

**LEGISLATIVE COUNCIL****Tuesday 12 February 2008**

The **PRESIDENT (Hon. R.K. Sneath)** took the chair at 14:18 and read prayers.

**AUSTRALIAN ENERGY MARKET COMMISSION ESTABLISHMENT (CONSUMER ADVOCACY PANEL) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**CONTROLLED SUBSTANCES (CANNABIS OFFENCES) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**EDUCATION (COMPULSORY EDUCATION AGE) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**LIQUOR LICENSING (CERTIFICATES OF APPROVAL) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (NATIONAL ELECTRICITY LAW— MISCELLANEOUS AMENDMENTS) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE (PENALTIES) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**PRIVATE PARKING AREAS (PENALTIES) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**SANTOS LIMITED (DEED OF UNDERTAKING) BILL**

His Excellency the Governor, by message, assented to the bill.

**STATUTES AMENDMENT (YOUNG OFFENDERS) BILL**

His Excellency the Governor, by message, assented to the bill.

**TOBACCO PRODUCTS REGULATION (MISCELLANEOUS) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**MOTOR VEHICLES (MISCELLANEOUS) AMENDMENT BILL**

His Excellency the Governor, by message, assented to the bill.

**MARINE PARKS BILL**

His Excellency the Governor, by message, assented to the bill.

**BROOMHILL, HON. G.R.**

The **Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:21)**: With the leave of the council, I move:

That the Legislative Council expresses its deep regret at the recent death of the Hon. Glen Broomhill, former minister of the crown and member of the House of Assembly, and places on record its appreciation of his distinguished and meritorious public service.

Last year we were saddened to learn of the death of Glen Broomhill. He died on Boxing Day, aged 74, after a lengthy illness. Glen Broomhill was a talented and much respected parliamentarian and minister who served South Australia with distinction from 1965 until 1979. He was regarded by all who knew him, including both sides of politics, as a man of decency and integrity whose commitment to public life was surpassed only by his devotion to his family.

He was regarded as a rising star of the Australian Labor Party when he first won the seat of West Torrens in 1965 at age 32. He held the distinction of being the first Australian minister to hold the portfolio of conservation, or environment as it has become known. However, Glen Broomhill's most enduring achievement was as the architect of South Australia's visionary container deposits

legislation. That initiative, one of the first of its kind in the world, continues to stand as a landmark to environmental awareness.

Glen Raymond Broomhill was born in Adelaide on 20 January 1933. A child of the Depression era, he saw his father, Joseph, supplement his painter's income by selling mallee roots that he collected while on regular trips to the Riverland. Glen was educated at Richmond Primary School and Goodwood Boys Technical School, which he left at age 16 to serve an apprenticeship as a dental technician. Glen also played Colts football for Glenelg, and his passion for the Tigers remained undiminished until his passing.

It was also during that period that he became actively involved in the trade union movement. In 1956 he was elected as an organiser of the South Australian branch of the Federal Miscellaneous Workers Union and, within two years, at just 25 he became the union's state secretary as well as its federal vice president. Glen's commitment to the union's membership was highlighted by the fact that he was an advocate and employee representative on nine wages boards until 1965. That was when he entered state parliament at the election which ended the Playford era of conservatism and brought to office Frank Walsh's Labor government.

At just 32 years of age, Glen's standing within the electorate of West Torrens enabled him to increase the majority of the retiring member, Fred Walsh. That was despite him standing against the Liberal and Country League candidate, P.T. 'Bo' Morton, who was a former Sturt and South Australian football champion. Glen's political development was strongly nurtured and influenced by his uncle, the former senator and Labor Party stalwart, Jim Toohey. He also received backing from another influential source, the long-serving federal member for Hindmarsh, Clyde Cameron. Indeed, it was Clyde, bedridden in Canberra with a bout of the mumps in late 1963, who furiously lobbied via long-distance telephone calls to help Glen win preselection for West Torrens.

Glen entered the House of Assembly in 1965 as its youngest member, and he wasted no time in speaking out on behalf of young Australians. In his maiden speech he voiced his concern that people under the age of 30 were ineligible to take up a seat in the Legislative Council. The year after his election, Glen was appointed as government whip, and it was a position that he held in government and opposition until 1970, when Don Dunstan elevated him into what is still regarded as one of the most talented ministries this state has seen. Alongside Don Dunstan, the ministry included such great performers as Des Corcoran, Len King, Hugh Hudson and Geoff Virgo, amongst others. This was a time when the Dunstan government's reforms were the talk of the nation. Don gave South Australia a national voice that far outweighed our size and lifted this state from rock bottom to Australian pre-eminence.

Glen was initially appointed minister for labour and industry. However, within six months, he added to his portfolio the roles of minister for conservation and minister assisting the premier. The fact that he was given the responsibility as the nation's first minister specifically charged with the conservation portfolio speaks volumes for the regard in which he was held.

In his political memoirs, Don Dunstan painted a glowing picture of Glen Broomhill when he said:

He was a sensitive, conscientious man who brought balance, good sense and concern to all that he did.

He then added:

Jim Toohey's nephew, he exhibited many of his uncle's traits, and his calm and pleasant manner concealed a sharp wit which those who attacked him discovered to their discomfort.

Don recounted an example of Glen's rapier-like wit in those memoirs, when he recounted the following:

Glen grew some sideburns—

which, if one looks at the photographs in the House of Assembly gallery, were pretty common around that time; they were certainly very fashionable amongst the younger members at that time—

...and one of the dimmer lights...of the LCL questioned him in the chamber about it. Glen rose and said, 'I am unfortunate enough to have large, prominent ears which I do not feel enhance my beauty. I grew additional hair in order to hide an unprepossessing feature, an example I advise the honourable member to follow by growing a moustache and a beard.'

It was that dry, understated sense of humour that kindles the fondest memories amongst Glen's family, friends and former colleagues. He was also renowned as one of the keenest billiard players amongst members of parliament.

Over a five-year ministerial career, Glen held a range of portfolios, including fisheries, planning and development, community welfare and tourism. In 1973, he became the state's first minister for recreation and sport. During his tenure as a minister, Glen introduced a series of far-reaching initiatives, including the establishment of the Coast Protection Board, and a large increase in the areas of national parks and river wetlands. He oversaw the establishment of a quarry levy and measures to improve the appearance of the Adelaide Hills face zone.

Glen was also deeply concerned about population growth and overcrowding problems along the ribbon of land between Gawler and Aldinga. For that reason, he was a passionate supporter of the proposed development at Monarto, in addition to being the architect of that project. He was greatly disappointed when the Monarto scheme was later scrapped. That plan certainly attracted its critics but, in retrospect, it looks increasingly wise as well as visionary.

Glen's major legacy was the introduction of the container deposit legislation completed in 1975 that saw cans and bottles reduced drastically as a source of litter across the state. The success of that initiative was largely due to Glen's commitment to the cause and his refusal to back down in the face of fierce industry opposition. Progressive governments throughout the United States and Europe have since embraced the container deposit scheme and calls continue for it to be adopted by other Australian states.

It is fitting that, just weeks after Glen's death at the palliative care unit at the Queen Elizabeth Hospital, Ian Kiernan, the chairman of Clean Up Australia, was here in Adelaide singing the praises of our container deposit scheme. This legislation has not only significantly increased the recovery rate of beverage containers in this state, where around 80 per cent of glass bottles are recovered compared with around 36 per cent nationally, but it has also yielded important environmental benefits by reducing annual greenhouse gas emissions by up to 70,000 tonnes of carbon dioxide equivalent. In addition, the scheme is estimated to produce embodied water savings of up to 5 megalitres per year.

Glen Broomhill was just 47 years old when he announced his retirement from politics at the 1979 election. Having stood down from the ministry in 1975 because of his wife Jill's failing health, Glen won the admiration and support of colleagues, constituents and the community when he forewent his political career to care for her full time. His devotion to his beloved Jill as she battled illness also led him to serve on the board of Multiple Sclerosis South Australia and the Northern Territory for more than a decade.

Glen's commitment to public life remained strong until very recently, as he played an influential role on the board of ETSA, as well as serving as deputy chairman of the power line environment committee.

Glen Broomhill is remembered with deep fondness as a quiet, unassuming man who harboured a great sense of humour and an even stronger sense of family and community. On behalf of all members on this side of the Legislative Council, I extend my condolences to the family and friends of Glen, especially to his daughters Jan and Julie and his son Greg.

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:29):** I rise on behalf of the Liberal members of this council to speak to the motion. Glen Broomhill was regarded as a genuine statesman of the South Australian parliament. He began his career as a dental mechanic and was closely involved with the Australian Labor Party and the union movement and, as the Leader of the Government indicated, by the age of 25 he was the secretary of the Miscellaneous Workers Union. He was a lifelong resident of the West Torrens electorate and won Labor preselection in that seat. He was elected to the seat of West Torrens in 1965 and in 1968 assumed the new seat of Henley Beach.

It is interesting to note that in his maiden speech he referred to some significant issues in relation to transport corridors, and he said, 'It is recognised that these additional highways are necessary to meet the ever-increasing requirements of our traffic needs.' Some 40 years on it appears we still have ever-increasing traffic needs in this city.

Calling on his very strong union background, his first cabinet post was in the labour and industry portfolio. He had quite a distinguished career in the Labor cabinet, and I might just mention all of his positions: minister for labour and industry, minister for conservation, minister assisting the Premier, minister for environment and conservation, minister for recreation and sport, minister for fisheries, minister for tourism, minister for the environment, minister for planning and development and minister for community welfare. As the Leader of the Government also mentioned, he was government and opposition whip for some 11 years.

With a good deal of integrity, Mr Broomhill assumed the responsibility for the unpopular Friday night late shopping hours referendum, which he carried through. With young children himself, he was also an advocate for better funding for basic education resources and demanded better housing and health programs for families in South Australia.

In 1970 he took on the portfolio of environment and conservation. He was never one to shy away from a challenge and faced head-on the multitude of issues that he was bombarded with. As the Leader of the Government indicated, certainly the pressure he came under from industry with the introduction of the container deposit legislation would have taken some courage. The container deposit legislation is something, I think, all South Australians are rightly proud of, with our record in recycling and keeping our recycling rates high.

His ability to listen and maintain an open mind and perform well under pressure were tested in this new position, but he continued to perform well. With his quiet and non-aggressive nature Glen Broomhill made strong and valid arguments during parliamentary sittings. Refraining from the often fiery and reactive environment within the chamber, he quickly became highly respected by all members.

He was also noted for his extravagant fashion sense and made a habit of donning shorts in the chamber. He was later to indulge in his love of sport as a cabinet reshuffle landed him with the position of recreation and sport minister. He also at that time retained his environment portfolio.

A keen family man, in 1975 Glen Broomhill stepped away from his ministerial postings in order to spend more time with his family and his wife, who was ill, and also to allow newcomers and new members of the Australian Labor Party to attain some of the positions he had held. He remained actively involved in issues for which he advocated, while enjoying more time to play sport, spend time with his family and support his beloved Glenelg football team. As many may have read, he also enjoyed the odd cigarette—and perhaps he would have had a few comments about a bill I intend to introduce in this council in the coming weeks.

He resigned from parliament in 1979 at age 47 to care for his wife and was one of the longest serving members of the House of Assembly at that time. He unfortunately passed away on Boxing Day at the age of 74. I understand that many thanks must be passed on to the staff in the Palliative Care Unit at the Queen Elizabeth Hospital. On behalf of members of the opposition, I extend our condolences to his family.

**The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (14:34):** I rise also to speak in support of the honourable member's condolence motion for the late Hon. Glen Broomhill. Given the place the environment occupies in our national consciousness today, it would be easy to take for granted the hard work undertaken to bring this issue into such public prominence; of course, the truth is a very different story.

The role the late Hon. Glen Broomhill played in today's environmental agenda is undeniable. Many here today have spoken of his background, but it is his connection with the environment I would like to say a few words about today. When I took on the environment and conservation role in March 2006, I was mindful of the portfolio's importance, particularly given the many talented ministers who had poured their energy into the role, some of whose names are familiar today and some are not so familiar.

The late Mr Broomhill is, without doubt, a motivator for me and a reminder of the impact and the influence just one person can have. For the benefit of those who have not visited my ministerial office, as you enter through the waiting room, on the northern wall there is a collection of 14 black and white portraits. It is a fairly typical collection of smiling faces, and it portrays the environment ministers of each of the 14 states. Apart from my own photograph, other members of this parliament are lucky enough to be part of that collection.

However, it is the first photograph on the wall—the fresh and very vibrant face of the Hon. Glen Broomhill—that really stands out and commands attention. This picture speaks volumes. There is a simple honesty about Mr Broomhill that brings his portrait to life and overshadows the others on the wall. He is clearly an unassuming man with a wry smile that reveals a man of both purpose and humility. It really is amazing how much a photograph can say about a person, and I am pleased that my first assessment was confirmed when I read through a newspaper article published during his time as environment minister. I think this quote by Stewart Cockburn from October 1971 sums up beautifully Mr Broomhill's impact on the landscape, as follows:

Two or three years ago, only professional politician watchers and personal friends knew much about Glen Broomhill. Today, Mr Broomhill is one of the best known public figures in SA. His face smiles almost daily from the newspapers and television screens. Pretty well every schoolboy and schoolgirl knows about him and the challenges he faces.

The article speaks about the regard in which he was held by his contemporaries and about his efforts in steering the environmental portfolio—a role that was regarded as 'the most important in modern government'. The article continues:

It is a heady atmosphere to live in for this 38 year old son of a former painter and youngest member of state cabinet. Yet his head has not been turned by it. He is still the calm, friendly and decent man who has always been liked personally by nearly everyone who has know him. And so far, he has taken his big job very much in his stride.

This is glowing journalism that no politician would shy away from, I am sure, but there is something about the photo of Glen Broomhill in my office that tells me that he would have been uneasy with such effusive praise. However, in my opinion, it is praise worthy of a great man with a great legacy that continues, and perhaps the greatest legacy was the creation of the container deposit legislation.

Few members of parliament can lay claim to being the architect of a scheme that would later be copied around the world and have a lasting impact for some 30 years without the need for change. Of course, Glen Broomhill has such a legacy and therefore deserves a very special place in South Australia's history. It is fitting, then, that just today the Premier and I announced a doubling of the container deposit to 10¢, a move this government believes will reinvigorate the scheme and bring our container recycling back to record levels. It is a remarkable testament to the Hon. Mr Broomhill that all that is needed to update his greatest achievement in parliament is to change the deposit on a bottle or can from 5¢ to 10¢, and I think there is a serious lesson in pragmatism to be gained from Glen's legacy. So, I reiterate the sentiments of the Hon. Paul Holloway and the Hon. David Ridgway and extend my condolences to the family and friends of Glen.

Motion carried by members standing in their places in silence.

#### **CRIMES, MR E.H.**

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (14:40):** I move:

That the Legislative Council expresses its deep regret at the death of Mr Ernest Henry Crimes, former member of the House of Assembly, and places on record its appreciation of his distinguished public service.

I was saddened to learn of the death of Ernest Crimes (or Ernie Crimes, as he was more widely known), who died on 17 January 2008 at the remarkable age of 100 years. Ernie served as the member for Spence in Don Dunstan's government from 1970 to 1975. He was also a stalwart of the trade union movement here in South Australia, and for 35 years was the managing editor of *The Weekly Herald*, South Australia's Labor Party newspaper. Ernie was never afraid to voice his opinion on issues and personalities on either side of politics. He was also a prolific correspondent, whether in his own publication or as a regular contributor on the Letters to the Editor pages of our daily newspapers.

Ernest Henry Crimes was born in the railway town of Crewe in the English county of Cheshire on 27 May 1907. His father Jimmy was a fitter and turner with the British railways and an active unionist within the amalgamated engineering union. An only child, young Ernie suffered severely from bronchitis that was aggravated by the long, damp English winters. In 1913 his family acted on medical advice and emigrated to Adelaide, and Ernie's father found work in the Islington railway workshops. Ernie attended Hindmarsh primary school, where he made his political leanings known early on by wearing a blue anti-conscription badge at the height of World War 1.

After gaining his qualifying certificate from Woodville High School, Ernie was employed as an office boy with a secretarial firm. When his father lost his job because he defended a young worker who had been victimised, Ernie became the sole breadwinner for his household. His family survived on Ernie's wage of £1 per week, plus the generosity of their friendly local butcher. It was that period that instilled in Ernie a strong commitment to help enact social change. Ernie rose through the ranks of the secretarial firm and was promoted to office manager, then paymaster, and even served as a proxy at board meetings. He was called up for service in World War II but, when he told the recruiting officer that he was the only male employee in an office that also served the fire brigades board, he was quietly advised to rip up his enlistment form.

It was during this time that Ernie became president of the commercial section of the Federated Clerks Union. He also began his association with the *Workers' Weekly* newspaper (later to become the *Herald*), where he took over writing a weekly column on foreign affairs. He joined the paper full time in 1949 and was soon appointed managing editor. Ernie was paid so little in his role as managing editor that the then ALP state secretary Jim Toohey (later to become an influential South Australian senator) took to passing a hat around among the Labor parliamentary members in order to supplement Ernie's wage. He also became involved in the Australian Workers Union, and in 1959 he stood as the ALP candidate in the state's toughest seat, the electorate of Gumeracha, which was held by the then premier Sir Thomas Playford. Even though he was unsuccessful, Ernie's dogged refusal to back away from the fight saw him contest the same seat at the state election poll in 1965—which was the election that brought about the end of the Playford era, although Sir Thomas retained his seat. For his efforts, Ernie Crimes was rewarded with preselection for the vastly different western suburbs seat of Spence in 1970. At his third attempt, Ernie Crimes made his way to the House of Assembly, albeit at age 63. At that election he polled more than 75 per cent of the vote—the most the ALP scored in any seat in 1970.

In his maiden speech in the House of Assembly, Ernie paid tribute to his Liberal Country League opponent of 1970, Mr F.W.C. Rieck. Ernie noted that Mr Rieck's chances of winning Spence 'were probably no better in that contest than were mine on two previous occasions when I contested Gumeracha against that almost legendary figure Sir Thomas Playford'.

