LEGISLATIVE COUNCIL

Thursday 25 September 2003

The PRESIDENT (Hon. R.R. Roberts) took the chair at 2.15 p.m. and read prayers.

NGARRINDJERI PEOPLE

A petition signed by 31 residents of South Australia concerning false claims that the Ngarrindjeri people fabricated their culture, and praying that the council will make an official apology to the Ngarrindjeri people, which will then mark the beginning of a new process of healing and reconciliation for all South Australians, was presented by the Hon. Sandra Kanck.

Petition received.

ADELAIDE TO DARWIN RAIL

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I table a ministerial statement made by the Treasurer in another place in relation to the first freight agreement for the Adelaide to Darwin Rail.

ABORIGINAL WOMEN'S GATHERING

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a ministerial statement made today by the Minister for the Status of Women about an Aboriginal women's gathering.

QUESTION TIME

WORKCOVER

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make an explanation before asking the minister representing the Minister for Transport a question about WorkCover.

Leave granted.

The Hon. R.I. LUCAS: Page 38 of the June 2003 quarterly performance report for the WorkCover Corporation discloses that for six out of the past seven quarters the annual accumulated cash flow for WorkCover has been negative and, at 30 June 2003, now stands at negative $40.1 million. The same page of the report advises that, at 30 June 2003, the cash reserves, which are part of the investment portfolio, are $22.6 million. At 31 March 2003 the cash reserves were $26.38 million. An analyst has looked at these reports and indicated that this would seem to imply that there has been a liquidation of other investment assets held by the corporation to ensure that the day-to-day activities of WorkCover, such as claim payments and settlements, can be financed.

The WorkCover investment portfolio at 30 June 2002 is $692.0 million. Net market value comprised, amongst other things, bank certificates, bills of exchange, units and property trusts, units and debt security trusts, shares, rights options and convertible notes in Australian-listed companies, securities listed on overseas stock exchanges and holdings of foreign currency in government securities. The cash flow statement for 2001-02 advises that the net decrease investments, less unrealised gains, was $9.521 million. It is noted that this presentation in the WorkCover cash flow statement is different to the disclosure in the Motor Accident Commission's annual report, which discloses investment turnover on a gross basis. My questions to the minister are:

1. What is the net market value of the WorkCover investment portfolio by each class of investment as at 30 June 2003, and how does this compare to the 30 June 2002 figures?

2. For the 2002-03 financial year, what are the proceeds from the sale of investments and payments made for investments, and how does this compare to the 2001-02 financial year; and can these numbers be reconciled with the numbers for each year to the disclosures that are made on a net basis in the WorkCover annual cash flow statement?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Industrial Relations, who has responsibility for WorkCover, in another place and bring back a reply.

CONSUMER SCAM

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Consumer Affairs, a question about consumer scams.

Leave granted.

The Hon. R.D. LAWSON: A constituent recently brought to my attention a document that he had received from an enterprise called Awards Allocation Bureau of post office box 609 Elland in the United Kingdom. The notice is headed 'Final notification re winner's pay-out. $10 000 cash prize released.' It is personally addressed to the constituent, and the document continues as follows:

> This is a final and direct notification from the Awards Allocation Bureau that the guaranteed top prize—a lump sum of $10 000—has been awarded. Your allocated Prize Award Code and Personal Claim Number is set out below. Please see overleaf for details.

Overleaf, the notification states:

> This $10 000 prize notice confirms your guaranteed cash price or premium item. . . you must validate your claim or you will be disqualified and, therefore, definitely unable to collect the $10 000 cash prize. If you fail to return this Validation Form within 10 days, someone else will get the $10 000 cash that may have been yours. Payment details: no prize or premium can be released without payment of a processing and claim fee, $39.95.

The person is then to submit their credit details.

Members interjecting:

The Hon. R.D. LAWSON: I have not received the $10 000 yet. My questions are:

1. Is the Minister for Consumer Affairs aware of this scam?

2. If so, has he issued a specific warning to South Australian consumers about it?

3. More importantly, has he communicated with the United Kingdom authorities regarding the activities of the Awards Allocation Bureau?

4. If he has not communicated with those authorities, why not?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer that question to the Minister for Consumer Affairs in another place and bring back a response. It never ceases to amaze me how many of these schemes crop up from time to time with the offer that people can win a prize if only they are prepared to send some money for processing. It is not a new scam—

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Is that the voice of experience, Mr Cameron, or just a normal interjection?

The Hon. P. HOLLOWAY: —but I agree with the deputy leader of the opposition that scams of that type—

The Hon. T.G. Cameron: You can't interject from the chair, Mr President.

The PRESIDENT: I am just calling the honourable member to order for his inappropriate interjections.

The Hon. P. HOLLOWAY: I agree with the deputy leader that scams like this should be brought to the attention of the public when they become known, so I will take that up with the Attorney-General.

The Hon. NICK XENOPHON: I have a supplementary question. How many complaints of a similar nature have been received in the last two years by the Office of Consumer and Business Affairs?

The Hon. P. HOLLOWAY: Do you mean in relation to this scam or scams of a similar nature?

The Hon. Nick Xenophon: Scams of a similar nature.

The Hon. P. HOLLOWAY: It might be a difficult question to answer. I am aware of other similar scams that come along all the time where prizes are offered if people contribute a certain amount of money. There are some on the internet. I am not quite sure how they could be lumped altogether in terms of those statistics, but I will see if the Attorney can give some meaningful answer to the honourable member in terms of scams of this general type.

POISON, 1080

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the minister representing the minister responsible for water, land and biodiversity a question on the subject of the poison 1080.

Leave granted.

The Hon. CAROLINE SCHAEFER: The poison 1080 has long been used extensively for the control of foxes. It is used by both farmers and park rangers, who have access via the Animal and Plant Commission, which is the sole distributor of the poison throughout the state. The usual practice is for a farmer to apply for a required amount of 1080 and to collect the required number of baits from the authorised officer, who would then instruct the farmer in or remind the farmer of the safe use of this poison. However, it is now to be made compulsory for the user to hold a Chem-Cert certificate before they can access 1080.

This has caused some consternation amongst farmers in particular who have been using 1080 for, in many cases, many years and who now find that they have to be reeducated. It appears that a differing opinion has caused delays and uncertainty between the Health Commission and the Animal and Plant Control Commission as to which body should control the use of 1080 and what qualifications are required. My questions are:

1. Is the minister's department considering removing 1080, or are there any moves afoot within his department to remove it, from the dangerous substances list altogether?

2. Can the minister outline what the difference in opinion between the Health Commission and the Animal and Plant Control Commission is? If possible I would like a comment from the Minister for Agriculture about the likely effect of this disagreement between the two departments, and how will it affect the availability and use of 1080 for farmers?

The PRESIDENT: A question seeking an opinion is not in order, but the minister can chose to answer if he wishes.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will get a more detailed response from the Minister for Environment and Conservation in relation to some of the aspects of the question. This has been a long standing issue. It is certainly the wish of those responsible for the management of farm chemicals that 1080 should be put on a higher prescribed list because the poison is dangerous. The question that is being discussed at the moment is whether the use of made up 1080 baits should, or should not, require full chemical certification. The proposition being made is that in relation to made up baits, where there is less risk than using 1080 poison, that could require a lower level of qualification in relation to their use. There is concern in the farm community about what can be done about controlling foxes and other feral animals if this issue is not resolved.

My understanding of where the debate lies at the moment is that groups such as the Animal and Plant Control Commission and others are trying to reach a situation with the National Registration Authority, which is responsible for the classification of poison, that would permit some use of made-up baits rather than dealing with the 1080 poison. There is a view from those responsible for these things that 1080 is a dangerous poison and care needs to be taken and people need skills when dealing with it. From the point of view of the Department of Primary Industries and Resources, we are in a situation where we obviously wish to see foxes controlled. At the same time, we need to be mindful that commensurate with the Agricultural and Veterinary Products Act, which we passed last year, the misuse of chemicals can have a big impact on our trade if they are absorbed into the food system in any way.

These are important issues. We need to control these species and at the same time we need to reduce the misuse—I will not call it 'misuse'—but certainly, whenever poisons are applied, it must be done in a manner that is appropriate. There is this dilemma and there is the debate between relevant agencies as to which is the appropriate response. Hopefully, from a personal point of view, some compromise will be possible. I will obtain more information for the member.

YURREBILLA WALKING TRAIL

The Hon. G.E. GAGO: I seek leave to make a brief statement before asking the Minister for Correctional Services a question about the Yurrebilla Walking Trail.

Leave granted.

The Hon. G.E. GAGO: Earlier this month the Minister for Environment and Conservation (Hon. John Hill) officially opened the new Yurrebilla Walking Trail. This important trail connects the major parks of the greater Mount Lofty Ranges from Black Hill Conservation Park to Belair National Park and gives walkers an excellent opportunity to view some of South Australia's ecological icons. These trails are important because they bring South Australians and tourists into contact with everything from Aboriginal and European heritage to different water-catchments and eco-systems. Can the minister inform the chamber of the involvement of corrections in this project as there is a tendency for this type of good work to go unacknowledged?

The Hon. T.G. ROBERTS (Minister for Correctional Services): I thank the member for her question. The member is quite accurate in her description. It is a unique community

service program that has been put together by Correctional Services and the Department for Environment and Heritage, and it has resulted in a unique trail. The program provides for up to two teams of approximately six selected low security prisoners and a supervisor, who leave the centre every morning, Monday to Friday, and spend the day working in the metropolitan national parks.

I did my bit. I followed the park trails for approximately 10 kilometres. I had the airconditioner on in the four-wheel drive and it was quite comfortable. The trails throughout the Hills have been made a lot more user-friendly by the work the prisoners and the supervisors have undertaken in clearing a lot of the vegetation that can add to the fuel for bushfires and to the discomfort for walkers. They are certainly doing a lot of good work and, in a lot of cases, it goes unrecognised.

We are considering putting in plaques or timber recognition points that make reference to the fact that Correctional Services has been involved and that prisoners have done this work. I met with some of the prisoners who are working on that area, and they had a lot of pride in the skills development they were getting through the training programs with the methods of cutting and clearing softwood trees and the use of chainsaws.

This team has worked on the trail for 12 months (on many occasions, in areas not accessible to vehicles) and, with picks and shovels, it has constructed pathways, barriers and has cut steps into the ground to invite community access into this area. Senior officers of the Department for Environment and Heritage have indicated that the work done has been of the highest standard and would not have been completed had it not been for the prisoners or the significant funding contributed by the Office for Recreation and Sport. The cross-agency cooperation has been very good in being able to achieve this. We are also looking at some areas on the West Coast, where that same cooperation can come into play for a program with the removal of the Aleppo pines.

It is also important to note that prisoners generally value the environmental and community work that they undertake and, to date, incidents have been rare. One incident was pointed out by the Hon. Mr Dawkins just recently but, generally, the pride that the prisoners feel in wanting to get onto these programs and to learn those skills is gratifying. The community gains the benefit of this work and, as members opposite have noted, it helps rehabilitation in relation to work for prisoners either inside or outside prison, and we are trying to increase the number of projects that are suitable and supervised correctly for prisoners in this state

The Hon. D.W. RIDGWAY: I have a supplementary question. Will the minister inform us of what ecological icons are visible from the track that he has travelled, as mentioned by the questioner?

The Hon. T.G. ROBERTS: I think the term is 'generic' rather than specific.

Members interjecting:

The Hon. T.G. ROBERTS: Just being in the Mount Lofty Ranges is iconic in itself. From the mountains you see the plains and where the plains meet the gulf.

The Hon. A.J. Redford: Did you see any evidence of Minister Hill walking there?

The Hon. T.G. ROBERTS: Minister Hill has been up there, but I did not see him on that day. It was very warm and it was not suited to walking.

An honourable member: It was in the summer, was it?

The Hon. T.G. ROBERTS: It was in the summer, yes. It was just before the worst days of the fire season. So, the work was being done in preparation for the bushfire season, and I hope the planning being put together by the departments gets an early start this year, because there is a lot of growth in the ranges and we do want to protect those icons that exist.

SCHOOLS, SECURITY

The Hon. KATE REYNOLDS: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Education and Children's Services, a question about school security.

Leave granted.

The Hon. KATE REYNOLDS: By now all members would know about a violent incident which left a student injured and teachers and other students shocked and distressed at an eastern suburbs school earlier this week. *The Advertiser* newspaper today proposed that security guards be placed at all schools to protect teachers and students against attacks. This comes in the wake of the minister announcing some 10 months ago that $1 million would be spent to increase physical security in 56 high risk schools around South Australia. While some of those improvements related to after hours measures such as better lighting and fencing, there was also talk of security alarms, closed circuit television and duress alarms, which measures it was understood could be used during school hours. My questions are:

1. Will the minister provide a progress report related to the installation of improved security measures at the 56 schools identified in her announcement?
2. Was the eastern suburbs school involved in this week's violent incident one of the 56 identified to receive a security upgrade?
3. How many violent incidents have been reported at schools identified to receive security upgrades since the minister's announcement 10 months ago?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will seek the information from the Minister for Education and Children's Services and bring back a reply.

SPEED LIMITS

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, questions regarding 50 km/h speed limit zones.

Leave granted.

The Hon. T.G. CAMERON: As from 1 June, motorists caught speeding in the new 50 km/h speed limit zones are being issued with fines. Using a calibrated laser gun, *The Advertiser* recently tested the speed of motorists on six metropolitan roads that have been rezoned as 50 km/h and discovered that three quarters of motorists were travelling over the 50 km/h limit. Some 352 motorists were speed tested and, of these, 238 or 74 per cent were found to be travelling over the speed limit. Even a public bus was clocked doing 60 km/h along Duthy Street. If you have seen Duthy Street, you would know that that was motoring.

Four of the tested roads were also in a recent RAA study into 50 km/h zones, which study has revealed at least 20 metropolitan roads where it is believed a 60 km/h speed limit would be more appropriate. The study, which began on 1 March, has involved using a radar gun to speed test vehicles

on disputed roads. These include Bray Street, Plympton Park; Raglan Avenue, South Plympton; Military Road, West Beach; South Terrace, Pooraka; Arthur Street, Tranmere; East Avenue, Black Forest; and Duthy Street, Malvern.

Based on the results so far, the RAA has indicated that it will push for a return to a 60 km/h speed limit for these roads. Apparently, the RAA had lobbied the police to give motorists an amnesty on these roads until the study had been finished, but this was rejected. My questions are:

1. As of 30 August 2003, how many motorists have been caught speeding in the new 50 km/h metropolitan speed limit zones and how much revenue has been raised as a result?

2. Will the minister direct Transport SA to undertake its own tests to verify the RAA's findings on these roads to see whether the 60 km/h zone is more appropriate and, if so, apply the higher speed limit?

3. Considering that almost 75 per cent of motorists are driving above the limit in the new 50 km/h zones, will the government investigate why so many drivers seem to be confused about the new zones and continue the education campaign to ensure that motorists are made aware of all new speed zones?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Transport in another place and bring back a reply.

GOVERNMENT FEES AND CHARGES

The Hon. A.J. REDFORD: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Urban Development and Planning, a question about fees and charges.

Leave granted.

The Hon. A.J. REDFORD: The Legislative Review Committee has been wading its way through this government's hundreds of tax and fee increases—a task that under this government has become increasingly onerous and time consuming. Indeed, in relation to a fee increase for the filing of an application for discovery of documents in the Supreme Court, it has risen from $436 to a massive $805; and a fee for filing a counterclaim is $970 compared with $200 in Western Australia. A senior public servant has described it as a 'response to the government's directive to increase revenue'. The Rann government, which has repeatedly claimed that it is an open and accountable government, recently tabled regulations in which fees have gone from $20 per application in 2001 under the freedom of information legislation to $22.30—an increase of nearly 12 per cent, four times that of inflation.

However, one fee did not go up. The fee—surprise, surprise—that did not go up was the threshold for members of parliament, which has not been increased to my knowledge since the act was first promulgated in 1991; that is a figure of $350. If the government adopted the same policy with the threshold as it did with fees, the exemption level for members of parliament would be $800 or more. In light of that, my questions are:

1. How can the government describe itself as an open government with this massive hike in fees and the retention of the 1990 level of parliamentary exemption?

2. Why will the minister not increase the threshold?

3. When will the minister do something about the freedom of information bill, which has languished in the House of Assembly for four months?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the minister in another place and bring back a reply.

OFFICE FOR INFRASTRUCTURE DEVELOPMENT

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Infrastructure, a question about the Office for Infrastructure Development.

Leave granted.

The Hon. J.S.L. DAWKINS: On Friday 12 September, during the final day of the Regional Development SA Conference at Victor Harbor, the Minister for Infrastructure, the Hon. Patrick Conlon, gave a keynote speech. The minister spoke about the Economic Development Board summit and the government's subsequent response. He outlined the role of the new Office for Infrastructure Development in policy and strategy, as well as stating that it would develop a map of infrastructure future. The minister indicated that the office would consist of about 20 staff. My questions are:

1. Will the officers of Infrastructure SA, which was established by the former government and which came under the Department for Business, Manufacturing and Trade, be absorbed into the staff of the office?

