The other matter that I would like to grieve about—and I was going to raise it with the Minister for Transport, so I am pleased that she is here today—is that, since October last year, the residents of Gawler and those people who travel along Main North Road through Evanston South just at the end of the Gawler bypass have seen work undertaken to put an increased capacity storm drain under Main North Road. This has been going on since October last year, and here we are in February. To this stage on that four lane highway, the vegetation section in the middle has not been extended past the first two lanes, and there are many days when I travel past and there is nobody working on site. Traffic has to slow down to 40 km/h to traverse through the construction area, and it is extremely inconvenient to say the least. I am surprised at the slowness of the work and I would ask the minister to make some inquiries. Firstly, is it a private tender and is there a completion date—and to me it does not look like brain science that is going on there: they are just increasing the capacity, or installing a storm water drain under the road. Secondly, if it is not a private contract, is Transport SA carrying out this work and when can we expect it to be completed? At times, I have seen cars going through at speeds of greater than 40 km/h, and I am sure it is because of the frustration caused by the time it has taken to complete the job. I would appreciate an answer from the minister on this issue

CENSORSHIP

Mr SNELLING (Playford): Late last year, along with the member for Florey and the federal member for Makin, Trish Draper, I attended the Christmas break-up of the Valley View Neighbourhood Watch. None of us had been invited to speak and, given the nature of the event, I thought that fair enough. However, that did not stop Ms Draper, who promptly invited herself to speak on the then imminent release of the French art-house film, *Anatomy of Hell*, of which she was rather critical. I am not of the opinion that adults should be able to watch whatever they want, and I think that the government has a role in censoring films that offend public decency. However, what flowed from Ms Draper was an extraordinary attack on the state government and the Attorney-General, in particular, for not using his powers to ban the film in South Australia.

I think that there are good reasons for the state's not striking out and taking a 'going it alone' approach to censorship, the main reason being that, because of DVDs and videos, these films can be moved across state borders very easily. One has only to look at the number of X-rated or non-violent erotica films that constantly come across into our state from Canberra. What I find remarkable is that, while criticising the state government, Ms Draper, who is a member of the federal government (which has the prime responsibility for classification and censorship), seems to have done nothing to approach the federal government on these issues. I wonder what she has done to lobby the federal Attorney-General about the personnel who comprise the federal Classification Board—probably not much.

Recently, I was amazed to learn that a former deputy head of the Classification Board has taken up a position as a lobbyist for the Eros Foundation, which is one of the main promoters of pornography. It is remarkable that, upon retirement, someone who has held a position as an independent umpire takes up a position as such a lobbyist. However, my main grievance is Ms Draper's getting up at community functions, at which she was not invited to speak, and making political attacks on the state government on matters for which the federal government has prime responsibility.

BUS CONTRACTS

The Hon. P.L. WHITE (Minister for Transport): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: The successful bus contracts for Adelaide's northern, north-eastern and inner southern suburbs were awarded today. Torrens Transit is the successful tenderer for the north-south area (Gepps Cross to O'Halloran Hill) and the outer north-east area (Klemzig to Golden Grove). Australian Transit Enterprises Pty Ltd is the successful tenderer for the outer north area (Gepps Cross to Gawler). Five companies submitted 57 tenders for the contracts, which represent half of Adelaide's bus services. Torrens Transit and Australian Transit Enterprises (trading as SouthLink) already operate in Adelaide and have extensive interstate bus operation experience.

The new bus contracts will not only maintain current services but both Torrens Transit and Australian Transit Enterprises have committed to improving services to better meet the needs of patrons. If that is not achieved, contractors will not receive bonuses. The contracts set new benchmarks in services by creating unprecedented incentives for strong and consistent patronage growth. Serco has provided services since 1996, but did not exercise its right to renew its contract under the same terms and conditions for a further five years. Government put the services to tender in August 2004 and Serco was not successful in this process.

I would like to thank all the committed drivers and staff of Serco who have provided excellent service over the previous years and look forward to a smooth transition to the new contractors. The new contractors will be in contact with all existing Serco staff to explain how employees can sign up with the new operators. In the first months of operation, the new contractors will listen to their passengers' feedback to ensure they meet people's travel needs. Both contractors will commence services on Sunday 24 April 2005 for five years.

PITJANTJATJARA LAND RIGHTS (REGULATED SUBSTANCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 7 February. Page 1356.)

Dr McFETRIDGE (Morphett): I rise on behalf of the opposition as lead speaker, and I do so with a great deal of pride also being a member of the parliamentary standing committee on Aboriginal lands. My involvement with Aboriginal communities goes back over 33 years; and, unfortunately, in my experience, the issue of petrol sniffing also goes back 33 years. I used to drive the school bus from Port Augusta High School to what was then the Davenport Mission. Even then, 33 years ago, people were suffering severe substance abuse, and the majority of that substance abuse was due to inhalation of glue and petrol. My big concern for the Aboriginal people of Australia, never mind just South Australia, is that millions of dollars have been spent over many years, yet very little seems to have been achieved.

The Aboriginal Lands Standing Committee visited a number of communities in the eastern Anangu Pitjantjatjara

Yankunytjatjara lands last year. Of course, members hear all about the bad things happening on the lands, but let me tell the house that there are some fantastic things happening in those communities. There are some absolutely fantastic ventures and entrepreneurial activities occurring on the lands. It is far more than just the Aboriginal arts and craft centres, which, of course, are producing some world famous art. The communities should be very proud of what they are producing. They have a fantastic base on which to build. The lands are situated in some of the most beautiful country in Australia. A little later in my contribution, I will be talking about gaining access to that country and the issue about media access. The opposition is supporting the bill in its amended form, as amended by a member in the other place.

This bill will significantly affect the low lifes who are selling drugs and petrol to the people in the APY lands in the northern part of our state. The bill will create a new offence of selling or supplying regulated substances on the land and the penalty is to increase to $50 000 or imprisonment for 10 years, a significant fine and term of imprisonment, and so it should be because the damage being inflicted by solvent abuse, petrol sniffing, should be abhorred. The bill will empower the police to seize and retain any motor vehicle. We are talking vast distances when talking of the APY lands. It is not like going from here to the Bay and walking around my tiny electorate down there. The Aboriginal lands in our north are vast. The most beautiful parts of our state are in that part of the country and it is important to support the communities up there and this bill will go a long way to doing that.

I was talking to some of the people involved in the communities up there and in recent months considerable momentum has been gained both at government and community level for improved provision of service responses to manage petrol sniffing and other health issues in the AP lands. To try to give a list and prioritise them could be: first, petrol sniffing; secondly, community safety; thirdly, child protection and health; fourthly, housing; fifthly, cultural maintenance and cohesion; and, sixthly, employment and training. Over the years various attempts to respond to the incidence and consequence of petrol sniffing have been made with limited success.

Thirty-three years ago I was seeing people north of Port Augusta at the Davenport community (as it is now) who were severely affected by petrol sniffing. In 2003 a small number of adults who sniffed petrol had been assessed by DHS for brain injury. This initiative was undertaken by the Pukatja Community Council, which demanded action by direct communication with the CE of DHS. Until this direct request action by the chairperson of the Pukatja Community Council, the then department of human services did not have assessment or diversionary sources available to the APY lands communities. I will be talking about some of the things the task force is doing now in the lands to try to overcome these deficiencies.

There is a growing body of knowledge and literature with regard to the history, aetiology and the possible responses to petrol sniffing. Further, there exists considerable expertise, willingness and knowledge among community members and workers, particularly in central Australia, on these issues. This expertise and preparedness warrants government support to assist in the development, implementation and evaluation of new coordinated interventions. This is a matter of giving the communities a hand up rather than a hand out.

I was very disturbed, as a member of the lands committee, to see the rash of announcements made by members of the ministry and government when the press started pushing hard on the issues of petrol sniffing. There was a lot of publicity out there and I would like to think it was not just media management or a publicity stunt. I live in hope that there is genuine concern over there, and I know certainly that the members of the Labor Party and the Independents who are on the Aboriginal Lands Standing committee are genuine in their concerns. It is a fantastic committee and a privilege to be on it. When the Premier went up there with a number of public servants and media in May last year meetings were arranged. Unfortunately, it appears that the media management got in the way of meeting some of the committees. I was very disturbed to get a copy of a letter from one of the ladies at Pukatja who wrote to the Premier and said:

> When you visited the lands at the end of April we were looking forward to meeting you after we received a fax at the Pukatja community office telling us to expect you. I got council members ready for a meeting with you and we had the kettle boiling for a cup of tea. When you didn't arrive I drove across the creek to see where you were and found you outside the TAFE building in front of the newspaper cameras. Unfortunately, I didn't see you again

That is a bit of an indictment on some of the attitudes of some of the people opposite, but certainly not on those on the Lands standing committee.

There is tough talk on this, and this bill will make much clearer and more easily enforceable some of the sections in the Pitjantjatjara Land Rights Act 1981 because the ability to confiscate cars and ban people who are pushing drugs and selling petrol is already there. To supply petrol is an offence. Admittedly, the penalties are far too low in the current act. In fact, in section 42d of the Pitjantjatjara Land Rights Act the penalty is $2 000 or imprisonment for two years, and that is going up significantly, as I said before. Section 42d also provides:

> (1) A person shall not be in possession of petrol on the lands for the purpose of inhalation.
> Penalty: $100.

That is absolutely inadequate. It goes on:

> (2) A person shall not sell or supply petrol to another person on the lands if there are reasonable grounds for suspecting that the other person—
> (a) intends to use the petrol for the purpose of inhalation; or
> (b) intends to sell or supply the petrol for the purpose of inhalation.

So the prohibition is there. Section 42d goes on:

> (3) A member of the police force or a person acting under the authority of a member of the police force may confiscate and dispose of any petrol that he or she reasonably suspects is to be used or has been used for the purpose of inhalation and any container that contains or has contained such petrol.

The ability to confiscate and punish is already there. The penalties are far too low, and we will change that.

