

HOUSE OF ASSEMBLY**Tuesday 27 September 2011**

The SPEAKER (Hon. L.R. Breuer) took the chair at 11:01 and read prayers.

The SPEAKER: Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

SUMMARY OFFENCES (PRESCRIBED MOTOR VEHICLES) AMENDMENT BILL

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure) (11:02): I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

MATTER OF PRIVILEGE

Dr McFETRIDGE (Morphett) (11:03): Madam Speaker, I rise on a matter of privilege concerning the Minister for Transport (I am glad he is in the house) in his role as acting health minister. During question time on Thursday 7 July 2011, in response to a question from me, minister Conlon clearly stated that I had been wrong in a speech to the house on 6 July 2011 when I was discussing the emergency department's dashboards that had been put up on the health department's website. I said:

In the Women's and Children's Hospital today there is one poor little kid who has been waiting more than 24 hours for a bed.

Minister Conlon in his answer said:

...the member for Morphett follow from his statements in this house yesterday about a poor boy waiting 24 hours to be admitted to hospital. We checked that story and, of course, it was one hour and 20 minutes. I regret that anyone waits one hour and 20 minutes, but to say 24 hours is just absolutely disgraceful.

Ma'am, I have enclosed with this documentation here numerous copies of emergency department dashboards and the explanatory booklet that clearly show that on numerous occasions there were children waiting more than 24 hours for a bed. While I do not have the dashboard for Wednesday 6 July, I am sure a privileges committee would be able to obtain that information to show that I was indeed correct in what I said and that the minister has clearly misled the house.

The SPEAKER: Member for Morphett, I expect you to provide me with that documentation. I will look at it and come back to the house.

Members interjecting:

The SPEAKER: Order! There will be no arguments across the floor.

RAILWAYS (OPERATIONS AND ACCESS) (ACCESS REGIME REVIEW) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 14 September 2011.)

Mr GRIFFITHS (Goyder) (11:04): I rise to indicate that I will be the lead speaker for the opposition on the Railways (Operations and Access) (Access Regime Review) Amendment Bill 2011 and that the opposition will be supporting the bill. It is only a—

The Hon. A. Koutsantonis: You support his bills but not mine.

Mr GRIFFITHS: We had a good debate about yours though, Tom.

The Hon. P.F. Conlon interjecting:

Mr GRIFFITHS: Yes; it is only basically one clause, minister, and it does not impact upon so many issues, as we discussed in our contribution on the other bill. I certainly respect that this bill is relatively minor in nature, but it is important because it ensures, as part of the accreditation process, that there will be an opportunity for review by ESCOSA of rail access regimes every five years. Accreditation permission for 10 years will be in place on the basis of this bill being passed in this house, but a requirement of the bill and for the accreditation to be in place was that

ESCOSA has the opportunity to undertake consultation every five years to determine that the access regimes are appropriate.

I do put on record my appreciation to the minister's staff for being available for a briefing. I must admit, when they came in, after having read the second reading explanation and the bill, that I was rather embarrassed that I had pulled everybody together for that, but it was important that we had a chance to discuss some things. I did flag during that discussion one point that I will raise now, and I think it is quite possible that other members of the chamber might raise the issue, too. It relates to a comment that I heard the member for Frome made at a meeting with the Yorke Peninsula Council Alliance.

He talked about the work that he and other members of the parliament have done on the grain handling select committee and the possibility of an exclusivity agreement existing between a rail company, Genesee & Wyoming, and one of the major grain handling companies in South Australia, and whether that has an impact upon the review that ESCOSA will undertake and the opportunity for other operators or other grain handlers to get into the rail market. In the October 2009 report done by the Essential Services Commission and the 2009 South Australian Rail Access Regime Inquiry, it says on page 3:

On the other hand, private companies such as Genesee and Wyoming Australia Pty Ltd (GWA) control various other intra-state lines, with an open access regime in place.

My general question is—and I did flag this with the minister's staff that it was quite possible that one member from the opposition would be asking this question—is this an issue that this bill will consider and have some impact on, and is there a situation where an exclusive arrangement for access to rail infrastructure with only one grain handler is of some concern either to the minister or ESCOSA? As I understand it, the intention is to ensure that there is an openness to the infrastructure access and that a variety of people have the opportunity to enter into negotiations with rail transporters.

We recognise that this bill is an appropriate measure of ensuring that reviews are in place for the shorter time and it gives an accreditation opportunity for 10 years, but we do raise that point. From my point of view, I am happy if the minister wants to provide an answer on this issue during the second reading, or there might be some members who want to get into some detail during the committee stage.

The Hon. P.F. Conlon interjecting:

Mr GRIFFITHS: He is here peaceably waiting for an opportunity, no doubt.

Mr Venning: You raised it.

Mr GRIFFITHS: And he's ready to leap to his feet at all times. The Liberal Party does support the bill and we hope that it moves swiftly through the house.

Mr PEDERICK (Hammond) (11:08): I rise to support the comments made by the member for Goyder regarding the Railways (Operations and Access) (Access Regime Review) Amendment Bill 2011. I note that only last year we discussed in this place the Railways (Operations and Access) (Miscellaneous) Amendment Bill 2010, and that bill was supported throughout the South Australian parliament. This legislation intended to provide a consistent national system of economic regulation for nationally significant infrastructure, including railways, and that has been enacted.

The 2010 bill also implemented efficiencies into the act. Such efficiencies were based on recommendations following an inquiry conducted by the Essential Services Commission of South Australia in 2009. These reforms aim to reduce regulatory uncertainty and compliance costs for owners, users and investors. The intention of the 2011 amendment bill is to include the requirement for the Essential Services Commission of South Australia (ESCOSA) to conduct five-yearly reviews of the South Australian rail access regime. This amendment is the result of an application submitted to the National Competition Council on 29 December 2010 for the certification of the South Australian rail access regime as an effective regime for a period of 10 years.

I note that the National Competition Council released its draft recommendation on the certification application on 16 March 2011. The National Competition Council recommended that the regime be certified for a period of five years, but it advised that certification for a period of 10 years would be considered if the act was amended to formalise the requirement that

ESCOSA conduct on a regular basis a review of the railway services covered by the regime, and I note that could be every five years.

As the member for Goyder has indicated, the grain handling committee, which I introduced into this place in March and of which I am a member, is very interested in operators having access into the rail network, through Genesee & Wyoming. There is comment that Viterra has a stranglehold over the services of Genesee & Wyoming. I will listen intently to the minister's response to questions about what third-party access, and open and transparent access, is being made available—or should be made available—to third-party operators.

We note the difficulties experienced during the last harvest in South Australia. Let's hope we never see those difficulties again. The wet harvest and sprouted grain gave third parties or other operators in Australia, other than Viterra, which has about 90 to 95 per cent of the network, the opportunity to have grain put through their systems because they are operating falling numbers machines.

I have not driven right around the state but, as I see it, the issue is that I still see a lot of stored grain, a lot of bunkers, in these third-party operator sites. I would like to see these third-party operators having equivalent access to trains—essentially, Genesee & Wyoming has this network stitched up—and I hope we get a qualified response from the minister today in regard to this.

I would hate to see Eyre Peninsula GrainFlow sites (previously Australian Wheat Board sites but now owned by Cargill) disadvantaged in the process in that they are not able to access the rail, railcars and the whole system through to the port. I have one of these sites in my electorate, at Pinnaroo. I know that, later on next month, we will be having a major committee briefing on this issue, including with Flinders Ports and Genesee & Wyoming. However, I think we might be able to get some of these issues cleared up today in the debate around this bill.

The grain industry is a vital industry to this state, contributing well over \$3 billion to the economy last year. Agriculture has been the single biggest supporter of the economy in this state in the last 12 months because of the wet season we had last year. Sadly, we have seen a few dry times in the last couple weeks; it was looking like a bin buster there for a while. It still could be a pretty good harvest, as long as we get the forecast rain—the 15 to 20 millimetres—that people are talking about. It would have been pretty handy getting it two to three weeks ago, but let's hope that this happens very shortly to help get our farmers back on track.

We certainly need farmers to sell, market or store their grain at third-party sites, such as Cargill (the old Wheat Board sites), and there are four of these across South Australia, so that those sites have the ability to get that grain onto the trains and to the ports and out of the state so that they can free up room for this coming harvest, because it still has the potential to be a significant harvest. As I indicated earlier, the sooner it rains the better.

As we have learnt through our grain industry select committee, there are quite a few competitive impediments to the situation here in South Australia where we have a deregulated market essentially working under a monopoly. We are certainly looking at ways that we can improve this so that industry, growers and everyone in the system can get the benefit of a competitive access regime for grain producers in this state.

Mr VENNING (Schubert) (11:15): I thought initially that I had already spoken on this bill but, of course, I looked at it and it was June—

An honourable member: It's a new one.

Mr VENNING: It's a new one. It was 30 June 2010, so time stands still. I always welcome the opportunity to speak in support of our rail system in South Australia. Can I say that I have given the current minister a few accolades in recent times about what he has been able to achieve in our rail system, particularly the port. I do not hand out accolades lightly, and I think this minister did get this right in relation to where that port should be, and it is working now and working very well.

The Hon. P.F. Conlon: There are a lot of ships out there at the moment.

Mr VENNING: I know. Minister, it works. You got something right. Make the most of it. I wish the rest of your front bench could say that. I am sorry, but you are about the only one I can say who has had a positive outcome to the deliberations you had. You sought proper advice, took notice of it and did it.

I rise to speak in support of this bill. As I said, I spoke to this bill last on 30 June 2010. I have always taken a keen interest in any issue regarding rail, whether it be trains (freight or

passenger) or, indeed, trams. I note also how important it is that we should always have a viable, convenient rail system in South Australia. As a grain grower, and I declare that interest, it is a critical part of the grain pathway here in South Australia and, as the most important export earner for South Australia, it is a critical part of the state economy.

This 2011 amendment bill is mainly—I think only—to include the requirement that the Essential Services Commission of South Australia (ESCOSA) is able to conduct five-year reviews of the South Australian access regime. It has been said how important this is now—not that I ever supported the current situation where we have a monopoly in charge of, basically, the storage and a large proportion of the marketing. The worst thing is that it is an overseas-owned monopoly now. I declare also that my brother is a director of Viterra. It is very important that we enable these reviews to take place so that everybody, particularly third parties, can have access to the system.

There have been accusations—and they are accusations, I believe—that at the moment Viterra's main opposition here is the old GrainFlow, now Cargill. They own certain sites—there are two or three across the state. I have noted that not much grain has moved from them. I have asked the question, coming into a big harvest, hopefully, why these bunkers are still full: what is happening here? I have been told that, allegedly, they cannot get access to the port and, when they can, they cannot get access to the railway line to get the grain there.

There are all sorts of accusations—and I have spoken to various stakeholders about that—that allegedly sweetheart deals may have been done between Genesee & Wyoming and Viterra. I do not believe that they are true—I do not believe for one minute they are true—but, in this instance, thank goodness we have ESCOSA to have a very good look to make sure that access is open for any third party to come along. As the member for Hammond has just said, we need this to be a level playing field. Anybody out there wanting to buy or deal in grain has to have the same ability to export that grain without the prohibitive extra costs. So, it is most important that this part of the bill is supported.

Railways have a long history in this state, and I say again how much I regret that many years ago, when my father was involved with the bulk handling company, they shut down the rail unloader at the port of Wallaroo. Wallaroo is a port but, because they did that, there is no rail access to it. It was only a few kilometres away to the main line at Snowtown. That railway line should never have been shut down; it should have been upgraded. I know that it is in the member for Goyder's electorate (I think), but put a couple of D9s in there and you would have lowered the grade of that rail from Snowtown through to Bute and then onto Wallaroo, and then that line would be the most viable line.

It would have given us a second port on this side of the gulf, which we now really do need, because I can see problems in the future with Outer Harbor because of these huge trains that are coming in being a disruptive influence to the community living in and around the port facility. It is very sad that the bulk handling company made that decision to shut down the rail unloader, and that is why we do not have rail deliveries to Wallaroo. That would have been the obvious thing.

Over the years, right back with the sale of SAR, of course we were dealing with bags. Then we moved into the bulk handling of grain and we built our silos on the railway lines, and now you see that a lot of these silos are not viable or not being used. It is certainly an interesting scenario. I do note, too, the death this week of Mr Keith Smith, the longest serving commissioner in rail history. He died, and there was an obituary to him in last weekend's paper.

I also note that another very prominent person—Mr Don Williams—who headed the railways as general manager many years ago has also departed this world. He also headed up submarines after leaving the railways. While these men were in charge of railway, AN certainly did some fantastic works. That is when they upgraded the main line to standard gauge. They got rid of the broad and a lot of work was done, so I pay tribute to these gentlemen because back then we had a fair bit of criticism. Between Mr Smith and Mr Williams a lot was achieved, and I think it is a great memorial to them.

I do support this bill and, again, commend the minister for being straightforward in relation to matters like this. No-one wants politics in railways; and, certainly, if we are able to give everyone access to the system via the rail and via the ports, we will certainly support that. I have much pleasure in supporting this bill, and I hope that it goes through speedily.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure)
(11:22): It has been pointed that what we have here is a regime for access if the Regulator does need to impose an access regime. It has not been necessary so far. One point I think has been

raised about arrangements between Genesee & Wyoming and Viterra. Can I say that, first, Viterra does not have a rail access undertaking with Genesee & Wyoming: they have a commercial arrangement to ship grain, right? But even if that were not the case, what is absolutely clear is that it is not open to a rail operator to contract out of its legislative obligations—even if there were some undertaking, it is not open to the rail operator.

There would be no point in having the legislation if the rail operator could by contract alter that—cannot do it. I think that there is an associated area where people may have some concerns, and it is not about rail: it is about port access. I can advise people, though it is not directly related to this act, that, under the Wheat Export Marketing Act, an access test would have to be passed by any accredited exporter (which is also a significant holder of port terminals), and an agreement to an access undertaking to the ACCC that is compliant needs to be made.

My understanding is that that is something that Viterra is in the process of doing with the ACCC. There may be some concern as to how that will relate to port access under our regime, but my understanding is that, while they are doing that, Viterra will also include an anti-overlap clause so that any agreement with the ACCC will not undermine access arrangements to ports—it is not the bill that we are dealing with today, but it is any access arrangement to ports under the state act. I think that should address all the concerns members have raised.

In short, there will be no effect on state access regime but on any contractual relationship between Genesee & Wyoming and Viterra, and there will be no effect on our access regime by whatever access arrangements they agree to with the ACCC. Having said that and unless there is anything further, I thank members for their contributions and commend the bill to the house.

Mr Venning: Could Viterra own and run their own trains?

The Hon. P.F. CONLON: Well, they could. You say, 'Could they own and run their own trains?', but if they are a rail operator they might find themselves the subject of an access application.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr PEDERICK: I thank the minister for his extensive answer. I wanted to go into committee to get absolute clarification on this point about access to the rail network because there are a lot of claims and counterclaims out there in the farming world, and I note that the grains committee has a hearing on 28 October. Minister, the question I ask is: are you absolutely sure there is no impediment for an operator like Cargill (formerly the Australian Wheat Board) to get rail access in this state to get them to the port? You are saying it is more about issues of port access.

The Hon. P.F. CONLON: Clearly, there should not be an issue of port access, but I will come back to that. This is a regime to allow access where it has not been properly allowed. My understanding is that there are no instances of that having occurred. If that were to occur the person can go to ESCOSA to address that issue. That is why we have the access regime. I actually support light-handed regulation: it is the cheapest. Do not regulate unless you need to: it is best for everyone. There is no doubt that anyone who has been denied access—and that has never been reported to us—can go to ESCOSA. That is why we have a regime.

Let me say that Viterra, being as big as it is, has a commercial arrangement with Genesee & Wyoming at present to take rail to the port. It does not have an access agreement. It does not need an access agreement because Genesee & Wyoming is in the business of running grain rail so it wants to carry grain for the people who have a lot of grain, so that is it. It will also carry grain, as I understand it, for anyone else who wants grain brought there.

Can I make two points very clearly: it cannot contract outside of this regime, no matter what contract it does with a third party, otherwise you could not have a legislated regime. Further, I am completely unaware of any issue about anyone getting access to the rail and, if there were, this regime is there to provide a remedy for that; so, that's that.

Not associated with this, but obviously relevant to people who are exporting grain, is ports access. We have a similar regime for ports access involving ESCOSA. It has not been necessary to this point for ESCOSA to do much for similar reasons: there has not been a problem. Viterra,

being under the Wheat Export Marketing Act, has to have a regime acceptable for access to the ACCC. They are in the process of doing that, but we understand that what will occur there is they will protect our state-based ports access regime as well. You have regimes that protect access to rail, access to ports and there is nothing in current operations to disturb that, so I think everyone should be happy.

Mr VENNING: Further to that, in relation to my little out-of-order question during the second reading debate in relation to how we free up the system, we have an unfortunate situation where we have Viterra—and you just said, minister, that it is a big operation—and we have the rail operated by another big operation, Genesee & Wyoming. What if some people were not happy or a third operator was not happy with Viterra, or if another trader trading in opposition to Viterra was trying to get access to the port? You can understand Genesee & Wyoming doing a very good deal with Viterra because they are the big operator so they are obviously going to do each other a very good deal here because they want the business, but another operator coming in and going to Genesee & Wyoming and asking for a similar deal without the tonnage is not going to get the same deal.

That is a commercial reality, isn't it? I presume that is a commercial reality but the question is: does Genesee & Wyoming's long-term 90-year lease of the rail system exclude somebody else running trains and if that ever came up for public debate or discussion, does that come under ESCOSA's portfolio? Would ESCOSA be the umpire in a situation like that, or is the lease or arrangement Genesee & Wyoming has so watertight that they can exclude other people from running on South Australian railway lines that they are currently operating on?

The Hon. P.F. CONLON: The whole purpose of having a legislative regime is to make sure that very large and near-monopoly providers or operators cannot freeze out small people and that is what the bill does. There is nothing in Genesee & Wyoming having a long lease or Viterra being that big that prevents an appropriate access application. You are going into the area of what would be appropriate access. Since there has never been one, are people allowed to run their own trains on someone else's line? I think that would be a matter that would need to be dealt with by the regulator in dealing with an access arrangement. Given that we have never had one, it is a bit hard to understand how that would occur.

I note that my officers have gone because they thought we had finished, but the purpose of this regime—and as I say, it is a safeguard at present because there has not been a problem—is to make sure that people cannot use their market power to freeze out little guys and that appropriate access will be given to those people should that problem occur and there is a regulator to make sure of it. I am not sure how much more of an answer I can give you than that.

The terms of access would be for those people to negotiate in the first instance, but I would point out that at present there is no access arrangement with Viterra. It is merely a commercial arrangement to carry grain. There is no access arrangement and none has been needed. I can understand that there is angst about the size of Viterra these days, but there is nothing in the size of Viterra that affects third-party rights under this. I presume if the Australian wheat board were still around and the Australian barley board—and I do remember them and I remember that they used to fight like 10-year-olds, as I recall, between each other—it would make no difference to this access regime either.

Mr VENNING: I appreciate the minister's answer, but he understands that we certainly live in times of great change. Today we learnt the grain producers of South Australia have overwhelming support to take over the running of the grain section from the Farmers Federation, and that is a huge move. The farmers of South Australia are not happy with the current arrangement, obviously, and they have made this historic move to set up a new body, Grain Producers South Australia, which is without precedent in my time in this job. It is certainly a great concern that this is what is happening.

We are now seeing the West Australians fronting their own trains. The minister only needs to look over the border and see what is happening. They are learning from us because they still have a grower-owned monopoly that operates their storage, and also the marketing is a separate arm. Now they are investing in rail rolling stock—and I do not know whether we are able to do that in South Australia or whether they will come over the border and do it here—and CBH of Western Australia is already coming over into the West Coast, and will be operating out of the West Coast, as long as it is able to get the information we have been withholding from it. Thanks to the grains committee, one of the planks of its recommendations is that they should be able to make all the information available to everybody so that they know where the grain is and its quality.

We live in times of great change. This is a very relevant bill, and we will see some huge things happen in the next five to 10 years; if it is CBH of Western Australia operating here, I certainly do not have a problem with that. We want competition here. We want to be fair, we want the most efficient path, and we want the most money for our farmers, because it is all about food and having enough to feed our people.

Mr BROCK: I thank all the other speakers for their questions. Further to what the member for Hammond has asked, the minister explained access to the rail, and I refer to the amendment of the Railways (Operations and Access)(Access Regime Review) Amendment Bill. If Genesee & Wyoming are using their rolling stock for transportation of grain, and they have come into a commercial operation with an industry, and because Viterra is big they are questioning that—it is to do with equal access for third party—would they be able to have exclusive rights or use of their rolling stock to only one organisation and it not be open to others?

The Hon. P.F. CONLON: No, that would be to drive a carriage and four (I think that was the old legal expression) through the regime. There is no use giving people access to rail if there are no carriages. I refer people not to the amendment bill but to the parent act, part 5, about access proposals. Access is not real if you cannot get on a train. In the point raised by the member for Schubert, section 31(2) allows access proposals and provides:

- (2) If the implementation of an access proposal will require an additional extension to the railway infrastructure, access proposal may include a proposal for that addition or extension to railway infrastructure.

The matters are contemplated. To date, we have found that there is not an issue. We do not have an issue with access and no-one has been excluded. The regime will oblige people to negotiate and deal commercially in good faith with people, and it would not be an access regime if you could only get the railway and could not get the carts—that is a nonsense.

We are fortunate in South Australia as we have not had these issues. The port access regime is similar: we have not had issues. The member for Schubert says it is a changing world, and in particular I think we may well see people in the resources sector wanting access to rail, and they may want to change that infrastructure too. I am not sure that what will suffice for grain over on Eyre Peninsula will suffice for iron ore, for example. We will deal with that when it arises, but the purpose of the legislation is to make sure that we have a realistic legislative scheme for allowing access on proper terms in good faith.

Clause passed.

Title passed.

Bill reported without amendment.

The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure)
(11:40): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 8 June 2011.)

Ms CHAPMAN (Bragg) (11:41): I rise to indicate that I will be the principal speaker for the opposition on the Correctional Services (Miscellaneous) Amendment Bill. The opposition has given careful consideration to this bill; there are many aspects of it where we endorse the reform proposed by the government, but there are some very significant aspects that we strongly oppose. So, I indicate that we will provide support for the bill conditional upon those amendments being incorporated.

I understand that the minister has not yet had a full briefing on the amendments which we have tabled and which I will be referring to, and would like some further time to consider those. We do not propose to hold up the debate; I will present them on the understanding that I appreciate the minister will want to give them further consideration and will, hopefully, see the benefit of agreeing to those amendments and incorporating them into this bill to make better law in the correctional services area.

May I start by saying that the minister announced, by a press release on 2 June this year, that he would introduce legislation to the parliament for very significant reform. Members may recall that that followed announcements by the minister on 28 September the preceding year, when he said that his government proposed to undertake consultation on reform of the parole laws and that this was a matter that had followed some very serious cases in the public domain. I will refer to one of those, in particular, which occurred in July 2009 which, I think, caused great distress to a number of people—and for good reason—and to which it was appropriate that the government give its attention regarding how that situation not be repeated.

I should say that on 28 June this year Mr Peter Severin, the Chief Executive Officer of the Department for Correctional Services, attended—with a number of others—to provide a briefing and, in particular, to answer questions about the proposed amendments, and I place on the record the opposition's appreciation of him making that time available. I have always found that in this particular area—not necessarily under the regime of this minister—people at a high level in the department have made themselves available for briefings, and that is most helpful. When we are dealing with legislation which provides for reform of the structure within the department and within the prisons, particularly in relation to chief executive powers, it is very helpful to us to have someone from the top who can detail how these matters can be operational.

In fact, I asked Mr Severin on this occasion whether there had been any follow up in this legislation from the last tranche of reform under the Correctional Services Act and he indicated that there was nothing to be brought back. It was all in place and it was, from his perspective, operating very well and he had not presented any recommendation for any change to that because it seemed to be effective—and that is good. It is always an indication to us that where there has been reform which has worked and we have the same people in charge, it certainly gives the initial tick that they know what they are doing and can clearly articulate to us if there are any deficiencies.

So the briefing was given and, as the minister has said in his second reading contribution, there are two major areas of reform of the Correctional Services Act through this bill. One is in relation to the prison management and how that is operational in prisons in South Australia, bearing in mind we are talking about the adult prisons here because our juvenile prisons are under the responsibility of the Hon. Jennifer Rankine—more's the pity. However, in any event, our children have separate detention facilities and that is something that I think we should proudly maintain in the sense of ensuring that our children do have a separate judicial system and a separate correctional system to provide for rehabilitation and to isolate them from those adults in our system who have committed serious offences.

As a slight aside, I was disappointed when I recently went to China that I was not provided with access to a children's prison there, but I do not think they were too keen for me to look at even adult prisons.

The Hon. A. Koutsantonis interjecting:

Ms CHAPMAN: Well, I wasn't going to be shot. Notwithstanding requests in a number of different cities that I have an opportunity to see the facilities where they did help to 'retrain' (as they described it) their children, I was not given access to any. Nevertheless, on another day I will outline some of the excellent facilities I was able to visit, including a children's welfare agency where adoptions are made and children with disability attend. These are not children who have committed any offence but, tragically, half of them (in a 350-child facility which I attended) were stolen children. These were children who were harvested in the trafficking of children trade which, of course, is still very prolific in the world and, sadly, China is no exception. It is always rather sad to see children in institutional care in a welfare circumstance but sometimes it is their only respite and protection.

In any event, I have digressed and I want to come back to the adult prison system where we have a different set of rules for good reason and where there has been considerable reform proposed in this bill which I will detail shortly. There is also the more controversial aspects of reform in this bill and that is to the parole management and particularly that of the Parole Board and the expansion of powers to other law enforcement agencies that are proposed by the government, some of which we think will be helpful but many of which we do not agree with and we will be presenting amendments which I will outline.

There is no doubt that there has been quite a lot of consultation about a number of these amendments. I have learnt in this place that consultation for the government, for some ministers, is comprehensive and effective, they listen and add reforms and they utilise the consultation process

to employ the law in this state. Sadly, there are a number of ministers who do not abide by that. I have noticed some (and I am not going to name them today) who do not consult. They send out a missive or a discussion paper of exactly what they intend to do.

They go through the charade of consultation. They do not take a scrap of notice of anyone who comes up with an idea that is either inconsistent with the government's proposed direction or which they take objection to, and they proceed, of course, to publish what they intend to do, introduce a bill and ram it through the parliamentary process using numbers. There is scant regard for the people it is actually going to affect adversely at the other end.

I think that there has been considerable consultation in this area. It seems as though parties such as the Law Society, the Parole Board, the Aboriginal Legal Rights Movement and the Police Association are all stakeholders in this area and each has different approaches to the consultation that it has participated in, and they have raised some concerns.

I suspect some of those, particularly from the Police Association, have been picked up by the government and they are running with them and that some consultation has taken place with the other relevant parties, including the Parole Board, but I raise concerns that, particularly in the parole management law reform that is incorporated, there seems to have been scant regard for how this is going to be effected and who should protect the public in respect of the difficult management of prisoners post release from a secure facility or prison.

Other relevant parties may have made contributions to the government, including the Offenders Aid and Rehabilitation Services, the Australian Lawyers Alliance, the Bar Association, Victim Support Service and Prison Fellowship. These are all, again, relevant parties, and I would hope that the government, in particular this minister, keeps an active program of opportunity to meet with these parties to ensure that we have their contemporary views on such matters.

What was clear, though, at the time of the announcement by press release on 2 June this year, was that the minister wanted to say to the public that the reforms that he was going to introduce to this parliament, that are now in this bill, were going to have a significant impact on protecting the public against parolees who act in a manner subsequently to cause fear or danger. That in itself is not a problem.

The press release started with 'Greater powers for authorities in parole law shake up.' I suppose some spin doctor has come up with that little title but I think the gist was there. The minister might have come up with it himself; perhaps he should stick to his other job. It opens with:

Every police patrol will have unprecedented power to act as a 'mini parole board' under the biggest shake up of the state's parole laws to be introduced to parliament in 30 nearly years.

I think it should be 'nearly 30 years', but in any event that was the press release. The impression anyone would have in reading that, of course, is that this was going to be a massive reform that was going to arm every little patrol car and every little bobby out there with some sort of power to be able to—

The Hon. A. Koutsantonis: Bobby?

Ms CHAPMAN: I am just saying they are all going to be a mini parole board. The only thing missing, really, apart from the 'unprecedented', is the 'world first', 'world's best practice'; we are missing a few of those. You should learn from the Premier about doing press releases, minister, because obviously he would have spread that out a bit; he would have had two sentences for that little announcement. Nevertheless, here is a key to where the deficiency comes in the minister's consultation:

The minister for Correctional Services, Tom Koutsantonis, said the 21 principal amendments to the—
and he refers to the act—

have been finalised after extensive consultation with SAPOL, the Parole Board and interest groups.

When we have come to look at this bill, we have seen that, quite rightly, the chief executive of the correctional services department has had some input, but, clearly, SAPOL has been the overwhelming contributor to the reforms. He goes on to say:

'These are the most significant and comprehensive changes to the State's parole laws since the Act was administered in 1982 and will give authorities greater powers, more information and the ability to act at the first signs of trouble,' he said.

It is impossible to predict if a parolee is going to re-offend and the way the laws are now, it is very hard for authorities to respond straight away to pre-empt a parolee re-offending, these reforms are aimed at fixing that.

Parole is a privilege and not a right, and we are changing the laws to reflect that.

The press release goes on to identify the number of areas of reform. This is pretty strong stuff. This is a major reform. This is going to arm law enforcement authorities, more than just the Parole Board, with the capacity to protect the public against these parolees who do the wrong thing.

One of the most publicised and disturbing cases that was the prelude to this reform was the case of Shane Andrew Robinson, who was a relatively young man who was released from prison in July 2009 on parole. I am sure every member in this house will remember the shocking siege that subsequently took place near Peterborough—

Mr van Holst Pellekaan: Near Yunta.

Ms CHAPMAN: —near Yunta, where Mr Robinson ultimately killed himself. That is tragic in itself, but, prior to that, he had seriously injured a police officer—

Mr van Holst Pellekaan: Jeffrey Allen.

Ms CHAPMAN: —Mr Jeffrey Allen, the member for Stuart reminds me—and also a senior lady who was well known to the former member for Stuart and who had lived, I think, in the outback for a long time. Certainly no-one deserves to be assaulted by anybody, but in her senior years she was held and, to my recollection, quite severely injured during the siege.

The whole event culminated in this young man killing himself. Serious questions were asked. Obviously, the media went mad—and quite rightly so—about what had possibly gone wrong to have a situation where a young person is purportedly fit to stand for trial (as his parole order had been issued), yet he had behaved in this way.

At the time members might recall that then attorney-general Atkinson went straight out to make statements about what had gone wrong, very publicly and very forcefully. He left no quarter for those who he considered responsible and, in particular, laid the blame fairly at the foot of Frances Nelson QC, who was then and remains the Chair of the Parole Board in South Australia.