2. If not, where will their expertise be utilised?

3. Will the Office for Infrastructure Development use the infrastructure audit work done by the working group of the former Regional Development Council to develop the map of infrastructure future?

4. Will the minister ensure that the Office for Infrastructure Development consults regional development boards, particularly in relation to the maintenance of existing infrastructure?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will pass those questions onto the Minister for Infrastructure and bring back a reply.

BRUKUNGA MINE

The Hon. R.K. SNEATH: I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about the Brukunga mine rehabilitation.

Leave granted.

The Hon. R.K. SNEATH: This mine site has been a source of acid contamination of Dawesley Creek for a number of years. My question is: what progress has been made on the rehabilitation of the mine site?

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): Well, if you travel on the road to Harrowgate in the Adelaide Hills, it is just a little bit north of the old highway—

Members interjecting:

The Hon. P. HOLLOWAY: As I am sure my colleagues would know, it is also the site of the CFS training headquarters at Brukunga. Stage 1 of the Brukunga project was the diversion of Dawesley Creek (which flows into the Bremer

River and thence into Lake Alexandrina) past the mine site. This was completed at the end of June this year. Clean water from above the mine site (to the north) is now diverted past the town and the CFS training headquarters by a large diameter buried pipe, then through the open paddocks to the south of the mine through an open channel and then back into Dawesley Creek.

The creek diversion was completed under budget and on schedule. This allowed the commencement of the separation of the acid contaminated water from normal Dawesley Creek flow in time for the 2003 winter flows. The diversion project was nominated in the environment section of the 2003 Case Earth Awards held by the South Australian branch of the Civil Contractors Federation.

Early results of the water sampling program have shown a reduction in the acidity of the water as it tends towards a more neutral pH level. The pH level directly downstream from the mine has jumped from an average of 4 in winter to 6 since the diversion. So, it is not that far away from a neutral pH level. The cadmium results from June and July 2003 have shown the lowest concentration directly downstream in five years of monitoring, and both of those results were under the 1992 ANZECC Water Guidelines for Livestock. The relevant threshold was 0.01 milligrams per litre.

Plans to develop a revised treatment works for the mine site itself are proceeding. A tender has been called to select a suitably qualified and experienced expert in acid rock drainage treatment to prepare a process design to meet the Brukunga requirements. While the current treatment plan has been able to treat most of the additional acid water, the increased treatment capacity will return water quality in Dawesley Creek to a condition that will be suitable not only for livestock consumption and irrigation but also sustain healthy aquatic systems within the creek. So, the results have been very pleasing, and it has come in below budget and appears to be achieving all of the expected design results.

RING CYCLE

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the minister representing the Premier a question about the *Ring* Cycle.

Leave granted.

The Hon. SANDRA KANCK: I attended the 1998 production of the *Ring* Cycle and last year I purchased my ticket for next year's production, and in between I saw *Parsifal*. I have received information that suggests that State Opera's 2004 production of the *Ring* Cycle faces a looming budget blowout. Considerable amounts of public money are to be invested in the project. The commonwealth government has undertaken to provide 63 per cent of the taxpayer subsidy while the state government has offered to provide the other 37 per cent. It should be noted that the 1998 production of the *Ring* Cycle was both a critical and financial success. The 1998 production cost $8.6 million to stage and attracted 3 600 new visitors to South Australia, bringing an economic benefit of $10 million to the state. There was a pro rata result also from *Parsifal*. The total cost of the 2004 production of The *Ring* has been variously reported as being either $11 million or $12 million. My questions to the minister are:

1. What does State Opera's business plan project as the total cost of the 2004 production?
2. How much has been spent on the production as at 24 September 2003, and is this in line with State Opera's business plan?
3. Have any cost runs been identified?
4. In dollar terms, how much have the commonwealth and the state governments respectively pledged?
5. Will the Premier release the Australia Council commissioned report by Richard Stuart into the 2004 *Ring* Cycle production?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer those questions to the Premier and bring back a reply.

GAMBLERS, BARRING

The Hon. NICK XENOPHON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Gambling, questions about barring gamblers from the Adelaide casino and poker machine venues.

Leave granted.

The Hon. NICK XENOPHON: Under section 59 of the Gaming Machines Act, a licensee may bar excessive gamblers. There is a similar provision in section 46 of the Casino Act. Section 45 of the Casino Act provides for the commissioner's power to bar. Further, section 15B of the Independent Gambling Authority Act provides a mechanism for the voluntary barring of excessive gamblers. A report was prepared earlier this year by the South Australian Centre for Economic Studies, under the directorship of Mr Michael O'Neill, for the Victorian Gambling Reference Panel, which was evaluating the effectiveness of barring in Victorian poker machine venues—Victorian self-exclusion programs being similar, as I understand it, to South Australian self-exclusion programs. An extract from that report states:

> The study found the current system of self-exclusion in Victoria is not capable of enforcing self-exclusion due to problems identifying self-excluded patrons who breach their deeds. Photographic identification of venues is problematic. Breaches are therefore commonplace and this weakness compromises the effectiveness, growth potential and credibility of the program. This is not assisted by the low level of resource commitment to the program and lack of enforceable compliant procedures within the industry itself.

My questions to the minister are:

1. What protocols exist for venues to ensure compliance of barring orders in South Australian venues?
2. What level of training is required of venue staff to ensure compliance of barring orders, and what does that training actually comprise?
3. What resources are committed from the Office of the Liquor and Gambling Commissioner to ensure compliance of barring orders?
4. Does the minister agree that the South Australian program for barring of gamblers is very similar to the Victorian program, and does he accept that there could be similar programs to those referred to by the South Australian Centre for Economic Studies in its report?
5. How many complaints have been received by either the Office of the Liquor and Gambling Commissioner or the Independent Gambling Authority in the last two years from barred persons or family members of barred persons about difficulties with the barring program?
6. When will the minister be in a position to respond to related questions I asked on this issue on 10 July 2003?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Gambling in another place and bring back a reply.

SOUTHERN SUBURBS INFRASTRUCTURE

The Hon. T.J. STEPHENS: I seek leave to make an explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Urban Development and Planning, a question about southern suburbs infrastructure.

Leave granted.

The Hon. T.J. STEPHENS: In a ministerial statement tabled in the other place on 28 April this year in relation to who should be answering questions regarding the southern suburbs, the Minister for the Southern Suburbs made it very clear when he said:

> The Minister for Transport is still the Minister for Transport, the Minister for Industrial Relations is still the Minister for Industrial Relations so, presumably, the Minister for Planning is still the Minister for Planning—

which is why I ask this question of this minister. This week's *Southern Messenger* reported that SA Water had spent $7.5 million laying 11 kilometres of pipes so that residents of Old Noarlunga could convert from their septic tanks. It also reported that residents who had not connected to mains sewerage were being billed $160 a quarter, effectively paying for services they were not using. When one resident phoned to inquire about this, he was met with laughter, according to this news report. The Messenger Press also reported on the Hills Face Zone Review experiencing serious problems coordinating planning issues. It was reported that the council was not convinced that a panel, as had been suggested, would avoid such mistakes.

The minister is quoted as saying that there are increasingly powerful arguments showing the need for change for streamlining decision making. This brings me back to the southern suburbs ministerial statement, which states:

> My job is to try to coordinate a whole of government approach to issues in the southern suburbs. It is partly a coordinating role and it is partly facilitating access to government for local councils and community groups. . . It is my job to advocate for the south and to ensure that there is coordination of effort at a local level. . . It is not my job to get into the complexities of each of those issues.

Presumably by 'complexities' the minister is referring to issues such as payment for services people are not using. My questions are:

1. Does the minister agree that the need for streamlining decision making, as he has called for, means that the Office of the Southern Suburbs is superfluous?

2. Does he agree that the office has not been able to coordinate, facilitate or resolve any of the planning issues?

3. Does the minister's statement mean that his department will be taking over chief responsibility for the coordination of planning issues in the southern suburbs, particularly between local councils and government, as my understanding is that the Office of the Southern Suburbs (OSS) is currently the main facilitator of these discussions?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the minister in another place and bring back a reply.

MINISTERIAL OFFICES

The Hon. J.F. STEFANI: I seek leave to a make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Administrative Services, a question regarding the cost of refitting ministerial offices.

Leave granted.

The Hon. J.F. STEFANI: I am aware that, when there is a change of government and new ministers are appointed to various portfolios, there is a tendency for the new government and the new ministers to refurbish their officers and employ new staff according to their particular needs. My questions are:

1. Will the minister provide a breakdown of individual costs that the Labor government has incurred since taking office to refurbish or refit ministerial offices, including the costs associated with the refit of the office of the Premier?

2. Will the minister provide details of any costs which may be anticipated to be incurred by the government to refit or alter ministerial offices in the next 12 months?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the minister in another place and bring back a reply.

The Hon. J. GAZZOLA: I have a supplementary question. Will the minister look also at a couple of refurbishments by the previous government?

The Hon. T.G. ROBERTS: I will also refer that important question to the minister in another place and bring back a reply.

DNA TESTING

The Hon. IAN GILFILLAN: I seek leave to make an explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Attorney-General, a question relating to DNA testing.

Leave granted.

The Hon. IAN GILFILLAN: I have been contacted by a young constituent by email and I intend to read part of that in explanation of my question, as follows:

> I was recently arrested for alcohol in dry zone and unlawful possession. The circumstances of the arrest began when three friends and I were celebrating our friends graduation from UniSA when we left a hotel to move on to another hotel along Grenfell Street. Anyhow we walked past the C.I.B. headquarters and were pulled up because I had a pint of beer in my hand.
>
> The next 7 or so hours after this I was arrested, left in the back of a police van and then taken to Adelaide City Watch House, interviewed, DNA tested, and locked up until 6 a.m. in the morning.
>
> My first concern was that I was being forced to have a DNA sample taken, under those circumstances. I in no way behaved like a violent criminal and was not committing a serious offence. But unfortunately because I had a glass which the arresting officer alleged belonged to a hotel, I was charged with unlawful possession, which is one of the 11 summary offences listed for DNA sample requirements.
>
> My second concern was the treatment I received from the arresting officers. I cooperated the entire time of the event but was treated unfairly (not your concern, I know).
>
> Mr Gilfillan, could you please let me know of any updates regarding DNA testing, as well as its use on minor offences.
>
> This whole event has been very unpleasant and come at a time when I should be concentrating on my studies, but I am very frustrated and would like to know more about this DNA legislation.

He is correct. Unlawful possession of personal property is one of the offences that is liable for DNA testing. The qualification for having a DNA test is that the suspected offence is a serious one, and that comes from the Criminal Law (Forensic Procedures) Act 1998. He was charged with unlawful possession of personal property for allegedly having a glass which belonged to a hotel. It is described in the Summary Offences Act 1953, unlawful possession of personal property, section 41:

> A person who has possession of personal property which, either at the time of possession or at any subsequent time before the making of a complaint under this section in respect of the possession, is reasonably suspected of having been stolen or obtained by unlawful means whatsoever, is guilty of an offence.

That offence carries a maximum penalty of $10 000 or imprisonment for two years. I think my constituent feels that the taking of a glass from a hotel, either inadvertently or otherwise, hardly deserves a $10 000 fine or two years' imprisonment.

Although the taking of the DNA sample may well have fitted within the parameters of the strict letter of the law, it is of concern, and I have raised the matter of when DNA testing information should be eliminated from offences, and that matter is still unresolved. However, through the minister I ask the Attorney:

1. Does he believe that the police were acting within the spirit of the intention of taking DNA testing in the circumstances as outlined? If so, will he please clarify? If not, will he indicate what action he would take in communication with the police?

2. For the sake of the constituent, will he give the information that the retention of the DNA test in this case will be eliminated from police records? If not, why not?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): The honourable member has asked the Attorney almost to pass opinion on a case on which we have heard only one side. I would have thought that, if the honourable member wants information in relation to the law, the Attorney can provide that, if it is within the ambit of standing orders for the Attorney to do so—and I am not even sure whether that is the case.

However, assuming that it is, I will refer the question to the Attorney, but I believe that the Attorney would be very reluctant (and appropriately so) to pass judgment on a case of which we have heard only one side. The honourable member may wish to provide more information—for example, such facts as whether the person was ultimately charged or convicted, etc., and a lot of other information that may be relevant to the particular case—if he expects the Attorney to follow that case up. I will leave the honourable member to take that up with the Attorney.

The Hon. IAN GILFILLAN: I have a supplementary question. The answer that the minister has given prompts me to ask (and he may have to refer this to the Attorney-General): does he or does he not believe that the Attorney-General has an ongoing obligation to assess the application of the law in circumstances such as I have outlined?

The Hon. P. HOLLOWAY: Indeed. However, I think that obviously the Attorney would like to have both sides of the story. That is the only point that I make.

The Hon. J.F. STEFANI: As a supplementary question: will the minister be able to obtain the approximate value of the glass that was in the possession of the person who was charged with the offence and DNA tested?

The Hon. P. HOLLOWAY: I think through his question the honourable member is really assisting me in relation to the point I made earlier. I think it is very difficult for anybody, including the Attorney-General, to pass judgment on one version of a particular case. I would have thought it was really more appropriate for the courts—or, indeed, the Police Complaints Authority or other bodies—to make those sorts of determinations. A number of bodies have a particular role to assess that sort of behaviour. I will pass the information on to the Attorney and see whether there is anything he wishes to respond to.

The Hon. R.D. LAWSON: As a further supplementary question: will the minister have the Attorney confirm that every person who has been arrested for any offence, however minor, in South Australia for the past 50 years has been fingerprinted and photographed?

The Hon. P. HOLLOWAY: I will pass that question on to the Attorney, if he wishes to include that in his overall consideration of these questions.

DEPRESSION

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, on behalf of the Minister for Health, a question concerning the treatment of children and infants with depression.

Leave granted.

The Hon. A.L. EVANS: Some time ago I received information from a constituent who forwarded to me an article entitled 'Infant depression: treatment is vital to avert life's problems.' The article stated that the Royal Children's Hospital in Melbourne had found that more than half the 100 infants referred to the Mental Health Consultation Liaison Service each year were depressed or showed elements of depression. This trend was also being noted in other children's hospitals in Victoria. The article went on to say that a leading psychotherapist at the Royal Children's Hospital estimated that depression could extend to at least 10 per cent of newborn babies. My questions are:

1. Will the minister provide information on the number of infants and children up to the age of five being treated for depression?

2. Does the minister have statistics on the number of infants and children diagnosed with depression over the past five years in South Australia? If so, what are they?

3. Will the minister provide details of the range of treatments provided to infants and children when depression has been diagnosed, including the types of drugs?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the minister in another place and bring back a reply.

ECONOMIC DEVELOPMENT

The Hon. J.M.A. LENSINK: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Premier, a question about the Economic Development Board and summit.

Leave granted.

The Hon. J.M.A. LENSINK: We have had two events held within the walls of this parliament which cost considerable resources to organise and stage and which may both be mechanisms for the government to defer its decisions. We know the cost of one, that being the Constitutional Convention, but my searches of *Hansard* have not yet yielded an answer on the other, the Economic Development Summit, which hosted of the order of 300 delegates over three days. I note that the Office of Economic Development has been established to implement the board's policies and that it is actually a rebadged carve-up of the old department of

industry and trade. We also have a series of new boards and offices being announced under the auspices of the board to advise on infrastructure, venture capital and the defence industry—and one wonders what other fields, which only time will tell. My questions to the minister are:

1. What were the total final costs associated with the Economic Development Summit?

2. Will the minister advise whether all the senior positions in the Office of Economic Development and the Department for Business, Manufacturing and Trade have now been filled?

3. What are the costs associated with the ongoing maintenance of the Economic Development Board, including sitting fees, salaries and travel?

4. What are the costs associated with any of the new and/or revised structures, such as the new Venture Capital Board, Defence Industry Board and Office for Infrastructure Development? Will the government announce any further such organisations?

5. Is the government applying any performance criteria to the Economic Development Board, such as measuring unemployment rates and the volume and value of trade?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will pass those questions on to the Premier. I will make one comment in relation to the first part of the question. My understanding is that the summit was fully sponsored and that the Economic Development Board was able to arrange private sector sponsorship. Whether there was any contribution in kind in relation to the cost of staging it here, I cannot say, but my understanding is that it was sponsored. I will refer the other questions to the Premier and bring back a response.

B-DOUBLE PERMITS

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, a question about B-double permits.

Leave granted.

The Hon. D.W. RIDGWAY: In my Address in Reply speech earlier this week, I spoke of the inconsistencies between South Australia and Victoria in relation to transport movements, in particular B-double permits. I was contacted yesterday by a transport operator in the South-East. His home base is in Bordertown and he had a load to take from Frances, which is about 50 kilometres south of Bordertown, through to Portland. He needed to apply for a permit to travel on the road from Bordertown to Frances, a distance of 50 kilometres. He then needed to apply for another permit to cross the railway line to enter the township of Frances. He then had to get another permit to travel the 2.5 kilometres from the Frances township to the Victorian border. He did not need any further permits to travel all the way to Portland. This permit system for B-doubles is antiquated and is not reflecting industry needs; and it is another obstacle this government puts in the way of business in rural and regional South Australia. My question is: when will the Minister for Transport direct Transport SA to review its policy on B-double permits?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those questions to the Minister for Transport in another place, but I make the comment that many roads in the border areas of South Australia are nowhere near the standard of the border roads that enter Victoria. As soon as you cross the border you notice the difference, not just in the surface but in the width of the pavement and the furniture. The degree of maintenance carried out on the roads in Victoria is far superior to the historical standards that we have kept in South Australia. Until we start to match the standards set by the other states, then I suspect that most communities would see the applications for permits as a step towards safe motoring for all, particularly in view of the incursion of B-doubles on to those narrow roads on our side of the border.

