LEGISLATIVE COUNCIL

Thursday 3 July 2008

The PRESIDENT (Hon. R.K. Sneath) took the chair at 11:02 and read prayers.

LEGAL PROFESSION BILL

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (11:03): I seek leave to move a motion without notice concerning the conference on the bill.

Leave granted.

The Hon. P. HOLLOWAY: I move:

That the sitting of the council be not suspended during the continuation of the conference with the House of Assembly on the bill.

Motion carried.

SITTINGS AND BUSINESS

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (11:03): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

TRAINING AND SKILLS DEVELOPMENT BILL

Adjourned debate on second reading.

(Continued from 8 May 2008. Page 2894.)

The Hon. SANDRA KANCK (11:04): Early this century the school leaving age was raised from 15 years and the Democrats opposed it, and one of the chief reasons was our concern for the impact on both students and teachers of forcing those who were not academically inclined to stay at school without appropriate subjects and supports. When the Rann government increased it yet again, I decided to accept that particular bill because I was assured that these students would be properly catered for and, from that perspective, this bill is an essential follow up, perhaps even a companion bill, to the bill that raised the school leaving age.

In his second reading explanation, the minister has understated the importance of this bill. It is an important bill, and it is a good bill. Nevertheless, with the minister having understated it, I will pick out one sentence in his explanation that I think is probably the centrepiece of what it is all about. He stated:

Our state must balance the need for a flexible and responsible training sector with ensuring that the interests of apprentices, trainees and students are protected.

That is absolutely fundamental and what this legislation is about. It is about protecting people, particularly young people (as many of them are), from exploitation and assisting a group of people who are often reasonably powerless because of their age to deal with what can be legalistic situations.

So often when people speak about higher education they are talking about universities, yet it really is only a very small percentage of students who go on to university. Far many more are involved in other forms of higher education, and TAFE is one of those. I know that very often businesses get better value out of TAFE-trained employees who have hands-on practical experience and they get them at a lower salary than a university graduate who knows only the theory. From my perspective, industries need workers who are willing to get their hands dirty rather than getting a piece of paper from an academic that tells them how it is that people get their hands dirty.

For some decision makers TAFE is considered inferior to university, when in fact I consider them to be very much equals but operating in different fields. Rightly they provide different courses with different curriculums with different outcomes, and I say 'viva la difference'. So many educational facilities unfortunately aspire to universities, and I was one who in the 1970s attended

a college of advanced education, which had a very important part to play in the education system. However, they all wanted to be unis, and they became unis.

TAFE in many ways fills that role that the colleges of advanced education did in the 1970s. I know that this bill deals not only with TAFE but also with the registered training organisations, the RTOs, but I am particularly interested in TAFE. My husband is a TAFE lecturer, and I suppose you could say that, over the last 35 years, I have heard a lot of pillow talk about TAFE.

The Hon. Carmel Zollo interjecting:

The Hon. SANDRA KANCK: It was on last night, was it? Good. Partly because of that, I am a very fierce defender of TAFE. It is a system that has had a very rough trot over the years, particularly during the years of the Howard government at a federal level. That government's insistence that education had to make money (a nonsensical philosophical approach), I think, was one of the most unjustified philosophies that emerged during the 1990s. This, of course, was fed by that monster, competition policy, which, by the way, having criticised the Howard government for what it did in terms of education, I have acknowledged was instituted by a Labor federal government.

The Democrats had a bumper sticker some years ago which read, 'Education is an investment not a cost', and that remains my position. The Rudd government has promised an education revolution, and perhaps we will see a proper investment finally made, but I hope this does not turn out to be a non-core promise. The TAFE system has been lumbered with a primary requirement of generating revenue. If the Rudd government does live up to its promises, I think we will see a change, and hopefully we will find that TAFE is required to deliver education and training as its utmost principle rather than generating revenue.

Most students in this sector of education tend not to be political activists, unlike the student activism we see on university campuses. Very often the study is part time on top of holding down a job, an apprenticeship or a traineeship, so asking questions and challenging those in charge is not easily done. We also have (not necessarily in the TAFE system) overseas students who study here to learn English, and I think in many cases they are at an even greater disadvantage because they have a language barrier in the first place and the fact that they are not even Australian citizens.

If something goes wrong it is very easy for these sorts of students—the non-politically active TAFE students and overseas students learning English—to have a problem. Most of them are not likely to buck the system, and we therefore need to have protections in place. Again, it is why this bill is important. We need to have a watching brief to ensure, for instance, that we do not have financial fraud going on in an RTO, and that certainly can happen if there is not adequate oversight. As an example, my very first trainee about five years ago was doing his training through an RTO and, about six months into that traineeship, the particular RTO went bust. Fortunately, the Department of Treasury and Finance was able to sort that out in terms of the traineeship being able to continue.

Overall, we need to make sure that we have protections in place for any students who are being taught by an RTO with that as a risk. As I say, my husband is a TAFE lecturer, trained in the New South Wales system. He taught at one of these RTOs in the 1990s, and he was dealing with students who were apparently, according to the website and that sort of thing, being taught in mechanical skills, and there was not a lathe in sight, just a few vices and files, and you cannot teach students all the skills that would be required in these trade areas without a lathe. Those students were obviously being short-changed.

I want to see TAFE being a pacesetter in skills and training, and I want to ensure that those sorts of shonky operations are, first, kept out of the system; and if they do get into the system, they are shut down very quickly. TAFE has been put through a lot, and I give an example of the recent waste of money putting all TAFE lecturers through police checks because of our concerns about child abuse. Most of the lecturers in our TAFE system do not even teach minors. This was money that could have been spent on education. Where lecturers would be teaching minors, possibly through the extension of the school system, obviously, you would need to do police checks.

What happened, I believe, was simply an exercise in transferring into police coffers money that ought to have been devoted to further education. I was contacted by someone in the university sector who had been subjected to similar police checks, and he suggested that SAPOL had set up a new money-making business called Police Checks Incorporated! TAFE lecturers always find there is another plan. Someone's new concept has to be introduced and the lecturers have to use up their time attempting to adjust to this new theory and this new framework, and right now it is competency-based skills.

I do put on record that I fear that, because of this change, at the beginning of the next year there will not be enough lecturers ready and available with those skills to deliver the courses, and it will be interesting to see how the government deals with that at the time. I also have a lot of doubts about competency as a measuring stick, because it sounds like we are expecting less of students. I predict that in five years someone will publish a paper that says competency-based learning was the wrong way to go, and lecturers will have to go through a new round of adjustments. I know that some of what is required of TAFE is because of national agreements, but I do wonder why various ministers reach these sorts of agreements in the first place.

I also retain my concerns about what appears to be the deliberate downgrading of facilities and courses at Panorama TAFE. Members may recall that I asked questions about this earlier in the year, and I have also written to the minister about it. I have asked about a Diploma of Information Technology course which failed to deliver the agreed industry placements necessary to allow students to complete the course.

It is tough, to say the least, when courses are axed part way through, leaving students without academic advice being made available to them. I am aware of courses associated with Panorama TAFE being dragged from one campus to another, with both lecturers and students being left out of the loop. I do not know whether this bill can deal with that issue. As I said earlier, I want TAFE to be a leader and not a follower. These sorts of things make it difficult for TAFE to be relied upon.

This bill rightly puts in place some industrial relations protections for young people. Again, I go back to my husband's experiences when training apprentices in New South Wales in the 1970s. On numerous occasions he told me about students who were being used as cheap labour by their employers, and the only training they received was the day they spent at the TAFE college.

I am pleased to see in this bill the existence of the Training Advocate recognised. I would like to see a much higher profile for this office, as it offers an excellent contact point for all parties concerned with training. Young men and women transitioning from school to work through traineeship and apprenticeship programs are vulnerable. Many are navigating the workplace for the first time. They need to be assured of their rights in the workplace and in the training place. It is not good enough for employers to keep them on the books and use them as cheap labour for two, three or four years.

We need to ensure that a high level of training and supervision is delivered, both at work and through the RTO. Many young people would benefit from entry-level positions across a broad range of industries and, in a time of skills shortages, we should see a strong emphasis on supporting these people to become engaged and productive members of the community.

While I regard adequate inspection and supervision important, Business SA has expressed concerns about what will be required of it as a consequence of this bill. It says that its members will have to make 2,000 site visits each year before signing off on apprenticeships. I would be interested to hear in the minister's response his take on that allegation.

Business SA and the Motor Trades Association have written to me expressing disquiet about a number of aspects of this bill. I note these concerns for the record, although I do not necessarily agree with all of them. The Motor Trades Association argues the need for a compulsory dispute resolution process to be put in place before the Industrial Relations Commission becomes involved. It has also raised questions about fairness for employers when appearing before the Industrial Relations Commission. It also argues that the unfair dismissal provisions would hinder the dispute resolution process.

Business SA acknowledges that the current act—which will be repealed as part of the passage of this bill—constrains flexible skills development, but it says that the bill fails to overcome the problems of the existing act and is ideologically driven. Business SA raised a number of other concerns, principally about a decrease in the representation for business on the commission. It does not like the registration system proposed in the bill and it does not want the IRC used for dispute resolution.

I am not arguing the case of these two organisations. To the contrary, I think that using the IRC in the way proposed in this bill is a very good idea, and I like the idea of no legal representation in the dispute resolution process. After all, a young man or woman on apprentice wages would not have the money to hire a lawyer and would be at a distinct disadvantage if we did allow it. That power disadvantage is something that members ought to consider in deciding whether to accept the concerns raised by some industry bodies.

However, as I said, I recognise that Business SA and the Motor Trades Association have raised these concerns. I expect that, in speaking to the bill, the opposition will argue its case; and I see that amendments have been placed on file by the opposition today. We will no doubt further tease out these arguments during the committee stage of the bill. I indicate Democrat support for the second reading.

The Hon. M. PARNELL (11:20): The Greens support this bill. We believe it is a sensible rewriting of the current act. It would be clear to all members that a healthy economy and a healthy society requires a diverse range of skills. Those skills should be acquired through a range of methods, including formal training, on-the-job training and training programs that combine an element of both of those. I think that this legislation seeks to strike the right balance between the competing interests at stake.

It seems to me that the key objective of the bill should be to ensure the quality of training. The bill should also seek to protect the rights of trainees who are generally young and more vulnerable workers, but it needs to do that in a way that balances the rights and needs of trainees and apprentices with the expectations of their employers as well. It also seems to me that the bill before us is not a radical departure from the existing legislation. In fact, I am appreciative of the government providing me with a comparative table which shows that the provisions of the current act and the provisions of this bill are similar in most respects.

I have had very little correspondence from organisations in the community, but I have received a detailed submission from the Motor Trades Association South Australia. I took the opportunity to raise the group's concerns with the government during the briefing that I was given.

It seems that the Motor Trades Association's concerns fall into two main categories. At one level they are concerned about additional red tape—for example, they are opposed to the registration provisions in the bill—and they are also concerned about the dispute resolution provisions. I note, from the amendments just tabled by the Hon. David Ridgway, that it is the dispute resolution provision that is the focus of the opposition's proposed amendments.

I would also like to put on the record my thanks to Steven Griffiths, member for Goyder in another place, the shadow minister for employment, training and further education, who has been very diligent in his role in keeping me and (I am sure) other crossbench members informed in relation to his party's position. If we could have that level of diligence from all shadow ministers, it would make our lives a lot easier.

The amendments (even though we have had them for only a short time) seem to be fairly straightforward. They relate to the creation of a new division of the Industrial Relations Commission of South Australia: the Training and Skills Division. I note from some very recent correspondence this morning from the shadow minister's office that the estimated cost of such a new division could be in the order of $750,000, which does make it an expensive exercise because, as I understand it, the number of disputes is not very high. I do not recall the exact figure but I recall that it was over 100 but less than 200 per year, which makes creating that new division an expensive exercise.

Nevertheless, I am sure the opposition has some powerful arguments that it will present to us as to why a new division is appropriate, and I will listen to those arguments with interest. In the absence of compelling arguments from the opposition, the Greens' position is to support the bill as it is, but we look forward to hearing how creating a new division in the Industrial Relations Commission will improve this bill.

The Hon. D.G.E. HOOD (11:24): I would like to join the Hon. Mark Parnell and put on record Family First's thanks to Steven Griffiths in another place for his diligent assistance with understanding the opposition stance on this bill and, indeed, arranging briefings with some of the bodies lobbying on this particular piece of legislation. We are very grateful for that.

In short, though, I rise to support the second reading of this very important bill. We are here considering a review of the Training and Skills Development Act 2003 and the recommendations for change that come about as a result of that review. From the outset, when investigating this bill, it was apparent to Family First that this was a high-level bill, if you like, in the sense that there has been very little lobbying from individuals or families but a great deal of lobbying from the major lobby groups.

A failure to train and skill the next generations—and indeed the present one—is bad for the state, the economy and families and, presumably, it is bad for the environment as well. Hence, it is important that priority is given to highly strategic thinking on providing training for tomorrow.

Otherwise, where will our doctors, nurses, mining engineers, business leaders, innovative farmers, counsellors, welfare workers, environmental scientists, and the like, come from?

I hope we do not end up in a situation where we have to rely to an unhealthy extent on costly foreign labour simply because we do not have sufficiently skilled South Australian workers for our needs in the future. Indeed, looming large on the horizon is the much-touted mining boom, and there is a clear need to have the workers we need trained for the challenges of that impending boom, lest we have to import workers from interstate or, indeed, overseas to fill those significant skills shortages.

If that is the case, it will not be a good outcome for the state or for South Australian families or business. It is disappointing, therefore, that families are struggling either due to family members who cannot find work because they do not have sufficient skills or because they are under the burden of rising costs when industry or business passes those costs on to families due to skill shortages. Worse still, if we have children in state care being accommodated in hostels or even left in abusive homes, families suffer there also. So, we need to get the training and skills right today for the needs of tomorrow.

In many cases, the needs of today cannot be filled. To that end, I believe the government has the right focus on this bill, and that is in depoliticising the training and skills development board by reducing, if you like, factional interests and, instead, getting people on the board with the right skills to do the job.

I might add that, in briefing, we were told that a high-profile identity would be picked to bring profile to the board. I hope that choice is very carefully made. There is a case for having high-profile people on these boards at some level but, surely, what is important is the merit that that person brings to the job rather than their status in the community.

The Hon. D.W. Ridgway: It's one of their celebrity mates.

The Hon. D.G.E. HOOD: Indeed. It is very important to have the appropriate skills on the board rather than somebody who is well known. I do, however, have one concern about this board and would appreciate the minister's answer to this question. If the board is independent, does that independence flow through to taking responsibility if we have a skills shortage in the years ahead? To put it more directly, can the government pass the buck to this board if we have a problem in relation to a training and skills shortage in the years ahead?

If the answer is that the government can do so, then I think this is difficult. We elect governments to govern, and it is of concern to see a trend towards advisory boards being scaled down—not just in South Australia, to be fair, but indeed across the nation—in various arenas and instead seeing independent commissions established.

The desirable thing about an advisory board, as the name suggests, is that it advises the minister, and the minister makes a decision and wears the consequences. Family First is very comfortable with that arrangement. Having an independent commission suggests that the commission is responsible for the decision it makes, abdicating ministerial responsibility in some cases or, at the very least, reducing it. We would appreciate an answer from the minister on the question of ministerial accountability on this issue.

After all, the National Centre for Vocational and Educational Research (NCVER), a major national independent research body, tells us that in 2006, of 121,710 students in vocational education training (VET), some 87,850 (or approximately 72 per cent), are in TAFE or other government training; so, leaving aside the community and other sections into which government also has input, the implication here is that a clear majority of training responsibility falls to the government in relation to the provision of training and skills development services. To be fair to the minister, funding for these students is mixed between state and federal levels, but the question of the independence, and therefore accountability, of the Training and Skills Commission, I believe, is, indeed, valid.

I turn to the question of outputs from training. The NCVR tells us, based on 2007 data, that there are some 34,870 trainees and apprenticeships statewide, and just under 71 per cent of those are based in Adelaide. In the briefings, we were told that some 7,500 of those training contracts are not being completed. NCVR data shows 10,610 completions in 2007, which makes some 24,260 incomplete, from simple arithmetic. That, in theory, leaves 16,760 more contracts of training incomplete, as I said—not just 7,500. However, Family First accepts the argument put by the minister's office that a non-completion in a given year does not mean that the course is not under way.

Stepping away from the statistics and the semantics of 'contracts of training' and 'training contracts', in layman's terms, apprenticeships and TAFE courses are being started, but they are not being finished at rates that would be desirable—according to the government, some 7,500 per annum. Indeed, the government tells us that this is an undesirable output situation, and Family First agrees. Whilst there will always be attrition in this type of area, where we can improve, we should try to improve. I ask the minister how that non-completion situation compares with other states and territories across the land.

I am aware of the opposition's amendments to the bill, and will properly consider those at the committee stage. I observe that the opposition's amendments reflect a difference of opinion with the government about whether we should dis-establish, if you like, the Grievances and Disputes Mediation Committee that operates under the present legislation and give its jurisdiction completely to the Industrial Relations Commission or, rather, create a separate division of the IRC called the 'Training and Skills Division'. The Liberal position, we are told in a draft letter from the minister, means:

> A preliminary estimate of the costs of setting up a separate division, with a division head and an expectation of appropriate resourcing, is in the order of an additional $700,000 per annum to taxpayers. Statistics (Appendix 1) from 2007 show a total of 87 cases heard by the GDMC. On this basis the cost of establishing a separate division is about $8,000 per case.

I guess the comment to be made is that that is not an insubstantial amount of money. However, it may be, after hearing the opposition's arguments, that it is also a very appropriate amount of money that needs to be spent in order to provide the appropriate facilities and resources to ensure that it functions appropriately. So, we are certainly not ruling out support for the amendment and we look forward to the committee stage.

I am being told that the IRC has the capacity to subsume this number of cases within its existing caseload, due in part, perhaps, to the diminished caseload thanks to the removal of unfair dismissal laws by the former federal government. If that is true, it makes me immediately concerned about whether we have been funding a body without enough work to do for some time. I think we ought to explore that a little further in the committee stage, and further comments on that from the minister would be useful.

On a related note, much has been made of the point that the IRC has given undertakings that it will be able to handle these disputes in the timeframes discussed. We are legislating here on the basis of a promise that it will reach these matters in reasonable timeframes and, from what I know about the courts, delay is almost synonymous. The IRC, to be fair, can be faster than, say, the Supreme Court, but I would appreciate knowing more about the resourcing and caseload capacity of the court, along similar lines to my previous questions, so that we can be certain that these guarantees from the IRC are rock solid and actually turn out to be what is promised.

The last thing I want to record at this point is my concern about situations where, say, an employer finds an apprentice is clearly breaching trust in the workplace, such as—the worst case, I guess, or one of the worst cases—stealing money from the employer, which in the ordinary employment context would be grounds for instant dismissal. Yet here we are looking at a situation where that apprentice is merely suspended until a hearing is held, and that suspension, as I understand it, would be with full pay.

I am sure that members can begin to see my concern about the IRC being up to the task of mediating and resolving these disputes quickly, because in some cases family businesses—as a lot of training providers are—are going to be throwing away money to a person who has committed a gross breach of trust against their organisation, as in the instance I described of an apprentice stealing money, equipment or whatever it may be, and this will be a significant cost to family businesses, as the accused waits for their day in court.

This is a tricky balance between employer and trainee rights, but I do raise that concern which I think relates back to the question of how quickly disputes can be heard. If they can be heard very quickly then the cost will be relatively minor and perhaps appropriate, but if disputes cannot be heard quickly then that cost could be very significant for small training providers and family-based organisations. So, we have a real concern about that.

Justice delayed is, indeed, justice denied, and that applies here as well as in any other court context, and this is our concern about the live issue that continues about this bill. Having placed those concerns on record, I indicate Family First's support for the second reading. Family First very much looks forward to the committee stage, and we are certainly open to the opposition's amendments and we look forward to its arguments.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (11:35): I rise on behalf of the opposition to indicate our support for this legislation, with some amendments, which other members have already referred to. They relate to the establishment of a separate division within the Industrial Relations Commission, a training skills division. I will come to that later in my contribution.

We have training and trainees here, and it is only just recently that I have noticed that the government has given members in this place additional resources to cover equipment for the government trainees who work in our offices. I am pleased to see that, but it took some considerable time, as I am sure you are well aware, Mr President, from correspondence I had with you and others, to actually get the Treasurer and the government to come to the party to provide its own government trainees with resources.

There is a little hypocrisy, I think, that we are dealing with this legislation, yet there was an issue to do with trainees, training and skill development and that we actually had to put a significant amount of pressure on members of the government to come to the party. However, that is a side issue from this bill. This bill follows the review of the Training and Skills Development Act 2003, which led to a discussion paper being released some time in 2006. In response to that paper, the minister has proposed a new act of some 79 clauses, nine clauses dealing with associated amendments to the Fair Work Act.

The Liberal Party has consulted extensively on this bill. I know that others have thanked Mr Steven Griffiths, in another place, for the work he has done in negotiating and consulting on the bill , and I would like to add my thanks. The honourable member has had ongoing discussions with two groups in particular: Business SA and the Motor Trades Association. Initially, Business SA had some 30-plus areas of concern, but many of those dissolved throughout the debate and evolution of this bill and now only a few significant concerns remain. These relate to the involvement of the Industrial Relations Commission in considering disputes between employers and employees, and that is the nature of the amendments I will be moving, probably this afternoon.