With that accusation of her being responsible, statements were made by the then attorney-general including 'it got so spectacularly wrong with the Yunta siege gunman'. Remember that he was the attorney-general, so he was not directly responsible for the Parole Board, but he was the senior law officer of the government of the state making the allegation. He made these statements, and then the current minister was asked about what had happened. He has responsibility specifically for the Parole Board—it is under his jurisdiction that the appointment is made.

Members might recall that, at the time, although minister Atkinson had come out with all guns blazing against Ms Nelson in holding her responsible, in fact it became known that Mr Tim Bourne, the deputy of the Parole Board (who I think was acting chair at the time) was actually the person who determined the application for release under the parole order.

Notwithstanding that, subsequently Frances Nelson QC said that, whilst she was in England at the time (I think attending to some sick relative, but in any event that was all public at the time), she made it very clear that she, as Chair, took responsibility for the whole of the board, even though Mr Bourne had been identified as the person who made the decision. Quite properly, Ms Nelson said, 'I am not absolving myself of any responsibility here.' I hear that plenty of times in this house, of course, from ministers who just blame some departmental person or whatever as to what has happened with things.

She took it on the chin and said, 'Well I may not have made the decision, but I am responsible for the board, and I will answer on those issues.' I think it is to her credit that, in fact, she was reappointed—I am not sure whether by this minister—as Chair of the Parole Board by this government, and it indicates the high regard in which she is held. Notwithstanding that, I recall Mr Atkinson also alleged a number of other things about Mr Robinson; in particular, that he had a very serious and long criminal record, which was the basis upon which he had been imprisoned, and he identified heinous sexual felonies, etc. The clear motivation was to convey to the public that this was a man who had a shocking criminal history, that he should never have been let out in the first place, and that this was all the Parole Board's fault.

The second thing Mr Atkinson made clear was that, after parole had been granted, Mr Robinson had failed a drug test. Often with prisoners who have a drug addiction, when they are released of course they have to maintain treatment and undergo blood tests to identify that they

have stayed clean and not participated in the offending drug, etc. There were also allegations made by the then attorney-general about Mr Robinson's failure to comply and the fact that the Parole Board had done nothing about it.

When Ms Nelson returned from England, she had something to say about this. Whilst taking full responsibility for the decision that was made by her board in the first instance, she made the real situation clear to the public of South Australia. I for one appreciate her doing that. Members should remember that all this explosion from the government—the protests and howls of discontent from the then minister Atkinson—were in the months leading up to the 2010 election. How convenient that there should be this lambasting of the Parole Board from the then attorney-general! Ms Nelson set out a number of aspects. Mr Conlon asked the following question on radio on 14 July 2009:

Oh okay. Well that is what Michael Atkinson has said. He has 80 convictions, including sieges, extreme violence, sexual assault on a pre-teen, dishonesty, weapons and drugs.

Her answer was:

No, he was convicted of under-age sex because he had intercourse with a 15 year old when he was 19.

Now, that is an offence, and it is a serious one, no-one wants to undermine that, but anyone who had listened to Mr Atkinson's tirade about his previous conduct would have a very different impression about what had occurred. She went on to say, in respect to the parole process:

Well, he was sentenced by the court, he completed his non-parole period, and bear in mind it's not up to the Parole Board to decide how long he stays in gaol, that's a matter for the court. When he comes to us, we have to look at the criteria that is set out in the act to see if he satisfies the criteria. He'd done the programs that were available to him in Port Augusta Prison, which at that time were quite limited, but he'd done them satisfactorily, his behaviour in prison was very good and he was interviewed by the board. He certainly presented as someone who had rehabilitated himself to the level where he was considered suitable for parole.

Then there were some questions about liaising with the police about parole. What she says is:

...we don't liaise with the police, but it's always been understood, as far as I'm concerned, that if someone's parole is revoked it is a priority. Certainly, when they come back into prison they're treated as maximum security prisoners, even whilst they're awaiting [for the subsequent] board interview.

She is then asked the question:

Michael Atkinson says that he should never have been let out. Can you comment on that?

She said:

Well, the reality is he was going to get out anyway. He didn't have an indefinite sentence.

Frances Nelson is later asked about statements made by Mr Atkinson on her claim and she said:

I read his comments that he made where he said in a—

and then there is an unclear word—

that he would sack the people responsible for the decision.

As we now know, Mr Bourne was acting chair at the time and he made the decision. Clearly, he was not sacked, in fact he was known to be a personal friend of the attorney. In any event, no-one from our side of the house is suggesting that he had not acted in an entirely proper manner, as the acting chair, in his duties on the Parole Board, and that he had made that decision conscientiously.

The key question is: how does the government tighten up a situation where someone is granted parole, for all the right reasons—and I think one would accept that Ms Nelson has set out, in these circumstances, all the right reasons that he be paroled—and they fail to comply with the conditions of their release, or any term of their parole? How do we make sure that they are quickly brought back into custody and dealt with for any breaches, but also to continue on with their sentence? The assertion was made at the time that the Parole Board, whilst it should not have let him out, had also failed to act when—and I will identify here a statement by the interviewer, who said:

We were told by the Attorney-General, and we've heard just a few moments ago from the correctional services minister, that he repeatedly failed drug tests after he'd been released from prison.

That was the question that was put to Ms Nelson. It was a very pertinent question because it raised this whole aspect of how one quickly remedies a situation if there is a breach. The assertion here is that the Parole Board had in some way failed to act, to do the next step to bring this person back into custody. Ms Nelson said:

I don't think that's right. He certainly returned a positive test to marijuana in May of this year—remember that we are talking about July at this point—

and he was returned to custody as a result.

So, the alarm about what had happened and the allegations of failure on the part of the Parole Board were, again, completely inaccurate and presented a public perception of incompetence by the Parole Board and by the officers who had conduct of this matter.

The other thing that became patently clear by the end of this very public slanging match between the government and those who were acting at the time—I think the police minister may have come in; I think Mr Michael Wright was the police minister at the time—was that this man had breached his parole and that the Parole Board had acted promptly and caused a warrant to be issued for his arrest. In fact, the warrant sat somewhere in the police department for some weeks and, when the police had to deal with the tragic circumstances up near Yunta, including the assault and wounding of the police officer, weeks had passed and this person had not been brought back into custody.

I am pleased to note that the police have now ensured that when warrants are issued they are acted on and given priority, and there are currently no outstanding warrants for parolees. Notwithstanding the spraying by ministers in the public media, it seems that the Police Commissioner has, at some stage, acted to ensure that these warrants are not left unattended and are promptly dealt with. I am reassured and pleased by that; however, what concerns me greatly is that I have had to find that out—I certainly hope it is accurate—from third-party sources.

Over the last three years, I cannot recall any minister for police—and our current police minister is about to retire—coming into this house to say, 'I want to report to this house that the Police Commissioner has now instituted a new protocol or guideline, or whatever it is called, in the police department to ensure that, when the police get notice of a warrant issued for someone who is in breach of their parole, they act on it immediately.' I am very disappointed about that.

Why would the government or the current Minister for Police or even his predecessors not be proud if that were the case and come in and say, 'Things went wrong in the past, but we have actually conducted the inquiry and found out where the problems are, and I am pleased to report that the people of South Australia can feel safe again. We have identified the problem, we have acted on it, and we give that reassurance.'

However, we have blinding silence from the government because, after all that spraying around and trying to blame Frances Nelson and the Parole Board generally, everyone else was at fault. There were even questions raised about the police at the time, but we had no accountability back here in the parliament as to what actually occurred. We had promises by ministers that they would look into it and make sure the situation was remedied; they were going to change the law. We had all that chest beating.

We have had all those male hormones going ape over the need to do all this sort of thing; but we need some answers back here in the parliament to reassure the people of South Australia that when things have gone wrong, which could be remedied without even changing the law, we should know about it. We are entitled to know about it, and we need to have that reassurance.

I just want to place on the record that, whilst the former attorney-general has form in his explosive and, I think, more colourful than necessary descriptions but sometimes inaccurate public statements in his glory days as the attorney-general of this state—we are used to all of his carry on—it was disappointing to note on this issue at that time that the then minister for correctional services, who now sits before us, waged in on the act.

I hope that, by identifying this, the minister will take stock of this and, firstly, not take the lead from Mr Atkinson again, because he frequently gets things wrong, but, secondly, make sure that on such an important issue the information is right. On 14 July 2009, in answer to a question about the attorney-general's statements, which was: 'Does the buck stop with the Attorney-General, or are you trying to pass the buck?', minister Koutsantonis said:

Oh no, I'm not trying to pass the buck to anyone, look, I will be asking Frances Nelson and the Parole Board some very serious questions when I get a chance to meet them either today or tomorrow, the truth is, somewhere along the line the Parole Board has spectacularly let down the people of South Australia and the evidence of that is a siege at Yunta, this gentleman should not have been let on parole, it's completely obvious to me going through his case notes—

and I interrupt this quote to say that by this stage he had already read the case notes on this man—

that there's no reason he should have been on parole, he failed drug tests five times while on parole, at each and every stage of his parole he's failed a drug test, we notified the Parole Board and they didn't act, the only time they acted was when the police went and visited Mr Robinson's partner, found that he was missing and that he was carrying dangerous weapons...they then acted on advice from police, it seems to me the Parole Board has made a mistake and look it's a tough job being on the Parole Board, they get it right sometimes, they get it wrong sometimes, this is a chance that they got it wrong.

The grammar is not so brilliant, but I do not blame the minister for that; it is probably the recording of it. What is important in here is that he goes on to say:

I agree with everything that the Attorney has said, it might be time to freshen up the Parole Board, that doesn't necessarily mean sacking anyone, it could mean appointing new people...

What is important to note from this is that it seems that at that stage the minister had not yet met with the Chair of the Parole Board or members of the Parole Board but had flagged an indication that he was going to do so. He had read the notes of the file, and he had apparently been briefed from someone about what the police were reported to have done on previous breaches, and still got it wrong in advising the public on this.

There was no coming back into the parliament later to say, 'Well, look, actually we made a mistake on this. We have now investigated and is not actually right.' And he could still stand here and say, 'Well, look, I'm still of the view that even with all the information before them it was not a good decision to let him out—in hindsight.' He could still have had that view if he wanted to, but what he was completely ignoring is what happened then after the warrant was issued and there was non-attendance to the undertaking of that warrant. That is a direct responsibility of the police. That is a matter which I think we should have had reported back to us here.

If I am right in the information that I have received that there has been a change internally in relation to the police ensuring that they act on these warrants, I am thrilled, but I think the government should have the honesty to tell us that is what has been happening. Take credit for it if you want to; tell us if you instructed them to do it but, when you say that you are going look at these things carefully and you are going to look at all of the aspects that need to be fixed up and fix them, do not conveniently leave bits out. That is what I say. We still say that the Minister for Police should come into this house and tell us what happened in his investigation of this matter, or his predecessor if Mr Wright still had the conduct of this investigation at the time. However, as usual, we have bittersweet silence.

I return then to the government's effort to make sure cases like this did not happen again. This was just one of a number of cases at the time and in the lead-up to the election the details were brutally published in the papers and on the airwaves. We can all imagine why they were beaten up in that regard, but I have highlighted this particular case because the brutality was on some of the people of South Australia and indeed a police officer, and it needed to have attention and the public needed to be reassured.

Let us then go to what they came up with. Firstly, I am going to address the aspects of prison management. I do not think that the Shane Robinson case had anything to do with prison management; it is clearly part of the priority of this bill, which relates to the parole reforms. That is evident by the priority that minister Koutsantonis gave to it in his press release. However, I think it is important that we run through them and I will identify where there is some indication for change.

In relation to prison management, my understanding from the briefing was that there had been a number of recommendations from the Australian Crime Commission, which I think was essentially saying—and I am sure the minister will correct me if I am wrong—that there had been a general recommendation that the processes in the prison system needed to be more robust, that other jurisdictions had attended to this and that it seemed as though we were dragging the chain a bit and we needed to remedy that.

I accept that there had been some other inquiries at the time, and my recollection is that one of these legislative reforms came as a result of an ombudsman's inquiry. Members will know that the ombudsman, unfortunately for his office, receives probably the most number of complaints that they have to act on in South Australia from the department of corrections. Prisoners often write to the ombudsman, sometimes with relatively small complaints, such as that they had not been given three vegetables on their lunch plate or something and that they want to complain to the ombudsman that it is in breach of one of the guidelines in the prison rules, or that they had not got

their pocket money on time, or something. No doubt it is very important to the prisoner, but they are fairly small matters.

When we get our annual Ombudsman's report, we get a massive number of reports from the Department of Correctional Services which is quite disproportionate to the number of people in South Australia who utilise those services by being a prisoner. I think the second biggest area was health, but they now have their own health complaints commissioner, so they are out of the ombudsman's reports. Not surprisingly, the Department for Families and Communities—particularly from Housing Trust tenants—has one of the largest number of complainants to the ombudsman. Nevertheless, from time to time, there are things serious enough where the ombudsman's office feels that they need to publish a result from an inquiry or an investigation, and some of these reforms, as I understand it, came from them.

Other changes have come about because there has just been some embarrassing incident, I think for the minister particularly. The minister should not feel alone on this because ministers for correctional services over the years have always had a few challenges, I think it is fair to say. I can remember one minister for prisons, as it was then known, in the Tonkin government, created the headline of the day when he made a statement in relation to prisoners breaking out of the then facility at Yatala, which was of great concern to the metropolitan community.

The Hon. A. Koutsantonis interjecting:

Ms CHAPMAN: We will come to riots in a minute. On that occasion, the minister was, I think, so frustrated by the number of people who had escaped that he made the statement, 'Well, it's just like frogs jumping of a log.' Of course, that became the headline of the day as to how the poor minister was trying to manage the issue.

The current minister tells me that no-one has broken out of a prison in his time, and I do not think there have been any riots. I think minister Zollo was in charge at the time of the last major Port Augusta riot. So, it is not an easy job. I want to qualify that by saying that it is not easy. However, you would have to be at least not terribly alert to have a situation where you have not worked out that people in prison frequently have a drug or alcohol addiction and that they will try all sorts of things to get drugs into the prison, and tennis balls have been used for decades. This is not new.

People have played sport—ping-pong, football, you name it—and sporting equipment has gone back and forth over prison walls for as long as I know. It is not going to stop. It is always going to be the case that people who are addicted will make the effort to get access to drugs. Why? Most reasonably, because frequently they do not have access to any program in the prison to help them deal with their addiction, so this is something they will go to all lengths and expense to get access to. I do not doubt that the authorities are trying hard to deal with this matter on a daily basis. The searches, the checks that go on, are all important. However, one of the reforms here today, of the penalty for bringing in illicit drugs that are prohibited in a prison being increased from two to five years' imprisonment, which is more than in other areas, is probably a good thing.

We have a number of drug laws which provide much higher penalties for all sorts of places, including outside of schools and so on—obviously, for good reason. However, taking a controlled substance, drug or any prohibited item into a prison, such as any weapons and so on (there is a whole list of prohibited items), will attract a prison term of five years. I do not doubt, minister, that it is embarrassing when you have to answer to the fact that there has been a breach of security and drugs have got into the prison. Just a little tip: sports equipment, tennis balls included, has been used for decades and you need to keep a close eye on it.

The other aspect I want to refer to relates to the centralisation of responsibility in the chief executive officer. We have looked at that, and we have yet to see some of the changes that will be implemented in the new process. We do not have any objection to it, but we would want to see how that process will work. If transferring this direct responsibility from prison managers across to the CE has the benefit of making for a more efficient process, we would welcome that.

The issue of prison allowances is really a totally political proposal. When looking at the bill, members will know that at present the minister has responsibility for setting and reviewing the rate of prisoner allowances.

I think under minister Matthew, there was a new regime introduced which ensured that the allowances that were paid to prisoners would be the same if they went to school as if they were working at the prison. The philosophy behind that was that, because there is quite a lot of literacy

issues in prisons, the importance of giving people training and so on was to be recognised and rewarded. They were never going to get people to go into the school facilities if they were going to get paid more to put furniture together, or whatever the project was that was available to them under the union agreement about the work to be undertaken.

If they were going to get double to do that than if they went to the school in the prison, they would not go to school. I think that was an important initiative, and I certainly hope the government has maintained that because we need to do the best we can in the rehabilitation of prisoners while they are there, and they should be given as much incentive as possible. In any event, the amount overall paid to prisoners in this allowance was a ministerial decision.

We all know that out in the public world, generally, there is little sympathy for prisoners. In academic debates and presentations, the importance of rehabilitation and the recognition of the benefits that need to be looked at as a priority, as distinct from punishment, are all things that the average person in the community either has little interest in or, at least, has little sympathy for if it is seen as generous to prisoners. It does not surprise me that the minister wants to be a hundred miles away from the decision making on prisoner allowances because if he recommended, to himself, that he increased the allowance—

The Hon. A. Koutsantonis: To the Treasurer.

Ms CHAPMAN: —to the Treasurer—and that was accepted, then selling it to the public is not easy. The minister has already had to try to sell flat-screen televisions and all sorts of things for prisoners. Some of us here recognise that some of the services to prisoners are important. The priority on flat screens may be another matter and we do not need to debate that today, but it is important to understand that men, particularly, in our prison system—and it is mostly men—are sometimes confined to their cell for up to 20 hours a day and some activity needs to be undertaken, and that does include some entertainment and access to recreational activity, whether it is a book, DVD or whatever.

I digress a little, but this bill proposes that the chief executive will take over responsibility for prisoner allowances. They have not been increased I think for 20 years or so, according to the work done by the Hon. Stephen Wade in researching this, and we know that there are no votes in it. The public does not give a tink about it and therefore the easy way is to hand it over to the chief executive and he can be the one to go out to the public and say, 'It is reasonable for prisoners, just like everyone else, to have a small increment from time to time in their allowance to ensure that they have some reasonable funds with which to buy their personal effects.' It is a long time since I have been to the prison canteen at Yatala but the member for Hammond has a prison in his electorate.

Mr van Holst Pellekaan: Two in Stuart.

Ms CHAPMAN: Two in Stuart, yes. Port Augusta and where?

Mr van Holst Pellekaan: Cadell.

Ms CHAPMAN: Cadell, of course. Yes, I was thinking that was in Schubert. The member for Hammond, of course, has the Mobilong facility which I think was established in the 1980s, if my memory serves me correctly, and that has been an important lower security prison for reform in this state. Of course, his electorate was to get another big, swanky prison a few years ago—

Mr Pederick: In 2006.

Ms CHAPMAN: —in 2006, he tells me—and, of course, that was shelved. I remember that they were going to remove and relocate James Nash House and all sorts of other things. There were some aspects of that redevelopment that were completely unacceptable. To relocate the psychiatric services of James Nash House down to Murray Bridge was totally in error in any judgement of any qualified person who was looking after the health and wellbeing of our prison population who clearly were not fit to plead and who needed to have special services.

I for one was pleased that, when the prison did not go ahead and they ran out of money or something, they were going to abandon that part of it, because the health professionals, the nursing and medical people, were saying, 'There's no way that we can service the clients that we have in the metropolitan area and go back and forth down to the prison service that they want to relocate to Murray Bridge.' In any event, I am sure that the member for Hammond will remind the government that there is still plenty of land down there for a purpose-built facility. If that is going to be a place for the future detention of our medium-level secure prisoners, then I am sure that he will

be able to accommodate it; and that, if there is going to be a facility for high-level security prisoners, he will easily bring it in.

In fact, the way that the Zoo is going at the moment they will probably have some space out at Monarto as well. No doubt after the pandas fail to reproduce—in any event, we do not get to keep the panda offspring, do we? They have to go back to China. That was an agistment deal that came from hell, wasn't it? But, anyway, let us assume that, even if Monarto is able to be salvaged in the Zoo's current predicament and it is not available, there is still plenty of other area down there on which that facility can be built.

Anyway, again, I digress. The other aspect that is going to be transferred to the chief executive is the repayment rates that are to be made under the victims of crime levy. Very briefly, members will be aware that, when you are convicted of an offence, there are a number of penalties that can apply, including prison, fines and so on, but there is often a victims of crime levy, which the offender, once convicted, is directed to pay.

If you are not in prison, of course that is something that is done over a period of time directly to the courts authority. If you are a prisoner, this is something that needs to be supervised while you are in prison, and it is proposed that the chief executive is to assume responsibility for setting the repayment rates, that is, whether it is to be \$1, \$2 a week, or whatever, for that payment.

Another issue relates to payments to prisoners from released prisoners. The situation here is that prisoners who have been released for a period of 12 months after their release cannot pay money into the bank account of a member of the current prison population without permission of the chief executive under a proposal in this bill. What happens is that there is seen to be quite a few deals that are done in prison, and some of them are not very appropriate—some of them are illegal.

In an attempt to crack down on the application of these being undertaken (sometimes they involve blackmail, and the like), if the power is given to the chief executive to stop there being the depositing of any money into an account, then that is something that is a tool that the chief executive says that he needs to have and we will support it.

With respect to the provision of items for personal use or consumption, it is proposed that the chief executive set prices for the sale of personal items for personal use or consumption. As I say, there is a sort of canteen facility. There are only certain things you can buy. You cannot buy a gun, a file, or anything else in prison, but you can buy deodorant, chocolate and cigarettes—not cigarettes any more I do not think—

The Hon. A. Koutsantonis interjecting:

Ms CHAPMAN: Still cigarettes? Yes, in an adult prison, but not out at Cavan, I might say, the children's prison. In any event, there is a price setting necessary for that. It is an interesting analogy. I think that we are dealing with APY lands and the cost of all their produce on there. In any event, at present, having set the price, any profit can be placed into the Prisoner Amenity Account, which is ultimately then available for the benefit of all prisoners.

Next we come to visitor identification. Again, this is a mechanism for management of the prisons. It is proposed that visitors who come in to see prisoners must do a number of things: they have to provide evidence of identity; they must not touch a prisoner unless it is part of a program approved by the chief executive; a released prisoner must not visit another prisoner within 12 months of release (for the same reasons that they cannot put money in their ex-cellmate's bank account); and a prisoner who has been convicted of a sexual offence must not be visited by a person under the age of 16 years without approval from the chief executive.

In terms of that last one, the Liberal Party considers that it needs some amendment. We think that, where there has been any evidence of domestic violence, then a victim up to the age of 18 years old should also be protected, for the same reason as in the sexual offence clause. The Parole Board has discussed that with us, and we think it is very important. Members will be aware that there is a Domestic Violence Act, which is an interesting analogy to the bill before us, because that was passed some time ago. Significant amendments were passed some time ago to give the police all sorts of powers under that act, and 2½ or so years later we still do not even have any regulations to complete the application of that act.

I was told, originally, that having progressed that bill through the parliament they needed to train up officers and various things, and one would expect that that would need to be done.

However, because we were one of the last states to implement extra provision for protection of domestic abuse victims following the Maurine Pyke inquiry and report, it is disappointing that that has not come into effect.

So, whilst we put a number of amendments to that act which were not accepted by the government, in short there was a very substantial increase in the definition of 'domestic violence'. Significantly, there were a number of personnel, including police officers, who were given what we would describe as quasi-judicial power to issue domestic violence orders and to use the injunction power to protect victims.

The other aspect that has been raised with us, by the Aboriginal Legal Rights Movement, is whether this would adversely affect Aboriginal people who often do not carry the usual identification documents with them. If you were the person organised to visit the party in question—the wife or sister or whoever—you would probably think to take your documentation with you. However, as the minister may appreciate, there is a very significant profile of Aboriginal people in the prison population, as a percentage. Not surprisingly, therefore, the visiting population can also often be Aboriginal.

If a spouse travels to visit somebody, they may travel with other family members who do not intend to go and visit the prisoner but were to be the driver, for example. Subsequently, they might want to see the prisoner and do not have the requisite documents, etc. That is one situation where we would ask that some discretion be given to the chief executive in imposing this new level of restrictions. So, some flexibility is needed there.

As to letters sent by prisoners, members would be aware (probably because they get letters from prisoners themselves) that correspondence between prisoners and members of parliament is one example of a number of specific parties who are protected against the authorities reading such correspondence. Members of parliament, a visiting tribunal, the Ombudsman, inspectors—any correspondence between such parties, including legal practitioners of the prisoner, are exempt.

So, your mail cannot be read, interfered with and opened by correctional staff. Again, there can be some exceptions to that if they think there is a bomb in it or illicit drugs, and various things, but, in any event, the proposal here is that we add to that the Health and Community Services Complaints Commissioner. I briefly mentioned that new role that has recently been added; it carries out functions similar to the Ombudsman so, of course, it should be included.

The other aspect, though, of the communications by prisoners is to provide in this bill for the chief executive to monitor the communications of prisoners except where it is between the prisoner and the parties that I have referred to and that the chief executive must authorise any monitoring in advance. Any information that is intercepted that reveals information about an offence must be referred to the police commissioner, and in this instance the bill defines the communication as speech, music or other sounds, data, text, visual images, signals, or any combination of the above.

Of course, the minister says that significant monitoring already takes place under the general practice within the prison and that this is really to ensure that there is no abuse of this or challenge that it needs to be in the legislation. It always worries me when I hear that we need something in legislation and then we find out that, actually, it is already happening anyway and sometimes it has been happening for years.

Sometimes that can happen because everyone assumes that it is going to be okay and that it is within the normal operations, in this instance of the powers of the chief executive of a prison. Then someone does challenge it and then we need to fix it up but, in this instance, there has not been any challenge, to the best of my knowledge. They have just thought, 'Well, this is something that we need to follow up,' and yet we did not even know that it was going on. In any event, that is what the minister claims.

There has been the Law Society recommendation for an amendment that essentially would mean that prisoners would have to be notified in advance if their communications were going to be monitored—which is consistent with what the minister suggests in his contribution to the second reading—but that should be explicit, and the bill should also be amended to include a person 'acting in the capacity of a legal representative' to include lawyers who have not yet been engaged by the prisoner as their representative but who are considering whether they take the prisoner's case.

Again, if we are going to formalise all this, we have to do it properly, so the legal practitioner of the prisoner may not actually be the legal practitioner at the time of that first interview or those first communications and therefore technically could be avoided by the chief executive in being able to monitor that correspondence. I do not think that was even the minister's intention. We want this sorted out so that there are the same exemption entities that are under section 33(7).

The prison penalty for drugs that are taken into prisons is to be increased; I think I have adequately referred to this issue in opening remarks. The supply of prisoner health information between departments is one of those things that sounds quite good at first blush, but I think that the drafting here is inadequate to provide the necessary protections. Essentially the bill will compel the chief executive who is responsible for the administration of the Health Care Act and the Mental Health Act to disclose personal information about a prisoner as is reasonably required for the treatment, care or rehabilitation of the prisoner.

The definition of personal information is 'information or opinion, whether true or not'. We think that is sloppy and we think that it could introduce a situation where that could be abused. Our recommendation in the amendment will be to add a requirement to tighten this up so that the chief executive officer must have formed the belief, on the balance of probabilities, that the information provided is true. It just adds a threshold, which we think is necessary. There may be other aspects which, when the minister turns his mind to this, could add to the tightening of that. We are happy to look at it, but it needs to be done.

Then there is the extension of the search powers to all institutional land, and the defining of the area of a correctional institution is proposed to be 'all of the land identified in a proclamation under section 18(1) related to the institution'. That means essentially that the search powers of the relevant officers can be extended to the car park. Sometimes there are gardens and other things outside correctional facilities. I am trying to think what would still be operational at Yatala outside the main walls—probably not very much because I think they have sold off most of the land out there.

The women's prison expanded to take in the old debtors' prisons, so they probably have access to more land. I think some of the life-imprisoned women there—usually for killing their husband, or a child, sadly—are in the debtors' cottages at the back, which used to be available for people who refused to pay their fines and were imprisoned under the old 10-day orders. Many of those have been converted into units for the life-imprisoned women. Essentially this will, by prescription, identify areas that are broader and would enable the searches to take place, which seems to be a sensible amendment. We would be relying on the minister at least to be sensible, and I think in this instance he could do little damage.

We then have the release of a prisoner to police for questioning. This starts to raise a few aspects which are concerning and which stakeholders such as the Law Society and the ALRM strongly oppose. In essence at present, if a prisoner is suspected of having committed an offence or been charged with an offence, the manager of the correctional institution must, at the request of the police, release the prisoner into the custody of that member of the police force for the purpose of investigation, obtaining evidence or identifying the prisoner as the person who committed the offence. That is the current law. The bill, however, proposes to add an additional category of prisoner 'having knowledge or information that might assist in the prevention or investigation of an offence'.

I am sure other members would be alert to the expansion of this as presenting a threshold that would be far too low for the protection of prisoners. It separates off, so instead of the prisoner being someone who is suspected of committing an offence or being party to that, we are really talking about any other intelligence about other offences. This would simply allow the police to request custody of a prisoner for the purpose of an informant, a witness or a whistleblower, and we say that one way of managing this, to take into account the intent of this reform, is to have a threshold which could have added—and our amendment will reflect this—'suspicion on reasonable grounds'. We think that would help in that area.

I now come to parole management, because this really is the thrust of the government's energy in making its announcements about the reform in this legislation. We do not make a criticism of the government or the minister attempting to review or tighten up any agency under its jurisdiction from time to time; that is important. How the Parole Board operates, how its appointments are made and what powers it has, what they are paid, all those things in respect of any agency that is carrying out what is, in this case, a difficult task, needs to be reviewed, and we accept that.

However, what is concerning is that these reviews have, seemingly, only come in the life of this government when there has been some problem, rather than there being some regular review. Certainly, in the last nine years I have received a number of requests by the Parole Board—in particular, the chief executive of the Parole Board, but they report to this parliament each year as well—regarding recommendations they have made about initiatives the government should consider.

Whilst I entirely accept that the government, the executive, can make decisions about whether it brings in legislation to reform these things, when they are put up by boards such as the Parole Board, it is disappointing to note that there have been a lot of them over the years which have, I think, been ignored and not picked up. Yet when there is a disaster out in the community, the government comes back in with a proposal that is supposed to look tough, that will be protective, and all that. In fact, we would say it has probably gone too far; certainly, it has introduced a bill with aspects that will cause more trouble than the ill it is trying to remedy.

I start with the parole reports through the chief executive. One of the important things the Parole Board looks at when it reviews a prisoner is how the prisoner has behaved in prison, what they have done and what they have failed to do, whether they have completed tasks, or have been of good behaviour or have caused any friction or had disputes with other prisoners; all that type of information is very important. Members may be aware that at present, in essence, the community corrections officers provide this information to the Parole Board. The government's proposed amendment is that the chief executive would provide these reports.

My understanding of the rationale for this is that prisoners are frequently in more than one institution, and if they have been in multiple institutions during the period of their confinement it would be more practicable for the chief executive to do it. Of course, he or she would have to collate all this from the people on the ground, and perhaps provide some summary. There is some prisoner movement—sometimes it is necessary because they are going to a lower area of security or because not all institutions provide services or programs for rehabilitation.

If someone were at Port Augusta prison, for instance, and needed to have access to a domestic violence program that is not provided there but is provided at the Port Lincoln facility, or at the Cadell facility, and the level of security were still adequate, then they could be transferred. I think they can still sometimes be transferred because of compassionate grounds—at least I hope they still can be—when other family members or dependents move, and there is an important aspect of rehabilitation in having family close by so that they can assist in pre-release programs, etc. So there are lots of good reasons why prisoners are moved around.