The current act goes on under section 43(7) to provide:

> A member of the police force may seize and impound any vehicle reasonably suspected of having been used in connection with the supply of alcoholic liquor to any person on the lands in contravention of a by-law

The bill before us will extend that to petrol, but I would have thought that under the current act the ability to confiscate cars is still there.

In fact, the communities can actually make by-laws. Section 43(3) provides:

> Anangu Pitjantjatjara may make by-laws.

And paragraph (c) provides:

providing for the confiscation, in circumstances in which a contravention of a by-law under paragraph (a) or (b) is reasonably suspected, of alcoholic liquor or any regulated substance—

They can actually make by-laws to confiscate motor vehicles involved in petrol sniffing. So, they can do it already. The communities need assistance and support to do that, and I am pleased to say that I was shown some information today where the task force has a number of initiatives. They will be going out and assisting the communities, starting at family level, to implement these initiatives.

Last year the government introduced a regulation to include petrol in the Public Intoxication Act, and that is a good thing. The Coroner suggested that, and we should recognise that a lot of the work that is going on now is because the Coroner went to the Lands and carried out extensive investigations and had discussions with various groups, and he published a report. The Coroner's report is gradually—slowly, like everything in this place, unfortunately; it seems to take far too long but we have to be thorough—being acted on, and we now need to get this bill through this place and give the police, communities and families in the APY Lands the power to rebuild the communities and get rid of the scourge of not only drugs and marijuana but also in this particular case petrol, because it is a very significant blight on their community.

The need to enforce any law is paramount. There is no point making a law if you cannot enforce it. Certainly the police presence on the AP Lands is something we need to promote. There have been moves to put in more police. They are flying in and flying out, but I think the communities, and certainly the police themselves, know—and I know having a police station in Moseley Square would make a difference—that having police stations in the APY Lands in the communities would be a much better move than having police fly in and fly out, because good community policing involves getting to know the communities, individuals and families.

Only when there is a degree of trust will Aboriginal communities, particularly, start to liaise with the police, start to talk to the police and start to open up. I heard just this week that the police now are actually getting people to name names. That is a huge step forward, because the family ties, the kinship relations up there are very strong, and we need to make sure that we are not going to destroy thousands of years of culture by heavy-handed policing. So, community policing is something we need to look at. I do have a problem if the police go in there and seize vehicles. As I said before, this is a vast area of the state we are talking about here, and I am not sure where the seized vehicles are going to go. It is important that there be a penalty whereby vehicles can be seized, but what do the police do with them then?

It is good to see that a significant section of this bill is talking about young people. I have seen with my own eyes young teenagers, and some probably not even teenagers, with cans up to their faces, sniffing away. I have seen family violence, where brother and sister were literally belting each other over the heads with chairs. In one case, another family relative came out swinging with an axe. They were all intoxicated. You cannot over-emphasise the danger to these individuals but also to their families and the communities. So, to have an emphasis here on young people is good to see.

There is provision for a mandatory referral system. It is not mandatory sentencing but a mandatory referral system, and that is something we in the opposition support. Under the bill, the minister is required to establish such assessment and treatment centres as are necessary for the purpose of the section to provide assessment and treatment programs to the lands. I will be listing a few of the task force projects that are being initiated up there, and I assume that these treatment centres will be part of that. It is important that the young people up there do get treatment, get referred to centres where they can be given help.

I was at the Operation Flinders breakfast yesterday. They are dealing with some of the very difficult cases in our juvenile justice system. To give those young people some self confidence, so they can go somewhere and learn that they are not alone, that drugs and violence are not the answers to their questions, is very important. Operation Flinders is doing a fantastic job. I spoke to Operation Flinders about extending their services to the AP lands, and I hope we can do something there. In the meantime, these treatment and referral centres need to be more than just a quasi-prison: they need to be a place where young people can go to learn some self-respect and dignity, that they are not on their own and that life is not just one step after another.

I was a little concerned that in part 2, Assessment of a Referred Person, this referred person has to give written consent to the release of medical and treatment records, which I can live with, but also a person's criminal records. I do not really know why the referral centre needs that. I would have thought they were there not to punish, because the referral to an assessment centre is not admission of any guilt whatsoever. It should not have anything to do with a criminal record. If wiser heads than mine; if the police, the psychologists and people in these centres feel that this is something we need to be able to deal with, then we can live with that.

Non-attendance at the referral centre is where I think the logistics are going to be an interesting exercise to watch. The bill provides that the assessment and treatment service must by notice in writing terminate the person's referral to the service if the person fails without reasonable excuse to attend the service in accordance with the referral notice or with any other notice requiring the person to attend. I note that a copy of that letter in writing will also have to go to the Police Commissioner. Due to the vastness of those communities, the logistics of contacting some of these people would be incredible. I hope they have worked out a way of contacting the young people who are referred to these treatment centres and that they do not abandon them; that they do not write a letter saying, 'You can't come any more,' or 'We are giving up on you.' I hope they get them back, get them going again and involve them with the community.

It was absolutely great to see 'Undertakings' in section 3 of schedule 4 and 'approved programs' in subsection 3(6), which deals with treatment and referral centres:

Approved programs means a program, the contents of which have been approved by—

(a) Anangu Pitjantjatjara; and

(b) the minister.

Involving the people—the communities and the families—is something that we really need to emphasise all the time. The contentious part of this bill that we will be discussing in this house is an amendment by the Hon. Nick Xenophon in the other place regarding media entry into the lands. I have some severe reservations about how this will be conducted. I refer to the minister's second reading speech. In the first paragraph he said:

Recent press coverage of conditions on the AP lands graphically illustrates the misery the practice of petrol sniffing inflicts not only on those that participate in it but on all community members.

In the government's second reading speech it recognises the role of the media in going to the AP lands and highlighting the issue and the good that that media exposure has done. The Hon. Nick Xenophon, in his address in the other place, talking about media entry, said:

The government has acknowledged in the opening paragraph of its report to parliament in its second reading explanation that it was recent press coverage of conditions on the APY lands that graphically illustrates the misery caused by the substance abuse of petrol sniffing.

Miles Kemp, the *Advertiser* journalist, and other media outlets that have covered this story, made a substantial difference in bringing the terrible condition, the blight of petrol sniffing, to the attention of the people of South Australia.

That emphasises the fact that the media has a positive role there. In his summing up when discussing this amendment the Hon. Terry Roberts said:

There has been a suggestion that, if the lands were far more open than they are now and did not have restricted entry, the situation that has developed over the last decade—

and I have to say, not just the last decade, the last three or four decades; 33 years in my case—

would not have occurred. There would have been more people to observe the deteriorating conditions in which the APY people were living, and more attention would have been paid by a range of people, so that the deteriorating conditions people were living in would have been interrupted and there would have been greater government support, or greater support, for APY had those circumstances been known.

So, the minister recognises the fact that, if the issues are exposed, discussed and publicised—and, once again, the political pressure is there—people tend to act.

Opening up the lands is something that I think is possible, but it should be done in consultation with the communities and the families. On a visit to the AP lands last year we went to Mimili and spoke to the organisers of Mimili Maku Tours,- which takes busloads of tourists out onto the lands. They teach them some of the traditional ways, they introduce them to bush tucker and they show them their art; they allow a genuine cultural interaction. What needs to be emphasised for the future of the lands, I think, is that we should be working towards an expansion of entry into those lands.

With respect to whether the media is just allowed carte blanche in there, I think the clause states 'in the public interest'. This is not a tourist visa; it is not a ticket to go and interrupt business there. I know that the media is sensitive to Aboriginal affairs and cultural ways. It will be sensitive to any business that is going on there. If the roads are closed, members of the media know they will not be using those roads. They would not photograph any activity that is taking place or sacred sites. They are more sensitive than that.

It is obvious from both the second reading speech and the minister's reply (and this was reinforced by the member's speech in the other place) that there is a need to open up the lands. These communities are very media savvy. They will not be bushwhacked by a bunch of journalists from down south. They will be very careful about what they present. I guarantee that anyone who misrepresents them will rue the day, because to underestimate those communities and their ability to look at people and sum up what they are all about is beyond doubt. This bill will get through this place, and I wish those involved in implementing the laws that result from it the very best. But, as I said, we need to make sure that the projects on their lands are not just a handout, but that they are a hand up. We have to get the families and communities built up there.

At the moment, the task force has community petrol misuse programs operating in the area, with funding of $680 000 this year. That will continue: it is funded until 2008-09. I assume that the community petrol misuse program has started. There are also family support programs, which are being well funded. They are run by the Department for Families and Communities. They are funded at $355 000 each year, rising to $459 000 in 2008-09. I am not sure whether that has begun, but it is a program that needs to get started straightaway because family support is vital to ensure that these programs continue.

Positive behaviour units is another program. The funding is only $50 000 this year, but it will increase to $279 000 in 2008-09. A program is being established to provide specialist counselling services for Anangu with violent, aggressive behaviours which incorporate their families and other members of the community. I had never seen anything like the violence that we witnessed when we were in one of the communities. It was not the community's fault; it was just the fact that individuals there had, for some reason, chosen substance abuse as a way of overcoming some of their difficulties. The psychological and emotional effects of substance abuse were clearly evident. There is everything from increased staff housing, community support services, training, ceramics programs—the art centres up there are absolutely fantastic—and a number of projects going on. Night patrols is another one and others include community transport and outback pride. I understand that there are about 25 programs to be announced in the near future. It is very important that, as part of these programs, the treatment centres are up and running so that the youth involved in substance abuse are not left on their own any more than they need be. I know that the communities are trying very hard at the moment.

This bill should be all about stopping substance abuse, and it should be seen as a starting point. We want to stop the substance abuse and start rebuilding these communities. With that, I look forward to hearing what the minister has to say about the amendments that are being moved. I indicate that the opposition will support the bill as it is.

Mr CAICA (Colton): I will be relatively brief in my comments. This bill was introduced by the government as a component of a suite of initiatives aimed at reducing and alleviating the hardships and difficulties experienced on the APY lands as a result of substance abuse. Today, I specifically want to focus my remarks on the form in which this bill has come back from the other place and, in the first instance, to specifically talk about an amendment that was introduced by the Hon. Nick Xenophon in another place, and accepted by the other place, and that is now section 5 of the proposed bill that focuses on unauthorised entry onto the lands.