The focus of the Industrial Relations Commission should not be to resolve disputes relating to training contracts. In its detailed response to the bill, Business SA put forward the suggestion of creating a training disputes tribunal; unfortunately, upon investigation, the legislative technicalities of this were found to be somewhat impractical. As an alternative, I will move an amendment later today to create a training and skills division within the Industrial Relations Commission. Such an arrangement would allow representatives of employee and employer groups to be involved in a panel.

The concerns expressed by Business SA mainly revolved around the general idea that this bill is being promoted as 'visionary'. In South Australia at the moment we are facing the economic threat of a major skills shortage, so to be visionary, when looking at this bill, we must realise that in coming years we are likely to recruit people from many other parts of Australia as well as from overseas. We may even find that we have a number of young people involved in training and skills development who come from non-English speaking backgrounds. That is the main thrust of it.

The minister quoted the cost of this particular new division as being some $700,000 and about $8,000 per case. While that does seem excessive, if we do have the boom in mining that I think we all expect to come at some point in the next couple of decades—it is certainly not here yet, and will not be here in the life of this current government, but we may see it at some point in the future—along with the associated booms in population, housing, development and a whole range of other areas, we will need a significant increase in migration to cope with that (indeed, the federal government has already flagged a significant increase in that area).

Many of those people will have children and they, as well as others, may enter into apprenticeships and training programs and may find it more difficult to cope with our language and laws and the way we work. So, while at present the $8,000 per case seems an expensive process, if we do get this boom in employment and economic activity we will have significantly more trainees in our system. If we have the same percentage of disputes, we are likely to see significantly more cases than we see currently.

Given that I will move these amendments this afternoon, I ask the minister to explain how minister Caica arrived at the figure of $700,000 for the establishment of the division—and I know she will probably not be able to answer that in her summing up. As I said, it is clear that in achieving economy of scale it will not be the disputes we have today; but, as the boom grows and we end up with more employment and more people, with a bigger society and community and workforce, we need to be properly visionary and realise that the level of disputes will grow. So I

would be grateful if the minister could provide those details—perhaps at clause 1 in the committee stage.

If we have this growth in employment, how many people and what level of traineeships are we likely to see? I notice from the minister's letter that we currently have some 35,200 contracts in training; what growth are we likely to see in those contracts over the next 20 years? I think it will be 2020 or 2030 before we can actually say that South Australia has had, or is in, a mining boom and, as a consequence, is benefiting from vastly increased economic activity and employment. Again, I would be grateful if the minister could take that on notice and provide the information at clause 1 in the committee stage.

The opposition fully supports the legislative abilities of the training advocate. This is an important instrument to ensure that minor issues are dealt with before they become serious disputes—or, better yet, never eventuate. The training advocate plays a pivotal role in the training and skills area, and I note that the advocate will be able to access the resources of the Industrial Relations Commission, and I reiterate the importance of this.

Initial concerns also revolved around the registration of a business prior to entering into a contract of training. Registrations will now need to be completed prior to a training contract being considered. This will require the auto-registration of the 8,000 existing employers as well as an estimated 2,000 employers each year. DFEEST has claimed that it has the resources to accomplish this; however, there is a fear that it will be another bureaucratic process that will not be fulfilled. In the consultation that the shadow minister had with the minister, he questioned what would happen if a registered business changed ownership; if the business operation change was outside the scope of the registration and the new one was not approved, what would happen to the trainee's contract at that time? The minister responded that, if a new owner's application for registration is denied, advice and assistance will be given to the apprentice and trainee about transferring their employment. The opposition is very determined to see that all possible resources are committed to this task, as it has the potential for a considerable loss of skilled workers coming on board due to failure to complete a certificate.

Concerns were rightly expressed by the Motor Trades Association about unfair dismissal claims—namely, that this could prevent small business employers from taking on apprentices directly themselves, or that they would get rid of apprentices during the three-month probationary period should any minor problems arise, instead of being prepared to work on improving poor behaviour over a longer period.

The MTA quoted the commonwealth government's position that no employee has the right to challenge for unfair dismissal within 12 months for small businesses or six months for larger businesses. The minister has stated that the transition provisions in the bill expressly deny apprentices/trainees the right to bring such a claim against an employer. The MTA and the opposition are satisfied with this position.

I will read from a letter which the Hon. Mark Parnell and the Hon. Mr Hood have quoted and which the opposition received at about six o'clock last night. I will put some areas on the record, particularly some of the questions the opposition raised and the minister's response. The opposition's question was as follows:

> For apprentice/trainees employed via a group training scheme, but with a host employer, is the group training scheme required to hold the registration or is it the responsibility of the host employer, or indeed both? If both are involved, and a host employer contravenes the Act in some way to such a level that their registration is cancelled, could this result in the registration of the group training scheme also being cancelled?

The minister's response was:

> The Group Training Organisation is the employer party to the training contract and is therefore the body that is registered. The 'host' employer is simply contracting services from the GTO and those services come in the form of labour from the apprentice or trainee.

Another point was raised by the shadow minister, which I thought was important to put on the record, because we got this confirmed:

> Serious and Wilful Misconduct.
>
> Confirmation by you to me in a meeting in your office several weeks ago that a 7 day suspension can be extended by up to an additional 28 days has allayed the concerns expressed by groups to me that the 7 day period was an impossible deadline for any form of tribunal to meet. This is no longer an area of concern.

We thank the minister for putting that on the record. It is no longer a concern.

In particular, we raised the issue of representation when appearing before a dispute resolution tribunal. It was the shadow minister's recollection that this issue was discussed in some detail in the House of Assembly debate on the bill, but the concerns still exist among the interested parties such as the MTA and Business SA. The shadow minister said:

> Clearly, an apprentice/trainee is entitled to have some form of representation/support at any formal hearing (for example by a union representative doing this as part of membership) but clarification is required on the ability of the employer to also to do.

The minister responded:

> The Bill does not provide apprentices or trainees with an entitlement to representation over and above that which applies to employer parties. Representation is only permitted through successful application to the SAIRC on the grounds of disadvantage, in the sense that a party is somehow prevented from presenting their own case. If representation is granted by the SAIRC, then it cannot be a lawyer or industrial agent and the representative must be acting gratuitously.

I will provide an example of an employer who has a representative of their professional association in a hearing with them. If this representative is provided as part of the membership fee, it is our understanding that this is supported by the bill but, if the attendance of the representative comes at an additional cost to the employer, this is prevented by the bill. The minister responded:

> Separation must be made between support—which is available to all parties to a dispute—and representation. Providing the representative is there in a supporting capacity there is no issue.

The second point I would like to make is that some associations would structure their membership fees not to include such support at hearings without additional fees being charged. The shadow minister wrote:

> I believe your comments on this that you want to keep the tribunals 'lawyer free', but employers are also entitled to representation.

The minister's response was:

> The provisions around representation—when granted on the grounds of disadvantage—apply to all parties to the training contract.

I think the MTA is still concerned about the issue of adjudication at the tribunal, so I raise this and ask the minister to bring back a response. The shadow minister wrote:

> Concern has been expressed that the IRC will appoint a person to both conciliate in the first instance and then arbitrate the matter. This could lead to an imbalance where allegations are made at conciliation which could influence the arbitrator when evidence is put forward.

The minister's response was:

> This provision is only valid providing the parties agree. The SAIRC are of the view that it would be the exception rather than the rule and applied to situations where time constraints or expediency issues of the utmost urgency where, with the agreement of the parties, a matter can move straight from conciliation to adjudication without further delays.

This morning the MTA raised concerns about the issues raised, and it is still not entirely satisfied that you can have the same person being involved in the conciliation in the first case, then being the arbitrator at the end. We would certainly like the minister's response later today. We raise that because this is in contrast with the dismissal laws where one commissioner performs a conciliation role and the other hears matters at the trial, with the first one making an assessment of the facts in the first instance, and that is not part of the trial as the parties initially proceed 'without prejudice'. That is why we have asked that question. It seems to be a little inconsistent with what happens at present in other areas.

With those comments, I indicate that the opposition is supporting the bill but we will move amendments which relate to the establishment of a separate division—a training and skills division—of the Industrial Relations Commission. I look forward to the committee stage of the bill and I urge all members to speak to me before we come back to that or to the shadow minister, Mr Steven Griffiths, and I look forward to your support.

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (11:52): I thank honourable members for their contribution to the debate on this bill. Traditionally this area of legislation has enjoyed support from all quarters of the parliament, and it is a vindication of the general recognition that this legislation is important in helping to provide opportunities for all South Australians to develop and enhance their skills and to position themselves to find sustainable and rewarding employment. In the current economic climate where

the skills and workforce development area have assumed a more prominent position on the national and, indeed, international agendas, the updating of the legislation through this bill is now even more critical for our state.

There has been a long and extensive consultation process surrounding the development of this bill. The government believes the initial concerns of stakeholders have largely been addressed. This is reflected by there being only one opposition amendment, to create a new division of the South Australian Industrial Relations Commission, and I understand the other amendments are consequential. This will be debated in committee, but essentially the government's view is that its model involving the SAIRC in the resolution of disputes about training contracts is less costly and less bureaucratic.

The consultations about particular aspects of the bill have generally focused on the processes that underpin the actual legislative provisions, and to this end the minister has given numerous assurances that key stakeholder groups will be involved in the development and continuous evaluation of the processes that support the operation of this legislation. Members have raised questions in their second reading contributions, and we will endeavour to respond to those in the committee stage. I commend the bill to all honourable members.

Bill read a second time.

LOCAL GOVERNMENT (SUPERANNUATION SCHEME) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 6 May 2008. Page 2704.)

The Hon. R.I. LUCAS (11:54): I rise on behalf of Liberal members to support the second reading of the legislation. The current local government scheme is administered by the Local Government Superannuation Board and conducts its business, we understand, under the name Local Super SANT (South Australia Northern Territory). The scheme operates essentially like a private sector scheme at the moment, and the state government has no financial responsibility for the scheme, although the scheme is established under the Local Government Act and there are a number of links. The second reading explanation makes clear that there are a number of links with state government instrumentalities such as, for example, the scheme's accounts being subject to audit by the Auditor-General. A number of others were also instanced in the minister's second reading explanation.

We are told that the scheme has just over 20,000 members and that the number of members is growing. We are told that a number of schemes are involved. We are told also that there are 172 active and participating employers, which is interesting in itself, because there are only 68 South Australian councils. There are provisions under the current arrangements for various bodies or organisations to be declared covered by the legislation, and we are told that 20 of those are Northern Territory councils and 84 of those are other non-council employers, a significant number of those being private hospitals.

In the briefing I had on this legislation I was informed that these other non-council employers at some stage or another had some association with local government operations in South Australia, so I am assuming those private hospitals must have had some association at some stage with local councils, but there are a number of other bodies or organisations that immediately spring to mind where, clearly, there have been occasions where local government employees have spent some period of employment with those associated organisations, and the scheme has been utilised to allow continuing coverage for those employees.

The second reading explanation makes clear that the genesis or catalyst for this piece of legislation was apparently the Local Government Superannuation Board. We were told in the second reading that it was the board that approached government seeking amendments to the scheme, and the second reading explanation traces a little bit of the history of those discussions and a little bit of the history of the operation of the scheme, which for my purposes I do not need to repeat. The guts of the bill is in essence summarised in the following paragraph of the second reading explanation:

> The plan of the Local Government Superannuation Board is for the scheme to also become a 'public offer fund' three years after the governance restructure in the Bill comes into operation. As a public offer fund, Local Super will be able to provide its services to any employee and employer. One of the other benefits of being a 'public offer fund' will be that employees who resign from council employment will be more attracted to leave their accrued benefit with Local Super and request their new employer to direct future superannuation contributions back to Local Super as their scheme of choice. As a trade off for becoming a public offer fund, the Local Government Superannuation Board has acknowledged that it will need to forgo the benefit of the existing mandatory requirement for South

Australian councils to direct all their new employees into the scheme. In other words, it is proposed that in three years time, Local Super will operate in the Commonwealth's full choice of fund regime, and all new council employees will be able to select the superannuation scheme of their choice. One of the other consequences of moving out into the private sector and competing for new members, is that Local Super also accepts that it will need to allow existing members of the scheme, as an option, to request their employer to direct future employer financed contributions to an alternative fund of their choice.

That paragraph in essence summarises the principle behind the bill. Put simply, the local government superannuation fund, or Local Super, will for all intents and purposes be a fully functioning independent superannuation fund of choice operating under commonwealth superannuation guidelines. As the second reading explanation makes clear, in doing so obviously it takes on board some element of risk. Obviously the board and the state government believe it is an element of risk that it is capable of handling not only currently but also in the future.

The wonderful joys of state government or local government superannuation of the past, where all local government employees were required to be members of the local government superannuation scheme and had no other choices, will be gone, and compulsory flow of membership and income for which they can invest will not necessarily always be there. If local government super not only now but at some stage in future does not perform, employees will be able to move seamlessly their superannuation contributions away from local government superannuation to any superannuation fund they might choose. I am sure that the Hon. Mr Parnell, who will speak after me, will be delighted at that prospect because it will allow them to choose any number of ethical or socially responsible investment funds—

The Hon. P. Holloway: Or unethical ones.

The Hon. R.I. LUCAS: That is indeed right: those who are only interested in maximising their financial returns can be as ethical or unethical as they like in their choice of funds. I am sure the Hon. Mr Parnell will not disappoint me by neglecting to feature that in his contribution in support of the legislation. In doing that, it raises elements of risk in terms of the viability and ongoing financial viability of the local government superannuation scheme because they will have to be out there competing in the marketplace for membership and income and they will be judged on their performance.

To that end, when I was being briefed I sought advice from the Chief Executive in relation to the investment returns and the recent investment performance, and in the spirit of trying to expedite the passage of the legislation today I will read the advice I received so that it is part of the formal record. The Chief Executive, Mr Szuster, stated:

I have attached a summary of our performance for our growth option over one, three and five years against the SuperRatings survey. The SuperRatings survey is the representative survey for superannuation funds in Australia and used by all of the media agencies when comparing superannuation fund returns. This analysis shows that Local Super's investment performance has been in the top quartile over all periods. In addition, Local Super has been rated as a platinum superannuation fund by the SuperRatings for 2008, which places us in the top 10 per cent of superannuation funds in Australia. This rating covers all aspects of the scheme's operations, including investment performance, governance, fees, administration and member services. The one area that the scheme excelled was in governance.

That is from the Chief Executive of Local Super. I seek leave to have incorporated in *Hansard* without my reading it a purely statistical table headed 'Local Super investment returns, 31 December 2007'.

Leave granted.

Local super investment returns: 31 December 2007						
	Net returns compared to SuperRatings survey					
Fund net return as at December 2007	1 month %	3 month %	FYTD %	1 Year (% p.a.)	3 Year (% p.a.)	5 Year (% p.a.)
Local super—growth	0.54	0.90	3.02	10.48	13.54	12.72
SuperRatings top quartile	-0.28	0.02	2.10	10.20	12.94	12.68
SuperRatings median	-0.71	-0.59	1.56	7.75	11.67	11.90
SuperRatings bottom quartile	-1.18	-1.39	0.46	5.78	10.55	11.21

The Hon. R.I. LUCAS: Based on that performance, at this stage Local Super will be judged by its members and any future members as being competitive. The government is intending—and we will agree to it—to take a punt that not only the current board and management are performing competently compared with their peers but that future boards, executives and management will perform competently compared with their peers and, if they do not, they face

potential problems in terms of ongoing membership of their schemes and the revenue or income they will attract from those members.

It is not all easy pickings and smooth sailing in fund management performance. In the discussions I had I asked questions about the range of investments and not just about the overall aggregate performance. I asked questions about decisions the board takes in relation to what it thinks it ought to be investing in. Most of the government related funds are managers of managers. They have professional advisers they oversight and they live or die by the selection of those managers.

The advice I have been provided with is that there have been at least two occasions—there might be more—where there have been specific investments by local government superannuation: Adelaide Airport and something called Australian Renewable Funds (I stand to be corrected on that as I am trying to read my writing from a briefing a month or two ago.) In relation to Adelaide Airport, it is an interesting one because these days, in terms of much public discussion about the need for massive infrastructure development, a lot of governments, politicians and fellow travellers say that superannuation funds ought to be investing in major infrastructure developments, and they ask why those funds are not being directed into that area.

Again, if I can speak as an individual, if they can be justified in terms of their performance with respect to investment, that is a good thing; but if I am a member of local government super I want it invested in things that will maximise my return, not necessarily because some politician somewhere, or some group of politicians at a government level (whether it is local, state or federal) deem that this is a good public sector infrastructure investment and it would be a good idea for super funds to be invested in it. The Adelaide Airport is a good example, because my understanding is that, for the first eight years of that investment, there were very low returns for local government super, but that in the last year or two years there have been very good returns.

It has been a decision taken on a long-term basis; and, clearly, we are talking about 10 years in the case of Local Super. It took, I think, 16 per cent of Adelaide Airport investment, which is a massive stake for a local super fund. As I said, for the first eight years there were very low—virtually negligible—investment returns. I do not know, when it was pitched to the board 10 years ago, whether it was as clear as that when the board signed off on it, that is: 'Board members, for the next eight years you will get virtually zippo return on this, but in about the eighth year we will get very significant returns.' I suspect it probably was not pitched that way to the board. I am sure it would have been pitched to the board that it was a long-term investment.

I am not sure whether it would have been as brutally frank as that, or whether management and others would have had that degree of detail. The bottom line is that it looks like being a profitable investment for the fund, and those employees who stayed in the fund for that 10-year period or so have seen significant returns. Those who did not in the first eight years might have seen that 16 per cent (whatever that turns out to) being invested in a range of other investments having a higher rate of return during that period. The other one is, I think, Australian Renewable Funds, or something like that. My understanding is that there has been something like a $10 million loss on that investment. A decision was made to take a punt on that investment and it has not worked out.

Now, let me be the first to say that all range of managed funds make investment decisions, some of which are profitable and some of which are not. I do not seek to portray a significant investment loss on this one as indicative of either poor management by the managers or poor investment decisions overall by the board. What I do indicate is that in this brave new world (or, indeed, even at the moment, but it is more so in the brave new world) you do have pressures in not having a stable base, that is, when you have a locked-in base in terms of the members of your scheme you know that you will have that locked-in base forever and you can take your punts on your investments and see how you go, but ultimately people are locked into having to stay with you.

When you move into the brave new world where people can all move, you will be judged brutally on your investment performance. You do not have a locked-in, mandatory base; and, if you do take too many of these decisions where you have significant fund losses, your overall performance will decline and people will make decisions. I hasten to say, again, that I do not want to over-emphasise the impact of one particular loss, because the reason why I put on the record the formal advice from the chief executive is that overall they advise us that their performance has been in the top quartile of similar funds. I assume that would have clearly taken into account all investments, whether or not they were good or less than good in their investment performance.

Again, I indicate opposition support for the legislation. Should the bill pass in the council, as we expect it to, we wish Local Super—the board, management and the members of the fund—well in the brave new world over the next three years, but particularly after the three-year transition period has expired. We hope that the wishes of Local Super in going into the brave new world will prove to be fruitful for its members in terms of the continuing strong performance of its investment returns for the future security of employees in local government (and anyone else for that matter) and their families.

The Hon. M. PARNELL (12:12): The Greens support this bill, which enables a restructuring of the Local Government Superannuation Scheme. It will come as no surprise to members to hear that my contribution today will touch on the subject of ethical superannuation. I do not want to disappoint the Hon. Rob Lucas. The reason why it is relevant to this bill is that Local Super, which is the business name under which the Local Government Superannuation Board conducts its business, does have an ethical superannuation fund of sorts. I want to do two things in my contribution, that is, try to dispel two myths in relation to ethical superannuation. The first myth is that members do not want it and they will not choose it if you offer it to them; and the second myth is that these ethical funds do not perform financially.

I think that the experience of Local Super shows that they are both myths, and if we learn from the experience of Local Super and translate that to the superannuation options offered to state public servants and to members of parliament, we will have a vastly improved system. The first issue in relation to the choice that members of superannuation funds are offered is that I believe it is useful to compare and contrast the choices offered to local government employees under Local Super with those offered to state public servants under Super SA. As members would be aware, Super SA provides the choice of seven investment options to members of the Triple S Scheme: cash, capital defensive, conservative, moderate, balanced, growth and high growth.

The default position for Triple S is balanced. In other words, if one does not elect any other option, one automatically falls in to the balanced fund. Some 93.76 per cent of Triple S members are in the balanced option, and 6.24 per cent are in other options. There are a couple of ways of looking at that. One is that only 6.24 per cent of people make any choice at all. You could say that some people have chosen the balanced option, and they exercised their choice by exercising no option and going to the default position. At the end of the day, a relatively small number of people exercise choice.

Let us contrast that with the options available to Local Super members. The minister's second reading explanation points out that the Local Super scheme is actually made up of several schemes, both defined benefit and accumulation in style. However, my understanding is that at least one of the main ones is the Marketlink scheme. Members of that scheme are offered six options for investment: cash, conservative, growth, Australian shares, international shares and—this is the important one for us—sustainable shares. So, there are six choices.