Ernie served as acting deputy speaker for a time before he retired from parliament at the 1975 election at age 68. Because he was only halfway through his second term when the poll was called, Ernie was not entitled to a parliamentary pension but he continued to serve a role in public life. In 1975, he was appointed for a short time to the board of the Savings Bank of South Australia. He also attracted attention for his parliamentary fashion sense, even before Don Dunstan appeared in his now legendary pink shorts. Ernie and the former member for Salisbury Reg Groth claimed to have pioneered the wearing of coloured shirts in the House of Assembly. 'A lot of people objected to it', Ernie later recalled.

Throughout his tenure as the member for Spence, Ernie continued in his role as managing editor of the *Herald*. He worked closely with renowned journalist and author Bruce Muirden from 1960 through until Ernie's retirement in 1989 at age 82. 'Muirden wrote it, but I was behind the scenes' Ernie recalled of being at the *Herald* during those years. Even though deteriorating eyesight forced him to give up driving his car at the age of 88, Ernie remained active and continued to harbour his passion for politics.

Ernie wrote countless letters to the newspaper, many of them appearing under his alias 'L.F. Hutchinson of Henley Beach'. An avowed socialist until his death, Ernie once revealed that during his adolescence his fondness for motion pictures had led him to briefly admire American capitalism. 'I saw the propoganda of their films...the glitter, the glamour and the beautiful women,' Ernie once recalled; 'I thought, "What a wonderful society". Then I saw behind the facade.'

While his political philosophy changed dramatically once he entered the workforce, his interest in the film industry scarcely waned. However, he did become disillusioned with the subject matter of modern movies. 'Even when the Depression was at its worst, we could go to a dance very cheaply or see a bright, happy film for a shilling,' he said. 'These days, if you can afford to see a picture, it is all horror. No wonder everyone is depressed.'

Even after he celebrated his 100<sup>th</sup> birthday last May, Ernie, with the support of his family, was still able to look after himself and Lucy, his beloved wife of 70 years. Although he suffered increasingly from deafness, Ernie hated to miss a word of the federal parliamentary debates being broadcast on the radio. He remained a devoted student and an outspoken participant of the political process until his passing last month.

On behalf of all members on this side of the Legislative Council, I extend my condolences to Ernie's wife Lucy, their children Paul and Dennis, and all Ernie's family and friends.

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:47):** Ernie Crimes (Ern as he was affectionately known) was born in Crewe, Cheshire, and moved to Adelaide in 1913 when he was only five years old. He has been described as an irreplaceable socialist icon and he remained sharp as a tack and fervent in his socialist beliefs until the end of his very long life. As the Leader of the Government mentioned, while at Hindmarsh Primary School he once wore an ALP 'No' badge in opposition to conscription for World War I, and he refused to take part in any conservative demonstrations.

As a teen, Ernie admired American capitalism. As the Leader of the Government said, he saw the propaganda of their films and thought, 'What a wonderful society.' But his direction changed under the influence of writers such as Karl Marx, who helped him see behind the facade. Through his first job, after leaving Woodville High School for a secretarial firm, Ernie Crimes became involved with the federal clerks union and became president of the commercial section of the federal clerks union. He also began a long association with the *Workers Weekly*, which later became the *Herald*. Notably unimpressed by the then editor, he assumed responsibility for a weekly column on foreign affairs.

As the Leader of the Government said, when he was working full-time for the paper as managing director he was poorly paid and the state ALP state secretary Mr Jim Toohey would often do a collection from state Labor MPs to supplement Mr Crimes' low income. What the Leader of the Government did not say was that the collection was often unsuccessful, but Crimes laughed it off, commenting that they would rather rely on *The Advertiser*. When the *Herald* went into limbo, Ernie became involved with the Australian Workers Union as an industrial officer. In a sense, Mr Crimes was at times responsible for the largest union in South Australia, preparing all reports presented by the secretary of the time.

As mentioned previously, he stood twice as the Labor candidate against Sir Thomas Playford in the seat of Gumeracha. It is interesting to note that, through an interesting period of Labor expulsions and suspensions, Ernie Crimes escaped relatively unscathed and won preselection for the seat of Spence in 1970. He lived in the electorate for 30 years at his home in Croydon. In his interview with Phil Robins of the *Labor Herald*, Crimes proudly stated that it was his idea to introduce coloured shirts into parliament, and recalled with much enjoyment the commotion caused when a fellow member wore a hat into the chamber and set off some fireworks under the speaker's chair.

After a snap election in 1975, Mr Crimes was appointed a trustee of the Savings Bank of South Australia. In May 2007, Ernest Crimes turned 100, and with his wife Lucy still lived in their modest home in Croydon. Ernie Crimes described himself as having a good and hectic life, musing on trips to the South Seas, New Zealand, Fiji and his favourite place, the once Soviet Union. He said that the life he had shared with his Lucy had been adventurous and wonderful. He is survived by his wife Lucy, son Paul and daughter Denise, and on behalf of members on this side I extend our condolences to the family.

**The Hon. R.P. WORTLEY (14:50):** I had the pleasure of knowing Ernie Crimes for a number of years as he was past secretary of the Federated Gas Employees Industrial Union back in the 1960s, a union with which I had a proud association for over 30 years. Ernie used to pop into our office on occasions and talk about the history and industrial tactics he used during his term as secretary. He was a very warm man, a very kind man, a man of great honesty and integrity, and he had a strong conviction to the working people. I join the Leader of the Government and the opposition leader in sending my condolences to the family of Mr Ernie Crimes.

Motion carried by members standing in their places in silence.

*[Sitting suspended from 14:51 to 15:10]*

## PAPERS

The following papers were laid on the table:

By the President—

Register of New Member's Interests—February 2008—Registrar's Statement

Ordered—That the Statement be printed (Paper No. 134A)

Reports, 2006-07—

Office of the Employee Ombudsman

Corporations—

Adelaide

Adelaide Hills

Burnside

Campbelltown

Charles Sturt

Gawler

Holdfast Bay

Marion

Mitcham

Norwood, Payneham and St Peters  
Onkaparinga  
Playford  
Port Adelaide Enfield  
Prospect  
Salisbury  
Tea Tree Gully  
Unley  
West Torrens  
District Councils—  
Alexandrina  
Barossa  
Berri Barmera  
Ceduna  
Coober Pedy  
Coorong  
Copper Coast  
Cleve  
Clare and Gilbert Valley  
Elliston  
Flinders Ranges  
Goyder  
Grant  
Kangaroo Island  
Karoonda East Murray  
Kimba  
Lower Eyre Peninsula  
Loxton Waikerie  
Le Hunte  
Light  
Mallala  
Mid Murray  
Mount Barker  
Mount Remarkable  
Murray Bridge  
Naracoorte Lucindale  
Northern  
Outback Areas Community Development Trust  
Peterborough  
Port Augusta  
Port Pirie  
Renmark Paringa  
Robe  
Southern Mallee  
Streaky Bay  
Victor Harbor  
Wattle Range  
Wakefield  
Whyalla  
Yankalilla  
Yorke Peninsula

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

Reports, 2006-07—

AustralAsia Railway Corporation  
Australian Crime Commission  
Country Arts SA  
Courts Administration Authority  
Department of Justice – Erratum  
Electricity Industry Superannuation Scheme  
State Coroner—Erratum

Regulations under the following Acts—  
 Criminal Assets Confiscation Act 2006—Foreign Offences.  
 Criminal Law (Clamping, Impounding and Forfeiture of Vehicles Act 2007—  
 General  
 Criminal Law Consolidation Act 1935—Emergency Worker  
 Harbors and Navigation Act 1993—  
 Australian Builders' Plate Standard  
 Port Adelaide  
 Motor Vehicles Act 1959—  
 Number Plate Exemption  
 Passenger Seatbelt Demerits  
 Motor Vehicles Act 1959—  
 Number Plate Exemption  
 Passenger Seatbelt Demerits  
 National Electricity (South Australia) Act 1996—Civil Penalties  
 Road Traffic Act 1961—Level Crossing  
 Maximum Penalty  
 Passenger Seatbelts  
 Passenger Seatbelt Fines  
 Prescribed Oral Advice  
 Security and Investigation Agents Act 1995—Prohibited Substance.  
 Stamp Duties Act 1923—Special Acts  
 Summary Offences Act 1953—Revocation  
 Workers Rehabilitation and Compensation Act 1986—  
 Arrears Payment  
 Penalty Payment  
 Scales of Medical and Other Charges  
 Rules of Court—  
 District Court—Fees Recovery  
 Supreme Court—Fees Recovery  
 Dangerous Areas Declarations—Section 83B of the Summary Offences Act 1953  
 Motor Accident Commission—Charter  
 Road Block Establishment Authorisations—Section 74B of the Summary Offences  
 Act 1953

By the Minister for Urban Development and Planning (Hon. P. Holloway)—

City of Mount Gambier—Residential Zone (Complying Policy)—Plan Amendment Report  
 District Council of Ceduna—General and Coastal Policy—Development Plan Amendment  
 Report  
 Proposal to Locate a New Dual Transportable Classroom and Removal of One Significant  
 Tree at Marryatville Primary School  
 Residential Parks and Caravan and Tourist Parks—Development Plan Amendment by the  
 Minister  
 Regulations under the following Act—  
 Development Act 1993—  
 Brush Fences  
 Bush Fire Protection Areas  
 Preliminary Advice

By the Minister for Emergency Services (Hon. C. Zollo)—

Reports, 2006-07—  
 Bio-Innovation SA  
 Children's Services  
 Non-Government Schools Registration Board  
 Genetically Modified Crops Management Act 2004 Review—Report of the  
 Genetically Modified Crop Advisory Committee  
 Regulations under the following Acts—  
 Fisheries Management Act 2007—  
 Abalone Fisher  
 Aquatic Reserves  
 Blue Crab Fishery

Charter Boat Fishery  
Cockle Rakes  
Commercial and Recreational Fees  
Exotic Fish  
Fish Processors  
General  
Lakes and Coorong Fishery  
Lakes and Coorong Pipi Fishery  
Marine Scalefish Fisheries  
Miscellaneous Fishery  
Pipi Units  
Prawn Fisheries  
River Fishery  
Rock Lobster Fisheries  
Vessel Monitoring Scheme  
Primary Industry Funding Schemes Act 1998—  
Barossa  
Fund Contributions  
Grape Growers  
Senior Secondary Assessment Board of South Australia Act 1983—Subjects  
South Australian Housing Trust Act 1936 and South Australian Housing Trust Act  
1995—Water Rates Prescribed Limit

By the Minister for Correctional Services (Hon. C. Zollo)—

Regulations under the following Act—  
Correctional Services Act 1982—  
Controlled Drugs  
Prohibited Drugs

By the Minister for Environment and Conservation (Hon. G.E. Gago)—

Reports, 2006-07—  
Boundary Adjustment Facilitation Panel  
Dog Fence Board  
Local Government Superannuation Board  
Maralinga Lands Unnamed Conservation Park Board  
Office of Consumer and Business Affairs  
Optometrists Board of South Australia  
The Commissioners of Charitable Funds  
Environment Protection (Noise) Policy 2007—Report to the Environment,  
Resources and Development Committee of the South Australian  
Parliament  
Part 2 of Schedule 1 of the Local Government Act 1999—made by the Local  
Government Superannuation Board to amend the Rules constituting Local  
Government Superannuation Scheme  
Upper South East Dryland Salinity and Flood Management Act 2002—Report—  
1 October-31 December 2007  
Regulations under the following Acts—  
Environment Protection Act 1993—Licence Fees  
Land Agents Act 1994—Indemnity Fund  
Liquor Licensing Act 1997—  
Bonython Park  
Chiton Rocks  
Elder Park  
Morgan  
Murray Bridge Long Term  
Peterborough  
Port Augusta  
Port Lincoln  
Port Vincent  
Robe  
Wallaroo

Natural Resources Management Act 2004—Exemption from Levy  
 Prevention of Cruelty to Animals Act 1985—Domestic Fowls  
 Private Parking Areas Act 1986—Disabled Parking  
 Trade Measurement Act 1993—Wine Packaging  
 Upper South East Dryland Salinity and Flood Management Act 2002—Project Scheme  
 Rules under Acts—  
 Local Government Act 1999—Rules—Super Holdings Pty. Ltd.  
 District Council of Grant—By-laws—General  
 District Council of Tumby Bay—By-law No. 5—Dogs  
 Kingston District Council—By-law No. 6—Cape Jaffa Anchorage (Waterways)  
 Schedule G of the Murray-Darling Basin Agreement 1992—Effect of the Snowy Scheme

By the Minister for Mental Health and Substance Abuse (Hon. G.E. Gago)—

Regulations under the following Acts—  
 Controlled Substances Act 1984—  
 Controlled Dogs  
 Poisons  
 Tobacco Products Regulation Act 1997—Prohibited Advertising

### STATUTORY AUTHORITIES REVIEW COMMITTEE

**The Hon. B.V. FINNIGAN (15:15):** I bring up the report of the committee, being the annual report for 2006-07.

Report received and ordered to be published.

### MINERAL EXPLORATION

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (15:15):** I seek leave to make a ministerial statement about mineral exploration at Mount Gee in the Northern Flinders Ranges.

Leave granted.

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (15:15):** I have now received the initial findings of a PIRSA compliance investigation into Marathon Resources exploration activities at Mount Gee within Arkaroola. Investigation by PIRSA officers has confirmed that a significant breach of exploration licence conditions has occurred with the unauthorised burial of a large number of exploration samples, drilling material and other waste. The report of the joint investigation by the EPA and PIRSA is currently being finalised.

As a consequence of these findings, the government will require that all unauthorised buried drill sample material and general waste be safely excavated and removed from Arkaroola. The site must be rehabilitated back to as close as possible to original conditions. The company has also been instructed to cease further drilling and to demobilise from Arkaroola as quickly as possible. No new holes will be drilled. The company will also be required to review and report on its environmental management systems and procedures and to fully consult with all stakeholders.

While this strong action has been taken, it should be recognised that PIRSA officers, in consultation with EPA officers, have confirmed that the buried material does not constitute a significant environmental risk to the surrounding environment, nor does this material constitute a health risk to visitors and wildlife at Arkaroola. PIRSA has quarantined the disposal site from access by anyone entering the Arkaroola Wilderness Sanctuary.

The Northern Flinders Ranges has been an important part of the history of mining in this state. Uranium was first found in the area in 1910. After that initial discovery of uranium mineralisation, exploration of the mineral-rich regions around Mount Painter and Mount Gee was carried out by the commonwealth in the 1940s. Since 1965, there has been continuing exploration activity in the Mount Gee area, with major exploration programs conducted by Exoil in the 1960s and 1970s and CRAE in the 1990s, followed by a long list of explorers, including BHP, WMC, Shell Minerals, Kennecott, Anglo American, and Geosurveys. Marathon Resources has been actively exploring around Mount Gee since 2002.

Long before tourists discovered this visually striking part of the state, mineral explorers and geologists had criss-crossed the ranges, creating trails and drill holes and removing samples for

assaying. Radioactive deposits mined from this part of the state and carried out by camel were used in Noble Prize winner Marie Curie's early scientific experiments. The Arkaroola Tourist Resort, established in 1968, is situated on a few acres of freehold land adjoining the Arkaroola Pastoral Station.

The resort also owes its origins to the mining industry. Reg Sprigg, one of South Australia's greatest geologists and the man who purchased the Arkaroola pastoral lease to preserve the area, was recognised as an expert on the uranium deposits in the region. Reg Sprigg first visited the area in 1937 as a geology student of Sir Douglas Mawson, the Professor of Geology at Adelaide University, who visited the area regularly with his students. Then, from June 1944 to September 1945, the commonwealth government, in conjunction with the South Australian government, undertook an investigation of uranium deposits at Mount Painter, at the request of the British government.

Geologists from the Geological Survey of South Australia, who were involved in mapping the uranium resource, included Reg Sprigg. He played a key role in South Australia's first natural gas discovery that led to the establishment of SANTOS. Before the establishment of Arkaroola Tourist Resort, his mining company actively explored for base metals in the immediate area, and the current owners of the resort are his children Margaret and Douglas Sprigg.

There is no denying the rugged beauty and tourism lure of this part of the state, and that is why the Arkaroola Sanctuary was created and is endorsed by this government. However, the mining industry is inextricably linked to this remote part of the state. Small historic mine workings and prospecting pits are scattered through the Mount Painter Inlier and surrounding areas. The 4-wheel-drive ridge top track, which is a popular tourist attraction, operated by the Arkaroola Tourist Resort, is a positive legacy of those decades of mineral exploration within the Northern Flinders Ranges.

Acknowledging this co-existence of mineral exploration and tourism is key to understanding the unique nature and character of the region. That is why governments over the past 50 years have sought to achieve a balance between exploration in the Flinders Ranges and Arkaroola Sanctuary that preserves the unique character of the region and the importance of tourism.

To ensure this balance is attained, this government imposes strict conditions on resource companies exploring in this sensitive part of the state. That is why, when state government agencies Primary Industries and Resources SA and the Environment Protection Authority were alerted to a possible breach of those conditions by Marathon Resources in the Arkaroola Sanctuary, a joint investigation was launched.

Marathon Resources has submitted a number of exploration work approvals for exploration drilling around Mount Gee since December 2005.

Marathon Resources and previous exploration licence holders have been required to operate under strict conditions which only allow exploration to be carried out in such a way that it does not cause significant surface disturbance and impact on the environmental and landscape values within the tenement.

PIRSA has ensured that the conditions set out under the Declaration of Environmental Factors for each work program approval require the appropriate management and disposal of waste and hazardous material.

A joint team of investigators dispatched to the Mount Gee area in January confirmed the presence of sites within the company's exploration lease that had been used to dispose of unwanted exploration drilling samples and other general refuse.

Two large trenches had been excavated by Marathon Resources to dispose of low-level radioactive drill samples and some general camp site litter, which is a clear breach of the conditions imposed and accepted by the company as part of the approval process for its drilling programs. Significant amounts of drilling samples in plastic and calico bags were discovered to have been buried at the site, as well as general waste materials.

The company was also asked to divulge any further breaches of its operating conditions and explain damage to a unique crystallised mineral occurrence within the tenement.

Since the detection of this breach of approval conditions, PIRSA and the EPA have been investigating how such a breach occurred, the extent of the breach and avenues for remediation. Marathon Resources has fully cooperated with PIRSA and the EPA during the investigation.

Marathon Resources has completed its own internal investigation into this matter and reported the findings to PIRSA.