The Hon. D.W. RIDGWAY: I have a supplementary question. Why has your government reduced funding for rural and regional roads?

The Hon. T.G. ROBERTS: It was the commonwealth. There was some reduced funding for Outback roads but not regional roads, as I understand it. I will pass that question on to the minister in another place and bring back a reply.

OCCUPATIONAL LICENSING

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Leader of the Government a question about occupational licensing.

Leave granted.

The Hon. R.D. LAWSON: Until this year it has been the practice of the Office of Consumer and Business Affairs and other occupational licensing authorities to issue one annual renewal licence to licence holders in respect of partnerships. Until this year it has been the practice for one fee to be charged for such renewal. However, this year, the practice has changed and the government is now issuing one renewal to each member of the partnership firm, thereby greatly increasing the charges incurred by those who are renewing these licences. My questions are:

1. Who made the decision to change the policy?

2. When was it made?

3. Why was no public announcement made of this change in policy?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will pass that question on to the Minister for Consumer Affairs and bring back a reply. The honourable member might care to assist by saying to which particular occupation he refers, as that might help him to get an answer.

The Hon. R.D. LAWSON: Plumbers, electricians, and all those involved in the building trade, primarily to our knowledge at this stage.

RIVERLAND AGRICULTURAL BUREAUX

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister Assisting the Minister for Environment and Conservation a question about the Riverland Agricultural Bureaux.

Leave granted.

The Hon. J.S.L. DAWKINS: The Minister for Environment and Conservation and the River Murray addressed a meeting of the combined Riverland Agricultural Bureaux held at Barmera in August. This followed a request that was originally delivered to the minister's office in April. During that meeting (which was attended by many local irrigators and members of the combined Riverland Agricultural Bureaux) the minister agreed to give irrigators input into

future water restriction decisions. My question is: how will this be implemented to give irrigators good input into the way in which only future restrictions are put into effect?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will relay this important question to the minister in another place and bring back a reply.

REPLIES TO QUESTIONS

PRISONS, HEALTH SERVICES

In reply to **Hon. J.F. STEFANI** (17 July).

The Hon. T.G. ROBERTS: The Minister for Health has provided the following information:

1. The Department of Human Services and the Prisoner and Offender Health Services within the Royal Adelaide Hospital agreed in their respective submissions to the Generational Health Review that there are very serious difficulties in providing appropriate health service to people in prisons.

Reform is necessary to ensure the services:

- are improved at a systemic level to ensure consistency and consideration of needs related to culture, ethnicity, gender, age, disability and spiritual needs;
- reflect the current primary health standards and best practices in public health care;
- are provided as a part of the general public community health services to reduce replication and ensure continuity in health care; and
- operate in cooperation with Correctional Services' programs with links to substance abuse, mental health, chronic illness and health promotion and prevention programs.

Specific major projects underway include:

- development of a Prisoner and Offender Health Services Strategic Plan to identify and articulate principles, service requirements, funding processes, quality, standards and monitoring processes which will clarify the key activity required for service improvement;
- development of a Operational Interface Protocol to improve cooperation and communication between health and prison staff and facilitate decision making and problem solving processes; and
- convening a series of forums to secure the involvement and engagement of key partners, service providers and consumers to ensure that service improvement processes are transparent and effective.

3. Mental health services to prisoners in South Australian public prisons are provided as a primary health response by the Prison Medical Service and as an acute service by an outreach from the Forensic Mental Health Service.

Prisoners with a mental illness who are unable to be managed in the prison system are serviced by admission to James Nash House, which is a secure health facility.

DISABLED, ACCOMMODATION

In reply to **Hon. KATE REYNOLDS** (16 July).

The Hon. T.G. ROBERTS: The Minister for Social Justice has advised:

1. Does the minister acknowledge the chronic shortage of disability accommodation in the Murraylands?

The disability sector is experiencing a high level of demand for accommodation services throughout the state. The Disability Services Office (DSO) and the Intellectual Disability Services Council (IDSC) Options Coordination have identified the Murraylands region as one of the priorities for funding, with services being targeted for this area.

2. Will the minister act immediately to increase the amount of disability accommodation available in that region? If so, how? If not, why not?

The DSO and IDSC are working with local agencies and support groups to determine levels of need and how best to respond to demand for supported accommodation in the area.

3. What measures are being taken to improve accommodation and support services for people with disabilities in rural and regional areas of South Australia?

Options Coordination report a number of high need areas for supported accommodation for people with a disability in South Australia with the three top country priorities being Port Pirie, Mount Gambier and Murray Bridge. New accommodation services were started in Port Lincoln and Mount Gambier in the past year.

IDSC will start developing services for the remaining priority areas (Murray Bridge and Port Pirie) using new growth funds that will become available from the Commonwealth State and Territory Disability Agreement (CSTDA).

4. Does the minister believe that it is appropriate that young people with disabilities are among those being placed in aged care beds, hospitals and nursing homes?

It has been recognised that a number of young people with disabilities have been placed in aged-care facilities. At December 2002, 377 people with a disability, aged less than 65 years, were residents in an aged-care facility. 62 of these were under the age of 50 years. Many of these people are residents in rural and remote areas where alternative accommodation to aged care facilities is limited.

Young people with disabilities are best accommodated in a variety of models based on individual need and circumstance, ranging from individuals supported in their own homes through to group home accommodation. Young people with a disability are only accommodated in an aged care facility as a last resort.

CHIPPENDALE RETIREMENT VILLAGE

In reply to **Hon. IAN GILFILLAN** (14 July).

The Hon. T.G. ROBERTS: The Minister for Social Justice has advised:

1. Is it the Minister's opinion that it is legal for an entity to affix an eviction notice to tenants and residents, as they are, of such an establishment as a retirement village?

Under the current legislation, any entity can affix an eviction notice. However, if a charge against the land was registered after 30 June 1987, the mortgagee is prevented by section 7 of the Retirement Villages Act 1987 from terminating the residents' right of occupation. For mortgages that were in existence prior to 30 June 1987, it may be legal to evict residents if a mortgagee becomes entitled to vacant possession of the unit under the terms of the mortgage. In such an event the Government would intervene as in the 1993 case of Brown and Austrust Ltd v The Commonwealth Bank of Australia, Judgement No SCGRG 92/226. In this case, the Supreme Court held that the repayment of a premium to a resident ranked in priority to the mortgagee.

2. Will the Minister act, as a matter of extreme urgency, to see what role she can play in either assisting to provide proper legal advice or intervening directly, from her own ministerial sense of responsibility, at least, in having the hearing delayed? I think it is a rhetorical question, but surely the Minister would agree with the Democrats that this is a case of abuse of the quality of life that residents of a retirement village are entitled to expect?

The residents of Chippendale Retirement Village engaged a lawyer who secured for them their statutory right to occupy under section 7(1)(e) of the Retirement Villages Act 1987. The court granted a possession order to the mortgagee to enable the mortgagee to finalise and settle the sale of the property; vacant possession was not granted or sought. The residents remain in situ and the mortgagee has agreed to meet all legal costs incurred by the residents in resolving this matter.

A review of the Retirement Villages Act 1987 and the Retirement Village Regulations 2002 is in progress, which will lead to the drafting of new legislation. The first phase has involved widespread consultation, and a second round of public consultations inviting comment on the concepts proposed is imminent. Security of tenure for residents has been identified as a key issue for consideration in any new legislation.

CARER FUNDING

In reply to **Hon. A.L. EVANS** (4 June).

The Hon T.G. ROBERTS: The Minister for Social Justice has advised:

1. The State Government has decided to fully match the Commonwealth Home and Community Care (HACC) funding offer for 2003-04.

2. The State Government intends to fully match the Commonwealth offer.

3. There is no loss.

In reply to **Hon. KATE REYNOLDS.**

The Hon. T.G. ROBERTS: the Treasurer has advised:

4.The Government has decided to fully match the Commonwealth Home and Community Care (HACC) funding offer for 2003-04.

5. Department of Human Services records show that the Government has not previously failed to match the Commonwealth HACC growth funding offer. However, based upon the information currently available, it appears that in 1992-93 and possibly, 1993-94, the matching funds were contributed directly by the agencies seeking HACC funding, rather than by the Government itself.

SCHOOLS, CRAFERS PRIMARY

In reply to **Hon. KATE REYNOLDS** (9 July).

The Hon. P. HOLLOWAY: The Minister for Education and Children's Services has provided the following information:

The negotiated Asset Management Plan for Crafers PS has identified and acknowledged the storm water drainage issue resulting from storm water collection from within the site and surplus run off from an adjacent road and properties. A consultant's report provided in October 2002 advised that the existing on site stormwater system included that the pipe network within the school grounds, if properly maintained, should be adequate to dispose of the stormwater generated within the site under most circumstances.

The management of stormwater run off from the Council road is subject to ongoing negotiations with the Adelaide Hills Council officers on both the responsibility for the management of stormwater and the identification of alternative civil engineering and cost estimates.

At a meeting involving DECS officers, DAIS Building Management Senior Engineer, Governing Council representatives and Adelaide Hills Council officers on 25 July 2003 at the school it was agreed that DECS and the Adelaide Hills Council had a shared responsibility to resolve the problem. This meeting resolved to investigate whether there is potential for any effluent run off from neighbouring properties to contaminate the school grounds.

It is not known how many other schools are currently experiencing stormwater drainage issues necessitating the closure of their ovals. It is however a common practise for sites to limit the use of ovals during winter. The limitation on the use of an oval will vary greatly depending on the site's geographical location, local weather conditions and soil permeability. A number of school sites have had installed specialist oval drainage systems to minimise soil saturation but the exact number is not known. These systems cost approximately $75,000 per oval. Crafers PS Asset Management Plan includes an allowance of this amount.

SCHOOLS, SAFETY

In reply to **Hon. KATE REYNOLDS** (26 June).

The. Hon P. HOLLOWAY: The Minister for Education and Children's Services has provided the following advice:

1. The funds were allocated to support sites with a secondary enrolment address issues of machine safety on those machines that they considered essential for their requirements. The allocation of the funds was undertaken in consideration of:

· the number of full time equivalent enrolments at the site

· sites having a workshop facility and/or offered a Design and Technology curriculum requiring the use and maintenance of plant and machinery

· work already being undertaken in addressing machine guarding/safety issues.

2. The department does not intend to establish a list of preferred suppliers of machinery to schools. Such an action is seen as likely to restrict school choice in achieving the best outcome with regard to value for money when purchasing machinery. However, the department will be establishing a list of "approved" or recommended machines for sites to purchase from suppliers.

3. The department is developing a list of "approved" machines that will meet the relevant Australian standards. This list will be available by December 2003.

4. The department is negotiating with the Department of Administrative and Information Services to establish annual maintenance schedules for the delivery of a maintenance service to schools. It is anticipated that this will be ready for implementation in 2004.

5. Staffing of schools is undertaken using an agreed staffing formula. The application of this formula within a site is a site responsibility, through the deliberations of the site Personnel Advisory Committee. This committee, along with the school governing council, makes determinations on the curriculum the site offers.

6. The training provided for existing Design and Technology teachers is a one-day program that focuses specifically on issues relating to machine guarding. The course covers the requirements of AS4024.1 - Safeguarding of Machinery Part 1 - General Principles, the OHS&W Regulations Part 3 (Plant), risk assessments and maintenance. This course has been reviewed and improved and is currently being delivered to Design and Technology teachers. To date some 250 staff have completed the course.

Apart from the specific training in machine guarding, options are also being explored between the University of SA and TAFE in relation to partnerships that can assist prospective teachers in undertaking practical aspects of workshop skills that would be recognised by the University as part of the Bachelor of Education program.

7. The costs associated with addressing safety issues associated with the delivery of a Design and Technology studies curriculum are a site responsibility. Sites are allocated funding through the global budget process. The site leader has the responsibility to manage those funds.

The Minister recently allocated $1.26 million, to 100 schools, to upgrade machine safety and provide specialised training for Design and Technology teachers.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 23 September. Page 174.)

The Hon. T.J. STEPHENS: I wish to thank Her Excellency the Governor, Marjorie Jackson-Nelson, for her work over the past year. I do not need to remind the house of the magnificent contribution that Her Excellency has made to Australia's sporting culture. More specifically, the Governor has discharged her duties in the state's highest office with grace and diligence. I certainly appreciate it, and I am sure the people of South Australia also appreciate Her Excellency's important yet low-profile approach to her position. Future governors would do well to take a leaf from Her Excellency's book. I also wish to pass on my thanks to the Lieutenant-Governor for his efforts on Monday last when the Governor was unable to attend the opening of parliament. He performed his duties admirably, and once again I thank him for the fine manner in which he has discharged his duties over the course of the year.

The governor's address typically details the government's agenda and achievements. There are several areas to which the Lieutenant-Governor alluded in his speech which I wish to address, particularly the government's financial management, an area about which I am particularly concerned, and also law and order, which troubles me as well. The Rann government has had what some have called a honeymoon or a dream run since the election of 2002. Clinging desperately to the coat-tails of a strong national economy and driven by the sound economic policy settings of the Howard government (reaping the benefits of the rebuilding and restructuring that the previous Liberal administration had to undertake because of the disaster it had been left) the Rann government has been nothing but a nightmare for rural and regional South Australia. From Crown leases to the River Murray tax to regional services this government has shrugged its shoulders when confronted with the plight of the bush.

This government, haunted as it is by the State Bank, refuses to invest in the future of South Australia. Economic responsibility swings both ways You cannot gamble with the people's money (as Labor did in the 1980s and early 1990s), nor can you turn the tap off completely; some money must be spent as part of the government's obligation to provide service and infrastructure to the community. In the last budget, for example, this so-called law and order government put on no extra police to protect South Australians. It has built six new police stations (a good result), but it has not bothered to recruit anyone to man them. This is despite having a surplus and a sustainable level of debt as opposed to the unsustainable level which the previous government had to address. In fact, there will be 70 fewer police on the beat as a result of attrition. This is hardly an acceptable result.

On the subject of law and order, the government held a drug summit last year to provide recommendations on how to curb illicit drug use in the community. This was one of the Premier's crowning achievements: a high priority for the government with all the media fanfare the Premier could wish for. To date, the government has addressed—not necessarily completed—only nine of the 51 recommendations suggested. This is yet another case of a program being ignored once it has fallen out of the media cycle.

I have already made several contributions about the southern suburbs so I will not put forward a detailed argument now, other than to say that the idea and execution of a minister for the southern suburbs is another case of patronisation by this government designed to keep the media away from the real issues affecting people such as infrastructure investment in the south, more police on the beat and more investment in our hospitals.

Members, particularly those on this side of the chamber, would be aware that this government, which campaigned on a platform of openness and accountability, has been very adept at concealing, covering up and ignoring issues and events that are of major concern to working families and people who value our democratic process. There are 449 questions as yet unanswered by the government. It is of serious concern that this government has only been in office for just under two years but it already has so much to hide and cover-up. Further in relation to openness and accountability is the fact that there have been 135 reviews and six summits, yet we have received only 14 reports from these taxpayer funded exercises.

I would also like to make some comments on the state of industrial relations. Members would be aware of my concern for the situation in relation to the southern suburbs bus strikes and the impending strikes that may come about in the near future because of the government's lack of action, but I also note that this represents a pattern of behaviour when it comes to matters that should be the Labor Party's main concern. In July, the strikes at Henderson's Automotives flowed through to the rest of the manufacturing sector, particularly Mitsubishi which was shut down for 24 hours. Then again in August the car manufacturing sector was threatened because of planned lockouts at Bridgestone.

I can assure members that there are alarm bells ringing in the business community over this government's inability to deal with unions. The union movement has even come out against this government: from the Public Service Association to the Transport Workers Union. TWU Secretary, Alex Gallagher, has been an ardent critic of the transport minister for his inability to manage his portfolio in relation to transport strikes, just as he struggles with issues surrounding WorkCover.

WorkCover is a massive failure on the part of the minister. He has failed to address issues such as the appointment of a new CEO by the board and a very serious unfunded liability situation which we now believe has blown out to over $400 million. Just to place this in context for members—because the government has been running a line that somehow the previous government was in some way associated with some aspects of this issue—the unfunded liability under the Rann government has gone from $85.98 million to over $400 million since it was sworn in, not during the Olsen or Kerin governments but under the Rann government.