The default position if you do not make any choice is the growth option. But some 21 per cent of Local Super scheme members have chosen other than the default option. At the state level, it is only some six per cent, and at the local government level it is 21 per cent. We can ask why that is, and it may be that, when faced with a choice of conservative or growth, some people think, 'Well, this is for my retirement, so I'd better be conservative,' so they perhaps do not go for growth. The point is that one in five people make an election. The really critical figure for us is that 4 per cent of Local Super members who have investment choice have part or all of their benefit invested in the sustainable shares option. So, 4 per cent of people have chosen that option. This option was first introduced on 1 October 2002. Local Super points out as follows:

> This is not an ethical option as such as it does not have a negative screen for various issues. It aims to invest in organisations that operate the business on a long-term sustainable basis taking account of environmental, social and corporate governance issues.

With respect to Local Super, when we look at the definition that I have put forward on a number of occasions in relation to ethical investment, it is largely that: it is taking into account environmental, social and, more recently, moral issues in investment. So, it is a form of ethical investment. I think the myth that there is no demand is exploded by these figures.

On Monday, I attended the Legislative Council's Budget and Finance Committee, one of the more sensible committees set up by this chamber. It provides an excellent opportunity to quiz important public servants. We had the opportunity to ask some questions of the Under Treasurer, Mr Jim Wright. I asked him about what the blockages might be to superannuation options being available for state public servants. Whilst he was not quoting from any specific document, his view was that there was low demand; he suggested that maybe 1 per cent of people might take up this

option. Clearly, in the case of Local Super, when the option is there, 4 per cent of people have taken it up.

In his second reading explanation, the minister talks about there being 20,700 members of Local Super. So, if we apply 4 per cent to that figure, over 800 members have elected to choose the sustainable shares option. I do not have the exact figures for the proportion of total members in the Marketlink scheme, but my understanding is that it is the major scheme.

The second myth that I want to explode is this idea that investing in ethical superannuation is akin to making a donation to charity; that one will not make any money and that it is basically money sunk and lost. Looking at the performance of Local Super SA, if we compare its sustainable shares option with its growth option we find that, on balance, the sustainable shares option outperformed the growth option. If we take the first year of operation, the growth option has a very low increase of less than 1 per cent, very similar to the sustainable shares option, which went down 1 per cent. So, in that year, there was a 2 per cent difference.

However, the following year (2004), the growth option returned 11.97 per cent, but the sustainable shares option returned 16.1 per cent, a considerable increase. The following year (2005), the growth option returned 14.29 per cent and the sustainable option a little bit less—11.72 per cent. The following year (2006) was a great year for sustainable shares. They went up 23.66 per cent, yet the growth option went up only 14.95 per cent (some 8 per cent or so difference), so the sustainable shares outperformed growth shares.

In 2007, back to a closer comparison, growth went up 16.69 per cent and sustainable shares went up 15.39 per cent. When we look at those figures, on balance we can see that the sustainable shares have outperformed growth shares.

In supporting this local government superannuation amendment bill, I draw honourable members' attention to the fact that its scheme is successful. It offers an ethical option which is taken up by members, and it is an option that performs. I urge all members to apply that information when next we consider providing an ethical option for state public servants and members of parliament.

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (12:22): I thank the Hons Rob Lucas and Mark Parnell for their contribution to this debate and indications of support. The Hon. Rob Lucas referred to some answers that he has been provided with and he has put those on record, so there is no need to follow up anything in relation to that. If there is anything further, we can deal with that in the committee stage.

The Hon. Mr Parnell has made those comments about ethical superannuation before, of course, and the government has responded to that. I think the bill shows that you do not have to prescribe in legislation the possibility in relation to such schemes. You do not need ethical superannuation clauses to enable people to have that option, and that is really the point that the Treasurer has made in other debates.

He has indicated that he would look at the capacity of that happening through the public sector schemes, but I think those things are probably better done by administration rather than by legislation. I again thank honourable members for their contribution to the bill, and I look forward to its speedy passage.

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

CONTROLLED SUBSTANCES (CONTROLLED DRUGS, PRECURSORS AND CANNABIS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 May 2008. Page 2816.)

The Hon. D.G.E. HOOD (12:26): It will be no surprise to members that I rise briefly to indicate Family First's strong support for this bill. Drugs are a scourge in the community, and this bill appropriately increases penalties for the cultivation of hydroponic cannabis and places amphetamines in the most serious category of illicit drugs.

It also more appropriately deals with the manufacture and possession of drug precursor chemicals. Right now, the penalties for hydroponic cultivation of cannabis are nonsense. I have criticised, on numerous occasions, the current penalty for growing cannabis for personal use which,

regardless of the quantity essentially, is $500, even when hydroponics are involved and even if they are recidivist offenders.

When the street value from five large hydroponic plants can be in the tens of thousands of dollars, a maximum fine of $500 is absolute nonsense, and led me to introduce a private member's bill to substantially increase the penalties. The amendment to section 33K in this bill does not go as far as my bill went. My bill, which passed in this place, increased the penalty to $10,000 or two years' imprisonment. This bill proposes only a fine of $1,000 or imprisonment for six months, but the mention of imprisonment as a possible penalty opens up a wide array of sentencing options for a magistrate, and Family First certainly supports that move.

The fact is that cannabis is a far more dangerous drug than has previously been thought. A study released just a month ago in the American Medical Association's journal *Archives of General Psychiatry* found that long-term use may cause two important brain structures to actually shrink, and brain scans of cannabis smokers showed smaller hippocampus and amygdala than non-users.

Users scored lower than non-users in a verbal learning task, and about half of the long-term users in the study experienced some form of paranoia and social withdrawal. As many as 34 per cent of Australians have used cannabis at some point, including 81 per cent of male prisoners and 18 per cent of secondary school students; and so, as a legislator, I am very keen to take up the appropriate measures against this drug.

I strongly support the other measures to differentiate the stronger hydroponically grown cannabis, implementation of dosage units and the new penalties regarding precursors. These measures have been advocated by the Australasian Police Ministers' Council and have been requested by the Police Commissioner, so it comes as no surprise to members, I am sure, that Family First supports this measure. This is a good bill, and Family First supports it wholeheartedly.

Debate adjourned on motion of Hon. R.P. Wortley.

ENVIRONMENT PROTECTION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 17 June 2008. Page 3297.)

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (12:31): By way of concluding remarks, I thank honourable members for their contributions to the second reading stage of this bill. I thank members for their support. In reply, I will seek to address some of the questions posed by honourable members and clarify some points that have been made.

This bill is, indeed, not about the increase in the refund level, although the bill does contain provisions that address some of the potential consequences of the increase in the deposit/refund value, such as reducing the potential of the illegal transport of empty containers from interstate. Whilst CDL in South Australia has an outcome of recycling, resource recovery and diversion from landfill, litter control remains a key focus. As such, the scheme is targeted more at containers that appear in litter streams. Wine is generally consumed at home or at restaurants and has a high recovery rate via kerbside collection systems, making CDL unwarranted.

The legislation does treat some containers or beverages differently. This difference is probably most notable since the extension of the legislation to fruit juice and flavoured milk in containers of less than one litre and non-carbonated soft drinks, such as energy drinks, sport drinks and fruit drinks, in containers of up to three litres, which came into effect in 2003. Generally speaking, containers of more than one litre for fruit juice and flavoured milk are not prominent in litter, whereas containers of less than one litre, particularly flavoured milk, are very prominent indeed.

There are some exemptions with the current legislation, of which cardboard casks (wine and water) are included. Fruit juice is covered in containers of less than one litre, as explained earlier, whereas fruit drinks are considered to be soft drinks, which sees coverage for containers of up to and including three litres. I would suggest that there is a strong possibility that the recycling rates for any commodity that one might name would be greatly enhanced if it was subject to a mandated deposit or refund system, but it is outside of our exemption under the mutual recognition treaty to include containers other than sealed beverage containers within the scope of the beverage containers provisions of the Environment Protection Act. Such a move could only currently occur via a national scheme. Of course, we introduced CDL into South Australia before

mutual recognition legislation, so that is why, in some ways, it provides a cap or ceiling on certain containers which we could now include post mutual recognition.

As members know, CDL was primarily introduced in this state in 1977 as a litter control mechanism. This was to take account of the growing amount of drink containers found on the side of the road, in parks and waterways. Items such as peanut butter are generally consumed at home, and the existing kerbside recycling collection system adequately covers the collection of containers for items like this.

Pleasingly, there is currently a groundswell towards a national container deposit scheme. I can report that at the 16th meeting of the Environment Protection and Heritage Council (EPHC) on 17 April 2008, the council resolved to conduct an assessment of potential options for national measures. This includes container deposit legislation to address resource efficiency, environmental impacts, and the reduction of litter from packaging waste such as beverage containers. A preliminary report will be made to council at its next meeting in 2008, and a full report will come to council in 2009.

In the context of a national proposal for CDL, South Australia's experience is invaluable and has a lot to offer in terms of its success. While the government would fully support any proposal for a national scheme, it would not do so to the detriment of our existing model. I reiterate: this bill is not about the impending increase in deposit value to 10¢ (which will be implemented by an amendment to the regulations). However, I assure the house that the EPA has undertaken considerable consultation with the recycling industry on this matter, seeking to find the most efficient and effective transition for the refund level change with a view to minimising inconvenience and cost to industry stakeholders.

The bill contains provisions addressing potential rorting of the system through the illegal trafficking of empty containers from interstate. The bill provides a deterrent, including greater penalties, to help reduce activity occurring and placing a significant strain on the CDL system. The increase in refund value for beverage containers could increase the risk of containers coming in from interstate and, as such, any delay in the bill could exacerbate this concern.

I again remind members that this bill is not about the increase in the refund level. The appropriateness of the existing 5¢ refund level was considered at length, as was the suggestion that it should be increased to 10¢ or 20¢. The government investigated the potential for an increase to 20¢, but determined that there would be a greater impact on business from such a move. This decision took into account many factors, including the ability of the industry to cope with the transition—remembering that almost all of the industry operates within a national market. This was not the case when the legislation was first introduced. A 100 per cent increase from 5¢ to 10¢ was supported by the community, and was determined to provide enough incentive for consumers to increase the return of containers.

This bill provides for the regulation of super collectors, the entities who pay the collection depots to collect beverage containers from the general public. Super collectors were not previously recognised within legislation but will now be managed by conditions of approval which will, in effect, provide industry standards. The EPA currently collects data on the operations of the beverage container system, although current legislation does not cater for formal collection of data from super collectors. The data collected to date has been on a goodwill basis, and a condition of approval for super collectors will be the requirement to report on the numbers of containers managed—potentially on a monthly basis.

This bill proposes the regulation of super collectors for a range of reasons, the least of which is equitable regulation of stakeholders within this industry. The EPA is presently working through a range of conditions that may be able to be applied to super collectors, which may or may not have legal capacity to reveal the value of redeemed deposits. Certainly, super collectors will be required to provide return rates for beverage containers on a regular basis, although I understand they have been doing this on a voluntary basis for several years now.

The government is well aware of the benefit of container deposit legislation and its positive effect on greenhouse gas production; however, it is considered unnecessary to include specific reference to this issue in the bill. I thank members for their support and look forward to the committee stage of the bill.

Bill read a second time.

[Sitting suspended from 12:40 to 14:15]

ANSWERS TO QUESTIONS

The PRESIDENT: I direct that the written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 130, 145, 180, 190, 209 and 210.

MINISTERIAL STAFF

130 The Hon. R.I. LUCAS (12 February 2008).

1. Can the Minister for Employment, Training and Further Education advise the names of all officers working in the minister's office as at 1 December 2006?

2. What positions were vacant as at 1 December 2006?

3. For each position, was the person employed under ministerial contract, or appointed under the Public Sector Management Act?

4. What was the salary for each position and any other financial benefit included in the remuneration package?

5. (a) What was the total approved budget for the minister's office in 2006-07; and

(b) Can the minister detail any of the salaries paid by a department or agency rather than the minister's office budget?

6. Can the Minister detail any expenditure incurred since 2 December 2005 and up to 1 December 2006 on renovations to the minister's office and the purchase of any new items of furniture with a value greater than $500?

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs): The Minister for Employment Training and Further Education has advised:

1. The following public service staff were employed in the Minister's Office as at 1 December 2006:

Position Title	3. Ministerial Contract/PSM Act	4. Salary & Other Benefits
Office Manager	PSM Act	ASO-7
Ministerial Liaison Officer	PSM Act	ASO-7
Ministerial Liaison Officer	PSM Act	ASO-7
Ministerial Liaison Officer	PSM Act	ASO-7
Ministerial Support Officer	PSM Act	ASO-5
Assistant to the Chief of Staff	PSM Act	ASO-4
Parliamentary and Cabinet Officer	PSM Act	ASO-4
Senior Administration Officer	PSM Act	ASO-4
Correspondence Officer	PSM Act	ASO-2
Correspondence Officer	PSM Act	ASO-2
Correspondence Officer	PSM Act	ASO-2
Receptionist/Administrative Officer	PSM Act	ASO-2

Details of ministerial contract staff were printed in the *Government Gazette* dated 5 July 2007.

2. No positions were vacant as at 1 December 2006.

3. See answer to part 1.

4. See answer to part 1.

5. (a) $1.623 million

(b) All salaries were paid by the Ministerial office budget.

6. No expenditure has occurred between 2 December 2005 and 1 December 2006 on renovations to the Minister's Office or the purchase of any new items of furniture with a value of greater than $500.

MINISTERIAL STAFF

145 The Hon. R.I. LUCAS (12 February 2008).

1. Can the Minister for Employment, Training and Further Education advise the names of all officers working in the minister's office as at 1 December 2007?

2. What positions were vacant as at 1 December 2007?

3. For each position, was the person employed under ministerial contract, or appointed under the Public Sector Management Act?

4. What was the salary for each position and any other financial benefit included in the remuneration package?

5. (a) What was the total approved budget for the minister's office in 2007-08; and

(b) Can the minister detail any of the salaries paid by a department or agency rather than the Minister's office budget?

6. Can the minister detail any expenditure incurred since 2 December 2006 and up to 1 December 2007 on renovations to the minister's office and the purchase of any new items of furniture with a value greater than $500?

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs): The Minister for Employment Training and Further Education has advised:

1. The following public service staff were employed in the Minister's Office as at 1 December 2007:

Position Title	3. Ministerial Contract/PSM Act	4. Salary & Other Benefits
Office Manager	PSM Act	ASO-6
Ministerial Liaison Officer	PSM Act	ASO-7
Ministerial Liaison Officer	PSM Act	ASO-7
Ministerial Support Officer	PSM Act	ASO-6
Assistant to the Chief of Staff	PSM Act	ASO-4
Parliamentary and Cabinet Officer	PSM Act	ASO-4
Correspondence Officer	PSM Act	ASO-2
Correspondence Officer	PSM Act	ASO-2
Receptionist/Administrative Officer	PSM Act	ASO-2

In addition, details of ministerial contract staff were printed in the *Government Gazette* dated 5 July 2007.

2. The Senior Ministerial Liaison Officer position was vacant as at 1 December 2007.

3. See answer to part 1.

4. See answer to part 1.

5. (a) $1.79 million

(b) All salaries were paid by the ministerial office budget.

6. No expenditure has occurred between 2 December 2006 and 1 December 2007 on renovations to the minister's office or the purchase of any new items of furniture with a value of greater than $500.

MINISTERIAL TRAVEL

180 The Hon. R.I. LUCAS (12 February 2008).

1. What was the total cost of any overseas trip undertaken by the Minister for Police and staff since 2 December 2006 up to 1 December 2007?

2. What are the names of the officers who accompanied the minister on each trip?

3. Was any officer given permission to take private leave as part of the overseas trip?

4. Was the cost of each trip met by the minister's office budget, or by the minister's department or agency?

5. (a) What cities and locations were visited on each trip; and

(b) What was the purpose of each visit?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning): The Minister for Police, Minister for Mineral Resources Development, and Minister for Urban Development and Planning provides the following information for the period 2 December 2006 and up to 1 December 2007:

1. Cost of Trip	2. Accompanying Officers	3. Private Leave Taken	4. Cost met by Minister's Office or Dept/Agency	5. (a) Cities & Locations Visited	5. (b) Purpose of Trip
$22,890	Minister's spouse Ministerial Adviser	Private leave taken by Ministerial Adviser at end of trip to visit relatives.	Minister's Office and Department	Chile North America United Kingdom	Observed world's largest copper mine the Escondida Mine in Chile. Attended the prospectors and Developers Convention in Toronto, Canada. Held seminar in London on mining in SA.
$5,354	Ministerial Adviser	No	Minister's Office	Wellington, New Zealand	Attended the Intergovernmental Committee of the Australian Crime Commission, Ministerial Council for Police and Emergency Management.

MINISTERIAL TRAVEL

190 The Hon. R.I. LUCAS (12 February 2008).

1. What was the total cost of any overseas trip undertaken by the then Minister for Employment, Training and Further Education and staff since 2 December 2006 up to 1 December 2007?

2. What are the names of the officers who accompanied the then minister on each trip?

3. Was any officer given permission to take private leave as part of the overseas trip?

4. Was the cost of each trip met by the then minister's office budget, or by the then minister's department or agency?

5. (a) What cities and locations were visited on each trip; and

(b) What was the purpose of each visit?

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs): The Minister for Employment Training and Further Education has advised:

1. $26,400.94.

2. Chief of Staff.

3. No.

4. The cost of each trip was met by the minister's office budget.

5. (a) Boston and China.

(b) Boston: to attend the BIO 2007 Conference China: Trade Mission on behalf of the Premier

TAXATION

209 The Hon. SANDRA KANCK (2 March 2008).

1. What tax exemptions and subsidies are currently granted to religious organisations and institutions?

2. What was the value of tax exemptions and/or subsidies granted to religious organisations and institutions in 2007-2008?

3. What is the value of exemptions and subsidies granted to Christian organisations and institutions by denomination?

4. What is the value of such exemptions and subsidies granted to non-Christian religions and institutions by type of religion?

5. What method is used for the calculation of such exemptions or subsidies?

6. (a) What proportion of the exemptions or subsidies is granted for premises used primarily for charitable purposes;

(b) What proportion of the exemptions or subsidies is granted for premises used primarily for religious purposes; and

(c) What proportion is used for premises which serve both charitable and non-charitable purposes?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning): The Treasurer has provided the following information:

There are a number of statutory exemptions that are potentially available to religious institutions. Land used for a religious purpose or land owned by an association with religious objects is exempt from land tax. Wages paid by a religious institution to a person during a period in respect of which the institution satisfies the Commissioner that the person is engaged exclusively in religious work of the religious institution are exempt from pay-roll tax. Further, a voluntary disposition (gift) of property that is wholly for charitable or religious purposes is exempt from stamp duty.

In addition to the statutory exemptions, the Treasurer is often approached by charitable bodies (which include religious institutions) seeking relief from stamp duty on the purchase or property. The Treasurer may approve *ex gratia* relief on a case by case basis where the purchased property is to be used for charitable purposes.

In relation to legislative exemptions, as bodies are not required to pay tax under the Act there is no requirement for RevenueSA to record any details in relation to the basis on which the taxes would otherwise have been paid and therefore no data exists in relation to quantifying the value of exemptions provided under the taxation legislation administered by RevenueSA.

The further questions asked by the honourable member fall into the same category.

GAMING MACHINES

210 The Hon. R.I. LUCAS (2 April 2008). Can the Deputy Premier advise for each month since October 2007:

1. What was the level of net gaming revenue from poker machines; and

2. What was the level of net gaming revenue for the equivalent month in the previous financial year, 2006-2007?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning): The Treasurer provided the following information:

Raw net gambling revenue—hotels and clubs ($)						
	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Cumulative 5 months

Raw net gambling revenue—hotels and clubs ($)						
	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Cumulative 5 months
	65,597,696	66,731,586	63,577,090	58,283,398	68,750,931	322,940,701
	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	
	59,392,445	59,762,580	57,929,572	56,125,696	57,108,354	290,318,647
% change (year on year)	-9.5%	-10.4%	-8.9%	-3.7%	-16.9%	-10.1%

PAPERS

The following paper was laid on the table:

By the Minister for Police (Hon. P. Holloway)—

Workers Compensation Tribunal Rules 2005—Rule Eight A—Right of Representation and Assistance

SELECT COMMITTEE ON THE SELECTION PROCESS FOR THE PRINCIPAL AT THE ELIZABETH VALE PRIMARY SCHOOL

The Hon. R.P. WORTLEY (14:18): I bring up the report of the select committee, together with minutes of proceedings and evidence.

CHILD PROTECTION

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (14:18): I lay on the table a copy of a ministerial statement relating to child protection made earlier today in another place by my colleague the Minister for Families and Communities.

GP PLUS EMERGENCY HOSPITALS TASKFORCE

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (14:19): I lay on the table a copy of a ministerial statement relating to the GP Plus Emergency Hospitals Taskforce made earlier today in another place by my colleague the Minister for Health.

QUESTION TIME

OPERATION MANDRAKE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:20): I seek leave to make a brief explanation before asking the Minister for Police a question about Operation Mandrake.

Leave granted.