I now require the company to cease further drilling and to demobilise from Arkaroola as quickly as possible. The company has already demobilised two of its four drilling rigs. To say I am disappointed by the conduct of Marathon Resources would be an understatement. This government expects that conditions agreed in the boardroom are delivered on the ground. In this case, it appears that Marathon Resources was clearly unable to ensure its employees and contractors lived up to those stringent environmental conditions that have been set by government. Governments have tightly regulated all exploration at Arkaroola in past decades, and this is reflected in the fact that the unique landscape values have not been compromised.

What is important now is that the site is cleaned up, that the material is removed, that the company provide a full explanation of its conduct and that steps are taken to ensure appropriate policies and internal controls are implemented by the company. Such a breach also should not go unpunished lest it sends a signal to other resource companies that this state does not vigorously enforce the contractual obligations it imposes on exploration, extraction and rehabilitation on exploration and mining tenements. The government's curtailment of the drilling at Mount Gee is a significant financial impost on the company.

Generally, I believe the mining industry in this state has an excellent record of compliance with licence conditions and environmental objectives. We have over 800 mineral exploration licences in South Australia, and compliance by licence holders to the state's rigorous environmental conditions is extremely high. I certainly view this instance as being absolutely unrepresentative of our state's explorers. The industry is well aware that the failure of individual companies to adhere to the stringent conditions imposed will damage the public's confidence and that this is not good for mining and exploration in this state. We are serious about the conditions set and expect them to be met in full.

It is also important that mining exploration or development is compatible with existing land uses. In particular, any activity in Arkaroola must not adversely impact on the unique landscape of the Northern Flinders Ranges and on the highly awarded ecotourism operations. The government's response to this breach should send a strong signal to resource companies that South Australia is open for business but not at any cost.

I table the following document: PIRSA Compliance Investigation 3258, Findings of Mount Gee Site Investigation Conducted on 16 January 2008.

#### **WANGARY CORONIAL INQUEST WORKING PARTY**

**The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (15:27):** I seek leave to make a ministerial statement about the government's response to the coronial inquest into the Wangary bushfires.

Leave granted.

**The Hon. CARMEL ZOLLO:** On 18 December 2007, the Deputy Coroner, Anthony Schapel, handed down his findings into the bushfires on Lower Eyre Peninsula, known as the Wangary bushfires. I would like to take this opportunity to thank the CFS volunteers, their families, their employers and the wider community for their commitment to public safety and their professionalism during the inquest and for their work in protecting South Australia from bushfires this summer.

Even before the Wangary coronial inquest, the South Australian government took decisive action to ensure improvements to our emergency services. Following both the independent review of the fire by Dr Bob Smith and Project Phoenix (an internal CFS project), the CFS made a number of changes to both its operations and its preventive activities. The recommendations of the Deputy Coroner that require legislative change will be referred to the Review of the Fire and Emergency Services Act, which is currently being undertaken by Mr John Murray. The report from that review is due in April this year and I expect any suggested legislative change arising from the Deputy Coroner's recommendations to form part of that review and report.

Mr David Place, Commissioner of Fire and Emergencies, was tasked with coordinating the government's response to the Wangary coronial inquest. The Wangary Coronial Inquest Working Party was established to provide leadership and advice to government about the

recommendations. It is a high level working group that reports through me, as the Minister for Emergency Services, to the Emergency Management Council and to the cabinet.

The Wangary Coronial Inquest Working Party convened for the first time on 7 January 2008. The Wangary working party has met on three occasions since the handing down of the Deputy Coroner's findings and continues to meet on a regular basis.

Membership of the group consists of representatives from the SA Fire and Emergency Services Commission (SAFECOM), the CFS, the MFS, the SES, South Australia Police (SAPOL), the Department for Environment and Heritage, ForestrySA, the Department of Primary Industries and Resources SA, the Local Government Association, the Office of Local Government, the South Australian Farmers Federation, the Department of Treasury and Finance, the Attorney-General's Department, the Department for Transport, Energy and Infrastructure, the South Australian Country Fire Service Volunteers Association, and the Department of Water, Land and Biodiversity Conservation.

Already, many of the Wangary recommendations have been implemented, and interim measures have been put in place to ensure that the intended outcomes from the Deputy Coroner's report are operational for this fire danger season. This includes the taking of immediate action by the CFS Chief Officer, via a directive, that, for level 2 and level 3 bushfire incidents, incident management teams make all attempts to contact landholders where a fire is situated and seek information about the conditions pertinent to the land and possible containment measures. Those interim actions are in addition to the improvements the CFS has already put in place.

Some examples of improvements already made post Wangary include increased personnel for use in state level 3 incident management teams and an expansion of training in rural firefighting skills to better equip volunteer firefighters through additional funding of \$2.538 million over four years, announced in the 2007-08 budget. Five new training programs have been introduced, with a target of 10,500 volunteers—that is, two-thirds of the CFS volunteers. The government has acted to ensure that the laws relating to the use of vehicles has been amended and that public awareness has increased about the use of vehicles during the fire danger season.

In the 2007-08 budget, \$500,000 additional funding for each year from 2007-08 to 2010-11, to match increased commonwealth funding, was provided by the state government for aerial firefighting. The government has more than doubled its spend on aerial resources. In particular, the spend on aircraft for use on the West Coast, on Lower Eyre Peninsula, has greatly increased. This fire danger season, two Airtractor 2500L fixed-wing bombers and a surveillance/coordination aircraft have been located on Lower Eyre Peninsula. We will consider the Deputy Coroner's recommendation about aircraft and take operational advice from the CFS.

An automatic weather station for Lower Eyre Peninsula, commissioned in 2007, has been partly funded by the state government. Significant advances have been made in the provision of community education to the community. In the 2007-08 budget, \$2 million was provided over four years. This has allowed additional seasonal positions to complement the base 3.2 FTEs who visit at-risk communities and conduct Bushfire Blitz and other community fire safe programs. This funding continues the expansion of the activities announced in October 2005, when almost \$1.2 million over two years was allocated to expand CFS community education to allow 300 additional presentations and an extra 20 community fire safety groups to be established across the state.

The government has also expanded its media and community information campaign. In October 2006, the government approved an additional \$225,000 for the community awareness campaign for bushfire prevention, preparedness and safety, entitled *Dispelling the Myths*. Funding in this year's budget will go towards a further community awareness campaign, which includes television, radio and print advertisements, direct mail to 80,000 vulnerable homes, as well as advertisements on ad shells at bus stops.

The CFS hotline has been developed to be an exceptional tool for the community to find out bushfire information. Bushfire information and warning messages were introduced in the 2005-06 campaign and continue to provide superior service to the community. The CFS has established new memoranda of understanding with media outlets to transmit bushfire warnings. The process has been finetuned to ensure that that information is provided to the public via the ABC and FIVEaa, and MoUs will be pursued with other media outlets.

SAFECOM has worked in partnership with the Local Government Association to simplify further the resource sharing arrangements and see a formal agreement approved at a state level

for use of plant and equipment. A draft memorandum of understanding has been signed between the LGA and SAFECOM on behalf of the MFS, the CFS and the SES, and I am advised that at this time eight councils have signed up to the MoU.

A ministerial review of bushfire management in South Australia was conducted, and key reforms were recommended to update bushfire planning and management arrangements. In addition to these improvements and developments, the Wangary working party will work over the coming months to ensure that the recommendations of the Deputy Coroner are given due consideration and appropriate changes are made to ensure the desired improvements.

On 7 February 2008, the Minister for State/Local Government Relations convened a meeting of the State/Local Government Forum to deal specifically with the recommendations relevant to local government. This meeting was attended by Mr David Place (Commissioner of Fire and Emergencies), the Chief Officer of the Country Fire Service and me, along with representatives of the LGA and metropolitan and regional councils, as well as my colleague the Hon. Gail Gago. At the forum the Deputy Coroner's recommendations were discussed, and a task group will be established to put forward options to the Wangary Coronial Inquest Working Party for consideration.

It is clear from the work already completed and from the plans of the Wangary working group and its task groups that significant progress has been made and will be made in the very near future. The work being conducted by emergency services and other government agencies is focused on ensuring enhanced and superior prevention, quality service delivery and behavioural change in the community with respect to bushfires and bushfire prevention.

I reiterate my thanks for the tireless efforts of our volunteers in their work. It is anticipated that in March 2008 final workshops will be held to bring together all the agencies and task forces and the respective work that has been completed. This will form the basis for the recommendations of the Wangary Coronial Inquest Working Party and the government's response to the Deputy Coroner's recommendations. Once government has considered its response, a feedback and consultative process will be initiated with key stakeholders in the community. Consultation is occurring with all relevant stakeholders as this process moves forward, and it is hoped that I will be able to bring to the parliament definite outcomes within the coming months.

#### CONTAINER DEPOSIT LEGISLATION

**The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (15:36):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (15:36):** I am pleased to advise the council that the government has decided to increase the deposit on beverage containers to 10¢, and it is intended that this increase take effect later this year. CDL has been very popular in South Australia and has successfully altered our littering and recycling habits as a community since its introduction in 1977. South Australians can be justly proud of this scheme. We lead the nation and, in this time of renewed focus on the environment and minimising our footprint, the rest of the country is looking at our law and considering adopting it. Western Australia is fairly advanced in its consideration of a similar scheme and, more recently, Tasmania and the Northern Territory have also expressed interest in beverage container deposits.

CDL has contributed to South Australia's having recovery rates of beverage containers well above the national average (such as a glass recovery rate greater than 80 per cent compared with about 36 per cent nationally, and a PET recovery rate of about 66 per cent compared with 35 per cent nationally). Of concern, however, is the data demonstrating that return rates are now showing a decline. The overall rate of return of glass, aluminium and PET (plastic containers) peaked at around 84 per cent in 2002 but has since declined to about 70 per cent, with an overall return rate in 2005-06 dropping to 69.5 per cent.

Given that the deposit, if it had been indexed since it was first introduced, would now be just over 30¢, it is reasonable to question whether the deposit is starting to lose its incentive value. In order to encourage a recovery in return rates, the government therefore has determined that the deposit be increased to 10¢. CDL already provides a wide range of environmental, economic and social benefits to the state and, with an increase in the refund level, we can expect:

- an increase in the return rate of beverage containers, resulting in increased recycling and reuse of the material;
- reduced waste management costs—including litter cleanup—for local government, which in turn should reduce pressure on council rates;
- reduced glass contamination of other recycled products in kerbside collections due to higher return rates at collection depots;
- a decrease in the number of beverage containers going to landfill or appearing in our litter stream;
- an increase in revenue for charity and community groups and individual collectors;
- above all, an increase in returns of these products will result in the environmental rewards of the system being increased.

Based on life-cycle assessments of CDL that have been undertaken within Australia, it is estimated that the South Australian system currently generates the following environmental benefits:

- Annual emissions of greenhouse gases reduced by about 50,000 to 70,000 tonnes of CO<sub>2</sub> equivalents, which is equivalent to 7,000 to 10,000 homes taking up 100 per cent renewable energy or about 15,000 cars being taken off the roads permanently—so a significant environmental benefit.
- Annual emissions of smog precursors reduced by 40 to 50 tonnes, which is equivalent to taking 10,000 cars permanently off the road.
- Embodied water use reduced by about four to five megalitres (which is about four to five Olympic swimming pools per annum).
- Embodied energy savings of one to 1.2 petajoules per annum.

The government is committed to getting the maximum environmental benefits possible from our recycling systems in South Australia in order to be an efficient low waste, sustainable society.

#### **MITSUBISHI MOTORS**

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (15:40):** I lay on the table a copy of a ministerial statement relating to Mitsubishi made earlier today in another place by my colleague the Premier.

#### **QUESTION TIME**

##### **MARATHON RESOURCES**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:47):** I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about Marathon Resources and the Arkaroola area.

Leave granted.

**The Hon. D.W. RIDGWAY:** As we heard today, both via press release and ministerial statement, the government has suspended drilling operations by Marathon at Arkaroola. The news release by the Premier, as read by the minister reads:

The Premier Mike Rann has announced that the government is suspending indefinitely the drilling operations by Marathon Resources at Mount Gee at Arkaroola in the wake of a significant breach of exploration conditions of that licence.

It is my understanding that PIRSA has at least six officers authorised by the EPA to carry out inspections and compliance work in relation to environmental breaches by operators within the mining industry. However, in the case of the Marathon Resources breach, the opposition has been informed that the Leigh Creek police made the initial contact investigation, despite South Australian police officers not being adequately trained to do so. Why were the police requested to undertake the initial investigation, and who made that request?

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (15:47):** It was my understanding that police officers are authorised officers under the Environmental Protection Act. I

believe a complaint was made, perhaps by a disgruntled former employee or some person who was aware of this. Their having made a complaint, I believe the owners of the Arkaroola operation made initial inquiries and then contacted the police, who are authorised officers under the EP Act. They made some initial discoveries and alerted PIRSA and the EPA, who then came and undertook the investigation about which I have just commented at length in my ministerial statement.

### OAKDEN NURSING HOME

**The Hon. J.M.A. LENSINK (15:49):** Will the Minister for Mental Health and Substance Abuse, regarding the Oakden nursing home, advise the Legislative Council when the next visit by the aged care standards and accreditation agency is due and whether targets will be met at that meeting? Will the minister advise whether the nursing adviser appointed by the agency has in fact resigned out of sheer frustration; and will the minister confirm whether no new residents can be admitted and that therefore no additional commonwealth funding will be forthcoming until the accreditation is up to standard?

**The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (15:50):** I thank the honourable member for her question. Indeed, it is a very disappointing outcome from this particular facility; nevertheless, staff there have risen to the challenge and have put in place a comprehensive management plan to address all the issues identified by the Standards Board.

The home is a 55-bed facility that provides care for residents with complex needs. It receives commonwealth funding subject to the home meeting the accreditation standards set out in the Aged Care Act 1997. The Aged Care Standards and Accreditation Agency manages the residential aged care accreditation process using those standards and, once a nursing home is accredited, the agency then continues its monitoring to ensure that high standards of care for residents are maintained.

The site was audited on 20 and 21 February 2007 and the home was granted accreditation for one year until 9 May 2008. There were five support visits from the agency between February and October 2007, and on 10 October 2007 the home was assessed as being compliant with all standards. On 10 to 14 December the agency conducted an unannounced review audit in response to a complaint made to the commonwealth investigations scheme and on 12 and 14 December, as a result of this audit, the Central Northern Adelaide Health Services, as the approved provider, received notice from the Commonwealth Department of Health and Ageing of a decision to impose two sanctions under section 67(5) of the Aged Care Act in relation to the Makk and McLeay Nursing Home.

The two risk issues identified, which required immediate attention to ensure the safety and quality of care of residents, were the unreliability of the duress alarm and concerns regarding the complex management needs of residents who exhibit challenging behaviours. Whenever a serious risk is identified homes then receive daily visits from the agency until the serious risk is resolved, and this occurred at the home. The problems have now been addressed and the serious risks mitigated by the agency.

The commonwealth will cease to fund new residents over a period of six months as part of the sanctions, but the home will continue to receive funding for the provision of care to its current residents. Other sanctions relate to the appointment of a nurse-adviser, which has been completed, and there has been a restructuring of the management team. CNAHS has commenced work on a detailed action plan which is being overseen by the newly appointed director of nursing, and this plan includes initiatives such as a multidisciplinary clinical leadership group, a review of policies and procedures related to managing challenging behaviours, and immediate and ongoing specialist training for staff in the area of behaviour management.

Additionally, a new management team has been put in place to oversee the improvements made at the home, and every effort is being made to ensure that residents and relatives are kept informed through regular meetings and communications. So, as members can see, a great deal of activity has been undertaken.

In terms of other issues around chemical restraint and lifestyle and activities programs, as I said a detailed action plan has been written up and a dedicated, continuous improvement action plan developed to ensure sustained and quality improvement initiatives across all the standards and issues identified by the commonwealth, with updated plans being sent to the agency on a weekly basis.

A meeting occurred on 4 February between executives of CNAHS and the commonwealth to discuss progress to date and the processes over the next month, and it was acknowledged by both the commonwealth and the agency that CNAHS was working very hard to ensure compliance and that progress had been made to date.

During the support visit from the agency on 7 February, assessors noted that progress has definitely been made towards compliance, and we were very pleased to see that.

There are still regular meetings by the commonwealth, as requested. Initially, they were on a daily basis. I am not too sure whether they are currently on a weekly or a fortnightly basis, but they are determined by the commonwealth, and we comply with whatever they wish us to do. We meet on a basis that they determine. I think it is reduced to a weekly or fortnightly basis by now.

In terms of the nurse adviser position, which was part of putting that position in place and which was part of meeting our commitments and the requirements of the commonwealth, that position has been put in place, and we will continue to meet any and all of the requirements of the commonwealth in relation to that position in an ongoing way.

### **METROPOLITAN FIRE SERVICE**

**The Hon. S.G. WADE (15:56):** I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about the Metropolitan Fire Service.

Leave granted.

**The Hon. S.G. WADE:** A recent Productivity Commission report highlights that response times to structure fires under the Rann government have increased from 11 minutes to 14 minutes, the worst response time in the nation. In responding to the report, the United Firefighters Union commented that fire crews are waiting longer and longer for back-up crews, not helped by the government's stretching existing emergency services further and further. The latest example is the government's decision to relocate an appliance from Oakden, in the growing northern suburbs, in order to staff the new station in Beulah Park.

The United Firefighters Union has publicly expressed its opposition to the Rann government's decision to halve fire coverage in the Oakden-Northfield area to free up a crew to staff the new Beulah Park station. My questions are:

1. Will the minister advise the council of the response times in the area served by the Oakden station, and to what extent they have increased over recent years?
2. Will the minister advise whether the risk profiles of the area served by the Oakden station are considered to be relatively high compared with areas such as Beulah Park?
3. Will the minister assure the council that the government's decision to relocate an appliance from Oakden to Beulah Park reflects the relative needs of the two areas in terms of response times and risk profiles?

**The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (15:57):** I thank the honourable member for his question. I think it is important that we put the honourable member's question into some sort of context, because it is important to mention that we are about to head into an enterprise bargaining period, when the government will soon begin to negotiate with the union for a new agreement on the wages of firefighters in this state. It is clear that the UFU is trying to raise the profile of the union and use the media to create publicity around issues as leverage in that bargaining process.