The opposition takes the view that we should continue with the current system because the community corrections officers are the people on the ground, the ones making the assessments, recording the information and providing it directly to the Parole Board. We see that as important. That is direct information from them, and is far more helpful than some condensed or summarised position from the chief executive, who may not have had any personal connection with the prisoner other than to note that they exist in the system. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

[Sitting suspended from 13:00 to 14:00]

COMMERCIAL ARBITRATION BILL

His Excellency the Governor assented to the bill.

ELECTRICAL PRODUCTS (ENERGY PRODUCTS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

EVIDENCE (DISCREDITABLE CONDUCT) AMENDMENT BILL

His Excellency the Governor assented to the bill.

DEVELOPMENT (BUILDING RULES CONSENT—DISABILITY ACCESS) AMENDMENT BILL

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (DIRECTORS' LIABILITY) BILL

His Excellency the Governor assented to the bill.

VISITORS

The SPEAKER: I draw members' attention to the presence in the gallery of a group of students from Highgate Primary School, years 3 to 7. Welcome to parliament. It's nice to see you here. I think you are guests of the member for Unley. Also, I think there is a group of students here from the Adelaide Secondary School, years 8 to 10, who are guests of the member for Croydon. We also have a group from Pembroke School, years 11 to 12, who are guests of the Minister for Aboriginal Affairs and Reconciliation. I am not sure if I have missed any. There was a group from Adelaide Secondary School here earlier today, years 11 to 12. Welcome also to Woodcroft College, years 11 and 12. It is really good to see young people here in our chamber. I am sure our members will be very well behaved.

MULLIGHAN, MR E.P.

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:05): I move:

That the House of Assembly expresses its deep regret at the death of the Hon. Edward Picton (better known as Ted) Mullighan, a former Supreme Court judge, independent commissioner and champion of reconciliation, and places on record its appreciation of his meritorious service to our state's legal and justice system, and that as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

It was with great sadness that I learned 11 days ago of the passing of Ted Mullighan, who died after a lengthy illness on 16 September, aged 72. Ted Mullighan made an enormous contribution to our state as a lawyer, as a judge, as a mentor, and as a humanitarian. He championed the cause of Aboriginal reconciliation amongst his peers in the judiciary and throughout the broader community. Through his work as commissioner leading the government's inquiries into the treatment of children in state care and of children on the APY lands, he undertook some of the most wrenching and challenging investigations in our state's recent history.

It was Ted's ability to win the trust and the confidence of people who had suffered the most harrowing abuse, thereby enabling them to tell their stories, that set him apart as a man of undisputed integrity and character. He is remembered by all who knew him as a thoroughly decent, fair and compassionate man, and these traits were eulogised and celebrated at last Friday's state funeral at St Peter's Cathedral, attended by so many of Ted's family, friends, colleagues and admirers, including many former and present members of parliament.

Ted Mullighan was born on 25 March 1939, just months before Europe descended into war. In his school years, during which he attended Pulteney Grammar, his interests were focused as much on the sporting field, in particular football and cricket, as they were on the classroom. It was during this time that his lifelong passion for the Port Adelaide Football Club, the Magpies, and then later the Power, was born. He was also a man with a deep love of cricket.

In 1956, the year that the Olympics first came to Australia, Ted began law studies at the University of Adelaide. In 1962 he was admitted to practise law, soon establishing himself, among other credentials, as South Australia's foremost family law practitioner. In 1978 he was appointed a Queen's Counsel and also began his two-year term as president of the Law Society of South Australia.

Over the next decade, Ted's work included a role as counsel assisting at a total of six royal commissions, including as counsel for victims of the 1983 Ash Wednesday bushfires as they sought compensation. In 1989 he was appointed a judge of the Supreme Court of South Australia, a position he held with distinction until his retirement in 2004.

While I had met Ted Mullighan on a number of previous occasions, my first opportunity to watch him in action came in 1993. It was during a period when there was real concern in the northern suburbs about local crime and about sentencing. I wrote to the then Chief Justice Len King, asking whether it would be possible for a judge or a magistrate to attend and address a public meeting in Salisbury that would be attended by many local citizens, including people from various neighbourhood watch groups. To my pleasant surprise, Len King replied that a magistrate and a Supreme Court justice would be available to attend. Ted Mullighan was the judge.

I was concerned that the meeting might prove difficult, as a number of people who were coming were victims of crime who were extremely angry about law and order issues, but I soon realised that I had no need to be afraid. Ted told stories and the audience listened. He outlined to the meeting a range of scenarios that a jury and a judge might face—issues that would be raised in

court, and would then be considered in sentencing, but would never be included in any media coverage.

By his putting the audience in his own shoes, and by citing examples of specific cases, people began to see things differently. Instead of an angry response, there was a terrific and positive dialogue from which he won sustained applause. Ted's integrity, his decency, his strength, his warmth and his wisdom had won through. I think it spoke volumes for his qualities as a communicator and as a man.

Through his manner, as well as his acumen, he was able, in his quiet, dignified way, to reassure and to educate. It was this compelling blend of understanding and authority that led the government to specifically appoint Ted Mullighan to oversee what was to prove arguably his most complex and sensitive assignment—the inquiry into the treatment of hundreds and hundreds of children who had suffered the worst imaginable abuse while in state care.

The respectful way he approached these delicate tasks helped people living with unimaginable pain to tell their stories, often for the very first time, without fear of judgement, without fear of recrimination—the process through which a number of victims, simply by being heard, were finally able to take the first difficult steps in the healing process. One by one, people who had suffered the most terrible abuse told me how Ted Mullighan had helped them.

Ted brought the very same qualities and diligence to the role he assumed in 2007 as commissioner for the inquiry into the treatment of children on the APY lands. For this contribution, and for his other outstanding work, our state owes Ted Mullighan a great debt. He was a man whose profession was the law but whose passion, and whose very being, was justice.

The many complementary facts of Ted Mullighan's rich and rewarding life were poignantly detailed at last Friday's state funeral. Lindy Powell QC spoke about the enormous respect that Ted maintained amongst our legal profession, of his tireless commitment to mentoring and encouraging aspiring young lawyers. She also highlighted his unwavering courtesy and decency towards his fellow practitioners and to witnesses and then, as a judge, to all who came before his court.

His invaluable contribution to our legal process was recognised with a number of awards and honours over the years. Among them are the Human Rights and Equal Opportunity Commission's Law Award that Ted received in 2003 for his work with Aboriginal people. That citation recognises his active role in nominating Aboriginal justices of the peace, in supporting a number of innovations in the sentencing of Aboriginal defendants and in his careful examination of traditional Aboriginal methods of dealing with offenders.

During his 10-year tenure as chair of the Law Society of South Australia's Advocacy Group, Ted was also instrumental in establishing advocacy training programs, and he played a vital role in helping and inspiring instructors and young advocates to develop and enhance their skills. In 2008, he became just the second person—the first being a Victorian Supreme Court judge and human rights advocate, Lex Lasry—to receive the Law Council of Australia's annual President's Medal for providing 'outstanding service to the legal profession'.

At last Friday's funeral service, Jenny Turner, who worked alongside Ted Mullighan during the inquiry into Children in State Care, spoke of the dedication and resolve that Ted brought to this most confronting assignment, an investigation where Ted himself was moved to note in his final report how:

Nothing prepared me for the foul undercurrent of society revealed in the evidence to the inquiry.

He goes on to say:

Not my life in the community or my work in the law, as a practitioner and a judge.

He went on to say:

I feel a deep sense of privilege and responsibility at having been entrusted with the disclosure of people's most painful memories. The courage and strength they showed is something that must never be forgotten.

Ted Mullighan was also a devoted and loving family man, and the closeness of that bond was also detailed at Friday's funeral service by his elder son James, who spoke with great tenderness and warm-hearted humour about a lifetime of treasured memories. It was Ted Mullighan's inherent decency and integrity as well as the dedication and the commitment he showed to his family, to his profession and to the wider community that ensure he will be remembered as an outstanding role model, a gentleman, and an inspiration.

On behalf of all members of this side of the house and on behalf of the people of South Australia I want to extend my deepest condolences to Ted's loving wife Jan, to his sons James, Charles, Paul, David and Stephen, to his extended family and to his many friends, colleagues and admirers.

Honourable members: Hear, hear!

Mrs REDMOND (Heysen—Leader of the Opposition) (14:17): I rise to second the motion. The Hon. Edward Picton Mullighan QC was born on 25 March 1939, and died on 16 September 2011 at the age just of 72, having served as one of the state's most respected and influential lawmakers whose compassion and dedication touched many South Australians.

Ted's funeral opened with an Aboriginal smoking ceremony and closed with bagpipes playing the *Majestic Highland Cathedral* and the ringing of the Cathedral bells. They were all strong signals of Ted's life, the diversity of his achievements and the huge number of people whom he had touched.

Ted commenced his law degree at Adelaide University in 1956 and was admitted to practice in 1962. What was to become an illustrious and distinguished career had only just begun. By 1978 he had been appointed Queen's Counsel and named as president of the Law Society. Having been involved in many landmark cases, including acting as counsel assisting the inquiry into the Ash Wednesday fires of 1983, Ted's outstanding work was recognised in 1989 when he was appointed to the bench of the Supreme Court. Ted's focus on rehabilitation over punishment often set him apart from his colleagues. He said:

I trust that the community will not always want to pursue the relentless goal of increasing punishment as a way of fixing society's current problems. I would very much like to work with offenders and help them realise the effects they have had on victims of their crimes.

But for all the serious work on the bench, Ted also had a wonderful sense of humour. Ted had a very whimsical wit. I well remember attending one of the wonderful medico-legal conferences many years ago when Ted, as guest speaker, thoroughly entertained all those present simply by reading through various articles from that day's paper and adding his own comments and observations. I am a sucker for such observational humour. If satire is the lowest form of wit, observational humour, which takes the mundane and everyday and lets us see it in a new and funny light, is surely the highest, and Ted was a master of it.

In 2003 he was awarded a Human Rights Law Award for his work in promoting the rights of Aboriginal people within the South Australian legal system. He worked tirelessly, advocated for Aboriginal court interpreters, examined traditional Aboriginal ways of dealing with offenders, and supported innovations in the sentencing of Aboriginal defendants. Ted took early retirement from the Supreme Court in 2004 in order to take on what was to become one of his greatest personal challenges: he became the commissioner of the inquiries into Children in State Care and the inquiry into Children on APY lands.

It was only at this point that I first began to get to know Ted Mullighan, not as a lawyer but in my role as the newly-appointed shadow minister for families and communities. Although Ted already had a wonderful reputation as an excellent lawyer and a mentor of great humour and patience, it was in this new role that his compassion and understanding really shone like a beacon to the wider community.

Ted interviewed 800 abused people, criss-crossing the state to wherever he felt they would be most comfortable. Each of those interviews must have taken a huge toll on Ted as he listened to the painful stories that some victims revealed for the very first time. No-one was rushed. Everyone was given all the time they needed. He examined more than 40 years worth of alleged sex abuse, and in April 2008 he tabled before parliament a 600-page report.

Throughout his time as Commissioner into Children in State Care and on the APY lands Ted always took great pains to ensure that, as the opposition spokesperson, I was thoroughly briefed and given access to as much information as I wanted. He made a point of contacting me regularly and meeting with me in person, along with his senior staff, to impart, to the extent that that was possible, a sense of the nature of the work that the commission was undertaking: work which I know was often harrowing and personally draining, because he gave so much of himself to each and every person who sought to have their voice heard.

I certainly have a clear sense of the importance of Ted's work, not just in unearthing long-buried secrets and giving people a chance of feeling that they could at last seek justice, but

probably more importantly in giving people a sense that at last their voices were being heard. More than anything else, Ted's ability to truly listen to these people's stories gave them a sense of healing and closure. It was an extraordinary effort and I am not sure that anyone apart from Ted could have fulfilled it quite so well.

Ted's distinguished career was recognised most recently when he received the Law Council's Presidents Medal for outstanding service to the law in 2008. Despite all his accolades, Ted remained a humble man. After being contacted by *Who's Who* for his biography, he said:

They contacted me but I wouldn't be part of it. I was told it was for the elite and that it included all the important people in Australia. Everyone is important and I did not want to be named in any elitist publication.

Ted was a man of many dimensions: a strong supporter of the Port Adelaide Football Club, having grown up on the Lefevre Peninsula and attending Largs Bay Primary School. He was also a legendary cricketer at Pulteney Grammar as captain of their first XI and went on to play more than four decades in the old scholars side. Indeed, the Pulteney Grammar School flag was on display at his funeral.

It might seem a strange combination but, in addition to his sporting prowess, Ted was also an excellent cook of tomato sauce and jams in particular. Indeed, I got to know Ted's jams before I got to know Ted. I had the good fortune to stay at a friend's house in Louth Bay near Port Lincoln for some holidays many years ago and the house was always stocked with life's necessities, such as tea, coffee, sugar, milk, cereal and various spreads for the toast. The deal was you could use whatever you wanted as long as you replaced it, and we used the jam, only being told later that it was very honourable jam, having been made by the eminent Justice Mullighan.

More than anything else though, Ted was a family man. His wonderful wife Jan, head of the clan Campbell, and his equally wonderful sons—James, Charles, Paul, David and Stephen—were the most important things in his life. They were the anchor that gave him the strength to do the important work he did, especially the arduous work as commissioner in his later years. The deep sense of loss felt by the wider community at Ted's passing must be magnified a thousandfold for his family. On behalf of the Liberal opposition, I express my sincere condolences to Jan and all the boys, and their wider family.

An avid reader, Ted named Charles Dickens as one of his heroes, and Dickens said, 'Have a heart that never hardens, and a temper that never tires, and a touch that never hurts.' Ted's heart not only did not harden, it grew bigger and more embracing as he travelled through life's journey; his touch not only never hurt, it actually healed many. He had a profound effect on our state and he will be sadly missed. I commend the motion to the house.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (14:24): I would like to say a few words about the Hon. Ted Mullighan, and in saying them I am focusing in particular on his marvellous career in the law. Ted was a fantastic mentor to many young lawyers, and those who attended the funeral service last week could not help but have been impressed by the words of Lindy Powell when she spoke with some passion about the assistance and the inspiration that Ted offered to young lawyers throughout his career.

He was also an outstanding contributor to the Law Society of South Australia. Again, members of this place should appreciate that the work of the Law Society by its members is entirely voluntary and some people contribute far more than others, and throughout his career Ted was a very, very significant contributor to the Law Society of South Australia and, through the Law Society, to the administration of justice in this state.

His period of time as a barrister and a silk are well known, and, of course, he was an outstanding tribute to both the courts and the legal system in South Australia in those roles. After coming to the court, he continued to demonstrate the same personal qualities which had distinguished him as a practitioner, and I can say that having appeared in his court. In particular, I recall in one case where all the parties to the proceedings—and I can assure members there were a great many—were people for whom English was at least a third (if not fourth) language and who had absolutely no idea what was going on in front of them.

Nevertheless, the way the judge, Ted Mullighan, handled that case was an absolutely outstanding example of compassion in the sense that he did not form any swift judgements about

any of the various characters he had arraigned before him—and that could have been very easy, I might say. He had enormous patience, forbearance, wisdom and overall tremendous courtesy.

I recall shortly after being elected to this place, when I had no particular role in relation to the justice system, receiving a telephone call from Ted asking whether he could come down and have a chat to me about his interest in restorative justice, and we spent some time talking about that. His passion for restorative justice was absolutely genuine and something that I do not believe ever left him.

The children in state care work which he did is something that is a landmark in South Australia and something about which I am sure none of us need to hear any more from me. I would like to say that the South Australian community in losing Ted Mullighan has suffered a tremendous loss. Individuals of his kind come along very infrequently, and the fabric of the community is always diminished by their loss.

Of course, the loss to our community of Ted Mullighan is insignificant compared with the loss that it represents to his family, and I would also like to extend my particular personal condolences to Jan, James, Charles, Paul, David and Stephen to whom I personally attribute my success, such as it is in politics, because he was one of my first ever employees and he set me on the right path. So, thank you very much, Stephen. We are really today celebrating the life of an extraordinary South Australian, an extraordinary man, and you will have to wait a very long time to have another Ted Mullighan.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (14:28): Like so many South Australians, I was deeply saddened to learn of the passing of the Hon. Edward Picton Mullighan QC on Friday 16 September. Ted was, of course, an extraordinary man. He made a lifelong commitment to the service of the state exemplified by his decision to retire early from the Supreme Court to accept the commission of inquiry into sexual abuse of children in care, and I will say a little more about that in a moment.

I just want to remark upon his legal career. Lindy Powell QC eulogised about this and spoke of his great capacity for mentoring young lawyers, and I certainly witnessed this in his courtroom. I can remember on one occasion a young lawyer was making a submission about an interlocutory matter, and it had been disposed of against his interests. He then had to make a submission, which sort of amounted to, 'Can you quickly prepare your reasons and give me a copy of the transcript because we want to appeal it?' Now, that generally does not go down very well with the judge because it is a bit of an implication that they are a bit of a dill, but the young lawyer in question did it very elegantly and politely and, classically, Ted congratulated him on the way in which he had done that. I can imagine other judges taking an entirely different course.

As I was listening to Lindy Powell—I do not know whether she remembers it—but I certainly remember a High Court dinner when the High Court was in town, and they got all the lawyers together, and I think Ted was master of ceremonies. Lindy had just been the first female president of the Law Society, and Ted congratulated her and said that it was an extraordinary period of presidency and that she'd undertaken and discharged her functions with great skill and capacity. He then went on to say that it was a such a success that we should try it again in another 100 years—so Ted had a great wit and entertained many of us.

I got to know him very well in the course of the commission of inquiry into state care and the APY Lands. I, like the Leader of the Opposition, was given the benefit of many briefings about his work, and it was wonderful to see the way in which he carried out his work. Our meetings usually commenced with an analysis of the previous weekend's results for Port Power and sharing our views about how they could be better coached, and then we quickly got down to the work of talking about this most important inquiry. What came across from Ted was that he understood that the process of the inquiry was as important as the things that he was going to recommend.

He understood that he was engaged in a process of healing for many of these people, some of whom were in advanced years, some of whom were quite young, but all of whom had suffered abuse in care and were suffering the consequences of that. Ted also understood that he was listening to people who had sometimes tried to tell their stories to somebody else and had had that story utterly disrespected. Sometimes this was for reasons which were understandable: they were quizzed by lawyers and police officers for the purposes of seeing whether their evidence would stand up, not in a cruel way, but the effect of it was that they were feeling essentially re-abused by the process that was set up to help them.

He understood that, and he understood that his inquiry was a way in which they were going to be able to tell in a full way their story that they had not had the opportunity to tell before. Of course, that meant that he was dealing with many people who were not only suffering the loss in all of what had happened to them but also had a deep distrust of authority and so, for many of his interviews, he had to endure hours and hours of people shouting at him before he could begin the process of listening to them. They were testing whether he was somebody worth allowing their story to be told to, and they all were able to satisfy themselves that, of course, he was.

The stories of the people he helped were extraordinary. Ted understood that the process of telling a story was a way in which people could then begin to take back charge of their own lives, and many of them did that. One woman poignantly said to me that before the inquiry her children saw her as somebody who just could not cope, somebody who was hopeless. After the inquiry, they saw her as a strong person, somebody who had endured and survived. So, he had permitted her to retell her story of her life in a way which has now meant that she has recaptured her life. Her life is now a much better life because of the way in which Ted listened to her.

Ted will be sadly missed by that massive community of people that he helped. He should still be here to listen to their stories and see how their lives have changed, and he should still be around to have lunch with his mates, and he should still be around to be with his family. It was one of the most beautiful funeral services that I have ever attended, and I hope it was some comfort to the family. My condolences go to Jan, James, Charles, Paul, David, Stephen and the rest of the family.

The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (14:34): I, too, would like to rise briefly to make a contribution as a sign of respect in memory of Justice Edward (Ted) Mullighan. I do note that over the past few months we have risen in this house to remember and say farewell to a number of very strong leaders and activists in particular for Aboriginal people and the rights of Aboriginal people—people like Len King, Elliot Johnson not that long ago and, of course, Matt Rigney also.

It does serve as a very powerful reminder of the very strong convictions and dedication of so many in our community, Aboriginal and non-Aboriginal, who wish to right the wrongs committed against Aboriginal people and, in doing so, remove the barriers. I had the privilege of getting to know him a little when I was working for minister Weatherill, and there is no question that Ted Mullighan was no exception.

He was and will continue to be for a very long time a very respected champion of Aboriginal affairs and reconciliation. From the nineties, Justice Mullighan promoted cultural awareness within the judiciary and magistracy in South Australia and supported innovation in the sentencing of Aboriginal offenders. As a former co-chair of Reconciliation SA from 2003-04, he championed the cause of reconciliation amongst his peers and within the wider community.

Mark Waters, the current State Manager of Reconciliation SA, remarked that he was a leader who built networks and the profile of the organisation and that, although he was a man of huge intellect, he understood the importance of listening, consulting and working towards consensus. I do not think anybody in this place would disagree with that analysis.

He also very clearly knew that understanding the importance of culture and country was paramount to achieving the goals of reconciliation and understanding in relation to Aboriginal affairs. He nominated Aboriginal justices of the peace, studied and considered the traditional Aboriginal ways of dealing with offences, fought for the increased use of Aboriginal court interpreters and promoted models of restorative and community justice.

Clearly he will be forever remembered for his outstanding role in the Inquiry into Children in State Care and then the inquiry into children in the APY lands. We can only imagine, as minister Weatherill has alluded to, what an arduous, draining and challenging task it must have been for him at a very personal level but, through the bleakness, Justice Mullighan did see a brighter future and, at the conclusion of the inquiry, he stated:

I feel a deep sense of privilege and responsibility at having been entrusted with the disclosures of people's most painful memories. The courage and strength they showed is something that must never be forgotten.

The extensive recommendations from his inquiries have seen unprecedented increases in permanent policing and social services for people living on the APY lands—increases in health

services, compulsory school attendance, mandatory notification training and the list goes on. There is no question that he approached his work with great conviction, compassion and effectiveness.

When questioned about the effect the inquiry had on him, he said that of all the possible emotions he experienced the greatest by far was sadness. However, Justice Mullighan used this sadness, I think, to strengthen his resolve and his commitment to social justice, reconciliation and improving the rights of Aboriginal people. I join the house in acknowledging his enormous contribution to our community. I extend my condolences to his wife and boys, and I am certain that his legacy will live for a very long time.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (14:38): As we have heard, Justice Mullighan had a very eminent professional life, but I venture to say that the biggest challenge he faced in his career was when he accepted the important role of Commissioner of the Inquiry into Children in State Care.

Through his commissions into the Inquiry into Children in State Care, and later the abuse of children on the APY lands, Justice Mullighan uncovered many heart-wrenching stories of abuse, and I think it is fair to say that no-one could have imagined the extent of the abuse uncovered. He gave victims who had suffered the most horrendous mistreatment a voice and a chance to tell their story. For the first time, people felt like someone actually listened to them and believed what they had to say.

Inquiries like these are never easy, and working with people and hearing their stories must have been a most horrendously devastating experience, but Justice Mullighan undertook a task that has resulted in far greater community awareness as well as fundamental changes in attitudes and in the way we all address child protection. I am proud to be part of a government that was brave enough to lift the lid on these issues. The results and impact of his work will continue, and the results of his work continue to drive reform.

At his funeral I heard story after story from people he had listened to, people who had told him their stories. Justice Mullighan understood how important the work was that he was doing, and I have seen firsthand how much it meant to those people he worked with. His understanding, compassion and tireless support for people who were victims of abuse is awe-inspiring. He has truly made a difference to the lives of so many.

The act of giving a voice to the victims should never be underestimated and while the process can be difficult or uncomfortable, it is so important. As a government, we are committed to delivering on his recommendations and striving to improve our systems. Each year I table a report in parliament to make sure that we are publicly accountable to his recommendations.

Amongst the many survivors who spoke to me at Justice Mullighan's funeral was a young woman. She was very distressed. I tried to comfort her, I put my arm around her as she sobbed, and she said, 'He was the only one that listened.' As the hearse left the cathedral, in relation to the wonderful service and the massive attendance of people who had come along to show their respect for Justice Mullighan and their compassion for his family, she said quietly, 'You deserve this, Ted.'

My sincere condolences to Mrs Mullighan and their five sons, James, Charles, Paul, David and Stephen, their partners and grandchildren. I hope, in your sorrow, it helps to have so much to be proud of.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (14:42): I rise to support the motion of condolence for the late Edward Picton Mullighan. I am not going to talk about his long career—others have done so—I am going to talk about the brief time that he pulled me aside and gave me his wisdom about the way we incarcerate offenders.

He was someone who was very generous with his time and very generous with a new, young minister like me. He pulled me aside and spent a lot of time talking to me about the way we incarcerate our Indigenous prisoners. For him, it was something that he was very concerned about, especially about the reoffend rate of some of our prisoners.

We talked about cultural sensitivity, we talked about training, we talked about education, we talked about restorative justice and we talked about making sure that there was a sense of

hope. A lot of the things that we do today in our correctional facilities are as a result of those conversations that I had with Justice Mullighan.

He talked at length about the importance of making sure that young people knew that there was an opportunity outside of prison. He wanted me to make sure that we could do a lot, especially with our mining companies in the Far North and Indigenous offenders. Indeed, because of some of the work that he did, the government signed a memorandum of understanding with BHP to have young Indigenous offenders work with BHP, getting accredited and getting mine ready. It was that type of involvement that he thought would best suit young offenders.

I will tell the story of one young man who has had his life changed through the intervention of this course, which has been of great benefit and is there because of Justice Mullighan. This young man told me that his grandfather, his father and he had all been in prison, and that he had a two year old boy. He was desperate to break the cycle of offending.

This young man could never obtain gainful employment because of his record of imprisonment. Every time he went for a job interview he was knocked back and, of course, he fell into a life of reoffending. What Justice Mullighan said to me was that what these offenders needed was the ability to have employers look at them while in our custody so that the imprisonment, the incarceration, was not a factor in their employment. Basically, the company got a chance to look at the work ethic of the young men involved, rather than the CV which said that for a period of time he was incarcerated, which was, of course, compulsory to offer up.

This young man did a three-month course with BHP and then went on to do another six-month course. He is currently employed with BHP at Olympic Dam and now earns more than the general manager of Port Augusta Prison. We now use that young man at Port Augusta to talk to other young offenders. That one course, which takes in 12 offenders every six months, changes lives—and that is the impact that Ted Mullighan had on people. He did not seek credit for it, he never thought to get credit for it, but that program was put in place by me and by the department because of the hard work of Justice Mullighan.

He was a great Port supporter, which of course made me listen even more intently to what he had to say. He was also the father of a very close friend of mine. My deepest condolences go to Justice Mullighan's family—to his wife, Jan; his children, James, Charles, Paul, David and Stephen. I doubt very much that this is the last that this parliament has heard of the name Mullighan.

The Hon. M.J. ATKINSON (Croydon) (14:45): Ted Mullighan was an outstanding defence counsel for a very long time, and he was an exemplar of the old-fashioned principles of the rule of law, British justice and fair play, the presumption of innocence and never conducting himself as a judge in a way that would give rise to a suspicion of bias.

In the 1980s, Ted had a client who was charged with possession of a commercial quantity of illegal substances taped to the undercarriage of his car. I am not going on the transcript but on my memory of Ted's account, but Ted asked the police witness a question, 'Did you drive to Salisbury North on 20 February?' Answer, 'Yes.' 'Did you attend an address at Bagsters Road?' Answer, 'Yes.' 'Did you believe this to be the house of Mr X, the accused?' Answer, 'Yes, I did.' 'Was there a vehicle in the driveway of that house?' Answer, 'Yes, there was.' 'I put it to you that you taped the substances beneath the undercarriage of that vehicle.' Answer, 'What date was that again?' Vale Ted Mullighan.

Ms CHAPMAN (Bragg) (14:47): Ted Mullighan QC will be remembered for many things and fondly by many people. I have no doubt that all the speakers today to this motion, which I resoundingly support, are absolutely sincere in conveying to the people of South Australia the loss of Ted Mullighan but also to Jan and their sons the enormous personal loss in his passing.

As one of the younger practitioners who was operating during the 1980s, when Ted was a not so young practitioner but had not attained silk, I would like to place on record the enormous contribution he made largely in criminal and family law cases during that decade. Members will be aware that in the late seventies family law in Australia was revolutionised and, for divorce, the Australian Family Law Act had thrown out all the cruelty, desertion, and adultery fault liability and brought in a new regime, where divorce was to become a dissolution of marriage and there was only one ground, that is, irretrievable breakdown evidenced by 12 months' separation.

In 1980, Ted Mullighan was the successful counsel in one of the first Full Court cases before Chief Justice Evatt (and two others, of course) in the case of Spanos, which remains a leading authority today on the question of the requirement of intent to be conveyed from one

spouse to another to establish the 12-month separation commencement. It was an interesting case; on this occasion, I will not go into the detail, but Ted was representing the husband, and the wife was represented by Terry Groom, who will be remembered by some of you.

It went essentially on the basis that the wife claimed that she considered that there had been no conveying of intent from her husband to her and therefore that the commencement date had not applied. She presented this on appeal to the Full Court. The Full Court, however, did have other evidence before them, which they suggested corroborated the intention, and that was that the husband had not only separated from living in the house with his wife but had also established a new friendship. He was living with a de facto partner, and she was pregnant with a child and was blossoming away. Suffice to say, Ted won the case and it remains the leading authority.

A couple of years later, I attended the chambers of the then solicitors; in South Australia you can practice both at the bar and as a solicitor. I attended at Ted's door, at Mullighan, Jordan and Howe, with a notice of appeal on a divorce. They are not very common, because it is often very difficult to be able to set aside a decree nisi judgement. I went in and we had the usual preliminaries that happen between the instructing solicitor and counsel: 'The clerk wants to represent me?' 'Yes.' 'The fees are in a trust account?' 'Yes.' 'Have you done the notice of appeal?' 'Yes.' 'Hand it over.'

I said, 'In this instance I want you to apply for Mrs So-and-so in an appeal against the decree nisi of marriage.' He said, 'What are the grounds?' I said, 'Well, she is claiming that he still loves her and that he is mistaken in his view that she is the last person on earth he wants to see, or words to that effect, that he has put in his statement.' The gist of it was that there was no irretrievable breakdown and therefore that reconciliation was on the horizon. He said, 'Do you realise I acted in the Spanos case and we won that and of course the appeal was dismissed?' I said, 'Yes, Ted, but in this instance you haven't got a pregnant girlfriend, so you are on a winner.'

He did not see the humour or the intellect in that, but nevertheless he took on the case. Not surprisingly, he lost, so even the great Ted Mullighan did not win all cases. The reason I tell this story is that not only is it in the annals of very significant leading cases in law, but also that, as the attorney and other speakers have indicated, the courtesy and compassion which Ted Mullighan extended to fellow counsel, ultimately on the bench to counsel appearing before him and, importantly, to clients, I think are probably some of the most enduring memories that those of us who have practised with and against Ted will remember.