My understanding is that the intent of this amendment (now this component of the bill) is to give effect to a situation that will allow the media to circumvent the system that is in place that provides permission for members of the broader community to visit and travel to the APY lands. I further understand that the purpose of the proposed amendment is to allow members of the media to report on matters of public interest (whatever that might be, from time to time) without what the Hon. Nick Xenophon believes are the encumbrances that today impede such reporting.

I am going to have a great deal of difficulty supporting this bill in its current form. The fact is that I cannot, in all conscience, support this bill in its current form. I find it somewhat astonishing that the Hon. Nick Xenophon thinks that he understands what is in the best interest of communities that make up the APY lands. That he is able to come to his conclusion without even bothering to speak with the elders and other community leaders in the APY lands is equally astonishing, but mostly, I believe, disrespectful. In his speech to members in the other place, he advised that he had not spoken with any person from the lands to get their views on the particular amendment that he proposed.

I am mindful of the advice provided by the Speaker on numerous occasions regarding the behaviour that should be observed in exchanges between and response from this house and the other place. To this end, and despite my dismay at the nature of what I find to be an ill-considered and paternalistic amendment now incorporated into a bill which is aimed at lessening the ravages of substance abuse in the APY lands, I will be measured in my contribution. There is one thing that I expect is fact: while the Hon. Nick Xenophon has not consulted with the very people upon whom he wishes to impose this measure, I bet he has spoken to his friends in the media.

Despite what the Hon. Nick Xenophon and the opposition members in another place might assert and, indeed, I think, to a certain extent what was asserted by my colleague the member for Morphett, the shocking impact of substance abuse was not first revealed recently by a caring media in the pursuit of public interest. I also know for a fact that the honourable member for Morphett, like me, does not need a caring, sharing media to point out these things. The fact is that the problems will be addressed irrespective of what they might do. The fact is that, to the everlasting shame of successive governments, for too long there has been an acute awareness of the tragedy which is substance abuse on the APY lands and, quite simply, nothing has been done.

This bill is aimed at addressing, as part of a suite of initiatives, as I said, the problems and difficulties associated with substance abuse. This government is committed to doing something; indeed, everything it can. As I said, this bill is one initiative. I believe that it is no longer in a form that I can support, and to have this bill scuttled because of an ill-conceived amendment will be to this house's shame, and we cannot allow this to happen.

I have spoken briefly about the paternalistic nature of this amendment, and there are a couple of points I wish to make in conclusion. First, my concern is what constitutes public interest. Who determines what is in the public interest? What checks and balances will be in place to ensure that a member of the media who travels to the lands reports on that matter of public interest? If I heard rightly, the member for Morphett advised the house that we can trust the media; it is not going to do the wrong thing; it is actually going to do what is expected of it and, of course, we can trust it. I know for a fact that the media abides by some form of code of ethics and is, indeed, a group of upstanding and credible professionals doing an often thankless task. It is quite likely for that to occur, but, the fact is, what guarantees do we have? What if a member of the media believes that reporting on an initiation ceremony was in the public interest? I shudder at the thought of what the unintended consequences may be of a well meaning journalist's approach to what constitutes public interest.

Finally, what is so wrong with being required to obtain the necessary authorisation to travel to the APY lands? It is, after all, the land of the communities that make up the APY lands. It is their land. As an example, if I go out to the bush, permission needs to be sought from pastoralists to travel on, what is in their belief, their land, for very good reasons. The fact is, that it is respectful, it is also a safety issue, and I am sure that a pastoralist would wish to be asked for me to come on to his land. I am sure that he or she might be interested in the reason for the visit and, indeed, the exact location of where I am visiting for safety reasons—just in case something goes wrong—and would not be satisfied if I said, 'It is in the public interest, that is why I am coming on to this pastoralist's land.' I can find no sound reason to support this bill in its current form and look forward to the amendment that is going to be moved.

The Hon. R.B. SUCH (Fisher): We have been aware for a long time that there are significant issues to be addressed in the Pitjantjatjara lands. As a minister back in 1993 to 1996 I visited that area and I was shocked and quite distressed by what I saw. Accompanied by Les Nayda—some members might be aware of young Les, or not so young Les now—and other Aboriginal people, we travelled through those lands, and I saw things which, quite frankly, horrified me. It is a difficult issue, and I guess that some would argue that the more you keep the activities away from wider public scrutiny the more likely there are to be abuses and so on. At the same time we are talking about activities and property which are under the control of the people themselves, so you need to have a degree of balance in regard to that access, the same as you do in relation to private property anywhere else.

I do not support the amendment proposed by a member in another place in regard to allowing the media to have greater access, and I will not be supporting it. I think that sometime down the track the whole issue needs to be worked through in relation to access, and it has to involve the people whose land it is, and not be something that we seek to impose on them.

Ultimately, I think that the lands and, more importantly, the people—and the two are inextricably linked, I know—need to have an economic base to support themselves in those lands, otherwise you will always have issues related to welfare, and consumption of illegal and inappropriate substances. Thus far we have not seen the development of, for example, tourism, and that comes back to the original point that I made about appropriate access, controls and that sort of thing. Likewise, there have been some attempts at raising stock, I think with mixed success, and maybe not a lot of success. The member for Stuart would know a lot more about that than I would but there have been some efforts in relation to craft activities, batik and so on. However, in my view unless you have an economic basis for existence you are going to be dependent on welfare, and all of the negative aspects that can go with that. As we see in other parts of our country, if a country town does not have an economic base it cannot survive, and it is not kept there just for the sake of it.

People would say that the Pitjantjatjara Anangu people have had a long association with the land but the fact remains that without a sustainable economic base people cannot live there. The people do not live in a totally traditional way; you only have to look at the amount of canned food that is consumed. So, we have this paradox of a part Europeanised culture in a traditional setting, and until we come back and

address this, with community support, and until aspects of economic sustainability can be developed, then we are going to keep hearing continually about problems with abuse of substances, and all the other unfortunate activities that are associated with people who do not have an economic base to their life. I indicate that I will not support the amendment moved in another place in relation to allowing the media more access and, accordingly, I will support the amendments being moved by the minister here.

Mr HANNA (Mitchell): I am speaking in support of the Pitjantjatjara Land Rights (Regulated Substances) Amendment Bill on behalf of the Greens. I have some remarks to make about the nature of the legislation, the timing of it, and the amendments which were brought into the bill in the Legislative Council. First of all, let me say that the principles that I am basing my thinking on relate to harm minimisation in respect of substance abuse. That is the cornerstone of the Green's policy in relation to substance abuse. We believe that instead of punishing an individual for the adult choice to use or abuse a drug, that the focus should be on two things: firstly, the health of the person, therefore minimising any harm from misuse of any substance; and, secondly, maintaining existing laws in respect of dealing drugs.

In the context of the APY lands, it means that we should look at individuals sniffing petrol and have as our primary concern not only their health and welfare but also that of those around them. It is quite clear that, when petrol sniffing results in aggressive or antisocial behaviour, the impact is on the immediate family and the broader community in the AP lands; indeed, the same can be said for areas all around South Australia. This bill is good, because it focuses on substance abuse and, as it has come to us from the upper house, there is an emphasis on assessment and treatment.

I will also say something about the timing of this legislation, because it reflects the priorities of the Labor government. About a year ago, when the issue of the AP lands blew up, the Aboriginal lands committee was travelling to meet with indigenous communities north of Adelaide. The Minister for Aboriginal Affairs and Reconciliation, and the rest of the committee, was as surprised as anyone to read *The Advertiser* headlines that highlighted the petrol sniffing crisis, and it was fair to describe it as a crisis. What was surprising was that this issue, which had been developing over many years, had come to prominence just at that time.

Of course, the government is extremely media sensitive and, as we know from a range of other issues, if it makes the front page of *The Advertiser*, and if there is any sense of damage to its image, the government will respond with a counteracting message and money. In this case, why would there not be damage, when the reality of the AP lands began to be publicised about a year ago, namely, young people addicted to petrol, aggressive behaviour among teenagers and adults and rampant domestic violence. A whole range of antisocial behaviours had been dealt with inadequately, because there had been no real commitment backed by the necessary funds to manage the issues from Adelaide and, at the same time, no commitment to work with the leaders on the APY lands to solve them. So, there was a lack of respect and communication, and there was neglect of issues that were gradually coming to the boil on the lands.

However, to its credit, once the crisis became public, the government did respond, and it did so in two ways—with two pieces of legislation. It formulated legislation to deal with the governance on the lands, and we all recall the Deputy Premier blaming the Aboriginal leaders for mismanagement of the lands when, in fact, quite clearly, it was a state government responsibility, together with the health agencies, the South Australia Police and the child welfare agencies, to deal with those issues. The APY Lands Council is there to deal with issues of land use generally and to provide some democratic governance, but it is not there to provide health services, child welfare or policing directly. The responsibility for all those serious issues lies squarely at the feet of the government of the day.

When the government formulated the legislation to alter the governance of the Pit lands, it also formulated the legislation before us now to deal with petrol sniffing and related issues. The point I make is that the timing of the legislation reflects government priorities. I am sorry to say that but, clearly, the priority of the government was to alter the governance, and it also seemed that the government preferred to have a different executive in the AP lands because, for whatever reason, communication had broken down with the previous group running it in terms of indigenous democratic governance. I would say that it was not their fault that communication broke down. They had been asking for assistance with these services for a long time.

So, despite the government's rhetoric about concern for indigenous people and about drug and substance misuse on the lands, what came first (by a good six months) was the legislation dealing with governance on the lands. That is regrettable, because this legislation is necessary, and I support it. Two types of amendments were moved in the other place, and I can deal very quickly with the one that allows virtually unlimited media access to the lands.