When I became the Minister for Emergency Services, one of the very frequently stated claims that I heard was that the opposition, in its eight years, had gutted the MFS. There had been very few recruits under its watch; indeed, in some years there had been none. I would like to place on record that there have been 194 new recruits under this government, as well as a substantial increase in MFS funding. If my memory serves me correctly, it went from \$74.5 million in 2002 to \$97.9 million in 2007-08.

In relation to the Oakden crew, I am sure the opposition congratulates this government because, under this government, two new stations will be built at both Seaford and Paradise, and so we will go from 18 stations to 20 in this state. The Glynde station—

*The Hon. D.W. Ridgway interjecting:*

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

**The Hon. CARMEL ZOLLO:** As we all know, the Glynde Station is due for replacement and, as part of this government's commitment to upgrade our facilities, Beulah Park station is being developed. This is part of the comprehensive MFS emergency response network for the eastern suburbs.

As we all know, Beulah Park replaces the Glynde station and is scheduled to open in April this year. Paradise station is also being built as a new additional station. However, we have made an undertaking that the Glynde station will not be closed until Paradise station is completed next year. I am advised by the Chief Fire Officer that, as Beulah Park is the replacement station for Glynde, the crew from Glynde will be relocated to Beulah Park when the Beulah Park station is ready.

A crew from Oakden, which has two crews and two appliances, will be temporarily located to Glynde until it closes; the Glynde station will not close until Paradise is built. We are managing community safety here. When Glynde closes, a decision will be made at that time about the appropriate allocation of staff to Oakden and Paradise. The risk profile in those areas is changing and will be analysed when Glynde closes and Paradise opens.

Put simply, we are building an extra fire station at Paradise. There will be an additional fire station in the north-east, and the MFS staffing component is sufficient to adequately provide coverage.

*An honourable member interjecting:*

**The Hon. CARMEL ZOLLO:** I have just reminded the honourable member opposite that we have put on 194 new recruits since coming to government. The honourable member would probably be very embarrassed to say how many crew were put on in the eight years the Liberals were in government.

It is certainly my advice that the Chief Officer of the MFS wrote to the UFU advising the union of his intention to relocate a crew from Oakden to Glynde on a temporary basis. I am also advised that the UFU did not respond to the Chief Officer at the time; unfortunately, the UFU has instead mounted a media campaign in relation to this issue. The Chief Officer of the MFS wrote to the UFU again asking for a response to his letter. Apparently, the UFU responded that it did not support the Chief Officer's position.

Unfortunately, rather than resolving this matter through the agreed industrial process, the UFU has continued to take the extraordinary step of advising the government via the media of its intention to take industrial action.

The government has not been formally advised by the UFU of this industrial action; instead, the government has been advised of this action via the UFU's comments in the media—and that situation is extremely disappointing. The government, recognising and, more importantly, valuing, the importance of industrial negotiation, has attempted to resolve this matter through the industrial process. Regrettably, the UFU has instead decided to act outside of the agreed parameters. As I have said, we are very disappointed that the UFU will not sit down with the government and bargain in good faith.

There is no lack of desire by this government to pursue this matter via the agreed industrial process, and I hope the union will come to the table and negotiate in good faith, rather than mounting a scare campaign via the media, which will do nothing to resolve the UFU's apparent dispute.

The Chief Officer, in attempting to negotiate with the UFU in good faith, arranged for a meeting of the single bargaining centre of the UFU to discuss the issue. The SBC, comprising of an independent facilitator and representatives of the union and MFS management, is designed to meet to discuss and resolve industrial issues.

I understand that a meeting of the single bargaining centre is being arranged and genuine attempts are being made to discuss this matter with the union. So, it is now up to the union to stop progressing this issue as a media issue and to deal with it by sitting down with the MFS management. I reiterate our commitment to the Metropolitan Fire Service, to building new stations, to 194—

*Members interjecting:*

**The Hon. CARMEL ZOLLO:** I will repeat that. Clearly the opposition spokesperson for emergency services is embarrassed. We have put on 194—

*Members interjecting:*

**The Hon. CARMEL ZOLLO:** —and it was going to cut public servants by 4,000. Not only was it going to cut public servants by 4,000, but I believe the number of recruits was not even worthy of mention under its eight years. We have put on 194 new recruits and also increased the funding of the MFS from \$74.5 million to \$97.9 million.

### **POLICE, PERFORMANCE**

**The Hon. B.V. FINNIGAN (16:05):** I was so impressed with the Hon. Stephen Wade's mentioning of the Productivity Commission Report that I have a question about it. I seek leave to make a brief explanation before asking the Minister for Police a question about the Productivity Commission Report 2008.

Leave granted.

**The Hon. B.V. FINNIGAN:** The 2008 Productivity Commission report on Government Services was released last week, and I understand it includes some very positive statistics about the level of satisfaction expressed by South Australians with our police force. Will the minister provide details about this level of satisfaction and other positive information in the Productivity Commission report about the South Australia Police?

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (16:06):** I am absolutely delighted to be able to do that, because the increasing majority of South Australians believe that the South Australia Police are performing their job professionally and are honest. It is heartening to find the efforts being made by the state government and the leadership of the South Australia Police is being reflected in glowing responses to an independent survey of the state of government services in this country.

The Productivity Commission, the Australian government's principal review and advisory body on microeconomic policy and regulation, in its latest report found that SAPOL and its officers continued to gain high praise from the community which it serves. Its latest survey found that, of those people who have had contact with South Australia Police in the past 12 months, 85 per cent were either very satisfied or satisfied with the service provided—the highest percentage in Australia and an increase of 3.2 percentage points from 2005-06.

Of those surveyed by the Productivity Commission, 84.2 per cent agreed or strongly agreed that the South Australia Police perform the job professionally. The survey also found 79.4 per cent of respondents agreed or strongly agreed that South Australia Police were honest. Both percentages were the highest in the nation and an improvement on the commission's previous survey in 2005-06.

The number of complaints made against South Australia Police has fallen in the past year. The commission report shows complaints per 100,000 people fell to 71 in 2006-07 compared with 78 in 2005-06. The excellent 2006-07 survey results show that SAPOL has established an enviable reputation as a professional and ethical police service of which South Australians can be proud.

South Australia also continues to lead the nation with the highest percentage of police staff assigned to operational duties. I know that some members opposite would like to suggest that, despite record numbers of police officers in this state, many are kept away from operational duties, but the Productivity Commission—and this is an independent agency with no axe to grind on behalf of this government—puts the lie to those statements, with the latest figures showing that 89.5 per cent of SAPOL staff are assigned to operational duties. That is the highest percentage of police on operational duties of any jurisdiction in Australia, and well above its national average of 82.7 per cent. Almost 90 per cent of sworn officers, that is, SAPOL staff that are able to exercise police powers, including the power to arrest, summons, caution, detain, fingerprint and search, are on operational duty in South Australia, an achievement other state police can only look at with envy.

It was interesting that last night on television I saw the shadow minister for police outside an office saying that we should have a police officer here behind a desk, and then he was saying that there are not enough police because there are too many behind desks. He wanted to put one behind a desk. In fact, those officers at the police station were actually out there in a patrol vehicle

trying to catch criminals, which is much better than having them behind a desk. He was saying, 'Look, here it is. There isn't one behind a desk, because there are too many behind desks.' It is strange logic.

The Productivity Commission also confirms that this state Labor government is spending more on police services per head of population. The commission report shows that South Australia spent \$303 per person in 2006-07, which is much higher than the \$262 per person spent on police services in 2001-02. As police minister, I am proud to say that funding for SAPOL has never been higher. It is no wonder that, with so many police on the beat in South Australia, 83.6 per cent of those surveyed by the Productivity Commission felt safe or very safe at home alone after dark, which is up from 82.7 per cent in 2005-06. Of those surveyed, 61.7 per cent felt safe or very safe walking or jogging locally after dark—up more than 20 percentage points, from 40.9 per cent in 2005-06.

The independent report also shows that South Australians are less likely to be victims of crime, with the crime rate per 100,000 persons falling across a range of offences since 2002, including murder, which has fallen from 1.9 recorded victims per 100,000 persons in 2002 to 1.0 in 2006. Attempted murder has fallen from 2.6 recorded victims per 100,000 persons in 2002 to 2.3 in 2006. Unarmed robbery recorded a significant fall, from 72.4 recorded victims per 100,000 persons in 2002 to 42.5 in 2006. The figures are down for sexual assault, from 106.8 recorded victims per 100,000 persons in 2002 to 96.7 in 2006.

South Australians are also much less likely to be victims of property crime than they were six years ago, with falls in all areas, including unlawful entry with intent, which fell from 2,176.5 recorded victims per 100,000 persons in 2002 to just 1,474.1 victims in 2006. Unlawful entry with intent involving the taking of property fell from 1,433.7 recorded victims per 100,000 in 2002 to 922.9 in 2006. Motor vehicle theft fell from 738.4 recorded victims per 100,000 in 2002 to 512.9 recorded victims per 100,000 persons in 2006. Other theft fell from 5,214 in 2002 to 3,166.5 in 2006.

Essentially, this independent report shows that South Australia is a safe place to live and raise a family and that people living here believe that they are less likely to become victims of crime. My ministerial colleague the Hon. Carmel Zollo will also be pleased to hear that South Australia recorded the second lowest rate of road fatalities in the nation, with nine road deaths per 100,000 registered vehicles, down from 13 per 100,000 in 2005-06. Our aim is to keep working, through our road safety campaign, to lower those fatalities even further. I am sure that no minister works harder than my colleague to achieve those objectives.

In order for SAPOL to effectively carry out its aim of keeping South Australia safe, this state government believes that it needs three essential tools. First, it needs a sufficient number of police officers, and the state is now on its way to increasing police numbers to a record 4,400 by 2010. The second tool needed by SAPOL is supporting legislation. This government has already introduced a number of far-reaching changes to the law, and we will be looking at a lot more in this chamber fairly soon.

The third essential tool required by SAPOL is, of course, high quality physical assets, such as the *Ron Jeffrey*. This is a purpose-built 7.2-metre catamaran named after retired police diver Senior Sergeant Ron Jeffrey. Late last month, it was my privilege to take part in the commissioning ceremony for the *Ron Jeffrey*, which is the latest recruit to SAPOL's water operations unit.

The *Ron Jeffrey* was built for South Australia Police by boat builders Noosacat Australia, which is the company used by almost every statutory or government authority in this country that deals with oceans and waterways. The \$285,000 price tag for the *Ron Jeffrey* includes twin 225-horsepower Yamaha four-stroke engines. Based at SAPOL's water operations unit at Semaphore, the *Ron Jeffrey* can be transported by trailer (a very big trailer) to be used in police operations throughout the state. The *Ron Jeffrey* replaces the decommissioned police launch *Pedro Warman* and complements the existing SAPOL fleet.

When taking the new vessel through its paces, the officers of the Water Operations Unit informed me that it was the first time for a long time in their memory that a purpose-built craft specifically built for SAPOL had been commissioned for the service. Until now this hard-working police unit has had to make do with cast-offs from other agencies such as Fisheries to perform their important tasks of sea search and rescue. It took the Rann government to provide the funding necessary to acquire a purpose-built craft of which the police service in this state can be proud.

So this government does not just talk tough on crime. This government backs up its talk with the resources required to maintain what the Productivity Commission report shows is the most honest, professional police service in Australia.

### **POLICE, PERFORMANCE**

**The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:15):** I have a supplementary question, sir. Despite that terribly long-winded answer from the minister, can he explain—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. D.W. RIDGWAY:** Can the minister explain why he quoted only the good news from the Productivity Commission report, and can he please explain why the number of homicide victims in South Australia has increased from 20 to 21 in the past 12 months (as per the Productivity Commission report)? The homicide rate per 100,000 people is stagnant. The attempted murder rate is by far the highest in the nation at 2.3, almost double—

**The PRESIDENT:** Order!

**The Hon. D.W. RIDGWAY:** I am trying to explain the question, Mr President.

**The PRESIDENT:** You cannot. You asked the question. This is a supplementary question.

**The Hon. D.W. RIDGWAY:** And I am asking the minister to explain how these things can be.

**The PRESIDENT:** No; the minister will explain that to you when he answers it.

**The Hon. D.W. RIDGWAY:** With due respect, Mr President, he quoted the good news from the report, not the facts about the bad news.

**The PRESIDENT:** You ask questions deriving from the answer.

**The Hon. D.W. RIDGWAY:** With your leave, may I finish?

**The PRESIDENT:** You can ask the question, without explanation.

**The Hon. D.W. RIDGWAY:** The kidnapping rate, Mr President: how can that increase by 200 per cent since 2002? The blackmail and extortion rate has gone up 50 per cent in the past 12 months, and the assault—

**The PRESIDENT:** Order!

**The Hon. D.W. RIDGWAY:** I am asking—

**The PRESIDENT:** No, you are not. You are stating that the rate has gone up.

**The Hon. D.W. RIDGWAY:** They are the facts from the Productivity Commission report.

**The PRESIDENT:** This is a supplementary question. You either go to the question or sit down.

**The Hon. D.W. RIDGWAY:** Assault has increased by 6 per cent. How can the minister explain that his government is tough on crime when clearly the facts state that it has failed on a number of counts?

**The PRESIDENT:** Order! The minister will disregard all the explanation in the question, because it was out of order.

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (16:17):** I am delighted to repeat the very good news that was in the Productivity Commission report for the benefit of the honourable member. He talks about attempted murder, but the fact is that it has fallen from 2.6 recorded victims per 100,000 persons in 2002 to 2.3 in 2006. So, since this government came into office, there has been a drop. If one reads the productivity data—

*The Hon. D.W. Ridgway interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition will listen to the answer.

**The Hon. P. HOLLOWAY:** And, more importantly, if he wants to read the fine print in that data, it does caution against comparisons across states.

In relation to the broad survey question which I indicated earlier, the same question is obviously asked in the states, but when you are looking at statistics there can be differences between states, because offences do not always line up. For example, in relation to attempted murder, there may be different regimes which charge people in relation to that. What the Productivity Commission report does state is that you can compare the results within a jurisdiction. So, when this government came to office and we had 2.6 attempted murders per 100,000 persons back in 2002 and now it is 2.3, the Productivity Commission says that you can relate that, because within jurisdictions those figures are comparable. Across jurisdictions one needs to—

*The Hon. D.W. Ridgway interjecting:*

**The Hon. P. Holloway:** It does not mean that at all, Mr President. In fact, the statistics, as I said when they surveyed people, increased again. There was a significant increase in the satisfaction of the public as far as safety was concerned.

It does have the caveat within the statistics that comparisons across states in relation to crime statistics must be treated with caution because the definition of particular offences may not line up. What we can say unequivocally is that across the vast majority of crime there has been a significant reduction in crime under this government—in excess of 18 per cent over the six years this government has been in office.

#### **POLICE, PERFORMANCE**

**The Hon. T.J. STEPHENS (16:19):** I have a supplementary question. Which great South Australian company built and delivered the new fishing vessel?

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (16:19):** I covered that. It was built by Noosa Cat.

#### **POLICE, PERFORMANCE**

**The Hon. T.J. STEPHENS (16:20):** Where are they based in South Australia?

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (16:20):** They are not.

#### **MITSUBISHI MOTORS**

**The Hon. D.G.E. HOOD (16:20):** I seek leave to make a brief explanation before asking the Minister for Police, representing the Treasurer, a question about the recent Mitsubishi decision to cease manufacturing in South Australia.

Leave granted.

**The Hon. D.G.E. HOOD:** Under recent questioning in the Budget and Finance Committee, the Department for Families and Communities informed the committee that it had a total of some 1,174 vehicles in its fleet as at 31 July last year. Of these 1,174 vehicles, some 49.3 per cent (or 579) were not manufactured in South Australia. Of those 579 vessels not manufactured in South Australia, 333 of them were vehicles of a type similar to the Mitsubishi 380 but were purchased from interstate and overseas manufacturers using South Australian taxpayers' money; indeed, using Mitsubishi employees' taxes.

Here we have one department, using South Australian taxes, which had the opportunity to purchase an additional 333 vehicles from Mitsubishi (representing around two weeks' full production of the 380 sedan) but which instead chose to buy interstate and imported vehicles to the detriment of Mitsubishi and its employees. My questions are:

1. Given the figure reported by the Department for Families and Communities of 333 missed opportunities to buy South Australian made cars, how many thousands of missed opportunities across the whole of government to support South Australian manufacturing were there to 31 July last year?

2. What is the impact on the South Australian vehicle manufacturing industry of buying imported and interstate manufactured vehicles directly in place of South Australian made vehicles?

3. Will the government launch an immediate audit of the vehicle purchasing practices of all departments to ensure that a South Australian product is favoured in future?

4. In light of the fact that the only remaining vehicle manufactured in South Australia is the Holden Commodore and its derivatives, such as the Holden Statesman, will the government give a firm commitment that no direct competitors of the Holden Commodore will be purchased from interstate or overseas with South Australian taxpayers' funds to the detriment of the employees of Holden and the South Australian components supplier industry, and indeed the economy in general?

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (16:20):** The honourable member needs to be aware that there are, and have been for at least 20 years, agreements within this country that, in relation to the purchase of things such as motor vehicles, no preference will be given by states in relation to locally manufactured goods. If the larger states of Australia such as Victoria (which has car manufacturers) purchased no Mitsubishi or Holden cars but, rather, only Ford cars this state would suffer.

An agreement has been in place under a number of governments—I think it goes back to the 1980s, if not earlier—whereby states have agreed that they would not give preferential treatment. Notwithstanding that, I am aware that the proportion of Holden and Mitsubishi vehicles—Mitsubishi vehicles, in particular—purchased by this government has been much greater than the proportion of Mitsubishi vehicles that have been sold in the general workplace. Something like 10,000 Mitsubishi 380s have been sold in the past 12 months, and I believe something like 1 million cars are sold in this country, so the percentage of Mitsubishi cars is very small.

Certainly, I can recall a similar question being asked about 12 months ago, and, if my memory is correct, something like 18 per cent of the fleet was Mitsubishi—which was far greater than its share of the market at large. In fact, within the constraints of the interstate agreements, this government has been purchasing a much higher proportion of local vehicles. The other point the honourable member needs to bear in mind is that many of the other imported vehicles are smaller.

This is so for reasons of economy. One of the reasons South Australian car manufacturing is suffering is that it has been focusing on large vehicles, which now comprise less than 25 per cent of the vehicle market. Clearly a number of agencies will need to purchase vehicles not made here. If small vehicles are appropriate for the department's use, they will prefer to purchase those, because they are less expensive to the taxpayer. Similarly, there will be other vehicles such as four-wheel drives and so on that are not made in Australia for particular departments.