Once again the minister shrugs his shoulders and walks away from an issue which affects working families. As a political entity, the Labor Party has failed. The Labor Party was designed by the trade union movement ostensibly to represent the interests of the workers. The union movement has instead delivered to the people of South Australia a deceptive, self-serving, mediocre, hyperfactionalised morass. This government has been found out by several disasters that even the Premier could not sweep under the carpet. These are but a few of the issues which are being mismanaged, bungled and ignored by the Rann government. My colleagues have discussed some of the others in detail and I thank them for keeping a watchful eye on the ineptitude of this government. It is my hope that the next Address in Reply speech I give will be of a happier tone than this one and that the government will have come to its senses and actually made the tough decisions that it so desperately ought make.

The Hon. G.E. GAGO: I support and thank His Excellency, the Lieutenant-Governor, Mr Bruno Krumins, for opening the Third Session of the Fiftieth Parliament. Whilst I am a republican, I also wish wholeheartedly to commend the Governor for her exemplary service to the people of South Australia thus far. I am sure that the rest of this chamber would concur that Her Excellency is a remarkably accessible Governor who has become renowned for her warmth and sense of humour. First, I would like to congratulate the government for recently appointing four very capable women to the judiciary.

I would now like to address the chamber on a number of issues raised in His Excellency's address. The Rann Labor government has achieved a great deal, and I would like to give examples of why I am so very proud and honoured to be a part of this government. I am of the firm belief that this government has been able to implement much change for the benefit of the people of South Australia in such a short period of time, because the people who make up this government have a very strong and passionate belief in this state, and more so in the people of South Australia.

Their commitment is to provide every opportunity possible for all South Australians—the young and old of every socioeconomic and ethnic background and of every culture. The members who make up this government believe that every South Australian has the right to participate meaningfully within our communities now and into the future. The government's achievements thus far have been impressive. The reforms have ranged across a wide range of policy areas. This government is not afraid of making tough decisions, and it has done so based on wide community consultation and sound research. As His Excellency outlined, this government has much more—

Members interjecting:

The Hon. G.E. GAGO: I am very glad that my colleagues opposite have raised the issue of reviews, because I would like to go into some length as to the outcomes of some of the very successful and meaningful reviews that have been achieved, and some of the findings of those reviews that have discovered the gross negligence of the previous government. Given the encouragement of my colleagues opposite, I will spend some time going through some of the findings of those reviews. I am just not quite ready yet but, do not worry, I will get there. I have many very pertinent issues to address today. Since—

The Hon. A.J. Redford: Take your time.

The Hon. G.E. GAGO: I will; not that I need the honourable member's permission. Since creating government, numerous reviews have been established ranging over many portfolios. I know that some South Australians, including, obviously, my colleagues opposite, have been sceptical about these reviews. However, this government has ensured that its reviews have been established to ensure improved outcomes for South Australians. The government knows that, in many areas, major reforms are required due to—

The Hon. A.J. Redford interjecting:

The Hon. G.E. GAGO: And now he leaves the chamber. I am addressing the issue of reviews and my colleague does not wish to stay. Members opposite do not like hearing the truth. They do not like to hear the facts of the matter. They cannot take it. They like to give it out but cannot bear to listen to the facts of the situation. These reforms were required because of years of neglect by the previous Liberal government. These reforms must occur and, obviously, have occurred in a well-planned way and with wide community consultation.

Some people have approached me to express their scepticism about a number of the reviews that were instigated by this government, I have now been overwhelmed by people who have told me of their renewed confidence in the government and its processes. Recommendations have been released regularly; so, too, have the government's responses in the form of implementation plans. It is evident that this government is serious about making change for the better and not just rendering lip service. We have delivered, and our agenda for the next session shows that we will keep on delivering.

It is not surprising that some South Australians are sceptical of politicians and political processes given the recent history of both the state and federal Liberal governments. It is no wonder that some members of the population have such distrust and disrespect for politicians. The federal government and, indeed, Prime Minister Howard have been caught out time and again evading the truth. We are all well aware of people's outrage at the distortion of the truth in relation to the war in Iraq and weapons of mass destruction, as well as the betrayal of those refugees who were accused of throwing their children overboard.

Another more recent example is the way in which the Prime Minister was deathly silent about his knowledge of the fund that Tony Abbott set up in terms of resourcing legal action against One Nation and Pauline Hanson. Tony Abbott announced that he had neither discussed nor briefed the Prime Minister on the fund. Within a very short time, however, it became obvious that the Prime Minister did indeed know, and eventually this knowledge was admitted whilst he claimed that there was 'nothing wrong with the fund'.

I feel it necessary to make it clear that in no way do I sympathise with One Nation or its policies. I do, however, see an inherent hypocrisy on behalf of the Liberal Party, and particularly the Prime Minister, in relation to their preferencing One Nation; and, on many occasions, supporting its incredibly divisive policies while on the other hand trying to destroy the party by supporting the establishment of accounts to finance legal action aimed at removing it from the political landscape. The move, I suspect, had little to do with the Liberal Party's fundamental opposition to the ideology of this party, but rather its reaction to the loss of first preference votes.

I have strayed considerably, but my point is that the population has had and continues to have countless examples within the recent political history of the Liberal government's distortion of fact and suppression of information that has diminished its ability to be an open and accountable government. I need not go into the history of the previous state Liberal government to prove my point because I have done that on several other occasions. In fact, I have previously mentioned the ETSA betrayal, the Hindmarsh Stadium debacle and the Motorola affair—to mention only a few. However, I will not go into those matters today.

This Labor government has done a great deal to rectify the public's sense of distrust and disrespect for government and politicians. One of the first things that this government achieved when it took office was to pass successfully a series of bills to improve honesty and accountability measures within government, and to ensure that access to public documents was improved by the strengthening of the freedom of information legislation.

Members interjecting:

The Hon. G.E. GAGO: I can see that I have hit a raw nerve in members opposite. The truth hurts. This government believes firmly in open and accountable government. We do not believe that any government should be able to get away with the level of secrecy and deceit of the previous state Liberal government. This government is committed to continuing this reform as outlined by His Excellency. These reforms include establishing a charter of budget honesty and broadening the powers of the Auditor-General to ensure greater transparency and accountability.

An extremely good example of information that was denied the public under the previous Liberal state government includes the terms under which our electricity assets were sold. It is no wonder my colleagues opposite are smarting on this issue of government honesty. It is only since we have come to power that those terms have been revealed, and I now know why the release of these documents took so long. It has been revealed that the Liberals allowed the price of electricity for the average South Australian to rise so that the deal would appear more attractive to prospective buyers.

In Victoria, the charges for the distribution network (that is, power poles and lines) are 33 per cent of the price of electricity. The Liberals allowed the charge of 43 per cent for this distribution network and guaranteed the company that purchased ETSA that it would be able to charge these outrageously inflated rates until 2005. Shame! Clearly, the Liberals did not want the public to know what it had done; and I note that members opposite still sit there today with their heads hung in shame. The situation left to the Rann Labor government was deplorable. It included a private company with a monopoly on domestic supply of an essential service, significant supply problems and further price rises on electricity.

While the previous Liberal government made sure that we would not be able to get our electricity assets back into state

hands, the Rann government has acted swiftly to try to regain some control over the appalling situation that was left to us. We have established the Essential Services Commission to ensure that the people of South Australia are protected from unreasonable and purely profiteering price hikes in electricity. The ESC has been given considerable powers to protect the long-term interests of South Australian consumers in relation to the affordability, reliability and quality of electricity supply. The Essential Services Commission will eventually have the ability to investigate and enforce service standards within all South Australian essential services.

The Minister for Energy, who is obviously to be congratulated for his hard work and the fabulous range of initiatives that he has introduced, has been working hard to improve the security and affordability—

The Hon. R.I. Lucas: He has done nothing.

The Hon. G.E. GAGO: Let me just tell the honourable member the list of achievements of this hard-working minister. He has improved the security and affordability of electricity supply for South Australian consumers. Interconnection with New South Wales is a key part of the government's strategy to achieve that goal, in addition to the government's ensuring that South Australian consumers are represented in legal action that has delayed development of an interconnector. The Minister for Energy has gained the agreement of the New South Wales and Victorian governments to upgrade the New South Wales-Victorian interconnector. The agreement means that South Australia will be able to access additional power from Victoria to help meet high summer demand.

I also congratulate the Minister for Energy, the Hon. Patrick Conlon, for his hard work in ensuring that the SEAgas pipeline comes to fruition, enabling twice the volume of gas into South Australia. SEAgas will improve security of supply for both the gas and electricity markets. In contrast, when the Liberal Party left office, South Australians were left vulnerable in having a single gas pipeline, Moomba to Adelaide, that operated with few of the benefits of competition. I note that opposition members still sit there with their heads hung in shame.

Another important development of the Rann Labor government is its plan to bring the port of Adelaide up to speed with the rest of the world by working with the private sector to achieve development such as a new deep sea grain port and improving the road and rail services to the port. We will also work with the Economic Development Board and industry to develop strategies to ensure our exporting performance remains strong and, indeed, strengthened—

Members interjecting:

The ACTING PRESIDENT (Hon. J.S.L. Dawkins): Order! Some members here will have an opportunity to make a contribution at a later time. The Hon. Gail Gago has the call.

The Hon. G.E. GAGO: All I can observe, Mr Acting President, is that the truth hurts. As His Excellency has pointed out, the Rann Labor government has achieved a great deal on the environmental front, including an historic breakthrough in the form of an agreement made at a recent Council of Australian Governments meeting to return water to the Murray-Darling Basin. Historic achievements of this magnitude can occur only as a result of having a strong commitment to the river that provides three million people across Australia with drinking water. This commitment, however, extends far beyond the River Murray and into the environment generally. It is very important that we ensure sustainable development of environmental assets such as the River Murray, coasts—

Members interjecting:

The ACTING PRESIDENT: I do not think the honourable member requires any assistance from her own bench.

The Hon. G.E. GAGO: —and other natural resources, and leave these resources in good condition for future generations. We have also achieved a great deal and we are in the process of implementing a number of things, such as: the establishment of a new office of sustainability; the introduction of tough new protection for native vegetation; ensuring the independence of the Environment Protection Authority; creation of Australia's first dolphin sanctuary; implementation of the River Murray's very own act to protect it; and a boost in funding for the river. We have doubled penalties for serious environmental damage; we have won support from all the governments of Australia to phase out plastic shopping bags; we are still fighting against the nuclear waste dump that the federal government is trying to impose on us; and we are in the process of developing legislation to integrate natural resource management in South Australia.

Initiatives that the government has undertaken to implement in the near future include the establishment of a round table on sustainability, which is to develop a vision of the long-term environmental sustainability of the state and the way in which to achieve this vision; the introduction of legislation to establish Zero Waste South Australia; the creation of a 27 000 hectare national park over the Coongie Lakes wetlands in the state's north-east; and handing back a 21 000 square kilometre conservation park in the state's north-east to traditional owners. This is really just a thumbnail sketch of the incredible achievements and hard work of minister Hill, whom I would also like to congratulate.

I now move on to Education and Children's Services. That is yet another area that was left in a shambles by the previous government. In our very first budget we made it clear that we were committed to a vibrant education sector. The Department for Education, Training and Employment 2002-03 budget received an increase of $156 million compared with the previous year's budget—a real growth of 6 per cent. After our first 12 months, we ensured that more than 9 000 junior primary aged children were in smaller classes and that counsellors were placed in an extra 32 schools.

After our second budget, funding was allocated for an additional 29 counsellors to extend the initiative to another 76 schools. We have made more than 1 000 school and preschool teachers permanent and we are spending more than $1 million extra on time for school services officers, which will help to improve literacy and numeracy. We are no longer just testing children and then blaming already overworked teachers for poor results. We are giving schools and teachers additional support and acknowledging the part that government must play to improve education outcomes.

In his opening speech, His Excellency spoke of the Social Inclusion Unit. Shortly it will be releasing its report on school retention rates and the government is looking forward to tackling this issue with vigour. A strong child protection system is yet another area that the government wishes to strengthen even more, and this obviously goes hand-in-hand with the education sector to ensure that every child has every opportunity. This government is looking forward to implementing the recommendations from the Layton child protection review.

The Rann Labor government has produced a strong record already in the area of industrial relations. This government

is committed to strengthening WorkCover legislation as well as reducing the incidence of work-related death, injury, illness and disease. WorkCover was left struggling financially by the former Liberal government. Our minister yesterday summarised the result of a report that was released recently as tantamount to—

Members interjecting:

The ACTING PRESIDENT: We are hearing the Hon. Gail Gago.

The Hon. G.E. GAGO: It was tantamount to vandalism. The Liberals could see the writing on the wall and, in a last ditch attempt to gain votes, they lowered the average levy rate only seven months before the state election. They did this with total disregard for the financial viability of WorkCover. One cannot help but wonder whether, if they had been able to form government, they would not have gone the same way with WorkCover as the federal government has gone with Medicare, and that is to run the scheme into the ground until it is in such a state of disrepair that they can turn to the general public and say simply that it is not working and it must be dismantled. Such is the Liberals' contempt for workers in this state.

The Rann Labor government has committed funding to ensure that major hazard facilities are managed effectively. The number of workplace safety inspectors is to be increased by 50 per cent and the government has introduced the SafeWork SA bill to improve administration of workplace safety in South Australia. Every worker is entitled to a safe working environment as well as adequate services in the event of workplace injury or illness, and this government is committed to ensuring that this occurs.

On another matter I am pleased to note that, just yesterday, the Minister for Gambling released draft legislation for one of the many initiatives of this government to decrease the frequency and severity of problem gambling in South Australia. The proposed legislation will create a new family protection and problem gambling order, giving families the ability to intervene early if a family member's gambling is causing harm to the family. The order may require the family member to be deemed to have a gambling problem in order to participate in counselling, educational rehabilitation or prohibit them from attending gambling venues or harassing family members for money for the purposes of gambling. This innovative and intelligent initiative is one of a range of initiatives prepared by the Independent Gambling Authority, headed by Presiding Member Mr Stephen Howells, to combat the negative effects of problem gambling within families and communities.

This courageous initiative, which is the first of its kind in Australia, is testimony to the commitment of the government; the skill and expertise of the board; and the boldness and relentless hard work of the minister (Hon. J Weatherill). Since its establishment by the government in 2001, the IGA has implemented the voluntary barring system; undertaken the suitability inquiry of the licensee and approval of documentation with respect to the sale of SA TAB; completed the Adelaide casino advertising and responsible gambling codes of practice; maintained an effective regulatory overview; reviewed bookmaker licensing rules; and developed an early intervention order scheme.

Matters currently being addressed by the IGA include: finalisation of stage 1 of uniform advertising and responsible gambling codes of practice for all commercial codes of gambling; establishment of a research program; inquiry into the link between problem gambling and crime; and consultation on its inquiry into the management of gaming machine numbers in South Australia. I wish to congratulate the board for its hard work and diligence in dealing with such complex issues, which have attracted high levels of public concern and a wide range of different views. In a very short period of time, it has quickly gained the confidence of the general public and has gained credibility and respect for its independence and fairness.

I now move to the area of health, an area about which I am particularly passionate. It is an in area which I believe the Rann government has shown much courage in tackling as a major reform process. I believe that, thus far, the government has done a remarkable job. I am proud to be part of a government that is not shirking responsibility, in spite of the previous Liberal government's neglect and mismanagement of the health sector.

The health system was left in an appalling condition during the period 1993-1994 to 2000-2001, when public hospital activity levels increased significantly by between 20 per cent and 25 per cent. However, the former government's response to the increase in demand on our system was to slash funding. Approximately 400 public hospital beds were closed and 400 full-time equivalent registered nurses were cut—a reduction of 6 per cent of the nursing workforce during that period. That is an absolute disgrace, and members opposite wondered why our health system was haemorrhaging. We heard regularly of the associated pain and suffering of delayed surgery and reduction in access to health services during that time.

An honourable member interjecting:

The Hon. G.E. GAGO: I will get to the changes that have occurred and the incredible improvements that have been made by this government. Let me continue to outline the state that this system was left in—the absolute shambles our government was faced with. Surveys conducted in the public system during the time I refer to showed the staff's inability to meet basic patient demand as a result of poor staffing levels and skill mixes. Nurses particularly reported increasing levels of workplace stress. I know of nurses who literally ran for their entire shift and were still unable to provide the most basic care for all of their patients. It is little wonder that South Australia is currently suffering from a critical nursing shortage. This stress has certainly helped create and contribute to this nursing shortage.

What I struggle to comprehend is that the then Liberal government had been forewarned of this nursing shortage crisis, but it chose to do nothing. I know that it was forewarned. I have mentioned before in this place—and I will continue to do so—that I know that it was forewarned, because I was part of some of the delegations that attended meetings with the health minister to bring the then government's attention to the writing that was on the wall many years ago.

It took eight years for the then Liberal government to accomplish the height of despair with which this government was faced when it took government. Immediately after we created government, we got to work and started to patch up the dilapidated system. Our achievements to date give a good indication of the dedication of this government to South Australians and to their health.

Even before our first budget, we provided additional funding to the tune of $28 million. This was to enable the Department of Human Services and public hospitals to balance their books at the time. This was just the start. The sum of $52 million has been allocated to increase hospital bed

capacity by 100 beds; $9.5 million for 2 000 extra elective surgery procedures aimed at tackling waiting times; and $30 million extra for intensive care services over the next four years at the Royal Adelaide Hospital, the Lyell McEwin Hospital and the Flinders Medical Centre. A total of $8 million has been allocated to reduce dental waiting lists and a further $16.3 million for biomedical equipment replacement.