On this occasion of the unhappy couple, he spent a good hour or so, after the appeal had been lost convincingly and properly, with her. Of course, he had said to me, 'Look, whatever shred of affection might have been there, Vicky, it had certainly evaporated by the time we finished this case.' Nevertheless, he spent considerable time with her. The process was bruising and painful for her, but I think at the end she felt that she had had her day in court with fine counsel. Her case had been presented as best it could, and she is living testimony, as Ted would say, that it is sometimes necessary for people to have their case presented and argued and for that advocacy to be heard for them to feel that there is justice.

Many people in South Australia will be grateful for Ted's representation. Our leader and others have spoken of hundreds who have had the benefit of him being just a very good listener and of his conveying in his handwritten notes the extraordinary report that he provided to this parliament. With those few words, Madam Speaker, I certainly hope that Ted rests in peace and that all of us can from time to time remember, as was acknowledged yesterday with the special sitting of Justice Bell, who is here with the High Court, the fine contribution that he has made to the judiciary, to the profession and to South Australia.

The SPEAKER (14:54): Thank you, members. Obviously, a wonderful man. I ask that you carry the motion in the usual way.

Motion carried by members standing in their places in silence.

[Sitting suspended from 14:54 to 15:06]

PAPERS

The following papers were laid on the table:

By the Speaker—

Joint Parliamentary Service—The Administration of Annual Report 2010-11

By the Attorney-General (Hon J.R. Rau)—

Food Donors and Distributors—Report
 Legal Practitioners Disciplinary Tribunal—Annual Report 2010-11
 Legal Practitioners Education and Admission Council—Annual Report 2010-11
 Summary Offences Act—Dangerous Areas Authorisations Report for Period 1 April to
 30 June 2011
 Attorney-General—Social Development Committee—Same Sex Parenting

By the Minister for Transport (Hon P.F. Conlon)—

Commissioner of Highways—Leases of Properties Annual Report 2010-11
 Regulations made under the following Acts—
 Harbors and Navigation—Crew Competencies

By the Minister for Education (Hon J.W. Weatherill)—

Regulations made under the following Acts—
 Teachers Registration and Standards—Fees

By the Minister for Agriculture and Fisheries (Hon M.F. O'Brien)—

Pelican Lagoon Aquatic Reserve—Management Plan

ANSWERS TO QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard*.

MENTAL HEALTH FACILITIES

15 Dr McFETRIDGE (Morphett) (1 June 2010).

1. What steps are taken at all mental health facilities in South Australia to ensure that patients do not consume alcohol or illicit drugs?
2. What steps are taken to ensure that patients take their prescribed medication and do not pass their medication onto other patients or visitors?
3. How many instances of violence caused by patients to other patients, staff and visitors occurred in 2008-09 in mental health facilities and during these instances what was the security on these occasions and what compensation has been or will be paid?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

1. All staff working in mental health facilities follow the 'Drug and Alcohol Abuse and Possession' procedure to ensure all appropriate steps are taken should consumers be suspected of consuming alcohol or illicit drugs.
2. All staff working in mental health facilities follow the 'Medication Management' procedure, which includes the appropriate dispensing and administration of medication to the correct consumer. Consumers are observed taking their medication and this has been standard practice for many years to avoid any possible misuse of prescribed medications among consumers. Senior staff are required to ensure all staff comply with the 'Medication Management' procedure. All nursing staff are required to adhere to the Nurses and Midwifery Board of SA Standard for Medication Management.
3. During 2008-09 the Department of Health recorded 648 incidents of violence caused by mental health patients to other consumers, staff and visitors. The incidents are categorised in the Department's Adverse Incidents Management System as insignificant, minor, serious and significant. Of these incidents, 4.9 per cent fell in the category of serious or significant. The number of serious or significant incidents compared to total mental health separations represents 0.24 per cent.

A risk assessment determines the level of supervision for mental health consumers (detained or voluntary). The outcome of the risk assessment determines if a patient is allocated a security guard, a nurse or is managed by general observations. Security guards are used across metropolitan Adelaide hospitals (and a small number of country sites) to provide a safe and secure environment for the public, consumers and staff. Security guards work under the direction of medical and nursing staff.

In 2008-09 there were 24 claims about instances of violence lodged by staff. An amount of approximately \$130,000 was paid against these claims. There were no compensation payments made to the public.

HOSPITAL EMERGENCY DEPARTMENTS

18 Dr McFETRIDGE (Morphett) (1 June 2010). What percentage of critically ill patients ('category one patients') who are admitted to accident and emergency departments are not seen within 'reasonable acceptable' time frames?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

100 per cent of category one patients presenting to accident and emergency departments in metropolitan public hospitals in 2009-10 (to 31 May 2010) were seen on time, as measured against the benchmark set by the Australasian College for Emergency Medicine. The same result was achieved in 2008-09.

HEALTH STAFF

19 Dr McFETRIDGE (Morphett) (1 June 2010). How many health staff employed within the South Australian Healthcare System and the South Australian Department of Health, respectively, and in each case, how many full time equivalent health staff are classified as administrative or other?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

At June 2009 there were 36,659 employees (28,888 FTE) engaged in SA Health. Of which:

SA Health	No. of Employees	FTE
SA public health system	34,441	26,812
Department of Health	987	938
SA Ambulance Service	1,231	1,138

At June 2009 there were 5,078 FTE in the administrative and clerical stream of the SA public health system.

In addition to undertaking administrative and clerical functions, employees included under Administrative and Clerical staff also provide specialist functions in support of key health programs that contribute to an agency's service delivery objectives. This includes:

- the coordination and management of many community and primary health projects and programs (including Health and Welfare Research and Project/Policy Officers (Mental Health, Early Intervention and Aboriginal Health), as well as vast majority of Community and Aboriginal Health Workers)
- the operation and maintenance of office systems
- the provision of advice or services to customers
- exercising of delegations
- enforcement and prosecution
- policy development and implementation
- detection and investigation of breaches of legislation
- the development of financial systems

- the collection of Government revenue and/or payment of Government monies and related management functions.

CENTRAL NORTHERN ADELAIDE HEALTH SERVICE

30 Dr McFETRIDGE (Morphett) (1 June 2010). Has the Central Northern Adelaide Health Service achieved the \$3 million in savings (as outlined in the 2007-08 Budget) for the consolidation of after-hours hospital services and emergency surgical services and if so, how was this achieved?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The Central Northern Adelaide Health Service, now part of the Adelaide Health Service, was required to meet savings as part of the 2007-08 Budget of \$4.133 million over the four years 2007-08 to 2010-11 relating to the consolidation of after-hours emergency surgical services. The savings target to 2009-10 is \$3.066 million with \$1.067 million required in 2010 11.

This savings target has been achieved recurrently by the Central Northern Adelaide Health Service. The majority of this savings target has been achieved through the maintenance of after-hours Operating Room rosters, changes to on-call staffing instead of 24 hour staffing and further reviews of rostering arrangements.

These management strategies have not been directed at reducing frontline health care services.

CENTRAL NORTHERN ADELAIDE HEALTH SERVICE

31 Dr McFETRIDGE (Morphett) (1 June 2010). What savings initiatives are required from the Central Northern Adelaide Health Service in 2009-10, how will they be achieved and what is the total amount of savings identified for 2009-10 and 2010-11?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

1. The savings requirement allocated to the Central Northern Adelaide Health Service (CNAHS) in 2009-10 was based on savings initiatives approved by Cabinet as part of the 2009-10 State Budget, as well as the continuation of savings targets approved as part of previous budget processes.

The CNAHS 2009-10 funding allocation includes savings targets associated with the following items:

- Efficiency measure savings—reflects savings requirements from prior year State Budgets and the growth in these savings targets in 2009-10.
- FTE Reduction TVSP—reflects a share of the 428 FTE reduction, for the Health Portfolio, announced as part of the 2008-09 mid year budget review.
- Health Reform Strategy Savings—this is a continuation of savings in 2008-09 that were approved as part of the 2007-08 Budget and the growth in these savings targets in 2009-10.
- Procurement and Supply Chain Savings—this saving represents efficiencies expected from the Procurement and Supply Chain Centralisation Project that was approved as part of the 2008-09 Budget.

2. The total allocation of savings requirements in 2009-10 to CNAHS is \$56.15 million. Total savings requirements for the Adelaide Health Service for the 2010-11 financial year have not yet been finalised, and therefore can not be provided at this time.

CENTRAL NORTHERN ADELAIDE HEALTH SERVICE

32 Dr McFETRIDGE (Morphett) (1 June 2010). Has the performance agreement with the Regional Chief Executive Officer and the Central Northern Adelaide Health Service been completed for 2009-10 and has this resulted in any changes in funding arrangements and/or activity targets?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The performance agreement with the Regional Chief Executive Officer and the Central Northern Adelaide Health Service has been completed for 2009-10. This did result in changes to funding arrangements and activity targets.

PRIMARY PREVENTION PLAN

34 Dr McFETRIDGE (Morphett) (1 June 2010).

1. What is the cost of establishing a new clinical network?
2. What is the Primary Prevention (Health Promotion) Plan?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

1. Costs to establish a new clinical network are:
 - a stipend for the Network Chair of \$22,000 per annum in recognition of the time spent leading Network activities
 - an operational budget of \$18,900 per annum to support Network activity
 - salary for a Network Development Manager of approximately \$87,000.

The Network Development Manager is a regional health service staff member whose role is to provide executive support and assist the Network develop and monitor clinical service development and improvement priorities.

2. The Primary Prevention Plan will outline SA Health's commitment to, and plan for, primary prevention action across South Australia.

The Primary Prevention Plan sets out the framework to eliminate or reduce factors that cause poor health and promote factors that are protective of good health for the population as a whole and for groups at risk.

The SA Health Primary Prevention Plan will outline our directions within the context of the national focus on prevention through the COAG National Partnership Agreement on Preventive Health and taking into account State-based initiatives, such as the Obesity Prevention and Lifestyle Program (OPAL) and the whole of Government Health in All Policies work.

AMBULATORY AND PRIMARY HEALTH CARE SERVICES

38 Dr McFETRIDGE (Morphett) (1 June 2010). How does the government expect to achieve greater ambulatory and primary health care services, mental health service, Breast Screen SA services and SA Dental Services to Aboriginal and Torres Strait Islanders within South Australia?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

SA Health is currently finalising the Aboriginal Health Care Plan. This plan sets out actions for a strong and resilient continuum of care from prevention to better primary health care services to more access to tertiary services for Aboriginal and Torres Strait Islander people within South Australia.

New GP Plus Health Care Centres are due to open to the public at Elizabeth and Marion over the next few months. Both GP Plus Health Care Centres are committed to providing appropriate services for Aboriginal and Torres Strait Islander people.

In country South Australia, GP Plus Health Care Centres are being planned and built in Ceduna and Port Pirie. In Ceduna, the GP Plus Health Care Centre will be a part of the redevelopment of the Ceduna Hospital, collocated with the local community controlled Aboriginal health service. The GP Plus Health Care Centre planned for Port Pirie will consolidate a number of existing individual services on to one site. Both GP Plus Health Care Centres will have a major focus on Aboriginal health, with accessible and culturally appropriate services to be provided by Aboriginal health workers.

Services to be provided from all these GP Plus Health Care Centres include: general practice, breast screening, dental, allied health, primary care, mental health, and drug and alcohol counselling.

Two GP Plus Super Clinics are currently being built in South Australia in partnership with the Australian Government. Both the Modbury (via its Gilles Crescent Spoke Site), and Noarlunga GP Plus Super Clinics will have Aboriginal specific services and designated teams of Aboriginal health workers to focus on meeting the health needs of their respective local Aboriginal and Torres Strait Islander people communities.

The services to be provided from these GP Plus Super Clinics include: general practice, which will target chronic conditions (for example, diabetes), allied health, lifestyle and nutrition, sexual health, dental and mental health support.

Under the Closing the Gap National Partnership Agreement, a range of primary health care services are being delivered to Aboriginal and Torres Strait Islander people throughout the State. Key elements of this initiative include improved access to health checks, a focus on environmental health in remote communities and sexual health services.

The Indigenous Early Childhood National Partnership Agreement delivers new and expanded services aimed at improving the health and wellbeing of young Aboriginal people. Services delivered under this initiative include sexual health screening, maternal and infant care programs and school-based sexual health education in remote schools.

SOUTHERN ADELAIDE HEALTH SERVICE

41 Dr McFETRIDGE (Morphett) (1 June 2010).

1. How much commonwealth funding has been provided to the Southern Adelaide Health Service to reduce waiting lists?
2. What is the Elective Surgery Strategy Stage 3 for the Southern Adelaide Health Service?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

1. \$2,873,212 of Commonwealth funding to reduce waiting lists has been provided to the Southern Adelaide Health Service for the 2009-10 financial year.
2. The Elective Surgery Strategy Stage 3 Program for Southern Adelaide Health Service aims to increase the volume of elective surgery and to meet performance targets for wait times in accordance with Commonwealth requirements.

COUNTRY HEALTH

43 Dr McFETRIDGE (Morphett) (1 June 2010).

1. Have administrative efficiencies savings of \$3.52 million in Country Health (as outlined in the 2007-08 Budget) been achieved and if so, how was this achieved?
2. Have service delivery savings of \$20 million in Country Health as outlined in the 2007-08 Budget been achieved for 2008-09 and 2009-10 and how will a further \$10.4 million in savings be achieved in 2010-11?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

1. The administrative efficiencies of \$3.52 million in Country Health (\$1 million for 2007-08, \$1.02 million in 2008-09 and \$1.5 million for 2009-10) have been achieved through a reduction in country health administration and project positions foregone through natural attrition, resulting from the reduction of seven regions to one.
2. The Country Health service delivery changes of \$10 million per annum indexed in the forward years, comprise a range of strategies, which include the transition of State nursing home funded beds to Commonwealth funding and a range of administrative changes, which reflect the new organisational management structure of Country Health SA. The total savings requirement across 2008-09 and 2009-10 was \$20.2 million (\$10 million in 2008-09 and \$10.218 million in 2009-10).

During 2008-09, the finalisation of negotiations with the Commonwealth Government occurred later than initially expected and this impacted on the total savings achieved with a shortfall of \$4.5 million experienced due to this delay. In 2009-10, additional Commonwealth revenue and restructuring of Health unit management was achieved, along with a portion of other identified savings strategies in 2009-10. However, \$1.738 million in 2009-10 has not been achieved.

The savings requirement for 2010-11 of \$10.44 million will predominantly be achieved using existing savings strategies. However, Country Health SA has also developed a range of other savings strategies to move to a balanced budget position.

HEALTH SAVINGS

46 Dr McFETRIDGE (Morphett) (1 June 2010). Does the government still expect to achieve the \$1.65 million in savings from the transfer of paediatric and obstetric services from Modbury Hospital to the Women's and Children's Hospital and the Lyell McEwen Hospital?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

This initiative was aimed at improving the efficiency of service delivery across the State and to address workforce issues, particularly in relation to obstetric anaesthesia.

The obstetric service at Modbury Hospital did transfer to the Lyell McEwin Hospital and the Women's and Children's Hospital by February 2008. Paediatric services at Modbury Hospital remained at Modbury in the form of outpatients, emergency services and 23 hour inpatient services. Children requiring a longer length of stay are transferred to the Women's and Children's Hospital or Lyell McEwin Hospital.

Savings of \$400,000 were achieved in 2007-08, \$409,000 in 2008-09, \$415,000 in 2009-10 and projected \$427,000 in 2010-11. Total savings are projected to be \$1.654 million.

EMERGENCY DEPARTMENT REFORMS

52 Dr McFETRIDGE (Morphett) (1 June 2010).

1. What reforms will be undertaken in emergency departments, sub-acute services, indigenous health services and health workforce development activity based funding?

2. Will these reforms generate savings and if so, how much is expected and how many full-time equivalent staff will be reduced as a result of these reforms?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised

1. There are a range of reform initiatives currently being undertaken by SA Health in relation to services to support emergency departments, sub acute care, Indigenous health and workforce development.

Emergency department clinicians have been engaged to provide advice on enhancing services in emergency departments. In particular, service redesign activities have been undertaken to improve the number of emergency patients being treated in clinically appropriate times.

Statewide Service Plans for Palliative Care, Older Person and Stroke Services that have been developed by clinicians, will inform reforms in sub-acute services. The plans have all advocated for establishment and/or expansion of integrated services, which will operate across primary, chronic and acute care services. The implementation of these reforms is being progressed through regional health services.

The State Government is investing \$53.8 million into the National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes. A State implementation plan has been approved detailing a range of strategies to be implemented that address the five priority areas outlined in the National Partnership Agreement. These include:

- tackling smoking
- primary health care services that will deliver services for Indigenous people fixing the gaps and improving the patient journey

- healthy transition to adulthood
- making Indigenous health everyone's business.

The COAG Indigenous Early Childhood Development National Partnership Agreement has also been established to improve outcomes for Indigenous children in their early years and it contains three elements:

- enhancement of Children and Family Centres, which is administered by the Department of Education and Children's Services
- improve access to and use of antenatal care services by young Indigenous mothers and support young Indigenous women to make informed decisions about their sexual and reproductive health
- increased access to and use of maternal and child health services by Indigenous families.

A national approach to health workforce reform, through the now established Health Workforce Australia, will deliver significant benefits in the consolidation of jurisdictional efforts. Examples of the benefits anticipated will be the development of:

- enhanced undergraduate clinical training and increased clinical supervision programs
- increases and improvements in simulated learning environments with a focus on accessibility to regional and rural centres
- consolidation of jurisdictional international recruitment programs to a single program covering all health professionals
- enhanced workforce design strategies to improve the efficiency and effectiveness of the health workforce.

Finally, the National Activity Based Funding initiative aims to develop a national framework and model to facilitate activity based funding in the hospital sector. Eight work streams representing the main patient types (for example inpatient, outpatient, emergency department patients) and functions (for example research and teaching) have been identified and work is underway to develop an agreed national approach to the classification and costing of these services. This will provide the basis for the future funding of hospitals should COAG agree to implement a national activity based funding system.

2. These reform initiatives are, in the main, about enhancing and expanding services to our communities and to ensure that we have the right staff in the right place to provide the right care, and not about generating savings.

NURSING AND MIDWIFERY PROGRAMS

64 Dr McFETRIDGE (Morphett) (1 June 2010). How many mothers are currently on the waiting list to utilise nursing and midwifery programs provided by South Australia's public hospitals?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

As at the end of June 2010, there are 162 women due to give birth between July and December 2010 on the waiting list for the Midwifery Group Practice.

ABORIGINAL HEALTH POLICY

67 Dr McFETRIDGE (Morphett) (1 June 2010). What complexities were encountered in Aboriginal health policy and program planning for the recruitment and retention of staff?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The following complexities were encountered in Aboriginal health policy and program planning for the recruitment and retention of staff:

Recruitment Issues

It is well documented that Aboriginal people still face significant educational disadvantage compared to the non-Aboriginal population, limiting employment opportunities for Aboriginal people and their ability to undertake further education and training.

Due to the nature of the services SA Health provides, a highly skilled workforce is required to deliver these services.

There are insufficient numbers of skilled Aboriginal people to recruit to SA Health.

There is a limited number of entry level positions in SA Health for people with no formal qualifications.

What We Are Doing To Address The Issues

SA Health has developed a number of Aboriginal specific employment and training programs to develop an appropriately and highly skilled Aboriginal health workforce supply.

A key initiative has been the Aboriginal Centres of Learning. Notably, the Pika Wiya Aboriginal Learning Centre in Port Augusta, which has trained and improved employment outcomes for many Aboriginal people in health related areas since its inception in 2002. There is also a Learning Centre within the Port Lincoln Aboriginal Health Service and planning is currently underway to establish an Aboriginal Learning Centre in Ceduna.

Other important recruitment initiatives include Cadetships and Traineeships, which offer training combined with on-the-job skill development and employment pathways into SA Health.

SA Health has recently developed a pre-employment program for Aboriginal people in the Southern Adelaide region. This program provides participants the opportunity to develop their skills and learn about SA Health in preparation for employment. On successful completion of the program, individuals are assessed and appointed to appropriate vacancies within the Southern Adelaide Region of Adelaide Health Service.

SA Health also offers Aboriginal health scholarships for Aboriginal people undertaking undergraduate or postgraduate health disciplines. Scholarship graduates are recruited in SA Health.

SA Health is promoting the use of the Aboriginal Employment Register from the Department of Further Education, Employment, Science and Technology to enable direct recruitment of Aboriginal people into SA Health positions.

SA Health has recently obtained a further three year exemption from the Equal Opportunity Act 1984 to prefer Aboriginal and Torres Strait Islander people for appointment to Aboriginal Health Worker positions in South Australia.

SA Health is also investigating a similar approach for new health worker roles that are being created specifically to implement the COAG Closing the Gap National Partnership initiatives in South Australia.

Retention Issues

SA Health recognises that cultural respect and safety are crucial factors to the retention of Aboriginal employees.

Burn out of Aboriginal front line staff due to increased complexity of work roles and Aboriginal community expectations and demands on their roles.

Difficulty with holding onto skilled Aboriginal staff—there is competition between Government agencies and other industry/sectors for skilled Aboriginal people.

What We Are Doing To Address The Issues

SA Health has implemented and is developing further strategies to support the retention and development of Aboriginal staff in SA Health:

- The implementation of the Metropolitan Aboriginal Family Birthing program and state-wide expansion of the Port Augusta Aboriginal Family Birthing program are examples of creating ongoing positions for Aboriginal people, particularly in the delivery of clinical services to the Aboriginal community.
- Identifying targeted training and development opportunities for current Aboriginal staff, which will provide greater career pathways and opportunities.

- Increasing Leadership development opportunities for Aboriginal people and providing mentoring support where possible for middle management positions.
- Identifying and providing opportunities across the health division for Aboriginal people to work in mainstream services where opportunities for cross cultural education and support for Aboriginal workers are enhanced.
- Aboriginal Health Division is improving cultural safety by focussing on implementing The Aboriginal Cultural Inclusion Framework, which is a Social Inclusion Unit Board initiative. Aboriginal Health Division has identified the key activities that need to be undertaken and developed draft supporting documents and tools to complete the implementation of the framework across all SA Health divisions.
- Aboriginal cultural awareness training for staff has been delivered at several SA Health sites and specific measures, such as the development of culturally respectful policies in human resource management are being considered (for example, culturally appropriate leave policies, Aboriginal providers in the Employee Assistance Program etc).

Over the past 18 months a number of divisions have developed or are in the process of developing Aboriginal Workforce Reform Strategies that further facilitate improved outcomes in workforce recruitment and retention activities.

GOVERNMENT FUNDING

76 Dr McFETRIDGE (Morphett) (1 June 2010). How much government funding is allocated in 2009-10 to each of the following organisations—Nganampa Health Council, the Aboriginal Health Council, Kalparrin Inc, the Aboriginal Sobriety Group and the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

SA Health provided the following funding in 2009-10 to:	
Aboriginal Health Council of SA	\$1,949,200
Nganampa Health Council	\$2,104,210
Ngaanyatjarra Pitjantjatjara	
Yankunytjatjara Women's Council	\$257,733
Kalparrin Inc	\$315,200
Aboriginal Sobriety Group	\$534,900

ROYAL DISTRICT NURSING SERVICE

78 Dr McFETRIDGE (Morphett) (1 June 2010). How many patients are currently on the waiting list to receive treatment for their referred condition through the Royal District Nursing Service?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

As at 1 July 2010, the Adelaide Health Service and Children, Youth and Women's Health Service reported that there were no patients waiting for Royal District Nurses Service services.

HEALTH AND HOSPITAL CHARGE SCHEDULES

84 Dr McFETRIDGE (Morphett) (1 June 2010). What are the health and hospital charge schedules for motor accident patients as distinct from non-motor accident patients?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

A Medicare eligible person who is receiving public hospital services for an injury and who is entitled to receive or has received a compensation payment in respect of an injury, is considered a compensable patient under the National Healthcare Agreement. Motor accident patients are compensable patients.

The National Healthcare Agreement states that compensable patients may be charged an amount for public hospital services as determined by the State and Territory. Fees charged to compensable patients by public hospitals in South Australia are set via Notice in the SA Government Gazette under section 44 of the Health Care Act 2008. These fees were updated in the SA Government Gazette of 10 June 2010.

Fees charged to compensable patients reflect full cost recovery and vary depending on the treatment type of service, length of stay and location.

HEALTH DEPARTMENT

86 Dr McFETRIDGE (Morphett) (1 June 2010).

1. How many 'Lifestyle Advisers' have been employed by the Department of Health and how much of the \$1.8 million budget has been expended?

2. Has any cost benefit analysis of this activity been undertaken and, if so what was the result in dollar terms?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I am advised:

1. As at 1 June 2011, 17 Lifestyle Advisors are employed across SA Health.

The budget for 2010-11 was approximately \$1.942 million and all the funding has been expended.

2. I am advised that the available data does not allow a direct estimate in dollar terms of future cost savings in health care. This is because long-term outcome data is not yet available and also the program addresses multiple chronic diseases through change in multiple risk factors, making estimates too complex to be feasible.

HEALTH DEPARTMENT

87 Dr McFETRIDGE (Morphett) (1 June 2010). In the each year since 2002-03—

(a) how many doctors and nurses were employed by the Department of Health; and

(b) how many extra public servants (and FTE) were employed by the Department excluding doctors and nurses?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (00:00): I am advised:

(a) The number (and FTE) of Doctors and Nurses/Midwives employed in the SA Health public health system from June 2002 to June 2009 is as follows:

Financial Year Ending	Doctors		Nurses/ Midwives	
	Actual	FTE	Actual	FTE
2002	2,181	1,761.4	10,976	8,599.5
2003	2,353	1,825.6	11,608	8,960.6
2003	2,353	1,825.6	11,608	8,960.6
2004	2,388	1,879.0	11,752	9,118.7
2005	2,498	1,893.0	12,190	9,378.9
2006	2,674	2,039.4	12,767	9,890.7
2007	2,895	2,231.2	13,361	10,335.8
2008	3,083	2,359.3	13,859	10,752.6
2009	3,255	2,527.5	14,668	11,337.0

From 1 July 2007 Modbury Hospital transferred back to public management. To accurately report the workforce for 2008 and subsequent years, the estimated doctors and nurses/midwives at Modbury Hospital for 2002 to 2007 have been included in the base calculations for the total public health system.

As per the definition of 'public servant', which refers to those persons who are employed under the Public Sector Management Act 1995 (PSM Act) in the Department of Health, it excludes all employees of the Department of Health under other awards, including doctors, nurses or those

engaged through weekly paid or non-awards. The following response refers to the number of PSM Act employees located in the Department of Health (central office), which represents approximately 3 per cent of the total SA Health workforce.

Financial Year Ending	Administrative (1) , Operational, Technical Services, Professional Officers and Other PSM Employees (2)	
	Actual	FTE
2005	747	709.6
2006	789	748.2
2007	762	724.5
2008	823	774.7
2009	918	872.4

(1) Includes employees engaged through the South Australian Government Youth Training Initiative.

(2) Includes all executives engaged under the executive management structure and South Australia Executive Service, Medical Scientists Award and Legal Service Officers.

METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS INFECTION

88 Dr McFETRIDGE (Morphett) (1 June 2010). What is the current rate per 1,000 for admitted patients of Methicillin Resistant Staphylococcus Aureus infection in—

- (a) all South Australian public hospitals;
- (b) public hospitals in rural and remote Areas;
- (c) the Royal Adelaide Hospital, Queen Elizabeth Hospital, Flinders Medical Centre, and Lyell McEwen Hospital, respectively; and
- (d) the Whyalla, Port Augusta, Port Lincoln, Berri and Mount Gambier Hospitals, respectively?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised

The Department of Health monitors the rate of health care associated with Methicillin Resistant Staphylococcus Aureus infection in public acute care hospitals. This does not include all of the smaller rural and remote facilities, where health care associated infection with this organism is extremely rare.

Rates are expressed per 1,000 patient-days, rather than admissions, which is in line with national definitions.

The current rates for the hospitals named are as follows:'

	Aggregate Rate for Jul 2009-April 2010
South Australian Public Hospitals (eight Metropolitan and six Country)	0.16
Country Hospitals (six)	0.09
Royal Adelaide Hospital	0.37
The Queen Elizabeth Hospital	0.18
Flinders Medical Centre	0.14
Lyell McEwin Hospital	0.05
Whyalla Hospital	0.18
Port Augusta Hospital	0.17
Port Lincoln Hospital	0.00
Berri Hospital	0.00
Mount Gambier Hospital	0.06

PUBLIC HOSPITALS

91 Dr McFETRIDGE (Morphett) (1 June 2010). Which South Australian public hospitals have asset registers that have been updated to the end of 2008-09, which hospitals do not and in each case, why has the updating not occurred?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

A summary of the asset registers are included in the financial statements for each of the health regions and the Department of Health.

All South Australian Health Regions (including public hospitals) have signed off their 2008-09 financial statements, with formal financial statement letters having been received from the Auditor-General's Department.

DEPARTMENTAL INVOICES

93 Dr McFETRIDGE (Morphett) (1 June 2010).

1. What are the specific guidelines for payment of departmental invoices?
2. Are any instances of invoices not being paid in accordance with the guidelines and if so, why did this occur and what is the longest time any one of the invoices has not been paid?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

1. The specific guidelines for payment of Departmental invoices are in accordance with Treasurer's Instruction 11. This document is available at www.treasury.sa.gov.au.

2. There were instances during 2008-09 of invoices not paid in accordance with the guidelines. This occurs for a number of reasons, including vendor change of address.

The longest outstanding account paid during 2008-09 took 577 days to pay. The payment for this account was delayed as a result of a number of attempts to correct an initial administrative error by the vendor.

ELIZABETH GP PLUS HEALTH CARE CENTRE

94 Dr McFETRIDGE (Morphett) (1 June 2010).

1. How many extra dental chairs from the South Australian Dental Service will be provided above what is currently available at the GP Plus Health Care Centre at Elizabeth?
2. How many extra dental x-ray and laboratory facilities from the South Australian Dental Service will be provided at the GP Plus Health Care Centre at Elizabeth?
3. Will x-ray facilities provided at the GP Plus Health Care Centre at Elizabeth be privately owned?
4. Who has the State Government contracted with to provide GP services at the GP Plus Health Care Centre at Elizabeth and what consultation occurred with other GP's in the local area?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I am advised:

1. The new dental clinic in the Elizabeth GP Plus Health Care Centre will have a total of 20 dental chairs.

2. Dental X-ray Units

The new dental clinic in the Elizabeth GP Plus Health Care Centre will have a total of eight dental x-ray units.

Dental Laboratory Facilities

The new dental clinic in the Elizabeth GP Plus Health Care Centre will have one dental laboratory that can accommodate a maximum of three dental technicians.

3. X-ray facilities at the Elizabeth GP Plus Health Care Centre will not be privately owned.

4. The South Australian Government has contracted gpSolutions to provide general practitioner services at the Elizabeth GP Plus Health Care Centre.

In 2008, extensive consultations took place with general practitioners and general practice staff in the northern region of Adelaide in relation to developing the range of general practice services that would be required at the GP Plus Health Care Centre, as well as how general practitioners should be engaged to provide these services. These consultations included public forums, presentations to the Board of the Adelaide Northern Division of General Practice and visits to general practices in the northern region to discuss the General Practice model and the facility.