Just 25 per cent of local vehicles manufactured in this country comprise the share of the marketplace, and that is one of the reasons, unfortunately, why Mitsubishi, with the 380 in particular, has met its demise. Nevertheless, this government has certainly done its part in purchasing those vehicles, with a disproportionate number being operated by agencies over the years. I am happy to refer that question to my colleague and get the figures on the number of Mitsubishi 380s and what proportion of the fleet they are, compared with the proportion of Mitsubishi 380s sold in the community generally, but I am sure it will illustrate that this government has, within the constraints facing it, been very generous in relation to the purchase of Mitsubishi vehicles.

### BEULAH PARK FIRE STATION

**The Hon. J.S.L. DAWKINS (16:26):** I seek leave to make a brief explanation before asking the Minister for Emergency Services a question in relation to the Beulah Park fire station.

Leave granted.

**The Hon. J.S.L. DAWKINS:** I refer to my question to the minister on 25 October last year regarding staffing of the Beulah Park MFS station, in response to which the minister indicated her full confidence in the chief officer of the fire service to staff all stations appropriately. Since the minister made this statement it has become clear that no new funds have been allocated to staff the new station at Beulah Park. I will quote an extract from a message to MFS firefighters from Greg Northcott, Secretary of the United Firefighters Union, on 30 January 2008, as follows:

*Yes, Minister* appears to be making its return episode here in Adelaide. In 2007 the chief officer announced that the new Beulah Park station would be occupied by the headquarters' 202 pump. In January 2008, two months before the scheduled opening, a letter from the chief officer then announced that the station would be occupied by existing appliances within the system, resulting in the fire coverage in the Oakden/Northfield area being halved. Yes, minister, you and your Rann Labor government have endorsed this process as your forward thinking strategic policy two months before its opening. This union has a clear message to the Rann Labor government: we will not allow this new \$2 million state-of-the-art fire station, bordering the marginal Labor electorates of Hartley and Norwood, to be occupied by an appliance that reduces the fire coverage currently being provided to northern Adelaide. We hereby

put this Labor government on notice that, until appropriate funding and resources are provided for the staffing at Beulah Park, it will remain embarrassingly empty.

My questions are:

1. What action has the minister taken, if any, to ensure that the crew at the Beulah Park station is fully funded in the 3½ months since my question to her in October?

2. Given that the UFU ban on staffing the Beulah Park station has not been lifted, what action has the minister taken to ensure that the Beulah Park station is operating as soon as possible and without impacting on other surrounding MFS stations?

**The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (16:29):** I thought the shadow minister for emergency services just asked that; clearly, the Hon. John Dawkins was not listening because I have just responded to the question.

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

**The Hon. CARMEL ZOLLO:** As I said, the shadow spokesperson for emergency services just asked that question, but I am happy to repeat exactly what I said.

**The Hon. G.E. Gago:** Slowly, Carmel.

**The Hon. CARMEL ZOLLO:** Very slowly. I am not quite sure why the honourable member did not hear what I had to say. However, by him asking the question that was asked just a few minutes before by the shadow spokesperson the honourable member has confirmed what I had to say—that we should put this into context. It is really about heading into an enterprise bargaining agreement because, regrettably, this has been going on for several months. I am quite happy to repeat what I said, but this government is very sincere in asking the UFU to sit down with it and negotiate at the industrial level, rather than talking to the media.

As I said to the Hon. Steven Wade, I know that the opposition has very good reason to be embarrassed about the manner—

*An honourable member interjecting:*

**The Hon. CARMEL ZOLLO:** Ashamed is a good word—about the way it gutted the MFS during the eight years it was in government and about the fact that there were very few recruits. Since being elected this government has substantially increased funding for the MFS and has also put on 194 new recruits. The UFU has a process it can go through, and government is hoping it will undertake that process.

#### POINT PEARCE CEMETERY

**The Hon. R.P. WORTLEY (16:31):** I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about Point Pearce cemetery.

Leave granted.

**The Hon. R.P. WORTLEY:** I understand that the Minister for Correctional Services has visited Point Pearce to see the work done by community service offenders renewing the Point Pearce cemetery. Can the minister provide some details about the project?

**The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (16:32):** I thank the honourable member for his important question. On 31 January this year I had the pleasure of visiting Point Pearce to see the important work undertaken by community service offenders and to formally acknowledge the completion of the Point Pearce cemetery crosses project.

**An honourable member:** They have done a fine job.

**The Hon. CARMEL ZOLLO:** They have. Community service work in the Point Pearce Aboriginal community commenced in August 2006. Rural social worker and community corrections officer Mr Vic Porrovecchio had spent a considerable amount of time in close consultation with Point Pearce Aboriginal community elders from the Narungga tribe to develop appropriate community service projects for the area. Mr Porrovecchio worked with the elders to develop projects that aimed to provide offenders with a renewed sense of respect for their community,

underpinned by the core principles of restorative justice—giving something back and making reparations for their crimes by undertaking work that is of benefit to the community.

In November 2006, the Point Pearce Aboriginal community expressed concern that the local cemetery had many unmarked grave sites and deteriorating crosses—

*The Hon. J.M. Gazzola interjecting:*

**The Hon. CARMEL ZOLLO:** The Hon. John Gazzola said that he does a great job, and he does. I know the Hon. John Gazzola is a frequent visitor to Yorke peninsula. It was decided that the manufacture and installation of new crosses at the cemetery would be a culturally appropriate community service project, and funding was secured from the Yorke Peninsula Development Board. Point Pearce Aboriginal community elders helped identify sites that would be allocated new crosses, and the manufacture of the crosses commenced in March 2007, with the project running for around nine months.

In that time 103 crosses were handmade from recycled hardwood. An average of four special needs offenders worked on the project for four hours, two days a week under the supervision of the Elizabeth Community Corrections Centre special needs supervisor Mr Graham Matthews, and assisted by a DCS volunteer. I am also told that two special needs offenders of Aboriginal descent participated in the project. After being made at Elizabeth, the crosses were installed at the cemetery by six community service offenders.

The crosses complement other excellent work undertaken by community service offenders at Point Pearce, including landscaping and paving, cleaning and clearing community household yards, cleaning the community hall in preparation for funerals, and clearing and removing roadside rubbish and abandoned cars. I am also pleased to say that further consultation between correctional services and the Point Pearce Aboriginal community is under way to identify and progress a range of new community service projects. These include:

- the manufacture and installation of more crosses for the cemetery;
- painting house numbers on roadside kerbs;
- replacing shaded areas in and around the cemetery;
- constructing shaded areas at the health centre and Point Pearce Aboriginal Corporation building; and
- placing outdoor settings in those shaded areas.

I would like to congratulate all those who have been involved in the Point Pearce cemetery crosses project. The project is not only of great benefit to Point Pearce but also works towards reconnecting offenders with the community by encouraging productive behaviour and teaching offenders skills that may open up employment opportunities in the future.

#### **MANOCK, DR C.**

**The Hon. A. BRESSINGTON (14:35):** I seek leave to make a brief explanation before asking the minister representing the Attorney-General a question on a matter relating to forensic investigations in South Australia.

Leave granted.

**The Hon. A. BRESSINGTON:** Members of this chamber would be well aware that the Medical Board has now commenced formal proceedings in relation to Dr Manock before the Medical Tribunal of South Australia. The Medical Board is asserting that Dr Manock:

1. failed to make and retain adequate written records of his findings and observations;
2. failed to record and retain records of the weights of organs;
3. failed to record and to retain records of the height and weight of the body of the victim;
4. failed to collect and preserve adequate histological material and, by reason thereof, rendered any future substantiation of a particular observation or observations impossible;
5. failed to collect and retain adequate tissue and other body samples from relevant organs, suspected bruises and body fluids to enable adequate and proper histological examination;

6. failed to collect, or arrange to be collected, adequate photographic records of major findings; collected and retained black and white photographs which were of poor quality; and failed to make use of colour photography; and

7. failed to consider and exclude, if appropriate, all reasonable and feasible alternative hypotheses in order to seek to disprove his stated conclusion and opinion as to the cause and manner of death, namely, non-accidental drowning.

As a result, the board states that Dr Manock (1) is guilty of incompetence in relation to the provision of medical treatment and/or (2) is guilty of negligence in relation to the provision of medical treatment. The Medical Board's findings, which are now being referred to the tribunal, are not consistent with the parliamentary statements previously made by the Attorney-General, Hon. Michael Atkinson, on 20 January 2003 and 1 April 2003, when he laid much emphasis on the fact that Dr Ross James corroborated the findings of Dr Manock.

There have now been some references made that Dr James is himself subject to a complaint to the Medical Board in respect of this very case. As the Medical Board has now taken the view that Dr Manock's work was negligent and incompetent in relation to this case and, given that Dr James said that he had checked the work of Dr Manock in that case and found nothing wrong with it, surely it would follow logically that Dr James was also negligent and incompetent with respect to Dr Manock's findings.

Dr Manock and Dr James were the key forensic pathologists in South Australia who, between them, would have conducted some 17,000 autopsies and were responsible for giving evidence in a great many of the most serious criminal prosecutions in this state for a period of some 25 years. Even the suggestion that they might have both been negligent and incompetent would be bound to set alarm bells ringing for all. My questions are:

1. Does the Attorney-General intend to correct the errors which were contained in those statements and which are conveniently set out in chapters 7 and 8 of the book *Losing Their Grip: the Case of Henry Keogh*?

2. Does the Attorney-General intend to conduct an inquiry to ascertain whether the support and information which he has relied upon all this time are, in fact, reliable?

3. Will the Attorney-General give an assurance that the case of Henry Keogh is referred to the Supreme Court to determine the adequacy of the conviction in accordance with the law; ensure that any similar cases, such as that of Derek Bromley, which has also been the subject of a petition to the Governor, is similarly referred; and call for the establishment of a royal commission to investigate these most serious allegations which strike at the very heart of our justice system?

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning) (16:39):** I think all of us are aware that there is someone in Adelaide who has been conducting a very longstanding campaign. I can recall when these questions about Dr Manock were asked when Trevor Griffin was Attorney-General in this place, which must be at least seven years ago. If, in fact, those practitioners conducted more than 17,000 autopsies, I am sure that, inevitably, in one or two of them people might wish to revisit them. What one can achieve by going back through such a long period of time I will leave to the—

*The Hon. A. Bressington interjecting:*

**The Hon. P. HOLLOWAY:** What you would actually find out and what good it would do retrospectively is probably another matter. I will refer this to the Attorney-General, as it is his area, and I will bring back a reply.

#### **METROPOLITAN FIRE SERVICE**

**The Hon. T.J. STEPHENS (16:40):** I seek leave to make a brief explanation before asking the Minister for Emergency Services a question in relation to fire services in the north-eastern suburbs.

Leave granted.

**The Hon. T.J. STEPHENS:** On 15 September 2006, the minister wrote to the Tea Tree Gully council to reassure it that the planned reorganisation of fire stations in the north-east would not undermine response times. The minister's letter stated, 'In relation to emergency response within the Tea Tree Gully and surrounding areas, a state of the art fire station at Golden Grove

covers the north-east and is complemented by a two-appliance station at Oakden.' However, one of the two appliances at Oakden referred to by the minister is in the process of being relocated to Beulah Park. My questions are:

1. Will the minister explain whether there has been a decline in the fire risk in the north-eastern suburbs to a point where the planned resources are no longer needed?
2. If not, does the relocation of the Oakden appliance undermine the government's fire response strategy for the Tea Tree Gully area as outlined in the minister's letter?

**The Hon. CARMEL ZOLLO (Minister for Emergency Services, Minister for Correctional Services, Minister for Road Safety, Minister Assisting the Minister for Multicultural Affairs) (16:41):** I have to say that the Hon. Stephen Wade is now the third shadow spokesperson for emergency services that I have faced in the three years that I have been minister, and it looks as if he has a few other people in waiting. I did write to the Tea Tree Gully council because I think, at the time, there were concerns in relation to the proposed Paradise station and the actions of a firefighter who disagreed with the then MFS in relation to the positioning of the new station.

In relation to Tea Tree Gully and the surrounding areas, the state-of-the-art fire station at Golden Grove covers the north-east and is complemented, as the honourable member has said, by the Oakden station. The crew from Glynde will be going to Beulah Park, because that particular station will eventually, of course, be closed. In the interim, the strategy that the chief officer has advised the UFU will be to take one of the crew from Oakden to go temporarily into the Glynde station until the Paradise station is opened. We need to put that on the record.

As I have already said twice today and, indeed, many times previously, both the Paradise and Beulah Park stations are being built in sequence and, as I have said, the Glynde station will remain operational until both new stations are commissioned and fully operational.

The honourable member would, of course, be aware that we have an interlocking emergency response networking which includes mutual aid and dual response arrangements between the MFS and CFS which exist for Highbury and Vista and which further support these facilities. I think on more than one occasion today I have already responded to the question that has been asked by the honourable member. The MFS would never compromise community safety, and this media campaign serves no-one well at all.

### SOLARIUMS

**The Hon. I.K. HUNTER (16:44):** I seek leave to make a brief explanation before asking the Minister for Environment and Conservation a question about the dangers of solarium tanning.

Leave granted.

**The Hon. I.K. HUNTER:** While the dangers of sun exposure are well known to South Australians, many people do not seem to understand the danger of solarium tanning, which can expose users to UV radiation up to five times stronger than direct sunlight. There are those who are trying to spread the message about solarium use, including the brave campaigner Claire Oliver, who passed away last year from melanoma triggered by her visit to a solarium. Will the minister inform the council what has been done to educate South Australians and protect them from the potential dangers of tanning beds?

**The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (16:45):** I am pleased to report to the council that last week this government announced plans for new laws to improve the safety of South Australians choosing to use solariums.

The majority of South Australians are aware of the risk of prolonged sun exposure and generally heed the 'slip, slop, slap' message when outdoors. However, many South Australians still want to be bronzed South Aussies year round and may choose to tan using a sun bed or solarium to achieve the desired look. Particularly worrying is the fact that many people see solariums as a 'safe' tanning option.

As the honourable member said in his question, solariums use high levels of ultraviolet radiation to induce a tan. They can be up to five times the power of sunshine, which is obviously an incredibly powerful dose. International studies have shown the risk of developing melanoma increases by 75 per cent if a solarium user is under 35 years of age.

While there is an Australian and New Zealand standard applying to solariums, it is not mandatory, and surveys of solarium businesses have found that there is poor compliance to the standard, meaning that many consumers may be exposed to harmful levels of UV radiation in their quest for beauty.

As the minister responsible for protecting the community from the harmful effects of UV radiation, I propose, by early March 2008, to make regulations, under the Radiation Protection and Control Act 1982, to control the solarium industry. The EPA has prepared drafting instructions for the regulations, and cabinet has approved the drafting of the regulations by parliamentary counsel.

The proposed regulations will require owners and operators of solariums to comply with the requirements of the standard. The regulations will also prohibit the use of solariums by persons under the age of 18 and by those people who have fair skin, which commonly burns and never tans and is often accompanied by red hair and freckles.

It is proposed that the regulations be reviewed after 12 months of operation. The regulations will introduce a requirement for owners and operators of solariums to be licensed. The moratorium on licensing is to allow time for owners and operators to receive appropriate training in radiation protection in the use of solariums. This training will be required to obtain a licence to operate a solarium.

These laws will have teeth, with penalties of \$10,000 up to \$50,000, or imprisonment for five years, or both for serious breaches of the legislation. The EPA will be responsible for enforcing the regulations and will consult with the solarium industry and other stakeholders on the requirements of the new regulations. Everyone has a right to feel good about the way they look. However, without proper regulation of the industry and education of consumers, the risks remain too high. Cancer should never be a price people pay for beauty, which is why I am pushing ahead with these tough new rules.

#### **PETROL-ELECTRIC HYBRID CARS**

In reply to the **Hon. SANDRA KANCK** (13 September 2007).

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

One of the strategies is to 'accelerate efforts to reduce energy use and greenhouse gas emissions from government activities and operations'. In relation to the government motor vehicle fleet, the key action to achieve this is by converting 50 per cent of state government cars to lower emission fuels by 2010. As at September 2007, the government has achieved 28 per cent.

To achieve the 50 per cent target, agencies are being encouraged to include hybrid and LPG vehicles in their fleets, use bio fuels where possible, or move to fuel-efficient common rail diesel vehicles.

All government agencies, including SAPOL, will need to review their fleet mix to ensure the target is met by 2010. The types of vehicles chosen will depend on the purpose for which the vehicles are required.

Hybrid vehicles continue to remain a more expensive vehicle than other passenger derivatives, although some of the cost is offset through lower fuel consumption. This will need to be taken into account by agencies in determining the appropriate fleet mix.

Overall, government agencies continue to achieve an appropriate level of support for hybrid technology, when taking into account the cost of the vehicle. This has resulted in 187 hybrid vehicles in the government fleet to date.

#### **MINERAL EXPLORATION**

In reply to the **Hon. D.W. RIDGWAY (Leader of the Opposition)** (21 November 2007).

**The Hon. P. HOLLOWAY (Minister for Police, Minister for Mineral Resources Development, Minister for Urban Development and Planning):** Consultation on the Issues Paper on the proposed Short-Term Amendments to the *Mining Act 1971* has been extensively undertaken through direct consultation with key peak industry bodies, non-government organisations and environmental special interest groups. Legal firms who deal extensively with the resources industry, the general community and relevant Government agencies have also been extensively consulted. Below is the list of all organisations and individuals actively consulted.