This list of achievements also includes the funds allocated to guarantee a safer blood supply, as well as further funds for community based preventative and rehabilitation services. We are also pursuing the establishment of a health and community services ombudsman through the Health and Community Services Complaints Bill.

Our response to nursing shortages commenced immediately, with the authorisation of an executive working group to put together a nursing recruitment and retention strategy for 2002-05. The sum of $26.8 million extra has been allocated for additional nurses, including strategies to recruit them and to ensure that they stay. In May 2002, this government commissioned the Generational Health Review, which was the first review of the whole public health system in South Australia for 30 years. I know that you are impressed by that, Mr Acting President. It was commissioned—

The Hon. T.G. Cameron: He's the only one!

The Hon. G.E. GAGO: Well, you should be ashamed of yourself—to be developed as the reform agenda over the next 20 years. This review focuses not only on health service delivery but also on health outcomes and inequalities. The review team, headed by John Menadue, was able to identify the vast pressures that the health system is under, and it made numerous recommendations to ensure that our health sector is revitalised and that it is able to deal with and respond to the demands placed upon it.

The health and wellbeing of our population are vital ingredients in the success of this state. The government has risen to the challenge of implementing reform and is doing so, and it will take our state's health system well and truly into the 21st century. This review is a good example of what I spoke about at the beginning of my address.

The government already has a plan to implement two-thirds of the report's recommendations in the form of the plan entitled 'The first steps forward', which includes other strategies or plans: 'Building better governance', 'Building better services' and 'Building better system support'. These contain wide-ranging initiatives—too many, obviously, for me to go into here—but I must mention that within—

Members interjecting:

The Hon. G.E. GAGO: Since I am encouraged by my colleagues opposite, I will mention that 'Building better services' includes the establishment of a 24-hour, seven day a week statewide health call centre, where people will be able to ring any time of the day or night about any medical problem that they believe needs urgent medical attention.

One of the other reforms being undertaken in the theme of building better systems includes developing a population health funding model in which health funding is allocated according to the needs of a given community. This is a very exciting reform and will go some way to address the inequalities of health, taking into account such things as socioeconomic factors, Aboriginality and remoteness of populations in the delivery of health services.

These reforms are wide and overarching. It takes a government committed to its communities to undertake such reforms. This transformation will take time to implement but, make no mistake, the process has begun. Adding to the misery of having to clean up the mess that was left by the former Liberal government is the way in which South Australia is being blackmailed by the federal government in the latest health care agreement.

We were forced to sign the agreement, along with other states, or face severe penalties. The agreement was less than satisfactory, cutting South Australia's health funding by $75 million over the next five years. I can see that you are appalled, Mr Acting President. The opposition was, of course, more than vocal in its criticism of this Labor government and its handling of the agreement, claiming that the offer was a good one. I do not know how members opposite do their calculations. However, whichever way I do the sums, a cut of $75 million to South Australia's state health system is not my idea of a good offer or a good deal.

I would like to draw members' attention to the numerous examples of how the shadow minister and his opposition colleagues attempt to lay the blame, unfairly and unjustly, at the feet of the current minister for the state of the health system when we took government .

Members interjecting:

The ACTING PRESIDENT: Order! There is too much noise in the chamber. The Hon. Gail Gago has the call.

The Hon. G.E. GAGO: Clearly, these strategies are diversionary and an attempt, out of their own embarrassment and humiliation at their mismanagement, to divert attention away from the own mismanagement and onto our very competent health minister. The shadow minister knows perfectly well that it was his own handiwork that has created many of these problems. One example is the debacle involving the QEH magnetic resonance imaging machine. The opposition, but more particularly the shadow minister for health, time and again tried to embarrass the minister over this affair. It was no surprise that the release of the Auditor-General's report into the fiasco completely exonerated the minister.

Did the opposition choose to acknowledge that it had it wrong? No. Did it offer an apology to the minister (Hon. Lea Stevens)? No. It is ironic and sad that the only minister who was mentioned in the report (and, I might add, not in a particularly favourable light) was the former minister for health, the Hon. Dean Brown. He obviously has no shame whatsoever.

The Rann Labor government has had to take on a mental health system that was also in significant disarray, courtesy of the previous Liberal government. This is a particular area of challenge for the government, I might add. I would particularly like to refer to the unfortunate circumstances surrounding the absconders from Glenside recently.

The acting minister at the time committed to undertaking a review, which has already been completed, of the circumstances surrounding that incident. I do not know whether members opposite are suggesting that they did not support the conduct of that review into that potentially very dangerous incident. Are they suggesting that that review not take place—the review that has already been completed into the incident of two people absconding from Glenside? I cannot believe that they would be so irresponsible as to suggest that. As a result, a number of measures have been put in place to ensure that secure wards remain secure.

I draw attention to the unproductive commentary made by the shadow minister at the time, which included denouncing the policy of housing offenders with mental illness at both James Nash House and Glenside. This policy was, in fact, his

own policy—something he failed to mention. He was denouncing his own policy! The shadow minister also failed to mention that, during nine months of a 12-month period (and I hope members pay attention to this fact) in which he was the minister responsible for health, 299 patients absconded from Glenside.

We heard the former minister responsible for health ask where the Minister for Health was during one of those incidents. I wish to put to him: where was he from 1997 to 2002 when the mental health system for which he was minister responsible was falling down around our ears? Where on earth was he? I am immensely proud to be part of a government that does not shirk its responsibilities for problems that exist as a result of years and years of neglect. I am proud to be part of a government that in the last 18 months has done more for the people of South Australia than the past Liberal government did in eight years.

I am proud to be part of a government that strives to make a difference for South Australians; a government that has not shied from making some radical changes and tough decisions for the benefit of all South Australia. What I am most proud of is that this government has integrity and is driven to improve the quality of life for South Australians, especially those who struggle the most. We are able to spend more on vital services, because our priorities are right. Our priorities are those vital services such as health and education, the things that have a real impact upon the population of South Australia.

I am confident that through this session and into the future our government will continue with its reform agenda. Obviously, time does not permit me to go into all the achievements of this government. However, every one of our ministers has delivered in their portfolio areas for the people of South Australia. I am proud of every single one of our ministers, and every one of them should be congratulated on their achievements to date. Well done on an impressive start, and I am looking forward to a bright and prosperous future for our state.

The Hon. R.I. LUCAS (Leader of the Opposition): I rise to speak in the Address in Reply and thank the Lieutenant-Governor for the speech with which he opened the current session of parliament. I join with other members in congratulating the Lieutenant-Governor, Mr Krumins, and Mrs Krumins on the work they do and through them congratulate the Governor on the work she undertakes on our behalf. I must say it was refreshing to hear His Excellency's heavy accent reading the Governor's speech, an indication of the multicultural society we have become. I am sure most members would know the outstanding work that His Excellency undertook in the multicultural and ethnic affairs field prior to his current appointment. So, I again thank His Excellency for his speech.

The Address in Reply is an opportunity that members do not often get to speak on whatever issue that we wish. Before I go on to the particular topic I want to address in my Address in Reply, I want to respond briefly to some of the comments that the Hon. Gail Gago has just outlined to the chamber. I am sure there will be other occasions when we can respond in greater detail, but I can say that I would have thought that, if I were premier Rann or the senior ministers, I would be delighted to have the Hon. Gail Gago as a backbencher in the government, because clearly in the Hon. Gail Gago the Premier has someone who is prepared to read whatever drivel each minister gives to the Hon. Gail Gago to read on their behalf and put on the public record. Sadly, I suspect she also probably believes it. When one comes in here and gets the material that the Hon. Paddy Conlon provided to the member in relation to the outstanding and tireless work the minister has undertaken in the energy and related areas and reads all of that onto the public record, I suspect that, sadly, the honourable member probably believes that what the Hon. Mr Conlon or his staff claim he has undertaken, he has actually done.

In that area I indicate as just one example of where the honourable member is uncritically prepared to accept everything the ministers have provided for her to put on the public record that the honourable member referred to the release of documents in relation to the electricity privatisation. I must say I am unaware of any documents that have been released by the new government and in particular the new minister in relation to the privatisation, other than those that were released by the former government. There seems to be this strange misapprehension on the part of some members of parliament, not just the Hon. Gail Gago, that the former government did not release the key privatisation documents in relation to the ETSA sale and lease. As the former treasurer I tabled in this chamber all the key documents in relation to the sale and lease of ETSA, contrary to the misapprehension of the Hon. Gail Gago and whoever provided advice to her, namely, that in some way key elements of the documents had been hidden or not provided publicly. I am not aware of what new documents the new minister has provided. I am happy to be corrected if I am wrong, and I wait anxiously for the Hon. Gail Gago to indicate on another occasion what new documents the new minister has released.

The member then went on to make a series of extraordinary claims about what the new minister has done as examples of his tireless work. One was the claim that the former government had done nothing in relation to the monopoly gas supply from Moomba to Adelaide and that by inference the new minister had single-handedly managed to provide an alternative gas route from south-eastern Victoria. As you, Mr Acting Speaker, and everyone else other than the Hon. Ms Gago would know, the former government was the government that set in place the policy parameters and implemented or commenced the implementation of the actions for the competitive gas pipeline from the south-east of Victoria. At the time of going out of government it is correct to say that two pipelines were competing to come in from south-eastern Victoria.

We have heard extraordinary claims from the Premier and minister that they banged heads together to ensure that there was one gas pipeline coming in from south-eastern Victoria. As I have indicated before, those claims were wrong. I might say that, at a function at which the Minister for Energy spoke (at which function I might say there was much comment from senior business people about the minister's behaviour, but perhaps I will put that aside and say more about it on another occasion), at least on that occasion the minister confessed that the claim that the government had banged heads together was not right and that in essence they had been commercial decisions taken by commercial parties. Those decisions had been assisted by people like Mr Ed Metcalfe who was former senior executive from International Power and who had made a commercial decision to bring the competing gas pipelines together.

As I said, that was a refreshing outburst of honesty from the Minister for Energy, at least at that public function, where

he confessed that the claims that were being made by the Premier and himself in other forums were wrong, and it was not an issue of the government banging heads together: it had been a commercial decision which had occurred. It was a commercial decision which I again outline was initiated in its first part by the former government.

A number of other claims were made by the Hon. Gail Gago on behalf of the new minister in an endeavour to indicate that the new minister was actually doing something in terms of electricity policy, and most of those claims too were misleading or wrong. As the only final comment I would make about the Minister for Energy in terms of how wonderful, tireless and efficient he was, according to the Hon. Ms Gago, I might just note that clearly his own leader does not regard the minister in the same light.

Most of the responsibilities that he had when first installed as a minister in March last year have been removed from him over a period of time. He was the Minister for Police, but that has been removed from him. It was a most senior portfolio. I have asked questions as to the real reasons for his dumping from that portfolio. He was the Minister for Government Enterprises. All those responsibilities have been taken from him and have been given to other ministers. The Lotteries Commission has gone to the Treasurer; SA Water has gone to the Hon. Mr Weatherill; and forests have gone to the Hon. Mr McEwen. All those significant responsibilities have been taken away from the Hon. Mr Conlon and he has been given the Office for Infrastructure and Development.

Mr Acting President, as you have alluded to by way of questions already in this session, we will be following with interest what action, if any, the minister takes in relation to that matter. The minister will not be delivering the services but will be responsible for coordination and seeking cooperation from a range of other ministers—for example, a minister for youth, a minister for ageing, a minister for women's affairs, or whatever—so it will be very interesting to see what action, if any, the Minister for Infrastructure is able to achieve. If his performance in the first 18 months is any indication, we think that there is likely to be little record of improved performance in 2½ years. Certainly, the very strong rumours that are running rife at the moment—that he might be destined for sunnier pastures in Canberra—may well prove to be accurate.

The issue I want to raise in this debate is in relation to the standing orders of the Legislative Council and the process, demeanour and manner of debate in this chamber and the parliament. I know I have made some criticism, particularly last year, of the new policy or process of implementation of standing orders in the House of Assembly. I do not believe that we have seen the significant change in this chamber that has occurred in the House of Assembly. I have been critical of the House of Assembly. The result of that, in essence, has been the tying of hands behind the back of opposition members and their not being able to pursue the major problems and concerns that are evident already in relation to the new government.

I might say that there was something in the Hon. Ms Gago's contribution to which I intended to respond and I forgot, so perhaps I might quickly respond to it now. The Hon. Ms Gago, in congratulating herself and her party with that renowned arrogance for which this government is known, said how wonderful the new government and the new Premier were in relation to integrity, openness and accountability. I just mention the names Ashbourne, Atkinson, Rann and Foley and indicate that this government in 18 months—

The Hon. G.E. Gago interjecting:

The ACTING PRESIDENT: Order! The Hon. Gail Gago has had her opportunity. The leader has the call.

The Hon. R.I. LUCAS: In 18 months this government has the ignominious distinction of having the Premier's most senior political adviser in court at present facing charges of abuse of public office. Whatever criticism government members might make of the former government, there was not an occasion where a minister, a member or the senior political adviser to the Premier ended up in court after being charged by the police following an Anti-Corruption Branch investigation. In relation to this wonderful open, accountable and honest government full of integrity to which the Hon. Gail Gago referred, we note how quiet she is now because she is embarrassed by the behaviour of her own government and her Premier.

Members interjecting:

The ACTING PRESIDENT: Order!

The Hon. R.I. LUCAS: The Hon. Gail Gago is embarrassed by the behaviour of her Premier and Deputy Premier who, having been advised in November last year of this most serious of all charges, chose to try to keep secret these serious charges. It was only some seven months later that they were caught out by the opposition through questioning in the House of Assembly. This government, which the Hon. Gail Gago claims to be all things wonderful in relation to being honest, open and accountable, clearly failed dismally at the first count in relation to the issue of whether or not it was going to be an open, honest and accountable government. Time will tell whether all will be revealed as to what went on in that period last year when not only the court case comes to a conclusion but also, more importantly, a full judicial inquiry is conducted into why the Premier and the Deputy Premier, and others, tried to keep secret these terrible allegations of misbehaviour by senior members of the government's staff, and possibly others, associated with the government.

The Hon. T.G. Cameron: They weren't the only ones keeping it secret: what about the Auditor-General?

The Hon. R.I. LUCAS: That may be an issue the honourable member addresses, either in this debate or another debate. I indicated some concern about the rigorous change in process or the implementation of standing orders that had occurred in another place, and the fact that it was stymieing the role of the opposition in terms of trying to keep this government accountable. As I have just highlighted, there is good cause for an opposition working hard to try to keep this government accountable, given what it has been trying to hide.

I now want to make some comments in relation to how we manage these issues in this chamber. At the outset I highlight some recent exchanges in this place. I note the Hon. Gail Gago's contribution and the strictest interpretation that is sought to be adopted by government members in this chamber of standing order 193, which outlaws injurious reflections on members of the commonwealth parliament. The Hon. Ms Gago certainly accused the federal Liberal government and the Prime Minister in particular of hypocrisy, and made a series of injurious reflections on members of the commonwealth parliament, which on the strictest interpretation of standing order 193 was certainly contrary. I highlight that because the government in this chamber has been seeking to stymie genuine criticism by the opposition, by trying to look at very strict interpretations of some standing orders,

such as standing order 193. I refer to an exchange on 9 July this year during which I said:

> The Hon. Bob Sneath says that he has an open and accountable Attorney-General at the moment. He certainly could not say that about the former one. I thank him for his interjection.

There was then a series of exchanges, and I was ruled as having made unparliamentary remarks under standing order 193 because I said that the Hon. Bob Sneath certainly could not say about the former attorney-general that he was open and accountable. In essence, the basis of the criticism was that I said that you could not say that the last attorney-general was open and accountable, but that was ruled to be unparliamentary under standing orders on a point of order of the Hon. Bob Sneath.

I moved a substantive motion condemning the now current but then former Attorney-General Atkinson, the Premier and the Deputy Premier in relation to what is now infamously known as the Ashbourne-Atkinson-Rann-Foley affair. Normally, a substantive motion would entitle me in this chamber to make injurious reflections on members. That is what it is there for—on the strictest reading of the standing orders—to allow members to make accusations under a substantive motion.

The Hon. Bob Sneath, as have other government members, in trying to stymie criticism of the government took a point of order, and my statement was ruled to be contrary to standing order 193. All I said by way of a substantive motion was that the Attorney-General had not been open and accountable. Another example took place last night.

The Hon. R.K. Sneath interjecting:

The Hon. R.I. LUCAS: I am about to raise issues about the standing orders. That is what I am trying to say.

Members interjecting:

The ACTING PRESIDENT: Order!

The Hon. R.I. LUCAS: I think the *Hansard* record for last night may not be entirely accurate. I do not wish to reflect on the *Hansard* record, but I think it would be useful to check the sound in this case. In the Hon. Angus Redford's contribution to his motion last night, he said that the Attorney-General was a serial misquoter. The Hon. Carmel Zollo then raised a point of order and said:

> The honourable member is reflecting on the character of an honourable member in the other place.