To me, this is utterly inappropriate. It is as inappropriate as allowing media to come into your suburban backyard home and film an interview freely at any time they please. It is an invasion of privacy; it is disrespectful. We need to recognise that, by virtue of legislation and tradition, those lands belong to the APY people; and because of their special connection with the land, that whole area needs to be treated as their land. There are houses on it, but it is not a matter of just respecting the privacy of the backyard of each one of those houses. That is a very non-indigenous, a very European conception of private property. In fact, there is a sense of ownership of the lands held communally by the people. It is inappropriate for there to be unfettered access to the lands if the indigenous people, trustees and custodians of the lands choose not to allow that access. I have no compunction whatsoever in rejecting that proposition, and therefore I will be supporting the government's amendment, which effectively takes out the clause that was inserted in the Legislative Council.

The other amendment that was moved in the Legislative Council relates to mandatory referral to assessment services for Pitjantjatjara people of or over the age of 14 who have been sniffing petrol. I do not see how anyone could oppose that in principle. As I understand it, the chief argument against it on the part of the government is that there is no appropriate facility to which people could be referred; and so it is said that there is no point making a law requiring people to be referred to a facility that does not exist. Of course, the counter argument which I put forward is that a facility of such a nature needs to be established as soon as possible—and it is not outlandish: I am not dreaming this up.

The Aboriginal Lands Task Force has addressed this issue. I am aware that one of its recommendations—and, of course, this is subject to the state budget process—for use of money

is to establish a substance misuse facility, and that would be for the assessment, detoxification and treatment of people on the lands with substance misuse problems. It would also be available to their families. Some thought has already gone into this, and I am grateful to those officers of the Department of Health who have been working on this. It would have to be one of the most worthwhile items of expenditure one could imagine in relation to the lands in order to improve some of the social problems to which I have referred. There is no money budgeted for the project this year—zero to be put toward it this year, even though the need is pressing—but there is $250 000 in terms of a recommended allocation for next year, and $1 million a year for the three years after that.

It is expensive to build up there and it is a specialist facility. It will be expensive, but it is absolutely essential if we are to start fixing the widespread petrol sniffing problem on the lands. I think it would be better to have this mandatory referral in legislation now, and that will be a straitjacket of sorts on those who decide how and when the budget is to be spent, so that they actually do fulfil the promise of the legislation. As I said, the principle that I start out with is that we should not be punishing the individual for sniffing petrol. We should be punishing individuals for anti-social behaviour and particularly violent behaviour—we have to do that.

The primary concern for individuals who are petrol sniffing is to have them treated. It only makes sense to approve this proposition in the legislation (which was put forward, as I understand it, by the Hon. Nick Xenophon) to insist upon a referral to an assessment service. If it is not built, it should be built forthwith. Therefore, I will be opposing the government amendment which incredibly seeks to take out the clauses that require mandatory referral to assessment and treatment services.

The Hon. G.M. GUNN (Stuart): The amendments to the Pitjantjatjara Lands Right Act are long overdue. However, they do not go anywhere near far enough. It is about time we were prepared to face the difficulties confronting the communities in the AP lands and take some effective, strong and positive steps that will be in the long-term best interests of those people. We have 11 per cent of South Australia shut off from the rest of the community. We forbid people to go there and allow a group of people to misuse their authority and to engage in unnecessary and unhelpful practices—and who has not benefited? In the past I spent a lot of time in that part of South Australia and, as you and others indicated, Mr Acting Speaker, it is a most attractive part of the state. It has the potential for great economic benefit to the residents of the AP lands. The only way in which people will get their fulfilment is to encourage and foster that economic development. It will not be achieved by having a closed shop and not giving people access.

It is deplorable that, with few exceptions, the 69 MPs who sit in this place and federal members of parliament are the only ones allowed to go there without a permit. The member for Colton in his contribution talked about the road system and compared it with the pastoral areas of South Australia. Unfortunately, he perhaps does not understand. A public road in the pastoral areas anyone can drive on. If he wants to drive between Nepabunna and Arkaroola to Moomba, he will find that all those roads are open to the public. The road between the Stuart Highway, past Indulkana right through the lands to Pitjantjatjara is funded by the taxpayers of Australia, but the taxpayers are not allowed to drive on it without a special permit. It is a nonsense, it is unwise and not in the best interests of the Aborigines.

If we allowed a number of South Australian people to go and see first hand what is taking place in the AP lands, they would be appalled. I remember taking the member for Morphett and others to the AP lands for the first time. They suffered from culture shock. They could not believe when we got to Indulkana that we were in South Australia. They were allowed to go there because they have become members of parliament. People driving up the Stuart Highway by the thousands and going up there by train see the lights, but they are not allowed to go there. Why? Are we ashamed? We should be ashamed, no doubt, because the conditions are appalling. There is no work. By having this closed shop arrangement my constituency has to suffer the social problems that occur when these people suddenly land in Port Augusta. We are now having an argument over it. When it is hot they come down to the sea, get stranded there and cannot get back and we have all these social problems.

If anyone believes that the next generation of young Aboriginal people will stay on those lands without the same sort of economic opportunities, they are fooling themselves—it is a nonsense. They want the bright lights of Alice Springs, Port Augusta, Ceduna and Port Lincoln. It is just a nonsense. The more you shut the place down the worse it will be. The group of political activists, the Aboriginal machine and other odd people who have got in there and got control of the place are not acting in the interests of the local Aborigines but have their own political agenda. Political activists include the Snowdons, the Ushma Scales and all those sort of people—we know all about them. I could write a book on them and the other derelicts you see when you go through there. I could write a history on them.

Ms Breuer: You are a disgrace, calling people that.

The Hon. G.M. GUNN: If the member for Giles thinks that those people—

Ms Breuer: You come in here and name people.

The Hon. G.M. GUNN: And I haven't finished yet. For the benefit of the member for Giles, we know that she was one of those who went out and criticised the Deputy Premier when he went there and was obviously appalled and shocked, as would be most South Australians, at the conditions, at the way women and children are treated and at the lack of opportunity. She was one of those, aided and abetted by one or two others, who wanted to perpetuate that situation, which is third world standard, which is appalling—no wonder she is leaving the chamber. The Deputy Premier was absolutely right and was forced to pull back.

Any comments I have made in relation to the AP lands are for only one purpose: I want to see fulfilled the aspirations that people like Punch Thompson, Donald Fraser, Ivan Baker and those people had when this legislation originally passed through the parliament. They hoped that this would be the beginning of a chance to create equal opportunity and economic development for those people, to raise the standard and create opportunities. Go and talk to Donald Fraser now and see what he has to say about how disappointed he is in this process. Go and see what has happened to Punch Thompson and talk to Danny Colson, one of the few Aborigines who has set up his own farm without government assistance.

The member for Giles ought to jump up and down about me. Look at the education needs up there. While you have a closed shop you will not have the progress that ought to be made. Does the member for Giles think that having people

living in motor cars, having dogs up there (which is obviously unhealthy), seeing young people walking around with tins tied around their neck with wire and sniffing petrol, with nothing being done, is a good thing? Does she think that seeing burnt out houses and abandoned cars from the highway through to Pipalyatjara, with a grader going around them, is a good thing and in the interests of these people? If she does she is probably the only one in the chamber. When people see it they are appalled.

We have a situation where you could have thousands of well-organised tourists going through there. People want to see the open spaces, want us to have eco-tourism and to see the traditional lifestyle of the Aborigines: it could be organised.

Mrs Geraghty: They are not on show. You do not want people coming around to your place and watching you having a picnic.

The Hon. G.M. GUNN: The Government Whip is a good, well-meaning person and I know that she would be concerned about these matters. That is not what I said and it was not my intention. If the honourable member was aware and had taken the trouble to sit down with these people and see what are their aspirations, she would find that they are concerned to ensure that the next generation of Aborigines have a chance.

You do not have to take the tourists to where they live. You can by-pass those places. You do not have to take them to Indulkana, Fregon or Pipalyatjara. If you knew anything about the area you would know that there are plenty of these areas which tourists would like to see and they would like the Aborigines to explain the significance. You do not have to: no-one has advocated that. I have been to Pipalyatjara and I have been to Umuwa—the mini Canberra, that settlement where those who want to administer the lands live apart from the people in their own surroundings. I have been there when the Pitjantjatjara community comes to the office and says they would like to see me and talk to me but they do not want the white advisers there, because they want to tell me exactly what they think. And my attitude is: I have plenty of time to sit in the creek and talk to you. I am not really interested in what the advisers have to say, because they are pushing their own agenda and their own cosy lifestyle.

I have seen what happens at Pipalyatjara where the bulldozer sits on the side of the hill where the chrysoprase mining is taking place. I do not know how often you have been there, Mr Deputy Speaker, but we were told when the Pitjantjatjara Land Rights Act was first passed that you could run approximately 50 000 head of cattle out there, very conservatively. Go and talk to the Aboriginal people; and they want to be involved. But no, we have all these characters out there—the misfits from around Australia and overseas. You see all sorts of people who cannot run their own countries but they get out there and want to inflict their own peculiar lifestyle onto these people. Some of them get themselves initiated into tribes and wear red headbands. What sort of an insult is that to the people?

Nevertheless, they are getting well paid. The Toyotas are arriving. Peter Kittle has done well out of it—he has done very well out of it. Go to a meeting at Pipalyatjara and you will see more Toyotas to the square metre than anywhere else I know. They come from near and far. These people just organise meetings to entertain themselves and divert attention. They are driving around and people are sitting in the back of utes and trucks, and they have all sorts of projects. They fly windmill experts from Alice Springs. Instead of getting a few practical people to live on the lands to teach them how to look after and maintain windmills, you fly the expert from Alice Springs. You bring the supplies from Alice Springs. You build really nice shops and things. You even have take-away food in Ernabella. There is take-away food on one corner and petrol sniffing on the other.

This parliament has not only a responsibility but also an obligation to take positive steps to do something about these problems and rectify the difficulties. They will not be rectified until there is a change of emphasis, a change of policy and people have commonsense and reality. You go up there and there are people who engage in their own political extremism. How foolish these people are!