- The Advertiser Newspaper
- The Government Gazette
- Port Augusta Transcontinental
- Ceduna West Coast Sentinel
- Coober Pedy Regional Times
- Millicent South Eastern Times
- Murray Valley Standard
- Strathalbyn Southern Argus
- Yorke Peninsula Country Times
- Kangaroo Island Islander
- Whyalla News
- Port Pirie Flinders News
- Burra Broadcaster

Mr Jason Kuchel  
Chief Executive Officer  
SA Chamber of Mines & Energy Inc

The Executive Officer  
Cement, Concrete & Aggregates Aust  
—Extractive Industries Committee SA

President  
Local Government Association of SA

Mr David Moyle  
Conservation Council of SA

Executive Officer  
The Wilderness Society

Mr David Noonan  
Australian Conversation Foundation

Chief Executive  
Department of Water, Land &  
Biodiversity Conservation

Chief Executive  
Department of Justice

Ms Joslene Mazel  
Executive Director  
Aboriginal Affairs and Reconciliation  
Division

Mr Warren McCann  
Chief Executive  
Department for the Premier & Cabinet

Mr Ashley Watson  
Piper Alderman Lawyers

Chief Executive  
Department of Transport, Energy &  
Infrastructure

Chief Executive  
Department of Treasury & Finance

Ms Carol Vincent  
General Manager  
SA Farmers Federation

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The Secretary Environment Institute of Australia SA Division	Mr Ewan Vickery Minter Ellison Lawyers
Ms Stevie Austin Manager, State & National Policy Strategic Policy Division Department of Water, Land & Biodiversity Conservation	Ms Jenny Hart Assistant Crown Solicitor Native Title Section Crown Solicitor's Office
Executive Director Aust Petroleum Production & Exploration Association	Mr George McKenzie Finlaysons Lawyers
Mr Mark McGeough Chairperson Resources Industry Development Board Minerals and Energy Resources PIRSA	Mr Parry Agius Executive Officer Native Title Unit Aboriginal Legal Rights Movement Inc.
Ms Sharon Bertholini State Manager National Native Title Tribunal	Dr Andrew Cannon Senior Magistrate Adelaide Magistrates Court
Mr Stephen Kenny Camatta Lempens Pty Ltd Lawyers	Mr Michael Steele Hunt & Hunt Lawyers
Mr Greg Leamann Director, National Parks & Wildlife Department of Environment & Heritage	Chairperson Economic Development Board Terrace Towers
Mr Simon Stretton Crown Solicitor	The Director Environment Protection Authority
Mr Frank Congdon Andersons Solicitors	Mr Kym Loechel Gem and Mineral Club of SA
Ms Emma Covacevich Energy Resources Group Clayton Utz	Mr Josh Bird Native Title and Land Rights Branch ATSIC
Mr Graham Webster Alexandrina Council	General Manager Australian Mines & Metals Association

Ms Jennifer Corkhill

Mr Peter Tapley

Mr Mark Bolduan

Ms Candy Scown

Mining Titles Consultant

Deputy Chair

Hetherington Exploration and Mining  
Title Services Pty Ltd

Residents for a Future Strathalbyn Inc

Mr John Sweep

Mr Julian Murray

Lawyer

Murray Land Consultants Woodend

Mr Alex Blood

Ms Georgina Green

Senior Environmental Scientist

Scientific Officer

Golder Associates

Nature Conservation Council of SA

Mr Richard Bradshaw

Ms Frances Eardley

Johnston Withers, Solicitors

Allens Arthur Robinson Lawyers

Mr Andrew Corletto

Ms Melissa Zillmann

President

A/Senior Policy Advisor

AMPLA SA Branch

Bureau of Mining and Petroleum  
Department Natural Resources, Mines &  
Energy

C/- Kelly & Co

Mr Allan Holmes

Mr Elmer Evans

Chief Executive

Manager, Assessment Branch

Department for Environment &  
Heritage

Planning SA

Mr Simon Howes

Mr Peter Nolan

Principal Planner, Legislation

Chief Executive Officer

Planning SA

Civil Contractors Federation

Mr Barry Lindner

Secretary

SA Opal Miners Association Inc.

It is the role of Government to make, administer and enforce the laws of the State. It is expected that Government would reasonably consult with relevant stakeholders who may be impacted by amendments to such laws. In this case, the resources industry has been adequately consulted through their peak industry bodies, direct advertisements in state and regional newspapers and the PIRSA website. The cost of advertising was \$2,070. With regards to the supplementary question in relation to the Mining Industry, PIRSA corresponds with 565 different tenement holders on a six-monthly basis.

**LAKE EYRE BASIN (INTERGOVERNMENTAL AGREEMENT) (RATIFICATION OF AMENDMENTS) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 15 November 2007. Page 1390.)

**The Hon. J.M.A. LENSINK (16:48):** I rise to indicate Liberal Party support for this bill, which amends the Lake Eyre Basin (Intergovernmental Agreement) Act 2001 to include parts of the Lake Eyre Basin that have the closest connection with the Northern Territory, which includes Finke and Hamilton/Alberta/Macumba rivers and catchments; Witjira National Park; Simpson Desert Conservation Park and Simpson Desert Regional Reserve; and the Neales, Umbum, Sunny and Douglas rivers and catchments.

This is not a particularly complicated measure (some two clauses, I think). The aim of the inter-government agreement is to provide for the development and implementation of policies and strategies concerning water and related natural resources in the Lake Eyre Basin and to eliminate, as far as possible, adverse cross-border impacts.

My understanding is that in 2004 the Northern Territory became a party to the Lake Eyre Intergovernmental Agreement, which resulted in a review of the boundaries of the agreed area. We have before us an extension of the southern boundary, which effectively enlarges the catchments. I thank the minister and her departmental staff for providing me with a briefing.

The one question I have relates to whether this bill will have any impact on the pastoralists or mining leaseholders in that particular region and, if so, what that impact would be.

**The Hon. M. PARNELL (16:50):** I rise to support the second reading of this bill, which extends the boundary and, therefore, the area that is covered by the agreement. My reason for speaking to the bill is to put on the record the contribution a number of conservationists have made—and continue to make—in relation to the Lake Eyre Basin. A person who is casually reading this legislation might be of the opinion that it was only in 2000 and 2001 that people first had this notion that, maybe, when catchments and river systems crossed state boundaries people should try to cooperate and talk to each other about the management of the catchment and the management of those river systems. However, nothing could be further from the truth; prominent conservationists have been talking about a better way of managing the Lake Eyre Basin since the 1980s.

The Lake Eyre Basin itself, as members would be aware, is in fact larger than the Murray-Darling Basin. The Murray-Darling Basin has been front and centre on the news for some little while over exactly this issue; that is, how do the states and territories work together to better manage that catchment and river system? The answer, in terms of the Murray-Darling, has been: we have done very badly.

The answer in relation to the Lake Eyre Basin is that we could have done it earlier and we could have done it better, but the consequences have been less severe because it is proportionately a much less economically developed part of Australia. The South Australian portion of the Lake Eyre Basin is of particular significance, and I will refer in a little while to the work that was done to identify the natural and cultural values of that area, particularly as they relate to its potential as a world heritage site.

In terms of those who are calling for better management of this area, fairly high up on the list comes former senator John Coulter, who in 1984, when he was the president of the Conservation Council, proposed this area for world heritage listing, and he did that in conjunction with the then federal minister for the environment, Barry Cohen. The campaign then took the course of lobbying the international community. The fate of the Lake Eyre Basin and its proper management and protection were put on the agenda of the World Conservation Union or, to give it its correct title, the International Union for the Conservation of Nature and Natural Resources, which body happened to be meeting in Perth in 1990.

I was fortunate enough to be selected as a delegate to go, as were Jim Puckeridge and Marcus Beresford from the Conservation Council. We went to Perth armed with a slideshow showing the importance of this area and urging the environmental delegates from government, industry and community from around the world to support our call for proper studies into the values of the Lake Eyre Basin and, in particular, a proper study into its world heritage values.

The reason that we wanted to try to get world heritage listing was that as a nation and as states we had failed abysmally in managing the area. The best tool that was then available, when

the states could not work together, was to seek to have an area brought under federal control. The best way to bring it under federal control, ever since the Franklin Dam case, was to get something world heritage listed, which then gave the federal government the ability to legislate for that area.

At the World Conservation Union meeting, I can recall various delegates haranguing Australia, saying, 'Why can't you people get your domestic act together? Why do you have to take your conservation disputes to the international stage to resolve them?' It was a very reasonable complaint. The answer lies in the imperfections of our national constitution and the fact that the states were left with the overriding responsibility for the environment on Federation. Nevertheless, it was not just that practical management reason for seeking world heritage: there was also the reason that we strongly believed that the area deserved it for its own sake.

I particularly acknowledge the role played by Jim Puckeridge in this campaign. Jim, for those who do not know him, is an aquatic ecologist, now a resident of Kangaroo Island. He was a very gentle and passionate man and he had to deal with very hostile vested interests in the mining and pastoral industries in his campaign to try to have the ecological values of this area recognised. One of the things that he said to me which stuck in my mind about the importance of the wetlands and, in particular, the waterways of the Lake Eyre Basin was that they were different from anything else in the world, and that was particularly so in relation to their variability.

Anyone who has been up to the north-east of our state would know that those rivers—the Diamantina River, the Georgina River and Cooper Creek—are either flowing or they are not. It seems they are either in flood or they are dry. That variability makes them unique in the world. When the Cooper Creek is flowing, for example, the volume of water that flows down this South Australian river at Innamincka rivals the flow of the Nile River at Khartoum. That is one of the things which Jim Puckeridge's research showed and which stuck in my mind. When it is flowing it is an absolutely mighty river; when it is dry you could step across it in many places. There are some permanent wetlands; most of them are ephemeral.

As a consequence of the World Conservation Union passing the resolution urging Australia to do more work in the Lake Eyre Basin region, a federal government sponsored committee was formed, which I was very pleased to sit on with representatives of the mining industry, the oil and gas industry and also Aboriginal interests. That group examined all the evidence and in particular the evidence that was prepared by the CSIRO, which body was tasked with the job of investigating the values of the area and lining them up against world heritage criteria.

You only need to meet one world heritage criterion for it to be potentially successful at UNESCO. What we found is that the wetlands of the Lake Eyre Basin—the South Australian wetlands—met three of the four criteria. Overwhelmingly, these wetlands were regarded by the CSIRO as being of world heritage quality. I should also acknowledge Julian Reid as a scientist who was instrumental in that report.

It is also probably worth mentioning in relation to the management of this area that it is also a good case study of missed opportunities for government. I can remember talking to a former director of the National Parks and Wildlife Service, Mr Bruce Lever (no longer in South Australia), and he talked about the task that he was given to acquire some of the pastoral properties in the north-east of the state for the National Parks estate. He was particularly asked to acquire the Innamincka pastoral lease, and yet he was given no money to fulfil that task. So, it is not surprising that the agreement that was eventually struck with the pastoralists, to convert their pastoral lease to a regional reserve under the National Parks and Wildlife Act, was done so on very generous conditions—a 50-year lease instead of the normal 42 years under a pastoral lease.

I acknowledge that we are slowly making up some ground. The declaration of the Coongie Lakes National Park certainly gives better recognition to some of the core of that area. I still think that it is an historical tragedy for South Australia that we could have purchased for very little money the whole of that area for a fully protected rather than a multiple use reserve. We missed that opportunity, and it is always more expensive to acquire it later on.

As well as Jim Puckeridge, another person I acknowledge is Marcus Beresford from the Conservation Council. He was very much a driving force for many years in his role as the CEO of that organisation. I also acknowledge the contribution of the Friends of the Earth and Mr Steve Baker, in particular. I want to put those names and events on the record just so that we can balance the historical record, which otherwise might show that no real efforts were made to achieve a cooperative management arrangement until this legislation came through in 2000.

I conclude by quoting an honourable member who was in this place when this bill was first debated. We are now seeking to amend the bill but, when it was first debated in March 2001, the Hon. Mike Elliott, who also had a role in some of these earlier campaigns, was very unimpressed with the legislation. In fact, he said:

...it is a disgrace that the parliament should even be asked to spend time to pass a bill that provides that after five years of talking we will agree to keep on talking and does absolutely nothing else.

I understand what he is saying: the bill is largely about talking. I think that we have been lucky that we have not been tested with some serious economic proposals in the Lake Eyre Basin that would challenge what has been a fairly cooperative arrangement until now. Members may recall that there were proposals for cotton growing in the Queensland part of the basin, in the upper reaches of Cooper Creek. The pastoralists in South Australia were very concerned that their clean green image and their desire to grow organic beef could be compromised by chemicals flowing downstream from this chemical-intensive activity in Queensland.

I think it was only when that proposal was put on the table that the penny dropped in some of those pastoral circles and they could see why conservationists had been saying for years that world heritage was the way to go because it would invoke commonwealth powers. Their plaintive cry all those years ago was, 'Can't the South Australian government do anything to protect us from this disastrous proposal from Queensland?' The answer was: no, it could not.

Certainly, this bill provides a mechanism for negotiation and agreement. I still think that world heritage would be the way to go, but this is the system we have. I am very pleased today that we are at least extending the scope of the agreement and the area it covers.

**The Hon. A. BRESSINGTON (17:03):** The Lake Eyre Basin covers much of the north and north-east of South Australia, the south-east of the Northern Territory, the south-west of Queensland, and a small portion of the north-east of New South Wales. That there should be an agreement between these different jurisdictions on matters concerning the difference appears to make good sense.

While appreciating that the essential purpose of this legislation is to make the Northern Territory a full partner to this agreement, I believe that several matters need to be raised at this time. As the Hon. Mark Parnell stated, the basin is sparsely populated and is largely pastoral country. It contains South Australia's major known reserves of natural gas. Recent exploration suggests that it has considerable potential mineral deposits and may be a source of energy from hot rocks. It is also an area with expanding tourism. There are proposals that this may be an area chosen for carbon sequestration. In short, it is an area of vital economic importance to this state, with the prospect of becoming much more so.

My concern is that South Australia needs a broad strategic plan, but this does not seem to be apparent in some of the legislation that is passed through this place at times. It is apparent to me that the basin should be the subject of broad community discussion on the best policy for this state to follow.

My inquiries of sources in the area reveal that many residents of the basin are not even aware that this legislation is before parliament. We simply cannot make good legislation if our people are not involved from an early stage via the public consultation process. Due to the lack of such discussion, I am uncertain at this moment about the best way to manage this very large and important part of our state to the best advantage for our people. I notice that, although the area of South Australia covered by the agreement is to be expanded, the entire southern part of the basin is not. Lake Eyre South is excluded in its entirety.

As water flow is key to this system, I have two observations. Small, non-perennial creeks in the Northern Territory are included in the expanded area, although they lose their waters into the sands of the Simpson Desert, and it is doubtful whether any water from them ever reaches the lakes. Yet, here in South Australia, the highest rainfall in the basin falls on the northern Flinders Ranges. None of this area is covered by the agreement.

This area seems to provide the only catchments that feed directly into Lake Eyre South. One suspects that the inclusion of this more economically active area at this time may have been the stimulus for more debate than was desired by the ministers and bureaucrats who put this agreement together in the first place.

**The Hon. R.P. WORTLEY (17:06):** I stand in support of the Lake Eyre Basin (Intergovernmental Agreement) (Ratification of Amendments) Amendment Bill. My colleague the Minister for Environment and Conservation spoke very eloquently in her second reading

contribution late last year about the interaction between the exquisitely fragile Lake Eyre Basin environment, the cultural and community imperatives and the numerous economic interests that are so important to our state.

An extraordinary and varied ecosystem, the Lake Eyre Basin covers more than 1 million square kilometres of semi arid to arid land in Central Australia. Its area equates to nearly 20 per cent of the continent. The basin, essentially, is one of the world's biggest natural internal drainage models and, while its flows are unpredictable (to say the least), it is also acknowledged as one of the few remaining unregulated river systems on the planet.

Despite its variable, often non-existent water levels, Lake Eyre is the world's fifth largest terminal lake and Australia's lowest point at 15 metres below sea level, and to it flows an ever decreasing volume of water via a massive and highly complex system of waterholes, marshlands, channels and flood plains which support varied and often rare flora and fauna, sites significant to Aboriginal nations, communities and townships, and sheep and cattle concerns, as well as a burgeoning tourism industry.

The original custodians of this land knew and implemented sustainable land management techniques for thousands of years. Their links to the land, and their dreaming and cultural practices, were all integral to balancing the requirements of the earth and the water. It is those who came later who compromised and, on occasion, destroyed this delicate balance. Now people of goodwill are working together to alleviate the mistakes made earlier and to turn around the damage sustained.

The original Lake Eyre Basin Intergovernmental Agreement represents the result of several years of consultation between and advocacy by communities that live within or impact in various ways on the basin. Those involved in the broad partnership that developed over the years included representatives of the pastoral industry, the governments of South Australia and Queensland, mining, oil and gas interests, Landcare, conservation groups, Aboriginal organisations and local government. By 1998 a coordinating group had evolved from previous entities to deal with natural resource management and catchment issues. The efforts of these many concerned people culminated in the historic agreement which was signed at the Birdsville Community Hall in 2000.

This unique compact represented an agreement to make state borders a secondary issue to one of paramount importance of the region—the management of its water resources across the South Australia-Queensland sectors of the Georgina, Diamantina and Cooper Creek catchments. Signatories were the then South Australian and Queensland ministers with responsibility for water and natural resources (both of whom were present at the event) and the then federal minister for the environment. The then South Australian minister for water resources called the agreement 'the best of what Australia is all about'. He said, 'It is a federation of levels of government and of the people working together, not just for this area, but in the national interest.'

The agreement continues to be integral to the protection of traditional links with the land, biodiversity conservation, and water quality and flow from the north into South Australia. Indeed, in what I see as a measure of its importance, the Northern Territory became a party to the agreement in 2004. It is for this reason that South Australia, in consultation with our cross-jurisdictional counterparts, then carried out a review of those areas of the basin that relate to both South Australia and Northern Territory. This process was expanded later by an additional review of catchments to the west of Lake Eyre.

The results of both reviews have been incorporated in the terms of the bill before us today. The amended agreement represents an increased commitment on the part of our state, and our sister state and territory, to continue cooperative strategies in managing this unique environment. This is an inspiring story of grassroots activism and community partnerships with conservationists, business and governments in order to achieve a shared aim in the local, regional and national interest. I wholeheartedly endorse the bill.

**The Hon. G.E. GAGO (Minister for Environment and Conservation, Minister for Mental Health and Substance Abuse, Minister Assisting the Minister for Health) (17:10):** I thank members for their contributions on this fairly straightforward but, nevertheless, important piece of legislation. The bill demonstrates the commitment of South Australia to the Lake Eyre Basin Intergovernmental Agreement and provides opportunities for cooperation and collaboration in managing catchments across state boundaries. Community consultation on the bill was extensive. I thank community members from across the northern part of the state for the manner in which they embraced the boundary changes. The view was expressed that the opportunities for cooperation

and collaboration arising from the inclusion of additional areas to the agreement was a positive move for cross-border issues in the basin.