The Hon. D.W. RIDGWAY: On 18 June this year it was reported on the Adelaidenow website by Sam Rodrigues, police reporter:

> Three men on a crime rampage smashed their way into a beachfront house last night, threatening a man with a screwdriver and shards of glass before stealing his car. The men broke into the Somerton Park house, on The Esplanade, at about 10pm by smashing a rear window. The men threatened the male resident with a screwdriver and shards of glass from the window, forcing him to hand over a wallet and the keys to his grey Honda Euro sedan...before fleeing in the car. The man was not injured.
>
> Inside the car was a doctor's bag with what the police have said contains a 'small amount' of pain medication. The same car was involved in a petrol drive-off at the BP station at Kurralta Park at about 12.30am, and then was used in a hotel robbery in the northern suburbs. Three men of Aboriginal appearance used concrete blocks and a baseball bat to threaten three staff after breaking into the gaming room in the Mawson Lakes Hotel in Main Street just before 3am. None of the staff members were injured. Elizabeth police said the men stole items from inside before leaving the Honda Euro.

The opposition has been provided with some information from within SAPOL in relation to the incident, as follows. On Tuesday evening 17 June there was a home invasion at Somerton Park and a break-in at the Mawson Lakes Hotel. Government sources have advised they were Aboriginal offenders. The car was stolen from Somerton Park and chased three or four times between 10pm and 2am. SAPOL refused to put the helicopter out to help with the apprehension, despite constant requests by the patrols and the sergeant.

Only when the Mawson Lakes break-in was followed by another chase was the helicopter put in to assist. The problem, we were advised, is that the Star Operation members, that is, the air crew, finish very early each night and are not readily available. The police on the ground are sick of not being supported, and we are advised that these are regular events. My questions are:

1. Does the minister now concede that the Rann government is not resourcing SAPOL adequately and is putting the public and our hard working police officers at risk?

2. Is this lack of resourcing now undermining Operation Mandrake?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:22): It is not bad, is it, when in the budget, which will be coming into the council later today, this government has put in a record amount of funding, as it has done every single year. There are record numbers of police, record funding, and a number of brand new police. Really, for members opposite to talk about crime is a disgrace.

Members interjecting:

The Hon. P. HOLLOWAY: What will happen? I will tell you what the public will be saying at the next election: they will be weighing up the record of this government against the record of members opposite. I had a look at the record of performance of these people opposite for the eight years they were in government, Mr President. Do you know what happened to the crime rate under members opposite? I am sure members opposite will not want to hear it but, from 2002, under this government overall crime has fallen by a massive 33.6 per cent, which includes 16 fewer murders, 369 fewer robberies, 12,600 fewer break and enters and 3,000 fewer cars stolen in South Australia. That is since 2002 under this government.

What happened in the eight years previous to that? Under the Liberals' watch, crime rose by 31 per cent so, instead of a reduction of 33.6 per cent, they had a rise in the eight years by 31 per cent. Police statistics show that 156,661 offences were reported in 1994-95; in 2001-02 that had risen to 206,474, an increase of 31 per cent. There was an increase of just under 50,000 more offences: murder, serious assault and minor assault went up; there were more criminal trespass offences; and theft from motor vehicles rose by an amazing 95.6 per cent while they were in government.

I will come to the helicopter in a moment, because guess what happened when the Liberals were in government? Did the police have a dedicated helicopter at their disposal? Do you know how many helicopters there are in South Australia under this government? There are three helicopters available under this government for medical retrieval and a number of other uses, but I will come to that in a moment.

The Hon. J.S.L. Dawkins: Answer the question.

The Hon. P. HOLLOWAY: I am answering the question comprehensively because it needs to be put in perspective. I do not know what was the situation, but I know that this government has provided, as well as a new aircraft for the police, a whole lot of new police stations, new armour and, by the end of the term of this government, an extra 600 or 700 police officers, record budgets and the first new boat for the water police and all the other equipment. In relation to emergency helicopters, this government negotiated a situation where three helicopters are available to the emergency services.

The Hon. S.G. Wade interjecting:

The Hon. P. HOLLOWAY: Well, there is not: they actually have people at the airport.

The Hon. S.G. Wade interjecting:

The Hon. P. HOLLOWAY: That's what he claims, yes, but why not go down to the Adelaide Airport and see the room where the pilots sleep? They are available. Occasionally you might have an emergency, such as a medical retrieval, and the helicopters may have to be diverted, but the police are unlikely to launch a helicopter for every crime investigation. Obviously there has to be a reasonable chance of intercepting or being able to observe the offenders.

When we came to government, I spoke to the pilots. There was just one helicopter and it needed to be maintained regularly and able to do all the functions. We now have three, but they had one. The one helicopter was so slow, the pilots told me, that if they were chasing a commodore they would see it vanish into the distance: the helicopter could not even keep up with

some of the cars. That was the situation that faced the police during the now opposition's time in government. Perhaps that is why crime went up 33.6 per cent.

In relation to the helicopter, under this government a huge increase in resources has been provided for the helicopters for emergency services. They are available for all emergency services; there are three different sizes and they can be converted for medical retrieval. Whether they are available at a particular time will depend on the other operational arrangements, but there are sleeping quarters at Adelaide Airport. The helicopters are housed on the western edge of the airport behind Harbour Town and there are facilities there for pilots to be on call when required.

In relation to the operational mix, I will get a report. Certainly the last thing anyone in this parliament would want to do is accept the word of the opposition, because it has been proved wrong time and again. In relation to crime overall, it has no story; all it can do is hide the shame of its performance during eight years in government.

VIOLENT CRIME

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:29): By way of a supplementary question arising from the answer but which has nothing to do with my original question, will the minister explain why under his government violent crimes, such as attempted murder, armed robbery, attempted rape and rape, have gone up?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:29): It has not gone up. If one looks at 2002, when this government came to office, overall crime has fallen by a massive 33.6 per cent, including: 16 fewer murders; 369 fewer robberies; 12,600 fewer break and enters; and 3,000 fewer cars stolen. In relation—

Members interjecting:

The Hon. P. HOLLOWAY: Well, let us take some of those statistics.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: Let us take some of those questions. That is the side where this government has delivered huge increases. The honourable member is talking about sexual assault. What happened, of course, is that the Statutes Amendment and Repeal (Aggravated Offences) Act 2005 highlighted a broadening of scope. So what this parliament has done is to increase the scope. If you increase the scope of crimes in relation to a particular area then, inevitably, crimes such as assault, kidnap and abduction increase, but this was mainly due (and it was highlighted in the ABS report, so it is not just me saying it) to the broadening and scope of the Statutes Amendment and Repeal (Aggravated Offences) Act 2005.

This act came into effect in May 2006 and reconstructed a number of offence categories, including kidnapping, abduction and assault, to the new dimensions of 'cause harm'. Of course, it is unfortunate that the statistics show that the number of sexual assaults rose this year after falling in 2006, but the fact is that when government's initiate inquiries, such as the Mullighan inquiry into the sexual abuse of children in state care, you will generate and renew public awareness resulting in the increased reporting of offences.

An honourable member interjecting:

The Hon. P. HOLLOWAY: I have the statistics to show it. In 2007 approximately 10 per cent of sexual assaults reported to police related to incidents occurring prior to 2007. This figure was approximately 5 per cent in 2006. That is a good statistic, because the police have been able to have greater success at solving these crimes. A lot of that might be to do with DNA, but you will have this greater reporting. The fact that 10 per cent of those reports in 2007 involved incidents occurring prior to that year compared to 5 per cent in the year before, I think, is one of the reasons why there has been a relatively slight increase in that category. However, if one looks at the overall crime rate—

The Hon. D.W. Ridgway interjecting:

The Hon. P. HOLLOWAY: It is not violent crime. As I said, under the opposition's watch crime rose by 31 per cent. Under this government it has fallen by 33.6 per cent.

VIOLENT CRIME

The Hon. T.J. STEPHENS (14:32): As a supplementary question, what effect do communities such as Coober Pedy have on the minister's stats (about which he puffs out his chest) when they have given up reporting crime because their phones are diverted five hours away to Port Augusta and it is a waste of time?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:32): I will go back, if the honourable member would like, and we will compare the number of police we had in Coober Pedy during the Liberal government compared to now. Just in recent times more police have been appointed to Coober Pedy. What this government has done as well, through the development of the mining industry, is to provide economic opportunities to people in those towns. The solution to crime is more than just having police on the ground: it is all about having economic opportunity for people. If one goes to Coober Pedy today one will find that it is a much more prosperous place than it has been for many years.

Part of the reason for that is, of course, the development of the mining industry. Companies such as Oxiana have recruited a number of young Aboriginal people into its apprenticeship programs. These people now have jobs and prospects, and I suggest that is the reason why crime is going down.

The Hon. T.J. Stephens interjecting:

The Hon. P. HOLLOWAY: In fact, that mine has gone through in record time. You find another mine like that in this country! There would be very few around the world. That mine is now on the verge of producing. You find somewhere else where there have been those approval processes and the support for a mine in such a short time!

JAMES NASH HOUSE

The Hon. J.M.A. LENSINK (14:34): I seek leave to make a brief explanation before asking the Minister for Mental Health and Substance Abuse a question about James Nash House.

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Leave will be granted when the Hon. Mr Ridgway comes to order.

Leave granted.

The Hon. J.M.A. LENSINK: I have received via email a bulletin entitled `Joint Union-outcomes/resolutions ANF/PSA/SASMOA' from the Australian Nursing Federation dated 19 June. I will quote from the bulletin as follows—

The Hon. S.G. Wade interjecting:

The Hon. J.M.A. LENSINK: Absolutely not. The email states as follows:

ANF members met with colleagues at a joint...meeting on 12 June to discuss mounting concerns about the relocation of Forensic Services from a metropolitan location to Mobilong. After extensive discussion members directed ANF to seek consultation with SA government and to commence a campaign about the relocation of Forensic Services. The following resolutions were passed. The unions are now writing to the SA government on this matter and will be scheduling a further meeting in early July 08 to provide feedback and seek further direction from our members.

The resolutions are as follows:

1. This meeting condemns the Department of Health for its failure to enter into meaningful discussion and maintaining with staff over the planning for future services. This meeting demands that the South Australian government evaluate the plans for the moving of Forensic Services to Murray Bridge. This meeting seeks the immediate establishment of a genuine consultative process for meaningful dialogue, that includes discussion about the impact of transfer of services on clients, their families and staff of Forensic Services. Should this dialogue not be commenced by 30 June 08 then this meeting directs the unions to schedule further meetings of all members to take further direction in these matters.

2. Members direct their respective unions to commence and support a public campaign to support the maintenance of Forensic Services in a suitable metropolitan location.

My questions to the minister are: has she met with her old union? If not, will she meet with it, and will she undertake to keep an open mind on the issue of the relocation of Forensic Mental Health Services?

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (14:36): I am

very pleased to have the opportunity to respond to this question. Indeed, it is not my old union; I am very proud to say that I am a lifelong honorary member of the Australian Nursing Federation. I have been deemed the privilege from the organisation to be a lifelong honorary member, which is something I am extremely proud of.

I meet regularly with a wide range of key stakeholders involved in the reform of our mental health system. This government is committed to a total reform of our mental health services, starting with our Forensic Mental Health Services right through to our psychosocial packages provided through the NGO sector—every step of the way. I am happy to go through each of those steps if people are unsure; however, I will move on, although I am tempted.

The Hon. Carmel Zollo: Go on.

The Hon. G.E. GAGO: I might come back to that. Indeed, I meet regularly with all key stakeholders, including the Australian Nursing Federation. The issue of the relocation of the Forensic Mental Health Services has been one matter on our agenda. I have received the same letter that the member has read out but, prior to that, I was aware that unions, and other people, had some concerns about the plans to relocate James Nash House and the Forensic Mental Health Services.

Nevertheless, I have already requested that a response be given to that letter, and I have requested that we explore the establishment of appropriate consultative processes. As always, I am committed to extensive consultation. As I have said, I already meet regularly with the ANF and other key stakeholders, so the consultation has already commenced; but I am happy to extend that.

The government has made a plan. In fact, we have made a decision to build a new $39.8 million 40-bed secure forensic mental health centre at Mobilong. That decision has already been made. The new facility will be built to a national benchmark standard and will be based on a campus design with a secure perimeter. The new facility will replace the outdated forensic facilities currently operating at James Nash House and Grove Closed on the Glenside campus (30 beds and 10 beds respectively).

James Nash House was the first forensic service in Australia to provide forensic mental health treatment in a dedicated facility. It is widely known as a centre of excellence, and also, I should say, for the commitment of staff to providing quality care and support for people with mental illness. They are often some of our most challenging clients in the system. However, James Nash House having been built as a correctional-style custodial model of care, is now out of date.

The facilities at James Nash House and Grove Closed (South Australia's other forensic health service) are now ageing and are not conducive to modern treatment principles. The new 40-bed forensic mental health facility will enable optimal configuration of beds to ensure the best possible and most efficient use of those beds.

The proposed facility will be managed and operated as a mental health facility providing a recovery-oriented model of mental health care, rather than a correctional or custodial model. The new forensic mental health centre will provide a more efficient and integrated service than is currently possible with the services split across two sites.

It will be developed adjacent to the new men's and women's prison planned for Mobilong, and be incorporated into the public-private partnership for the new prisons and the new secure youth training centre. The new forensic mental health centre will be separate from the new prisons and will operate quite separately as a health facility providing recovery-oriented mental health care. I am advised that the construction of the new forensic mental health centre will commence late in 2009, with projected completion in late 2011-ish.

An honourable member: Ish!

The Hon. G.E. GAGO: Well, the PPP is still being negotiated. Goodness gracious! Staff and community consultation will inform the development of the forensic mental health centre and consider any specific staff issues. We have already given a commitment to do that with staff. The new forensic mental health centre will be built and operated according to the Forensic Services Standards of the National Mental Health Strategy, as well as supporting South Australia's Strategic Plan.

As I have said, I meet regularly, and we are committed to consultation but as a government we have given a clear election commitment to reform our mental health system, and that we will do. We have a responsibility to make those decisions, and we have indeed decided to build a new state-of-the-art forensic mental health facility out at Mobilong.

JAMES NASH HOUSE

The Hon. SANDRA KANCK (14:43): I have a supplementary question. What inducements will the government give to mental health nurses and psychiatrists to make the daily journey to Murray Bridge?

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (14:43): We will look at a range of issues with staff. We have already said that we will enter into discussions and negotiations with staff to understand their needs. We need to understand how many wish to relocate out there.

The Hon. Sandra Kanck: Not many!

The Hon. G.E. GAGO: That may be. Some might want to relocate to other parts of the service, and we will assist them to do that. We will then obviously advertise to fill any vacant positions. In fact, there will be a lot of attraction to a new state-of-the-art facility like that, so we believe that we will be able to attract staff from interstate and possibly even overseas, because this will be a new state-of-the-art facility—something that we can all be proud of and something that, no doubt, will attract a great deal of interest from interstate and overseas. Obviously, we will give priority to those people who are currently employed in the service and we will do what we can to assist them to relocate and also to understand their transport—

Members interjecting:

The PRESIDENT: Order!

The Hon. G.E. GAGO: Thank you for your protection, Mr President. As I was saying, we will discuss their transportation requirements. We have said that we will negotiate with the transport department and look at the public transport service needs to that region. Mount Barker is one of the most rapidly growing residential areas in South Australia and it offers a great deal of potential as well. That is not to say that there will not be challenges involved and changes. It will mean change, but we are very willing to sit down and work with people to accommodate their needs wherever we possibly can.

Members interjecting:

The PRESIDENT: I remind members that we have lost 27 minutes.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Ridgway has led the charge this afternoon.

CHILDREN IN STATE CARE INQUIRY

The Hon. S.G. WADE (14:47): I seek leave to make a brief explanation before asking the Minister for Correctional Services a question relating to the Mullighan inquiry.

Leave granted.

The Hon. S.G. WADE: The recently released report of the Mullighan inquiry recommended that the sexual behaviour clinic of the Department for Correctional Services be expanded so that all child sex offenders can attend the program while in custody and at any stage of their sentence. This is the only recommendation of the inquiry that the government rejected. According to the government response to the inquiry, tabled on 17 June, the government rejected this recommendation on the basis that the recommendation was 'not operationally feasible'.

However, the opposition has been advised by people within Correctional Services that the expansion is feasible; in fact, the government has had the proposal costed. Further, on Tuesday, the minister advised an estimates committee of the other place that she would not answer a question on this topic because the proposal was still to be considered by cabinet. My questions to the minister are:

1. Does the minister agree with the government's response to the Mullighan inquiry that the expansion of the sexual behaviour clinic is not operationally feasible?

2. If the proposal is not operationally feasible, how could it be costed, and what was the cost?

3. If the proposal is not operationally feasible, why is cabinet going to consider it nearly two weeks after the government response denied it was feasible?

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (14:48): I will go back and check the estimates hearing as to what question was actually asked of me. Clearly, I took some advice on the floor at the time. In relation to the sex offender treatment program, I do need to remind members opposite that it was this government that introduced the program, and it is this government—

The Hon. P. Holloway: Yes, 'this' again; exactly.

The Hon. CARMEL ZOLLO: This again; absolutely. It is this government that is continuing to fund this program because—

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Wortley! The minister does not need your assistance; she is doing very well by herself.

The Hon. CARMEL ZOLLO: I will remind the chamber again that—

Members interjecting:

The Hon. CARMEL ZOLLO: It was indeed this government that introduced the sex offender treatment program. We have made funding available every year because we realise the importance of the program.

In relation to the recommendation the honourable member talked about, we believe that the treatment works best towards the end of a person's sentence and, of course, there is also maintenance treatment in the community. So, for those very obvious reasons, it is targeted at high-risk offenders, and it works best towards the end of their treatment. It is a very intensive course, and we have been quite open and honest about that. We believe that we need to continue in the way we have been, to target those who are most at risk in order to protect the community from those people.

BIKIE GANGS

The Hon. R.P. WORTLEY (14:51): My question is to the Minister for Police. Will the minister update this council on the state government's efforts to tackle serious and organised crime, in particular criminal bikie gangs? Are there any alternative public views on this issue?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:52): I thank the honourable member for his very important question. Today the federal parliamentary joint committee inquiring into the legislative arrangements to outlaw serious and organised crime groups is conducting a hearing in Adelaide.

The Hon. B.V. Finnigan interjecting:

The Hon. P. HOLLOWAY: Yes; the member for Wakefield, Nick Champion, is a member of that committee. A number of witnesses will be appearing before the committee, including SA Assistant Police Commissioner Tony Harrison, Chief Inspector Damian Powell (who has played an integral role in developing the Serious and Organised Crime Act), and the head of the Crime Gangs Task Force, Superintendent Des Bray.

I had the opportunity this week to read some submissions that have already been made to that inquiry, and I must say that I was gobsmacked by some of the nonsense contained in them. For instance, one submission has attempted to portray certain outlaw motorcycle gang members as 'well respected public figures', and another claims that bikie gangs provide 'important social support networks'. One submission even went so far as to claim that to become a full member you are expected to carry out tasks such as 'building fish ponds for members'. Of course, all these claims are wide of the mark and do not paint a true picture of what is really happening within these criminal bikie gangs. For a start, it is well known that to become a full member gangs traditionally require a demonstration of loyalty, such as an assault on a rival gang member or the carrying out of some sort of criminal activity. Arthur Veno, who describes himself as a bikie gang expert, stated in his submission to the inquiry:

> The Rann government and SAPOL are basically plundering the public purse to crush an element of society which is responsible for a minuscule amount of crime.

The state government does not consider that the seizure of more than 18,000 deals of ecstasy and amphetamines, 2,200 deals of LSD and other drugs, 24.5 kilograms of cannabis, more than

$231,000 of property, and the apprehension of 230 offenders in just 12 months is a 'minuscule amount of crime'. In addition, hundreds of weapons have been seized at criminal bikie gang properties, including fully automatic assault rifles, ballistic vests, and prohibited and dangerous weapons such as double-edged knives, stun guns and knuckledusters. Indeed, I noticed, coming in here, that the media had reported further weapons seized in relation to bikie gangs just this morning. Dr Veno's submission goes on to say:

> Outlaw motorcycle clubs have been part of the rich tapestry of cultures and subcultures which comprise our country for at least 50 years.

Well, unlike Dr Veno, I do not consider criminal groups involved in drug manufacturing, importation and distribution, murder, vice, fraud, blackmail, assaults, public disorder and intimidation as 'part of the rich tapestry of cultures and subcultures which comprise our country'.

These gangs are now actively recruiting the services of members of less known and lower-level street gangs and using them to undertake high risk aspects of their criminal enterprises, including violence, carrying weapons and the manufacture and distribution of illegal drugs. Criminal bikie gangs are now relying upon professionals—particularly accountants and lawyers—to create complicated structures to hide the proceeds of their crimes. They are increasingly infiltrating legitimate industries and using professionals to provide insulation from law enforcement and enhance their income opportunities.

These gangs present the most serious threat to South Australia of any organised crime groups, due to their impact across all levels of crime. This reinforces the state government's stance to disrupt the criminal activity of these bikie gangs, dismantle their organised crime networks and discourage others from trying to set up in South Australia. In the past year, large-scale simultaneous raids targeting gang members and associates confirmed that these gangs are involved in numerous and continuous criminal activities.

The raids conducted by the Crime Gangs Taskforce have resulted in the seizure of large caches of illicit drugs, firearms and loaded pistols, as well as large sums of cash, clandestine drug laboratories and property.

