organised, and the Taiwanese government has earned the respect of the international community.

For me the earthquake was a lot closer than normally would have been the case, as I happened to be in another part of Asia at the time and probably saw the dreadful images of death and destruction sooner than I would have in Adelaide. A few days before the earthquake, I had sat for 24 hours through typhoon Yorke in Hong Kong. Whilst I had read the guide books which said that September is typhoon month in that part of Asia, I had not really thought that I would be caught in the middle of the largest typhoon to score a direct hit on Hong Kong in 16 years. But for me and others who attended the conference and also most visitors, it was nothing more than an inconvenient 24-hour delay locked in your hotel room, listening to the wind outside your window, and seeing things being blown about that you normally would not see being blown about. However, for residents, particularly in the new territories where there was the usual flood damage, injuries and loss of life, it was a regular part of life in that part of the world.

My next destination, Tokyo, had just before that suffered a minor earthquake which had caused no damage but was perhaps an omen of things to come a few days later in Taiwan. And we were also fortunate that we left Japan just before another typhoon hit South West Japan and caused further damage and loss of life. About two days before the earthquake hit, by coincidence we met a businessman and his family from Taiwan during our travels. I was grateful for their help because, even though they did not speak Japanese either, they helped us with directions, because they could read some of the Chinese characters at the train station and on the street signs. I recalled our meeting with them straight away when the vivid images were flashed on television, and my thoughts were with them and their families.

It did strike me on my return just how fortunate we are in Australia and regrettably how desensitised we all seem to become to such misfortunes. It seems to be more so on this occasion, because a few months earlier there had been a similar devastating earthquake in Turkey. Perhaps one of any major disaster is all we can cope with or comprehend in any given time frame. I note that the Hon. Angus Redford said that the enormity of the tragedy goes well beyond the media images that we see. I could not agree with him more. In Australia, local news usually takes precedence over such tragedies which are usually relegated to world news pages, or later on in television bulletins. However, no doubt the same applies in reverse—very few news stories from Australia are reported overseas.

When thousands of people lose their lives in natural disasters, whether it be earthquake, floods or whatever, apart from the loss of life, as the Hon. Angus Redford also pointed out, there are many things which we do not see that have a ripple effect on families and communities. They can range to anything from the loss of shelter, food and clothing to the loss of income. I know that, about 20 years ago, when my relatives in Italy were the victims of a major earthquake, it took many years for them to rebuild their homes and livelihood. I cannot but agree that Taiwan is an important player in the Asian region and in the world in terms of its economy and also, of course, very important to Australia in terms of our trade, with it being our fifth largest trading partner.

I was interested to learn from the Hon. Angus Redford's contribution that Taiwan invested from 1991 to 1994 an amount of $45 billion in mainland China. He went on to say that they are also becoming a major investor in other important countries with whom Australia trades. Of course, the Chinese have always been held in high regard as merchants throughout the ages and throughout the world. On behalf of the opposition, I again add our deepest sympathy to the families who have suffered loss. To the many people who will need to rebuild their lives and property, our thoughts are with you. The opposition also urges both state and federal governments to do whatever they can to assist the Taiwanese people at this time of need.

The Hon. J.F. STEFANI secured the adjournment of the debate.

THE CARRIERS ACT REPEAL BILL

The Hon. K.T. GRIFFIN (Attorney-General) introduced a bill for an act to repeal the Carriers Act 1891. Read a first time.

The Hon. K.T. GRIFFIN: I move:

That this Bill be now read a second time.

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

Leave granted.

In 1995 the Council of Australian Governments ('COAG') entered into three intergovernmental agreements to facilitate the implementation of national competition policy objectives. One of these agreements was the *Competition Principles Agreement.* As part of their obligations under this agreement, State governments undertook to review all existing legislation that restricts competition. The Office of Consumer and Business Affairs ('OCBA') has reviewed the *Carriers Act 1891* (SA) as part of this process.

The guiding principle is that legislation should not restrict competition unless it can be demonstrated that:

- the benefits of the restriction to the community as a whole outweigh the costs; and that
- the objects of the legislation can only be achieved by restricting competition.

A review panel consisting of staff of the Office of Consumer and Business Affairs was formed in September 1998 to undertake this Review.

The *Carriers Act 1891* provides a framework for limiting the liability of common carriers, stagecoach proprietors and mail contractors (collectively known as "carriers") for the carriage of a limited number of goods specified in the Act, including, for example, paintings, pictures, glass, lace, furs, maps, title deeds, engravings and stamps.