The acceptance of the bill continues and improves upon the good work already achieved in managing one of Australia's unique environments, and it supports the management of significant economic activities as well as the protection and management of a rich and varied cultural heritage. This bill contributes to the government's priorities identified in the South Australian Strategic Plan of ensuring sustainable use of its water and other natural resources and in halting biodiversity decline by ensuring the coordinated delivery of initiatives across the Lake Eyre Basin.

I thank all members who support this important initiative. I also thank Bernice Cohen for facilitating the community consultation; Stevie Austin, Ania Karzek, Fran Stropin and Andrew Johnson from the Department of Water, Land and Biodiversity Conservation; and Richard Ewart from the Office of Parliamentary Counsel for assisting in the preparation and passage of this bill. A question was asked by the Hon. Michelle Lensink which I will answer in the committee stage. I look forward to this bill being dealt with expeditiously through the committee stage.

Bill read a second time.

In committee.

Clause 1.

**The Hon. G.E. GAGO:** I will answer a question asked during the second reading stage by the Hon. Michelle Lensink about the possible impact on pastoralists and miners. I have been advised that this bill ensures that there is a mechanism for cross border discussion of possible issues of common concern such as improved water management, coordinated weed and feral animal control programs and improved engagement of Aboriginal people.

Pastoralists and mining interests were extensively consulted on the proposed boundary changes and have been strongly supported in this initiative. In addition, pastoral and mining interests are represented on the community advisory committee to the ministerial forum, which ensures each jurisdiction is aware of emerging issues. At the regional level, close cooperation has been developed between the regional bodies in each jurisdiction, particularly the South Australia Arid Lands NRM Board and the Queensland Desert Channels Regional Body.

**The Hon. M. PARNELL:** I note that the world heritage unit of the commonwealth department of environment back in the mid 1990s concluded:

The South Australian section of the Lake Eyre Basin contains natural values of international significance and a nomination to the world heritage committee would probably be successful.

Given that report, and given that those values are still largely intact, what is the government's current position on seeking international recognition for this important area and the tourism benefits that might flow from that?

**The Hon. G.E. GAGO:** Currently the South Australian government is not seeking world heritage status because of concerns raised by pastoralists and mining industry concerns, which include implications for pastoralists and mining and those other issues addressed by the Hon. Ann Bressington in her second reading speech, such as the exploration of geothermal energy, gas and other natural resources.

Clause passed.

Remaining clauses (2 to 4) and title passed.

Bill reported without amendment.

Bill read a third time and passed.

#### HEALTH CARE BILL

Adjourned debate on second reading.

(Continued from 25 October 2007. Page 1185.)

**The Hon. A. BRESSINGTON (17:20):** This is one of the most important bills I have been involved with since my election to this place, and certainly the most significant in the health portfolio. It is also one in which I am yet to decide my position. The bill was introduced by the Minister for Health into the House of Assembly on 27 September 2007 and passed on 24 October. It seeks to introduce reforms to the governance and administration of hospitals and health services. Significantly, it provides for the abolition of hospital unit boards and the introduction of centralised

decision making, and it has been this in particular that has caused debate on the bill to be quite emotive at times.

I note that in the initial stages of consultation, after a draft bill was issued last August, community leaders, hospital board members and others treated this legislation with a high level of suspicion and even paranoia. There certainly exists a strong sentiment of distrust in our regions over the centralisation policies of this government, and not just in health.

Centralisation is seen by many as a blow to already struggling regional South Australia, which is still reeling from the worst drought in living memory, rising interest rates and spiralling petrol prices. The signs are everywhere that regional South Australia is on the decline, and has been for quite some time. For example, late last year the government announced that 44 full-time equivalent Public Service employees from the South-East would be axed and relocated to Adelaide.

Media coverage in the South-East was highly critical of the government, with radio hosts and newspapers alike suggesting that, rather than focusing solely on the economic benefits of such a plan, the government must give greater—or at least equal—consideration to the social cost. This same argument has been made by the opposition in relation to the bill.

I note that this month (February) the Provincial Cities Association declared that it wanted a study into the effects of public sector jobs centralisation. Head of the PCA Port Augusta, Mayor Joy Baluch, said that the government's shared services plan, which would move about 250 regional public sector jobs to Adelaide, lacked detail and that she was still opposed to it. Any reduction of staff in the region has repercussions in other areas, and many support the view of the association that the government should be decentralising.

There are also issues other than purely economic ones to consider. Many of the people who will be affected by this legislation have established social networks and are part of the community, and they and their families will feel a significant impact. It is important for government and bureaucracies to recognise these concerns, as there are quite a few people in this state who feel it is indicative of the government's negative attitude towards the regions.

The word 'centralisation' incites fear in our regions, so when it is associated with this bill the alarm bells start ringing for many. In this bill we are being asked to consider the centralised employment of about 25,000 employees of the Department of Health, with its regional offices and services it provides in the community. Perhaps there is merit in some of these concerns, as regional areas tend to host safe Liberal seats and would, therefore, perhaps not be seen as a government priority.

Last year, when the draft bill was up for consultation, the opposition, led by shadow minister Vicki Chapman, was very vocal in its criticism. The essence of its attack was that the government was up to no good and that it had hidden motives. At the forefront was the proposal that not only would hospital boards be removed but also the proposed health advisory councils would simply give communities a voice with no influence.

In a September media release Ms Chapman noted that, in its health reform documents of June 2003, the government stated that, 'there will be no forced removal of local boards in country South Australia', yet within 18 months regional country boards were abolished, and local hospital boards were next in line. This was because health boards were a nuisance, we were told, protected from the minister interfering with their assets, staff selection or delivery of service but able to criticise and raise some uncomfortable issues with the government. In turn, the government—of course—accused the opposition of scaremongering.

Nostalgia plays an important and undeniable part in opposition to this bill, as these boards have been an integral part of regional communities for many years. Of course, the government is telling us that this bill is about looking to the future and making changes to an outdated system and that the present legislation was developed more than 30 years ago and is in urgent need of reform. In the words of the minister, significant challenges to the health system exist which 'make it increasingly difficult for the public health system to meet the demands in a cost-effective and equitable way unless reforms to the health system are instituted.' However, the opposition sees it as a cynical grab for power.

In consulting for this bill my office contacted numerous board members throughout the state. At first there was considerable opposition to the hospital boards being removed. Their removal, especially in the absence of a regional structure, was seen as a slap in the face to the boards and their contributions to this state over the past 160 years. There can be no doubting the

role played by boards in rationalising and regionalising health services, so many members were particularly affronted by this. In addition, the subsequently established health advisory councils were seen as likely to have no real influence. This is in direct contrast to the historical role of boards being strong advocates for local communities.

The government said that, as health advisory councils will consist of appointed and elected positions, the majority of whom will be local committee members elected at an annual general meeting, the needs of the local community will be met. However, my staff spoke to some board members who were very distressed about this matter and who vehemently opposed this legislation. They were concerned that they would be able to do little more than raise issues at meetings with no guarantee of any follow-up. As already mentioned, this is in stark contrast to their present influence, where they have significant input on direction and policy advice and make strategic planning decisions.

As pointed out by many of the opposition members, there is a real difference in the way health services are delivered in country areas and metropolitan Adelaide. However, after speaking to many of these people again recently it does appear to me that sentiment has changed and opposition to the bill has reduced. A board member of the Port Lincoln Health Service, who was initially outraged by and vehemently opposed to this reform, has since told my office that, while she still has some concern that the role of the council will now be merely to rubberstamp directives, she is much more relaxed about it.

That said, this is certainly not exclusive. The Balaklava and Riverton District Health Service is one that continues to openly state its opposition to the abolition of local boards, and individual board members continue to say the same thing to my office. In addition, the opposition says that many of the hospital and health service boards have been worn down; they have eased their resistance and have simply given up, they are sick of the fight. I have to ask the question, though: if this was really so important to them would they just roll over and die? That is not the Australian way, and certainly not what I would expect from the proud, salt-of-the-earth Aussies living out in our regions.

I now return to what was, according to the minister, the driving force behind this legislation: the Generational Health Review report. In this report the author, Mr John Menadue, details some of the pressures on the health system. Now, having monitored the debate in the other place, it is quite apparent to me that the government and the opposition are each interpreting the observations of Mr Menadue in this report in such a way as to fit their already formulated agendas while seeking to simultaneously discredit the other side. Such is politics.

According to the minister, the report 'clearly identified fragmentation and duplication of planning, funding and governance arrangements as major inhibitors to development of a coordinated health system, and a systematic approach to improvements in health outcomes to South Australia.'

Although South Australia has a pretty good health system overall, I can see where the minister is coming from when he says the governance arrangements in SA are not keeping up with the requirements of a modern integrated system of health services. It may well be possible that these legislative changes will facilitate improved governance arrangements in our hospital system. I have been impressed by some of what the minister has had to say but, as yet, I have not seen enough to convince me that this will actually be the case.

The minister has stated that if reforms are not made to our health system it will eat up our state budget in future years. By cutting through the bureaucracy, the minister says this will enable the public health system to have a much better capacity to act as a coordinated, strategic and integrated system. Under this bill the CEO of the Department of Health will have direct responsibility and accountability for managing the public health system and not just funding it. As mentioned previously, although the metropolitan health regions will continue to exist, there will be no boards and the CEOs of the metropolitan regions will report directly to the CE of the health department.

Similarly, in the country, we currently have 43 hospitals which are separately incorporated. These hospitals will be combined to form Country SA, which will be incorporated as a hospital in its own right. However, we have the shadow minister saying that the government has simply cherry picked points made in the report. The shadow minister noted that the government's own report says that local community participation in health care agencies and issues needs to be maintained and strengthened. It is important to recognise the continuing interest of local communities in assets that they have funded and to support and encourage ongoing fundraising and contribution in kind.

According to the opposition, this bill fails at every level to actually provide what Mr Menadue also recommends, that is, regional structure for a voice and a capacity to remain directly involved. The shadow minister stated that Mr Menadue was quite clear in his recommendation that it was necessary also to make sure that services were provided at local level and that it was important to include the people of South Australia who have an interest or an alliance with the area—referring to those involved in the nursing and caring services, patients, clinicians, hospital administrators, departmental advisers and so on.

I note that the member for Schubert was one of many opposition members who was very vocal in the other place in criticising the winding down of country health. The member passionately believes that, as these people are much more familiar with the local issues than some bureaucrats in his or her office in Adelaide, the influence of board members having real authority is absolutely vital. I certainly recognise the concern that centralising the governance will cause communities to be disconnected from their hospitals, and that this will probably see the delivery of services worsen in regional South Australia. One member even said that the bill would be the death knell for services in the country if it was passed, making it extremely difficult to attract and retain GPs in rural communities.

Whether or not the Liberal's concerns are overstated, there are other issues to consider. For example, Mount Gambier does not presently have a palliative care ward, and this has caused significant emotional pain for the residents. Perhaps the establishment of a super hospital there will provide very positive and long overdue development. Last month, in January 2008, my office became aware of the sad story of a terminally ill Mount Gambier man who was sent to Penola Memorial Hospital to die. Mr McQuade, a Vietnam veteran, was transferred from the Mount Gambier facility as a doctor did not consider his condition to be acute. He died 10 days later. His widow, Carmel McQuade, publicly criticised the Mount Gambier Hospital, telling local media that the transfer of her husband was extremely traumatic as Mr McQuade had wanted to remain in Mount Gambier to be close to his family.

Mr McQuade's brother, who lives in the Mount Gambier district, and Mr McQuade's son, who had travelled from Brisbane to be by his father's side, visited him daily before his transfer to Penola Memorial Hospital, 50 kilometres away. Mrs McQuade said that this added stress to the family at an already difficult time.

Hospital management defended the treatment of Mr McQuade, with the Lower South East Health Services director, David Walshaw, saying there was no need for patients to remain in an acute hospital once their condition had stabilised and that Penola's facility was under-utilised and could accommodate increased activity. Mrs McQuade said that her husband weighed less than 30 kilograms when he was admitted on 19 November, and that she knew his death was imminent due to his oesophagus cancer being compounded by a number of other serious health concerns.

Due to health problems, Mrs McQuade was unable to care for her husband at home and felt that she was not properly consulted about the transfer. She said that she was so distressed about how the family was treated that she was unable to sleep. There is something seriously wrong with our health care system when terminally ill patients are further stressed by being forced to die away from their home and loved ones. Indeed, this issue has dominated local media in the past month with residents and media commentators alike highlighting the urgent need for palliative care facilities at Mount Gambier Hospital.

'This is something we need as soon as possible. I don't agree that people should be sent away. They should be kept in the same town,' a local said. Mount Gambier certainly is not a small town, either. With more than 24,000 residents it is the second most populous city in South Australia. It has a 90-plus bed hospital and has been earmarked to become a major regional referral centre. Residents quite rightly feel they deserve such facilities. 'We definitely need these facilities,' said one local. 'For someone who is terminally ill, it is very necessary. Anything that can make it easier for them and their families is very important to us. We definitely need them here,' said another. 'My brother-in-law has cancer and he needs the service,' said another.

I note that minister Hill demanded answers from the Mount Gambier Hospital over the incident and explained that, under this bill, the hospital was one of four statewide being established as a large general country hospital. The issue of palliative care is becoming more important every day and, with the region's ageing population, this type of service will be even more necessary in the coming years. Providing more elective surgery, rehabilitation and palliative care services will greatly benefit Mount Gambier but, as the state's largest provincial city, it does beg the question:

why are we not already there? It seems ridiculous that palliative care is available in Penola but not Mount Gambier, which is 10 times bigger.

This is not something that has only recently become a concern. Three years ago, a telephone survey of residents revealed that the most important state government service for people within the area was health and medical services.

However, whilst the establishment of the 'super hospitals' will be good for people living close to Mount Gambier, Port Lincoln, Whyalla and Berri, what about those who do not live near these cities? What about the people who travel to these areas from Adelaide? They need these health services, too. That might have to be an accepted consequence of a person's decision to reside in or to visit a small town, where it is understood that travel may be required to access certain services. However, there is no doubt that a considerable burden is placed on those living in a town like Cleve on Eyre Peninsula, where there is no GP or obstetric and postnatal services, and women must travel to Whyalla or Port Lincoln to give birth.

The Liberals have expressed fear that the situation will get worse and that this legislation spells the end for country hospitals. Again, they may be overstating the situation in order to be seen as sticking up for their electorates. However, it is certainly my view that a satisfactory level of health care must be provided to regional South Australia as well as to Adelaide.

A Streaky Bay resident has been very vocal in her concern that, with the new hub concept, only Port Lincoln, Whyalla and, some time in the future, Ceduna are to be upgraded to provide services for Eyre Peninsula. What will happen to the others? Will they waste away to a slow and undignified death or will their life support be cut off and services immediately closed?

Even though it is reasonable that the major focus be on the capital, as this is where the majority of South Australians live, the government needs to further allay fears of a downturn in services in our regions, especially when the government is constantly reminding us about the mining boom on the horizon and how that will be the future of our state.

When it all boils down, the issue for honourable members to consider is: will this bill provide better health care for South Australians? South Australia has a very good public health system, staffed by committed health professionals and administrative staff. However, South Australia is repeatedly identified as the poorest performing mainland state when it comes to elective surgery and other vital indicators of performance.

For example, out in the community, people are waiting years for surgery to relieve chronic pain and immobility that sentences them to confinement. In fact, we have the longest elective surgery waiting list ever recorded in this state, the worst emergency response times in the nation, and the lowest mental health and elective surgery funding per capita in Australia. So, there is certainly room for improvement.

The bottom line is that all of our health services must be up to a certain standard; not only that: they must be progressive. We need safe and effective health services for the future. Making things more efficient—as the government says these reforms will do—would certainly be a good thing. We need to provide a more sustainable public health system, with better and more equitable outcomes for our population.

So, will the new governance arrangements ensure a greater capacity for the health system in this state to act as a coordinated, strategic and integrated system to help meet the challenges of health pressures into the future or, as one opposition member said, is this socialism at its worst? Although I am leaning to the former, I am still yet to be convinced—and the question of why the government has done a back-flip on its 2003 promise not to get rid of hospital and health service boards does trouble me somewhat.

The government's reluctance to have independent board members with significant influence on policy draws parallels with some of my key concerns with the SSABSA Bill, which I did not support. As I have said, I am yet to decide my position on this bill either way, and I look forward to hearing the contributions of other members to this debate.

**The Hon. J.M.A. LENSINK (17:41):** On 23 October 2007, in the House of Assembly, the member for Bragg (Vickie Chapman) outlined the very comprehensive and extensive reasons why the Liberal Party does not support this bill; indeed, the honourable member who preceded me in this debate has referred to some of that debate.

This bill is essentially about governance. It has a range of measures, including the establishment of health performance councils, health advisory councils and the like, and it basically

transfers the influence within the health system to be concentrated around the minister and the CEO of the Health Department, and that is something to which the Liberal Party is fundamentally opposed. The preceding speaker outlined a number of individual cases where people have been disadvantaged by our health system, and this bill will make that situation worse.

My understanding of the Menadue recommendations is that he proposed that we have a population-based health system. When it comes to the country health regions, it is completely all over the place. In terms of this bill, it has been described to me as the government drawing a circle around Adelaide. Effectively, two of the 'super hospitals' will be established on Eyre Peninsula for a population of 28,000, yet the combined areas of Mid North, Barossa and Yorke Peninsula have a population of 110,000.

The government has claimed that no-one will have to drive more than two hours to get to a hospital, but a number of people in regional and rural South Australia will have more than a two-hour drive to get to any hospital. Effectively, this will downgrade the other country hospitals, and they will be left as basically GP proceduralist rooms to enable the government to completely centralise power within head office.

Country South Australia has been described as a minority, but it actually comprises half a million people of our 1.4 million, which is more than one-third of the population of South Australia. They are responsible for a large part of our agriculture and mining production and so forth, yet they are being treated very shabbily in this change to our health system.

Hospitals are very important in many communities. They bring additional people into the workforce and they are also very important places for training. Indeed, in my own profession I spent some time at the Murray Bridge Hospital as a student. They provide very important places for training and I believe that new graduates, in particular, will be scared of going to work in regional places because they will not be able to obtain the same amount of training and support as they have in the past, which is short-sighted when we have a workforce shortage in this state and we are lessening the opportunities for young people to undertake training within our health system.