SA AMBULANCE SERVICE

99 Dr McFETRIDGE (Morphett) (1 June 2010). When will the South Australian Ambulance Service publicly release a copy of the original epidemiology questionnaire and material safety data sheets on the chemical composition of those affected uniforms?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

SA Ambulance Service has provided the epidemiology questionnaire to all staff, and the family of affected staff, who wear the operational uniform.

Material safety data sheets are referenced in the report entitled Investigative Chemical Analysis and Risk Assessment, by CETEC Pty Ltd. This report is available to all staff on the SA Ambulance Service intranet site.

ROYAL ADELAIDE HOSPITAL

110 Dr McFETRIDGE (Morphett) (27 July 2010). What is the total expenditure for advertising and promotion of the new Royal Adelaide Hospital, including expenditure for the formerly named 'Marjorie Jackson-Nelson Hospital', since it was first announced for the Adelaide Railyards site?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

Department of Health advertising expenditure as at 6 September 2010 associated with the new Royal Adelaide Hospital totals \$164,962 (see table below).

Advertising Expenditure as at 6 September 2010:					
	2007-08	2008-09	2009-10	2010-11	Total
Advertising Expenditure	\$62,978	\$85,456	\$13,028	\$3,500	\$164,962

Community consultation and awareness was a large part of the advertising expenditure. This included a questionnaire, website, signage and brochures.

ROYAL ADELAIDE HOSPITAL

111 Dr McFETRIDGE (Morphett) (27 July 2010). In relation to the storage of radioactive waste at the Royal Adelaide Hospital, including contaminated equipment and waste from clinical radiotherapy procedures—

- (a) when was the last audit undertaken and what were the radiation level results; and
- (b) what will happen to the radioactive waste stored in the basement when the Royal Adelaide Hospital is demolished?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

(a) The last audit was undertaken in October 2009. Log books are kept of all individual radioactive waste containers. The log books are in continuous use and audited annually.

Radiation levels around all radioactive waste storage areas are well below radiation safety standard levels and are close to natural background radiation values.

(b) All radioactive waste will be transported to the new Royal Adelaide Hospital and stored in purpose built on-site storage facilities.

HEALTH DEPARTMENT

117 Dr McFETRIDGE (Morphett) (27 July 2010). What was the estimated cost of implementing the Business Direction Model authorised by Naomi Halloway in the South Australian Department of Health?

The Hon. J.D. HILL (Karna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The Department of Health has not been able to find any record of Naomi Halloway being an employee of the Department of Health.

MEDICAL APPOINTMENTS

135 Dr McFETRIDGE (Morphett) (27 July 2010).

1. What is the net increase in nurses (full-time equivalent positions) in the South Australian public health system for each year since 2002?
2. How many of these nurses were from overseas and what countries did they come from?
3. What is the net increase in doctors (full-time equivalent positions) in the South Australian public health system for each year since 2002?
4. How many of these doctors were from overseas and what countries did they come from?

The Hon. J.D. HILL (Karna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The following response is based on the standard 'full time equivalent (FTE)', which is used to describe a part-time employee as a proportion of an employee in an equivalent full-time position. This FTE description is based on the number of hours paid/worked by an employee as depicted in their pay summary, divided by the normal award full-time hours per pay period for that position. For the purposes of this definition, an employee can not be greater than 1.0 FTE. It excludes any overtime hours or allowances not reflective of hours worked (for example, travel allowance).

The South Australian public health system, for the purposes of this report, includes all health regions and entities of the SA Health portfolio, excluding the Department of Health (central office) and the SA Ambulance Service.

From 1 July 2007, Modbury Hospital transferred back to public management. Previously the variation in doctors and nurses/midwives at Modbury Hospital prior to June 2008 had not been included in the reported figures.

To accurately report the workforce for 2008 and subsequent years, an estimated doctors and nurses/midwives at Modbury Hospital for 2002 has been included in the base calculations for the total public health system.

Doctors include all persons employed as medical officers, medical practitioners, medical consultants, medical administrators, casual medical officers, trainee medical officers or visiting medical specialists. This report excludes those engaged as Clinical Academics.

Nurses and Midwives include all persons engaged under the Nurses (South Australian Public Sector) Award 2002, and includes all registered nurses/midwives, enrolled nurses, enrolled nurse cadets, nurse specialists, undergraduate nurses (assistants in nursing), nurse educators, clinical nurses and nurse managers.

Given the above definitions, the following information is provided:

1. The standard FTE of Doctors and Nurses/Midwives employed in the SA Health public health system from June 2002 to June 2010:

Financial Year Ending	Doctors	Nurses/Midwives
FTE at June 2002	1,761.4	8,599.5
Net Increase 02-03	+ 64.2	+ 361.1
Net Increase 03-04	+ 53.4	+ 158.1
Net Increase 04-05	+14.0	+ 260.2
Net Increase 05-06	+ 146.4	+ 511.8
Net Increase 06-07	+ 191.8	+ 445.1
Net Increase 07-08	+ 128.1	+ 416.8
Net Increase 08-09	+ 168.2	+ 584.4
Net Increase 09-10	+ 43.8	+ 533.2
TOTAL		
Net Increase 02-10	+ 809.9	+ 3,270.7
% Increase 02-10	+ 46.0%	+ 38.0%

2. At June 2010 the Doctors and Nursing/Midwifery FTE workforce in the South Australian public health system reported the following Country of Birth and Arrival Dates to Australia prior and post June 2002;

Country of Birth (COB)	Doctors	Nurses/Midwives
Australia	607.0	5,562.4
Unknown (COB)	811.7	3,955.4
Overseas Country of Birth	1,152.6	2,352.4
—Unknown Arrival Date to Australia	688.2	1,092.1
—Arrival Date to Australia prior June 2002	190.8	639.3
—Arrival Date to Australia post June 2002	273.6	621.0
—Country of Birth post June 2002 Arrivals to Australia		
- Austria	1.0	0.0
- Bangladesh	4.0	1.2
- Belgium	2.7	0.0
- Brunei Darussalam	1.0	0.0
- Canada	8.0	2.5
- China	0.0	99.2
- Colombia	0.0	0.5
- Czech Republic	0.0	0.2
- Denmark	2.0	0.0
- Egypt	1.0	0.0
- Ethiopia	1.0	0.0
- Fiji	0.0	2.0
- Germany	3.0	3.9
- Ghana	0.0	1.0
- Hong Kong	0.7	7.6
- India	73.2	139.5
- Indonesia	0.0	2.0
- Iran	9.0	1.0
- Iraq	1.0	0.0
- Ireland	1.0	4.7
- Japan	0.0	6.2
- Kenya	1.0	6.2
- Korea	0.0	43.0
- Kuwait	1.0	1.0
- Lebanon	0.0	1.0
- Liberia	0.0	0.8
- Macedonia	0.0	1.0
- Malawi	0.6	0.8
- Malaysia	55.9	14.4
- Maldives	0.0	0.9
- Mauritius	1.0	2.9

Country of Birth (COB)	Doctors	Nurses/Midwives
- Nepal	0.0	6.0
- Netherlands	0.5	2.0
- New Zealand	5.3	10.5
- Niger	0.0	1.0
- Nigeria	0.0	3.9
- Northern Ireland	2.0	0.0
- Norway	0.0	2.5
- Pakistan	9.7	0.0
- Philippines	20.5	72.8
- Poland	1.5	1.0
- Romania	1.0	0.9
- Saudi Arabia	1.0	1.0
- Scotland	0.0	13.7
- Singapore	3.7	4.3
- South Africa	3.9	18.3
- Sri Lanka	18.7	2.9
- Southern & Eastern Africa	0.0	1.0
- Sudan	0.0	1.4
- Swaziland	0.0	1.0
- Sweden	1.0	0.7
- Switzerland	1.5	0.0
- Syrian Arab Republic	0.0	0.8
- Taiwan	1.0	6.1
- Thailand	1.0	4.0
- Trinidad And Tobago	0.0	1.0
- Ukraine	0.0	1.0
- United Arab Emirates	1.0	0.0
- United Kingdom	25.0	71.8
- United States Of America	5.0	3.3
- Venezuela	1.0	0.0
- Vietnam	0.4	5.0
- Wales	0.0	0.8
- Yugoslavia	0.0	1.0
- Zambia	0.0	1.0
- Zimbabwe	1.0	36.7
Total FTE Workforce	2,571.3	11,870.2

(a) Country of Birth is based on the Standard Australian Classification of Countries (SACC) defined area. (Australian Bureau of Statistic (ABS), Australian Standard Classification of Countries (SACC), second edition (category number. 1269.0)).

(b) Country of Birth and Arrival Date to Australia are not compulsory fields in the Human Resource Management System (CHRIS), and relies on self identification, therefore discretion should be used when analysing these numbers.

HEALTH MINISTER, ADVICE

141 Dr McFETRIDGE (Morphett) (27 July 2010). What advice have the Health Advisory Committees given to the minister since their formation?

The Hon. J.D. HILL (Kurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

Since their formation, local Health Advisory Councils (HACs) have provided advice to me in a variety of ways, including through:

- the Country Health SA Board Health Advisory Council Inc
- the biennial combined Health Advisory Council Conferences

- reports
- correspondence
- direct representation.

The HACs have provided advice to me on a wide variety of issues, including:

- feedback and reporting on community responses
- the development of the Strategy for Planning Country Health Services in SA
- the potential impact of national health reforms on country health services
- issues relevant to their specific communities, as well as on issues related to the governance and administration of the HACs themselves.

Additionally, all HACs provide annual reports to me, advising of their activities in the preceding financial year.

HEALTH MINISTER, ADVICE

143 Dr McFETRIDGE (Morphett) (27 July 2010). What advice have the former Central Northern Health Service and the Regional Board given to the minister regarding the Modbury Hospital?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

As the body previously responsible for running Modbury Hospital, the Central Northern Adelaide Health Service provided information to the Minister for Health on a range of issues as was required.

As there is no Regional Board, it is not clear what the second part of the question is referring to.

IMMUNISATION PROGRAMS

144 Dr McFETRIDGE (Morphett) (27 July 2010). What education programs currently exist to ensure that new mothers vaccinate newborn and young children through the Government's immunisation programs?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

SA Health has a range of programs and education for new parents on vaccination.

Prior to the birth of their children, pregnant women who attend antenatal classes are introduced to the vaccines available through the National Immunisation Program.

After the birth of their children, all new mothers receive a copy of the 'Blue Book', which contains information about all the vaccines available under the National Immunisation Program.

An information tool for parents has been developed by SA Health, entitled Immunisation: What You Need to Know Before You Consent. This resource is available for parents to read at every clinic that provides immunisation.

SA Health's Immunisation Section staff are regularly invited to talk to parents at Information Sessions delivered at Child Care Centres.

South Australia has high immunisation coverage, with 92 per cent of children fully immunised by the time they are two years old.

ROYAL ADELAIDE HOSPITAL

148 Dr McFETRIDGE (Morphett) (27 July 2010). Will all the following programs be available in the proposed new Royal Adelaide Hospital and what is the estimated costs of equipping and servicing each of these Departments and/or services—

- Aboriginal Liaison Officers

- Access Program
- Accommodation for Guests
- Adelaide Bioeffect Planning System
- Adult Cystic Fibrosis Service—Clinical Psychology
- Ambulatory Care Programs and Services (Hampstead Centre)
- Ambulatory Care Unit
- Anaesthesia and Intensive Care
- Arthritis Research Laboratory
- Blood pressure testing
- Body Mass Index testing
- Bone Densitometry
- Brain Injury Rehabilitation Services
- Breast Assessment Clinic
- Burns Unit
- Burns Unit Psychology Service
- Burns Service
- Cancer Centre
- Cancer Information
- Cancer Centre Psychology Service
- Cancer Registry
- Cardiovascular Service
- Cardiothoracic Surgical Unit
- Cataract Surgery
- Centre for Digestive Diseases
- Centre for Physical Activity in Ageing (CPAA)
- Cleaning and Grounds Maintenance Services
- Clinical Dietetics
- Clinical Haematology Bone Marrow Transplantation Unit
- Clinical Psychology
- Cystic Fibrosis Unit
- Clinical Radiobiology
- Colorectal Surgical Unit
- Consumer Advisory Council
- COPD Program
- Corneal Unit
- Critical Care Service
- Cystic Fibrosis Unit Psychology Service
- Day Hospital
- Dementia Support Service

- Dermatology
- Dermatology Day Centre
- Dietetics
- Disability Access Map & Information Brochure
- Drug and Alcohol Resource Unit
- Ear, Nose & Throat
- Emergency Department
- Endocrine Surgery
- Endocrinology
- Endoscopic Retrograde Cholangio-Pancreatography
- ENT
- Extended Personal Care Program
- Freedom of Information Service
- Gastroenterology
- Gastrointestinal Investigation Unit (Ward Q7)
- Gastrointestinal Medicine Outpatient Department
- General Services
- Geriatric and Rehabilitation Medicine Service
- Glaucoma Unit
- GP Liaison Nurse
- Gynaecology Department
- Gynaecological Oncology Department
- Haematology
- Hampstead Rehabilitation Centre
- Hand and Upper Limb Service
- Head and Neck Surgery
- Health information—books, tapes and videos, brochures and pamphlets, Cancer Information, Hyperbaric Oxygen Therapy FAQ, Melanoma, Osteoporosis, Staying Fit and Healthy, STD Information & Understanding Cancer
- Health Promotion
- Heart Failure Transplant Clinic
- Hepatobiliary Pancreatic Surgery Unit
- Hepatology
- Pain Management Unit
- Pain Management Unit Psychology Service
- Palliative Care (Hampstead Centre)
- Palliative Care (Cancer Centre)
- Parking Authority
- Patient Admissions & Transport
- Pharmacy Services

- Physiotherapy Department
- Plastic & Reconstructive Surgery
- Podiatry
- Population Based Behavioural Research
- Professorial Surgical Unit
- Psychology
- Radiation Engineering
- Radiation Oncology
- Radiation Physics
- Radiopharmacy
- Radiotherapy
- RAH Health Promotion
- Rehabilitation Program
- Rehabilitation Services
- Relaxation classes
- Renal Service Integration Project
- Research Secretariat
- Residential Wing
- Retrieval Services—Mediflight Site
- Rheumatology Unit
- Spinal Injuries Unit
- Seating Clinic
- Sentinel Node Biopsy
- Security Services
- Sleep Disorders Laboratory
- Social Work
- South Australian Spinal Cord Injury Service (SASCIS)
- South Australian TB Service
- Speech Pathology
- Spinal Cord Injury Service
- Spinal Injuries Unit Psychology Service
- Spinal Injuries Unit
- Staff Development Department
- Staying Fit and Healthy (Specialised Exercise Programs for the Older Person)
- Stomal Therapy Unit
- Stroke Unit
- Sub Specialties Ward
- Surgical Oncology
- Surgical & Specialties Service

- Telemedicine Centre
- Thoracic Medicine
- Trauma Service
- Traumatic Injuries
- Tuberculosis
- Tumour Service
- Understanding Cancer
- University of Adelaide—Anaesthesia and Intensive Care
- University of Adelaide—Department of Clinical Nursing
- University of Adelaide—Department of Orthopaedics and Trauma (Under Construction)
- University of Adelaide—Professorial Surgical Unit
- Urea Breath Testing
- Vaccination
- Vascular Surgery Unit
- Vitreo-Retinal Unit
- Waste management
- Women's Health Centre (Cancer Centre)
- Women's Health Centre—Promoting Healthy Women
- Working Health

The Hon. J.D. HILL (Kaurana—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

A number of the services listed are currently not located at the Royal Adelaide Hospital (RAH).

As the new RAH will be a bigger hospital, with more staff and more beds, consequently it is anticipated that there will be more services.

In terms of the estimated costs of equipping and servicing the departments/services, these costs will be managed through the capital and/or operational budget allocation for the hospital.

CHILD SEX OFFENDER REGISTER

203 Ms CHAPMAN (Bragg) (15 March 2011).

1. How many people are listed on the Child Sex Offender Register?
2. How many instances of unsupervised contact between a registered sex offender and a child or children have occurred since 1 January 2005?
3. How many instances of unsupervised contact between a registered sex offender and a child or children were reported by SAPOL to the Department for Families and Communities since 1 January 2005?

The Hon. K.O. FOLEY (Port Adelaide—Minister for Defence Industries, Minister for Police, Minister for Emergency Services, Minister for Motor Sport, Minister Assisting the Premier with the Olympic Dam Expansion Project): The South Australia Police (SAPOL) have provided the following information:

As at 3 March 2011, 12,613 registrable persons were recorded on the Australian National Child Sex Offender Register (ANCOR). Of those, 1,293 are recorded in the South Australian section. The 1,293 figure comprises 1,063 people who are currently registered, 60 people who are awaiting registration; and 170 people who are in custody.

Pursuant to the Child Sex Offenders Registration Act 2006 (the Act), a registrable offender must, as part of their initial and ongoing reporting obligations, report the names and ages of any children who generally reside in the same household or with whom he or she has regular unsupervised contact.

A registered offender can have unsupervised contact with or reside with children for up to 13 days a year and not be required to report that contact. An offender is not generally considered to reside or have unsupervised contact with a child unless they have resided with the child or had unsupervised contact for at least 14 days (whether consecutive or not) in a period of 12 months.

As at 1 March 2011, 384 registered offenders are recorded as having reported that they have a recordable child association. The Act does not require the registered person to report each instance when that association/unsupervised contact will or has occurred.

Recordable child associations are not routinely reported or forwarded to other agencies. The interagency Code of Practice: Investigation of Suspected Child Abuse or Neglect (2009) provides the framework and interagency processes with respect to assessments, interventions and investigations of suspected child abuse and neglect. Police adopt the principles and philosophies of the Code and communicate with other agencies including the Department for Families and Communities when required.

Mandatory Child Abuse Notifications are made by Police to the Department for Families and Communities in accordance with Section 11 of the Act. Notifications are made by Police in circumstances where there is a suspicion on reasonable grounds that a child has been or is being abused or neglected.

HEALTH WORKERS

205 Dr McFETRIDGE (Morphett) (15 March 2011).

How many Departmental employees are employed in briefing units in each of the following entities—SA Health, Adelaide Health Service, Children's, Youth and Women's Health Service, Country Health SA, Royal Adelaide Hospital, Queen Elizabeth Hospital, Lyell McEwin Hospital, Flinders Medical Centre, Office of the Chief Executive and Office of the Minister, and in each case—

- (a) what are their positions;
- (b) what are their salaries; and
- (c) what are their qualifications?

The Hon. J.D. HILL (Karna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

The Department of Health does not have any briefing units within any of its entities.

TAPLEYS HILL ROAD

224 Dr McFETRIDGE (Morphett) (15 March 2011).

1. Since 2005, how many motor vehicle accidents have occurred on Tapleys Hill Road between West Beach Road and Warren Avenue?
2. How many people have been killed or seriously injured in these motor vehicle accidents?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I am advised:

1. Between 1 January 2005 and 31 December 2010, there have been 97 reported crashes on the section of Tapleys Hill Road in between West Beach Road and Warren Avenue.
2. There was one person killed and three people seriously injured in these crashes.

ROAD ACCIDENT VICTIM COMPENSATION

225 Dr McFETRIDGE (Morphett) (15 March 2011). Since 2005, how much has the Motor Accident Commission paid in compensation to road accident victims for all motor vehicle

accidents that occurred on Tapleys Hill Road between West Beach Road and Warren Avenue at Glenelg?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): The Motor Accident Commission has advised that a total of \$1.1million has been paid in claims costs since 2005 arising from 41 claims from accidents that have occurred on Tapleys Hill Road between West Beach Road and Warren Avenue at Glenelg North.

CITI CENTRE BUILDING NURSES

227 Dr McFETRIDGE (Morphett) (15 March 2011).

How many Department of Health employees located at the Citi Centre Building are categorized as nurses?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

As at 25 February 2011, there were 31 employees located at the Citi Centre Building who were categorized as nurses.

NON-AUSTRALIAN CITIZENS, HOSPITAL CARE

228 Dr McFETRIDGE (Morphett) (15 March 2011). What is the cost of providing hospital care for overseas non-Australian citizens who attend South Australian public hospitals and what is the outstanding unpaid amount?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

SA Health does not capture in its systems a specific patient category of overseas non-Australian citizens and, therefore, is unable to determine the cost of providing hospital care to this specific patient group.

INTERNATIONAL STUDENTS, PREGNANCY TERMINATIONS

229 Dr McFETRIDGE (Morphett) (15 March 2011). In each year since 2005, how many international students had pregnancy terminations in South Australian public hospitals by country of citizenship, and what is the total cost incurred and fees collected from these international students by country of citizenship?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

Information on whether a woman requesting a termination of pregnancy is an international student is not available as this information is not collected by hospitals.

STATE PROMOTION EXPENDITURE

256 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 4—Volume 3, p169, Statement of Cash Flows—

1. Why did the employee benefit payments for the Agent-General increase from an estimated result of \$119, 000 in 2010-11 to a budgeted amount of \$325,000 in 2011-12?

2. What are the details of the 'Other payments—Promotion of the state' expenditure line and where is this money spent?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

1. The 2011-12 Budget of \$325,000 associated with the Agent-General's employee benefit payments is higher when compared with the 2010-11 Estimated Result of \$119,000 due to the 2011-12 Budget reflecting a full-time contract for the Agent-General. The current Agent General is appointed on a part time basis, and consequently the 2011-12 Budget will be adjusted in the 2011 12 Mid-Year Budget Review to reflect these part-time arrangements.

2. The Promotion of the State Fund is an Administered Item with the specific purpose of meeting the cost of whole of Government communication and activities that promote South Australia. Payments made from this fund during 2009-10 included costs associated with the Premier's Reading Challenge, the Tour Down Under and G'DAY USA.

SUPPLIES AND SERVICES

262 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 4—Volume 3, p143, Program 6—

What is the cause of an increase in 'supplies and services' of almost \$1 million compared to the 2010-11 Estimated Result?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

The increase is primarily due to the provision of \$750,000 in the 2011-12 budget to enable planning to be undertaken on the future redevelopment of the Adelaide Festival Centre within the broader Riverbank Precinct development. The remainder of the increase is due partly to the practice of holding the budget for breakdown and minor works activities for relevant arts organisations in the Supplies and Services line.

ARTS ANNUAL PROGRAMS

263 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 5, p34—

What is included in the 'Annual Programs' line for the Arts Sector?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

Of the total funding for Annual programs, approximately \$1 million is allocated to Arts SA's capital improvement program. These funds are used to upgrade and replace assets of a number of arts agencies, namely History SA, Art Gallery of SA, State Library of SA, SA Museum and Carrick Hill, and are allocated based on relative investing priorities across these agencies.

The Annual program funding also includes approximately \$1.3m for the Libraries Board for the purchase of its heritage collections.

HISTORY TRUST AND MUSEUM BOARD

264 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 5, p35—

What works are taking place in 2011-12 for the History Trust and Museum Board?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

The National Motor Museum, a History SA museum, will have completed air conditioning to the top floor of the administration building.

Arts SA will undertake the design and documentation and commence installation of a new air conditioning system at the SA Maritime Museum, also a History SA museum.

There are no projects identified for the South Australian Museum in 2011-12.

RICHARD LLEWELLYN ARTS AND DISABILITY TRUST

266 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 6, p61—

What are the details of the Richard Llewellyn Arts and Disability Trust and is there a private or NGO co-contribution and if so, how much?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

The Richard Llewellyn Arts and Disability Trust was established in 2006 as a partnership between the Department for Families and Communities, through the Office for Disability and Client Services, and the Department of the Premier and Cabinet, through Arts SA, with an original allocation of \$1,000,000.

In the 2011-12 State Budget, I announced an ongoing commitment of \$300,000 per annum to continue this program. This will see the program move from the current Trust structure to an ongoing Arts SA funding program.

To date, all funds contributed to the Richard Llewellyn Arts and Disability Trust have been Government monies.

In 2009, the Board of the Richard Llewellyn Arts and Disability Trust set up the Richard Llewellyn Arts and Disability Trust Community Foundation to secure tax deductible donations, and this fund has received \$11,500 in donations from individuals since it was established.

No other funds have been used to support this program.

ARTS SA

268 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 6, p62—

1. How many of the TVSPs are in the Arts Portfolio and how many Arts SA staff took TVSPs in 2009-10 and 2010-11, respectively?

2. What is the total number of staff in Arts SA?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

1. The above-mentioned FTE savings for the Department of the Premier and Cabinet represent a reduction of 22 FTEs by 2013-14. The Department has yet to determine the allocation of these FTE savings to Arts SA Central or its other Divisions.

In 2009-10, one (1) Arts SA staff member received a TVSP. No Arts SA staff members received TVSPs in 2010-11.

2. At 30 June 2011, there were 38.4 FTEs in Arts SA Central.

HERITAGE RESTORATION WORK

269 Mrs REDMOND (Heysen—Leader of the Opposition) (13 July 2011). With respect to 2011-12 Budget Paper 4—Volume 3, p142, Program 5—

1. What is involved with 'stage one of the external restoration work'?

2. Under the performance indicators, where does the external revenue come from?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change): I advise the following:

Stage one of a project of external restoration work would involve painting of timberwork and heritage stone restorations for the North Terrace cultural precinct. Arts SA would traditionally partner with DTEI to deliver these works on a shared 50:50 basis.

This project forms part of an annual capital program to address the maintenance of heritage buildings. Since publication of the Budget, the capital program has been reassessed to cater for quotes received by Arts SA, and funds have been reallocated to other projects.

In 2011-12, Arts SA will partner with DTEI to deliver the final stage of external heritage restoration works at Carrick Hill.

The heritage restoration works for the North Terrace cultural precinct have been deferred to the 2012-13 capital program.

External revenue includes bequests, donations, sponsorship, admission revenue and other commercial activities.

PIKA WIYA HEALTH SERVICE

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (9 June 2011).

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts): I am advised:

Staff who choose to remain with Country Health SA (CHSA) will become redeployees if they are declared to be surplus to requirements, and through this process may be invited to request an offer of a TVSP.

Further discussions are taking place between CHSA and unions to facilitate the transfer of staff who wish to take up positions with the new entities, and at the same time make arrangements for staff who wish to remain with CHSA.

APY LANDS, SUBSTANCE MISUSE FACILITY

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:10): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Last week, I visited the APY lands to meet with the local community and health practitioners working on the lands, in particular to discuss future plans for the Amata substance misuse facility. It is well known that this facility, commissioned by the previous federal Liberal government, is underutilised. We have been working with the Aboriginal Affairs and Reconciliation Division to develop a new focus for this centre.

Currently, Drug and Alcohol Services SA (DASSA) delivers an outreach and transitional residential service from this facility. As I told the house last week, a total of 352 referrals relating to 275 individuals have been received since the outreach program commenced in 2006. The Child and Adolescent Mental Health Service also runs a service from this facility. I was pleased, while I was there with officials from the health department, to discuss the types of services and programs—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —that might be undertaken—

Members interjecting:

The SPEAKER: Order! There is too much noise coming from the left and right of my seat. I can hardly hear you, minister.

The Hon. J.D. HILL: I was pleased, on my trip, to talk about the types of services and programs that might be undertaken at the facility in the future. There is general support, I believe, for the facility to have a positive focus with extended services. Services will be developed over the coming months while we maintain the existing DASSA services, the Child and Adolescent Mental Health Service, and services being provided by non-government organisations.

Other services could include a procedure room (we think that is highly viable), a diabetes program (we will trial a mobile diabetes van in October), allied health services, other mental health services, and health promotion programs, along with other services and programs from relevant government agencies. We are particularly looking at a parenting program which needs new accommodation—

Mr Marshall: What about dialysis?

The Hon. J.D. HILL: I just said that; didn't you hear me? Service delivery models will be developed with and after further consultation with the Nganampa Health Council. We are very keen to move this forward, and we will work with federal government—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —along with the Amata community and the appropriate governance structures and representation of Anangu Pitjantjatjara Yunkunytjatjara. As I indicated in this place on Thursday 15 September, I am responsible for the budget for this facility. A member asked in particular how much was in it; I can now provide more detail. The total budget is \$1.327 million, which is made up of \$1.077 million from the Aboriginal Affairs and Reconciliation Division and \$250,000 from Drug and Alcohol Services South Australia.

Mr Williams interjecting:

The SPEAKER: Order! Deputy leader, behave!

QUESTION TIME

APY LANDS, CHILD SEX ABUSE

Mrs REDMOND (Heysen—Leader of the Opposition) (15:14): My question is to the Minister for Families and Communities. Did the minister brief the then minister for Aboriginal affairs and reconciliation, Jay Weatherill, about the alleged child sexual abuse on the APY lands?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:14): I—

Mrs Redmond: It's not a hard question.

The Hon. J.M. RANKINE: No, it is not a hard question at all; it's just not a very specific question.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: At what point in time are you speaking about?

Members interjecting:

The Hon. J.M. RANKINE: Your question is not very specific. There have been occasions, yes, when we have had meetings about child abuse on the APY lands.

PREMIER'S TRADE MISSION TO INDIA

Ms THOMPSON (Reynell) (15:14): My question—

Members interjecting:

The SPEAKER: Order! Member for Reynell.

Ms THOMPSON: My question is to the Premier. Can the Premier update the house on the nature and purpose of his recent trip to India?

The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (15:15): Well over a decade ago India was identified as an emerging giant economically. Indeed, since 1994, India has had one of the world's fastest growing economies, in part from increased economic engagement with the rest of the world. It was the very strong advice in 2003 of the former head of the World Trade Organisation and a member of South Australia's Economic Development Board, Mike Moore, that South Australia pay particular attention to the opportunities India afforded to our state.

It surprised me, actually, that I was the first premier of South Australia to ever officially travel to India when I led the first trade mission there in 2004. Following that visit, South Australia established its own trade office in Chennai, formerly known as Madras, headed up by former Austrade officer Mr A.K. Tareen, who has vast experience in Indian trade. I know there have been a series of visits by ministers since that time and also by business delegations. I also pledged to keep returning to India, and I believe that that strategy is paying dividends.

In fact, the fact that South Australia has really turned its attention to India has seen India go from being I think our 16th biggest trading partner to our third biggest behind China and the United States, and there is every prediction that it will become our second biggest trade export destination in the next couple of years. We have seen in the last year alone I think a 72 per cent increase in exports to India. From 2005-06, our annual exports to India have grown from \$106.4 million to

\$600 million in 2009-10. Obviously, there are a range of exports: copper, refined lead, coke, agricultural products and education, but in a range of other areas as well.

I am pleased to tell the house that on 7 August I returned from my sixth official visit to India. On this visit I was accompanied by South Australia's Special Envoy to India, Brian Hayes QC; Denise Von Wald from Education Adelaide, which of course brings together our educational institutions, and in terms of marketing overseas they have done an outstanding job, as has Denise Von Wald; Stephen Conroy from TAFE SA; and Stephen Annells from DTED. The itinerary included New Delhi and Mumbai, and my first visits to Kolkata and Ahmedabad.

For the information of the members of this house, Ahmedabad in the state of Gujarat is now considered to be the growth engine state of India. During this mission I met with a number of chief ministers of individual states, the federal Indian Minister for Education and a number of state ministers, and addressed the Chambers of Commerce and the Confederation of Indian Industry within each of the states I visited.