Common carriers are considered by the common law to be those who hold themselves out as ready, without discrimination, to carry the goods of all persons who choose to employ them or send goods to be carried.

Common carriers must be distinguished from private carriers, to whom the Act does not apply. If a carrier reserves the right to choose from among those who send goods to be carried, then they are generally a private carrier and not a common carrier, and this appears to be the norm in the goods carriage industry in South Australia.

Court decisions have over time limited those who could be considered common carriers. For example, warehouse operators, wharfingers, stevedores and furniture removers have all been held to be private carriers.

The Act provides that carriers shall bear no liability for the loss of or damage to certain types of goods, where the value of these goods is greater than $20, unless their value has been declared to the carrier.

The Review Panel found no evidence that the provisions limiting the liability of common carriers have been relied upon in recent times.

The Review Panel therefore concluded that the Act is no longer relevant, and further, that the objectives of the legislation in protecting common carriers seem to be in conflict with today's emphasis on consumer protection. The Act offers a protection to common carriers that is unnecessary in a marketplace in which they are able to limit their liability contractually or insure themselves against risk.

The Review Panel also noted in its Final Report that both Queensland and Tasmania have repealed, or are in the process of repealing, equivalent legislation.

In light of the changes which have occurred in the market which render the content of the Act obsolete and the reality that there are few, if any, common carriers still operating in this State, the Review Panel recommended the repeal of the Act. This recommendation met with support from a broad range of industry participants including the South Australian Country Carriers Association, Transport SA and the South Australian Road Transport Association.

Since coming to office, one of the key objectives of this Government has been to undertake a comprehensive micro-economic reform program to ensure competitive market outcomes for both consumers and businesses. As a necessary part of this reform, it is sensible to repeal outdated and irrelevant legislation.

Accordingly, the Government has accepted the conclusions and recommendations made in the Final Report of the Review Panel, and this Bill will repeal the *Carriers Act 1891*.

I commend this Bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Repeal

This clause repeals *The Carriers Act 1891*.

The Hon. CARMEL ZOLLO secured the adjournment of the debate.

GOODS SECURITIES (MISCELLANEOUS) AMENDMENT BILL

The Hon. DIANA LAIDLAW (Minister for Transport and Urban Planning) obtained leave and introduced a bill for an act to amend the Goods Securities Act 1986. 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 this Bill is to amend the *Goods Securities Act 1986* to implement recommendations made in the Duggan Report. The Duggan Report was prepared by Professor Tony Duggan, a Professor of Law at Monash University, as part of the National Vehicle Security Register Project.

Australian jurisdictions have been working together towards the development of a national database for recording security interests in motor vehicles. During the development of linkages between each State's security register, it was realised that the legislation in each State that governed the registration of security interests and the resolution of disputes between security holders varied greatly.

It was at this time that the National Working Party, which included a South Australian representative, engaged Professor Duggan to determine how each State's legislation could be modified to ensure best practice and that consistent outcomes would be achieved in each of the participating jurisdictions. In the preparation the Duggan Report, and later, in considering its recommendations, the National Working Party consulted widely. These consultations included interested parties such as the Office of Consumer and Business Affairs, the Motor Trade Association, the Insurance Council of Australia, the Australian Finance Conference and the RAA.

The main features of this Bill are changes which will bring about national uniformity. The following amendments are the major changes required to bring South Australia into line with the national model:

- changing the way the Act defines that a person has 'notice' of a security interest in a vehicle;
- where competing security interests require dispute resolution, the statutory order of priority will be amended to reflect a nationally consistent approach;
- recognition of circumstances in which temporary possession should defer the operation of a registered security interest, for example, repairer's liens and short-term hire or lease arrangements; and
- the introduction of a 24 hour period of grace so that a person can be sure that a certificate they obtain with respect to security interests is accurate until the end of the following day.

The Parliaments of both New South Wales and Victoria have recently passed amendments to their equivalent statutes, the *Registration of Interests in Goods Act 1986* and the *Chattels Securities Act 1987* respectively. Other participating jurisdictions (Queensland, the Northern Territory and the Australian Capital Territory) are also working towards implementation of recommendations contained in the Duggan Report.