I note that the AMA had some cautious criticism of this bill, in that in his CEOs report Duncan Wood stated that the bill establishes a new health performance council which is advisory in nature and is charged with the responsibility of independently reporting on health system performance. Whilst hope springs eternal, he says, about the potential effectiveness of newly created health advisory bodies, the AMA(SA) did request the bill be altered to allow for consultation with the medical profession and other groups in the selection of appointees, as well as ensuring that the body is appropriately resourced to fulfil its function.

I think there is some concern within the medical profession, in particular, that there are some anti-doctor people within the health department. As a physio student, I do recall receiving some lectures from certain people who did a unit who did try to downgrade the importance of doctors. I note too that the GPs have not signed the memorandum of understanding that exists with the Ambulance Service and mental health and so forth, and that they believe that their role in terms of mental health is being downgraded, which is just another factor within the government's attitude towards doctors.

Most recently, in *The Border Watch*, the local people have gone public and expressed their disappointment in relation to this bill. The Grant District Council is angry with the state government because it will no longer have any governance over the Mount Gambier Hospital board. I note that in this article, dated 7 February, it states:

The Local Government Authority yesterday put forward its case to member for Mount Gambier Rory McEwen in a telephone linkup, including South-East Local Government Association representatives.

Clearly, the member for Mount Gambier has fallen into lockstep with the Labor government in that he has not made any effort at the cabinet table to represent his local constituents and the board members of the Mount Gambier Hospital. Indeed, councillor Alan Hill has resigned from the hospital board in protest. So, I think that goes to the depth of concern that the locals have with this issue.

Probably one of the most significant areas in which the local communities who will be relegated from their current roles into merely being members of health advisory councils is that they do not have any financial control. I greatly appreciate the briefing that was provided to me by the department through the minister's office, but my suspicion is that they have just adopted a one-size-fits all approach. There may well be some communities who would be happy not to have

control of issues such as hiring and firing and any other business decisions that need to be made within the hospital, but I am sure that that is not the case for all hospitals.

I think that is a reflection of the approach that this government has; that it likes to internalise control within itself rather than trusting local communities to manage those issues for themselves. It is beyond me and beyond my reasoning to understand how taking control away from local communities will result in better outcomes for those people. They will need to put their concerns in to the centralised organisation, and the organisation can then choose whether or not to take that advice on board. There may be specific local issues that come up, such as whether one particular region is experiencing a downturn. There may be increased road accidents as a result of that, increased violence or any sort of issues that may arise, but really that impact on the health of those local communities may well be ignored by the powers that be.

There are some areas in which I think this bill will improve systems, and that is in relation to adverse incidents and root cause analysis. I understand that there is some confidentiality required in terms of incidents because that encourages people who are involved with that incident to actually be much more frank about what may be a systems problem, or a particular incident or, indeed, a particular individual, and that is to be applauded.

I also note that new clause 75 relates, effectively, to additional whistleblower protection, which I think is also a very important issue within our health system, namely, that people cannot be victimised if they provide information that is to the benefit of the health system. Having worked in a hospital, I am very aware of the hierarchy that exists within such an institution and that people may be afraid to speak out for fear of retribution. I note that the issue of the licensing of private hospitals will be dealt with at some later date and that a range of information is consistent with provisions within the new mental health bill.

I do not wish to speak at length on this bill, because I think that many of the issues that are of concern to people have already been raised in the debate. I reiterate that the Liberal Party is very concerned about the impact this will have on public health. I have specific questions for the minister: what will be the difference between the clinical senate and the new health performance council and which parts of the health system will those bodies have responsibility for within our system?

Debate adjourned on motion of Hon. J.M. Gazzola.

### **CRIMINAL LAW (SENTENCING) (VICTIMS OF CRIME) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 22 November 2007. Page 1587.)

**The Hon. D.G.E. HOOD (17:54):** It will come as little surprise to members that Family First supports this bill. I have said on many occasions that Family First and I will support any legislation that empowers victims of crime. In fact, I have personally attended court with victims on numerous occasions and helped them in parliament or in publicising their case as necessary and, of course, I am happy to do so.

The plain truth is that victims still often feel powerless and totally left out of the court process. In earlier years that was not necessarily the case. In fact, I read recently that there were no public prosecutions for most crimes in England before the 19th century. Instead, the victim, or a relative of the victim, would ordinarily initiate proceedings. Police forces began to form in England from about 1829 onwards, as policing law and order was increasingly seen as the role of the state. In 1823, a British statute first gave the attorney-general in the New South Wales colony power to prosecute crimes and misdemeanours on behalf of the state, and we inherited that some time later.

So, the initial system, with its many faults, gave the victim a powerful say in determining justice and in resolving their case. That simple system changed, of course—and perhaps necessarily. However, in the process, few could argue that victims would not have been silenced as their rights were subsumed by police prosecutors and the DPP.

Some victims complain that the legal system has ignored their submissions, or even held them in contempt, as their pain and suffering is put through an untouchable and unsympathetic machine called the South Australian court system. There is considerable force in saying that victims should be able to have a direct voice in the criminal court.

Family First strongly supports the use of victim impact statements and any expansion of a victim's voice to put it nearer to parity with the strong voice a defendant has in our courts today.

Members should recall that defendants can choose to represent themselves in court, choose their legal representation and, in fact, direct their legal representative to make certain submissions or take their defence down a certain course. Victims do not have that luxury and, in many ways, are subject to the discretion of the police and the DPP.

This bill expands the scope of a victim's ability to place their submissions before the court, making it clear in clause 6 that such evidence can be given by CCTV or, indeed, by recording. Some members have referred to the wording in the bill that makes it clear that, where possible, the defendant must be present when a victim impact statement is read. I note that some judges, including Judge Barrett, make a habit of seeking a response from the defendant to the victim's impact statement. Anything that provides an offender something of an insight into the damage that he or she has caused is certainly a good thing, and I commend the judge on that.

In fact, this bill does not change the law significantly in that regard. Since 2001, section 9B of the Criminal Law (Sentencing) Act has required the defendant to be present 'throughout all proceedings relevant to the determination of sentence'. This provision was rushed through after Peter Liddy infamously refused to listen to any of his victims' impact statements. One of his victims had travelled from interstate and one had travelled from the country, and they were unable to read their statements. They described Liddy's move as 'woeful and disgusting'. They were completely correct in their observation.

I also regard community impact statements in clause 7B as important. There are many crimes in our community where there is no apparent or direct victim. For example, someone caught cultivating a large cannabis crop may not have directly injured one particular person, and this may be the reason why cultivation of up to 10 cannabis plants for personal use results in only a \$500 fine. I have introduced a private member's bill to rectify this.

In sentencing in drug offences, there is rarely a victim who will jump up and down against the penalty imposed, but offences such as drug cultivation cause crime and damage to the whole community, and it is completely appropriate that community organisations (perhaps local Neighbourhood Watch groups) should be able to make appropriate submissions, whether or not anyone was directly or personally impacted.

One thing we would not want to see is pro forma victim of community impact statements. DPP prosecutors should not feel compelled to tender something from a stack of pro forma community impact statements on various topics. For example, we would not want to see the same photocopied pro forma anti-speeding community impact statement read out in court following every dangerous driving trial. It would be a waste of court time and simply slow down an already very slow court process and system. The DPP may have to make some procedural decisions in that regard.

About a week ago I had a terrific meeting with the Commissioner for Victims' Rights, Michael O'Connell (previously the victim of crime coordinator). It is terrific that we have someone with his skills and dedication in the role. As members will be aware, he played a major part in the drafting of this bill and was keen that Family First supported the measures. I am indeed happy to do so and advise that Family First supports the second reading of the bill.

**The Hon. A. BRESSINGTON (17:59):** I rise to support the Criminal Law (Sentencing) (Victims Of Crime) Amendment Bill. No doubt many of us in this place have at some time in our lives experienced being a victim of a crime, either by being personally affected or knowing of a family member, colleague or friend who has been directly a victim. Crimes can have a troubling impact at the lower end of the spectrum, such as theft of property, and at the more serious end can have a traumatic and devastating impact, such as those cases where physical violence has occurred.

I support any legislation that strengthens and supports the rights of victims and enables offenders an opportunity to truly grasp the gravity and magnitude of their offending. However, I have two problems with this bill. First, it is restricted to those who have been the victim of a sexual offence or to an appropriate representative such as a relative of a victim killed or incapacitated in the course of a crime. Secondly, the bill acknowledges the victim only once their matter is placed before the courts, which is all fair and well if as a victim you are one of the unlucky few whose case is serious enough to warrant the police resources of detection and investigation to bring a sound, if not watertight, case to the courtroom in the first instance.

Unfortunately, I have discovered that many victims in the community are not acknowledged as being victims at the very beginning of the process when they have first sustained an injury or a

loss. Similarly, there are countless crimes in which the consequences to the victim may be so enormous as to affect them forever. This bill offers nothing to the family of six whose \$40,000 van is written off due to vandalism, or the parents of a runaway teenager who has been supplied drugs by a local dealer.

Since August last year, a member of my staff was a victim of what appeared to be petty theft, predominantly of CDs, DVDs and mobile phones, amongst an array of other small household items. The offender was well-known to the staff member and a frequent visitor to their home. Although personal items, including jewellery, were stolen, no one item was worth more than \$200 and, as the theft took place over some months, it was difficult to prove that the items had been stolen, as opposed to lost, and who had actually stolen the items in that time.

In fact, when the staff member made a police report it was made clear that the police considered the theft to be petty crime and barely worth providing resources to pursue it. It was not until a unique and personal item was identified at a pawn shop linking the item to the staff member and the suspect that the size of her offending became apparent. The staff member had lost goods valued at over \$5,000 made up of small items.

Since that time two other victims of the offender have been identified but not before the staff member had to carry out her own research and policing to prove who the offender was, what had been stolen, where the items had likely been sold, and over what period of time and on what dates. In fact, more than two weeks after the initial report and proof of the stolen items were supplied to the police, the police did not interview the suspect, arrest her nor search her premises for other stolen goods likely to have been in her possession (one of which would have been a video camera stolen from my office and purchased on my global account).

What is more, my staff member had to effectively coerce the original investigating officer to do his job, often under a great deal of duress, and only to be told that he could not tell the victim how the investigation was progressing and at what point they were in their investigation. At other times during this process the victim was made to feel that she was obliged to justify why they were conducting their own investigations into the theft in the first place, which included buying back stolen items that remained on sale in the pawn shop for four days after police should have routinely required the pawn shop to cease trading in those items. So much for victims' rights!

In fact, when this victim pointed out to the investigating officer that the investigation thus far was so poor that it was doubtful that the police had the will to charge the offender and that, even if police were to charge the offender, a conviction would not stick due to the massive holes in their chain of evidence, the officer became indignant and berated the victim for telling him how to do his job rather than being motivated to do it competently. The state of play currently is that the victim is left with a potentially watertight case that has been undermined significantly by a half-hearted, sloppy and inept police investigation.

The range of excuses given have been the typical ones: 'We are under-resourced and understaffed,' 'We have other priorities,' and 'It's been too hot to go out and get statements from witnesses and other victims.' So, again, the prosecution of this offender is doomed never to succeed, despite the police being supplied with proof of the fact that a crime had been committed; the known residential addresses and other contact details of the offender; many dates when the offences had been committed; names and identifying details of the offender's other victims; and even pawn shop dockets with her name and address on them, showing that she had traded in these stolen goods, which were provided to us by four pawn shop owners and handed over to the police. In fact, it would be fair to say that the majority of victims in the community are rarely able to supply such extensive information about the crimes committed against them.

Although many weeks have passed since the theft was first reported, it was only after a change of investigating officers to one more conscientious and motivated to do his job (after, of course, my staff member mentioning that we would take this to another level) that two of the offender's victims finally had a small number of goods returned. However, many others have not been returned; in fact, some of the other items that were eventually returned were items that the victim had not even realised had been stolen.

Some of those items even carried the victim's name, address and telephone number and, clearly, it had not been followed up by questioning the pawn shop owner, who was clearly happy to receive the goods without further question. In the case that I have described, the victim is not interested in punishing the offender, but has offered to assist them with rehabilitation and counselling. However, as the victim is not recognised by the system as a victim, the opportunity will

elude them and deny the offender the knowledge that she can have access to possibly the closest next of kin she has known since childhood.

I would also like to place on the record the details of the video camera that was stolen from my office by the same person. It was up to my office to circulate the serial number of that video camera. I was under the impression that the police had a screen that they could pull up in their office from which they could check the serial number of stolen electronic equipment such as this and be able to trace which pawn shop it was registered at to be sold. No such investigation took place. As a matter of fact, I was told that, if I wanted to take this any further, I would have to hire a lawyer and pursue any sort of charge in the civil jurisdiction of the courts, which I find quite amazing.

The camera was worth almost \$1,000 and it was bought on my global account. We ended up having to travel down to Noarlunga to pick up the docket and the camera and return them to the police. Again, the excuse given was that it had just been way too hot to go out and do this sort of policing and, 'We are understaffed and under-resourced, and we just have far better things to do with our time, really.' I find that absolutely unacceptable. I would think that anything stolen from this place, in particular, would be considered to be a serious offence and pursued with the evidence, without the threat of having to go to the media to get some sort of action taken with respect to it.

*An honourable member interjecting:*

**The PRESIDENT:** Order! I remind the member that it is the responsibility of members not to let people walk willy-nilly around Parliament House unsupervised.

**The Hon. A. BRESSINGTON:** That was not the case.

**The PRESIDENT:** Quite often a number of strangers walk around Parliament House unsupervised.

**The Hon. A. BRESSINGTON:** That was not the case. She was contained in my office.

**The PRESIDENT:** I am taking the opportunity to inform all members that there are too many people walking around Parliament House unsupervised.

**The Hon. A. BRESSINGTON:** That was not the case.

**The PRESIDENT:** The member is saying that the video was stolen from under her nose.

**The Hon. A. BRESSINGTON:** A staff member left my office to get her a drink of water. She got into my cupboard and stole the video. That is not the issue. The issue is the fact that we had the serial number and we reported the serial number to the police. There was no follow-up and no investigation, and it was left up to my staff to track down that serial number, travel to Noarlunga, pick up the camera and docket, and drop it off to the police. That is the issue: it is not whether people were walking around unsupervised.

**The PRESIDENT:** The issue is that we all have a responsibility, not just the police.

**The Hon. A. BRESSINGTON:** I accept that. If she was left wandering around my office I would not bring up this issue; but she wasn't. Following the passage of this bill, I hope the police minister will take considerable time to examine more closely the police policies and procedures which are serving to delay, protract and inhibit the detection and conviction of offenders—much more so than promising to involve a small and exclusive group of victims whose injuries and losses have been validated by a court in some token capacity—so that all victims are given the opportunity to inform the offender of the gravity and magnitude of their offending.

Debate adjourned on motion of Hon. J. Gazzola.

#### **JUDICIAL SENTENCING**

**The Hon. D.G.E. HOOD (18:10):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. D.G.E. HOOD:** I acknowledge that, on Thursday 22 November 2007, I gave a press conference outside the District Court and published a media release in which I asserted that Marie Shaw is South Australia's softest judge and that in 2006 she never sentenced to gaol any of the 12 persons who appeared before her charged with rape or unlawful sexual intercourse. The statements I made were wrong. Of the 12 cases I said were before Judge Shaw in 2006, six of those cases resulted in a finding that the accused was not guilty and in the remaining six cases the

prosecution decided not to proceed with the charges. Therefore, there was never any occasion for Judge Shaw to sentence any of the 12 persons charged with those offences because the question of sentence never arose.

My assertion made in the media release and in parliament later that day that Judge Shaw was Adelaide's softest judge was misguided and unjustified. I recognise that by making these assertions I have caused considerable distress and embarrassment to Judge Shaw. I unreservedly apologise for the harm which I have caused her. I unreservedly withdraw my call for Judge Shaw's removal from office.

I initially issued a press release on 29 October which complained about our high acquittal figures and which enclosed a table containing the full data set for 2006 broken down into numbers of acquittals, withdrawal cases and actual sentences imposed by each judge. The table accurately noted that Judge Shaw had resolved 12 rape and unlawful sexual intercourse cases in 2006 with six acquittals, five police withdrawals and one case withdrawn for other reasons, and no imprisonments. However, when I subsequently reissued the data following the Niehus case I made the error raised by Judge Shaw—and I have apologised to Judge Shaw for doing this—of enclosing an abridged version of the table which did not specify how the cases had been resolved. The abridged table, which included only the number of imprisonments for the number of cases heard, was quickly prepared in response to a media request. In retrospect, the media representatives should have been referred to the previous table which was provided a week or so before and which contained the full detail in the table.

I add that I do remain concerned about the number of acquittals granted to alleged sexual offenders and the overall conviction rates in general. Over a recent nine-year period SAPOL took reports for the total range of sexual offences from 17,344 people who identified themselves as victims of such crimes, at an average of 1,927 complaints to police per year. However, it is likely that the true number of victims is greater than that. According to a 1996 Australia-wide study, only 10 per cent of women who experienced sexual violence since the age of 15 actually reported the incident to police. When reporting an offence there is no guarantee that the complaint will be prosecuted. Relying on the South Australian figures, a rough guide is that approximately 85 per cent of sexual offences reported to police are not prosecuted because there is no reasonable prospect of conviction.

One bar to prosecution used in the statute of limitations for sexual offences has now been removed due, largely, to a bill introduced by Family First. A select committee report into the statute of limitations issue noted that, of the small number of sexual offenders who were prosecuted, fewer than half of those prosecutions resulted in a conviction.

In 2006, of the 150 cases of unlawful sexual intercourse and rape dealt with by the District Court, 39.3 per cent of cases resulted in imprisonment whether suspended or actual; 1.3 per cent of cases were resolved without conviction; and the acquittal rate was 28 per cent, with another 31.4 per cent of cases not being proceeded with for one reason or another. Victims of sexual abuse are required to jump through a number of hoops to achieve justice. The greatest of these hoops for victims is summoning the courage in the first place to speak to police about their abuser; the next is for police to have enough evidence to prosecute; and the final hoop is in securing a conviction. Family First will continue to do everything possible it can to fight for the rights of victims of sexual offenders and those subject to such horrendous crime.

At 18:15 the council adjourned until Wednesday 13 February 2008 at 14:15.