The Hon. Carmel Zollo was complaining (again on a substantive motion) that the words 'serial misquoter' were contrary to standing order 193. According to *Hansard*, the President said:

> There is no point of order on that particular point.

That is not my recollection of what occurred. *Hansard* then records the Hon. Angus Redford as saying:

> I withdraw that he is a serial misquoter. . .

I assure the Hon. Carmel Zollo that the Hon. Angus Redford would not have withdrawn his statement if the ruling had gone in his favour.

The Hon. Carmel Zollo: Or he could have been lying.

The Hon. R.K. Sneath: He might have misheard it, like you.

The Hon. R.I. LUCAS: Well, all I am saying is that that is not my recollection of the exchange.

The Hon. R.K. Sneath: It's ours.

The Hon. R.I. LUCAS: Well, let's have the record checked. The point I make is that a complaint was made that calling someone a serial misquoter was an injurious reflection under standing order 193 and therefore should not be able to be sustained in a debate in this council. Thirdly, last week, the Hon. Angus Redford was making some comment critical of the member for Mount Gambier, and he said:

> He has completely and utterly failed the community to such an extent that he cannot retrieve it.

The Hon. Mr Stefani said:

> He has abandoned it.

The Hon. Mr Redford said:

> Yes, abandoned it. He has sat on his hands.

The Hon. Mr Holloway said:

> I rise on a point of order. In most other parliaments of the world, comments reflecting on other members of parliament, particularly accusations that they have neglected their electorate, are totally out of order. I believe—

On that occasion, the President did not rule that that was contrary to standing order 193. I have highlighted these three examples, but there are a number of others where—

The Hon. R.K. Sneath: You're just thinking that he ruled that on that previous one.

The Hon. R.I. LUCAS: No. I know; I was here. There have been a number of other occasions when there has been an accusation of misleading the council that points of order have been taken by sensitive members of the government back bench that that was contrary to standing order 193 and an injurious reflection on a member. As I said, I have only cited those few examples when there are indeed many others, but they indicate the way in which government members try to stifle opposition criticism of the government by using the stricter interpretation of the standing orders of the Legislative Council.

During my time in this place I have not shied away from vigorous and robust exchanges in the parliament. I readily concede that on occasions I have been vigorous and robust in attack, but I also readily acknowledge that I have been vigorously and robustly attacked by members of the Labor Party whether in government or in opposition.

The Hon. T.G. Cameron interjecting:

The Hon. R.I. LUCAS: The Hon. Bob Sneath isn't at the top of the pops in relation to that, Mr Cameron. I well remember in my first years in this chamber sitting on this side across from the Hon. John Cornwall and being called 'a pain in the perineum'. I thought that sounded like something to which I should object, but I quickly went to the medical dictionary to find out whether or not I was correct in my initial thought that perhaps that was a bit rude. The Hon. John Cornwall would regularly refer to a dear colleague (now departed) the Hon. John Burdett in this chamber as being as thick as too short planks. I will not go through all the details because that is going back a fair way, but the Hon. John Cornwall was renowned (as was the Hon. Frank Blevins) for what I might call vigorous and robust exchanges in the parliament.

As I said, generally, members (whether government or opposition) would not seriously seek to deny their being able to exchange their views in that way. From my viewpoint, clearly this is a grey area. It is a matter of judgment, and I acknowledge that you, Mr President, and past presidents all have different views as to where that boundary line lies. If a member were to stand up in a chamber and call an individual minister or another member corrupt in their personal behaviour or declare them to be a criminal in some way in terms of their personal behaviour or their business actions, I think that is what the standing order in relation to substantive motions is intended to achieve.

The Hon. R.K. Sneath: You ought to read some of Legh Davis's contributions.

The Hon. R.I. LUCAS: I am about to look at some of the other contributions now. I thank the Hon. Bob Sneath for inviting me to look back at past members' contributions. I had the opportunity only this morning to go through contributions from the last four years of the last government because, from this side of the chamber, when I hear points of order being taken against claims that someone has misled the house or is a serial misquoter or that you cannot say that he is not open and accountable or he has abandoned his electorate, I chuckle when I recall what members of the Labor Party used to throw regularly at ministers and members of the former government without members of the government on a programmed and serial basis taking points of order in relation to standing order 193.

I refer to the debates in the *Hansard* of 24 November 1998. I am pleased to see, Mr President, that you were here because, in another life, you, as a vigorous backbencher, said:

> You did not want to rush for the past three months because you had not beaten poor old Nick around the head and you had not locked in that prize rat Terry Cameron at that stage.

I note that that was not on a substantive motion against the Hon. Mr Cameron: it was, indeed, in a debate on a bill. I refer, again, not to a matter on a substantive motion but in the *Hansard* debates dated 31 October 2001 and, Mr President, you will probably recall some vigorous exchanges in relation to the tuna fishery. As I said, Mr President, in your former life you were a vigorous opposition backbencher. You said:

> Most people who want to go into the scale fish industry are required to buy two licences, then amalgamate and then wait for a quote from a dedicated fishery. But not the tuna boat owners. They were given quota when there was enough capacity within the recognised pilchard industry to accommodate the total catch. They were given quota on a number of occasions, and I used to ask myself why was this occurring. Recently, it has become very clear. When one looks at some of the donations that have been made by the South Australian fishing industry council—$100 000 to this government on one occasion, and an expected $100 000 this time—one starts to a get a picture of what is going on.

Further, Mr President, you said:

> One might ask: why would that occur? I will tell you, Mr President. It is my belief that the tuna boat owners do not want to go out and catch the pilchards. They want someone else to catch the pilchards so they do not have to do it. I am asserting that, in my view, what has been occurring here, because of favours done and donations made to the Liberal Party, there has been an association.

And further you said:

> I am told that Mr Will Zacharin,—

who has been mentioned in despatches just recently—

> the chief executive officer, is setting up a committee to investigate ways and means so they can implement these policies. I can only assert that this is a position which has given advantage to one particular group of people who are high donors to the Liberal Party of South Australia, and it is a disgrace.

Mr President, they were vigorous exchanges initiated by yourself, as I said, in a former life and under the Matters of Interest provisions we have in the Legislative Council. Mr President, I certainly do not argue the case that, as an opposition member, these sorts of accusations cannot be made, but I am highlighting that, I guess, under the proceedings of the parliament, as I have grown accustomed in the past 20 years, many of these quite serious accusations were not made under the guise of substantive motion.

I think that, probably, one of the developments in relation to something as serious as that—that is, potentially criminal action, I suppose, or where an opposition member alleges that a group gives money to a political party and then they change the policies as a result of that, and even under my view that there should be vigorous and free exchange—ought to be an accusation made by way of substantive motion. The issues I am raising, I think, come back to the next scale of criticisms underneath where members normally have been able to make accusations of serial misquoting—not being open and accountable and misleading; those sorts of criticisms without being held to account either successfully or unsuccessfully standing order 193; or, indeed, having to make those accusations by way of a substantive motion.

When I am talking about that range of criticism, it has not been by way of a substantive motion in the past. I note that, on 29 November 2001, again in reference to these accusations being made about the tuna industry, the Hon. Mr Ron Roberts said:

> In other contributions in respect of these matters in recent times, I have made certain observations and statements and I was taken to task in a question from the Hon. Mr Legh Davis to the Leader of the Government in this place about some of those statements. In one of my contributions, I made an allegation based on information received within the industry and I suppose that, in a court of law, that could not necessarily have been sustained. However, I exercise the right of all politicians to parliamentary privilege on behalf of citizens to pursue matters that cannot legally be pursued in public without the inquirer or I, on their behalf, going through a long and tedious process of court action.

Again, as I said, I do not argue the case that, as an opposition member, you should not have the capacity to use parliamentary privilege to raise serious allegations against members of the government if you believe them to be true. On another occasion, Mr President, but again in relation to the issue of donations, on 24 October 2001 you said:

> The public has a right to know how these people benefited from this government. Does this mean that those companies that have received millions of dollars in industry assistance will be asked to tip into the Liberal Party coffers? I clearly assert that that is the case, because if you look at the past donors and if you look at the list of people who have received government assistance for the creation of industries you will find that they reflect one another. Does this mean that those companies that have bought formerly taxpayer-owned assets in Liberal privatising will be funding the campaign? Let us look at other fundraisers leading to the Liberals' dash for cash.

Mr President, you further said:

> In Sunday's paper, a source claimed that a prominent Adelaide businessman offered $300 000 to a cash-strapped party if it accepted Mr Brown as Deputy Premier. That is how much it cost to buy a Liberal Party Deputy Premier—$300 000.

I will not go through all the detail of that; I am sure that you recall the circumstances. Again, that was not on a substantive motion. I guess that it depends on the definition of 'substantive motion', but the motion was that I be ordered to lay on the table the fundraising plan of the Liberal Party of Australia and associated statistical material. That was the motion being debated at the time. Again, I repeat: if a member believes those allegations to be true, parliamentary privilege is there for them to make a judgment to raise those particular issues, I think, by way of substantive motion.

On 4 April 2001 the Hon. Paul Holloway, in criticism of the former government on the national electricity market, accused the then government for being 'quite wrong, quite misleading, quite deceitful.' The Hon. Paul Holloway said:

> My questions are:
> 1. Who is responsible for this deceitful propaganda?

Further on, the Hon. Paul Holloway said:

> You are still telling lies.

Again, I note that that was not a substantive motion but during question time in the chamber. The Hon. Carolyn Pickles, during the debate on the Gambling Industry Regulation Bill, said:

> We have made our decision and that decision will stand but, again, I reiterate that if the Hon. Mr Redford had made those comments outside they would be absolutely libellous. They were dishonest and deceitful.

As I said, not a substantive motion but in debate on the Gambling Industry Regulation Bill accusing the Hon. Mr Redford of being dishonest and deceitful. The Hon. Carmel Zollo, on 24 July, speaking on the Appropriation Bill, referred to the Liberal Party's pre-selection system as corrupt. The Hon. Mr Holloway on 14 November 2001 said:

> Let us never forget that this government's election began with a lie.

Further, he makes references to 'corrupt governments'. Again, that was not on a substantive motion. I suspect that it was probably on a matter of interest—a five minute grieve. On 3 June 1999, the Hon. Carolyn Pickles said that the government's lies have been so transparent, so deceitful, that South Australians had found a new low in this government. Further on she said:

> The government lied to the people of this state about its intentions with the future of ETSA. There is no question about that fact.

That is just a small cross-section of the last three or four years that I managed to pick up this morning. I hasten to say that I am sure that, if one went back over any four-year period, a selection of quotes perhaps similar to that would have been found in the debates in this chamber. I use those to indicate my view that, in my time in this parliament, we have had vigorous and robust exchanges within the chamber. Accusations of corruption or criminality and unparliamentary words such as obscenities have been the sort of things that in the past have been ruled out by standing order 193. From my viewpoint, I believe that the next category of attack words, if I can describe them as such—that is, 'serial misquoter, 'not being open and accountable, 'deceitful'—

The Hon. R.K. Sneath: Whingeing and whining opposition.

The Hon. R.I. LUCAS: —'whingeing and whining opposition', 'misleading'—have always been accepted and they ought to be allowed as attack words in vigorous and robust exchange in this chamber. If we adopt the new approach that members of the government are trying to impose—

The Hon. P. Holloway interjecting:

The Hon. R.I. LUCAS: Well, points of order have been taken that the expression 'serial misquoter' is an injurious reflection under standing order 193, as is 'misleading', 'deceitful' or 'hypocritical'; yet it is fine for the Hon. Gail Gago to say in her contribution this afternoon that the Prime Minister and the commonwealth government are full of hypocrisy. However, if the opposition in this chamber calls this government hypocritical or full of hypocrisy, that is the sort of attack word that the government is seeking to prohibit.

Members interjecting:

The Hon. R.I. LUCAS: The Hon. Angus Redford is highlighting the point, quite rightly, that it is government members who are wimping on this issue because what has been vigorous and robust exchange for 20 years, in my experience, is now not acceptable to members like the Hon. Bob Sneath, the Hon. Carmel Zollo and the Hon. Paul Holloway. Last week the Hon. Angus Redford said that an honourable member had abandoned or neglected his electorate (I forget the exact words) and the Hon. Paul Holloway said that would not be accepted in any other parliament in the world. I agreed with the ruling that was made at the time. It is tantamount to nonsense to suggest that that would not be accepted in the other parliaments of the world.

The Hon. R.K. Sneath interjecting:

The Hon. R.I. LUCAS: As I said, whingeing and whining opposition has been used and patented by members before. The other area—

Members interjecting:

The Hon. R.I. LUCAS: That is just not correct. I have highlighted examples (and the leader was not here) where Labor members—and I only looked at the last four-year period—individually insulted members of the former government, made accusations of criminal behaviour and corruption, almost—

The Hon. Carmel Zollo: You should have looked up your contribution when I was appointed parliamentary secretary.

The Hon. R.I. LUCAS: The Hon. Carmel Zollo seems to think that all I am raising here are issues of the last four years. My experience of 20 years is that there have been vigorous and robust exchanges in this chamber on both sides. I have been open and honest about this. I have been more than willing to dish it out on occasions but equally I have accepted it on many occasions in relation to certain issues. My point is that this is about trying to keep a government accountable. If opposition or non-government members cannot use the words 'serial misquoter', 'deceitful', 'dishonest' or whatever in attacking the government of the day, it is a serious inhibition on an opposition in terms of trying to keep a government accountable. This is where we come—

Members interjecting:

The Hon. R.I. LUCAS: The Hon. Mr Holloway can argue if he wants to about individuals and the ministry. Executive governments comprise 13 or 14 ministers and, if the minister is saying that it is okay to call a government a criminal government but if the remarks are made about an individual minister, that is not okay, I do not think that is the way the standing orders ought to operate. My view is that there is at one end of the continuum allegations of criminality or corruption, those sorts of things, or objectionable or obscene words that can be ruled out of order, but if you are going to allege criminality or corruption, that is the sort of thing that ought to be done by way of substantive motion.

However, in this chamber, if I want to make a criticism of a minister, I now have to move a motion in private members' business, and that is why we have so many of them, expressing grave concern at recent appointments by the government or expressing condemnation of a minister in terms of his behaviour. If we make that criticism in a grieve or in a bill or something like that, points of order are being taken that this is an injurious reflection on a minister. We now need to adapt our *Notice Paper* so that we have motions in private members' business on these issues.

I raise this matter because, on a strict or literal interpretation of standing orders, it is very difficult to work out what some of our standing orders are intended to achieve. If we are going to become a chamber of literal interpretation of standing orders, which is significantly different to our past practice, I will take up the issue with my members. We do not have a concluded view—

Members interjecting:

The Hon. R.I. LUCAS: We have had about three in the last two weeks. We do not have a concluded view as a party on this side, but we have also had a discussion with other members as to whether or not some of the standing orders need to be revisited in terms of exactly what is intended by some of them. Having had a look at the standing orders over the last 24 hours, not just those that relate to the issue that I am raising, I wonder what they are intended to achieve.

Members interjecting:

The Hon. R.I. LUCAS: That is part of the point that I am leading to. When you look literally at some standing orders—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: The Hon. Angus Redford refers to one of the standing orders, and I have lost my reference to it. On a literal interpretation of the standing orders, speeches cannot be read in this chamber, yet I am not sure why that should be the case.

An honourable member interjecting:

The Hon. R.I. LUCAS: I know we use the device of 'copious notes', and that is always the excuse that all chambers use. However, why is there a standing order which says you cannot read a speech in this chamber? I have heard the historical argument for it, but on every occasion ministers read second reading explanations into the *Hansard*. We now incorporate them into *Hansard* without reading. A good number of members read. The Hon. Ms Gago is the most recent example. From her viewpoint—I do not agree with the content—she would see it as a well prepared and constructed contribution to the Address in Reply debate. I do not understand why we would need to continue to—

An honourable member interjecting:

The Hon. R.I. LUCAS: Well, that is another example. But why is it that we cannot read speeches in the parliament? Standing order 109 provides:

> In putting any Question, no argument, opinion or hypothetical case shall be offered, nor inference or imputation made, nor shall be any facts be stated or quotations made, including quotations from *Hansard*, of the debates in the other House, except by leave of the Council and so far only as may be necessary to explain such Question.

I suggest that, if rigorously implemented or imposed, standing order 109 may well change the behaviour and actions of some members in this chamber. The standing order I was referring to earlier about not reading speeches is standing order 170, which provides:

> Speeches must not be read, but members may refer to notes.

We can look at standing orders 187 through to 189, and 189 provides:

> No member shall read extracts from newspapers or other documents, referring to debates in the Council during the same Session, excepting *Hansard*.

I understand the interpretation of that relates, in essence, to alternative recording of the debates in a newspaper, as opposed to the official *Hansard* transcript. Certainly, if one looks at a literal translation of standing order 189, any reference by a journalist in a newspaper, referring to debates in the council during the same session, and any commentary on those debates, may not be able to be read as an extract from that particular newspaper. I accept that that is not the advice that table staff will provide to the President and, indeed, to other presiding members, but, again, if one is coming back to literal interpretations of standing orders, it would certainly change our practices and procedures in a significant way.