Two States, Western Australia and Tasmania, are not currently prepared for full involvement in the national co-operation with respect to vehicle security interests. Tasmania intends to participate fully as soon as it develops the capability to store and exchange security interest data with other jurisdictions. Western Australia, while involved in the exchange of security interest data with selected jurisdictions, is the only jurisdiction not prepared to fully adopt the new national framework.

Amendments to the *Goods Securities Act* will further strengthen protection offered to purchasers of motor vehicles who first obtain a certificate disclosing any registered security interests held against the vehicle. This protection will be achieved by reducing the scope

for the fraudulent movement of vehicles across State borders, by obtaining a level of national uniformity in legislative provisions which will prevent 'forum shopping' by disputants who would seek to take advantage of different legal outcomes resulting from each State's legislation.

I commend the Bill to honourable members.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

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

Clause 3: Amendment of s. 3—Interpretation

The principal Act defines 'notice' as actual notice. This clause redefines notice to mean actual notice or wilful blindness. A person is wilfully blind if, having put upon inquiry as to the existence of a security interest, the person deliberately abstains from inquiry or further inquiry when the person might reasonably have expected the inquiry or further inquiry to reveal the security interest.

Clause 4: Substitution of s. 8B

8B. Time within which Registrar must register security interests, vary particulars or cancel registration

This clause imposes a duty on the Registrar to vary particulars of a registered security interest or cancel the registration of a security interest as soon as practicable after—

- receipt of a due application for the variation or cancellation;
- the variation of particulars or cancellation of registration under a corresponding law.

The clause also provides that no right arises to compensation or damages under the Act or at law in relation to the Registrar's duty unless particulars are not varied or registration is not cancelled beyond the end of the day after—

- receipt of the application; or
- variation or cancellation under the corresponding law.

Clause 5: Amendment of s. 11—Discharge of security interests

This clause amends the provisions relating to the discharge of security interests so that—

- a purchaser acting honestly, for value and without notice of a security interest does not acquire good title to goods and the security interest in the goods is not discharged if the purchaser is a party to an agreement or understanding with another person under which the purchaser is acquiring or purporting to acquire the goods for the purpose of supplying them to the other person under a goods lease, hire-purchase agreement or other contract and the other person is not acting honestly and without value of the security interest;
- a person acting honestly, for value and without notice of a registered security interest who purports to acquire an interest in goods under a goods lease for a term of four months or less or an indefinite term acquires an interest that is valid against the holder of the security interest and has priority over the security interest;
- where a certificate is issued stating that there are no registered security interests in the goods to which the certificate relates and a security interest in those goods is then registered before the end of the day after the day on which the certificate was issued, the registration of that security interest will be taken to come into effect only at the end of the day after the day on which the certificate was issued;
- where only part of the purchase price or other consideration in respect of goods subject to a security interest is paid to the owner or apparent owner of the goods at the time of a purported acquisition and the security interest is discharged, the holder of the security interest is, to the extent of the amount owed under the security interest, subrogated to the rights that, but for subrogation, the owner would have had to recover the purchase price or other consideration or balance of the purchase price or other consideration from the purchaser;
- where the holder of a security interest is so subrogated to rights of the owner of the goods, the purchaser obtains a good discharge for any payment made or consideration given in respect of the goods by the purchaser before the purchaser receives notice from the holder of the security interest of the holder's rights.

Clause 6: Substitution of s. 12

12. Order of priority

This clause makes two changes to the rules about priority of security interests. First, it provides that a repairer's lien on goods (whether registered or unregistered) has priority over a security interest (whether or not the security interest is registered and whether the security interest came into existence before or after the repairer's lien arose). Secondly, it provides that if the holder of a security interest in goods (whether registered or unregistered) takes possession of the goods, that security interest has priority over any registered security interest in the same goods that was registered after possession of the goods was taken.

Clause 7: Transitional provision

This clause provides that the amendments made to the Goods Securities Act by this measure (other than the substitution of section 8B of the principal Act) do not apply in relation to a security interest that came into existence before the commencement of this measure.

Clause 8: Further amendments of principal Act

SCHEDULE

Further Amendments of Principal Act

This clause and the Schedule make various amendments to the principal Act of a statute law revision nature.

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

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 19 October. Page 109.)

The Hon. J.F. STEFANI: I am pleased to support the motion for the adoption of the Address in Reply. In so doing, I commend His Excellency the Governor of South Australia, Sir Eric Neal, for his speech in opening the Third Session of the Forty-Ninth Parliament. In his speech His Excellency noted that the net migration loss was the lowest for five years and that our population growth has been the highest for the same period.