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: Significant apprehensions in the past 12 months include: a street gang located in possession of 2,901 ecstasy tablets; an OMCG member and two associates for attempted murder following the shooting of a man in a home invasion; an outlaw motorcycle gang senior club member arrested in possession of 2,000 LSD tablets, 58 ecstasy tablets, three firearms, two cannabis plants, a stolen air-conditioner, stolen car parts and $25,000; an outlaw motorcycle gang senior club member; and an associate arrested in possession of 4,000 ecstasy tablets, $275,000 in cash and firearms—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Ridgway and the Hon. Mr Wortley might take their debate outside.

The Hon. P. HOLLOWAY: —an OMCG senior member for trafficking ecstasy and unlawful possession of money in the upper north of the state; an OMCG member for the manufacturing of amphetamine for distribution in regional areas; two senior OMCG members and associates arrested for conspiracy in respect of a plan to seriously assault a person and steal his car; and a person arrested in possession of very large amounts of amphetamine that was being produced and sold for an outlaw motorcycle gang. Several members of outlaw motorcycle gangs have been arrested for offences involving extortion, blackmail and threats to cause harm. Police have also located a clandestine drug laboratory at a Semaphore Park address linked to members of an outlaw motorcycle gang.

The focus on these criminal bikies will further increase when the serious and organised crime act comes into effect. We will continue to work with SAPOL to ensure that as many changes to the criminal law as necessary are made and that they are given the resources they need to crack down on the activities of these gang members. It is clear that these gangs are continuing their abhorrent activities and this government intends to do everything in its power to deliver the result that all South Australians want—an end to their criminal operations. Today the state government has provided its own submission to the parliamentary joint committee inquiry and copies will be available on the website of that committee.

CARBON CREDITS

The Hon. M. PARNELL (14:57): I seek leave to make a brief explanation before asking the Minister for Environment and Conservation, representing the Minister for Climate Change, questions regarding carbon neutral claims.

Leave granted.

The Hon. M. PARNELL: Last Friday, the Australian Competition and Consumer Commission released a guide informing businesses about their obligations under the Trade Practices Act in relation to carbon neutral and carbon offset claims. This is in response to increasing concern by the ACCC about inaccurate and unfounded claims, and confusion in the community about what carbon neutrality actually means. In relation to making claims of carbon neutrality, the guide states:

> You must keep in mind the overall impression your advertising creates in the minds of your target audience...Carbon neutral may be taken by consumers as an absolute term, that is, it may suggest to consumers that the equivalent of all the carbon dioxide equivalent emissions of a business have been eliminated through emissions reductions and offsets.

It goes on:

> Similarly, when applied to a product, the term may create an impression that emissions from the complete lifecycle of the product have been taken into account. If this is not the case, you should explain exactly what is covered by your claim of carbon neutrality to avoid the risk of misleading consumers. Bear in mind that the term itself may suggest to consumers that the net climate impact of the business or product is zero and this impression may be difficult to dislodge, so if this is not accurate, consider alternatives.

The current government is fond of claiming carbon neutrality. In January this year, the Premier issued a press release entitled 'Rann announces nation's first carbon neutral cabinet' which stated:

> It would be great if South Australia was to become the first carbon neutral parliament as well.

This was followed up three weeks later with a press release under the heading 'Australia's first carbon neutral government'. In relation to the claim of 'carbon neutral government', the government press release only talks about offsetting scope 1 and scope 2 emissions, rather than all direct and indirect emissions. Relying only on offsetting direct emissions the guide says 'might be misleading if this is not clear to consumers'. The term is also regularly used by both minister Maywald and the Premier in relation to the proposed Port Stanvac desalination plant. My questions are:

1. Although not subject to the Trade Practices Act, does the minister accept that the government is bound by the same responsibility as businesses when it comes to making claims of carbon benefit?

2. If so, will the minister amend the government's public claims of carbon neutrality in response to the ACCC guide, particularly in relation to the proposed Port Stanvac desalination plant?

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (15:00): I thank the honourable member for his important questions. I will refer them to the appropriate minister in another place and bring back a response.

SEXUAL ABUSE OFFENCES

The Hon. D.G.E. HOOD (15:00): I seek leave to make a brief explanation before asking the Minister for Police, representing the Attorney-General, a question regarding sexual offences.

Leave granted.

The Hon. D.G.E. HOOD: When Family First first gained representation in this parliament on 9 February 2002, the situation at the time was that no person could be prosecuted for a sexual offence if the offence had been committed prior to 1 December 1982. My colleague the Hon. Andrew Evans MLC sought to overturn this ban and this parliament supported that measure, to its credit. The new laws operated retrospectively to make available for prosecution those people who had committed sexual offences prior to 1 December 1982. This was a unique prohibition at the time which had been in effect since 1952.

At the time he introduced the bill on 10 July 2002, the honourable member said in concluding his second reading contribution:

> Such offenders will be brought to justice; some, who may even still be offending, will have to face the courts. Finally, we will honour the victims.

On motion of the minister and with a concurring motion in another place by the Attorney-General, a select committee was formed on 29 August 2002 and comprised the minister (Hon. Gail Gago) as chair, the Hon. Robert Lawson, the members for Enfield and Reynell and the former member for Hartley. The select committee received 34 submissions, 25 of which supported removing the immunity from prosecution. Not surprisingly, I note that one opposing submission was from the Criminal Law Committee of the Law Society.

This parliament's select committee concluded on 28 May 2003, recommending removal of the bar to prosecution, and on 17 June 2003 the bill became law and came into effect. We have therefore just passed the five-year anniversary of that enactment. The Hon. Andrew Evans' bill saw so many victims come forward concerning abuse that they had suffered before 1 December 1982 that an investigation into abuse in state care was commenced: the Mullighan inquiry into the abuse of wards of the state, about which we heard the multi-partisan apology on our last sitting day, 19 June 2008. My questions are:

1. How many people have been prosecuted as a direct consequence of the Hon. Andrew Evans' bill?

2. How many sex offenders are now behind bars because of the honourable member's bill?

3. What other impact has the honourable member's bill had on exposing child sexual abuse in South Australia?

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (15:03): I thank the honourable member for his question and, indeed, the honourable member has very accurately outlined the chain of events that began with the Hon. Andrew Evans' initiative in relation to removing the time limit for prosecution of certain sexual offences.

What we have seen since that time is a very significant change in attitude right across the community. If one looks beyond the statistics, whatever the number of people who are charged and the subsequent Mullighan commission, I think we can say that we have probably changed forever the complacency and indifference—if I can describe it as that—surrounding child sexual abuse that was apparent not so many years ago. As the honourable member said, it was only five years ago that there was that sort of indifference and complacency towards child sexual abuse. That has changed, and I think that is far and away the most important and lasting legacy of that chain of events.

In relation to the statistics, I have some information with me in relation to prosecutions, but if there is any more information I will take that part of it on notice and bring it back. The Paedophile Task Force has provided the Director of Public Prosecutions with 85 investigation files since 2004. These files are coming at the rate of approximately 30 per year. The Paedophile Task Force is currently investigating 39 matters that do not relate to the Children in State Care Commission of Inquiry. Those 39 investigations involve 131 victims with 73 suspects. The Paedophile Task Force has received 151 referrals from the Children in State Care Commission and expects to receive further referrals up to about 200 in total. These referrals to date relate to 371 suspects. To date only 14 such matters have been referred to the Office of the Director of Public Prosecutions, and I think the anticipation is that around 20 per cent of the suspects will eventually be charged, which in itself still represents a considerable body of work, given the defendants involved and the number of victims, which may necessitate separate trials.

The advice I have is that the next 15 matters to be referred to the Paedophile Task Force are very complex, but the expectation is that it will continue to refer matters at the rate of about 30 or so per year. In addition, I am advised that there are currently 40 pre-1982 sex offence investigations being handled by the local service areas of the police force and, given the complexity of these, hopefully at least half will lead to arrests or reports in the next 12 months, and the remainder after that.

As the honourable member said when he quoted the Hon. Andrew Evans, a number of people will not be charged under this because many of the perpetrators are deceased and there are questions of evidence. Beyond those statistics, the whole attitude of society has changed, as it needed to, in relation to the tolerance of such incidents, and the chain of events put in place by the Hon. Andrew Evans will be a significant lasting legacy of his contribution.

Honourable members: Hear, hear!

PORT HUGHES DEVELOPMENT

The Hon. SANDRA KANCK (15:07): I seek leave to make an explanation before asking the Minister for Environment and Conservation, representing the Minister for Water Security, a question about the dunes development on the Copper Coast.

Leave granted.

The Hon. SANDRA KANCK: Most members would be aware of the controversial $750 million Greg Norman dunes development at Port Hughes on the Copper Coast. A central question from the beginning has been where the water would come from for the golf course and the development, which will include the construction of 2,000 homes. I understand that a council report from March 2007 suggests that the 18-hole golf course will require between 1.5 and two megalitres of water per day. The option of a desalination plant has now been rejected, and apparently the golf course component will be sustained entirely through stormwater and reclaimed or treated water. The treated water is to be sourced from a proposed community waste water scheme, which obviously is yet to be constructed. There has also been concern about the use of mains water to dampen down dust, with residents reporting up to 60 tankers per day carting mains water to the development. My questions to the minister are:

1. What quantity of mains water has been approved for use by the developers to control dust during the construction of the dunes?

2. Is the developer paying the full price for that water and, if not, what is the price?

3. What advice has SA Water provided to the minister, the council or the developer about the feasibility of using waste water?

4. Has SA Water considered that Moonta, Moonta Bay and Port Hughes may require access to their treated water if the climate change predictions are correct?

5. Has SA Water given any undertakings to the developers to provide mains water if a community waste water scheme is not built or treated waste water is not available?

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (15:10): I thank the honourable member for her important questions. In fact, I was in the area just the other week and happened to visit the site out of general interest.

The Hon. J.S.L. Dawkins interjecting:

The Hon. G.E. GAGO: I was visiting in my electorate, which includes all South Australia. That is where I was visiting—in my electorate. Anyway, while I was visiting in my electorate, I happened to pop out to Port Hughes out of general interest and I had a look at the development. My understanding is that the plan to pursue a desal development has been dropped, and that they are looking for alternatives. In relation to the details around those alternatives, I am happy to refer those questions to the appropriate minister in the other place and bring back a response.

COUNTRY FIRE SERVICE

The Hon. C.V. SCHAEFER (15:10): My question is to the Minister for Emergency Services. Is it true that a number of the new trucks provided to the CFS by the government are in fact useless because the coupling devices do not match the existing trailers, and is it further true that the government has contracted the manufacture of CFS trucks to a Victorian firm rather than the usual Murray Bridge firm, in spite of the fact that the Victorian government has chosen to contract to the Murray Bridge firm?

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (15:11): The question asked by the honourable member was answered during the estimates committee at great length by the Chief Officer of the Country Fire Service.

The Hon. J.S.L. Dawkins interjecting:

The Hon. CARMEL ZOLLO: It does appear that *Hansard* is read, which is a good thing.

The Hon. J.S.L. Dawkins interjecting:

The Hon. CARMEL ZOLLO: I would like to think that members in this place would, of course, be in the parliament and be listening to estimates, especially when they claim to be interested. In relation to this contract, as I have said, a question about it has already been

answered at great length. However, essentially, Mills-Tui constructed 10 34P-type appliances for the CFS as part of its 2007-08 build program. Mills-Tui is a quality-endorsed company (again, all this is on the record) under AS9001, relating to design and construction, and as such its systems are subject to independent audit. All CFS vehicle build contractors are AS9001 quality endorsed.

The structural issues developed in the appliances after they were put into service. These were design issues rather than quality issues. From memory, the Chief Officer of the CFS, Mr Euan Ferguson, mentioned that there were cracks in some of the lockers. Mills-Tui has previously manufactured appliances for the CFS and there have been no significant problems with those appliances. The 34P appliances were allocated to Ceduna, Jamestown, Yankalilla, Karoonda, Woomera, Meningie, Cape Jervis, Port Lincoln, Tea Tree Gully and Oakbank/Balhannah. Again, I do remember all this being placed on the record. A number of quality issues were identified when the appliances were delivered to Adelaide and these were resolved with the assistance of Mills-Tui. As one would expect, Mills-Tui would be responsible for resolving those problems.

Independent advice was sought which indicated that the product did have some issues. The CFS has worked and will continue to work with Mills-Tui to address the issue; and, as we know, SAFECOM now is the sole point of contact regarding this matter. I am advised that Mills-Tui has accepted liability (as one would expect) and is going about fixing those appliances at no cost. From memory, and I could be corrected, I think there were 10 appliances. The CFS is reviewing the way in which it inspects appliances prior to delivery to determine whether improvements in the process can be made. The CFS has devised a 528-point inspection list and has revamped the process for vehicle inspection so that more technical staff are involved in vehicle inspection and sign-off.

The Hon. J.S.L. Dawkins interjecting:

The Hon. CARMEL ZOLLO: Well, obviously they are very large vehicles. As we all know, they cost a lot of money. We have about 900 appliances in South Australia, and it is this government that has resourced our emergency services—

The Hon. P. Holloway interjecting:

The Hon. CARMEL ZOLLO: Perhaps they want 1,000. Clearly, these are operational matters. The chief officer has advised me that these appliances, together with the remainder of the 2007-08 build, will be completed and delivered well before 1 November 2008. I need to reassure the chamber that any delays in the delivery of the appliances will not leave the CFS under-resourced. Because of the way that the CFS manages its business, there are always additional appliances for use. I think the chief officer gave us an example of what happened with the major incident on Kangaroo Island, where all appliances were available.

In relation to the procurement process, to which the honourable member alluded, in 2001 SAFECOM established a panel of contractors for the manufacture of appliance vehicles for the CFS, the MFS and the SES. This panel was established through an open tender process managed by SAFECOM, with contractual deeds of agreement established through the Crown Solicitor's Office. The panel comprises body builders, cab chassis providers and pump providers from Australia and New Zealand. All panel members provide submissions with the knowledge that they must compete on a level playing field with other appliance manufacturers.

In relation to the 2007-08 appliance acquisition process, all tenders were evaluated on the range of criteria set out in the request for quotation documents, and all policies and guidelines were strictly adhered to. In evaluating tenders, SAFECOM adhered to the application of the State Procurement Board, policy 9, and the Australian and New Zealand government procurement agreement. In accordance with that agreement, public authorities must give preference to South Australian suppliers over those from another Australian jurisdiction or New Zealand.

In August 2007, this policy was rescinded; however, the principles were included within the broader international obligation policy that also provides reference to the application of the Australia/United States free-trade agreement. Other AFAC members are able to purchase from the South Australian panel participants and, clearly, Moore Engineering is one of those participants; hence the information provided by the honourable member opposite.

The year 2007-08 saw the Tasmanian and ACT Fire services actively participate and award contracts to South Australian manufacturers. I think it would be fair to say that issues like these are part of normal procurement. The CFS is dealing with this very well, and there is no adverse effect on our procurement and to the number of appliances that we have in readiness in this state and, in particular, of course, for the coming fire season.

LEVEL CROSSINGS

The Hon. B.V. FINNIGAN (15:18): I seek leave to make a brief explanation before asking the Minister for Road Safety a question about level crossings.

Leave granted.

The Hon. B.V. FINNIGAN: In this budget, the state government has allocated $13.3 million over four years to a new level crossing safety program. Will the Minister for Road Safety please explain the various components of the program?

Members interjecting:

The Hon. B.V. FINNIGAN: Perhaps the members opposite should go to Martin's website and update the news poll. I noticed that they have not put it there, not surprisingly. Will the Minister for Road Safety explain the various components of the program and how it will help achieve the road safety target in the State Strategic Plan?

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (15:19): I thank the honourable member for his question and also for being at Wolseley, I think it was, last Sunday.

An honourable member interjecting:

The Hon. CARMEL ZOLLO: You were at Wolseley last Sunday?

An honourable member: And Bordertown.

The Hon. CARMEL ZOLLO: And Bordertown, because he is a local lad. He's a local gentleman. The state government is committed—

The Hon. R.P. Wortley interjecting:

The Hon. CARMEL ZOLLO: Well, I am advised that he may be the only country member left in the chamber. The state government is committed to reducing crashes at level crossings, and the new Level Crossing Safety Program will achieve this through education, enforcement and engineering.

This program has been formulated from recommendations made by the State Level Crossing Strategy Advisory Committee, which was revamped under my direction at the end of 2006. This committee is made up of representatives from the Department for Transport, Energy and Infrastructure; the Australian Railtrack Corporation; Great Southern Rail; the Local Government Association; Pacific National; Australian Rail; the Tram and Bus Industry Union; the RAA; SAPOL; and TransAdelaide.

The education components will include the ongoing use of the highly successful 'Don't play with trains' media campaign in conjunction with SAPOL enforcement campaigns. There will be the development of a new package for press and radio ads, a continuing emphasis on Rail Safety Week and specific targeted campaigns.

This component recognises that road user behaviour at level crossings is a major contributing factor in the incidence of level crossing crashes. The enforcement component will involve the installation of cameras at high-incident level crossings controlled by flashing lights. It is likely that these will be red light/speed cameras as we have installed at Park Terrace. However, new technology will also be investigated.

The engineering component will include improvements to address sight distance issues, short stacking of heavy vehicles, traffic queueing and upgrading advance warning signs. The priority will be level crossings along rail corridors with the highest train numbers and train speeds for both freight and passenger trains.

Consideration will also be given to the Australian Level Crossing Assessment Model (ALCAM), risk assessment, crash and near miss statistics, B-double routes and incident reports from the rail industry. It is also proposed that the engineering component will include dedicated funding to partner with local government to improve the safety at level crossings on local roads.

The state government has spent around $13 million since 2003-04 to improve level crossing safety by addressing traffic queueing at metropolitan crossings, sight distance deficiencies, the short stacking of heavy vehicles and more recently the installation of flashing lights at high-risk rural crossings used by heavy vehicles.

The new multifaceted Level Crossing Safety Program complements this work and more importantly broadens the scope to include education and enforcement components. In addition, as has been mentioned in this chamber before, expiation fees for level crossing offences, which were previously between $183 and $223, were increased in line with expiation fees for road intersection offences to $297 on 17 December 2007 and now to $307 from 1 July 2008. The state government is also working to establish road/rail interface agreements as part of the national model rail legislation that was approved by the Australian Transport Council in December 2007.

TRAINING AND SKILLS DEVELOPMENT BILL

Clauses 1 to 3 passed.

Clause 4.

The Hon. D.W. RIDGWAY: During my second reading contribution, I asked the minister to answer some questions. Is the minister able to give those answers before I move my amendment? There are 48 amendments, and they are all consequential, so if I could have the answers from the minister, I will then move my first amendment.

The Hon. CARMEL ZOLLO: We have incorporated responses into the clauses, but what I will endeavour to do is to separate it. I am advised that the South Australian Industrial Relations Commission can manage—I think this is the response the member is after—the relatively small number of training contract disputes within its existing resources. Should the number of apprentices and trainees double over time with the expected mining boom—and I sincerely hope they do—the potential is there to consider alternative arrangements.

In relation to the opposition's amendment to create a separate division of the South Australian Industrial Relations Commission to deal with training related disputes, I am advised that it is not entirely clear what is being proposed. However, as indicated in the minister's letter to the shadow minister, preliminary estimates, based on what we assume the opposition intends, puts the cost of setting up a separate division, with a division head and an expectation of appropriate resourcing, in the order of an additional $700,000 per annum to taxpayers.

Statistics from 2007 show a total of 87 cases were heard by the GDMC. On this basis, the cost of establishing a separate division is about $8,000 per case. Presumably, the opposition feels that a more user-friendly environment needs to be established to deal with these types of matters. However, as many stakeholders would realise, through consultations on the draft SAIRC guidelines, an environment appropriate to the needs of the apprentices and trainees, many of whom are young, and employers, many of whom will be small business people, will be created.

Many people familiar with the workings of the SAIRC understand that its processes are tailored to suit the needs of the clients accessing its services. The government shares the opposition's apparent concern to provide the appropriate environment for apprentices, trainees and employers involved in training contract disputes but believes that this can be achieved without the additional impost of expense or administrative bureaucracy.

Before leaving the debate on this clause, and referring to the Hon. Dennis Hood's second reading contribution in relation to the payment of wages while an apprentice trainee is on suspension by an employer, the normal practice from employers, and in cases brought before the GDMC, is that an apprentice trainee is suspended without pay, but the bill and the current act do not preclude the employer from paying wages, if they so wish. If a suspension is found by the SAIRC to be unwarranted, any issue of unpaid wages during the period of suspension would likely be considered as part of the commission's orders.

The Hon. D.W. RIDGWAY: I move:

Page 6, lines 30 and 31 [clause 4(1), definition of 'Industrial Relations Commission']—

Delete the definition

As I indicated during my second reading contribution, the opposition, in conjunction with stakeholders and the community, believes that the establishment of a separate division of the Industrial Relations Commission—to be known as the Training and Skills Division of the Industrial Relations Commission of South Australia—is an appropriate way to deal with these disputes.

As I pointed out earlier today, we will see a significant increase in the population of this state. The government's target was 2 million by 2050 but it now looks like being 2 million by 2030, so we are looking at just a little over 20 years to having significantly more people in this state. The government continually talks about the mining boom and the minister just then mentioned, in

answer to a question, that we had better consider some alternative arrangements if the workload or the number of disputes become greater. I am a bit surprised she says 'if', because the Premier—in fact, every minister in this government—constantly talks about our mining boom and the fact that we have a skills shortage, and that the greatest threat to the boom is a skills shortage.