Certainly, when one looks at standing order 188, it is hard to work out what that standing order is intended to achieve, and the discussions with table staff that I have had have not thrown any light on it to me, in relation to what standing order 188 achieves that is not already achieved by other standing orders. Mr President, 192 and 193 are the key standing orders in relation to objectionable or offensive words. Standing order 193 provides:

> The use of objectionable or offensive words shall be considered highly disorderly; and no injurious reflections shall be permitted. . .

Standing order 192 says:

> No member shall reflect upon any vote of the Council or upon any Statute.

A literal interpretation of standing order 192 certainly rules out a number of statements made by members who indicate their opposition to laws that they may not have supported. The standing order provides:

> No member shall reflect upon any statute, except upon a motion for rescinding or appealing the same.

If a member is opposed to a particular law, whether it be the existing drug laws, or any other law, a literal interpretation and implementation of standing order 192 provides that no member shall reflect upon any statute, except upon a motion for rescinding or appealing the same.

So, unless you are proposing to rescind a law or repeal it, you cannot reflect upon any statute. Our practice has not been to implement rigorously standing order 192. We have been able to certainly reflect upon laws as individuals if we so choose, contrary to a literal interpretation of standing order 192. Standing order 190 provides:

> No reference shall be made to any proceedings of a committee of the whole council or of a select committee until such proceedings have been reported.

Again, a literal interpretation would mean that, as an individual member, we cannot refer to the proceedings. It comes down to what has been a practice and a precedent in relation to the definition of 'proceedings'. Certainly, on the widest interpretation, once a committee of the whole council is established, or a select committee, no reference shall be made to any of its proceedings.

Our interpretation of that has been that deliberations and findings of a select committee shall not be reported publicly until they have been reported to the parliament. There was a famous case of a lower house member being the subject of attack when he revealed the findings of a particular committee prior to its report being tabled in the parliament. That is certainly how that standing order has been interpreted by parliaments, including our own. However, I suggest that if one reads standing order 190 literally, it can be read much more broadly than that more limited and restricted interpretation.

I do not intend to go through all the other sections and standing orders, but I wanted to highlight those half dozen to indicate that we have not, in my view, interpreted literally a number of the standing orders in the parliament. Over a period of time, in my view we have adopted sensible and reasonable standing orders for this place. We have also had a convention where, unlike the other house, the standing orders have not been amended other than with the agreement of all members.

In the past, there have been occasions when standing orders have perhaps been agreed to by a majority of members but not by a significant minority and they have not been proceeded with, unlike what has occurred in the other place.

That is certainly a convention that I have supported and will continue to support.

From my viewpoint, if we are to look at our standing orders in terms of their exact drafting—and that is one of the options that I am potentially flagging, and I am not indicating that as a definite option—it would occur only if there were the agreement of all members that we would make any changes to the standing orders. As I said, depending on where things head, from government members in particular in relation to these standing orders, in the future it may well be that the Standing Orders Committee of this chamber will be asked to look at some of these standing orders to try to ensure that the onerous task of opposition and Independent members of this chamber is not inhibited by government members seeking to impose a more literal and restricted interpretation of the standing orders.

I hasten to say that the points that I make today are not only for this parliament, with you as its President, sir, but for future parliaments when you may or may not be the presiding officer. I acknowledge that presidents always have their own particular view about the way they go about their task in the Legislative Council. In my contribution today, I do not in any way seek to be critical of the difficult job that you undertake, Mr President. I speak on behalf of opposition members when I say that we have a great regard for the difficult task that you have undertaken in the past 18 months. We have confidence that you will continue that difficult job over the next 2½ years.

However, I feel strongly about some of the issues that have been raised in recent times by government members. An issue that we ought to discuss, whether it be in this chamber or informally, is in relation to what level of attack opposition members, non-government members and, indeed, government members are entitled to use without their being seen to transgress standing order 193 in particular in relation to injurious reflections. With that, I support the Address in Reply.

The Hon. T.G. CAMERON: Today, I take the opportunity to consider two issues of importance: first, one to which I usually give some attention in my Address in Reply contribution, namely, motor vehicles; and, secondly, I will look briefly at the Auditor-General's role in the departmental inquiry into the 'Randall scandal'.

Under the Rann government, owning and operating a car has become an expensive luxury. Savage increases to registration and compulsory third party insurance, driver's licences and administration fees will see the government expecting to raise more than $340 million this year alone. This is up from $310 million in the final year of the Liberal government—an increase of $30 million, or 9.6 per cent—and it is certainly well and truly above CPI increases.

You will note, Mr President, that, before the last election, the current government promised that government fees and charges would be increased by only CPI—that is, they would not rise by any more than CPI. Well, that has turned out to be a whopping great lie, because fees and charges all over the place have been increased by more than the CPI. Between 2001 and 2003, the cost to register and insure a four-cylinder car increased by an average of 18 per cent; and between 2001 and 2003, the cost to register and insure a six-cylinder car rose by an average of 16 per cent. For the same period, the cost to register and insure an eight-cylinder car saw an average increase of 15 per cent. Just to rub salt into the wound, if you can afford to pay your registration only quarterly, you will be $20 worse off with a four-cylinder car, $26 with a six-cylinder car, and $32 with an eight-cylinder car. I do not know why we have different rates for six and eight-cylinder cars if you decide to pay the registration quarterly.

There have been other increases as well. Driver's licences have increased from $22 to $23, and they now attract an $11 administration fee each time the licence is renewed. Of course, this means that motorists who can only afford to renew their drivers licences yearly are $100 worse off over 10 years than are those who can afford to buy the lot, first up. Looking at public transport, I see that, between 2001 and 2003, single trip ticket prices have gone from $2.60 to $3.30, a rise of 27 per cent. I did not hear the Hon. Gail Gago saying how proud she was that the government had done that. Multi-trip tickets have risen from $19.80 to $21, a rise of 9 per cent.

During 2002, the most recent year that we have complete figures on speed cameras, over $32 million was raised as a result of speed camera fines compared with $28 million during the last full year of the Liberal government. So, once again, the government has increased the use of speed cameras by about 14.9 per cent. It is very difficult to prove, but it is quite clear that the way speed cameras are used is a bit like netting for fish. South Australia has the most speed cameras per licensed driver of any mainland state.

The Hon. A.J. Redford: You're kidding!

The Hon. T.G. CAMERON: No; we have the most in Australia. I am pleased you interjected, because this is one of the reasons why I was critical of a former transport minister, whose way of tackling the state's horrendous road toll—which was the highest in Australia—was to put in more speed cameras, thinking we would save people's lives. Again, it was always a single, very myopic attitude towards how to combat the road toll. It is a fact that we have one speed camera per 64 000 drivers, which is the highest rate in Australia, and that does not take into consideration the soon to be introduced red light cameras, also capable of capturing speeding motorists. We have had a 15 per cent increase in speed cameras since this government first took over. That means that the drivers of South Australia are paying an additional $4 million a year for speed cameras, and we still have the worst accident rates in the country.

Last year more than one in five South Australian drivers were issued with a speeding infringement notice, the third highest rate of any state. The road toll, however, continues to climb. It now stands at 10.2 deaths per 100 000 people and is the worst of any state. Surely, one day the penny will drop for some people that, while speed is a significant contributor to accidents, placing speed cameras on main arterial roads and slugging motorists $32 million a year (an increase of 15 per cent over the past two years) is not the way to reduce our road toll. Our road toll continues to climb. In the last 10 years, nearly 2.5 million expiation notices have been issued and nearly $300 million collected as a result of speed cameras alone. I am talking only about speed cameras, not laser guns. Yet, the number of people being killed on our roads and the number of people caught speeding have hardly changed at all.

Last year I called upon the government to take a closer look at new guidelines introduced by the British Labour government for how they use their speed cameras. I understand that they will do so. For example, under British guidelines, speed cameras cannot be placed for political or revenue raising purposes; sites with the greatest casualty problems must be given priority. That is a far cry from the

way we use them here. Cameras must have warning signs and be highly visible. Speed surveys of sites have to be conducted in advance of placing cameras. No camera housing should be obscured by bridges, signs, trees or bushes, and cameras must be visible from 60 metres away in zones of 40 mph or slower and 100 metres for all other limits. Mobile speed camera users must be highly visible by wearing fluorescent clothing and their vehicles marked with reflector strips. Camera sites must be reviewed at least every six months to ensure that visibility and signing conditions are being met.

About the only criterion that is used for the placement of speed cameras here in this state is that they are placed where they will raise the most revenue. Despite this, the government continues to use them with even more vigour than did the previous government, with little research, analysis or investigation into their appropriateness or effectiveness, as long as the till keeps ticking over and the money keeps pouring in. If the government is serious about saving lives, then speed detection devices should be sited strategically, using hard evidence and research. If you add all these figures together—registration and insurance fees, stamp duty, emergency services levy, licence fees, speed camera fines and public transport costs—all of them well above the rise in CPI, then I suppose all members of the Labor government are proud of the fact that this government has ramped up government fees and charges, contrary to its election promises. In other words, its election promises were nothing but a basket of lies.

The next matter to which I turn my attention is the Rann and Randall scandal. Specifically, I wish to examine the Auditor-General's role in the departmental inquiry, actions he took subsequent to that and this government's failure to live up to its open, honest and accountable government mantra. It is ironic that the first people to be caught out by new laws are usually those who make the laws, and the first people to breach standards are usually the ones who set them. So much for the higher standards for politicians in the country! We have had a secretive internal investigation by the government into possible illegal activities within the Premier's own department that were signed off by a secretive internal process by the Auditor-General—a process that, I might add, is still secret. We still do not know what was in the correspondence that was forwarded to the Premier. We have the confidential reply sent to the Premier on 20 December last year, and it is my understanding that that reply has been released by the Premier. We have heard zip out of the Auditor-General at this stage.

The government must be called to account, if not in law, then at least by its own self-proclaimed standards. The government must be open and accountable and it must appear to be open and accountable, and so must the Auditor-General. I want to pose a few questions to the government. Will it release the letter of request drawing the attention of the Auditor-General to the internal inquiry? We have not seen that yet. The Auditor-General refers to it, and I will come to it a little later in his reply, but I do not think we have seen this letter. So, at this stage, whilst the Auditor-General's reply has been made public by the Premier, we do not know what it is that the Premier actually asked him to look at. He has kept the letter he sent to him a secret but made available publicly the Auditor-General's reply. So, did the government require the Auditor-General to keep secret or confidential any information he gained? Did the Auditor-General intend to keep the information in the document secret? Certainly, we had not heard any comments by the Auditor-General that he had conducted this inquiry and given the government the all-clear. I strongly suspect that, had the matter not been raised in another place by Vickie Chapman, we would never have heard about it.

I do not wish to go through the acts—time does not permit that—but one would have thought that, if any public servant or bureaucrat should be honest, open and accountable, it is the Auditor-General. Heaven forbid! He has pilloried everybody else over the last 10 years at various times for not being open and accountable. It raises the question: did the government require the Auditor-General to keep quiet about this matter? In the original correspondence that was forwarded to the Auditor-General by the Premier—which we have not seen—is there some statement forcing the Auditor-General to keep quiet about this matter? We will not know that until Mike Rann releases the letter.

The Hon. A.J. Redford interjecting:

The Hon. T.G. CAMERON: Well, we are not certain about that. But, certainly, it would appear that the Auditor-General intended to keep secret the information in the documents and intended, as well, to keep secret the reply of 20 December. It was marked confidential and, until the Premier released it, it was buried in the archives. Did the Auditor-General intend to keep secret the information in the documents? If not, in performing his role as the Auditor-General, when did he intend to advise the public of South Australia about the request for the inquiry, his findings and what transpired? Did the Auditor-General choose to withhold from this parliament information he gained in his investigation?

Again, it raises a question as to whether or not he ever intended to advise parliament about this secret investigation. The question I pose to the Attorney-General is: has the Auditor-General breached any act or duty arising under the act or in any act in keeping secret the information that he gained? Until these questions are answered, the spectre of dishonesty and secretive government will hang over this administration. I suspect that there were many in the public arena who already had thought the government had acted dishonestly and secretively.

Certainly, until this time, with the possible odd exception, I do not think the public had formed a view that the Auditor-General had acted dishonestly or secretively, or was acting in a way that was denying the public of South Australia information. That is one of the tragedies that has come out of this debate. There is now a cloud hanging over the office of the Auditor-General. Is there any way at all that he conspired or acted in concert with the government to ensure that this report never reached the ears or the eyes of the public? One would hope not, but one could certainly understand why someone, when looking at what transpired, would come to the view that the Auditor-General chose, if he was not so directed by the government, to keep this sordid mess a secret.

I wish to discuss the role of the Auditor-General in a broader sense; and I am talking here about the Auditor-General and not Randall Ashbourne or the matter that is sub judice. I am confining my comments to the Auditor-General, as this is the place to raise this issue, despite his claim that I criminally libelled him when he chose to get parliamentary privilege. This is the appropriate place in which to raise question marks about the Auditor-General's performance.

I am certainly one of those who question his role and performance, and now, following what has transpired, unless we get more information, I question his bipartisanship. The Auditor-General stated to the Economic and Finance

Committee that he has to balance the representations he receives from members of parliament, both over the phone and in writing, with his concept of audit independence. We know the Auditor-General can be directed to initiate an audit of a public body only by the Treasurer; and a reading of the act indicates that it is only the Treasurer who can instruct or order the Auditor-General to conduct an audit or an inquiry.

We have not seen Mike Rann's letter to him, so we are unsure as to whether or not Mike Rann merely requested him to look at this information or instructed him. If the letter was written by the Premier instructing him to do this, then the Auditor-General has acted outside his powers. Only the Treasurer can direct him to do this. Apart from this, he is completely independent and cannot receive direction from anyone—except parliament, of course. In essence, the Auditor-General can decide what to investigate and what not to investigate. The decision is up to him. The member for Enfield in the other place referred to this as 'passing the threshold of relevance'.

We need to know what standards the Auditor-General adopts to determine this threshold. He should give this parliament and the people of South Australia a guarantee that the standards he sets and the weighting he gives to the various factors that determine what he investigates are in the interests of good government and the rule of law, not just a secretive, selective, subjective and arbitrary process. Audit independence is all well and good, but without responsibility there can be no checks and balances on the office. The Auditor-General must not only be bipartisan but also must be seen to be bipartisan. His recent actions only support the claim from some that he has become partisan and an instrument of this government. This is not helped when he is conducting secret inquiries for the government, which may be outside the ambit covered under his act. I am not a solicitor, so that will be for someone else to determine.

The Auditor-General's office is not an independent commission against corruption. It is not an Administrative Appeals Tribunal. It is not an alternative government. He is the Auditor-General and his primary function is auditing. This debacle only supports the call from the Hon. Ian Gilfillan for the establishment of an independent commission against corruption in South Australia. If this matter was in New South Wales, it would have gone straight to the commissioner and he would have appropriately dealt with it.

I do not believe that it was appropriate for the Auditor-General to have been called in on this matter in the first place. I suspect the real reason for calling in the Auditor-General was in the hope that somehow he would sanitise or legitimise the process that had been undertaken by him. As I have indicated, the Auditor-General was either requested or instructed by the Premier to look at certain material. I want to read the Auditor-General's confidential inquiry dated 20 December 2002, which was in response to a letter dated 4 December that he received. It certainly was not a Port Adelaide Flower Farm inquiry: he was able to sort this out within a couple of weeks and, obviously, at much less cost. The letter states:

> Dear Premier, re Mr R. Ashbourne and Hon. Michael Atkinson MP. I have reviewed the material made available to me with respect to the abovementioned matter enclosed with your letter of 4 December.

None of that is very helpful; it does not tell us anything. It continues:

> In my opinion the action that you have taken with respect to this matter is appropriate to address all the issues that have arisen.

That does not tell us very much. Then the Auditor-General finishes off with a rather sycophantic sentence which states:

> The arrangement for all ministerial advisers to attend a briefing session early in the new year about the standards of conduct expected of them is an important initiative and should obviate the potential for any repetition of the difficulties that have arisen with respect to this matter.

Anyone who believes that statement is a complete clown—and that includes the Auditor-General for having written it. That statement is a nonsense.

The Auditor-General has conducted a two-week inquiry in secret. We do not know whether he has taken legal advice or how much it has cost. We do not even know what the inquiry is really about. This letter just says that it is regarding Mr R. Ashbourne and the Hon. Michael Atkinson MP. I thank the Premier for belatedly coming out and stating that he will have an inquiry into this matter once the Anti-Corruption Branch has finished, because there needs to be one, and that inquiry should have all the powers that the Motorola Commission had.

Another matter that comes to mind—and, again, I am not a lawyer—is that a perusal of the Whistleblowers Protection Act 1993 reveals that section 5(5) (page 4) provides:

> If a disclosure of information relating to fraud or corruption is made, the person to whom the disclosure is made must pass the information on as soon as practicable to—
> (a) in the case of information implicating a member of the police force in fraud or corruption—the Police Complaints Authority;
> (b) in any other case—the Anti-Corruption Branch of the police force.