Migration has played an important role in the history of South Australia. It is estimated that one-third of South Australia's population has some links with other than British and Irish ancestry. One in five South Australians were either born overseas in a non-English speaking country or have had at least one parent born in such a country. Many others are descendants of early immigrants from outside Britain and Ireland. In addition, 1 per cent of the population is of Aboriginal descent.

In November 1838, less than two years after the proclamation of South Australia as a colony, the first German immigrants arrived at Port Adelaide. They settled in the Adelaide Hills, establishing towns that still bear German names, such as Hahndorf and Lobethal. By 1900, some 18 000 Germans had settled in the state, particularly in the Barossa Valley, a region now famous for its wines. German, Polish, Silesian and other European immigrants, and Chilean muleteers, were also attracted to the new copper mines that opened in the 1840s in Kapunda and Moonta. Their numbers, however, never equalled those of the Cornish miners, themselves a linguistic minority in Britain. Also amongst the earliest settlers were the Chinese, who were attracted to Australia by the goldrushes of the 1850s; the Afghan camel drivers, who helped to build the telegraph line from Adelaide to Darwin; and Italian and Greek fishermen, who settled in Port Adelaide and Port Pirie.

Over a quarter of a million immigrants from Britain, Ireland and Europe settled in the state in the first three post-war decades. Refugees from eastern Europe began to arrive in 1947 and were followed shortly after by economic migrants from Italy, Germany and the Netherlands, as well as Greece, the former Yugoslavia, most western European countries, North America and the Middle East.

Whilst the mid 1970s saw a downturn in migration, the introduction of a non-discriminatory immigration policy opened doors to Asian migration for the first time since Federation. The new migration has resulted in the formation of significant Vietnamese, Chinese, Indian, Cambodian, Malay, Indonesian, Sri Lankan and Filipino communities.

Post-war immigration has made a major contribution to the industrialisation of South Australia. Immigrants in the post-war period were attracted to the growing manufacturing sector, particularly the motor car and white goods industries, as well as construction and service industries. The majority of immigrants were blue-collar workers, but significantly a higher proportion than the Australian-born work force held post-school qualifications, and their skills were vital to the post-war boom.

For nearly four decades there has been hardly one construction site, new road or railroad, pipeline or power line, mine or factory in which immigrants have not been part of the work force. Many post-war immigrants have established businesses in such areas as retail, light manufacturing, building and construction, export/import, and horticulture.

Immigrants and their children are now represented in a broad cross-section of professions. As a state, South Australia has welcomed many migrants from all over the world and has been a leader in the transition to multiculturalism, adapting many initiatives and providing funding assistance to a large number of community organisations. The establishment of the Migration and Settlement Museum was a first in Australia and was an initiative of the former Liberal Minister for Ethnic Affairs, the Hon. Murray Hill.

I have spoken in the past about the work of the Migration Museum, which is a division of the History Trust of South Australia. The Migration Museum is increasingly being used as a source of information for individuals and organisations seeking to preserve significant items relating to their immigration and settlement experiences. The Migration Museum is in the process of establishing a foundation to assist in funding its activities well into the future.

As part of this initiative, the Settlement Square will be officially dedicated in the courtyard of the Migration Museum and will be paved with bricks engraved with the names of hundreds of families who have come from all over the world and have now settled in South Australia. Each brick will include the name of the family, the country of origin, and the date of arrival in Australia or South Australia. In addition, a computer database will be developed to indicate the location of the brick and the details of the individual or family.

In recording this information, the Settlement Square will become a significant repository for the historical details of those who first migrated to and settled in South Australia, whilst at the same time providing valuable financial support for the preservation and development of the museum. It will be an appropriate way to honour and remember the contributions that migrants have made in the development of our community and state.

The idea for the Settlement Square developed from my wanting to find a way to permanently acknowledge the struggles and sacrifices that my father endured as a migrant since his arrival from Italy in 1926.

We are privileged that His Excellency the Governor of South Australia has agreed to officially launch the foundation on 3 December 1999 in the grounds of Government House. Sir Eric himself migrated from England to South Australia with his family as a young boy, and we are honoured that he has so willingly become involved in this significant community project. The Premier of South Australia, the Hon. John Olsen MP, and the Minister for the Arts, the Hon. Diana Laidlaw MLC, have also indicated their strong support for this initiative.