Mr Hanna: What, capitalism?

The Hon. G.M. GUNN: That is what is going to happen, because lots of the Aboriginal people want to have sections of the land themselves and, fortunately, that is what is going to happen; and the Vice President of the Labor Party is one of the people pushing it. I know the trendy lefties will be doing somersaults down the corridors, but they have lost the round—and let me tell the house one of the reasons.

I remember many years ago I was asked to help organise for John Howard to open the Underground Motel at Coober Pedy, which I was pleased to do, and when he came he wanted to go to the Pitjantjatjara lands to meet the people, and he went there with the best will in the world. When he arrived there, Yami Lester and his girlfriend, and one or two others, organised some agitators from Alice Springs to abuse him and attack him. It was a very foolish escapade, because what goes around comes around. I will not repeat the comments John Howard made to me as we left, but I thought it was one of the most foolish escapades that one could ever imagine. John Howard at that stage was the alternative prime minister and has now become the Prime Minister—and, fortunately for this country, the best Prime Minister we have had in generations, and has given great leadership and commonsense to this country.

There is mention in the newspaper today about private ownership of land. I will tell the house some of the things that go on. Why is it that Yami Lester could get a big lease at Wallatinna? Why is it that someone like Danny Carlson could not run a few cattle? Why is it that people like Donald Fraser had trouble when they wanted to run cattle? You have the stupidity of government funding bodies. They help them buy the land but they will not give them any money to buy cattle or improve the place. There is enough trouble now in areas of the Flinders Ranges which are Aboriginal land and the state and federal governments are not giving sufficient money to maintain the fences. That is how foolish the whole escapade is up there. There is an urgent need, because they want to have enterprises.

I remember being out at Pipalyatjara years ago, and they had a couple of characters out there. I do not know where they got them from. One had a goatee beard and looked like Lenin.

Dr McFetridge interjecting:

The Hon. G.M. GUNN: Well he did, and he had the same philosophy. However, when I said to him, 'These people are saying to me they want to get some cattle out here,' he said, 'We couldn't have any wicked capitalist exercises like that.' I said to him, 'Well, son, obviously you have a problem and I cannot help you but, hopefully, the effluxion of time will.' Nevertheless he has now gone to Queensland and I understand he has a dairy farm. I wonder how he managed that. It was an interesting suggestion. There were 44 gallon drums

of chrysoprase that were suddenly put on the truck at Pipalyatjara, but they never got to Alice Springs. And I leave that to members to imagine.

Mr Hanna: Join the dots.

The Hon. G.M. GUNN: Well, you never know. They are pretty rough roads up there.

Ms Breuer: You are an intellectual giant, Gunny.

The Hon. G.M. GUNN: I would say to the honourable member: why does she not go up and advise them? She has all the knowledge and wisdom. I know a little bit about running cattle and maintaining windmills and I actually know what I am talking about in these practical things. When you see somewhere like Kenmore Park, which ought to run 16 000 head of cattle, and you see what has happened in the past, what could happen and which could do so much good for these people—

Ms Breuer: He's running camels now.

The Hon. G.M. GUNN: There were a lot of wild camels up there. I do not know if the honourable member knows much about her electorate, but T&R Pastoral, who are now agisting stock and fixing up the fences and spending money there, is the only reason there are any cattle at Kenmore Park. They have leased the land out. I actually know the people who are doing it and I have some knowledge of this area. I would suggest to the honourable member that she not go there on a hot day or she may melt. But if she has such wisdom in relation to the Aboriginal problems up there, she has not shown it to us yet. We are waiting with bated breath.

We need to solve the problems at Mintabie. The Aborigines want to noodle and want to mine, but the people calling the shots in Alice Springs do not want them to because, at the end of the day, if you empower and enhance the Aboriginal communities, the advisers will lose their authority, their influence, their jobs and their opportunity. It is very sad. We have a chance to use some commonsense, open up the roads in a sensible fashion and create some economic opportunities. I am looking forward to the new arrangement whereby Aboriginal families can actually own the land. It will be very challenging and interesting and a great initiative. I look forward to the support of the member for Giles for these projects, because she will then see the benefits for the community instead of holding these people back and allowing these deplorable situations to continue.

Mrs Geraghty: You didn't do anything about it when you were in government, and I've never heard such a—

The DEPUTY SPEAKER: Order! The member for Torrens.

The Hon. G.M. GUNN: Here we go again. They are so fixed in their thinking; so negative; looking backwards all the time. They are not progressing. They do not want to improve things. They are real socialists: they want to distribute what is there and not create any more. They are so fixed.

Ms Breuer: All *Hansard* do is change the date on your speeches!

The Hon. G.M. GUNN: The honourable member has not made a contribution since she has been here: she has only mouthed off what someone else has prepared for her.

The Hon. J.D. HILL (Minister for Environment and Conservation): I move:

That the time for moving the adjournment of the house be extended beyond 5 p.m.

Motion carried

Ms BREUER (Giles): It is always a pleasure to speak after the member for Stuart, because it gives me the opportunity to sound sane, to sound normal, to sound intelligent and to sound well balanced. My media coverage in the last few days is very good. As they say, any publicity is good publicity when you are a member of parliament, so I am very pleased. Because of this I want to start with the premise that we should allow the media to come into parliament house at any time without a pass, to be given access anywhere in this place, including the Liberal Party room, the Labor caucus and the ladies' toilets, and be able to wander through the chamber when they feel pleased to do so. I think that is what we should be doing here. The media do play an important role in this place.

They report on this place and they should have unrestricted access to Parliament House. I can see that the Clerk is looking terribly stunned there and having a panic attack! But what we are proposing in this legislation is precisely that we allow the media to do that in the Pitjantjatjara lands. People find horrendous the thought of the media wandering through here totally unrestricted, and the people on the lands, the Anangu, are feeling exactly the same about the media wandering through their place unrestricted, without having to have permits and be given permission to come into this area. Again, the member for Stuart demonstrated a fundamental misunderstanding of Aboriginal issues.

He happens to have spent a quantity of time in the past on Aboriginal lands and working with Aboriginal people, but quantity does not necessarily mean quality time. However, we will leave the member for Stuart alone. There are two issues that I am very passionate about and I have had the opportunity this week to speak on both of them. One is women's issues and the other is the Anangu Pitjantjatjara lands. I do feel very passionate about this and am pleased that I can speak on this this afternoon. I am appalled at the amendments that have come down from the other place. Media journalists being allowed to enter the lands without a permit if they are investigating a matter of public interest is too dreadful to contemplate. I have to ask who defines what public interest is.

The Hon. Nick Xenophon outlined his reasons for this clause on 11 November 2004 when the bill was in the committee stage in the council. From what he said, his actions were based solely on discussions with one or two journalists. We all know that he does caucus with those journalists. What is more to the point, he has not consulted with any Anangu about this proposal, nor does his reasoning show any understanding of why the permit system was introduced back in 1981. For 25 years this permit system has been in place. For the record, in 1981 the access restriction and permanent requirements were included to make sure that people were not wandering around the lands during business—business is a very important time—and/or entering or photographing sacred areas.

The other reason the permits were put in place was to stop people getting lost in the lands. I have to report that it is very easy to get lost in those Aboriginal lands. There is no signposting. The signpost is a car door where a tiny arrow will say Umuwa, but there might be four other roads to Umuwa and it is very difficult to find your way round. Last year, when the Aboriginal Lands Committee visited the lands, one of our cars got lost. They were lost for about 2½ hours and we did not know where they were. They had taken the wrong road, on the advice of a very prominent member of that committee; they did not work out where the sun was and

they were heading west when they were supposed to be heading south. It astounds me that they could have got lost, but they did. We were really quite concerned, because we were expecting them at a certain place and they did not rock up until two hours later. It is very easy to get lost on the lands. If someone goes there without a permit and wanders around, they can get into serious trouble.

The Outback areas are very dangerous. I know that, because I spend a lot of time there; I spend a lot of time travelling on those roads. Last year, in particular, I spent many hours wandering along those roads. As I mentioned, on one trip I left Coober Pedy at 7.30 in the morning and arrived at Oak Valley at 8.30 at night, and I did not see one vehicle or person in that 13 hours of travelling. That is what it is like in those remote areas. It is very dangerous. Recently we had the very tragic loss of a person who became lost near Arkaroola. He did not know the conditions or understand what he should do when he was in trouble, and he lost his life. That was very personal for me, because I know his mother and the family very well, and I was terribly sad to hear that. But, once again, it was a case of someone being out there and not understanding what they should do.

During the debate in the council no-one suggested that a similar clause would be inserted into section 18 of the Maralinga Tjarutja Land Rights Act 1984, and the permit requirements and conditions in that act are exactly identical to those in the Pitjantjatjara Land Rights Act 1984. It would be very interesting if the Hon. Nick Xenophon were to propose that we make an amendment to the Maralinga Tjarutja Act. I would like to hear what Dr Archie Barton would have to say if we proposed that in this place. I would imagine that he would have a lot to say—and I can see the member opposite smiling; when she was the minister I am sure she had dealings with Archie Barton and would know that he can be very persistent if he gets upset. It is interesting that it has not been mentioned that we stop people from obtaining permits to go into that area. The issue of access to the APY lands needs to be revisited, but the Anangu must be consulted first.

We should, preferably, be looking at the larger issue of communication across the lands. It should not be just about white fellas knowing what is going on up there: it should also be about Anangu having the right to know what is going on down here and communities being able to know what is being decided at Umuwa, in the middle of their lands. The Aboriginal Lands Task Force is currently conducting a review of the entire Pitjantjatjara Land Rights Act 1981, and part of its brief is to consult with all communities in the APY lands. Maybe the issue of access and permits should be referred to the Aboriginal Lands Parliamentary Standing Committee. We have taken a very strong interest in what is happening in those lands, and our first function is to review the operation of the Pitjantjatjara Land Rights Act 1981. So, we can review that act. But it should be done in consultation with Anangu.