This raises the question of why the Premier never referred this matter in the first instance to the Anti-Corruption Branch of the police force. Surely the Premier of this state would not argue that he was not aware that there was a Whistleblowers Protection Act and that he did not realise that this was information relating to potential fraud or corruption? In other words, why did the Premier not refer this matter (as required under this section of the Whistleblowers Protection Act) to the Anti-Corruption Branch of the police force? I have a fair idea why he did not. It would have quickly found its way into the public domain.

An honourable member interjecting:

The Hon. T.G. CAMERON: The opposition would have found out and the matter would have been raised in February and not six months later. So, somebody came up with the great idea of sending it off to the Auditor-General because he would not tell anybody, he would keep it quiet. I can understand and accept that the Hon. Mike Rann may not have been aware of the details of the Whistleblowers Protection Act and may not have known that it is an offence—

The Hon. J.F. Stefani: He's got plenty of advisers, hasn't he?

The Hon. T.G. CAMERON: Well, he has got plenty of advisers, but let's give him the benefit of the doubt on this occasion. I know it is a long bow to draw and the Hon. Julian Stefani objects, but whilst I am inclined to agree with him I am feeling in a generous and gracious mood today, so let us give the Premier the benefit of the doubt and say that he was unaware of that. However, the one person to whom you cannot give the benefit of the doubt is the Auditor-General. No-one will ever convince me that the Auditor-General would not know the Whistleblowers Protection Act off by heart. He would have known that it contains a section that requires information relating to fraud or corruption to be forwarded under the Whistleblowers Protection Act to the

Anti-Corruption Branch of the police force, which is where the Premier had to forward it in the final analysis anyway. I suspect that at that stage someone pointed out to him that there was an act covering this kind of stuff and that it had better go off to the Anti-Corruption Branch. So, whilst one can forgive the Premier, one cannot forgive the Auditor-General.

The Hon. J.F. Stefani: He may not have been aware.

The Hon. T.G. CAMERON: Who?

The Hon. J.F. Stefani: The Auditor-General.

The Hon. T.G. CAMERON: I cannot agree with that interjection. The Hon. Julian Stefani says that the Premier would have to have known. I do not agree, because premiers do not always know the details of acts.

The Hon. J.F. Stefani interjecting:

The Hon. T.G. CAMERON: Let me finish. We are talking about the Auditor-General and the Whistleblowers Protection Act. People ring his office all the time about this act, so you and nobody else will convince me that the Auditor-General was not aware of this provision. If he was not aware of it, then he is derelict in his duty.

What did the Auditor-General choose to do? In my opinion, he did not fulfil his role as the Auditor-General. He should have said, 'Hang on a minute. I'm required to forward this information to the Anti-Corruption Branch.' For all the Auditor-General knew—because, as I understand it, he did not conduct an inquiry into it—there could have been corrupt behaviour taking place. We could still find there was corrupt behaviour taking place, there may well have been fraud, but the Auditor-General, the top man in the state on this, did not accept his responsibility in relation to this matter that it should not have been secretly investigated by him, that it should have been forwarded to the Anti-Corruption Branch and properly investigated by the police.

The Hon. A.J. Redford: Rann had the whistleblowers act annexed to the Ministerial Code of Conduct.

The Hon. T.G. CAMERON: Well, as I said, I am feeling very generous today. Let us accept that he may not have been aware of it, but I cannot accept that the Auditor-General was not aware of it. This raises a further question. The Auditor-General runs an audit office which is designed to keep the government accountable (as well as statutory authorities on referral) in terms of how it spends money. What is the Auditor-General doing reviewing material made available to me about Randall Ashbourne and Michael Atkinson? It does not say what it is about, but then it says:

> In my opinion, the action you have taken with respect to this matter is appropriate to address all of the issues that have arisen.

I do not think someone with a doctorate in English could do a better job of constructing a sentence that says nothing. Again I say that the Auditor-General's office is designed to keep the government honest, open and accountable in the way in which it spends its money. I do not know what the Auditor-General's office is doing running around conducting secret inquiries for the government on sensitive issues such as Randall Ashbourne and the Hon. Michael Atkinson. In view of this debacle, one could only encourage the Hon. Ian Gilfillan to introduce an act into this parliament calling for the establishment of an independent—

The Hon. Ian Gilfillan: It's all prepared and ready to go.

The Hon. T.G. CAMERON: The Hon. Ian Gilfillan says that it's all prepared and ready to go. If he is looking for a seconder when he lodges it, I am more than happy to volunteer. The Auditor-General's office is designed to keep the government honest, open and accountable in the way in which it spends its money. In turn, we could hold the Auditor-General—when I say 'we' I mean the parliament—honest, open and accountable for the way in which he interprets his powers, investigates the public accounts, spends his time and spends taxpayers money; and we must keep the government accountable for the way in which it uses the office of the Auditor-General. I support the adoption of the Address in Reply to the Governor's speech.

The Hon. R.D. LAWSON: I rise to support the Address in Reply. I commend the Lieutenant-Governor for his able presentation of the Governor's speech. Regrettably, this speech contains an uninspiring grab-bag of things that the government proposes to do during the forthcoming session. I congratulate Her Excellency the Governor for the excellent way in which she has been conducting her viceregal office. She brings to that office a unique perspective and has been an excellent head of this state during her term of office. May I also congratulate the Lieutenant-Governor, Mr Bruno Krumins, for the service that he does this state.

The Governor's speech is, however, an uninspiring and pedestrian document. It offers little prospect of any inspired leadership for this state. There is a quote from a little known and not much regarded poet these days, Ella Wheeler Wilcox from the *Set of the Sails*, who wrote:

> Tis the set of the sails and not the gales that decide the way we go.

The Rann government has an opportunity at this time to set the sails and course of the ship of the State of South Australia. It has singularly failed to set an inspiring course. I want to confine my remarks to the course the government has set on the subject of law and order. What is this government's guiding star on law and order? What principles will it follow? This Address in Reply is an appropriate place to pause in our journey along the path of history to look back along the path to see from whence we have come, and to turn in the other direction and look ahead. If we look at where we have come on law and order, we will see a long catalogue of failure.

I will briefly summarise some of these failures. In its first budget, this government abandoned the excellent Operation Challenge program conducted in our correctional institutions. The one program that was designed to assist offenders who were prepared to address their errant ways—abandoned. Secondly, the therapeutic drug unit at Cadell—abandoned by this government. Psychological services, including research and education links with the University of South Australia in criminological matters—abandoned in this government's first debate.

Next, this government slashed funding for local crime prevention programs and repudiated the contracts, which had been entered into by the state government with local councils in relation to crime prevention. This government has failed to appoint even one additional police officer in its term. This government has refused to support a Liberal proposal that the state adopt the United Kingdom's system of taking DNA samples from all persons who are arrested and taken into police custody. It talks tough about law and order; it talks tough about its initiatives in DNA, yet it is not prepared to adopt a regime, which it ought to have adopted if it was true to its own rhetoric.

This government has not, as it claims, increased penalties for lighting bushfires—an extremely popular announcement: it has, in fact, reduced penalties. The maximum penalty for

lighting a bushfire, under the old terminology of 'arson', was life imprisonment. When faced with a bushfire incident, and before the television cameras, the Premier, wanting to sound tough, said, 'We will increase the penalties.' No doubt he was told, when he returned home, 'Listen, boss, the maximum penalty is already life imprisonment.'

So, he said 'Well, we will create a new offence of lighting a bushfire. We will make the penalty for that 20 years, less than life, and, as no-one else has bothered to have such an offence in any other place, we can say that this is the toughest penalty for this offence.' He has not been tough: he has been keen on the wheel of spin. Another example of that is what the government did in relation to habitual criminals. Our law has long given to our courts the power to order the indefinite detention of an habitual criminal whose release into the community would represent a danger to the community.

That has long been a power, not often exercised admittedly. But what did this government do? It took away from the court that power, whilst at the same time talking tough, and there are a number of commentators and others in the community who were gullible enough to take the government at its word. What it has simply done is adopt an artifice. True it is that serious repeat offenders, as they are now described rather than habitual criminals, can receive a longer sentence. However, the fact is that the court's power to order, in exceptional circumstances, indefinite detention has been removed. Again, it talks tough but it does not act tough.

This government failed to support the establishment of a sentencing advisory council, which would have increased community input into sentencing policy—an excellent initiative adopted in other places and in the United Kingdom, but rejected here because it was not the idea of this government or this Attorney-General, but was an idea that we on the Liberal side picked up, admittedly from a Labor Prime Minister of the United Kingdom, Tony Blair. It was objected to on the grounds of cost. It was said it would be too expensive to set up a community group to have some input.

But cost was no objection when this government wanted to find $1.8 million a year to appoint the member for Mount Gambier as a member of the government to complete a consummate political deal. Cost was no objection when the Treasurer, at a public meeting in his own electorate, could suddenly find, without apparent cabinet approval, $30 million for the purpose of establishing an opening bridge in his electorate. The government was able to find $660 000 in short notice for the purpose of establishing and holding a Constitutional Convention.

It is interesting to note that in the Governor's speech there is no mention of any proposal of this government to adopt any of the measures proposed at the Constitutional Convention, but it could find that sort of money quick enough if it wanted to. It could find a million dollars, or more, for the holding of a referendum on the question of a low level radioactive waste repository in this state. It can find money whenever it wants to, except for the establishment of an excellent proposal such as the sentencing advisory council. My party supported in another place this week the anti-fortification laws, and we still support them, but do not pretend that these are tough laws.They are an admission of defeat.

The Attorney-General himself knows that outlaw motor cycle gangs exist. There are six them. They all have premises around the metropolitan area. If those people are really committing crimes, why not charge them? Why not use the existing powers? There are simply not enough police resources, and this government is not prepared to put in those additional police resources. Another example of this government's talking tough, but which is simply window-dressing is the offensive weapons and dangerous articles legislation, which relates to carrying offensive weapons in or in the vicinity of licensed premises between the hours of 9 p.m. and 6 a.m.

If it is offensive to carry a baseball bat in the vicinity of licensed premises in those hours, why is it not offensive to carry it at some other hours? Why would you treat differently the swinging of a machete in a hospital waiting room to someone doing the same act in licensed premises? This government has been keen to take the credit for a number of initiatives that were started by the previous government, for example, hydroponically grown cannabis, the Victims of Crime Act and the anti-fortification measures I have just mentioned.

One of the policies of this government is life imprisonment for selling commercial quantities of drugs to children. Life imprisonment sounds impressive. The current penalty is 30 years, and I doubt that anybody has been sentenced to anything like that for that particular offence. Not for a moment do we doubt the necessity for appropriate criminal penalties and the safety of the community, but this government is more interested in headlines. It is more interested in spin.

This government has also found that an easy way to gain a headline is to attack various scapegoats, and it has chosen criminal lawyers as such. The Premier has attacked the legal club, as he calls it. The Attorney-General has condemned all lawyers as living in leafy suburbs. The Premier attacked the Bar Association when it had the temerity to raise a matter that he did not agree with. He refers constantly to 'criminal lawyers', suggesting that those lawyers who practise in the criminal field are complicit in the crimes with which their clients are charged.

The Premier and the Attorney-General have been two-faced and hypocritical in relation to their dealings with the legal profession. They are very happy to get the benefit of the headline that prominently attacks lawyers and legal snobs, and we see it on page 1 as an exclusive in *The Advertiser*, but, when confronting a delegation of the Law Society or the Bar Association, the answer is always that they were misquoted or quoted out of context.

The Hon. Carmel Zollo interjecting:

The Hon. R.D. LAWSON: We are not responsible for the media, but this government seeks to milk them. The attack on Judge Lee by the Premier for a particular sentence I thought was illustrative. They were made-for-TV grabs on a sentence in a particular case, and then we had the Attorney-General saying, 'Tut, tut! The Premier should not have said that.' Even the Minister for Correctional Services, the Hon. Terry Roberts, got into the act by claiming on radio that his government was considering chemical castration for sex offenders. He did not put it in his media release, he did not put it in his announcement, but when the suggestion was made on radio, he took it up. It was an opportunity and, sure enough, he got page 1 headlines for apparently considering something that every person in this council knows he is not interested in doing.

The government has attacked the Parole Board—another soft target, another scapegoat, another way to make yourself look tough. However, no new policies have been announced in relation to parole. There has been no direction from this government as to what its parole policy is. The best example

of it was the first occasion on which the government refused the parole recommendation of prisoner Watson.

Members interjecting:

The ACTING PRESIDENT (Hon. R.K. Sneath): Order! Question time finished some time ago.

The Hon. R.D. LAWSON: The mother of the victim of Watson's terrible crime said that she was called out of the blue at 10 o'clock at night by the Premier to announce what he thought she would welcome as great news, and the media were there to speak to her. She did not welcome the decision because she herself had met the offender in a formal process and had come to terms with the fact that at some stage he would be released. The importance of the point is that there was the Premier at 10 o'clock at night, ringing this woman out of the blue, trying to milk this as a media event.

The Attorney-General has been cultivating the art of the slur, as my colleague the Hon. Angus Redford demonstrated admirably yesterday in the speech he made in relation to what this Attorney-General said about Dr Tony Thomas. The *Sunday Mail* last weekend had the perfect example of the technique of the slur that this Attorney adopts, in an item entitled 'JPs back on the bench'. It is not a press release: it was just something exclusively given, no doubt, to the *Sunday Mail* to say that justices of the peace will be returning to metropolitan magistrates courts. What does Mr Atkinson say about this? He says:

> Some lawyers do not like appearing before Justices of the Peace because Justices of the Peace do not have law degrees or legal training.

There is a slur: a slur on lawyers. The use of JPs in this way was a recommendation of a report initiated by the Hon. Trevor Griffin quite some time ago. This was a recommendation that justices should be used in a certain way. The lawyers and the legal profession, to my knowledge, and certainly not in the report, have never suggested that lawyers do not like appearing before justices of the peace because they do not have law degrees or legal training. That is the sort of slur at which this Attorney is most admirable. At the same time, I might say that he is honing his skills in the art of the crawl. Having spent years in opposition attacking sentencing decisions, he now comes forward from time to time in unctuous defence of decisions made by the courts.

When the funding for a new sex rehabilitation program was announced in May of this year—we have not yet seen it—the Premier said:

> My message to the judges, the lawyers, the Parole Board is: we have given you the resources for your rehabilitation program, now prove to me and to the community that these rehabilitation programs work, because I will be on your tails, watching.

What hypocrisy! What hot air! It is charlatanism, bluster and meretricious posturing, which is exactly what we get from this government on law and order. It is a complete fraud.

I started my Address in Reply contribution on the subject of the setting of the sails, if I might return to that nautical analogy. The time has come for Premier Rann to set a course and to select the sails for the next stage of the journey of this state. The good ship South Australia deserves a great deal more than we are getting.

The Premier and his crew might be forgiven for not knowing what to do when they were unexpectedly handed the tiller in February 2002. At that time the skipper simply sent his crew out to get reports on anything and everything, and they did: 135 government-funded reviews and six summits, and there is very little, if anything, to show for it now. They had the luxury of taking over a ship that was on a good course, and the vessel was very well provisioned, even though they claimed that it was not—a claim, incidentally, subsequently demonstrated to be completely false by my leader the Hon. Robert Lucas.

The Governor's speech should be telling the people what course this government has set, but that is not the style of this government. Its idea is to run up a little sail every now and then to try to catch every passing breeze; to catch any headline; to float any idea; to try any gimmick; to rearrange the deckchairs; and to run flags up the mast and have people cheering on the decks. But they ought truly to set a good course that holds firm and steady and does not zigzag everywhere as they are at the moment.

This government sees a whiff of cloud on the horizon, a little turbulence, and it quickly changes course. I am glad to see the Hon. Terry Roberts, the good old sailor, back in here for my nautical story. The only person who has walked the plank so far has been the hapless Able Seaman Ashbourne. We on this side of the council know that many, perhaps even a majority, of the passengers on the ship of state want a comfortable ride. They are happy when the ship is stationery, no one is getting seasick, and the flags are fluttering nicely. But this government ought to show some leadership, not simply seek popularity in the short term. The Economic Development Summit came up with ideas but we have not seen any results.

The Layton report has come forward with 200 recommendations but nothing from this government. The Drugs Summit produced hundreds of recommendations, but a miserly $3.25 million, more than half of which was allocated to a methadone program within prisons, is all that we see from that expensive exercise. Likewise, the Constitutional Convention, another talkfest, has not yet produced anything. In this state, in the longer term, when the other ships go sailing past, we will come to realise that we will be washed up on to the rocks or swamped by external forces.

This Premier should know that because he was in the wardroom when a previous crew sailed the ship of South Australia on to the rocks and almost sank her. He is the only member of the parliament who had a hand on the wheel in that shipwreck, apart from his deputy who was a cabin boy at the time. This government is all talk on law and order. It has no course. This government is all tough talk but it is not backed up with action or funding or commitment. It is nothing more than empty rhetoric. I support the adoaption of the Address in Reply.

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

MEMBER FOR BRAGG

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I lay on the table a ministerial statement in relation to the member for Bragg made by the Deputy Premier.

STATUTES AMENDMENT (MINING) BILL

The House of Assembly agreed to the Bill without any amendment.

ADJOURNMENT

At 6.05 p.m. the council adjourned until Monday 13 October at 2.15 p.m.