Once again, the visit generated a good deal of media interest, which helps to sustain South Australia's profile, ensures that our enthusiasm for doing business with India is well known and builds goodwill. The commitment to India has allowed us to make better contacts over the years, and on this visit we secured meetings with some of India's biggest and best-performing companies to pitch investment opportunities here in South Australia. This included meetings with Noel and Ratan Tata from the giant Tata Group; Gautam Adani, Chairman of the Adani Group; and H.C. Daga from Essel Mining and Industries Limited. All were interested in our resources, exploration and mine development, infrastructure, advanced manufacturing and clean technology industries.

It was interesting to see how the nature of the visits had changed, whereas on previous visits the biggest amount of attention and interest was in the area of international education. This time it was very much resources focused, although with still a very strong educational focus as well. I was delighted that the Chairman of the Adani Group, Gautam Adani (one of India's most successful business identities), and four members of the Adani Group executive have already accepted my invitation to come to Adelaide to further discuss mining, resources and oil and gas, as well as infrastructure opportunities in South Australia.

During their visit last week I met with Mr Adani and his delegation, and they received presentations from the Chairman of the Economic Development Board, Mr Raymond Spencer, as well as from Mr Hayes, about opportunities in South Australia. The Adani Group is a diverse global corporate company with interest in infrastructure, global trading, logistics, energy, ports, mining, oil and gas, agribusiness, consumable goods and real estate development.

They are recognised as India's largest coal importer, operator of the country's largest private port, developer of the largest multiproduct special enterprise zone and owner of the largest edible oil refining facility in India. They have already pledged to come back again within the next 45 days or so for another visit.

India now officially has 1.2 billion people. The economic growth rate is more than 8 per cent. It has one of the largest populations under 25 years of age. To cope with this population growth, India needs hundreds of new universities, thousands of polytechnics and over one million extra teachers to educate its vastly growing student population by 2016.

My visit to India coincided with an official visit by the federal minister with responsibilities for further education, Senator Chris Evans. It was in New Delhi with me that he announced that Indian students in Australia will be able to complete part of their degrees at Indian universities, and Australian students are encouraged to study in India under a bilateral MOU signed with the Indian Minister for Education, Kapil Sibal, that would enable greater recognition of prior learning and credit-sharing arrangements.

This provides opportunities for South Australia because it creates further goodwill between the two countries and will establish new student and academic relationships and strengthen existing ones. India indeed has set itself a goal to train 500 million people by 2022—not all of that can be done in India and not all of it by governments, and that is vocational training that I am referring to.

Attracting Indian students to South Australia was and remains a key part of our missions. I can confidently tell the house that the mission was by far the most productive and successful in terms of potential outcomes for our state and in relation to the promotion of South Australia in India.

Certainly, I think, persistence pays off, and we are receiving considerable credit in India as the state that has worked hardest on relations between Australia and India.

APY LANDS, CHILD SEX ABUSE

Mrs REDMOND (Heysen—Leader of the Opposition) (15:23): I will try another question to the Minister for Families and Communities, if I may. When did the minister first become aware of alleged sexual abuse of children on the APY lands?

The Hon. P.F. Conlon: Probably when we appointed Mullighan.

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:23): Yes, thank you for your assistance. Yes, you are exactly right. When the former minister for aboriginal affairs appointed Justice Mullighan to undertake his inquiry into sexual abuse on the lands that really highlighted the extent of the problems up there. That is really when I first became aware of the extent of the abuse, and it has been a very strong focus of our cabinet to address those issues.

There has been some discussion in the media of recent times about our response to Justice Mullighan's report, and I am really pleased to be able to, perhaps, give the house a little bit more insight into our attention to—

Mr WILLIAMS: Point of order, Madam Speaker. I think the question was very specific. She complained a moment ago that the question wasn't specific. The question was very specific, and I believe that the minister has indeed answered it.

The SPEAKER: The minister's information that she is giving is relevant to the question.

The Hon. J.M. RANKINE: I became aware as a result of Justice Mullighan's report into abuse on the lands.

Mr WILLIAMS: Point of order, Madam Speaker. Standing order 98 states that the minister must answer the substance of the question. The substance of the question was: when did the minister first become aware? When did she become aware?

The Hon. P.F. Conlon interjecting:

Mr WILLIAMS: There wasn't anything else, Pat.

The SPEAKER: Order! I think the question relates to relevance, and I think the minister is responding in her own way. She can choose to answer that way if she wishes to.

The Hon. J.M. RANKINE: Thank you, Madam Speaker. There was only one of the 46 recommendations that the government didn't accept. Each year I bring an annual report into this place, and in November last year we were able to confirm that 10 of the recommendations had been fully implemented and another 35 recommendations were in progress or were longer-term programs.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: Since last year, I have been informed that a further 17 recommendations have been completed, bringing the total to 27 recommendations completed, and the remaining recommendations are being implemented or are long-term programs—

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: —long-term programs like housing. Let me just tell you what we are doing about housing on the lands. We have a 10-year partnership agreement with the federal government to deliver housing on the APY lands and—

Mrs REDMOND: Point of order: relevance. I accept that you have said, Madam Speaker, that the minister can answer in any way she wants, but the question was about sexual abuse of children, not housing on the lands.

Members interjecting:

The SPEAKER: Order! Again, I get back to standing order 98: it doesn't apply in this case. The minister can answer the question as she chooses but, minister, I would ask you to get back to the question and shorten your answer.

The Hon. J.M. RANKINE: One of the fundamental issues raised by Justice Mullighan was the fact that overcrowding in housing was one of the critical issues around child protection. We have a \$292 million 10-year partnership with the federal government to provide housing on the APY lands—

Members interjecting:

The SPEAKER: Order! You will hear the minister in silence.

The Hon. J.M. RANKINE: —and other discrete Aboriginal communities.

Mr Marshall interjecting:

The SPEAKER: Member for Norwood!

The Hon. J.M. RANKINE: From 2009-10 through to 2010-11 financial year, we had constructed 82 new houses on the lands and upgraded a further 108 houses. This year, our capital works target is 34 new homes and 19 existing houses to be upgraded. In addition to that, we have located a regional manager for housing on the APY lands and an operations manager, and we are operating a home living skill program.

Mr WILLIAMS: Point of order, Madam Speaker. I recall a few moments ago, in a previous point of order raised by the opposition, you directed the minister to get back to the substance of the question, and I think she is flouting your ruling.

The SPEAKER: Thank you, deputy leader. The minister did refer to a finding in the Mullighan report and she is relating her answer to this, which relates back to your question. Minister, perhaps you could draw your answer to a close soon.

The Hon. J.M. RANKINE: It does absolutely make an enormous difference—

Mr Marshall: What about the child protection officers?

The SPEAKER: Order, member for Norwood!

The Hon. J.M. RANKINE: —to these communities. Only a couple of months ago, I was visiting two communities, Amata and Mimili, and I presented nationally accredited certificates to 22 of the Aboriginal men who had completed their civil construction certificates I and II, helping in the construction of these homes. These men had—

Members interjecting:

The Hon. P.F. CONLON: Point of order: we have had four or five spurious points of order but interjections are always out of order, and the deputy leader has done it about 15 times during this question. I ask you to call him to order. If he has no respect for this answer, we do on this side.

Members interjecting:

The SPEAKER: Order! Thank you, minister.

Mr Williams interjecting:

The SPEAKER: Order! The deputy leader, you will not argue across the floor.

Members interjecting:

The SPEAKER: Order! The minister will sit down. Order!

Members interjecting:

The SPEAKER: We can sit here all afternoon and wait for question time to finish in argument if you choose and then we will have to extend it, etc., but I want to go home tonight. Can we have some order? Minister.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: These men have real jobs in their local communities, and we set a target with our contractors of 20 per cent local employment.

Mr Marshall interjecting:

The SPEAKER: The member for Norwood, I warn you.

The Hon. J.M. RANKINE: We in fact exceeded 37 per cent employment, and what this is doing is showing to those young boys who are going to school—they were initiated and they were not attending any longer—that in fact it is really important that you continue to learn and continue to develop your skills so that you can have jobs into the future.

PUBLIC HOSPITAL BEDS

Mr SIBBONS (Mitchell) (15:31): My question is to the Minister for Health. Can the minister update the house on the number of beds across the state's hospital system?

The Hon. J.D. HILL (Kaurna—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (15:31): I thank the member for Mitchell who I know has recently occupied one of our beds and understands the great service—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —that we provide the public of South Australia. I am pleased to inform the house that there were 2,866 overnight hospital beds on average across the metropolitan hospital system in 2010-11. I say 'on average' because we flex up and flex down beds depending on demand. This is 57 more beds than the previous year and more than 260 more beds than when we were elected to office, in other words, when they were the government of this state—260 additional beds from when they were in office. According to the latest available national statistics, this state had the highest number of public hospital beds per capita in the country—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —sitting at three beds per 1,000 of our population. That is 15.4 per cent above the national average. They scream and interject—

Mr Williams interjecting:

The SPEAKER: Order! I warn the Deputy Leader of the Opposition.

The Hon. J.D. HILL: —but these are the facts. We have also employed more staff across our health system. As of June this year, there were 3,398 doctors working in our public health system. That is 150 more doctors than the previous year—a 4.7 per cent increase—and 1,217 more doctors than there were working in our public health system in 2002—a 56 per cent increase under our government. That is 56 per cent more doctors working for public health than there were under the Liberal Party.

Ms Chapman interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: There were 15,545 nurses and midwives, 247 more than the previous year, and 4,569 more nurses working in our public hospitals in 2011 compared to 2002. That is a 42 per cent increase under our government—42 per cent more nurses working in public hospitals under Labor. There is more good news. There were 3,070 allied health and scientific professionals. That's 111 more—

Mr Marshall interjecting:

The SPEAKER: Order! The member for Norwood, you are warned for the second time.

The Hon. J.D. HILL: Thank you, Madam Speaker, for your protection. There were 3,070 allied health and scientific professionals working in our public hospitals. That is 111 more than the previous year and 1,146 more than in 2002. That is a 60 per cent increase under Labor—60 per cent more allied health workers and scientific professionals under this government. So we now have more beds, more doctors, more nurses, more allied health staff and we are doing more procedures on more patients and there are less delays.

Members interjecting:

The Hon. J.D. HILL: They think if you tell a lie more than once, it becomes the truth. They are wrong. We have more procedures on more patients done more quickly than ever before.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I dare them to ask the question.

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: I am happy to provide the evidence. Madam Speaker—

Members interjecting:

The SPEAKER: Order! The minister will sit down until we have some quiet from my left. Now, behave yourselves.

The Hon. J.D. HILL: Sorry, Madam Speaker, I do get a bit passionate about these matters. We have 250 more beds to come online over the next five years, on top of the 260 that we have already opened up. That is through capital works projects at the Lyell McEwin, Modbury, Women's and Children's and, of course, the new Royal Adelaide Hospital.

I was very pleased to join the Premier on Saturday for the initial groundwork to begin construction. That is the first time that we have shifted soil on that site, and it was a great moment. The Royal Adelaide Hospital, which will be open in 2016, will increase capacity by 30 per cent to provide even more patients with more care at a very high level in our system.

We have invested very heavily in our health system. We need to do that as a government, and I thank Treasury for its support all the way through in this important area. We have to do it. That is not to say that our system is not under pressure from time to time. I always acknowledge that. Whenever we have an issue with this pressure we deal with it. That is what good government does. I have yet to hear though from the opposition one single policy initiative that they would put in if they were in government. They are bereft of ideas, they are bereft of talent and they have no future.

APY LANDS, CHILD SEX ABUSE

Mrs REDMOND (Heysen—Leader of the Opposition) (15:36): My question is to the Minister for Aboriginal Affairs and Reconciliation. When the minister was appointed as Minister for Aboriginal Affairs and Reconciliation on 25 March 2010, was she briefed about alleged child sexual abuse at Amata on the APY lands and, if so, what action did she take?

The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (15:36): I have a number of discussions with the Minister for Families and Communities about a number of matters.

Members interjecting:

The SPEAKER: Order!

Mr WILLIAMS: Point of clarification, Madam Speaker.

The SPEAKER: Order! Point of clarification. I am not sure where that comes from.

Mr WILLIAMS: The question also was: and what action did you take? Do we take it from the answer that no action has been taken?

Members interjecting:

The SPEAKER: Order! Minister, have you finished your answer? The member for Light.

Members interjecting:

The SPEAKER: Order!

GREAT ARTESIAN BASIN

Mr PICCOLO (Light) (15:37): My question is to the Minister for Water. What is the South Australian government doing to ensure that the Great Artesian Basin's water is managed sustainably for future generations?

The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (15:37): I thank the honourable member for his important question.

Ms Chapman interjecting:

The SPEAKER: Member for Bragg!

Members interjecting:

The SPEAKER: Order!

The Hon. P. CAICA: The Great Artesian Basin is one of the largest underground water reservoirs in the world. It occupies over \$1.7 million—it's worth that much, or more.

Mr Williams interjecting:

The Hon. P. CAICA: A slip. Thinking dollars all the time, Mitch. It occupies over 1.7 million square kilometres beneath Queensland, New South Wales, South Australia and the Northern Territory. Historically, artesian water that came to the surface under natural pressure flowed uncontrolled into open drains and creeks for distribution to stock. However, up to 95 per cent of this water was wasted through evaporation and seepage.

By the early 1900s, it was recognised that this was unsustainable. There was a reduction in water pressure and volume due to the increasing number of free-flowing bores drilled. This, in turn, caused environmental damage. To assist in improving pressure in the basin, since 1999 the Australian state and territory governments have been funding the 15-year Great Artesian Basin Sustainability Initiative (GABSI). This initiative aims to conserve and manage the basin's water resources on a sustainable basis.

The first two phases of this initiative were a big success in South Australia. Free-flowing artesian bores were rehabilitated and controlled and pipe watering systems were installed across the basin to maximise water savings. I am pleased to inform the house that works have recently commenced in South Australia on the third phase of this initiative. The government has committed a further \$1 million, matched by the federal government, to continue this important work into the third phase. This funding will help save water in the Great Artesian Basin and protect the region's precious ecosystems and industry.

South Australia is undertaking works to backfill two large free-flowing wells on the western side of the basin. South Australia will also rehabilitate a high pressure well in the centre of the basin. The capping of these two large free-flowing bore drains, alone, will preserve an additional 3.8 megalitres of water per day, or 45 litres per second of artesian groundwater. The state has also recently completed a program to reduce the number of leaking wells on five pastoral stations, and these works include replacing three artesian wells and backfilling eight uncontrolled wells.

Phase 3 of the Great Artesian Basin Sustainability Initiative will help to preserve the basin's water for where it is needed most, for the local pastoral community and the continuing to thrive mining and resources industry and, of course, for the region's very important ecosystems and tourism. These past and continuing efforts all help to recover artesian pressures and reduce water wastage. It is initiatives such as this one that are critical in minimising water losses and protecting our precious ecosystems.

APY LANDS, CHILD SEX ABUSE

Mr MARSHALL (Norwood) (15:40): My question is to the Minister for Aboriginal Affairs and Reconciliation. Does the minister know if reports of child sexual abuse concerning children from the APY lands made to the Families SA Coober Pedy office identify whether the children are from the APY lands and, if it does not identify them as being from the APY lands, then why not?

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:41): My understanding of the process is that all reports go to the Child Abuse Report Line (CARL) and are assessed and actioned from there.

Mr Marshall: Are they identified as from the APY lands?

An honourable member: That's the essence of the question.

The Hon. J.M. RANKINE: I am sorry I cannot give you that answer. I will take that on notice. I am not exactly sure about—

Mr Marshall: Does the minister know? Does she actually know?

The Hon. J.M. RANKINE: Hang on a minute. If—

The SPEAKER: Order, member for Norwood!

The Hon. J.M. RANKINE: If you are then going to follow up and ask me how many reports have been made, it has been a general practice not to identify specific communities, for very obvious reasons, which I am sure you would understand.

CONTRACT TEACHERS

Mrs VLAHOS (Taylor) (15:42): My question is to the Minister for Education. Can the minister advise the house of improvements in job security for contract teachers in public education?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (15:42): I thank the honourable member for her question. One of the first things that were undertaken on becoming education minister was the fact that we had too many teachers on short-term contracts in our public schools. This is obviously pretty debilitating for teachers, creates insecurity for students and generally is bad for public education.

In February this year we established the Teacher Renewal Scheme which has seen more than 100 experienced teachers looking to get out of teaching replaced in permanent jobs by enthusiastic early career teachers, and that has been a fantastic revitalisation to a number of our schools.

Mr Pisoni: So around about 10,000 to go.

The Hon. J.W. WEATHERILL: If that's your assessment about our teaching workforce it's no wonder that you're such—

Mr Pisoni: That's how many you've got on contract.

The Hon. J.W. WEATHERILL: —a loved figure amongst the teachers. Madam Speaker, as you would be aware, in June this year we secured the overwhelming support of teachers for a radical new recruitment strategy. In a poll, 75 per cent of teachers supported this, making sure that more contract teachers would be permanent, giving more powers to schools to select teachers who best suited the needs of their particular school, and ending the rule which forced teachers out of their school, regardless of performance, after 10 years.

The new policy is now in place and, as a result, in July and August we have been able to advertise almost 700 permanent positions available for teachers, including contract teachers. The teachers winning these jobs will all be selected by the schools and will include schools which have not had the capacity to select teachers for as long as people can remember. These are schools that are in demand by teachers and in the past have always had to be filled by the central placement pool of existing permanent teachers. That has meant the contract teachers have never had a look-in at these schools.

On top of this, in order to move from our old system to the new system we have had to place more than 600 permanent teachers, who are in temporary placements, into ongoing positions. These are teachers who were facing uncertainty under the old system merely because of the fact that they had been in one school for 10 years and were often shuffled around from school to school. These advertised positions should all be selected this term and then there will be a further round next term. Depending on the numbers, this next round will also allow schools to directly convert some longstanding well-performing contract teachers into permanent positions in their schools.

This is just the beginning. As the process is beginning, people are cautious about converting the number of teachers into permanent positions, so we are encouraging those schools to take the step to convert as many teachers as possible to permanent. This will open up even more opportunities for our young contract teachers and not-so-young contract teachers. Frankly, there are a lot of contract teachers who have been on contracts for a considerable period of time. We can expect there will be an even greater number of permanent positions available next year.

I want to thank the much-maligned central office of DECS, which did some fantastic work with schools to get this policy over the line. I want to thank the principals of schools, who have accepted this new challenge. It gives them new rights but also new responsibilities. I also want to thank the contract teachers in public education, who have hung in there while we got this new process up and running, and the union for its cooperation in what was a difficult, but ultimately very successful, negotiation process.

APY LANDS

Ms CHAPMAN (Bragg) (15:46): My question is to the Minister for Aboriginal Affairs and Reconciliation, or the Minister for Families and Communities, or whichever minister has a clue what is going on up there.

Members interjecting:

The SPEAKER: Order, member for Bragg!

Ms CHAPMAN: How does the minister explain not being able to locate 16 per cent of the children reported as tier 1 child abuse notifications to the Coober Pedy office, which receives the child abuse notifications for the APY lands, yet the statewide average is just 1.8 per cent for 2009-10?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:46): First and foremost, I will check the accuracy of the member for Bragg's assertions.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE: I will check those assertions before we go any further.

Mr Pisoni: They are so high you don't believe them!

The SPEAKER: Order! Member for Unley, you are warned.

The Hon. J.M. RANKINE: I know it will come as no surprise to people on this side of the house, although it may to the member for Bragg, but Aboriginal people move around their communities. They move around their communities: sometimes they live in their community and sometimes they leave their community. They are not always where we think they might be, so sometimes they are very difficult to locate.

ACTIVE CLUB PROGRAM

Ms BEDFORD (Florey) (15:47): My question is to the Minister for Recreation, Sport and Racing. How is the government helping to support the needs of our community-based sport and recreation groups?

The Hon. T.R. KENYON (Newland—Minister for Recreation, Sport and Racing, Minister for Road Safety, Minister for Veterans' Affairs, Minister Assisting the Premier with South Australia's Strategic Plan, Minister Assisting the Minister for Employment, Training and Further Education) (15:47): I thank the honourable member for her question and her keen interest in sport, particularly calisthenics. I saw her down at the victory of the Mighty Zulus hockey club at the weekend, when they won the metro men's first and second grade hockey. It was good to see.

One of the primary avenues through which the state government provides financial assistance to community-based sport and recreation organisations is through the Active Club Program. The Active Club Program is a fantastic—

Members interjecting:

The SPEAKER: Order! It is very difficult to hear the minister.

Members interjecting:

The SPEAKER: Order!

The Hon. T.R. KENYON: The Active Club Program is a fantastic opportunity for grassroots organisations to obtain financial assistance—

Members interjecting:

The SPEAKER: Order! Members on my left will behave, and members on my right will not provoke them.

The Hon. T.R. KENYON: The Active Club Program is a fantastic opportunity for grassroots organisations to obtain financial assistance to strengthen and sustain active communities. Through this program, we are helping to make sure communities have the facilities they need to encourage healthy active involvement in sport and recreation.

I am happy to report to the house that, following this last round of Active Club grants, I have approved funding totalling more than \$1.1 million to benefit 211 regional and metropolitan organisations representing a wide range of recreation and sporting activities. Amongst these were some great projects, such as new lights for the Whyalla Lions Soccer Club and the Crystal Brook Tennis Club; facility upgrades for the Hamley Bridge Bowling Club and Broadview Football Club; a new surface for the Bridgewater Tennis Club; and crucial sports equipment for Renmark Rowing Club and Lobethal Netball Club.

More than \$21 million in Active Club funds has now been distributed across 4,000 grassroots organisations since 2002, providing an enormous boost to recreation and sporting activities throughout the state. This government is committed to supporting grassroots sporting clubs and organisations, and I once again urge all members to suggest to clubs and organisations that this is a fantastic grants program and they should apply.

I am also pleased to advise the house today that the second round of the Active Club Program for 2011 is now open, with a closing date of 24 October. I have recently written to all members informing them of this and would urge them to encourage all eligible groups in their electorate to apply for program and equipment funding of up to \$10,000 or facility funding of up to \$20,000.

I also take this opportunity to remind members that the 2011-12 Community Recreation and Sport Facilities Program (CRSFP) is currently open as well for any sporting groups in your electorates with bigger facility projects in mind. Individual grants of between \$20,000 and \$500,000 are available, with applicants required to match any funding through either cash contributions or in-kind work.

Many clubs underestimate the value of in-kind support, and I would encourage members to outline the value of in-kind support to their clubs in their applications. This year, a total \$6.581 million is available through this program, making a significant impact on the quality of sports facilities available to kids and adults alike, right around the state.

CHILDREN WITH DISABILITIES

Mr PISONI (Unley) (15:51): My question is to the Minister for Education. What action has the minister taken to follow through allegations of sexual abuse involving disabled schoolchildren who were using government-arranged transport to attend a southern Adelaide government school? The opposition was informed that the minister met with parents of children who were allegedly abused by a bus driver in the southern suburbs. The minister gave undertakings that he would provide monthly updates to the investigations and prosecution. Six months later, the parents have received nothing from the minister's office.

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (15:52): The principal response by the government has been to immediately take steps to prosecute the perpetrator. Those are the steps that were taken by the government. The particular teacher involved played an extraordinarily important role here, once becoming aware of the initial allegations.

Using her expertise, she carefully interviewed other students who were in the school and ascertained that there were a number of students who were potential victims of the abuse and, of

course, took immediate steps to report them to the relevant authorities. The relevant authorities conducted their investigations and prosecutions have emerged.

Certainly, my office was first alerted to the matter by the Hon. Kelly Vincent, who communicated with us about the matter on behalf of the parents. We took representations from her and supplied information to her office. Certainly, the feedback we had from her is that they were satisfied with the information.

Then, of course, the prosecution, we understand, was withdrawn. Arising out of that, there was some considerable concern and associated publicity. Ms Vincent's office contacted me again to arrange for a meeting. At that meeting, we discussed a number of issues. Their principal concern was the withdrawal of the charges. They were, of course, greatly concerned that the perpetrator was not being held to account. I understand that there may be other matters associated with those proceedings, so I do not want to comment on that particular matter.

The other major topic of discussion at that meeting was some issues concerning the wellbeing of the students. The students, naturally enough, have been greatly traumatised by the abuse. There were some concerns about the level of support that was being provided—not by the teachers and the associated schools, but additional support by way of counselling, etc., to meet the needs of those particular students. Some students had gone to other schools, so there was a need for that support.

Also discussed at the meetings were some proposals that were initially raised with us by the Hon. Kelly Vincent's office about making sure that there was a staff member (an SSO member) allocated to every bus run. Late last year we communicated to Ms Vincent that that would not be a practical suggestion. We also discussed some of the challenges associated with employing technological solutions for these bus runs.

We indicated that our priorities were in relation to ensuring that the perpetrators, or predators, were not in these roles in the first place. We drew attention to the fact that from 1 July this year changes to the Child Protection Act, which I think I might have initiated when I was in that role and which were passed by this government, were to come into effect, which provided a much more extensive screening set of arrangements for people who work with children. They came into effect from 1 July this year, and they were going to be an important matter in terms of preventing the perpetrators from being on these runs.

Going to the question of the meeting on 5 July, we also discussed measures to improve safety for students on student runs. I repeated at that meeting that I thought that it was not practical to both employ extra staff members and install surveillance equipment for all of the 400 transport runs each day. It needs to be borne in mind that we keep these particular transport options as small as we possibly can. We tend to use taxis or very small buses where we can, because that reduces the length of time for the drop-offs, which is an important thing. However, what I did do is commit myself to looking at the question of the screening processes which appeared to, obviously in this case, not pick up this particular perpetrator.

I have no recollection of giving any undertakings about the process of the court proceedings. I understand that was a matter that was being attended to by the relevant justice agencies that were working with families. I understand they were receiving regular updates about the status of those proceedings and that they had been told, in fact, about the fate of the withdrawal of the proceedings, and that was the cause of their distress.

On 7 July, I met with departmental representatives—so, that is two days after the meeting—and requested that a proposal be developed to trial CCTV and GPS for school transport runs. The trial and associated expenditure were subsequently approved by me; 12 new buses have been fitted with CCTV and GPS technology. The trial has commenced and will run to the end of this year.

When the trial is complete and the results assessed it is intended that this technology will be rolled out to all DECS buses transporting children with disabilities, and arrangements will be made to roll that out to contracted buses as well. The trial is important because it will assess the effectiveness of monitoring the whole of the bus, the integration of GPS data on bus location, driver identification, individual student travel time, and odometer readings using web technology, and making sure that is integrated with existing DECS ICT systems.

The estimates of the cost of the fit-out is in the order of \$5,000 per unit, together with monitoring costs. The importance of this trial is to make sure that the technology actually fits the

purpose for which we want it, that is, to make sure that we can provide a contribution to making children safer on these buses.

The other thing that I have asked the department to do at about the same time—and that is under way—is to accelerate the process of rolling out the new enhanced screening. The new screening does come in from 1 July, but it is the practice, I think, of the authorities to require that to be renewed every three years. So, that means there is a backlog of people who will not be undertaking the new screening process.

The old screening process was just a criminal history check. The new screening is broader and takes into account charges and child protection notifications. So, from 1 July that is the new system, and there is a bit of a backlog of people whose accreditations will expire on a three-yearly basis. I have asked for all of them to be cleared up by 31 January 2012, and that work is presently underway.

CHILDREN WITH DISABILITIES

Mrs REDMOND (Heysen—Leader of the Opposition) (16:00): As a supplementary, is the minister saying that he did not give an undertaking to provide monthly updates to these parents?

The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (16:00): I do not recall giving such an undertaking, and the notes I have of the meeting do not suggest that that was said, but I am happy to go back and reflect on the material. The first thing I said at the meeting was to express my deep sorrow for the fact that, as a government, we weren't able to protect these children. It is monstrous to imagine that these children were preyed upon by a driver who was in a relationship of trust with them. I was appalled by that, and the distress of their parents was obvious.

They were distressed and angry that it appeared the perpetrator might escape justice, so a lot of the meeting was spent on that matter. I cannot recall involving myself in the process associated with the criminal matters. I had understood that that was a matter that would be dealt with by Victims of Crime and the associated court-related agencies, but I am not familiar with that in this specific case. So, I would think not, but I will check my records.

TRIGENERATION ENERGY

Mr BIGNELL (Mawson) (16:01): My question is to the Minister for Energy. Can the minister update the house about the state's activities in relation to trigeneration?

The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs) (16:02): I was interested to hear that on 22 September the Leader of the Opposition, in giving her second headland speech, expressed an enthusiasm for trigeneration and gave this technology a central role in her energy policy.

I am pleased to inform the house that the South Australian government has not come lately to this technology and recognises the importance of cogeneration and trigeneration systems in our efforts to reduce energy costs and greenhouse gas emissions through improved energy efficiency. A typical cogeneration system is a small gas-fired power station which is located in a building or an area where there is a high demand for heat, such as a swimming centre that needs to heat water or a hospital that requires heat for its air conditioning system. The system produces both electricity and heat, hence the term 'cogeneration'.

As a result, the overall efficiency of the system is much higher than conventional power stations. I think the efficiency jumps from around 30 per cent to about 55 or 60 per cent. This means that less fuel is used to provide electrical and heat energy to a building, resulting in lower greenhouse gas emissions and lower energy costs. There are around two dozen cogeneration systems installed across South Australia. The majority of these are installed in hospitals and industrial facilities.

The Leader of the Opposition talked specifically about trigeneration systems, and these involve the use of a cogeneration system in conjunction with an absorption chiller. Similar to the way a refrigerator works, the absorption chiller converts some of the heat into cooling energy, which can be used to provide air conditioning. This means that the system provides electricity, heating and cooling energy, hence the term 'trigeneration'.

Trigeneration is a newer technology and is much less widely used in South Australia, but I am pleased to advise that the South Australian government has been actively supporting its deployment in South Australia. Through its anchor tenancies in SA Water House on Victoria Square and the Conservatory on Hindmarsh Square, the South Australian government has supported the first installation of trigeneration systems in new offices in South Australia.

Through the Building Innovation Fund we are providing Chesser Properties Pty Ltd with \$270,000 to install a trigeneration system in Chesser House in Grenfell Street. This building is 20 years old and is an Adelaide first. The project is expected to demonstrate how trigeneration can be applied to an existing building and, in particular, how it can be integrated with existing building engineering services.

The new Royal Adelaide Hospital will also include a trigeneration system. It will comprise reciprocating engines connected to absorption chillers, which will utilise waste heat to provide heating and cooling to the building. This will help to maximise energy efficiency, minimise the carbon footprint and reduce the running costs of the new hospital. While to date trigeneration has only been used to supply single buildings, the South Australian government is also exploring the potential to use trigeneration to supply energy to multiple buildings or small precincts.

As part of stage 1 of the Bowden Urban Village redevelopment we have called for expressions of interest for the design, ownership, construction, operation and maintenance of a trigeneration system to service eight apartment buildings. The buildings consist of 144 residential apartments and approximately 1,500 square metres of commercial space. Key requirements for the trigeneration solution are that it must capitalise on the diversity and density of the Bowden project and meet consumer needs at lower cost and lower greenhouse gas emissions than conventional grid connection options.