There is an increasing focus, at both state and federal level, on dealing with the skills shortage, and there is a greater focus on training and delivering quality, trained people into the mining industry. Of course, it is not only the mining industry: a whole range of other industries will spin off the mining industry because the actual act of mining—digging something out of the soil—is only a small part of the economic activity that would be generated by all that. We hear this constantly from the government, and it seems an appropriate time to put this into legislation and for this particular function to be part of the Industrial Relations Commission's role, rather than wait for the situation to become overloaded.

The minister says 'if' we are likely to see the boom; I am pretty certain we will. I am more confident than the minister that we will see significant economic activity in this state. I expect we will also see increased immigration, and the potential for people of, say, my age to be emigrating from other parts of the world—and do not look so surprised—with their children. I have a daughter who is almost 18 and another who is almost 15, so kids of that age who have grown up in another country may well seek to enter a training program, and they may come from a non-English-speaking background. I see the potential for problems to develop, so it seems logical, when we are dealing with the legislation, to look at these amendments.

I understand that all the remaining amendments are consequential, so it is my intention to use the first amendment as a test to determine whether there is support in the Legislative Council for the amendments generally. Members stated during the second reading that they want to consider the amendments and listen to the arguments. Well, I believe the arguments are compelling if we are to capture wealth through the mining boom and resultant economic activity. The fact is that we have only about 20 million people in this big country. Over time we are likely to have more here, and we are likely to see an increased focus on training and an increased workload, so it seems logical at this point to address the issue and include a training and skills division within the Industrial Relations Commission.

I believe that I made myself clear on this matter during my second reading contribution, so I will not delay the committee any further now. I urge all members to support the first amendment.

The Hon. CARMEL ZOLLO: I reiterate that the government shares the opposition's apparent concern to provide the appropriate environment for our apprentices and trainees, as well as employers, involved in training contract disputes. However, we believe that this can be achieved without the additional impost of the expense and administrative bureaucracy that would be involved under the amendment.

I have placed on record that this government believes that the cost of a division such as this would be in the order of an additional $700,000 per annum to taxpayers, with the hearing of 87 cases involving about $8,000 per case. I do not think anybody would doubt the commitment of this government to its apprentices and trainees. We, like everybody else, understand that they are young and can be vulnerable, and it is important for us that they are well looked after. As already has been placed on record, many people are familiar with the workings of the SAIRC and understand that its processes are tailored to suit the needs of the client accessing its services. I ask those on the cross-benches to consider the information I have placed on the record and not put this additional impost onto our taxpayers.

The Hon. D.W. RIDGWAY: We received the same information from the minister in another place: that $700,000 would be required to establish this, and then he divided the 87 cases from last year. A $700,000 investment—what capacity does that give us? Does it mean that, if we had 88 cases, it would be $708,000 because it is $8,000 a case, or would a $700,000 investment give us the capacity to deal with 200 or 300 cases a year?

The Hon. CARMEL ZOLLO: My advice is that the $700,000 was to establish and resource at the current level. Indeed, I might ask the opposition what it suggests the cost of a new division would be, because certainly this is our advice.

The Hon. D.W. RIDGWAY: If it currently costs $700,000 to deal with the 87 cases under one structure, and you take that and put it in another structure, it is still $700,000. I fail to see where the increased cost really is.

The Hon. CARMEL ZOLLO: My advice is that at the moment the SAIRC has the capacity with no additional cost to incorporate the disputes arising from the training and contract system. I need to remind the opposition and other members that we are not proposing the establishment. We, on this side, have the no-cost option.

The Hon. D.W. RIDGWAY: I was unclear after the minister's answer previous to this one she has just given. If the estimate is $700,000 to establish the training and skills division, what is the capacity? It might be 87 cases at $8,000 a case, but what is the capacity of a $700,000 investment? If we had three times the level of trainees—so, let us say 240 or 250 disputes—could a $700,000 investment to establish that division cope with 250 disputes? If we had three times the number of trainees under the existing structure—and, therefore, three times the disputes at 250—the minister says at present the Industrial Relations Commission has the capacity to handle the 87 cases that we are roughly having each year but, if we have a trebling of that workload, does it have the capacity or will it need further resources to cope with that itself?

The Hon. CARMEL ZOLLO: First of all, I have already placed on record that we would have the potential to consider alternative arrangements, but we are not entirely clear what the opposition is now proposing. As indicated in the letter from the minister in the other place to the shadow minister, and as I have already placed on record, our preliminary estimates, based on what we assume the opposition actually intends, put the cost of setting up a separate division with a division head and an expectation of appropriate resourcing—we are looking at a new division—at the order of an additional $700,000 per annum to taxpayers.

The Hon. D.W. RIDGWAY: I understand what the minister is saying, but does a new division, with a new division head resourced at $700,000, have the capacity to handle only 87 cases a year for that $700,000?

The Hon. CARMEL ZOLLO: I think we have already placed this on record, but we are confident that the IRC has the capacity to meet the current demand and, as best as we can project demand, the $700,000 is purely an attempt to cost the amendment put up by the opposition. Again, we believe that the capacity is there within the IRC and that we have mechanisms to review the needs well within the time of their arising. I reiterate the primary advice provided as to how the IRC operates, and the amendment of the opposition is really an unnecessary complication and cost.

The Hon. D.W. RIDGWAY: I am still a bit confused about the $700,000 being an attempt to cost our amendments, which the government has the capacity to do because it has the resources of government to cost some of these things. The minister's assumption is $700,000. Is that to do with the current level of activity—the 87 cases dealt with last year? The minister has said that we will create a new division and head with adequate resources. So, a division head will be required regardless of whether there is 80 or 8,000 cases a year. How does the minister arrive at the figure of $700,000—she says division head and adequate resources. Is it based on the 87 cases or is it a figure that she plucked out of the air, a certain number of staff and number of hours required? How did the minister arrive at that figure?

Members interjecting:

The Hon. CARMEL ZOLLO: I can only reiterate what I have put on the record: this is the best we can predict for the cost of setting up a division and all that would be required for it. With the 87 cases, obviously there has been a costing on that of $8,000 per case in such a separate division. It really is nothing more complicated than that. It is just our attempt to accommodate the opposition's amendment.

The Hon. D.W. RIDGWAY: I thank the minister for not really giving me the answer that I wanted. The $700,000 cannot be quantified by the minister. An honourable member behind the minister interjected that that is what the commissioner said it will cost. In the absence of the minister's being able to say to us that the $700,000 is so much for a divisional head, it can handle 80 cases or it will have the capacity to do more or less, it is compelling evidence that this amendment should be supported. Clearly the government is not in a position to quantify accurately how it arrived at the $700,000.

The Hon. CARMEL ZOLLO: I remind the honourable member that we do not have to: we can actually do it for nothing.

The CHAIRMAN: The mover of the amendment should inform those who are thinking of voting for the amendment what are the costs to the taxpayer of such an amendment.

The committee divided on the amendment:

AYES (9)

Dawkins, J.S.L.	Evans, A.L.	Hood, D.G.E.
Lawson, R.D.	Lensink, J.M.A.	Ridgway, D.W. (teller)
Schaefer, C.V.	Stephens, T.J.	Wade, S.G.

NOES (10)

Darley, J.A.	Finnigan, B.V.	Gago, G.E.
Gazzola, J.M.	Holloway, P.	Hunter, I.K.
Kanck, S.M.	Parnell, M.	Wortley, R.P.
Zollo, C. (teller)		

PAIR (2)

Lucas, R.I.	Bressington, A.

Majority of 1 for the noes.

Amendment thus negatived; clause passed.

Remaining clauses (5 to 79), schedules and title passed.

Bill reported without amendment.

Bill read a third time and passed.

CHILDREN IN STATE CARE INQUIRY

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (15:56): I seek leave to make a personal explanation.

The Hon. CARMEL ZOLLO: On Tuesday during the Estimates Committee hearing, I answered a question from the member for Kavel from the other place about recommendation No.13 made in the Children in State Care Inquiry. I said that this was still subject to cabinet consideration. Both the Chief Executive of the Department for Correctional Services and I thought that the honourable member was referring to the children of the APY lands inquiry, also undertaken by Mr Mullighan, and I answered the question accordingly.

An error was brought to my attention during question time today by an honourable member and I am seeking the earliest opportunity to correct the record. My reply to the honourable member's question during question time today is an accurate response with regard to recommendation No. 13 of Commissioner Mullighan's inquiry into children in state care.

DESALINATION PLANTS

The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (15:57): I table a copy of a ministerial statement relating to the Adelaide Desalination Project made earlier today in another place by my colleague the Minister for Water Security.

CONTROLLED SUBSTANCES (CONTROLLED DRUGS, PRECURSORS AND CANNABIS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 3479.)

The Hon. R.D. LAWSON (15:58): I rise to make a contribution to the second reading debate, and I indicate that Liberal members will be supporting the bill. I think it is worth beginning my remarks by referring to the record of the Rann Labor government in relation to drug policy. Members would recall that very early on in the term of this government the Premier established the much vaunted Drugs Summit. It was announced by the Premier in December 2001. Communiqués were issued and a large gathering of participants was held in June 2002.

As it transpires, the summit was appropriately held in the Adelaide Entertainment Centre because, frankly, all that came out of the summit was a high-sounding communiqué issued at the end of it. There were a number of ministerial statements, various media releases and announcements and, would you believe, a very glossy booklet produced by the government announcing its wonderful initiatives in relation to the recommendations of the Drugs Summit.

Regrettably, however, very little of lasting value came out of the Drugs Summit. Nobody should be surprised that, in February 2002, Monsignor Cappo prepared an evaluation report which gave the government full marks for its tremendous initiatives in this direction. Really, after the Drugs Summit was established, the Premier hardened his views in relation to drugs policy, realising that there was more political value and political kudos in adopting a law-and-order attitude to drugs policy rather than one that was therapeutic, rehabilitative or educative.

I am surprised that the Premier, given his new rhetoric on drugs policy, has not sought to renounce the philosophical underpinnings of the Controlled Substances Act. That act goes way back to a royal commission established by the Dunstan government on the non-medical use of drugs.

That commission, which reported in April 1979, was headed by Professor Ron Sackville, then of the University of New South Wales, and had two other members: Dr Earle Hackett, well known at that stage as the deputy director of the IMVS in Adelaide; and Richard Nies, who was head of the School of Social Studies at the South Australian Institute of Technology.

The approach taken by that royal commission was far different to what might be termed a law-and-order approach. It was, I believe, really a product of the 1970s. It downplayed, in effect, the seriousness of the drug issue and sought to adopt, in effect, a less criminalised approach.

The criminal offences in relation to illicit drugs were left in the Controlled Substances Act rather than taken into the general body of the criminal law. The Controlled Substances Act was left under the administration of the Minister for Health, rather than the Minister for Police, the Attorney-General or someone else who might take a rather more serious view of the criminal nature of much drug activity.

We have seen, in recent times, the approach that was originally espoused by Sackville being abandoned—and abandoned for unprincipled reasons—by this government. As recently as 2005, the government introduced a bill called the Controlled Substances (Serious Drug Offences) Amendment Bill. That bill was passed after much fanfare, with the Premier beating his chest saying that he is tough on drugs and makes no apology for it. People who sold drugs to children were to be massively penalised.

The Premier did not realise that the penalties were actually reduced in respect of some of those serious drug offences. Notwithstanding many press releases, ministerial statements, and exclusive releases to *The Advertiser* from time to time, it took some considerable time for the Controlled Substances (Serious Drug Offences) Amendment Act to come into operation.

Now it is discovered that that bill was not tough enough or tight enough: it did not meet all the requirements of the Commissioner of Police, and therefore this new tougher measure is being introduced. Once again, we have had a series of press releases, and we can expect the usual ministerial statements and self-promotion on the part of the government, proclaiming that it is tough on drugs and, once again, makes no apology.

As is acknowledged in the second reading contribution, the Commissioner of Police has argued that the legislation does 'not adequately provide intervention opportunities necessary to effectively prevent the manufacture of illicit drugs'. That is a quote from the Commissioner. He wants an offence of possession of precursor chemicals without lawful excuse; this being a recommendation from a resolution of the Australian Police Ministers Council.

I would ask the minister to indicate, when he responds or during the committee stage of this debate, when it was that the Police Ministers Council passed that resolution in relation to the possession of precursor chemicals. We accept the argument, of course, that, if the ingredients of illicit drugs are in the possession of persons without lawful excuse, a prima facie case exists for police action to be taken against them.

According to the second reading explanation, the Commissioner of Police has expressed the view that the offences which were introduced in 2005 dealing with precursor chemicals were not satisfactory because those provisions relied upon proof of an intention. It is normally the case that, where the possession of something is deemed to be an offence, not only must there be the physical element of possessing the substance but there must also be proof of an intention that it be used for some illicit purpose. That is one of the fundamental elements of criminal law.

It is now acknowledged that this government is bowing to a request from the Police Commissioner, who wishes to have the reliance upon the proof of intention removed. Once again, I ask the minister to indicate when it was that the Commissioner of Police expressed that particular view, because it is entirely unsatisfactory for this parliament to debate at great length (just a couple

of years ago) an amendment and to now have the Police Commissioner indicating that it is unsatisfactory.

Why, one may ask, was that view not expressed previously? Or perhaps, if it was expressed, why was it that the government did not take that into account? Why was it that the parliament was not (on that occasion) advised of the reservation of law enforcement authorities? In the minister's second reading explanation he states:

> The models of regulation of precursor chemicals in drug legislation throughout Australia vary markedly. I have decided on a new approach that mirrors recent events elsewhere and also takes into account established practice in this State.

I ask the minister: to what recent events was he referring in that passage, and where were those events? I also ask him to indicate to which established practice in this state he was referring in that passage.

In another place the shadow attorney-general has indicated the opposition's general reluctance to accept criminal legislation that has essential elements contained in regulation rather than in the legislation itself. It is true that regulations can be disallowed by either house of parliament, although that is a step rarely taken. I once again reiterate the opposition's unhappiness with this style of legislation. Here we have the possession of drug equipment made a criminal offence, and a serious criminal offence, but the precise definition or nature of the drug equipment to be proscribed is not contained in the legislation. We are not given draft regulations, we are not aware of precisely what is to be included.

It is obvious that in drug laboratories equipment may be used for which there are perfectly legitimate grounds for possession. Equipment such as test tubes and the like may be used, which have no necessary criminal element; they might be used as much for illicit purposes as for licit purposes. I notice, for example, in the report of the Sackville committee, that as early as 1979 they were talking about the possession of pill-pressing machines. Now, no doubt a pill-pressing machine is something that pharmaceutical companies use for legitimate purposes. I ask the minister to indicate whether such machinery or items of equipment are intended to be proscribed. I also ask him to indicate when he contemplates that these proscriptions will be made, whether any other regulations are required and, if so, when they will be required. I ask that with particular memory of the fact that the 2005 legislation was passed but not proclaimed for a very long time, on the ground that the government did not then have regulations in place.

There are provisions dealing with what are described in the bill as 'artificially enhanced cultivation' of, I assume, cannabis. The Liberal Party has supported the criminalisation of the hydroponic cultivation of cannabis—indeed, we advocated that. The former Minister for Police, Robert Brokenshire, championed it, and this government ultimately sought to take credit for moving in that direction. Once again, we have no particular objection to the measures taken in relation to what is now called artificially enhanced cultivation of drugs.

This bill contains a provision relating to the sentencing of drug offences and, in particular, in relation to the manner in which methamphetamine is dealt with. This is a provision which we support. The courts have, to some extent, got themselves into something of a difficulty in relation to the scale of seriousness in regard to drug offences. In clause 14 of this bill there is an amendment to section 44.

I think it is worth placing on the record part of the reason why the courts have got themselves into difficulty about the manner in which they classify drugs for sentencing purposes. The court has adopted a broad approach of classifying drugs as most serious, middle range and low range. For example, heroin has been classified in the most serious category. Different categories have been adopted. For example, hashish is considered more serious than Indian hemp. In a decision as early as 1979, Tunis v Fingleton, methadone, cocaine, ecstasy, LSD and fantasy have all been classified as either middle or high range drugs. Amphetamines have been classified by the court as in the middle range of drugs, being more serious than hashish but less serious than heroin.

The most recent case in which this categorisation was referred to by the Court of Criminal Appeal is the decision in R v Sladic decided in 2005. That was a decision of the full court comprising Justices Gray, Sulan and Layton. Justice Layton, I seem to recall, was counsel assisting the Sackville inquiry many years before. The case of Sladic involved the sale of methamphetamines and the accused persons, ultimately found guilty, received a head sentence of 3½ years' imprisonment with a non-parole period of two years. In relation to the sentencing aspect, the Court of Criminal Appeal said:

In challenging the head sentence, counsel for the appellant argued that the notional starting point in accordance with the decision in Mangelsdorf [in 1995] for cases involving a 'middle range drug' should be within the range of four to five years...

The court continued:

The history of the categorisation of the drug family of methylamphetamine as being 'middle range', in this State commences with the decision of Pearce, in 1980. The Court described a drug of the same family as methylamphetamine as in the middle range of seriousness. In 1983, in Cronn & Bladon, King CJ adopted this classification and concluded that methylamphetamine and drugs of the same family should be regarded as the middle range of drugs.

The court continued:

This Court has not undertaken the review of the classification of methylamphetamine that has occurred in Western Australia. In that State, the Court has reclassified methylamphetamine as a drug in the higher range of seriousness.

The court also referred to a statement of Chief Justice Doyle in Mangelsdorf, a case to which I earlier referred, where he said:

In the matters heard by us the Director of Public Prosecutions did not ask the Court to review the standards which it has established, with a view to increasing them. The frequency with which offences involving trading in heroin, and indeed in other drugs, come before the Courts make me think that it may be necessary to do so in the future.

As it transpired, the court did not, in that particular case, seek to reclassify the seriousness.

I think it is appropriate that this parliament in legislation ought actually undertake the process of reclassification. The Criminal Law (Sentencing) Act and the Controlled Substances Act are legislation of this parliament, and it is appropriate that the parliament, which does have greater resources than the courts, can make judgments about how particular drugs are to be classified.

The way in which this legislation seeks to do that is somewhat circuitous by the insertion of new subsection (2) to section 44. The new clause will provide that, in determining the penalty to be imposed involving a controlled drug other than cannabis, cannabis resin or cannabis oil, the degree of physical or other harm generally associated with consumption of that particular type of controlled drug, as compared with other types of controlled drugs, is not a relevant consideration, and the court must determine on the basis that controlled drugs are all categorised equally as very harmful.

In my view, that is a fairly crude instrument for dealing with this issue. To simply say that all controlled drugs are categorised as equally very harmful is entirely artificial, and I do not believe that the intent of parliament will be fully reflected in the judgment. We ought in this parliament to be adopting a more sophisticated and more scientific approach.

The Hon. Sandra Kanck interjecting:

The Hon. R.D. LAWSON: The Hon. Sandra Kanck asked, quite reasonably, are we going to oppose it? No; we are not going to oppose it. We believe it is appropriate that something be done. We do not believe that this is necessarily the most appropriate way to go; however, this is the government's intended solution to this problem. Here, what we propose to do is support this measure as far as it goes, to see how it operates in practice. We hope that the courts will apply it in the way in which it is intended by members of parliament. Perhaps they will; I suspect that they will not and that we will have to revisit this provision in the fullness of time.

With those remarks I indicate that I look forward to receiving the minister's response to the questions I have asked. If we have to wait until the committee stage for that, I am quite satisfied with that solution, but we will be supporting the second reading.

The Hon. SANDRA KANCK (16:26): This is yet another bill that highlights the way our society has become completely hysterical about drugs. Many people, including our community leaders, have swallowed sensationalist media coverage and take all sorts of fixed positions without taking the trouble to inform themselves about the science of drugs, and that is exactly what this bill does. Other people, such as our Attorney-General, exploit the resulting irrational fear in order to win popularity.

Most drugs, legal and illegal, are potentially dangerous, but the best way to guard against those dangers is to think clearly and to legislate accordingly. From that perspective, over the past 30 years the Democrats have pioneered the campaign against one of the more dangerous drugs—tobacco—and I have been calling for action on alcohol for years. These concerns, like my views on other drugs, are based on careful research and consideration about the nature of drugs and the

sorts of policies that might work best. This is bad legislation, because it is not based on any scientific evidence, and it might even lead to more dangerous use of drugs.

I will focus on two key provisions of this bill, one about which I have major reservations and the other which I think is quite ridiculous. The first concern relates to clause 12, inserting new section 33LB, which relates to possession of a prescribed quantity of a controlled precursor. New subclause (2) provides:

> Subject to subsection (3), a person who has possession of a prescribed quantity of a controlled precursor and—
>
> (a) a prescribed quantity of another kind of controlled precursor; or
>
> (b) any prescribed equipment,
>
> is guilty of an offence.
>
> Maximum penalty: $15,000 or imprisonment for 5 years, or both.

Subclauses (3) and (4) then go on to provide that a person can give a reasonable excuse for possessing those substances and equipment, but they have to prove their innocence, not the other way around. This means that, if police find a person with the equipment or substances required to manufacture drugs, they will not have to prove that the person intended to manufacture those drugs.