The Migration Museum has a core group of dedicated staff who have been committed to the museum over many years. This remarkable group of people has not only developed a wide range of skills and expertise but has also been prepared to critically re-evaluate the museum's role each year, seeking new opportunities and new ways of continually improving the work and presentations of the Migration Museum.

I am proud to have initiated this important community project which will provide the opportunity for many families and their forbears to be recognised in a public and permanent manner in the Settlement Square. Finally, I offer my sincere congratulations and best wishes to the Director, Ms Viv Szekeres, and the staff of the Migration Museum for their excellent work and dedication. Mr Acting President, I support the motion for the Address in Reply.

The Hon. R.D. LAWSON (Minister for Disability Services): I, too, support the motion. I thank and commend His Excellency the Governor for the speech with which he opened this session of parliament. Sir Eric and Lady Neal have been discharging their vice-regal functions with singular enthusiasm and very much for the benefit of the South Australian community. In my capacity especially as Minister for Disability Services and Minister for the Ageing I frequently attend events which the Governor and Lady Neal also attend, and the warmth with which they are greeted, the interest which they show in all aspects of South Australian life is most encouraging and exemplary.

The way in which the Governor and Lady Neal have opened Government House to a wide range of community organisations and to the South Australian public generally is also to be commended. His Excellency was reported in the *Advertiser* the other day in an article with a photograph of Government House, and he was pointing out that the house is for all South Australians, and that is not simply a matter of rhetoric in the case of Sir Eric. He and Lady Neal have really opened Government House to the community.

1999 is the International Year of Older Persons, so declared by the United Nations. It is a significant year and, given my responsibilities as Minister for the Ageing, I think it is appropriate that I should mention some of the highlights which the South Australian Government has been associated with and some of the highlights in this state. Many of the events which have been planned for the International Year of Older Persons have been arranged through an organisation known as Coalition 99, which was formed and sponsored by the Council of the Ageing, with funding from the state government. Within government itself we have a whole of government committee, chaired by the Chief Executive of the Department of Human Services, and a wide range of programs and events has been organised and coordinated.

It is October and this is Celebrate Seniors month and there has been a large number of community events throughout the course of this month. Many different organisations, from recreational clubs, senior citizens' clubs, sporting associations, church groups, and the like, have all participated actively in Celebrate Seniors. It was a great pleasure today to make presentations to a number of South Australian citizens whose achievements and whose commitment to the ageing community was recognised at a special lunch organised by COTA.

It was great to see, for example, the Parafield Gardens Secondary School, in conjunction with the primary schools and the Helping Hand organisation receive an award recognising the inter-generational program that has been developed in their area, whereby the school has been supporting the adjoining aged care facility and been interacting with residents at the aged care facility to the mutual advantage both of the students and of the residents. It was also great to see that other South Australian organisations were recognised and rewarded. For example, the program at the Hampstead Centre, whereby older persons are encouraged to engage in a healthy and active lifestyle, was recognised. It was acknowledged that that particular program was one of the most successful programs of that kind conducted anywhere in similar jurisdictions.

There has been a large number of events during the international year and I do not propose to analyse all of them, Mr Acting President.

The Hon. T.G. Roberts: Why not?

The Hon. R.D. LAWSON: The Hon. Terry Roberts asks me to do so, but in deference to other members of the Council and in view of the time I will not do so; however, I will be happy to supply him with the extensive material which has been printed and which will make good background reading for him. There is an information technology project which is a joint project of the Department of Administrative and Information Services, for which I have certain portfolio responsibilities, as well as the Office for the Ageing, and in that project, in collaboration with Seniors Online, the Country Women's Association and the Adult Education Unit of the Department of Education and Training, pre and post testing of participant courses funded through the positive ageing grants will be focusing on the changes in attitude through education. It will identify barriers to older people taking up online services and incorporate such learning intercommunity education programs around the government's introduction of electronic services. There are other organisations in the community, principally banks and financial institutions, which are also promoting the use of information technology by older citizens.

It is not widely recognised that seniors' tourism is one of the major markets in the Australian tourism industry, and I was delighted that we were able to participate in the publication of a book entitled *Not Over The Hill and Get Up and Go*, containing specialist tourist information for older people touring Australia, and also encouraging tourist operators to direct tourism products and services to the market of people over the age of 50 years.