The Hon. Nick Xenophon's clause undercuts the entire spirit of the original act. When the act was passed in 1981 it was groundbreaking because of the respect and recognition it afforded to Aboriginal people in this country. Certainly, its central tenets should not be chipped away willy-nilly.

The member for Stuart commented that this was long overdue and did not go far enough. Why, when he was the member for that area for so long, was nothing done in that time? He talked about its being a closed shop and that people cannot go in there. He said it was unwise and nonsense and not allowed. Perhaps his answer is to drive the people out of the lands and over the border into the Northern Territory, which seems to be the consensus in Port Augusta, from what the member for Stuart said. I also want to refer to comments made on 21 September by the Hon. Angus Redford in the other place. He said:

> What contributed to this parliament's neglect was the fact that we were not getting regular reporting from the media as to the human tragedy that was occurring in this area.

He said that we should have known about this and that it was the media that exposed it. Members opposite were in government for many years: why did they not know what was happening up there? I first went there in 1998, and I was absolutely stunned at what I saw. Members opposite were in government for years, and they are saying that it took the media to expose last year what was happening there. That is disgraceful. They had a minister in government, and they did not know what was happening up there. It is just appalling.

On my first visit to the lands in 1998 I had my first experience of seeing a petrol sniffer. I remember seeing a young child about 10 or 11 years old sitting on a wall sniffing a can of petrol. I was so upset that I cried, because the child was the same age as my daughter and I thought, 'This is so sad.' Yet members opposite are saying that they did not know about this—that it took the media to expose it. We did know about it. We have been talking about it for years. The Coroner's report was what really brought it to a head. The Hon. Nick Xenophon said in the other place:

> It is a tragedy that should have been made apparent a decade ago, and it was not made apparent.

Why was it not made apparent? Because people did not go there. The previous government did nothing about sorting out that issue. It would have known, but it did nothing about sorting it out, and I think that is absolutely disgraceful.

I have had discussions with the minister's office about this amendment (and I certainly hope that minister Roberts, who is in hospital at present, recovers very quickly; I was very sad to hear it). The minister has done a lot of work on this. He and his officers are constantly consulting with the people on the lands and, certainly, I hope that he is back on his feet pretty soon. They have been told by the people in the APY that they do not agree with this amendment. The people are not happy that they were not consulted on this issue. The Hon. Nick Xenophon has had no contact with them and has not spoken to them at all about this, and that is an absolute disgrace. The people in the lands are saying, 'We are the ones who know where it is not appropriate for outsiders to go at certain times, because traditional business may be taking place.' They are very concerned about that. If people are up there when business is taking place it would be a terrible thing for them. Once again, their concern is that there are significant safety issues if people are wandering around without anyone knowing where they are.

The amendment states that journalists should be allowed to go through the lands. What constitutes a journalist? Just about anyone could say that they were a freelance journalist and that they were going there to do a story, and they will go up there and do a story and sell it. But we do not know who they are or where they are from, or anything else. What constitutes public interest? Does reporting on initiation ceremonies, on business, constitute public interest? We are really setting things up to fail if we let people go in and do that.

I want to talk a little bit more about when 'business' is happening in the lands. People scoff when they hear the term

'business'. I have had quite a bit of experience of being in those areas when business is happening. When it happens, they shut down roads, barriers are pulled out and drawn up, people are not there, and people stand guard. They have very, very sensitive initiation ceremonies in the whole of central Australia. It is not just the northern area or the lands: it starts down the Yalata area and works right through to Alice Springs, and the whole area is where business happens. When business is happening you keep out, particularly if you are women.

We are not just talking about a church service in the middle of the square: we are talking about something that is very, very serious and extensive. I remember that a number of years ago I was staying with a friend of mine, an Aboriginal woman in Alice Springs, and we were going to go what was at that time her family's station, Angus Downs, for a few days with our children. Her father rang up about half an hour before we were due to leave, and said, 'You can't go', and she said, 'Oh, okay, we won't.' He said, 'Business is on; you can't go. You have to wait until I ring you and tell you that you can go.' So, we sat there for about 10 hours, waiting for the mob who was going to business to go through. I really did not understand what was happening, but she just said, 'We can't go. If we go and the men go through, we are in trouble.' So, we stayed in Alice Springs, and that is how serious it was. Incidentally, this Aboriginal woman friend of mine is an Aboriginal lawyer and she is a qualified teacher, but she still listened very carefully to what her father said and kept away. We certainly could not go down because business was happening.

Recently, I was up in the lands and business was happening on my last visit. The men were all dressed in their traditional gear and painted in their traditional paint. I was there for a meeting, and we had to be extremely careful, particularly the women, about where we looked and who we talked to, because it is not appropriate for women to talk to men during business time. You cannot look or speak to a 'whitie' if you are a woman when business is happening. At the time, I spoke to one of the Anangu women who was at the meeting and asked her, 'Why can't we talk? Why can't we look at these men?' We had to make sure that we looked away. She just froze and said, 'I can't talk about it; it's sacred. You just can't; it's sacred; you just can't,' so I kept very quiet after that. It is very, very serious for these people, and I would never dare ask what is happening, because it is not appropriate.

Business really is a serious issue for those people. If you have journalists wandering through the lands, it is not appropriate. The issue of sacred places is also one which is very important to me. I would never leave the road when I am travelling in Aboriginal areas. I would never leave my car and just wander. I would never see a nice rock and think, 'I'll go and have a look at that,' because it is not appropriate. Some areas are women's areas, some are men's areas, and it is not appropriate for me to be going in and wandering into a man's area; it is just not possible. If we are to send journalists up there, we are going to have them wondering all over the place, photographing these sites which are important to Aboriginal people without permission and, once again, we are upsetting those communities. We are actually snubbing these communities, and that is most inappropriate. There are things that are very important to us. We get terribly upset if anybody steps on our patch or does things that are inappropriate for our society, and it is exactly the same for these people.

I would certainly never dare to go into the lands area without a permit. At the moment, I have a 12-month permit. When those 12 months are up, I will renew that permit once again. I ring to say that I am coming if I do go into the lands area, and I expect all of my staff to do the same. I know that, because we are members of parliament, officially we do not have to ask permission, but I think it is a major discourtesy for any MP to go into that area without asking permission.

The Hon. G.M. Gunn: I don't.

Ms BREUER: I know that there is a member opposite who has just admitted that he does not, and that he just heads in. That is a gross discourtesy. I would never go onto his farmland without his permission. I would ring him up and say I was coming. For him to just wander into those lands areas without asking permission, I think, is most inappropriate. As an MP, I would never dream of going in without asking for those permits. I always ask permission, and I feel very, very strongly about this; it is so inappropriate.

I feel very strongly for the member for Morphett who, I think, has a conflict between his own party loyalty and his own personal feelings and values about this. I have great respect for the member for Morphett. I respect his work on our Aboriginal lands committee, and I know that he feels very passionate about these issues as well. I am sure that, while he would have to support his party—and I would certainly say that you should support your party on this—I do feel very strongly for him, and I know he is going to be terribly upset about having to vote the way that the party tells him to on this issue. However, I do understand. They are not like us; they are not going to get expelled from the party if they vote that way.

I want to go back to the issue of the media reporting that the things that have happened in the past 12 months would not have happened if Miles Kemp had not gone up to the lands and reported on this. I think that is not the truth; I do not think that is the case. It certainly was the Coroner's report that really brought this to a head with the government. Much is made of the fact that a journalist was refused entry. I am not sure of the exact facts of that, but I do know that the one week when there was a group of journalists up there, one of them went up there early and created all sorts of problems by wandering around the lands and into places that were inappropriate. I believe she may have been refused permission at a later date, and that may be the journalist that they are talking about. But, it was a case of inappropriate travel around the lands, going into areas where they were not really where they were supposed to be and creating all sorts of problems in that area.

We must respect those Anangu people. They live differently from us; in lots of cases they have different values from ours; and they certainly have different lifestyles from ours; however, we must respect those people. I feel so sad when all people are labelled. At the moment there are issues in Port Augusta. One of the big problems there is that people are all being put into the same box. Certainly, I acknowledge that there are some real issues in Port Augusta and some real troublemakers, but we cannot put the whole of the Aboriginal population which, I believe, is about a quarter of the population of Port Augusta, in that one box, and the problem should not be treated accordingly.

I think that this amendment, moved by the Hon. Nick Xenophon, which allows the media in without permits, is an absolute disgrace. It is ill-educated, it is misinformed, and it is completely lacking in understanding or appreciation of Anangu culture, of Anangu people, and of their rights—it is

their land. I think that it is disgraceful for any member in this place to support this, and I feel very strongly about it. I think that it is one of the most disgraceful things that this parliament would allow to happen if it were to go through, and I urge members to vote against that particular amendment.

The Hon. D.C. KOTZ (Newland): I want to make a few comments on this bill, and the three amendments that the Minister for Environment and Conservation will move to re-amend it. Firstly, I will be opposing amendment No. 1 but I will be supporting amendments Nos 2 and 3. I will talk about the two amendments that I look to support. Looking at the provisions in the legislation that relate to these amendments, in the first instance clause 7 deals with regulated substance misuse offences and the mandatory referral aspects of clauses that relate to assessment service. Secondly, clause 9, which is Referral to Assessment Treatment Services, and subsequent provisions, deals with the details of referral for assessment, and assessment of a referred person, etc.

I understand that the government will be opposing (obviously, with its amendments) these two measures. However, my support for these is really a matter of, in the first instance, my understanding that they are pre-emptive clauses, because at this point in time there is no treatment or assessment centre located on the AP lands. So, it will make it very difficult for any enactment of this particular portion of legislation to take place regardless of the great detail that has been afforded the clauses that we now see in the amended bill. However, the reason that I will be supporting it is to continue to encourage the Labor government that this is an important aspect dealing with health matters on the AP lands related to petrol sniffing, and all the related health problems that we see and have seen for a number of years in that area. The Liberal Party went into the last election with a promise to build that facility on the lands, and I see no reason why the Liberal Party would ever change that proposition.