This is a proposition well worth looking at for areas of medium and high density development and will be potentially the first such system installed in Australia. There are other trigeneration projects underway that are not yet ready to be announced, but rest assured that we are progressing these, and further information will be announced in due course. I would like to thank the Leader of the Opposition for her bipartisan support of the government's energy policy.

Members interjecting:

The SPEAKER: Order! The member for Bragg.

DISABILITY PROTECTION REPORT

Ms CHAPMAN (Bragg) (16:07): My question is to the Minister for Families and Communities. Did the minister receive a report, written by Dr Lorna Hallahan, about protecting vulnerable people with a disability as she stated in parliament?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (16:07): Yes.

DISABILITY PROTECTION REPORT

Ms CHAPMAN (Bragg) (16:07): As a supplementary, Madam Speaker: why then did the minister's office, in response to my FOI request, advise that, 'A copy of this report does not exist'?

Members interjecting:

The SPEAKER: Order!

Mrs Redmond: She read it and then she ate it!

The SPEAKER: The Minister for Families and Communities.

Members interjecting:

The SPEAKER: Order!

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (16:08): Again, one would have to check the assertions made by the member for Bragg. However—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. J.M. RANKINE: Well, sorry, it depends when you put in your FOI whether I had received it or not. You might have just jumped in a bit too quick. You might have got in a bit too early, but a report has been received.

Members interjecting:

The SPEAKER: Order!

Ms Chapman interjecting:

The SPEAKER: Order! Member for Bragg, you have asked your question. Minister, back to the question.

The Hon. J.M. RANKINE: It is advising cabinet in the process in relation to Monsignor Cappelletti's blueprint.

Members interjecting:

The SPEAKER: Order! Member for Bragg, I am not sure whether that was a supplementary or your next question. The member for Bragg.

CHILD DEATH AND SERIOUS INJURY REVIEW

Ms CHAPMAN (Bragg) (16:09): My question is to the Minister for Education. Will the minister confirm that, three years after becoming aware of the 'house of horrors' instances of severe criminal neglect when he was the minister for families and communities, there was still no investigation commenced into those matters, and did he know at the time of saying that he was referring this case that he would have to outwait the criminal investigations?

The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (16:10): My understanding of the events were that the Minister for Education referred this particular case to the Child Death and Serious Injury Review Committee. They were prepared to review that, and checked with the police about whether this should be undertaken or whether there would be a problem. The advice they received from the police—and I will point out that there is a police officer on the Child Death and Serious Injury Review Committee, and that they were aware through media and other reports that there was a police investigation—and the advice from the police commissioner was that they should not proceed because there was the likely contamination of evidence. They have since, however, been advised that they can now proceed with that review, and I understand that, in fact, if they had gone ahead with it, they wouldn't have had all the information they needed to do a comprehensive review anyway.

Ms Chapman interjecting:

The SPEAKER: Order, the member for Bragg!

Ms Chapman interjecting:

The SPEAKER: Order! Member for Bragg, you are warned.

Ms Chapman interjecting:

The SPEAKER: Order! Member for Bragg, you are warned for the second time.

TRAINING AWARDS

Mr BIGNELL (Mawson) (16:11): My question is to the Minister for Employment, Training and Further Education. Can the minister please tell the house how the government is supporting and celebrating excellence in the vocational education and training sector?

The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education, Minister for Workers Rehabilitation) (16:11): I would like to thank the honourable member for Mawson for his question. South Australia has a well deserved reputation for training excellence and innovation. Recently, I had the great honour of attending the 2011 SA Training Awards, where over 700 people celebrated the achievements of our apprentices and trainees, students, teachers, employers, training organisations and industry. It was good to see the member for Unley there. I always enjoy the company of the member for Unley, unlike some members on his own side.

Supported and sponsored by various groups from industry and business to training providers and the media, the awards are hosted by the South Australian Training and Skills Commission. A total of 11 award categories were offered for individuals and organisations. The individual awards included Trainee of the Year, Vocational Student of the Year, and Apprentice of the Year. The organisation awards include the Industry Collaboration Award, and Employer of the Year.

Importantly, these awards highlight the role that the vocational education and training sector plays in the maintenance and growth of our state's economic and social fabric. South Australia's future will depend upon the development of a highly skilled workforce, and the VET sector plays a crucial role in achieving this goal. It ensures that people have industry-relevant skills and it connects them with employers.

This government is committed to developing a high quality vocational education and training system, and this commitment has been shown through strong partnerships between schools, registered training organisations, higher education and industry. A streamlined and simplified training system, through the government's Skills for All policy, will strengthen the links between the education sectors, resulting in a clearer path from school to vocational education and training, and to higher education.

We need to make sure that our training system is flexible, that it is responsive, and that it is innovative. Through the economic activity of South Australia, opportunities for people are increasing, and a competitive choice-orientated training system gives South Australians the ability to pursue these great opportunities. South Australia's ageing population, with a whole generation on the brink of retirement, means we need to give young people the skills and knowledge to grab the reins and to steer South Australia's industries to a strong future.

Jobs are constantly changing and being created. We all understand that there will be jobs in the future that we do not even know about yet—that we cannot possibly have developed the training system for—and a strong component of the SA Training Awards encourages lifelong learning.

New technologies, methods and systems in the years ahead of us mean that, over time, workers will need to continually improve their knowledge and learn new skills. With South Australia's reputation for innovation and excellence, with young people such as those who attended the awards ceremony ready to take on employment, and with the South Australian government backing them with an excellent training system, South Australia will continue to grow and prosper.

The South Australian Training Awards lead on to the Australian Training Awards, this year being held in Brisbane in November. Each year, people from all over Australia compete to become the very best apprentice, trainee, vocational student, VET teacher, employer or training provider in the country, and I am pleased to see that South Australia will have exceptional representation, as we did last year.

There was a rather long list of award winners for 2011, so I will not mention them all, but they include: the Apprentice of the Year, Joshua Konc from Highbury; the School-Based Apprentice of the Year, Alexander Nikielski, who is currently attending St Patrick's Technical College at Elizabeth West, I think in the electorate of Napier; and the Aboriginal and Torres Strait Islander Student of the Year, Kristal West, employed by the SA Ambulance Service.

I am very pleased to say that the Large Training Provider of the Year award went to TAFE SA Regional. Winning the award for the Large Training Provider of the Year is testament to TAFE's commitment to its regional students. As TAFE is committed to its students, so too is the government committed to TAFE. The government has invested almost \$200 million in TAFE infrastructure right across the state, including new or refurbished buildings in Victor Harbor, Whyalla and Mount Gambier.

While investment in infrastructure is important, so too is investment in new initiatives, such as the state government's Skills for All reforms. Backed by a commitment of an extra \$194 million in funding to create an extra 100,000 training places over six years, these reforms are far-reaching. They set out the future direction for our state and they will position South Australia's VET system for the years ahead to support people like those who received their awards on Friday night and their peers.

CRIMINAL APPEALS

Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (16:17): My question is to the Attorney-General. Why did the government not direct the DPP to appeal the sentence in the case of convicted child sex offender Malcolm Fox, given that the ALP policy at the last election was to abolish suspended sentences for serious offences?

Members interjecting:

The SPEAKER: Order! The Attorney-General can choose to answer this if he wishes.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development, Planning and the City of Adelaide, Minister for Tourism, Minister for Food Marketing) (16:18): I thank the deputy leader for that classy question. The answer to the question is this: in South Australia, we have an Office of the DPP.

Mrs Redmond interjecting:

The Hon. J.R. RAU: Do you want the answer or not?

Mrs Redmond interjecting:

The SPEAKER: Order!

The Hon. J.R. RAU: Do you want the answer or not?

The SPEAKER: Order! I warn the Leader of the Opposition.

The Hon. J.R. RAU: The Office of the DPP is an independent statutory office. The Office of the DPP gives the director the discretion to make decisions in relation to whether to prosecute and whether to appeal.

Members interjecting:

The Hon. J.R. RAU: Look, do you want to hear the answer or not? It gives the opportunity to the Director of Public Prosecutions to make that decision. The director has made that decision and I respect the director's decision, and it is his decision to make, not mine. Furthermore, I understand that the director has spent some time speaking to the individual concerned in this matter and, I believe, to other members of that individual's family, explaining the process to them. I think they are the people who deserve an explanation from the DPP, and they have had it.

Mr WILLIAMS: Supplementary question.

The SPEAKER: Order! No supplementaries: question time has finished.

Members interjecting:

The SPEAKER: Order!

MATTER OF PRIVILEGE

The SPEAKER (16:19): Earlier today, the member for Morphett rose—

Members interjecting:

The SPEAKER: Order! Members will take their seats and be quiet. The member for Morphett this morning rose on a matter of privilege in relation to remarks made by the Minister for Transport, representing the Minister for Health, during question time on 7 July 2011.

The member for Morphett alleges that while answering a question from the member in relation to taxi vouchers for renal dialysis patients, the minister referred to a statement the member for Morphett made in debate on the Appropriation Bill the day before, which was 6 July, in which he told the house that:

In the Women's and Children's Hospital today, there is one poor little kid who has been waiting more than 24 hours for a bed.

The Minister for Transport advised the house that in relation to the allegation made by the member for Morphett, his advice was that the waiting time for the patient alluded to by the member for Morphett was one hour and 20 minutes.

This is clearly a situation where the minister has sought to correct what he regards as a misinterpretation or misrepresentation by the member for Morphett. However, the member for

Morphett refutes the minister's advice to the house but is unable to now access information to substantiate his original statement.

The member for Morphett, however, has provided me with a number of screen shots of the emergency department dashboard from the South Australian health website, which indicates days on which a number of hospital patients have waited up to 24 hours or more for a bed. Based on that evidence, his general allegation of waiting times for beds may be supported. However, as the member concedes, he has not been able to provide a screen shot of the dashboard for 6 July 2011 to support his specific statement.

I remind members, as previous occupants of the chair have, that raising a matter of privilege is not a device by which members can pursue issues that can be addressed by further debate or settled by a vote of the house on a substantive motion. McGee in *Parliamentary Practice in New Zealand* sets the test that this house has recognised as defining a matter of privilege. It is a matter that can 'genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties'.

The member for Morphett's allegation is that the minister has misled the house. However, the test for such an allegation is that the minister must have deliberately (that is, knowingly) misled the house. I have not been provided with any material that would allow me to conclude that this may be the case in this matter, or that the matter could 'genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties'.

I do not accept that it is the role of any privilege inquiry to find the evidence that would allow the member to make such an allegation as he suggests. Therefore, I decline to give the matter the precedence that would allow the member for Morphett to immediately pursue the matter.

GRIEVANCE DEBATE

HOUSING TRUST

Ms CHAPMAN (Bragg) (16:22): Today I wish to raise a number of aspects arising out of the announcement by the South Australian Labor Party that it is going to have the Hon. Jay Weatherill as the next premier, come 21 October. Today, we are celebrating the 75th anniversary of the South Australian Housing Trust. Let me say that Sir Richard Butler, former Liberal premier of this state and architect of the South Australian Housing Trust, would turn in his grave if he were here today hearing about the continued announcements by this Labor government, and in particular the then minister Weatherill.

Many of you will remember, on 15 March 2007, how he announced that he was going to give the people of South Australia an opportunity to buy a South Australian Housing Trust home. In the small print on the bottom was his real announcement, which was that he was going to flog off 8,000 Housing Trust houses, 800 a year over 10 years. Sir Richard, we say sorry to you for having the foresight to set up such a magnificent legacy for South Australia only to find that minister Weatherill has started the carnage of this great South Australian state asset.

So, here we are with an ever-increasing demand for social and public housing. We have had an unprecedented amount of money thrown at us from the federal government for housing and yet this government decides that it is going to flog off housing.

Minister Weatherill was also the architect for householders with shared water meters having to pay water rates. Last week we find, as a legacy of that great policy, 90 year olds getting water bills. Minister Rankine announced publicly last week that she will make sure this is looked into and fixed up. What happened today? We got a call from the same 90 year old to tell us that she has another bill. That is the policy of this government.

Disability funds: we knew what happened with minister Weatherill. Under his regime, what does he do? He makes these annual announcements, shoves the money over to Julia Farr Centre. Why should the people who needed the disability equipment not get their entitlement and their services as they should have, as should have occurred directly in the application of those funds? No: he has to stash it away in some other body that has no charter whatsoever to be able to make provision for those services. So, yet again, the disability sector waits.

Then, of course, he was the great architect of the housing affordability bill. I spoke for seven and a half hours on that bill. The government pushed their way through and said it was very important that we have 15 per cent of all developments for social housing. What happens? We read in the paper on the weekend that the Clipsal site, a premier site that is going to be for the

great development under this government, is at risk of not being able to have any affordable housing.

Why? Because it is not financially viable. What are we going to end up with? Perhaps a 10-storey building with an apartment on each, or are we going to get a room on top of a garage? Is that what the social housing tenants of this state are going to get? More likely, I suspect, an exemption will be given to this development because it just does not work.

That is the legacy that minister Weatherill has left us, not to mention the restructure of the department that he oversaw, encouraging all the stakeholders to come together. What is happening now? We are having another review because the whole thing is a stuff-up and we need to be able to relook at that. Sadly, of course, Monsignor David Cappelletti, who was supposed to give us a report on disability in this state by June, obviously has been spending too much time on his overseas holidays, because we did not get the report on time. We are still waiting for his review of what should happen under the Disability Act, in particular, the service delivery of disability provision and programs for South Australia.

The Weatherill model, the Weatherill formula has failed in Families and Communities and, as a consequence, the people who are the sickest, poorest and most vulnerable in our state continue to be either without service or with inadequate service. Here we have today the house of horrors, that disgusting case that South Australia has considered the most vile torture of children—21 children in total—and the minister who was responsible at the time for referring that for review is not even here to explain what happened and why it was not announced to the people of South Australia that they would be doing nothing until all the criminal proceedings are finished.

What happens today when he has an opportunity to tell South Australia the truth of that? What does he do? He lets the minister stand up and answer for him—minister Rankine, not always a great choice, I would have to say, to protect you—and to hide away from the people of South Australia was an absolute disgrace.

The DEPUTY SPEAKER: Order! Thank you. Member for Bragg, thank you very much.

OLDER WOMEN'S SPEAKOUT

The Hon. S.W. KEY (Ashford) (16:27): I was honoured to be asked by Helen Storer, President of the Older Women's Advisory Committee of South Australia, to open the upcoming Older Women's Speakout. I remember when the network was established and I went to the first speakout. In fact, my late mother, Steve Key (her real name was Sheila but she called herself Steve) was then working at the Adelaide Central Mission, now Uniting Wesley, being one of the activists of that network.

I was telling one of my friends who is the same age as me about this invitation, and I thought it was interesting that, although I knew the group's history and had been involved in the campaigns over the years, they had decided to invite a middle-aged woman to open their speakout. I was shocked by her reply. She said, 'You're not middle-aged, you're old—older.' She said, 'So are you assuming that you are going to be living until you're 110?' I thought it probably was a good point. She is right: I am in the older senior category, although I am not eligible, I might add, for a senior's card yet.

The ABS identifies older women in census data as aged 60 and over. In the 2006 data it states that in South Australia there are 170,000 women aged over 60; that is 22 per cent of all women in South Australia. Admittedly, this was in the last census, not the one we have just been through. It is interesting, when you look at the profile, that 80 per cent of older women are Christian; 9 per cent do not have a religion that they identify with; 1 per cent are Buddhists; and other religions are not really common in this age group. Ten per cent did not state a religion at all.

It was interesting to note, too, that 60 per cent of older women were born in Oceania, 19 per cent were born in Northern and Western Europe, 10 per cent were born in Southern and Eastern Europe, and 8 per cent did not state what their birthplace was. The thing I did find particularly worrying in these statistics is that 20,000 older women care for another person with a disability in South Australia.

I think this is an underestimate, but 1,000 older women provide unpaid childcare for their own children, 22,000 provide unpaid childcare for other children, including their grandchildren, and 18,000 women are employed in the paid workforce. The thing that I think is particularly of interest to members in this place is that the country electorates that have the highest proportion of older women are Finnis and Goyder, and the city electorates are Morphett, Hartley, Elder and Colton.

The DEPUTY SPEAKER: Is that it? I thought there would be a lot more to say about the elderly persons. Member for Norwood.

APY LANDS, SUBSTANCE MISUSE FACILITY

Mr MARSHALL (Norwood) (16:31): I rise to speak on the Amata substance misuse facility, which was the subject of minister Hill's ministerial statement in parliament earlier today. This statement is, of course, a long awaited statement, and what an incredible disappointment it is to the people on the APY lands and the wider population of South Australia.

The Amata substance misuse facility was established using federal government funds and it receives recurrent funding, which the minister provided today, of \$1.077 million from the Aboriginal Affairs and Reconciliation division of the Department of Premier and Cabinet and \$250,000 from Drug and Alcohol Services South Australia. It is primarily a residential rehabilitation facility for those people suffering drug and alcohol addiction on the APY lands.

Unfortunately, it is a completely underutilised facility and it has been since the very day that it was opened. In fact, in the last parliamentary sitting week, it was reported to this parliament that in an 18-month period only 11 patients were treated with an overnight stay—11 in an 18-month period! This is an eight-bed residential facility. What an absolute disgrace!

I first started raising questions regarding this in estimates of October 2010, when I asked the Minister for Health about the underutilisation of this facility. This, of course, was not denied whatsoever. In fact, members from the health department who were at that estimates committee said that it was definitely an underutilised facility.

We know that FaHCSIA, the federal department, commissioned a report into the underutilisation of this facility more than a year ago. They spent \$47,000 on a very expensive report, which was given to the Minister for Health and the Minister for Aboriginal Affairs and Reconciliation back in November last year. What happened to that report? It sat on their desks. I again raised this issue in estimates this year, both with the Minister for Health and with the Minister for Aboriginal Affairs and Reconciliation. No progress to report.

Contrasting with that, we have a massive need for remote renal dialysis on the lands. Chronic renal disease is a problem which affects our Indigenous populations completely disproportionately to the wider average Australian population. This government's response over the 9½ years that they have been in power here in South Australia has been slow, it has been under-resourced, and ultimately it has been extremely disappointing to the Anangu and, of course, to all of us who care for social justice here in South Australia.

This is not a new problem; it goes back many years. In fact, it goes back to a crisis which occurred in early 2009 when the Northern Territory government decided that they would no longer support renal dialysis in central Australia coming from the APY lands. It was then required that minister Nicola Roxon step in to set up the April 2010 agreement, where emergency renal dialysis would be provided to people on the APY lands in Alice Springs.

Earlier this year, we know that the Central Australian Renal Study was tabled, a study that was commissioned, again, by the federal government, looking into this problem. In fact, it was tabled on 27 June, and amongst its very few recommendations was an immediate requirement to look into the suitability of the substance misuse centre in Amata and the Nganampa health service renal ready room for conversion to a community haemodialysis facility—but again this has been completely and utterly ignored.

Today, the minister comes in with a half-baked, very shallow, very flimsy statement on what he is going to do. He says, 'Other services could include a procedure room, diabetes program, allied health services.' He lists a number of things that this facility could actually be used for, but in this statement he has made no commitment to additional funds—not a cent more. There is no clear indication of what programs were going to be offered, who would be doing that scoping, when it would actually be delivered and, most importantly, no mention whatsoever of remote renal dialysis.

Kidney disease remains a critical issue on the lands and the minister's flimsy statement today completely shirks his responsibility—a responsibility which is just so obvious to anybody who visits the lands. The minister's comment about diabetes services does not deal at all with the issue of remote dialysis on the lands. He has hinted in the past at a mobile service. This is not enough of a response after so many years of this minister shirking his responsibilities.

ANNUAL FLOREY LECTURE

Ms BEDFORD (Florey) (16:36): The 24 September is a special day for me and the members of my staff at the Florey electorate office as it is the birthdate of that remarkable South Australian and Nobel Prize winner, Howard (Lord) Florey, Baron of Adelaide and Marston—a man whose work has saved an estimated 800 million people throughout the world. The namesake of my seat, he is remembered in many ways, and one of them is through the Annual Florey Lecture, auspiced by the Florey Medical Research Foundation.

The Annual Florey Lecture is a major highlight of the foundation's year. Each year, the Florey Medical Research Foundation brings a world-leading researcher to Adelaide who focuses on a discipline related to the medical school and to the University of Adelaide. It has been my honour and pleasure to attend this lecture for many years now, witnessing and learning from the excellence and expertise of many fine speakers at the invitation of Professor Justin Beilby, Executive Dean of the Faculty of Health Sciences at the University of Adelaide, who is also President of the Florey Medical Research Foundation.

Last year, Professor Baroness Susan Greenfield gave a thought-provoking lecture on the brain, and this year's lecture was no less stimulating on a subject I can best describe, in short, as IVF conception. This year, our speaker was Professor Nick Macklon, MBChB, Medicine, PhD of Southampton in the United Kingdom. Professor Macklon is a Professor of Obstetrics and Gynaecology and co-founder and Medical Director of the Complete Fertility Centre at the University of Southampton affiliated tertiary referral centre at the Princess Anne Hospital, Southampton.

Professor Macklon is an international leader in fertility medicine and a pioneer in the field of periconceptual medicine. His ongoing research has resulted in improved IVF outcomes for patients throughout the world. In 2005, he was appointed to the Chair of Infertility and Periconceptual Medicine at the University Medical Centre, Utrecht, in the Netherlands, where he led the largest IVF unit and set up the first Dutch transport service in pre-implantation genetic diagnosis and first integrated service in periconceptual medicine in Europe.

His research interests include ovarian stimulation, implantation and periconceptual determinants of fertility and health—areas in which he has published extensively. He has contributed more than 40 chapters in international standard textbooks and has published two textbooks—the award-winning *IVF in the Medically Complicated Patient*, and, more recently, the *Textbook of Periconceptual Medicine*.

Among other things I took away from last night's lecture, I now know that birth weight should be part of his CV and, from what he says, everybody else's. The lecture gave me great assurance and confidence that there are many people working on the many areas of research around IVF.

I note from today's *Advertiser* that the father of in-vitro fertilisation, Carl Wood, has died. Professor Wood, 82, died last Friday at a nursing home. The gynaecologist and his team from Melbourne's Monash University pioneered IVF as an option for infertile couples in the seventies, and they helped develop the world's first IVF pregnancy in 1973.

Australia's first test-tube baby, Candice Reed, was born in 1980, and since then more than 45,000 babies have been born worldwide with the assistance of IVF. Professor Macklon's paper, while aimed at the scientific minds in the audience, was in language I mostly understood. It dealt with the rate of fertile pregnancies to term achieved via IVF and the preconditions and challenges such babies may face.

Birth weight becomes a key factor, and the research that Professor Macklon and his team, and others around the world undertake, will be vital in improving successful pregnancies with or without the aid of IVF. The miracle of life still has many secrets, and of particular interest to me was the work being done in the Netherlands, as that country's birthing and midwifery services are well known and respected.

The many questions that researchers sought to answer led to many others. Again, in short, I learned that embryos that have been frozen before implantation seem to achieve better results, most likely because of the condition of the endocrine tissue. This discussion also centred on the apparent poor spontaneous fertility rates in humans, in that only 10 per cent of fertile embryos result in a full-term pregnancy, 30 per cent not implanting at all, 30 per cent miscarrying without outward sign, and further 30 resulting in a miscarriage, that most dreadful of outcomes for anyone.

There are many other highlights in this very interesting paper, and I am sure it will eventually be available on the website of the Florey Medical Research Foundation: www.florey.adelaide.edu.au. I would also like to let the house know about some of the work of the foundation. Last year, they had a very successful 125th medical program anniversary dinner at which Professor Beilby announced research fellowships to commence in 2012.

MANUFACTURING SECTOR, SOUTH AUSTRALIA

Mr HAMILTON-SMITH (Waite) (16:41): I rise to talk about challenges facing the state's industry sector, particularly manufacturing. Labor's Thinker in Residence, Professor Göran Roos, has today exposed 10 years of Rann/Weatherill government failure on manufacturing in a damning critique of the major problems from wine to factories and industry sites across the state. Professor Göran Roos has proven to be one of the most useful and appropriate Thinkers in Residence to date. I must say, some of them have been questionable.

He knows what he is talking about, and in a stroke of a pen he has exposed 10 years of Labor inaction. He has and will reiterate when he speaks to a large gathering at the Town Hall tonight the point that South Australia's wine industry under Labor's leadership has become 'lazy, and has lost its innovative edge.' Roos has identified a need for better management across industry sectors and has warned that half of South Australia's firms are at risk of collapse in the face of better-led overseas competition—half of South Australia's firms.

This is a signal bell of failure by Labor over 10 years. Professor Roos implies that industry in South Australia has 'squandered a lot of time' under Labor leadership. This report explains why jobs and investment in South Australia have fallen behind other states. I met with Mr Roos last week. I understand he is putting out a publication this week, with a more detailed publication to follow towards the end of October. It should be read by all decision and policy makers. We have too many low value added firms when we should be in the high wage, high-value added sector.

The current state Labor government, including the incoming premier (the current Minister for Education), has failed to help South Australia's businesses to migrate up the value chain, to improve their management skills, or to invest in more research and training. Professor Roos reinforces the state Liberals' long held view that trying to compete on price in a high cost environment is futile and that gains must be achieved through innovation, science and entrepreneurship.

I agree with Professor Roos that manufacturers face a perfect storm. Labor needs to help firms invest in their own R&D and training rather than cutting labour costs in the hope of survival. Professor Roos has accused government in general of measuring its success on the basis of how much you manage to spend, not what you get for it—a very potent observation and an accurate one.

All this exposes Labor's failure. Labor has talked up defence and mining while manufacturing has languished without leadership or support. They have cut research and development by closing Playford Capital and cutting funding to Innovate SA, most importantly BioInnovation SA, the Venture Capital Board, and many others. Here is a Thinker in Residence who on this occasion has delivered a sting.

I want to point out to the house that the Treasurer has indicated today that he is going off to the tax summit next week—another important issue for manufacturing and business, tax reform—with no clear idea of what he wants from it. He was reported in the media today as saying, 'We don't have a list of specific outcomes we expect to see come out of the forum.' Then he says, 'We will go to the tax forum with an open mind.' I put to the house that the Treasurer will be going to the tax summit with an empty mind, with no ideas on tax reform and with no plan for change.

In other words, there is a huge blank in the Treasurer's view and he will be unable to spell out whether he has any ideas at all on tax reform so urgently needed by manufacturers and business. Businesses across the state will be disappointed to find that after 10 years this government has no plans for reform. I am asking today whether the government made a submission to the Gillard tax summit or not and I am asking the incoming premier whether he has a view on this, because he should have.

The state Liberals hosted a tax summit in 2008. I have given copies of the report to the Treasurer today and I have asked him to read it before he goes to the tax summit next week, because it summarises the concerns by industry about the need for reform for property taxes and stamp duties, stamp duties on business transactions, taxes on motorists and licence fees, taxes on

insurance and changes to payroll tax. All of this is vitally important and it has been ignored by the state Labor government. They must lead for South Australia, not simply refuse to create waves for their Labor colleagues in Canberra.

APY LANDS

Mr BIGNELL (Mawson) (16:47): I rise today to talk about football, but before I get to that I want to talk about the APY lands, because the member for Norwood brought it up. He was talking about a facility at Amata. I was with the Minister for Health last week on the APY lands as we toured around, and the facility he talks about was built at the insistence of then federal health minister Tony Abbott. It has been no secret that it was built in a place on the outskirts of the town of Amata, and it was something the local community never ever wanted. It is pretty hard to force people to go somewhere if it does not actually fit with their beliefs and it is not somewhere they want to go.

Right from the start, this building has been something that has not been welcomed by the community. I saw the health minister sit down with several members of the community and bureaucrats to try to work out what this facility can be used for. This has been part of the ongoing quest by the health minister to find a good use for something that has been under-used. There are several reasons it has been under-used, and one of them is that it was built to deal with substance abuse, one of which was petrol sniffing.

With the introduction of Opal fuel, we now, thankfully, do not see petrol sniffing on the scale that I saw on my first trip up to the lands, which was back in 2003. I was very pleased to see a lot of great advancements since my last visit in 2003. It is interesting to contrast what has been said in the newspapers and what is actually there on the ground. Sure, there are problems, but I am not sure that the media has its descriptions exactly right on this one.

We did have the good fortune of crossing paths with Darren Jarman, Graham Johncock and a few other people from the Crows Football Club and from the SANFL. It was very pleasing to see them out there not only doing football clinics for the kids at Fregon and then moving on to the other communities across the lands but also being involved in educating the children in how to blow their noses, clean their eyes and clean their ears.

That is a very important thing for the children on the APY lands. A lot of these children have chronic hearing problems, and it gets down to some things that we would think are pretty basic, but part of the education process involves getting role models up there. I really do want to congratulate the Crows. They were pretty unsung sorts of things they were doing out there, but it was tremendous work, so I thank Darren Jarman, Graham Johncock and all the other players and former players who were in the APY lands last week.

On Sunday, it looked a little bit like this bench here, actually, with the member for Croydon, the member for Lee and me sitting alongside each other at Football Park as we cheered on our respective teams. Obviously, I gave the member for Croydon a ride down there. I was not so keen to give him a ride back when his Eagles beat my Panthers and knocked them out of the finals. It was a great achievement for the Panthers to get there. It was the first time they had made the finals since 2006.

I also want to congratulate them on a very successful Magarey Medal night. Not only did they finish up with the runner-up in the Magarey Medal but they also won the Ken Farmer Medal for the highest goal kicker for the year, Mick Wundke; and the Reserves Magarey Medallist also came from South Adelaide. Congratulations once again to Ron Fuller on a fantastic season as the coach of the Panthers, and I wish them all the best for next season.

While on the subject of the SANFL, I would like to add my weight to those who have already called for the ABC to make sure that it continues to telecast the SANFL. I know that it is a very important part of the weekend for viewers, particularly in regional South Australia. As a former ABC employee, I know that Sydney—and to a large extent Melbourne—just ignores the rest of the Australian states. In fact, they call us the BAPH states—Brisbane, Adelaide, Perth and Hobart. To the ABC we are just an acronym. We are somewhere out in the desert. The ABC needs to lift its game and stop being so Sydney centric.

One more thing on footy, the Morphett Vale Emus, my team, in the southern league, unfortunately went down to the Deputy Speaker's Brighton Bombers, and the member for Bright was very pleased with that big win on Saturday. I was there at the game. Unfortunately, the

member for Bright was here hosting a debating championship, but I was keeping her informed with updates on her text messages, and she was very happy with the win by the Brighton Bombers.

The DEPUTY SPEAKER: Go Bombers! Thank you, member for Mawson.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Ms CHAPMAN (Bragg) (16:52): I was indicating that the opposition would therefore be seeking that the parole reports continue to be provided by the community corrections officers directly to the Parole Board as they have the on-the-ground direct experience of the progress of the prisoners, and that this would be preferable to the government's initiative in this bill to transfer that responsibility to the chief executive.

The next matter is a proposal in this bill for breaches of conditions. The bill is to remove a distinction between 'standard' and 'designated' conditions so that all breaches of parole will potentially leave a prisoner liable to serving the remainder of their sentence in prison. All that sounds good and it simplifies and those sorts of things, but the Law Society has sought clarification that the changes would still allow the Parole Board to exercise a discretion over the length of further periods of custody.