We have also encouraged the development of culturally and linguistically diverse activities, in partnership with the Office for Multicultural and International Affairs. Receptions will be held in Whyalla and Adelaide to acknowledge the contribution of older people from culturally diverse backgrounds.

I mentioned the Parafield Gardens schools and the helping hand centre. Other intergenerational programs are being sponsored. For example, Youth SA, the YMCA, COTA, and the Office for the Ageing are developing a workshop and summit which will bring together younger and older people to identify shared issues and interests and seek shared solutions.

This coming Saturday I am looking forward to attending a special event at Raukkan. The Raukkan centenary corroboree and cultural festival will honour the last corroboree held at Raukkan in 1899. As one of the special projects of the international year, an Aboriginal elders' conference was held in Coober Pedy last year, and the concept of a Council of Aboriginal elders in South Australia is being developed as a result of resolutions adopted at that conference. I believe that the corroboree this weekend will connect and honour elderly descendants of the clan groups culturally interlinked by the Rainbow dreaming. Associations between various groups will be re-formed to ensure that that dreaming is respectfully reborn.

A rural conference to address ageing issues across regional and rural South Australia is to be held shortly at Bungaree homestead near Clare. I expect a large number of people from rural and regional South Australia to attend that conference, not only individuals but representatives of community groups as well as the ministerial advisory board on ageing. It is anticipated that strategies for the successful development of programs for older South Australians in the non-metropolitan area will be developed.

It is well known that the government is placing a high priority on the encouragement of volunteers in South Australia during this year. It is not often understood that older people comprise a large percentage of the South Australians who participate in community life through voluntary activities. Strategies to encourage and support those volunteers are being developed, as well as strategies to encourage younger South Australians to join in the well established tradition of volunteering and support for the community. In the ensuing meetings of the volunteer summit further links will be forged.

One of the important aspects of the International Year of Older Persons is the development of the concept of Australia as *A Society for all Ages*. A society for all ages is one which minimises stereotypes associated with particular age groups. The elimination of those stereotypes, which are very prevalent in our community, will result in a culture of positive ageing. In developing a society for all ages we seek to encourage full community participation regardless of age and, as I have just mentioned, to encourage connections between different generations.

Too often in our community the process of ageing and the older section of the community is viewed in a negative light by reason of stereotypes and the misunderstanding that advancing years automatically implies failing health, disability or dependence. Many older people remain healthy and active well into advanced years. It is a significant percentage but by no means a large percentage of people over the age of 70 who require continuing government support to meet their care needs.

I thought that the Masters Games held only a short time ago was a very good example of the concept of positive ageing. Too often in the past sport has been seen as something for the young and the beautiful in most respects. Some sports such as lawn bowls have been stereotyped as sports for the older person. The general concept of sport is that most people play sport when they are young, give it up when they get into middle age and perhaps take up another sport in their old age. However, the Masters Games promotes the idea of sport as a life long activity: highly competitive sport no doubt in early years but sport of a different kind through the middle years into older age.

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Order! The level of conversation in the chamber has been steadily increasing. It is too high.

The Hon. R.D. LAWSON: The Centre for Life Long Learning—

Members interjecting:

The ACTING PRESIDENT: Order!

The Hon. R.D. LAWSON: —is another program which supports the idea that people will not simply end their education in, for example, their early 20s and not return to it; rather, that education is a process which will continue throughout life. Many older people already participate in education programs. Institutions such as the University of the Third Age as well as other institutes of higher learning are providing programs especially designed to facilitate those people who seek the stimulation and enjoyment of educational pursuits.

I should mention in this context that services for the frail elderly and people with disabilities who require them are continued at a high level in this State. Under the Home and Community Care program, $72.6 million was spent in 1998-99 and 40 000 people received a wide range of services. Those services include home help, personal care, home nursing, respite, centre day care, home meals, meals also served at some centres, home maintenance, and modification programs: a wide range of important services to facilitate older South Australians who continue to live at home as they wish to do. There are 196 separate non-government organisations which assist in the delivery of these programs.

I believe that the International Year of Older Persons is providing us with a forum to promote the notion of a society for all ages, provide better services for older people and recognise and celebrate the talents, contribution and aspirations of older South Australians. I have great pleasure in supporting the motion.

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

ADJOURNMENT

At 10 p.m. the Council adjourned until Thursday 21 October at 2.15 p.m.