This government has had some three years to take up that aspect and have that treatment centre built on the lands. It will make it exceptionally difficult if this amendment goes through because, given the notices of referral for assessment that may be issued by a police officer, a young person from the age of 14 upwards who is charged with an offence under this particular proposition has to be sent to a treatment centre. That means the government would have to start looking at, perhaps, Alice Springs, Marree or other places, and whether or not that is feasible is another question, and it would be an expense to this government in its own right. I certainly hope that these particular clauses are passed because I believe that it is necessary for the government to have this in front of it, given that we have seen three years go by without any action being taken.

A lot been made of the fact that this measure has come about only since a certain *Advertiser* journalist brought to the notice of the public of South Australia that there were some terrible circumstances relating to petrol sniffing and other substance abuse within the lands, as well as many other health problems suffered by Aboriginal people. Of course, we know that that is an absolute nonsense because that in effect would be rewriting history. In the last months of the Liberal government in 2001, as I am sure we all know in this chamber, a petrol sniffing task force was put in place. It was well represented from every government agency which has any interest in the related matters and which could have made a difference in making sure that projects were put into place in the AP lands. It not only included state members but also federal members directly out of the office of the Minister for Aboriginal Affairs in Canberra, which gave us an edge in terms of being able to negotiate funds that could help us put programs into place.

That task force initiated police presence in February-March 2002, and a report was eventually put together by that group of officers who were given the task of going into the lands and discovering the problems that we needed to address in terms of projects, negotiations with the AP people themselves, and to see what outcomes we could put into place that would turn around some of the living standards and the health standards that people face in those lands.

That report was provided in March 2002, and of course we were no longer in government. That report still sits somewhere, probably gathering dust, but it certainly has considerable information within it and, if there was serious interest by the Labor government, it could have been picked up and run with immediately after the election in 2002. That is three years down the track and still very little has been done. Once again, it was only after seeing crisis after crisis develop in the AP lands, after all these indications had been made quite public and quite clear, after the Coroner's report, and after deaths occurring in 2003 that this government decided that it had better take some action. A considerable amount of money—$12 million was supposed to go in there—was put in the budget to look at a whole series of projects to deal with many of the different issues. We are not talking just one or two, we are talking about many issues, and I have not got time to go into them all now.

People in this chamber with any interest in the AP lands will understand what I am talking about when I say that it is complex. There are a number of areas where that money could have been used very positively to help create better outcomes. However, months afterwards, we learnt that the money had not even been distributed or utilised; it had just become a notional amount of money on a budget paper, and no programs or projects were being implemented at that time with the money allocated. It is an issue in which people in this state should take far greater interest. I also say that those interested in this area will know that is not a simple matter to deal with; it is complex.

When we talk about the difficulties on the lands, one of the problems people do not seem to understand is that the people we are trying to help are individuals with dignity and with human relevance to all of us. You cannot force any of them to do things they do not want to, and I give the example of substance abuse, that is, drug addiction, whether it be petrol sniffing or anything else. We can send people to treatment centres, but we cannot make them take the treatment. A whole series of complexities needs a portion of evolution to take place, and you also need the cooperation of the Anangu Pitjantjatjara people themselves. It is no good bureaucrats, members of parliament, outsiders, or whiteys, believing from time to time that they have the answers to the horrors they see when they visit the AP lands. There is no simple answer, but there is hope. There is hope, because the Anangu Pitjantjatjara people themselves have asked for assistance. That means that governments, members of parliament, bureaucracy, health areas and the drug and alcohol and systems can go there with programs that will at least have the potential to provide a decent outcome, because the Pitjantjatjara people themselves have said they require that assistance—and that happened in 2001. We were asked to give them assistance, so all the doors were opened. It is now 2005, and nothing has been done.

I am quite happy to support the amendments in the bill, because I think that this government has to be seen to be doing far more than it has over the past three years. I know that I spoke initially about the fact that this is pre-emptive legislation because, if assessment and treatment are to take place, you need a facility in which it can be undertaken. We do not have that facility on the lands. However, I am aware that task force funded projects have moneys allocated to them by this government from 2004-05 through to 2008-09, but what does surprise me is that this government has allocated $3.275 million over five years specifically to build a substance misuse facility, which is described as 'a substance misuse facility providing assessment, detoxification and treatment services to people on the lands with substance misuse problems and their families'. My only problem with this is that we are talking about 2008-09 before this facility is completed.

We have heard from many members in this chamber about their concerns, and we have heard their cries for assistance for the people on the lands. If this government is serious in any way at all about utilising those cries in a very positive and beneficial way, the very treatment facility necessary to help ensure the health and welfare of the people of the Pitjantjatjara lands, including their children, needs to be built far sooner than 2009. I am quite sure that the $3.275 million could be brought forward, instead of being divided up from 2005-06, with a miserable quarter of a million dollars to start the facility. If this government wants to make sure that it is seen as serious in wanting to help reduce the terrible problems we have on the lands, that is one area that can be dealt with almost immediately. Do not tell me that it takes until 2009 to put onto the lands a detoxification centre that would help alleviate the very problems we see there now. Do not wait until 2009; do something now. I reiterate that that is the reason I will support leaving these amendments in this bill. I doubt that we have the numbers (I think that we can all count), and we may not get it through, but I hope that we do, because this government obviously needs reminding that this as an important part of any discussion about what is happening on the lands in relation to substance abuse.

I will talk now about the first amendment. I have said that I will oppose this clause, although some of the comments made by the member for Giles make me think that perhaps it would be a good idea to leave it in. She said that one of the reasons the permit system was first introduced when the bill was drafted was that many people were getting lost, so it was a means of tracking them. I thought it would be attractive to leave it in, particularly as it applies to the media, and it might be a very helpful reason to leave it there. However, on a more serious note, I note that there are many opinions about the ownership of land by Aboriginal people. I am not really interested in going into all the aspects of those opinions, particularly in relation to the Anangu Pitjantjatjara lands and its status in terms of private ownership. The fact is that we have laws in the state at the moment which, in their wisdom (and I say it was wisdom), go back to the Tonkin years when this land was given to the Aboriginal people under their ownership in their own right.

We have heard several contributors to this debate talk about private property and the media already having a great deal of access to areas, and that some of us would question their right to that access and their interpretation of public interest. I certainly support the fact that this is private land: it is owned by the Anangu Pitjantjatjara people. It is not an area of the state which is under crown ownership or which is public land. It is private land and under private ownership. For those reasons, the ownership of this land was not given to Aboriginal people on the basis that a group of whiteys sitting in a parliament would suddenly turn around and say, 'Okay, we're going to open up your private property and allow all sorts of odd bods access to the lands.' We as individuals in our own right try to protect our own privacy and private properties, and we have many systems in place that we could use if someone attempted to take over or enter our properties.

I believe it is an ill-advised amendment. It should never have been inserted, because it does not give any dignity to the Aboriginal people and the ownership of their land, which the Pitjantjatjara Land Rights Act and all the other acts protected. This bill denies that dignity. I held the position of Aboriginal minister for some 4½ years. It was certainly not an easy portfolio to manage, but it was one which allowed me to gain a greater understanding of the Aboriginal people both as an individual and an Australian citizen. It also assisted me to grow in a personal way. I am very pleased and proud of the time that I spent as Aboriginal minister, and I believe that I was the second longest serving Aboriginal minister in the history of this state. There were many unfinished aspects of the job that I would have liked to see carried through, but it would be highly incorrect for anyone in this chamber to insinuate that nothing was done during that period. A considerable amount was achieved during that time and I believe that, on the whole, the Aboriginal people had quite a deal of respect for me and would agree with my comments.

Some of the major problems which we looked at and which have been discussed today included the lack of employment, lack of skills, health problems and areas where tourism and trade could be developed. We looked at many other aspects, but I do not have time to talk about them now. However, I also had a further vision and it is one that I will bring to this parliament later in the year. It involves part of the plan that the Liberal Party put together as its policy going into the last election. It was a $50 million plan (which sounds entirely fantastic and monstrous) over a 10 year period which would involve developing infrastructure within the lands and supporting the people on the lands by improving their employment opportunities via developing their skills, providing training for their kids and offering a better education system. It involved improving their living standards by ensuring that the roadways were as decent as one could possibly expect in the 21st century in the metropolitan area, let alone on the lands.

It also involved looking at their water, sewerage and power. I am very pleased about the fact that I managed to obtain sufficient funding from ATSIC and the state government at the time to build the central power station south of Umuwa. It traverses distribution lines of power some 170 kilometres and supplies six to eight villages with power. In the first instance it created not only a better lifestyle for the people but also a healthier environment, considering that we had diesel generators on most of the areas on the lands that would need to be replaced in years to come as well.

There is also the issue of water, which I hope this government is looking at as well. The amount of potable water on the lands is very questionable. A huge amount of work has to be done to ensure that water is available for people as the population grows. Although the population was static for some years, it has continued to grow over the last few years. All these things are exceedingly important. The Labor government cannot sit back and continue to say that

these problems have been there for years and nothing has been done about them. Many things were on the way and many more things could have been done. It is now in their hands to do it. If they cannot build the assessment facility for their program within the next year or two, then they need to ask where they do stand on this important issue.

Mr WILLIAMS (MacKillop): Noting the time, I will be as brief as possible, but I do not want to miss the opportunity to make a few comments about the clause in this bill that would allow access to the lands by representatives of news media outlets. I had the opportunity to visit the lands a couple of years ago with the member for Stuart, who has a good first-hand knowledge of the lands and many of the people who reside therein. I heard his contribution earlier in which he mentioned that a group of us visited the lands and that some of us who had not been there before were horrified by what we saw. I was; I was both deeply moved and incredibly horrified, and as a member of this parliament I felt a certain amount of guilt and shame at what is occurring and will continue to occur on those lands.

I believe that the only way in which the public of South Australia and, indeed, Australia will bring enough political pressure to bear to bring about the sort of changes which are absolutely necessary to ensure that not only the Aboriginal people living on these lands but across this country are able to have any future at all (and a future to which they can aspire and to which they can look forward) is if they gain knowledge about what is happening on the lands through our media outlets.