There is an expectation, I suppose, on our side of the house that, probably, that was implicit in what the minister was suggesting would or should happen. We hope that is the case. What we are to going to propose is an amendment to simply make it very clear that the Parole Board will still be able to exercise discretion over the length of the further periods of custody. Therefore, we would hope that the minister would be supportive of an amendment to ensure that that will be the case, and if that is consistent with his intention—or he claims that was implicit—then, of course, we would look forward to his support.

The bill is also proposing to abolish automatic parole following a breach of parole. The automatic release to parole for prisoners who offend whilst on parole would be abolished, effectively. Previously, the Parole Board had to set a subsequent release date at the time of considering the breach and, under the changes, a prisoner must reapply to the Parole Board for release following a period of custody after a breach of parole: a good idea, and we will be supporting it and, therefore, there will be no amendment to it.

Clause 42(1) relates to probation and parole hostel and electronic monitoring, and the provisions under this clause would allow the Parole Board to place a condition on prisoners serving a life sentence who will be released on parole that for up to 12 months a person must reside at a specified premises, including a probation or parole hostel or a prison, and that a person undertake specific programs and activities to assist reintegration of the prisoner into the community.

These new provisions will allow parolees to be monitored through electronic devices, and the provision is for life sentence prisoners and non-life sentence prisoners. The current provisions of the act setting conditions for non-life sentence prisoners will be replicated under (1aa). The proposed conditions would be mandated after release from prison, that is, whilst on parole, a proposal which the opposition accepts.

Next is child sex offender reporting. The bill proposes to allow the Parole Board to place a mandatory requirement on convicted child sex offenders to advise their potential employer of their criminal history when applying for employment. Clause 42(2) provides the insertion of the following:

- (d) a condition requiring the prisoner, on making an application for employment, to provide the prospective employer with a report about the prisoner's criminal history.

Whilst this is intended to deal with prior records of convicted child sex offenders, the Law Society and ALRM have expressed concern that this wording will not restrict the condition being placed on convicted child sex offenders. That could be tidied up. We will ask the minister to have a look at that so that it is absolutely clear, but the sentiment expressed is one that we support.

We have warrants issued by the Parole Board, and there is a tightening in this regard. Currently, a member of the Parole Board may apply to a justice of the peace for a warrant for the arrest of a parolee for the purpose of bringing them before a hearing of the Parole Board. A warrant may also be issued by two individual members of the Parole Board.

That has worked, even in the Robinson case that I referred to, and you will recall that the Parole Board Chair, Frances Nelson QC, was in England, and acting chair, Mr Tim Bourne,

undertook that position. There are processes by which there can continue to be operations of the Parole Board, including the recovery of a parolee who has breached a condition, and for a warrant to be issued when the chair is absent.

Clause 49 of the bill proposes to allow both the presiding member and the deputy presiding member of the Parole Board to issue warrants without the concurrence of the other. Another change to the bill would require any other member of the Parole Board to apply to a magistrate rather than a justice of the peace for a warrant if required. All warrants can be issued if a reasonable suspicion of a breach of parole exists. This relaxation of the threshold for a warrant to be issued from a member of the Parole Board is a relaxation which we agree with, because it provides more options for availability when a member may be absent or unavailable for some reason.

The next proposal, though, is one which we think is quite controversial. It is the beginning of the government's expansion to other law enforcement agencies to have a jurisdiction and indeed a responsibility in an area which is currently within the purview of the Parole Board.

Firstly the bill proposes that the chief executive would also have the power to issue a warrant if they have a reasonable suspicion that a parolee has breached a condition of parole. The warrant issued expires within five days, so it is not one that would simply lay on the table, as such; it is one that would have a fixed time period. The chief executive would be required to provide a written report explaining the matter to the Parole Board within two days of the warrant being issued. Given weekends, the detention could be effectively up to 11 days before a matter is considered.

The basis upon which the government is presenting this, I think, is to proffer this alternative process as one which will help in a convenience sense and would give other options to make sure that action has taken place, remembering that in this case the Parole Board had granted parole, a warrant had been issued and then somebody had not acted on it.

There had been no delay that I can see from any of the statements made in the Robinson case with getting a warrant issued. The problem here was that the warrant had been issued and nobody was doing anything about it expeditiously. It is not surprising therefore that, having consulted with the Parole Board and the Law Society and the ALRM, they would oppose these changes and the opposition agrees with them.

It is also noted that the introduction, I suppose, of the chief executive into this role of really a parole board responsibility, as distinct from the manager of prisons which is a different role—an important one but quite different—would effectively fragment the coordination of parole by the Parole Board. It introduces the chief executive into a quasi-judicial function which really is in direct conflict, I suggest, with him being the chief manager of a gaol. It creates a conflict of interest, potentially, for the chief executive, given the challenges of bed management in a chronically overcrowded prison system, and so places unfair dual responsibility on him.

It could, of course, promote forum shopping amongst the Parole Board, the chief executive and in the third category the police, which is a further proposal of the government. We would suggest that, given the time periods, especially with weekends and public holidays, there could be unnecessary extended periods of detention. The Parole Board has indicated that two working days for review of a warrant issued by a chief executive would be sufficient, with the chief executive being required to report to the Parole Board within one working day of the issue of the warrant, so if that process is going to be imposed on us, we would ask the minister to take that into account.

In essence, however, the Parole Board is doing its job. If the government or the parliament, in particular, is of the view that there should be more areas of consideration for a Parole Board to take into account before releasing someone on parole, then let us consider that and identify what further instruction, if any, should be given in a legislative form. Simply spreading this responsibility amongst other parties with all the same rules to apply does not actually resolve the problem, and that is making sure that we have a system that works and is able to coherently operate without fragmentation of the responsibility to balance between rehabilitation of the prisoner and the interests and safety of the public. We do not support that splitting of the role.

A further splitting is proposed by the bill in the government's desire to carry out its promises announced in the minister's press release; that is, to give the police the power to arrest a parolee without a warrant if a person is suspected of breaching a parole condition and 'if that person presents an imminent and serious risk to public safety'.

This, again, would provide for a person being detained for a period of up to 12 hours before the Parole Board is notified. Again, for many of the reasons that I indicated before, that would be inappropriate. Bear in mind that under section 75 of the Summary Offences Act police already have the power to:

...without any warrant other than this Act, at any hour of the day or night, may apprehend any person whom the officer finds committing, or has reasonable cause to suspect of having committed, or being about to commit, an offence.

That is already there in the act.

The Hon. A. Koutsantonis: But how do they know they are a parolee?

Ms CHAPMAN: They don't need to.

The Hon. A. Koutsantonis: Yes, they do.

Ms CHAPMAN: They don't need to. That is another matter. So, this qualification: if that person presents an imminent and serious risk to public safety then there are provisions already in other legislation to make that arrest, if necessary, and to follow the charges under the Summary Offences Act.

The police also have a range of public disorder provisions available to them. I do not know whether the minister has briefed himself on that or had it brought to his attention. It is hard to imagine a circumstance or situation with a person representing themselves as being an imminent and serious risk to public safety, where a police officer would not be able to arrest that person under current police powers. They do not need any access to parole information to reference that breach to a parole breach. That is a complete red herring. They do not need that.

So, the qualification you are putting on a police power to be able to arrest them as a breach of parole takes the proposed circumstance into existing criminal activity, which is already provided for and which police officers can do.

The Hon. A. Koutsantonis interjecting:

Ms CHAPMAN: They do not need to know that they are a parolee, they do not need to know that there has been a breach, they do not need to know anything. If a person is out there presenting as an imminent and serious risk to public safety, that is already an offence, it is already there. If somebody is in that category, they are threatening somebody or they are going to blow up the local circus, or whatever—

The Hon. A. Koutsantonis: What if there is someone with a history of domestic violence who has been drinking?

Ms CHAPMAN: The minister interrupts to say: what if they have a history of drinking or domestic violence or whatever? It does not matter. If somebody is doing that then the police have the power to arrest them anyway, if they are causing an imminent and serious risk to public safety, which is the qualification. Drinking in itself does not necessarily denote that, of course, but if somebody is doing that then the police can arrest them, take them into custody, charge them and check their record, if they are in a stolen car, mixing with the wrong people, whether they are in breach of parole, blah, blah, blah. They have all of that.

So, I think the minister needs to appraise himself, or have the Attorney-General brief him, on what the current law is. The Minister for Police should know, but if he does not have a clue then ask the Attorney-General, because in the Summary Offences Act there is sufficient power to give to police, with that qualification. The minister is not giving them any more. What he is doing is splitting the role of responsibility, as the Parole Board has, to issue that warrant. They do not need it.

The Hon. A. Koutsantonis: Yes, they do. They've asked for it and they need it.

Ms CHAPMAN: So, we are on a completely different plane in relation to that. We do not agree with it. It is not necessary. I find it hard to imagine where a police officer, in those circumstances, could not contact one of the Parole Board, which you are making provision for those services, to report the breach. Without that power, what would they do? They would simply turn to the Summary Offences Act and they would use that to take the person into custody.

Finally, there has been some discussion (which I am sure the minister is aware of) about how the question of dealing with how the power of Executive Council to refuse parole to prisoners serving life sentences should be dealt with. This has been a longstanding power of the executive

government which can essentially say, 'We've received the recommendation of the Parole Board that X prisoner should go on parole, but we will make a decision to override that and keep him in there.'

Prior to 2002, no prisoner had been the subject of Executive Council overriding a Parole Board recommendation. Since this government has come into office, in some cases it has used multiple times to keep a prisoner in prison, contrary to the Parole Board. I am not saying that the Parole Board is always right about the decisions it makes, nor am I saying that it should not be open for an executive to act in certain circumstances, particularly where it may be privy to information that is not in the public arena and it is necessary for them to act to protect the public in those circumstances.

For example, if there was information about a prisoner that was obtained through security organisations for the country, and it had been transferred to the Premier or Attorney-General, about some antecedents of the prisoner that were dangerous or thought to be dangerous to the public if he was released—but it was not in the public arena and, in fact, it might have prejudiced other investigations or affect the direct safety of witnesses and those types of things—sometimes that information will come to government, or people high in government, and it is provided in confidence and it needs to remain in confidence.

However, one of the concerns that members, including the Hon. Ann Bressington, have raised, and foreshadowed in amendments to this legislation in another place, is that the practice or what has become the practice of this government to override the Parole Board does not appear once or in a circumstance that may well be justified for information that is privy to them, but at least on the face of it seems to be in response to the popularity or otherwise of keeping somebody in gaol. This is the sort of populist argument that the government has responded to, assuming that it will get extra credit at a forthcoming election or in a polling of its popularity, acquiescing to this expectation for their benefit rather than for the benefit of either the prisoner or the community.

If we are wrong about that, and it is being done because the information has come to their attention which is confidential and it would be against the interests of the public for that information to be shared, then so be it. However, it does seem hard to believe that in the history (pre 2002), never has the executive acted to override this, and now it has become a regular practice with some particular people in prison, and it is becoming quite concerning.

The reason is simply this: as a parliament, if we take the view that it is unacceptable for anyone who is convicted of, say, murder ever to be let out of prison until they go in a coffin, let's have that debate in here. Let us have that argument in here. Let us have that discussion in here and make that a law if that is what the parliament wants to pass to indicate that a) they might consider that those prisoners might never be rehabilitated, b) they do not deserve to be rehabilitated, and c) there is such a risk to the public even in a minimal circumstance that they do not want to ever let people out. I think we need to have an honest debate about that if we are going to be serious about asking the Parole Board to consider paroling prisoners, giving some reasonable expectation to the prisoner that if they behave they will be rewarded by being positively considered for parole subject to the limitations set down by the judge.

We would then undermine completely the whole objective of trying to get people to aspire, I suppose, to release. If that is the way we want to go as a parliament, let us have that debate. What we have at the moment, though, is a situation where repeated refusals to accept the Parole Board or overriding the Parole Board's decision actually undermine the Parole Board—not individually, but it makes them surely ask the question, 'What's the point of us doing it, if we have no idea what it is that the executive consider that we might be missing, that if we were privy to we would also agree and would not be recommending a parole?'

It gives us no guidance, the Parole Board is saying, to be able to review the situation and not release the person. At this stage it is ticking all the boxes; it is doing all the things under the act it has to take into account. The non-parole period has expired, then they say, 'What are we to do? Going through this exercise is a waste of our time and resources if every time we do it this particular prisoner is going to be rejected as a result of the overturning power of the executive.' We do need to look at that.

The opposition has considered a situation where the executive power is retained but, in the event of there being an overturning, subject to there being confidential information against public policy to release, it is reasonable for the executive to give reasons back to the Parole Board and/or the public as to why it has acted to overturn. On balance, we would support the retention of

executive council power in respect of refusing parole, but publication of reasons is a way we think would better cover that.

As I understand it, the Hon. Ann Bressington has foreshadowed amendments to completely remove executive power, and she would have a formula where, if there was an indication by the executive that it wanted to resist a parole recommendation, it would make that application back to the Supreme Court, and the matter could be dealt with at a judicial level for any determination.

In short, there are aspects of this bill which are well received by the opposition, which are meritorious and which we would support, but there are a number of amendments. I think I have covered these in the debate, but they will be clear when we go through each of the amendments in committee, and we hope that the minister will look favourably at them between the houses.

There is a final matter I make comment on. During the course of debate the minister interjected—disorderly as that is, but nevertheless he was getting excited about his excellent reign as the Minister for Correctional Services—and suggested that no prisoner had escaped from prison while he had been minister. In the context of someone scaling the wall, cutting the wires or digging a tunnel, that is probably right, but what he omitted to acknowledge was that at least three prisoners have escaped custody and, in fact, been charged with escaping custody, while he has been the minister.

Just as a refresher, the minister might recall that Anthony Waye-Hill and Renald Jackamara from the Port Augusta gaol had escaped, in that, having left the prison, they refused to return. There were some days before they were recovered. April 2011 was the time that they were facing court, being charged with escaping from custody, so it happened in the preceding days. Secondly, probably one more famous, of course, was the escape from custody, I think, three times while in transit from a prison to the court—

Mr Goldsworthy: Drew Claude Griffiths.

Ms CHAPMAN: —of Mr Griffiths, Drew Claude Griffiths, the member for Kavel reminds me. He seemed to be almost Houdini-like in his capacity to be able to escape the clutches of the security. I think, if I recall correctly at the time, Jan McMahon, who is the secretary of the public service union, was outraged about the ratio for—

The Hon. A. Koutsantonis interjecting:

Ms CHAPMAN: Just a minute. In particular, she was concerned about a failure to comply with guidelines for prisoners to remain handcuffed.

The Hon. A. Koutsantonis: That is Frances Nelson you are talking about, not Jan McMahon.

Ms CHAPMAN: No, Jan McMahon.

The Hon. A. Koutsantonis: You don't know what you are talking about. You have got it wrong again.

Ms CHAPMAN: No.

The Hon. A. Koutsantonis: No, it is Frances Nelson.

Ms CHAPMAN: It wasn't Frances Nelson. Jan McMahon complained about how that put the occupational health and safety of PSA workers at risk, as a result of these occurrences. So, it is puzzling to me that the minister seems to have forgotten those, especially as he would have been reminded, as the member for Stuart, in his assiduous research, located for me a page out of this year's budget which identifies a number of highlights and so on for the 2011-12 year.

Under the category of Performance Indicators for the correctional services department, the estimated result for the 2010-11 year—bear in mind this is published in about June each year; probably prepared in May, but it is a few months ago now—actually details the number of escapes per annum. From secure, which is (c) or (d), there was an identification of two and they are identified as one escapee from the Parole Board G4S, and the other was one escapee from the Royal Adelaide Hospital hospital escort. Then, from the number of escapes from open—I assume that to be a less secure facility—

The Hon. A. Koutsantonis: Open means open.

Ms CHAPMAN: Just a moment; not entirely. Here the description is also for two escapes and it says, 'Two escapes from minimal security area (Mulga Unit) of Port Augusta Prison.' So, the document itself tells us that the record of the minister is not unblemished, as he asserted, but, nevertheless, is one which he should be reminded of because of the importance of making sure that they not only do their job properly—difficult as it is at times—but that they also make sure that they tell the whole truth to us here in the parliament about what they are doing. With that brief contribution, I will look forward to committee.

Mr GOLDSWORTHY (Kavel) (17:25): I am pleased to speak to this particular piece of legislation before the house, namely, the Correctional Services (Miscellaneous) Amendment Bill 2011. I understand that the Minister for Correctional Services announced some reforms to the parole laws about 12 months ago, on 28 September 2010. The bill was introduced on 8 June 2011 and, as outlined by the member for Bragg, it proposes a number of changes to both prison and parole management.

It is my understanding that we have received feedback on the bill from the Law Society of South Australia, the Parole Board, the Aboriginal Legal Rights Movement and the Police Association. The member for Bragg has comprehensively covered the content of the bill and flagged where the opposition has some issues, where we support it, and where we were looking to move some amendments.

I do not intend to cover everything that the member for Bragg has spoken to, but there are some points in relation to the management of prisons I would like to highlight; the first is about the centralisation of responsibility to the chief executive officer. I understand that the bill proposes a series of amendments to the current act to remove the responsibility from prison managers and vest that responsibility in the chief executive of the department.

Under section 7 of the Correctional Services Act 1982, the chief executive may delegate any 'powers, functions, duties or responsibilities vested in, imposed on or delegated to the Chief Executive Officer to any employee of the department'. Accordingly, whether these changes lead to more or less centralised management will only be clear once the delegations are finalised and promulgated, if you like.

I understand that another section of the bill relates to prisoner allowances. It proposes that responsibility for setting and reviewing the rate of prisoner allowances, remuneration for work, and bonuses for positive behaviour, be transferred from the minister to the chief executive. I understand that prisoner allowances are about \$12 a week and, from information that I understand to be correct, it has not been increased for the past 20 years. It is also proposed that the chief executive assume responsibility for the setting of payment rates for outstanding victim of crime levies.

I know the member for Bragg has spoken to this issue—that is, payments to prisoners from released prisoners—but it does not necessarily do any harm to canvass it again. The bill proposes that prisoners who have been released in the last 12 months must seek the permission of the chief executive to deposit money into the accounts of another prisoner.

The next aspect that the bill looks to is that of the provision of items of personal use or consumption. I understand that clause 18 of the bill proposes that the chief executive be empowered to set prices for the sale of personal items for personal use or consumption such as it reflects the cost of selling the items. Any profit made is placed in a prisoner amenity account for the provision of amenities to prisoners.

I also understand there are some proposed changes concerning the restriction on visitors to prisoners. Under these proposals there are four points: a visitor must provide evidence of identity; a visitor must not touch a prisoner unless it is part of a program approved by the chief executive; a released prisoner must not visit another prisoner within 12 months of release; and a prisoner who has been convicted of a sexual offence must not be visited by a person under the age of 16 without approval from the chief executive.

I understand another issue that the bill looks to address is letters sent by prisoners. Currently, section 33(7) of the act provides that letters sent by prisoners to the following entities cannot be opened by correctional services staff for inspection: letters to the Ombudsman, to members of parliament, a visiting tribunal, an inspector of the correctional institution or a legal practitioner at the practitioner's business address. I also understand it is proposed that the Health and Community Services Complaints Commissioner be included in that list of entities.

Also in relation to prisoner communication, the bill proposes to provide formal powers to the chief executive to monitor the communications of prisoners, except where it is between the prisoner and their legal representative, the Ombudsman, the Health and Community Services Complaints Commissioner, or a person of a designated class by the chief executive. The chief executive must authorise any monitoring in advance. Any information that is intercepted that reveals information about an offence must be referred to the police commissioner. As highlighted by the member for Bragg, the bill defines communication as speech, music or any other sounds, data, text, visual images, signals, or any combination of the above.

The bill looks at a number of other measures in relation to prison management. One particular issue is penalties for introducing controlled substances and prohibited items, and the bill proposes to increase offence penalties for introducing controlled substances and prohibited items into prison from two years to five years. Another provision is to supply a prisoner's health information between departments, and clause 58 of the bill compels the chief executives responsible for the administration of the Health Care Act 2008 and the Mental Health Act 2009 to disclose such personal information about a prisoner as is reasonably required for the treatment, care and rehabilitation of the prisoner.

Another matter the member for Bragg highlighted is in relation to the extension of search powers to all institutional land. As outlined, that includes surrounding areas outside the confines of the prison, being car parks and similar areas. Another provision within the bill is release of the prisoner for questioning by the police. Currently, if a prisoner is suspected of having committed an offence or has been charged with an offence, the manager of a correctional institution must, at the request of the police, release the prisoner into the custody of that member of the police force for the purposes of investigation, obtaining evidence or identifying the prisoner as the person who committed the offence. The bill proposes to add an additional category of the prisoner 'having knowledge or information that might assist in the prevention or investigation of an offence'.

I will not go into the issues in relation to management of parole and the like. I am fully aware that the member for Bragg has canvassed that comprehensively, but, given that the bill is open and that we have spoken in the house today in relation to the condolence motion to Justice Mullighan, we have covered the issue of rehabilitation—and I know that the bill talks about rehabilitation of our prisoners.

A number of people who work in our prison system live in my electorate. The Mobilong Prison is just to the east of my electorate, in the member for Hammond's electorate, which is not too far in distance from the electorate of Kavel's eastern boundary. I talk to those correctional services officers about different issues that they raise. I know quite a number of police, obviously, in and around the state (not necessarily in my electorate), and they talk to me about offenders, rehabilitation and the like, because rehabilitation is one of the most important aspects of the correctional services regime, for many reasons.

The minister no doubt will have some answers to this, but rehabilitation is very important for those people within our community who have no fear of prison. I have had some third party involvement in relation to this, and I will just cite an example. One of my neighbour's nephews got in trouble with the law and ended up receiving a custodial sentence for his offending. He served that sentence, came out, reoffended and went back into prison. I got talking to my neighbour about that. I will not name the person, but I said, 'Doesn't he have any fear of prison?' And the answer was no.

Obviously, if a person is not fearful of going to prison, that is not a disincentive to offending and reoffending. I think that the vast majority of the population around the nation holds the prospect of going to prison in a fearful way. I can tell members that I certainly do, and I think that the vast majority of people in this nation do, but there is a percentage of the community who do not. Rehabilitation has to be the answer, I think, for them not to reoffend. There may be other answers, and the minister, I hope, can expand on some of those answers, not only for my benefit but for the benefit of the house.

I have talked to some of my constituents, who highlight some issues. For example, people are convicted and they are sent to Mobilong and they do their time; they carry out their sentences. They are released out into society, they reoffend and they are sent back to prison; and, when they are walking into prison, they are high-fiving their mates. They are actually saying, 'How're you going? Good to see you. How's it been back in here?' It is just a big catch-up.

Obviously, as I said, prison holds no fear for those people, and it is a bit of a reuniting with some of the prison population they have developed a relationship with. Obviously, rehabilitation takes a number of paths through the correctional services regime. I understand that the Cadell facility is regarded as a low-security facility where farming activity is undertaken, and that obviously assists in the rehabilitation of those prisoners.

I live in the north-western part of the Hills, where I grew up. During my childhood, for one reason or another we would drive down Grand Junction Road past the Yatala prison, and when I was a young boy I remember that there was a big fence running along Grand Junction Road, out into the paddock and behind the prison, and some of the prison population would undertake farm work at the prison. Obviously, significant changes have occurred with management at the prison and the way that the prisoners are dealt with and managed because none of that farm work is undertaken anymore.

I am aware of the riots that took place in that prison some years ago, when they set fire to the old prison block and it was burnt out; I remember driving past and seeing the burnt-out shell of the old stone building set back off the road. After that rioting took place there were considerable changes to the management regime in Yatala. Further improvements—higher, more solid walls were built around a larger area of the prison ground, and some other facilities to the west of the original old cell block—were constructed.

The minister might like to give me a history lesson on the reason that farming activity ceased at Yatala prison. I know that they had a dairy, they milked cows, they provided fresh vegetables to the kitchen in the prison, they provided milk for the prison, and I think they even sold the excess milk into the market. That was part of the work the prisoners undertook, and it may well have helped them in their rehabilitation when they were released, as they had some skills and, arguably, could go and work on a farm property as relatively skilled farm workers.

I think I have covered all the points I wanted to make on the second reading. The member for Bragg highlighted the fact that the minister has not had an unblemished record in his role as Minister for Correctional Services. There has been a number of incidences that have clearly been embarrassing to the government and to the minister but, as highlighted, the opposition is prepared to support some of the bill. We will move quite a number of amendments, and we look forward to the minister listening to the arguments on those amendments and supporting them.

Ms SANDERSON (Adelaide) (17:43): I have a few things that I want to put on the record regarding the Correctional Services (Miscellaneous) Amendment Bill 2011. Regarding prisoner allowances, I agree that the Chief Executive Officer of the Department for Correctional Services would be well placed to make decisions regarding prisoner allowances, remuneration for work, and bonuses for positive behaviour. I note that the weekly allowance of \$11.70 has not changed over the past 20 years, although the cost of basic items has gone up many times.

Regarding visitor identification, I noted during my visit to the remand centre a couple of weeks ago that a new biometric enrolment system is being installed where, along with 100 points of identification required initially, a retina scan and/or a fingerprint will be taken and stored on the system. After the initial enrolment, photo ID only will be required. All visitors are required to place all personal items onto an X-ray machine, using the same equipment as the airports have, as well as the drug detection systems, where a swab is taken from the clothing. I see this as a very positive step forward.

Regarding the penalties for introducing controlled substances and prohibited items, given that it costs around \$67,000 a year per prisoner to keep them in prison—and I believe it is up to about \$81,000 a year to keep them in the remand centre—increasing the penalty by an extra three years will cost around \$201,000 per prisoner and will put more pressure on our very full prisons.

Perhaps, once the trial at the remand centre with the biometric enrolment system is underway, that could be a better way of maybe preventing more drugs getting through, or even the possibility of X-ray machines. I believe the X-ray machines that we have seen on TV are not being used yet because they are quite intrusive, and it is more like seeing through your clothing rather than just seeing what drugs are in your possession, but perhaps the investment would be better used to stop the drugs getting in rather than penalising the prisoners, which in fact costs us more money to keep them in prison.

Regarding parole management, I wonder what arrangements the Department for Correctional Services or the Parole Board have in place to notify Centrelink when a person has breached their parole or is taken into prison. An article in the *Sunday Mail* on 11 September states:

Several convicted criminals have told the *Sunday Mail* restricting or even cutting off payments would severely affect the ability of fugitives to evade police. One offender who evaded police for more than a year after breaching his parole conditions said that Centrelink payments were instrumental in his freedom. 'I can tell you they were the only thing that kept me going,' said the man. 'If I did not have cash going into my account during that period I probably would have surrendered within a month. It is actually quite bizarre. You have one government department actually assisting you to stay on the run from another government department.'

Is there any way that we can try to fix this through the amendments that we are making now? I believe that section 85C(d) in the act would give the freedom to pass on the information, but I am just wondering whether that is being done.

Mr PEDERICK (Hammond) (17:47): I will be brief because I think other members on this side have covered the Correctional Services (Miscellaneous) Amendment Bill 2011 very well in a comprehensive manner. The one part of the bill that I want to reflect on is the extension of the search powers to all institutional land.

I just want to reflect on the September 2006 announcement of the Labor government which came via *The Advertiser* to establish a 760-cell men's prison and a 150-cell women's prison at Mobilong near Murray Bridge. This proposal was a \$411 million proposal, and I remember coming into the parliament, and I had already seen it in the newspaper that morning and taken a call from the Mayor of Murray Bridge because neither I nor the mayor nor the community of Murray Bridge and surrounding areas had been consulted about this proposal—a major proposal.

Over \$400 million was to be invested in Mobilong, and I can understand if the government did not want to tell the local member—that is up to them—but they did not even advise the mayor of what they were about to do and everyone reads about in the paper. That is the way this government works—lack of consultation; no consultation. Would the member for West Torrens like to wake up in the morning and realise that a corrections facility—

The Hon. A. KOUTSANTONIS: Point of order.

The ACTING SPEAKER (Mr Sibbons): Point of order.

The Hon. A. KOUTSANTONIS: If the member wishes to make a grievance about a decision taken by the government in 2006, by all means. This is the 2011 amendment bill. Please speak to that.

The ACTING SPEAKER: Member for Hammond.

Mr PEDERICK: Thank you, Mr Acting Speaker, and I am speaking in relation to the extension of search powers on institutional land, and this would have been a major institution on corrections land at Murray Bridge, and that was what the proposal was—to build this high security institution. It would have had a supermax section of the gaol as well, and there were three levels of security incorporated into that, as I understand it. The council said in the QED report, which they put up, that it was a tortuous process for the council.

The Hon. A. KOUTSANTONIS: I rise on a point of order: relevance. The member is talking about a capital infrastructure program that is not being proceeded with and is not being debated in this bill.

The ACTING SPEAKER: I would agree with the minister that the member for Hammond should be addressing issues within the bill. However, the member may wish to discuss points of concern, but I would suggest that he gets back to the major topic of the bill.

Mr PEDERICK: Thank you, Mr Acting Speaker. I note that it is a tortuous subject for the government, but this is exactly how the people of my electorate reacted to the lack of consultation. What I was referring to was the extension of search powers on all institutional land. This is something that would have happened if the development at Mobilong had gone ahead. It would have been in regard to all of the land identified in the proclamation under section 18.1.

The Hon. A. KOUTSANTONIS: I rise on a point of order. 'What would happen if it had proceeded' were his words. He is talking about a hypothetical construction that is not in the bill.

The Hon. I.F. EVANS: I rise on a point of order. The minister is filibustering by taking irrelevant points of order to try to pad the debate out until 6 o'clock. It is outrageous. Let the member speak.

The ACTING SPEAKER: I dismiss your point of order, member for Davenport, but the minister's point of order is still relevant. I will ask the member for Hammond to continue on addressing the bill.

Mr PEDERICK: Thank you, Mr Acting Speaker. I note the government and the minister's embarrassment on the subject I have brought up about the lack of consultation with the community. I just hope that the government makes the carriage of the Correctional Services (Miscellaneous) Amendment Bill 2011 far more successful than its defunct 2006 proposal for the new Mobilong Prison.

The ACTING SPEAKER: Thank you, member for Hammond, we eventually got there. If the minister speaks he closes the debate.

The Hon. A. KOUTSANTONIS: I want to thank all contributors to the debate. The government has listened intently to the member for Bragg's amendments, given the fact that today is the first day I have seen those amendments; not through any conspiracy, it is just that she lodged them the day that I left on a trade mission. We will consider those in the upper house and I would ask the opposition for some latitude to give the government an opportunity to consider those.

I understand that there were other amendments moved by the Hon. Iain Evans that the government will accept. I point out to the member for Hammond that the only people who went to the last election talking about opening a new prison without consulting with anyone was the opposition, and the shadow spokesperson was promptly fired after he announced that on 891. I commend the bill to the house.

Bill read a second time.

In committee.

Clauses 1 to 6 passed.

Progress reported; committee to sit again.

At 17:56 the house adjourned until Wednesday 28 September 2011 at 11:00.