I and my party have always been reluctant to reverse the onus of proof. The concept of onus of proof has been incorporated into our judicio-legal system precisely to stop the abuse of power by the authorities. Sadly, I recognise that, in our comfortable country, abstract ideas like 'innocent until proven guilty' do not carry much weight, and the Rann government is beginning to make the approach 'guilty until proven innocent' a specialty. If the proponents of this approach were to do a little research rather than take an ideological position, its flaws would quickly be revealed to them. The central problem is that many drug labs are based on very ordinary equipment. I quote Lisa Madigan, the Attorney-General of Illinois, as follows:

> It is important to understand, however, that meth production sites are not really laboratories at all. When we think of laboratories we think of highly educated scientists in clean white coats conducting controlled experiments with advanced equipment in an antiseptic environment. Meth labs are nothing like this. The equipment used to make meth consists not of advanced scientific apparatus but instead common household items such as mason jars, coffee filters and plastic soda bottles. Most of the ingredients used to make meth, such as cold tablets, lithium batteries and Coleman fuel can be purchased at local drug, hardware and farm supply stores. The best way to describe the appearance of a typical meth lab is that it looks not like a real laboratory but more like a dirty kitchen.

It is good to know that the Illinois' Attorney-General has this understanding, even if our Attorney-General does not. We are debating a bill that relates to common household items, and it has practical consequences for the operation of this bill, namely, that the police can charge people for the possession of batteries and soft drink bottles. Many of the ingredients required to manufacture drugs, such as cold tablets, are also very commonplace. It seems that under these clauses a regulation could be made that would enable someone to be charged for having a small quantity of cold tablets, some batteries and a Bunsen burner and, unfortunately, the quantities of the precursors will be specified in the regulations, so we are to some extent left guessing in dealing with this bill.

The combination of these provisions will give the police significant new powers, and with that power goes the potential for abuse and mistakes. These sorts of expansions of police powers ought not be considered until we have a watchdog, an ICAC. This bill also includes a provision that is utter nonsense. This is that part of the bill that I said I would be addressing because it is ridiculous, and in the true sense of that word members of the South Australian parliament who support this provision ought to be ridiculed. Clause 44(2) provides:

> In determining the penalty to be imposed in respect of a summary or indictable offence against part 5 involving a controlled drug (other than cannabis, cannabis resin or cannabis oil), the degree of physical or other harm generally associated with the consumption of that particular type of controlled drug, as compared with other types of controlled drugs, is not a relevant consideration and the court must determine the penalty on the basis that controlled drugs are all categorised equally as very harmful.

In other words, we are going to be equally tough on all drugs because all drugs are very harmful. That is absolute nonsense. It is exactly the sort of thinking that led to my being criticised for suggesting research into the medical benefits of MDMA. Such criticisms have come from people who do not have any reservations about the use of potentially addictive pain relievers such as morphine or tranquillisers like valium.

Drugs are potentially dangerous, but I argue—and most rational members in this place would agree—that drugs differ in the type and level of danger and, as the Hon. Robert Lawson has pointed out, we have seen our judges making decisions based on the level of harm. Yes, there are dangers, but should we put MDMA in the same category as heroin, as this legislation does? The debate about drugs in the United Kingdom is very instructive because it has provided the science that can allow sensible decision making. The UK has a 35-year old system for classifying illegal drugs as class A, B or C substances. The penalties for possessing them or dealing in them reflect that graded classification.

Two years ago David Nutt, a senior member of the UK Advisory Council on the Misuse of Drugs, and Colin Blakemore, the Chief Executive of UK's Medical Research Council, published in *The Lancet* an analysis of 20 substances that looked at their addictive qualities, social harm and physical damage. That analysis produced strikingly different results from the government's drug classification system. Key findings were that heroin and cocaine, both class A drugs, topped the table of harm. Tobacco was placed ninth, ahead of cannabis, placed 11th. Alcohol, tobacco and solvents, all of which can be bought legally, were judged more damaging than LSD, which ranked 14th, while ecstasy ranked 18th.

I remind members and any media that might seek to distort what I am saying that these are not my opinions but the conclusions of highly respected British scientists. A number of MPs on the House of Commons Science and Technology Select Committee have had the courage to respond to this evidence and have called for a new scale to be introduced, rating substances on the basis of health and social risks and not linked to legality or potential punishments. The committee's chair, Phil Willis, said, 'This research shows why we need a radical overhaul of the current law and a radical review of the classification system.' The United Kingdom at that time was in the middle of a fierce debate about binge drinking and it may have helped legislators to put drug abuse into a more sensible context.

In that study heroin was ranked the most dangerous drug and it was already class A under the UK government's drug ranking framework. Heroin was used by 40,000 people in the UK in 2004 and led to 744 deaths. Cocaine, which was ranked No. 2 and is also a class A drug, had 800,000 people using it and 147 deaths resulting. LSD was also listed as a class A drug, despite being used by 70,000 people and not being associated with any known deaths. *The Lancet* article ranked LSD 14th out of 20. Ecstasy is a class A drug in the UK, but it ranked 18th in the analysis of harm because, despite having 800,000 users, only 33 deaths had been attributed to it. One might say that 33 deaths is 33 deaths too many, but then you would have to explain why the UK tolerates tobacco, which is not in any of its classifications A, B or C, when it was responsible for 114,000 deaths in the UK in 2004.

The research, by the way, ranked tobacco ninth in its harms analysis. We can argue about whether every drug has been ranked correctly, but at least the UK Drug Table of Harms provides the basis of some sort of objective criteria. It does not say that all drugs are equally very harmful, and it can be altered when new scientific evidence becomes available. By contrast, we have the patently absurd 'all drugs are equally dangerous' mantra of the South Australian government. This is not just a matter of intellectual dishonesty: this ideological thinking could have disastrous practical consequences.

To understand this, it is important to reflect on the most basic lesson of drug policy. Tough penalties have never succeeded in stopping people using and selling drugs. Just look at what happened with the prohibition of alcohol in the 1920s in the US. Many Asian countries impose the death penalty for possession, but it has not stopped either possession or trafficking. China has annual public mass executions of 50 to 60 drug users at a time, yet drug use continues. These new laws contemplated by the South Australian government (and it would appear most members in this place) will not reduce drug use. They might drive it under cover, or they might change the pattern of drug use in a way that will increase the danger to South Australians—the latter is my prediction.

If there is no difference between the penalties for different drugs, then, all other things such as supply and ease of manufacture being equal, there will be no reason for drug manufacturers and users to choose LSD (which is comparatively safe according to the UK results) over the much more dangerous heroin. In other words, this law could increase the use of more dangerous drugs. How bloody stupid can we get in this parliament? We need to establish whether there are unintended consequences, and it is very clear to me that this government has not looked to see whether there are unintended consequences. In considering this bill, it is also important for members to reflect on the result of different approaches to drugs.

The case of needle exchange is powerful proof that simplistic tough-on-drugs policies can actually cost lives. Back in the 1980s, when faced with an outbreak of HIV/AIDS, Australia correctly treated intravenous drug use as a health problem, not as a law and order problem, in order to deal with this particular health issue. The US took a heavy-handed, anti-drugs approach and ended up with almost 20 times the rate of HIV infection on a per capita basis compared to Australia. The US spends $25 million each year on needle and syringe programs compared to Australia's $32 million, and the difference shows clearly in the HIV figures.

A 2001 review of needle exchange programs by the commonwealth Department of Health and Ageing showed that these programs saved at least $2.4 billion in health costs, prevented 4,500 deaths from AIDS and 25,000 HIV infections and prevented 21,000 hepatitis C infections. The US approach by contrast shows the dangers of a moralistic and hysterical response to the social policy challenge on drugs. By the same token, there are times when our society has been too blasé about some drugs. We have clearly ignored the threat of alcohol and, as a result, thousands have died. The 70s generation ignored the simple dangers of deliberately inhaling carbon into the lungs when smoking cannabis.

But when faced with controversial issues, such as illicit drugs, it is our responsibility (unlike what the opposition is saying) to have the courage to resist political pressure and to be calm enough and to think through the issues and the argument rationally and to reject aspects of law such as this that is based on myth and superstition. My mind reels at the appallingly inaccurate contention that is in this bill that all illicit drugs are equally harmful. It flies in the face of good science and therefore also flies in the face of any justice associated with its implementation. It is legislation that makes South Australia a laughing stock.

The government has failed in its responsibility by introducing such flawed legislation, and the opposition is failing by supporting it. Nevertheless, before we get into committee, I urge members to rethink this and to analyse this bill critically. Sadly, from the speeches that have been made so far, I suspect that the moralistic tough-on-drugs incantation will be the only driver. I will not be supporting the second reading of this bill, which is likely to cause more harm than the harm it attempts to address.

Debate adjourned on motion of Hon. R.P. Wortley.

EVANS, HON. A.L.

The Hon. A.L. EVANS (16:45): I thought it appropriate to rise at this point as I will not be present at the next day of sitting. I am one of the 25 per cent of South Australians with diabetes—a disease which is both misunderstood and sometimes debilitating. My medical advice has been to retire for the sake of my health, and this time I have decided to follow that advice. At the conclusion of this day's sitting, Mr President, I will be handing you a letter of resignation according to section 16 of the Constitution Act. I want to leave this place with some final thoughts.

I want to place on the *Hansard* record my hopes and concerns for South Australia. I was elected to this place, following the election of 9 February 2002, at the head of a brand new political party, Family First. The people who elected me were ordinary mums and dads, young people and the elderly who were concerned about traditional family values. My history was with the church and, given my commitment to traditional values, I received a lot of support from Christians. However, I expanded the party's base and opened it to those genuinely concerned about the direction in which South Australia is heading—and many South Australians are concerned about where we are heading.

An article last week entitled 'Everything seemingly is spinning out of control' talked about environmental concerns, petrol prices skyrocketing, and the cost of living being out of control, along with the never-ending fear of terrorism and wars without end in Iraq and Afghanistan. Society has lost its anchor and is adrift on the wild open sea, buffeted by the winds of social experimentation and open attack on the family unit. I can scarcely believe that, in 2005-06, there were 266,745 reports of child abuse across Australia. That figure has doubled in only six years. Each year for the past 10 years 1,000 extra children have been placed away from their families because their own family was abusing or neglecting them. South Australians are asking: why? How have we reached this point? Sadly, just in the past year, South Australia has:

- Found a baby boy dead in a bin at the City West TAFE.
- The number of babies born addicted to heroin and methadone, etc. has increased by 20 per cent.

- Almost 200,000 South Australians now live in poverty, despite the state's economic growth. Just over a decade ago, about seven in 100 people lived below the poverty line, but figures for 2005-06 show it is now more than 12 in 100. Despite our economic development, services are reducing, not increasing.
- We have a spike in hospital-related violence, from 4,427 code blacks in 2005-06 to 6,056 in 2006-07, with 37 per cent more related to drug abuse.
- We are becoming increasingly selfish and introspective, with the number of day spas, cosmetic clinics, tattoo parlours, and the like listed in the Yellow Pages soaring since 1988, while church organisations, union branches, community clubs and volunteer organisations are seeing a steep decline.
- Tragically, about 5,000 South Australians had an abortion in 2005-06, of which 97 per cent were claimed to be on the grounds that the birth of the child posed a significant mental health risk to the mother. I simply do not believe this to be true. This is either the 'social reasons' situation that MPs argued violently against when abortion was legalised, or it otherwise represents a massive and unexplored mental health epidemic. Either way, it is tragic.
- In the 1950s, statistically we felt emotionally close to seven family and friends. Now, the average is down to just four.
- Respect for authority has dramatically fallen in the past 10 years. In 1998, there were 1,608 breaches of bail or parole in the state. By 2005, the figure had quadrupled to 6,695.

In the Adelaide I once knew, we did not have to give our teachers panic phones before putting them in a playground. I have lived in Adelaide for almost 73 years, and I have never seen South Australian families more fragmented or the consequences so evident. I have no doubt whatsoever that South Australia is in trouble, because the Australian family is under siege.

In 2006, we had 51,375 divorces in Australia, of which 3,913 were in South Australia alone. Each divorce represents a broken family, and many divorces result in lost and hurting children. Our marriage rate in Australia has only once been lower: in the midst of World War I when 416,809 Australian men in their prime bravely and selflessly left our shores for battle. Some of their families now ask me, 'Is this the South Australia our fathers went to war for?'

Up to a quarter of women will never have children, and one in four homes in South Australia is now occupied by only one person. On the abortion front, in this state, more teenagers are now having abortions than actually giving birth. Why can't these children be adopted?

The fragmentation of our family units through divorce, low marriage rates and high abortion rates is responsible for many of the problems in our society. It is little wonder that house prices are spiralling out of control when our families are so fractured that so many people are forced to live alone—often not through their own choice. It is little wonder that we have an ageing population when we abort so many South Australians. Quite simply, if we reduce the number of babies, the average age of the population increases, as do the associated health and social costs.

Four out of five divorced Australian mothers are dependent on welfare 5 to 8 years after separation. Family breakup, rather than unemployment, is now the main reason for the rise in poverty levels in Australia. As families break up and children are left without fathers, these children have lower test scores and turn to crime more consistently. American figures show that: 63 per cent of youth suicides are from fatherless homes; 75 per cent of adolescent patients in substance abuse centres come from fatherless homes; 90 per cent of homeless and runaway children are from fatherless homes; 71 per cent of high-school dropouts come from fatherless homes; and 85 per cent of youth in prison had no fathers at home.

The family is at risk throughout Australia. It is shredded by divorce and separation and is redefined in increasingly bizarre ways. The *Daily Mail* recently carried a report of a teachers' conference looking into the effect of family breakdown on children at school. It states

> Children with 'chaotic' home lives turn up at school too troubled to learn, wrecking their prospects of success in exams, they said. Growing numbers are being brought up in splintered families by mothers with children by different fathers, leading to behaviour and mental problems including eating disorders and suicidal thoughts, a teachers' conference heard.

This is not to blame single-parent families, many of whom move heaven and earth for their children but, as a society, we should be promoting the ideal for our children, which is to grow up with mum and dad. One author writes:

There exists today no greater single threat to the long-term wellbeing of children, our communities or our nation than the increasing number of children being raised without a committed, responsible and loving father.

I believe that in 20 to 30 years, as we look back on South Australian history, several things will become apparent. We will look at the '80s and '90s, and we will see a state consumed by the health of the economy. The governments of today have responded by basing policy directions on economic calculations and balance sheets and, by and large, they have done well in stabilising the economy.

This decade has seen a shift towards environmental concerns and increased awareness of the need to reduce pollution and wind back global warming. Family First, of course, supports this. However, the next looming threat is to our families and to our society as a whole. We simply cannot continue to exist as a cohesive society if our families continue to disintegrate.

I strongly believe that the people of South Australia would prefer us to put the family first even before economic prosperity. Sometimes, both go hand in hand, but when economic prosperity means that we are destroying our children's environment, or it means that mums are spending 60 hours a week at work, or if this means that as a society we lose interest in the battler, the disabled and the elderly, then economic considerations must take second place to the needs of the family.

It is easy, as politicians, to ignore long-term solutions to complicated problems and focus instead on polls, media sound-bites and short-term popular decisions timed for an election. Politicians are said to be successful if they are active in the media, and yet I have found in most cases the opposite to be true. I started Family First because I thought the politicians were not focusing on the major issues that were the concerns of the family and the sometimes difficult solutions to those issues that South Australia needed.

We should have family impact statements for our legislation, and they should be more important than economic impact statements. It is an indictment on all governments' priorities that they do not consider such things. I am proud that this parliament saw merit in my bill to remove the statute of limitations for child sexual abuse. I understand that some 60 sex offenders are now in prison because of it. I am proud that I defended the definition of the traditional family in the domestic relationship legislation, and initiated a parliamentary inquiry into the status of fathers.

I first suggested that control of the River Murray be given to the commonwealth so that our children and grandchildren by some miracle might be able to enjoy and use it. That miracle has not yet occurred. While the state and federal governments are arguing among themselves and have meeting after meeting, nothing has been done. We have sucked water from the Murray as if there is no tomorrow, and the latest advice is that there is no tomorrow for the Murray—or it has months to survive. We can argue all we like that the focus should be on the economy, the environment, families or something else, but without water, there will be no South Australia and nothing left to argue about.

The challenges for this parliament in the years ahead are clear and very important. Preservation of the family unit and family values, the establishment of genuine water security for South Australian families, the re-establishment of a society where individual responsibility is the expected norm and a legitimate safety net for genuinely disadvantaged should be the focus of debate in this place. In closing, I would like to comment on people in this place and my relationship with them.

Members interjecting:

The Hon. A.L. EVANS: I have enjoyed my time here, actually, and I have found fine friendships and attitudes towards me from everyone in this place. There are three I would like to highlight, though. I used to say I was rather green when I first came in here but, with my brother here, I would hate to take his title. So, I will say that I was rather naive about many of the things in this place, and Carmel Zollo helped me in the first week that I came here. I knew nothing about the structure of this place or how it worked, and she gave me a pattern of how it works that her husband had written. I have kept to that right through, and it has been a very good help to me from time to time as I have wanted to know where we go next on the issues here.

The other person is Rob Lucas. Rob met with me and talked with me on my first day or so in this place, and he gave me some advice on staff: who to look for and what kind of people to get. I must say that I have had brilliant staff and a lot of the ideas I got from you, Rob: thank you very much for your advice. Without the staff, I would not be anywhere. I would have no hope of making a success of any kind in this place. I am grateful to my staff, and I want to thank all of them.

Another person who gave me on-the-job training for several years, and particularly in the first few weeks, is Nick Xenophon. He would say, 'You need to move this here,' and 'You need to do that here,' and so on, and it was a kind of guide to me in that short time that he was sharing those issues with me.

I am also grateful to the Hon. Dennis Hood. He has carried a fair load for me. In the past 18 months, I suppose it has been more difficult for me health-wise, and Dennis has really carried the load and been a tremendous support. I appreciate all you have done, Dennis.

I thank the thousands of South Australians who have voted for us. I believe that we are a party on the move, and we will be a middle-of-the-road commonsense party that will seek to uphold those values that I have spoken about today.

Last of all, I want to say that I am thankful to my Heavenly Father, upon whom I have constantly called for wisdom and strength, and who I found was always there to help. With that, I conclude my little speech. I also thank our President. I think our first chat was when we were crossing over King William Street to Government House. We chatted, I got to know him a little bit and I have learnt to appreciate him very much. Thank you.

Honourable members: Hear, hear!

The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (17:00): On behalf of the government I would take this opportunity to give my thanks for the service of the Hon. Andrew Evans to South Australians in his capacity as a member of the Legislative Council. I believe the honourable member has always been true to his ethics, values and convictions, and in particular in relation to his beliefs on families. The Hon. Andrew Evans has made a difference to the lives of South Australians by his contributions to legislation in this place and, as has been placed on the record earlier today by the Hon. Paul Holloway, particularly in relation to a bill concerning sex offenders.

On a personal level, while we may have occasionally disagreed on legislation, I believe the Hon. Andrew Evans is a thorough gentleman in the way he behaves, and one could always rely on his word. I would take this opportunity to wish the honourable member my very best wishes on his retirement. I know that his wife and family would be incredibly pleased to have him back in their lives in a full-time capacity.

The Hon. Andrew Evans has said that he has enjoyed his time in this place. I know I speak for everybody—and I know that other people will be speaking as well—by saying that we have enjoyed his company. I do thank the honourable member for his presence in this place. Again, my very best wishes to the honourable member on his retirement.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (17:02): I rise, first, on behalf of my colleagues, although I think a couple of others may make some comments as well, and personally too, to thank the Hon. Andrew Evans on behalf of the Liberal Party. It is interesting: we were elected on the same day, back on 9 February 2002. I have admired the honourable member's great strength and courage for being such a wonderful advocate for the things that he and Family First have held dear and the values that he has built his party around. It is certainly a testament that the Hon. Dennis Hood is here now and, of course, other members of parliament elsewhere in Australia as well. It is a credit to the Hon. Andrew Evans and a credit to the party that he has built.

The honourable member's contribution today has made me reflect on my own family. I am very fortunate to have a wife and three wonderful kids, and it takes times like this to make you sit and reflect and think how lucky you really are that—touch wood—we are all still healthy and happy and have a wonderful family life. I think too often in these days it is people like the honourable member who remind us of the real value that we should place on our family relationships and how important they are for us personally and for our community. So, I thank the honourable member very much for that.

As the Hon. Carmel Zollo said, the Hon. Andrew Evans has always been a wonderful person to deal with. He has always been very honourable, decent and straight down the line, and I think that that is something that we often do not see in politics. Political games are played, but I have found that the honourable member was always very much straight down the line. We have had some differences of opinion on certain fundamental issues but, notwithstanding that, the honourable member has been able to put them to one side and still deal with me on a level playing field. Certainly, I appreciate that and I know my colleagues appreciate that.

In closing, I wish the Hon. Andrew Evans, his wife and family, all the very best in his retirement. I guess the only disappointment I have is the football team that the honourable member barracks for, but I am sure that is a minor disappointment and not shared by all of us. So, all the very best and I hope we see the honourable member around from time to time.