There would be barely a person living in this state who would not be moved and upset if they visited the lands and saw the conditions under which the inhabitants live. There will always be arguments about what we should or should not do to help the Aboriginal people of the Anangu Pitjantjatjara lands to preserve their culture. I with my own eyes and in my own heart do not believe that much of their culture is left. I do not believe there is any hope of survival of what would have been the culture that those people would have had in previous years. Speaking to some of the inhabitants and elders, I put that question to them: how long do we have left before any vestiges of their culture are lost in the sands of history in that area? I was not surprised by the answers I got that we have very few years.

There are very few people left on those lands who have an understanding of the original culture and lifestyle of those people. The young people, for a whole range of reasons, have turned their back on their own culture. The collision between their culture and western culture has meant that there is no going back, and I do not think that young people in those lands, given a free choice, would want to go back anyway. We will continue to throw many millions of dollars into that area and not benefit the people they are directed at, unless the public of South Australia know what is going on in those lands, and that will only happen if we give unfettered access to the news media. I will conclude my remarks and commend the bill as presented to the house.

Mrs Geraghty interjecting:

The ACTING SPEAKER (Mr Snelling): Order!

The Hon. J.D. HILL (Minister for Environment and Conservation): In closing the debate I thank all members who have contributed to the discussion in this place. I thank members on my side for supporting the amendments I am moving. I also acknowledge that the member for Newland is supporting at least one of the amendments in relation to the movement of members of the news media on to the AP lands. Given the time, I will not go into any long discussion on the merits of matters that have been discussed as they have been canvassed well by members on both sides, but I will briefly put on the record the government's views on the two amendments.

In relation to the matters that the Hon. Nick Xenophon from another place raised and moved in another place, namely, clauses 7 and 9, and the issue of regulated substance misuse offences and the mandatory referral to assessment services, the government is not opposed to this policy. It is, however, opposed to the amendment for two reasons, the first being a practical one. The facility on the land that would be used for such a purpose has not yet been built, although I understand that capital has been approved and a recurrent budget has also been approved. It is the government's intention to construct such a facility, and I understand we are in consultation with the owners of the land about where and how it should operate. It is a practical thing. You cannot have a measure in the legislation if you cannot implement it.

The second point is more substantial and philosophical. The measures in the bill as the government moved it have been discussed with the traditional owners, who have approved the measures we are putting. The proposition the Hon. Nick Xenophon included was not discussed with the AP people and may not necessarily have their approval. The government is in the process of consulting with the people about a review of the legislation, and we will be putting to them this particular proposition. I hope it will eventually be agreed to and legislation will come forward at a future time to pick up this important measure.

In relation to the other matter raised by the Hon. Nick Xenophon about the news media entering the lands, I indicate the government's absolute opposition to this proposition. It is very bad policy. I am very surprised that the Hon. Nick Xenophon promoted this policy and proposed this legislation. It would seem that he has not thought about this deeply and certainly has not consulted with the Aboriginal people on this measure. Putting aside issues about whether it is appropriate to take away from the AP people their rights to exclude media outlets from their land, and taking away all issues to do with Aboriginal people, the Hon. Nick Xenophon with this measure is creating a precedent that the media can enter onto freeholded land when they choose, to do what they want, as long as they can justify it as public policy. That means that any farmer's land in South Australia could be open and exposed to the same sort of treatment.

I find it extraordinary that the great defender of the rights of private landholders in this place, the member for Stuart, came in and supported the Hon. Nick Xenophon. He is arguing for a legal trespass on freeholded title by members of media outlets. That is clearly wrong in policy terms. Nobody who has freehold land should be exposed to that kind of treatment by the media at its will. If you do not want media coming on to your property you should be able to say so. If you do not want any unauthorised entry on to your property you should have the right to exclude those people, and other members of this place have put that very well indeed. It is an offence to the traditional owners of the land to have media outlet representatives coming on to their lands, as the member for Giles said, at inappropriate times when business is being performed, and entering parts of the land where there are important sites. Then there is the whole general issue about public safety of people entering the lands without telling

anyone what they are doing. But I guess if they were to do that, as the member for Newland said, in some cases it probably would not be a great loss.

In light of the time, I commend the amendments to the house. This is a very important bill which is trying to do a serious thing about drug abuse on the Pitjantjatjara lands. We should not get confused with other issues. We should just get to the facts of this bill and pass it speedily through parliament tonight.

Bill read a second time.

In committee.

Clauses 1 to 4 passed.

Clause 5.

The Hon. J.D. HILL: I oppose clause 5. The arguments have already been put. It is totally wrong for this measure to be introduced, and I would hope the house will support me in that.

Dr McFETRIDGE: I indicate that the opposition supports clause 5 as it is in the bill presented by the upper house, and I understand that the upper house feels very strongly about this.

Clause negatived.

Clause 6 passed.

Clause 7.

The Hon. J.D. HILL: I move:

Page 3, lines 17 to 40 and page 4 lines 1 to 21—
Delete all words in these lines

This amendment removes the words that were put in place by the upper house in relation to mandatory referral. As I have already said, we are not opposed to this in principle but we want to negotiate and discuss this properly with the traditional owners so that when it does come back here we know we have the consent of the community upon whom this measure will be imposed.

Dr McFETRIDGE: I indicate that the opposition opposes the government's amendments and supports the bill as is. The reason is that the mandatory reporting of child abuse is in place. You do not need to leave young people in a situation where the abuse can be continued. But, more importantly, we will not be sending them away if the government gets off its backside and spends the $3.275 million that has been allocated for a substance misuse facility. This needs to be done, and I know it has strong support both in this place and in the upper house. The facility obviously has been consulted on, because it has 2004-05 on it, and 2005-06. So it has been discussed and talked about. Let us just get on with it.

The Hon. J.D. HILL: I point out to the house that the facility has been discussed with the traditional owners but not the legislative framework that has been placed in this bill. The money has been committed, as I have already said, and we are waiting until we can get an agreement with the community about where it will be placed. It is not the government that is stopping this from happening. I am not trying to blame anyone. We have to go through the proper process of consultation with the community, and sometimes that takes time. I hope the committee understands that we are working on this as swiftly as we can.

Dr McFETRIDGE: Can the minister advise whether that will be along the same lines as provided in the act in relation to mandatory referral, or will it be a voluntary system?

The Hon. J.D. HILL: What I am saying is that there are two issues. The first issue is the facility itself and, secondly, it is how the facility is used. As I understand it, we have an agreement with the traditional owners that there will be a facility. We are now working with them about where it will be situated, and that is taking some time. A lot of consultation, discussion and so on needs to take place. The second issue is how that facility is used, and we want to work with them to work out what the rules will be for using that facility. What the Hon. Nick Xenophon is suggesting in his amendments is a good idea, and I think that would be the view of the government. As the member for Newland put it, rather than a group of 'whities' sitting here on North Terrace imposing that concept on them, we want to work through it with them so that we can get their agreement and consent so that it is not seen as something that is imposed from outside the community. The sensitivities in this are very important, and we want to do it appropriately. So, while I recognise the merit of the proposition, we do not accept it at this stage. I indicate that we want to work with the community to get to an agreement about how this should be done.

Mr HANNA: I note that the government has already consulted with the community up there about the building of a substance misuse facility, and that is good news. In respect of the legislative framework and the notion that petrol sniffers might be taken there, whether or not they want to go, I agree that that is a serious issue. However, I bear in mind two things. First, the current practice and, secondly, what I have heard from people up there. The way in which things are done at the moment is that the police turn a blind eye to petrol sniffing, because it is just so rampant—every police officer could probably spend 24 hours a day trying to track down petrol sniffing to stamp it out, and that will not happen and it does not happen now. Secondly, frequently petrol sniffing happens at night, and it is very difficult to catch people in the act. So, even if there is a telephone call and the police are one or two hours away, when they arrive it is obviously very dark. Trying to catch people who then tear off somewhere, either on foot or in a vehicle, is not easy. Thirdly, at the moment, even if the police do catch people, putting people in cells is something that no-one wants, and it is not exactly the best treatment.

In terms of what I have heard from people up there, having briefly visited the lands, first, there is a very strong feeling that something needs to be done and that some treatment needs to be provided to people and, secondly, there is also a strong feeling that locking people in a gaol cell is not the answer. So, the logic is very clear to me that something needs to be done. That means forcing people to have some sort of treatment, and a prison cell is not the appropriate place to do it. The minister argues that this should not be done without the entire consultation process and that is certainly a respectable argument: I do not dismiss it lightly. My conscience is clear in supporting it, based on my conversations with people on the lands.

Amendment carried; clause as amended passed.

Clause 8 passed.

Clause 9.

The Hon. J.D. HILL: I oppose clause 9. This is consequential on the amendment that has already been passed, amendment no. 2.

Clause negatived.

Title passed.

Bill reported with amendments.

The Hon. J.D. HILL: I move:

That this bill be now read a third time.

I thank the house for supporting the government's amendments. It establishes the proper balance that was originally

intended by the government. I take this opportunity of thanking all the advisers for their assistance, as well as Parliamentary Counsel.

The Hon. D.C. KOTZ: I want to make one comment, and I am afraid it is in contradiction to the minister's last comments. I think it is quite obvious that the opposition was not supporting two of those amendments, and that has been made quite clear. If the minister is thanking us for support for that, I want to—

Members interjecting:

The Hon. D.C. KOTZ: I thought you said 'the contributors'.

The Hon. J.D. Hill: No, the advisers.

The Hon. D.C. KOTZ: The minister needs to be very specific: advisers or contributors. We are the contributors in this parliament. I think I have made the point.

The Hon. J.D. HILL: Let me make it plain: I was not thanking the Liberal Party.

Bill read a third time.

ADJOURNMENT

At 5.58 p.m. the house adjourned until Monday 28 February at 2 p.m.

Corrigenda

Page 1233, column 1, lines 31 and 45—For 'Tropicano' read 'Tropiano'.

Page 1450, column 1, line 38—For 'I support the honourable member's motion' read 'I support the bill'.