The Hon. M. PARNELL (17:04): On behalf of the Greens, I would also add my best wishes to the Hon. Andrew Evans for his retirement, and to wish him very well in his life beyond parliament. I can recall, I think, the first telephone conversation that I had with the honourable member. I was very grateful that at the time I was playing a family card game—it wasn't gambling—and I had to tell him over the phone, 'I am with my family and we are playing a family card game', and I thought: 'That will go down well with the members of Family First.'

Clearly, there have been a lot of policy differences between the honourable member's party and mine, but in spite of that our relations have been professional, they have been cordial and they have been friendly, and it is my sincere hope that that will continue with his replacement as well. The number of times those of us with a conscience vote on every issue find ourselves sitting together on the for or against benches was one of the big surprises when I got to this place. I think that those occasions probably outnumber those issues on which we disagree.

At the honourable member's age most people are putting their heels up well and truly, but I have got no doubt that the Hon. Andrew Evans, in his retirement, will still engage in public life, and I have no doubt that we have not heard the last of him, whether it is through the Letters to the Editor or in some other form. So, with those words, on behalf of myself and all my colleagues in the Greens, we wish the honourable member all the best for his retirement.

The Hon. J.S.L. DAWKINS (17:06): I rise to speak, not on a political party basis, but on behalf of one of the groups in this parliament that, I think, fosters and allows fellowship between members across the political spectrum, and probably broader than that, and that is the Parliamentary Christian Fellowship. I am privileged to say that until a couple of months ago I was the immediate past chairman and the now the Hon. Mr Evans is the immediate past chairman.

That is a group that goes across all political parties and Independents but also crosses over all of the various Christian denominations. I am very proud of the impact that that group continues to have in the parliament. I remember when the Hon. Mr Evans came here he provided considerable support for me as the chairman. I was working at him very early to try to get him to take over from me, and after a year or so his resistance gave way and he took over.

I believe that most members of that group, and others in the parliament, have appreciated the Hon. Mr Evans's leadership of the Christian fellowship and particularly the fact that the meetings have had some excellent music added to them. As someone whose Christian worship is enhanced by music, I found that very good. I would also like to say that I think it is important we keep those forums in the parliament alive and well, because they allow members from across the spectrum to work together and see a little more beyond the political basis of so much that we do.

I would like to wish the Hon. Mr Evans all the best in his retirement, and express the hope that we will still see him around the place from time to time. I have enjoyed working with him.

The Hon. R.I. LUCAS (17:08): I rise to join my colleagues in making a few brief comments in relation to the announcement just made by the Hon. Mr Evans, and to congratulate him and his party on the achievements that the Leader of the Government and other members have highlighted (so I will not go back over those details).

In my six or so years of serving with the Hon. Andrew Evans, I can say that our dealings have always been based on his never having dudded me on any undertaking he has given. He has never welched on a bet either, which I cannot say about some other members. When the honourable member gave me an undertaking on an issue, whether it related to legislation or to the workings of his or my party, he followed it through. I can only make judgments on the basis of the discussions and dealings that I have had with the Hon. Mr Evans, so I can certainly attest to that fact, and I thank him for that. I also thank him for his personal friendship over the past six years or so. It is something I have appreciated and treasured, and I hope we can continue to maintain that friendship.

I will not use the word 'retirement' in wishing the Hon. Mr Evans well, because I think this is just moving to the next stage of the challenges ahead in his life. I know he will have a continuing involvement with his church, and I know there will be a continuing involvement with the administration of Family First as a political party. So, I wish him well in terms of the future challenges in the next stage of his life.

I would like to conclude by saying that perhaps the only disappointment I have, after six years or so of serving with the Hon. Mr Evans, is that I do not think I could ever encourage him to participate (as the rest of us did) in the unruly behaviour of interjecting during question time or during other members' speeches. Indeed, there are probably one or two colleagues over in that corner who are among the very few, I suspect, who have never interjected on other members in question time or in their contributions on legislation. I wish the Hon. Mr Evans and his family well for the future, and I hope we can maintain some contact.

The Hon. SANDRA KANCK (17:11): I believe that, on the political spectrum, the Hon. Andrew Evans and I are a long way apart. We have frequently disagreed on what I guess we call 'conscience vote' questions, and I think sometimes our exchanges have been reasonably robust—particularly when I have quoted the Bible. In fact, the Hon. Andrew Evans has even spoken to me and taken me to task, claiming I have quoted out of context.

Right up to the end, listening to his final words, I was so tempted to interject and disagree with him. I am even tempted now to disagree with him about some of the conclusions he has reached about our society and where we are going; however, it is neither the time nor the place. I think when people choose to retire we have to honour the positive contributions they have made, and from time to time we actually did, in votes, end up on the same side. I indicate my good wishes for a happy retirement.

The Hon. B.V. FINNIGAN (17:12): I rise to join my honourable colleagues in wishing all the best for the future to the Hon. Mr Evans and his family. I have served with him for only a couple of years but I have certainly enjoyed knowing him for that period, and I have found him good to deal with on a professional level.

From a political point of view, the Hon. Mr Evans' achievements are considerable. I do not think there are too many of us here who can say they started their own party from scratch and managed to build that up into a force, with two members in the upper house. I suppose the Hon. Mr Parnell is the first member from the Greens, but he did not exactly start the party from scratch (no disrespect to him or his abilities, of course), unlike the Hon. Mr Evans. I do not think any of us who rely on our party vote can really appreciate how much work would go into setting up a party from scratch, getting the support base, the finances, and volunteers on the ground to be able to pull off an endeavour like that.

I think it is also important to note that the Hon. Mr Evans has very much stuck to his guns in terms of standing up for what he believes in, in gospel values and in the integrity of human life. The fact that he has been very much a man of his convictions is something to be admired. I echo the sentiments expressed by the Hon. Mr Dawkins in terms of thanking him for the work he has done in the parliamentary Christian fellowship. With those brief words, I wish the Hon. Mr Evans and his family all the best into the future, with every blessing and good wish.

The Hon. R.D. LAWSON (17:14): I would like to join with other colleagues and add some brief expressions of goodwill regarding the announcement today that the Hon. Andrew Evans will be leaving us. In his valedictory remarks today, the honourable member showed his interest once again in families, and I have enjoyed serving with the Hon. Andrew Evans on the Select Committee on Families SA. In that committee, he has provided a number of deep insights into his experience of families, his personal knowledge of them and the great work he has done in relation to them, and I have greatly enjoyed working with him on that select committee.

He came to this place after a life of very real achievement. He had been an outstandingly successful leader of his church but, unlike what might be termed the popular stereotype of a successful evangelist, the Hon. Andrew Evans is no demagogue, as he showed here, no egotist—he is certainly not, and never was, overbearing or self-opinionated. His manner has been gentle, conciliatory, reasonable, fair, never doctrinaire, and he has played a part of reasonableness in the deliberations of this chamber. He has brought those qualities to bear in all the work that he has undertaken and all of the relationships that he has had. I have certainly enjoyed working with him and, as with other members, I wish him a healthy and enjoyable time as he continues life's journey.

The Hon. J.M.A. LENSINK (17:16): I also rise to congratulate Andrew on his retirement and I wish him and his family very well. A lot of comments have already been made about his demeanour—his kindness and gentleness—and I would like to reiterate that. He has always been a perfect gentleman and, while we have not always agreed on certain issues, I think it is a tribute to the diversity of this parliament that we have a wide range of views and that we can try to work things through together for the benefit of all South Australians. I am sure he is also pleased that, at this late hour in his term, I am finally being made an honest woman, and I hope to enjoy family life

myself. I truly wish you, your wife, children and grandchildren all the very best for a long and healthy retirement.

The Hon. T.J. STEPHENS (17:17): Many times things have been said about the Hon. Andrew Evans, but I think someone should stand up and really talk about his dark side. I entered this place at the same time as the Hon. Andrew Evans and a number of my colleagues. I quickly ascertained that you, Mr President, and the Hon. John Gazzola were fearsome Port Adelaide supporters, and it was not a surprise. But here was a fine man of God—a man of good heart and a very humble fellow—who was also a Port supporter; it was quite a shock.

In those early days, Port Adelaide had a wonderful record against the Crows and the fearless ribbing I got from you, Mr President, and the Hon. John Gazzola was not to be unexpected, but the Hon. Andrew Evans in his gentle way used to give it to me as well. He would say, 'I like your Crows, the Hon. Terry Stephens, but we have just got you at the moment'. If that is the worst thing that anybody could say about a fellow, I think it is a testament to his character.

I have learnt many things from the Hon. Andrew Evans. You are an absolute gentleman. Your heart is obviously very good and, if we could all take something away from the way you have conducted yourself, we would all be better people in this place. I wish you and your family a long and happy life, and everything that you turn your hand to from here I hope is successful. I wish you well.

The Hon. R.P. WORTLEY (17:19): I have known Andrew for just over two years since I was elected at the last election, but on occasion I have needed to see Andrew to discuss various issues. When I left Andrew's office, I was never under any illusion of where I stood. He was always very honest, always very upright with us, and I always found him very compassionate. That was evident when Andrew supported my motion to repatriate David Hicks, much to the horror of the Hon. Robert Lawson, even though he split with his colleague, the Hon. Dennis Hood.

Andrew is a man of principle. I would like to say that you are proud of your achievements, and you have every right to be proud of your achievements in this council. Just remember that, apart from your conviction to God, the most important thing for you is your health and to look after your health. I know that you will have a long and happy life and that you will also be active in issues that are close to your heart. It has been a great pleasure working with Andrew. He has left the party in good hands. That is a very important thing. I wish him and his family the best of luck.

The Hon. S.G. WADE (17:20): I, too, would like to add to the words of my colleagues in honouring the service of the Hon. Andrew Evans. I cannot think of a member of this council who has entered with such an illustrious history. The Hon. Robert Lawson has reminded us that the Hon. Andrew Evans is a much loved pastor here in Adelaide, but I think it is also worthy of the council to note that the Hon. Andrew Evans has served his church at international level. I understand he was an international leader of the Assemblies of God—one of the largest and fastest growing Christian communities in the world.

Locally, the Hon. Andrew Evans was the founder of what is now the Paradise Church, which I understand is Adelaide's largest Christian Fellowship, and I think it must cause him great pride that the pastoring of that church is now in the hands of his son, Ashley. Of course, you cannot take the pastor out of any man. A Christian vocation is a lifelong vocation, and the Hon. Andrew Evans came into this council very much a pastor. It was evident in the way that he operated in this council that his Christian vocation had come with him. He exercised a high level of pastoral care in his relationship with other members.

I was interested to observe the leadership of the Hon. Andrew Evans in the Christian community here. The Hon. John Dawkins paid tribute to his presidency of the Christian Fellowship. I must admit it caused me great surprise when I first came to the Parliamentary Christian Fellowship under the presidency of the Hon. Andrew Evans to see the extent of diversity. Often Christians can become famous for their intolerance and their narrowness in their inclination to regard their brand of Christianity as the only true brand. As the Hon. Robert Lawson has indicated, none of that was to be seen in the Hon. Andrew Evans. His gentleness and openness led to significant diversity in the Christian Fellowship. I believe the fellowship was all the stronger for that style of leadership. I trust that in the years ahead the Hon. Andrew Evans will use the prerogative of the fellowship to continue to be involved with us as a past member, and I am sure that will be a blessing to us.

As other members have already mentioned, the Hon. Andrew Evans has every right to be extremely proud of a number of achievements in this parliament. I also acknowledge his

achievements both in this parliament and previously. I wish all the best in his retirement to him and his family.

The Hon. J.A. DARLEY (17:22): I add my best wishes to the Hon. Andrew Evans. I first met him in 2005 at a public meeting in Mount Barker, where the topic, of all things, was land tax. I can honestly say we have been good friends since then. When I came into this place in November, Andrew gave me some very good advice, which I will remember for the rest of my days in here. He has also mentioned that he held the crown for being the eldest member ever to come into this place. I apologise for taking that crown from you, Andrew. Before wishing you all the best for the future, I think everyone would recognise Andrew Evans as one of nature's gentlemen.

The Hon. D.G.E. HOOD (17:24): I guess one of the downsides of being one of the last to speak is that almost everything has been said; there is really not much left to say. I do have a few points; I want to acknowledge the achievements of the Hon. Andrew Evans.

In Andrew's defence, I cannot help picking up on one of the points made by the Hon. Mr Darley. Whilst Mr Darley at the moment is certainly the eldest person to come into this place, Andrew is still the eldest person ever to be elected to this place at a general election, so he is still hanging onto the title in one way or another.

An honourable member interjecting:

The Hon. D.G.E. HOOD: He was, of course, but he replaced someone. There is so much I want to say, but I have condensed it into one or two points. The first is one that the Hon. Mr Finnigan raised. This man started this party from absolutely nothing; it was literally in his lounge room when it happened. I had not met Andrew at that stage, but I had heard him preach at Paradise Church. I was not a member of the church, but I had been there on very rare occasions, because they had some special events that attracted me. I attended it maybe five or six times, so I heard him speak on maybe two occasions, as I recall.

Seven years ago Andrew had the vision to start this party to defend traditional values. There he was, in his lounge room with just a few people around him, whom I also had not met at that stage. I am the Johnny-come-lately who rode on their success after it happened, but this man started it all.

It was an incredible task. One of the things the people in the smaller parties may appreciate more than those in the bigger parties—and it is not a criticism in any way—is that a lot has to be done by fewer people. It is tough going. For example, just organising the corflutes to be put up across the whole state by a small group of people, and even things Andrew has done personally like filling out AEC documents—all these things can be quite onerous when you are doing them for every seat and, in some cases, every seat across Australia. Then, of course, the big one, raising the money, is not easy. In a small party like ours it essentially falls to two people, and before I was here it fell very much to one person, so it is an enormous achievement, and it is easy to forget that. As the Hon. Mr Finnigan said, no-one else in this parliament has started their own party as Andrew has.

It was not without its difficulties initially. There were some substantial difficulties, and I have written down a couple of things that were reported about our party before Andrew was elected, so we are going back to very early 2002 and late 2001. I believe Andrew went public with his intention to start a party in July or August of 2001. In the months after that, it was reported in the media that Family First would ban contraception; that we were against contraception and it was something we would not tolerate. That was absolute rubbish. I will not provide too much information, but I can assure the council that contraception is not something that we are against.

It was said that all candidates of the party were members of the Assemblies of God church; this was reported widely in the media. It is absolute rubbish; it is not true. I have never been a member of the AOG church. At that time it was not true; it has never been true.

It was reported that we were funded by large churches in America. That is absolutely untrue; to the best of my knowledge we have never received a single cent from a church in America. These were big stories at the time and they influenced a lot of people and yet, with this constant rumour-mongering which went on for months and months and which has really only started to dissipate in the past 18 months or so, you can imagine those obstacles when it was just a one man band, so it is an absolute credit to Andrew Evans that he was able to overcome that sort of opposition.

Despite all that, Andrew got elected and built a party. Family First is a small party; we acknowledge that. We have only four members nationally, but it is four members nonetheless, and

we have bigger dreams than that, of course. What a credit to someone that he could begin a party that in the space of six years could look back and have four members elected nationally. Again, it is something that no-one else in this chamber could say, and that is not a criticism but just a fact. The reality is that it is a substantial achievement; very few people in Australia could say that.

Most significantly in all that for me is that he got me elected, something for which I will be eternally grateful, I can you assure you. I remember that campaign very well, as I am sure many members in this place remember their campaigns very well. I must say that 2006 was a very big year for me. People now know my story: I left my job and campaigned for 12 months to get elected, and I could not speak highly enough of Andrew through that process. He went out of his way to help me in every possible regard. I remember quite often driving and getting home at two in the morning from speaking at country centres. He was prepared to do whatever it took to help me get elected. I am eternally grateful for everything you did, Andrew; I truly am. During that period—I was 36 years at the time and I am 38 years now—I remember thinking that this guy has got more energy than I have got, and he was 71 years at the time, which was incredible. To think of the lengths he went to to get me elected, I am forever grateful.

In terms of other treatments of the party, Family First now has 15 sitting members elected around the country as a direct result of our preferences; that is, all other things being equal, those people would not be in parliament without our preferences, which is a substantial achievement. There are four Family First members, but 15 members from other parties have been elected on our preferences. That is one of the great influences that a minor party has: that we are able to not only get ourselves elected but also to get elected like minded people from other parties. Ultimately we will always be a small party and will always have a few members in this parliament (hopefully two members as a minimum), and maybe a smattering of members around the country (and that may grow), but we can have a real role to play by getting elected other members with similar views. So far we have done that 15 times, which is a credit to Andrew as it would not have happened had he not started the party.

Specifically, in terms of what Andrew has done, his most significant achievement in this place was the passing of the Criminal Law Consolidation (Abolition of Time Limit for Prosecution of Certain Sexual Offences) Amendment Act 2003, which amended the Criminal Law Consolidation Act 1935 and, as we referred to earlier today, allowed the prosecution of sexual offenders who had offended prior to 1982. That is a substantial achievement in itself because it has changed the culture of how sexual offences are viewed by our community—not that they were ever condoned, but because the floodgates have opened there has been a greater focus on that. Ultimately, the Mullighan inquiry investigated that area and came up with the appalling findings we are all shocked by. Andrew can certainly take credit for his bill and some substantial credit for the snowball that resulted from that—an achievement of which any one of us would be proud.

Andrew also started the Select Committee on the Status of Fathers, which reported some time ago; that was also a substantial achievement in that its findings go to the core issues of our society today, and I am sure Andrew will be very proud of that. Finally, one of the things that is important to say is that Andrew has never sought the limelight. He has never been one to go up to the front. Again, when I was campaigning back in 2006 to get elected, Andrew constantly pushed me forward. I was not confident about what to do or sure about how to manage a campaign, but Andrew was keen for me to take the front role, which says a lot about him. He has done that all his life, I understand. His success in the church prior to coming into parliament was also a function of his pushing people forward who he believed were the right people to take on those roles. He took a church congregation from roughly 100 to around 5,000 during the course of his life, which is an incredible achievement in itself. He does not seek the limelight: he is not waving things in front of the cameras or ringing journalists all the time. He is very interested in substance rather than style, and that is something that I will forever admire.

Andrew, I sincerely thank you: you have been tremendous to me. I could not have asked any more. It is a very sad day for me: I have been dreading this day, to be honest. I am eternally grateful. I cannot say 'thank you' enough. I wish you and Lorraine every happiness. I am thrilled to say—and some of you are probably aware—that Andrew is staying on as chairman of our party in this state. I am thrilled about that for two reasons: first, I do not have to do it (and that is thrilling); and, secondly, he is such a tremendous administrator. He is as good as anyone I have seen in terms of his administration skills, and our party is eternally grateful for that. Andrew, thank you. I cannot state clearly enough how much you have done for me and how grateful I am. Thank you.

The PRESIDENT: I also wish to add to the contributions. I have worked with Andrew on some committees, especially the Statutory Authorities Review Committee, on which we wrote a lot

of very important reports which Andrew played a major role in. He was always a pleasure to work with on committees and had a very important input. I also thank him on behalf of South Australian workers for his support of the government's Fair Work Bill, especially for his support against the Redford amendment, which was very important to the workers of South Australia.

I also thank him and wish him and his family well on behalf of the chamber staff, the Legislative Council staff outside the chamber and all those who will not have the opportunity in this place to thank him. I know they would like me to pass on their best wishes to Andrew and his family in his retirement or change of direction. I hope you have a happy, long and healthy change of direction.

The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (17:35): In closing this debate I will add to the comments made by all other members in the chamber and wish Andrew Evans all the best in his retirement from the Legislative Council. In question time today I referred to just one of Andrew's significant contributions to life in this state, namely, initiating the steps that led to the removal of the time limit on bringing charges for child sexual abuse offences.

Andrew will leave a very significant legacy for which this state will owe him much gratitude, particularly some of the most disadvantaged people in our state. Much has been said about Andrew's success before he came here. It is indeed rare for someone to introduce a new political force to South Australia, as he has done with Family First, and that success has been repeated not just here but elsewhere. One can say that the impact of Family First, whether one agrees with all or only some of its policies, leaves no doubt that it has succeeded in putting a greater focus on families and their condition within Australia.

Certainly, Australian families, for a variety of reasons, are under a great deal of pressure at the moment, and it is extremely timely that that should happen. I think Andrew can rest assured that he has achieved, in the goals that Family First has set, bringing those family issues to the fore, as they should be.

On a personal level, as other members have said, Andrew has always behaved with honour and dignity in this place. I am sure that he will leave with the goodwill not only of all members in the parliament but also of the staff. He has really been true to the best Christian principles in his time here.

My one regret as a minister is that, because our offices are not in this place, I do not get to interact as much with other members as sometimes happens when you are in opposition and your offices are in this parliament. We get here only for those 50 or 60 days a year when parliament is sitting. However, I have greatly enjoyed my relationship with the Hon. Andrew Evans. If I have ever been testy during debate at some stage, I apologise. As I and other members have said, Andrew has behaved with perfect dignity and as a true gentleman.

I wish Andrew good health and all the best in the time to come. I trust that he enjoys the time he will have now with his family, and I look forward to his visiting us from time to time in the future.

Honourable members: Hear, hear!

CRIMINAL LAW CONSOLIDATION (DOUBLE JEOPARDY) AMENDMENT BILL

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

At 17:40 the council adjourned until 22 July 2008 at 14:15.